



City of Daytona Beach Shores

"Life is Better Here"

"A Premier, Friendly Place to Be"

AGENDA CITY COMMISSION MEETING MARCH 3, 2026

**6:00 PM, Shores Community Center, 3000 Bellemead Drive
Daytona Beach Shores, FL 32118**

Upon being recognized, a member of the public shall proceed to the podium and give his or her name and address and may, thereafter, speak for a maximum of three minutes on any matter relevant to a specific agenda item. During "Audience Comments," a member of the public may speak on any matter relevant to City business which is not on the agenda, for a maximum of three minutes in accordance with Section 2-1.1(d) and 2-2 of the City Code. In accordance with Section 2-2, during periods set aside for public discussion any person desiring to speak shall secure a form located at the agenda table, complete the form and present it to the City Clerk so the speaker can be recognized by the presiding officer. The use of profanity, obscene language, threats or any violent or abusive conduct by any person shall constitute a violation of this section. It shall be the duty of the Director of Public Safety, upon the order of the presiding officer at any such meeting, to forcibly, if necessary, evict any person violating the provisions of this section from the Commission Chambers. Any such violation shall subject the offender, upon conviction thereof, to a fine and/or imprisonment as prescribed by Section 1-8.

- 1. CALL TO ORDER BY MAYOR**
- 2. ROLL CALL BY CITY CLERK**
- 3. PRAYER**
- 4. PLEDGE OF ALLEGIANCE**
- 5. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:**
 - A. Employee Service Award - Sgt. Enrique Rosario 5 years
 - B. Proclamation for Government Finance Week
 - C. Annual Audit Report James Moore & Company
- 6. APPROVAL OF MINUTES**

- A. City Commission Minutes February 3, 2026

7. CONSENT AGENDA:

- A. Public Safety Department January monthly report
- B. Community Services Department Monthly Report - January 2026
- C. Monthly Executive Financial Report - December 2025 & January 2026
- D. Approval for Annual Mosquito Control

8. OLD BUSINESS:

9. NEW BUSINESS:

- A. Ordinance 2026-01: Land Development Code Amendment to Create a Definition for Wine Bistro and Add Wine Bistro as a Permitted Principal Use in the GC-2 Retail/Service Commercial Development District and the GC-RD General Commercial-Redevelopment District.
- B. Ordinance 2026-02: Land Development Code Amendment to Streamline and Clarify the Application and Approval Requirements for Conditional Uses Generally, and to Streamline the Application, Approval, and Renewal Process for Certain Outdoor Dining Conditional Uses
- C. Ordinance 2026-03 - AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA RELATING TO GENERAL PENALTIES FOR CERTAIN ILLEGAL ACTIVITY; PROVIDING FOR AN AMENDMENT TO SECTION 1-8 OF THE CITY OF DAYTONA BEACH SHORES CODE OF ORDINANCES WITH REGARD TO THE PROVISION OF PENALTIES FOR VIOLATIONS OF CITY CODE
- D. Resolution 2026-01 Support for Volusia Forever
- E. Resolution 2026-02: Adoption of the 2025 Volusia Multi-Jurisdictional Program for Public Information Plan
- F. Consideration of Request for Reduction/Rescission of Code Enforcement Lien for 2617 S. Atlantic Ave.
- G. Petitions submitted by Resident

10. CITY ATTORNEY COMMENTS

11. CITY MANAGER COMMENTS

- 12. COMMISSION COMMENTS:**
- 13. AUDIENCE REMARKS/PUBLIC COMMENTS:**
- 14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:**
- 15. ADJOURNMENT:**

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE OF THE PROCEEDINGS UPON WHICH THE APPEAL IS TO BE BASED.

NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF DAYTONA BEACH SHORES, 2990 S. ATLANTIC AVENUE, DAYTONA BEACH SHORES, FLORIDA 32118, TELEPHONE NUMBER 386-7635364, CSCHWAB@CITYOFDBS.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 711 or 1 8009558771.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

MINUTES
CITY COMMISSION MEETING
February 3, 2026
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

Present: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

Staff: City Manager Michael Fowler, City Clerk Cheri Schwab, City Attorney Taylor Simonds, Community Services Director Stewart Cruz, Finance Director Lory Irwin, Recreation Director Nancy Maddox, and Interim Public Safety Director Mark Swanson.

2. ROLL CALL BY CITY CLERK

3. PRAYER

4. PLEDGE OF ALLEGIANCE

5. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:

A. Proclamation for Teacher of the Year

Mayor Miller read the proclamation and presented flowers to Ms. Erica Kasma.

B. R.J. Longstreet Student Art Awards

The Mayor and City Commissioners presented certificates to RJ Longstreet art students.

C. Proclamation for Encephalitis Awareness Day

Mayor Miller read the proclamation for Encephalitis Awareness Day.

6. APPROVAL OF MINUTES

A. City Commission Minutes January 6, 2026

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER STEPHAN DEMBINSKY to Approve the City Commission Minutes of January 6, 2026.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

7. CONSENT AGENDA:

A. Public Safety December monthly report

B. Community Services Department Monthly Report - December 2025

- C. Mutual Aid Agreement
- D. Interlocal agreement for animal control services
- E. Sole Source - Southern Coast K9 Incorporated
- F. Withdrawal of Project 4673-143-R Emergency Operations Center Safe Room, contract #H1137
- G. Approval Of Work Order 2026-01 For The Design & Construction Administration Services With Hall & Ogle Architects, Inc. For The Public Works Facility Building Expansion Project
- H. City Sponsorship Policy

Mayor Miller noted that Item H had a small change to the policy.

COMMISSIONER CHRIS CONOMOS moved, seconded by COMMISSIONER STEPHAN DEMBINSKY to Approve the consent agenda.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

8. OLD BUSINESS:

9. NEW BUSINESS:

- A. Celebration of the USA's 250th Birthday

Recreation Director Nancy Maddox explained that the city is planning a celebration to honor the country's 250th birthday. The date will be Wednesday, July 1st, and it will include music, a short play and lunch afterward.

- B. Overview of Communication Channels, Survey Software Options and Board History

Community Information Coordinator Madie McCallister reviewed existing communication channels. She noted that the city's website is planned for an update/refresh later this year. Social media stats for both Facebook and Instagram have increased over the last 90 days and the most recent issue of the Pelican newsletter was mailed to over 3,600 residents. She explained that if the commission desired, they could provide an outreach opportunity to gain citizen input. Surveys could be sent either by mail or online with the costs running between \$23,500 and \$45,000. After hearing the presentation, the commission felt there was no need for any immediate survey.

- C. Petitions submitted by Resident

There were three petitions submitted by resident, Lonnie Groot. He was not present at the meeting and there was no action taken by the city commission.

10. CITY ATTORNEY COMMENTS

There were no additional comments from the City Attorney.

11. CITY MANAGER COMMENTS

City Manager Mike Fowler explained that a monthly newsletter for employees began this month. FDOT is still on track to begin repaving A1A next month. He reported that the vacant Red Lobster restaurant has a new tenant. The owner of So Napa from New Smyrna Beach has signed a lease agreement and plans to open later this year. Mayor Miller inquired if outside dining would be permitted and was told it was.

12. COMMISSION COMMENTS:

Comm. Conomos explained that e-bikes were discussed at the last TPO meeting. Other cities have regulations for their usage, but since A1A is a federal highway, the city does not have authority over it. Comm. Card stated that the mattress store that recently opened on the northern end of town, had made the decision to close. He shared that a few public safety officers had played pickleball as part of their fitness routine and the residents loved seeing them. Mayor Miller shared the following upcoming events: Coffee with the Mayor, PO/SD Mayor's Breakfast, art festival, Galentine's brunch, citizens academy and the monthly concert to include the battle of the food trucks.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

Past President of PO/SD Chamber of Commerce, Dan Morris, thanked the city for hosting the Better Life Expo last month. He felt it was very well attended.

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

Mayor Miller has requested Jessica Fentress provide an update on beach renourishment.

15. ADJOURNMENT:

The meeting ended at 6:56 pm.

**MAYOR
NANCY MILLER**

**INTERIM CITY MANAGER
MICHAEL FOWLER**

ATTEST:

CITY CLERK, CHERI SCHWAB



**CITY COMMISSION AGENDA MEMORANDUM
MARCH 3, 2026 AGENDA**

TO: Honorable Mayor and Members of the City Commission
FROM:
PREPARED BY: Joanne Sweeney, Admin Asst
SUBJECT: Public Safety Department January monthly report

SYNOPSIS:

FISCAL IMPACT STATEMENT:

BACKGROUND:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:

ATTACHMENT: 1. PS January monthly report



CITY OF DAYTONA BEACH SHORES

DEPARTMENT OF PUBLIC SAFETY

3050 South Atlantic Avenue

Daytona Beach Shores, Florida 32118

Office of Director of Public Safety

Office 386-763-5333 Fax 386-763-5341

MONTHLY REPORT FOR JANUARY 2026

	<i>Jan-26</i>	<i>26/YTD</i>	<i>Jan-25</i>	<i>25/YTD</i>
<i>Police Related Calls</i>	2,178	2,178	3,015	3,015
<i>Fire Related Calls</i>	78	78	87	87
<i>Rescue Related Calls</i>	57	57	76	76
<i>Fire Related Alarms Sounding</i>	22	22	16	16
<i>Traffic Citations</i>	165	165	167	167
<i>Written Warnings</i>	64	64	74	74
<i>Building Inspections</i>	66	66	75	75
<i>Arrests: Adults</i>	33	33	32	32
<i>Juveniles</i>	0	0	0	0
<i>City Ordinance Charges</i>	0	0	1	1
<i>Florida State Statute Charges</i>	38	38	35	35
<i>Accidents: Total</i>	13	13	16	16
<i>Street/Highway</i>	10	10	8	8
<i>Parking Lot</i>	3	3	8	8

Mark Swanson, Interim Public Safety Director

WAS

DAYTONA BEACH SHORES DEPARTMENT OF PUBLIC SAFETY

JANUARY 2026 STATISTICS

FIRE CALLS	CURRENT MONTH	YEAR TO DATE	PRIOR YEAR
STRUCTURE FIRES	2	2	0
HAZARDOUS CONDITIONS	1	1	5
VEHICLE FIRES	0	0	1
BOAT FIRES	0	0	0
OTHER FIRES NOT LISTED	2	2	0
VEHICLE CRASHES W/ENGINE RESPONSE	2	2	0
SERVICE CALLS	51	51	68
FIRE ALARMS	22	22	16
CANCELLED EN ROUTE	20	20	13
TOTALS	100	100	103

INSPECTIONS	CURRENT MONTH		YEAR TO DATE		PRIOR YEAR	
	INITIAL	FOLLOW-UP	INITIAL	FOLLOW-UP	INITIAL	FOLLOW-UP
HIGH RISE	3	2	3	2	4	8
HOTEL/MOTEL	5	6	5	6	4	1
ASSEMBLY	1	0	1	0	0	0
MERCANTILE	5	4	5	4	5	5
RESTAURANT	3	2	3	2	2	0
BUSINESS	12	4	12	4	11	0
OTHER	8	2	8	2	27	0
CONSTRUCTION	0	0	0	0	0	0
OCCUPATIONAL LICENSES	0	0	0	0	0	0
APARTMENTS/CONDO	8	1	8	1	7	1
TOTALS	45	21	45	21	60	15

PLANS EXAMINATION HOURS: 14 HRS

DAYTONA BEACH SHORES DEPARTMENT OF PUBLIC SAFETY
JANUARY 2026 STATISTICS

EMS CALLS	CURRENT MONTH	YEAR TO DATE	PRIOR YEAR
ALS CALLS	31	31	33
BLS CALLS	26	26	43
TOTALS	57	57	76



Daytona Beach Shores Department of Public Safety

Office of Director

3050 S. Atlantic Ave.

Daytona Beach Shores, FL 32118

Office 386-763-5333

TRAINING SEMINARS ATTENDED

Month of January

Anthony Geurtsen Michael D'Eramo Peyton Carmin Glenn Ingerman	1/5	Autism Awareness Training DSC
Kathryn Gotz Mark Swanson	1/10-13	Florida Police Chiefs Conference Orlando
Derek George	1/13	Advanced Emergent Airways POFD
Heather Vanis Molly Mowen	1/19-2/22	Police Background Investigations IPTM-online
Peyton Carmin Anthony Compierchio	1/26-2/6	Basic Traffic Homicide Investigation DSC
Zach Ignoffo	1/29-30	Tactical Trauma Provider Hollywood



Daytona Beach Shores Department of Public Safety
Office of Director
3050 S. Atlantic Ave.
Daytona Beach Shores, FL 32118
Office 386-763-5333

MONTHLY REPORT FOR JANUARY 2026

Vehicle Maintenance Division: 2 Positions Assigned: Conducted routine, scheduled maintenance checks and repairs on all city vehicles (includes oil changes and tire exchanges). Additional items were:

Replace wiper blades	veh #167
Replace timing chain kit	veh #167
Replace water pump	veh #167
Replace front crankshaft seal	veh #167
Install filler plate	veh #184
Replace circuit breaker cutoff switches	veh #184
Replace battery charger	#22 Sign board
Replace wiper blades	veh #193
Replace tension pulley	veh #185
Replace drive belt	veh #185
Replace breather tube assembly	veh #185
Replace drivers seat side shield	veh #171
Perform multi point inspection	veh #191
Perform multi point inspection	veh #193
Replace tire sensor	veh #152



**CITY COMMISSION AGENDA MEMORANDUM
MARCH 3, 2026 AGENDA**

TO: Honorable Mayor and Members of the City Commission

FROM:

PREPARED BY: Stewart Cruz, Community Services Director

SUBJECT: Community Services Department Monthly Report - January 2026

SYNOPSIS:

FISCAL IMPACT STATEMENT:

BACKGROUND:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:

ATTACHMENT:

1. CSD Public Works & Sewer Divisions Monthly Report - January 2026
2. CSD Planning & Building Divisions Monthly Report - January 2026

COMMUNITY SERVICE DEPARTMENT PUBLIC WORKS & SEWER DIVISIONS MONTHLY REPORT - JANUARY 2026

FACILITIES MAINTENANCE DIVISION:

This division has four positions, two building maintenance employees, one electrician and one position that routinely assists the electrician.

Normal monthly duties:

This division is responsible for the upkeep and maintenance of city buildings. The facilities staff assesses problems reported with the buildings and repairs as needed within the staff's capabilities. The facilities staff has an HVAC certification therefore certain related repairs may be performed in-house. Among other things, Staff pressure wash buildings, clean window exteriors, paint, lubricate the locks, deliver water jugs and perform any other general maintenance needed with the city buildings and city owned properties. Tasks outside the expertise of the staff are contracted to third party specialists. The electrician and assistant are responsible for street light maintenance as well as any other electrical related issue that may arise within the City.

Additionally, this month:

- Community Center: Fixed cabinet door, removed holiday decorations and trees, trouble shot HVAC error code
- Public Safety: Continued work on HVAC issues, monitored contractor working on animal control build out, unclogged urinal on the 1st floor, removed holiday decorations, attended a walk through for upcoming HVAC project, put out rodent traps around the parking lot
- City Hall: Removed holiday decorations and trees, started 3rd floor renovation to convert storage room into an office, painted City

Manager's office, assisted the electrician on running electric and data cables to the new office, moved and assembled new furniture

- Streets: Assisted in sidewalk concrete repairs in multiple locations on S. Atlantic Avenue

Electrician:

- Electrical Locates: 58
- Helped remove holiday lights
- Assisted contractor with electric at the animal control buildout
- Installed new receptacles and assisted with camera install at Lift Station 3
- Installed receptacle in the tennis shed to charge the golf cart
- Worked on new electrical outlets and data cables for third floor storage room renovation into an office
- Assisted IT with Public Safety data cables in records, gym and evidence
- Inspected and scheduled replacement of electric meter can at Lift Station 8
- Removed and replaced old wiring and conduit in sidewalk concrete repairs
- Fixed weatherproof receptacles on city hall roof
- Replaced lamp on 12' pole at Public Safety
- Straightened and tightened decorative poles

PARKS / STREETS DIVISION:

This division has twelve maintenance positions, one custodial position, four street maintenance positions and seven park maintenance positions. During this month, the division was down two park maintenance positions.

Normal monthly duties:

This division performs maintenance, upkeep and general appearance of all the City parks, streets, sidewalks and medians daily, including, but not limited to, mowing, restocking supplies, replacing plants as needed, replacing or repairing street signs, checking and clearing storm drains, checking and repairing beach walkovers as well as any other related issue that may arise in the City. Per the City-County Park Maintenance Agreement, this division also is responsible for the cleaning and upkeep of the new county parks. The custodial position is responsible for assisting with setting up for rentals at the Community Center if needed, janitorial type duties like emptying trash, cleaning of bathrooms in all the buildings, vacuuming and mopping floors, dusting and taking care of whatever else is needed regarding the city buildings' cleaning needs.

Additionally, this month:

- Removed Christmas banners and holiday decorations from city buildings and parks
- Repaired broken delineator lines on Bellemead Dr.
- Assisted with renovation of city hall 3rd floor storage area being converted into an office (furniture assembly, electrical, painting, baseboards, wall repair)
- Started replacing mulch in park areas
- Assisted with monitoring the contractor doing the animal control build out
- Changed out faded bus bench seals
- Replaced storm drain grate by the dog park
- Cut out five sections of sidewalk concrete for repairs, forming and repouring concrete
- Repaired irrigation problems at Beachcomber Park and Dahlia Park
- Fixed the fence at the dog park
- Started trimming palm trees throughout the city properties
- Helped with set up and break down of the art show event

SEWER DIVISION:

This division currently has four positions.

Normal monthly duties:

This division maintains and inspects all the sewer stations daily, performs all the general maintenance of the sewer stations, generators and the station properties, including, but not limited to, mowing and general outside maintenance, cleaning pump areas, wet wells and floats. The division also maintains and inspects city manholes, delivers past due sewer bill notices for the Finance Department every month, performs cooling tower readings, and quarterly grease trap inspections.

Additionally, this month:

- Sewer locates – 68
- Painted inside Lift Station 4 and Master Lift Station
- Cleaned the vacuum chamber on the master bypass pump
- Assisted IT and the electrician fixing the security cameras at Lift Station 3
- Checked sewer availability at 104 and 108 White Cap and 3045 and 3047 S. Peninsula Drive
- Cleared a sewer back up at Lift Station 4 and Maddens Ace Hardware Plaza
- Replaced water solenoid on pump 3 at the master station
- Fixed a water leak at the master station
- Fixed a broken check valve on pump 3 at the Master Lift Station
- Replaced light fixture at Lift Station 1 storage garage

City of Daytona Beach Shores

Planning & Building Division Statistics

Monthly Report – January, 2026

Planning Division

Site Plans - Submittals and Approvals:

Submitted this Month: 0
 Submitted this Fiscal Year: 1
 Approved by Staff this Month: 0
 Approved by Staff this Fiscal Year: 1
 Approved by City Commission this Month: 0
 Approved by City Commission this Fiscal Year: 0
 Amendments Approved by Staff this Fiscal Year: 3

Building Division

Specific Large Projects (Over \$10,000) - Submitted This Month:

PROJECT	WORK ADDRESS	DATE	WORK DESCRIPTION	VALUE	REVENUE
Amos Residence	2937 South Atlantic Avenue, Unit 1605	1/5	Replace 2.5 ton water to air AC unit	\$10,331.00	\$128.48
Aldi Retail Store	2200 South Atlantic Avenue	1/5	Demo existing interior of commercial building	\$75,900.00	\$493.75
Seide Residence	2630 South Peninsula Drive	1/5	Replace 3 doors	\$23,698.00	\$250.90
Flood Residence	3245 South Atlantic Avenue, Unit 1008	1/5	Remove tub to create larger shower	\$13,000.00	\$152.50
Seascape Motel	2601 South Atlantic Avenue	1/6	Repair metal overhang frame	\$25,000.00	\$262.91
Ocean Court Motel	2315 South Atlantic Avenue	1/6	Install 274' of 4' tall black aluminum fence with gate	\$13,238.00	\$154.65
Turtle Inn Beach Club	3233 South Atlantic Avenue	1/7	Replace underground fire sprinkler pipe	\$32,080.46	\$372.15
Rivera Residence	3043 South Atlantic Avenue, Unit 202	1/7	Replace 2.5 ton water to heat pump package unit	\$10,621.00	\$131.09
Zanetti Residence	3641 South Atlantic Avenue, Unit 220	1/7	Remove and replace kitchen cabinets and counter tops	\$13,430.00	\$156.37
Bennison Residence	4 Oceans West Boulevard, Unit 508B	1/7	Master bath remodel, vanity, top, extend shower	\$31,280.00	\$322.78
Hudak Residence	3815 South Atlantic Avenue, Unit 907	1/8	Kitchen remodel, new cabinets, reduce wall height	\$93,500.00	\$915.89
Nagrani Residence	3703 South Atlantic Avenue, Unit 702	1/8	Remodel kitchen and bath, new tops, tub and tile	\$27,500.00	\$286.74

PROJECT	WORK ADDRESS	DATE	WORK DESCRIPTION	VALUE	REVENUE
Nagrani Residence	2555 South Atlantic Avenue, Unit PH5	1/8	New kitchen island, cabinets, re-tile shower	\$40,000.00	\$901.90
Shearer/Cracchiolo Residence	4 Oceans West Boulevard, Unit 202D	1/8	Remodel kitchen and 2 bathrooms	\$40,000.00	\$405.90
Seychelles Condo	3855 South Atlantic Avenue	1/8	Correct code violations	\$12,650.00	\$171.90
City of Daytona Beach Shores	2990 South Atlantic Avenue	1/8	Change out (1) 7.5 ton HVAC unit	\$25,969.85	0.00
Shores Resort and Spa	2637 South Atlantic Avenue	1/9	Electrical upgrades for elevator modernization	\$68,615.00	\$678.67
Kies Residence	2936 Oceans Trace	1/12	New kitchen cabinets and tops, remove kitchen wall	\$13,900.00	\$160.60
Batts Residence	2967 South Atlantic Avenue, Unit 1406	1/13	Replace 3.5 ton water to air heat pump package unit	\$12,124.00	\$144.61
Baker Residence	2967 South Atlantic Avenue, Unit 1203	1/13	Remodel kitchen and bathroom, cabinets, tops	\$100,000.00	\$977.85
Partin Residence	3875 South Atlantic Avenue	1/14	Install 4 motorized rolldown hurricane shutters	\$22,305.00	\$238.06
Winslow Residence	3333 South Atlantic Avenue, Unit 1404	1/14	Remodel kitchen, baths, tub to shower conversion	\$75,000.00	\$739.54
Riewe Residence	3855 South Atlantic Avenue, Unit 1501	1/15	Install 8 motorized rolldown hurricane shutters	\$23,000.00	\$244.46
Salida Del Sol	3737 South Atlantic Avenue	1/15	Full rehabilitation, concrete, waterproofing, balconies	\$1,090,650.00	\$10,421.22
Quinteros Residence	4 Oceans West Boulevard, Unit 306B	1/15	Replace cabinets and countertops	\$15,000.00	\$170.66
Ocean Villas Condo	3703 South Atlantic Avenue	1/20	Replace impact glass in fitness center	\$15,017.39	\$170.82
Jimenez Residence	2 Oceans West Boulevard, Unit 1805	1/20	Replace kitchen cabinets and countertops	\$16,500.00	\$184.50
Agrawal Residence	2713 South Atlantic Avenue	1/20	Residential rock revetment	\$60,000.00	\$596.55
Vinson Residence	2937 South Atlantic Avenue, Unit 704	1/21	Install 2 motorized rolldown hurricane shutters	\$12,000.00	\$143.50
Boyce Residence	2937 South Atlantic Avenue, Unit 803	1/21	Install 2 motorized rolldown hurricane shutters	\$12,215.00	\$145.44
Railkar Residence	2937 South Atlantic Avenue, Unit 1801	1/21	Install 5 motorized rolldown hurricane shutters	\$25,000.00	\$262.91
Shoemaker Residence	2937 South Atlantic Avenue, Unit 1502	1/21	Replace 3.5 ton water to air heat pump package unit	\$12,288.00	\$146.10
Pollard Property	2422 South Atlantic Avenue	1/21	Replace 5 ton package unit on rooftop	\$11,750.00	\$141.25
Flynt Residence	2 Oceans West Boulevard, Unit 1703	1/21	Replace (2) 3 ton heat pump water to air units	\$14,700.00	\$167.89
Towers Ten Condo	3425 South Atlantic Avenue	1/22	Replace 32 sliding glass doors	\$299,200.00	\$2,876.72
Wright Residence	2937 South Atlantic Avenue, Unit 307	1/22	Install 4 motorized rolldown hurricane shutters	\$24,000.00	\$253.69
Zambrotta Residence	2905 River Point Drive	1/23	Replace 4 ton heat pump system	\$10,000.00	\$125.50

PROJECT	WORK ADDRESS	DATE	WORK DESCRIPTION	VALUE	REVENUE
Oceans Two Condo	3047 South Atlantic Avenue	1/27	Replace 40 ton Carrier chiller	\$90,325.00	\$885.63
Panagis Residence	2987 South Atlantic Avenue, Unit 1802	1/27	Replace kitchen cabinets, tops, new vanities	\$25,000.00	\$262.91
Kears Residence	3043 South Atlantic Avenue, Unit 203	1/27	Replace 12 windows and 1 sliding glass door	\$32,322.00	\$332.69
El Caribe Resort	2125 South Atlantic Avenue	1/27	Deck and concrete repairs	\$32,350.00	\$332.97
Linton Residence	2 Oceans West Boulevard, Unit 104	1/27	Install 3 motorized rolldown hurricane shutters	\$22,643.00	\$241.17
Oceans Two Condo	3047 South Atlantic Avenue	1/28	Replace chiller main stack valves, and three way valves	\$85,698.00	\$561.01
Seven Seas Resort	2433 South Atlantic Avenue	1/28	Install fire alarm system for facility elevator upgrades	\$12,305.00	\$235.00
Peck Plaza	2625 South Atlantic Avenue	1/29	Concrete repairs in parking garage floor slabs	\$60,000.00	\$596.55
Gondera Residence	2979 Sea Oats Circle	1/29	Remodel kitchen and bathroom, tub to shower	\$34,000.00	\$348.71
Hottinger Residence	2967 Oceans Trace	1/29	Bathroom remodel	\$10,000.00	\$125.50
US Glass Holding LLC Property	3815 South Atlantic Avenue, Unit 1004	1/30	Remodel kitchen and two bathrooms, cabinets, tops	\$68,160.00	\$674.33
Oceans Four Condo	3003 South Atlantic Avenue	1/30	Replace front vestibule	\$53,514.27	534.73
Everts Residence	2 Oceans West Boulevard, Unit 2103	1/30	Replace kitchen countertops	\$25,500.00	\$267.68
Tuscany Shores	2901 South Atlantic Avenue	1/30	Repair pool deck and beach stairs	\$26,600.00	\$6.78
TOTALS	WORK ADDRESS	DATE	WORK DESCRIPTION	\$2,999,879.97	\$29,503.11

Building Division Revenue by Permit Category:

PERMIT TYPE	JANUARY 2026	FISCAL YEAR-TO-DATE 2025 TO 2026	JANUARY 2025	LAST FISCAL YEAR-TO-DATE 2024 TO 2025
BUILDING	\$28,532.61	\$169,330.42	\$23,826.40	\$66,623.01
ROOF	\$321.61	\$13,625.16	\$2,521.40	\$7,311.05
DEMOLITION	\$0.00	\$0.00	\$0.00	\$0.00
ELECTRICAL	\$4,340.85	\$12,671.91	\$6,802.75	\$14,985.14
MECHANICAL	\$3,780.85	\$15,227.99	\$4,283.73	\$20,328.11
PLUMBING	\$3,798.70	\$11,794.89	\$2,389.50	\$8,492.76
SIGN	\$232.00	\$656.00	\$226.50	\$380.25
POLITICAL SIGN BONDS	\$0.00	\$0.00	\$0.00	\$0.00
STORMWATER MANAGEMENT	\$0.00	\$0.00	\$0.00	\$0.00

MISCELLANEOUS	\$508.65	\$1,250.75	\$274.24	\$884.91
DEVELOPMENT FEES	\$0.00	\$2,506.00	\$235.00	\$1,155.00
PROMOTIONAL ACTIVITIES	\$0.00	\$0.00	\$0.00	\$0.00
TOTALS	\$41,515.41	\$227,063.12	\$40,559.52	\$120,160.23

Building Division Activities:

ACTIVITY	JANUARY 2026	FISCAL YEAR-TO- DATE 2025 TO 2026	JANUARY 2025	LAST FISCAL YEAR-TO- DATE 2024 TO 2025
INSPECTIONS	{245} + [0] = 245	1074	{255} + [0] = 255	969
FINAL CERTIFICATES OF OCCUPANCY ISSUED	0	1	0	0
TEMPORARY CERTIFICATES OF OCCUPANCY ISSUED	0	0	0	0
FINAL INSPECTIONS	{195} + [0] = 195	803	{163} + [0] = 168	647
FAILED INSPECTIONS	{13} + [0] = 13	67	{21} + [0] = 21	62

NOTE: { } indicates City inspection; [] indicates Universal Engineering Services inspection

Annual Totals, Large Projects (Over \$10,000):

Projects Begun Current Fiscal Year-to-Date – 2025 to Present: \$17,795,143.56

Projects Begun Last Fiscal Year – 2024 to 2025: \$47,604,112.31

Projects Begun Two Fiscal Years Ago – 2023 to 2024: \$88,785,455.00



CITY COMMISSION AGENDA MEMORANDUM MARCH 3, 2026 AGENDA

TO: Honorable Mayor and Members of the City Commission

FROM:

PREPARED BY: Lory Irwin, Finance Director

SUBJECT: Monthly Executive Financial Report - December 2025 & January 2026

SYNOPSIS:

The current fiscal year general fund budget, including the capital fund and economic development fund is \$29,126,800. The current enterprise budget including sewer operating, capital improvement, and sewer impact is \$43,952,900. There are a total of \$27,574,900 in fund transfers for capital projects throughout the year.

FISCAL IMPACT STATEMENT:

All revenue and expenses were approved through the approval of the budget at the September 23, 2025 commission meeting and the budget amendment approved at the October 7, 2025 commission meeting.

BACKGROUND:

The city has collected 80.8% of its budgeted ad valorem revenue at the end of January 2026. 19% of budgeted expenditures have been expensed as of January 2026 month end. Expenses are 32.1% lower than this time last year due to a hurricane-free year. (fingers crossed for this year). Revenue is 8.4% lower than prior year due to Hurricane Ian insurance payments paid in FY 24-25.

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:

ATTACHMENT:

1. MBR 25-26 Pd 04 January
2. MBR 25-26 Pd 03 December

EXECUTIVE SUMMARY

Month Ending January, 2026

January, 2026

CURRENT YEAR OPERATIONAL PERFORMANCE				
Fund or Fund Segment	YTD Revenue	YTD Expense	Revenue Less Expense	Margin %
General Fund Operations	\$10,926,597	\$5,536,329	\$5,390,268	49%
General Fund Sub-Total	\$10,926,597	\$5,536,329	\$5,390,268	49%
Sewer Fund Operations	\$957,068	\$1,041,810	(\$84,742)	-9%
Sewer Fund Restricted Impact Fee	\$1,679	\$998	\$681	41%
Sewer Fund Sub-Total	\$958,747	\$1,042,808	(\$84,061)	-9%
TOTAL ALL FUNDS FISCAL YTD	\$11,885,344	\$6,579,137	\$5,306,208	45%

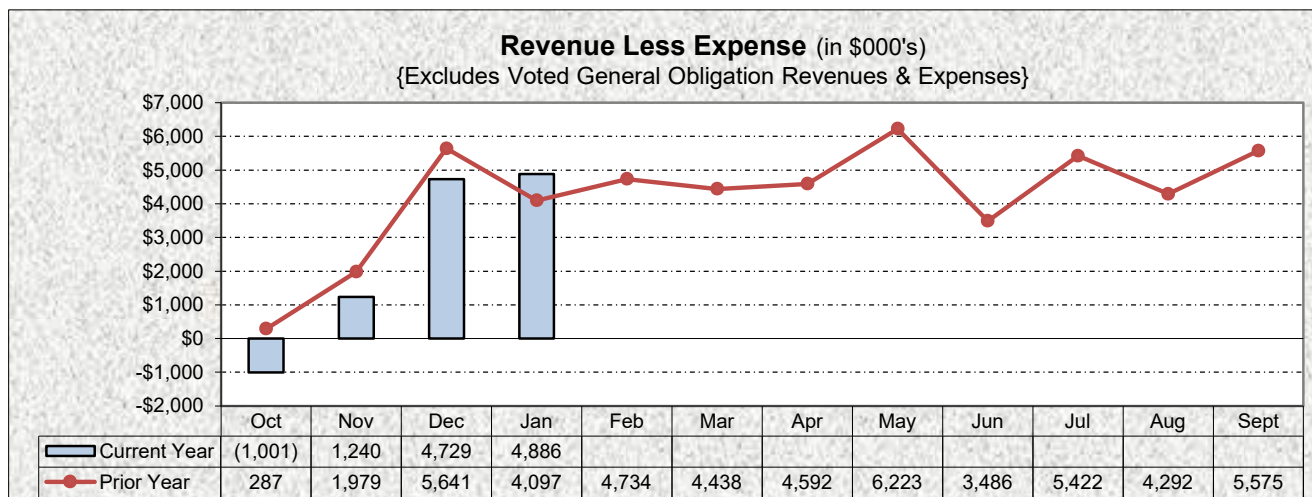
CASH / INVESTMENT POSITIONS PERFORMANCE				
	Current Month Current Year	Current Month Prior Year	12-Month Change	Percent Change
General Fund (excl. G.O. Funds)	\$31,088,720	\$24,585,735	\$6,502,985	26%
Sewer Fund	\$12,119,828	\$11,867,258	\$252,570	2%
Sub-Total Operating Funds	\$43,208,548	\$36,452,993	\$6,755,555	19%
TOTAL ALL FUNDS	\$43,208,548	\$36,452,993	\$6,755,555	19%

PROJECTED FISCAL YEAR END (FYE) CASH FLOW FROM NORMAL OPERATIONS**			
	General Fund	Sewer Fund	Total
Current Cash vs. Prior Year Ending Cash	\$5,820,350	(\$726,305)	
Add Back for Current Year CS Construction Expense	N/A	N/A	
Historical Mean Projected Remaining Cash Flow	\$1,328,195	(\$474,939)	
PROJECTED FYE NORMALIZED CASH FLOW	\$7,148,545	(\$1,201,244)	\$5,947,302

All Funds Budget Performance Summary Report (in 000's)

Month Ending January, 2026

NON-G.O. FUNDS	January, 2026		VERSUS PRIOR YEAR TO DATE		
	Current Budget	Current YTD Actual	Prior YTD Actual	Vs. Prior Yr. Favorable / (Unfavorable)	% vs. Prior Year
Revenues ('000s)					
General Fund	\$23,114	\$10,927	\$11,937	(\$1,010)	-8%
General Fund Capital	\$1,287		\$0	\$0	
Utility Fund	\$43,953	\$957	\$1,417	(\$460)	-32%
Utility Fund Capital			\$0	\$0	
Total Revenues & Appropriations	\$68,353	\$11,884	\$13,354	(\$1,470)	-11%
Expenses ('000s)					
General Fund Less Capital	\$18,373	\$5,484	\$6,433	(\$949)	-15%
General Fund Capital	\$6,028	\$52	\$1,705	(\$1,653)	-97%
Utility Fund	\$20,725	\$1,043	\$1,119	(\$76)	-7%
Utility Fund Capital	\$23,228	\$418	\$0	\$418	
Total Expenses & Appropriations	\$68,353	\$6,997	\$9,257	(\$2,678)	-29%
Revenue Less Expense ('000s)					
General Fund	\$0	\$5,390	\$3,799	\$1,591	\$0
Utility Fund	\$0	(\$504)	\$298	(\$802)	-269%
Revenue Less Expense	\$0	\$4,886	\$4,097	\$789	19%



General Fund Detail Budget Report

Month Ending January, 2026

	January, 2026		VERSUS PRIOR YEAR TO DATE		
	Current Budget	Current YTD Actual	Prior YTD Actual	Vs. Prior Yr. Favorable / (Unfavorable)	
Revenues/Sources					
Ad-Valorem Taxes	10,430,400	8,566,798	8,398,369	168,429	2.01%
Business Taxes	98,000	103,263	1,447	101,816	7036.33%
Utility Taxes	1,070,000	300,935	368,409	(67,474)	-18.31%
Permits & Franchise Fees	1,160,500	389,448	377,620	11,828	3.13%
Intergovernmental	2,903,500	108,438	120,103	(11,665)	-9.71%
Donations	-	-	1,000	(1,000)	-100.00%
Charges for Services	2,024,100	856,784	1,078,851	(222,067)	-20.58%
Fines & Forfeitures	105,000	32,830	22,180	10,650	48.01%
Non-G.O. Interest	45,000	34,171	190,670	(156,499)	-82.08%
Unrealized Investment G/(L)	450,000	150,510	-	150,510	
Miscellaneous & Fixed Asset Sales	70,500	14,421	958,797	(944,376)	-98.50%
Internal Services	1,110,400	369,000	419,433	(50,433)	-12.02%
Non G.O. Transfer In-Fund Balance	3,646,400	-	0	-	
Non-G.O. Gen. Fund Revenue	\$ 23,113,800	\$ 10,926,597	\$ 11,936,879	\$ (1,010,282)	-8.46%
Non-G.O. CAPITAL Revenue	1,286,500			0	
Total Non-G.O. Revenue	24,400,300	10,926,597	11,936,879	(1,010,282)	
Operating Expenditures					
Excluding CAPITAL Expense					
Legislative	203,000	70,248	57,592	12,656	21.98%
Executive	958,200	249,729	287,863	(38,134)	-13.25%
Finance	774,400	226,961	245,156	(18,195)	-7.42%
Legal Counsel	185,100	32,813	44,273	(11,460)	-25.89%
Comp. Planning	150,600	45,434	48,332	(2,899)	-6.00%
Information Technology	904,700	472,382	313,613	158,769	50.63%
Other Gov't Services	59,000	340	595	(255)	-42.86%
Public Safety-Admin	1,758,200	567,410	593,953	(26,543)	-4.47%
Public Safety-Patrol/Rescue/CID	7,125,100	1,934,572	2,024,322	(89,750)	-4.43%
Public Safety-Auto Maint.	198,900	64,392	59,333	5,059	8.53%
Public Safety Operations	9,082,200	2,566,374	2,677,608	(111,234)	-4.15%
Building Dept.	649,900	206,629	197,326	9,303	4.71%
Emergency Mgmt - Hurricanes	-	-	-	-	
Phy. Envir. -- Solid Waste/Recycle	1,671,500	415,826	635,537	(219,711)	-34.57%
Public Works-Admin	543,000	226,656	210,610	16,046	7.62%
Public Works-Bldg. Maint.	644,800	188,011	167,738	20,273	12.09%
Public Works-Streets	958,700	206,240	285,290	(79,050)	-27.71%
Public Works Operations	2,146,500	620,907	663,638	(42,731)	-6.44%
Inventory	-	-	-	-	
Human Resources	240,000	75,585	26	75,559	290611.85%
Parks & Rec	890,400	205,050	802,251	(597,201)	-74.44%
Community Center	629,000	153,760	218,992	(65,232)	-29.79%
Senior Center	-	-	-	-	
Economic Development Programs	100,000	16,287	3,024	13,263	438.61%
Contingency/Transfers	5,357,600		-	-	
Long-Term Debt	398,200	125,585	237,273	(111,688)	-47.07%
Non-G.O. Operations Expense	24,400,300	5,483,912	6,433,099	(949,187)	-14.75%
Non-G.O. CAPITAL Expense	4,726,500	52,417	1,704,548	(1,652,131)	-96.92%
Total Non-G.O. Expense	29,126,800	5,536,329	8,137,647	(2,601,318)	-31.97%
Non-G.O. Revenue Less Expense	\$ -	\$ 5,390,268	\$ 3,799,232	\$ 1,591,036	41.88%

Utility Fund Detail Budget Report

Month Ending January, 2026

Fund 401		VERSUS PRIOR YEAR TO DATE			
	January, 2026			Vs. Prior Yr.	
	Current Budget	Current YTD Actual	Prior YTD Actual	Favorable / (Unfavorable)	% vs. Prior Year
<u>Operations Revenues</u>					
Charges for Services	\$ 4,400,400	\$908,078	\$1,372,003	(\$463,925)	-34%
Interest	105,000	48,990	42,861	6,129	14%
Grants	22,853,400			0	
Approp. Ret. Earnings & Debt Proc.	16,578,000			0	
Transfer from Fund Balance			0	0	
Total Operating Revenues	\$ 43,936,800	\$957,068	\$1,414,864	(\$457,796)	-20%
<u>Operations Expenditures</u>					
Sewer Operating Incl. Depreciation	\$ 4,130,400	\$1,039,392	\$1,118,118	\$78,726	7%
- Less Debt Service Principal [a]	16,578,000		0		
- Less Not Offset Capital Expense [b]					
Transfers to Capital Fund	23,228,400	2,418	0		
Total Operating Expense	\$ 43,936,800	\$1,041,810	\$1,118,118	\$78,726	7%
Operations Margin	\$ -	(\$84,742)	\$296,746		
% Gain/(Loss)		-8%	27%		

Fund 402

<u>Impact Fee Revenues</u>					
Sewer Impact Fees	\$ 16,000	\$ 1,642	\$1,717	(\$75)	-4%
Impact Fee Interest	100	37	41	(4)	-10%
I.F. Approp. Retained Earnings					
Total Impact Fee Revenue	\$ 16,100	\$ 1,679	\$ 1,758	\$ (79)	-4%
<u>Impact Fee Expense</u>					
Sewer Impact Fee Exp	\$ 16,100	\$ 998	\$998	\$ -	0%
Total Impact Fee Expense	\$ 16,100	\$ 998	\$998	\$ -	0%
Impact Fee Margin	\$ -	\$ 681	\$ 760	\$ (79)	-10%
% Gain/(Loss)		68%	76%		

TOTAL FUND PERFORMANCE

TOTAL FUND Revenue	\$ 43,952,900	\$958,747	\$1,416,622	(\$457,875)	
TOTAL FUND Expense	\$ 43,952,900	\$1,042,808	\$1,119,116	(\$76,308)	
FUND Revenue Less Expense		(\$84,061)	\$297,506	(\$534,183)	

[a] In Enterprise Funds, debt service principal payment expenses are credited against the debt liability on the balance sheet, reducing the debt on the Balance Sheet and eliminating the expense from the Income Statement.

[b] In Enterprise Funds, the expense of Capital is allocated to depreciation, which in this report is included in the listed operating expense.

FISCAL YEAR-TO-DATE CAPITAL BUDGET ACCOUNT REPORT

Month Ending January, 2026

Department	Description	Budgeted*	Paid
60645 Lease	Lease	1,286,500	-
30100 GF Improvements	Improvements	82,500	39,432
30200 GF Vehicles/Equipment	Equipment/Vehicles	-	
30500 PS Vehicles/Equipment	Equipment/Vehicles	585,000	
30800 GF Transportation	Improvements	90,000	
31700 GF Facility Renew/Replace	Building, Land, Improvements	3,505,000	12,985
32200 GF Leisure Capital	Improvements, Machinery	478,570	
601 Forfeiture	Machinery/Equipment		
GENERAL FUND TOTAL		6,027,570	52,417
40800 SWR Equipment	Equipment	505,000	132,660
40900 SWR Improvements	Improvements	26,671,625	285,523
	Capital Offset to Depreciation Exp	(27,176,625)	(418,183)
GRAND TOTAL		6,027,570	52,417

INVESTMENT REPORT
Month Ending January, 2026

Policy Restrictions

<u>Investment</u>	<u>January, 2026</u>	<u>Must</u>	<u>Int.Cap</u>	<u>Class Cap</u>	<u>Current</u>	<u>In Limits</u>
SBA	SBA			None	0.0%	
US Gov't Securities	USGS			100%	61.0%	Yes
Cash & CDs	CASH			None	39.0%	Yes
Money Market Funds	MMF			20%	0.0%	
Fed Instrum. & Agncy	FIA			30%	0.0%	
Collat. Mortg. Obligtns.	CMO			20%	0.0%	
Commercial Paper	CP			10%	0.0%	
FMIT	FMIT			None		

Performance @Period Ending:

<u>Institution</u>	<u>Account</u>	<u>Maturity</u>	<u>Asset</u>	<u>Invest Class</u>	<u>Restriction</u>	<u>Account Value</u>	<u>Period Int. Rate</u>	<u>% of Portfolio</u>
SBA: Prime	131031		Investment	SBA	General Fund	\$ 640	4.48%	0%
SBA: Prime	131032		Investment	SBA	Sewer Fund	\$ 640	4.48%	0%
TOTAL SBA						\$ 1,279		0.0%
U.S. Treasury Bill	912797TD9	6/18/2026	Investment	USGS	General Fund	\$ 1,878,537	2.60%	4%
U.S. Treasury Bill	912797SW8	5/28/2026	Investment	USGS	General Fund	\$ 2,197,684	2.67%	5%
U.S. Treasury Bill	912797SW8	11/29/2024	Investment	USGS	General Fund	\$ 5,984,067	2.67%	14%
U.S. Treasury Bill	912797RV1	3/5/2026	Investment	USGS	General Fund	\$ 4,054,377	2.15%	9%
U.S. Treasury Bill	912797SN8	4/30/2026	Investment	USGS	General Fund	\$ 4,052,630	2.20%	9%
U.S. Treasury Bill	912797TJ6	4/21/2026	Investment	USGS	General Fund	\$ 1,881,278	2.33%	4%
U.S. Treasury Bill	912797RU3	2/26/2026	Investment	USGS	Sewer Fund	\$ 1,695,899	2.13%	4%
U.S. Treasury Bill	912797QD2	2/26/2026	Investment	USGS	Sewer Fund	\$ 2,891,788	3.54%	7%
U.S. Treasury Bill	912797RV1	4/16/2026	Investment	USGS	Sewer Fund	\$ 1,736,593	2.15%	4%
TOTAL US TREASURIES						\$ 26,372,855		61.0%
Bank of America	004537065882		Cash	CASH	Working Cash	\$ 13,896,397	0.75%	32%
Bank of America	005562564319		Cash	CASH	Sewer Operating	\$ 1,848,185	0.75%	4%
Bank of America	005562564351		Cash	CASH	Sewer Impact Fee	\$ 10,964	0.75%	0%
JP Morgan Chase	663652210		Cash	CASH	Working Cash	\$ 908,846	0.75%	2%
JP Morgan Chase CD	100079555936		Cash	CD	Pool Cash	\$ 110,336	1.85%	0%
Seacoast Bank	4810004966		Cash	CASH	Sewer Operating	\$ 22,716	0.15%	0%
Seacoast Bank	4810000706		Cash	CASH	Working Cash	\$ 36,970	0.15%	0%
Seacoast Bank	4810003566		Cash	CASH	Loan Reserve	\$ -	0.00%	0%
TOTAL BANKS						\$ 16,834,414		39.0%

TOTAL CURRENT VALUE @ PERIOD END	\$43,208,548
WEIGHTED AVERAGE TOTAL RETURN FOR CURRENT MONTH	1.5552%

<u>CHANGE IN CASH & INVESTMENTS (Incl. interfund transfers)</u>	<u>Current Value</u>	<u>Vs. Last Month</u>	<u>Vs. Prior Year To Date</u>	<u>Vs. Prior Fiscal Year End</u>
General Fund (excl. G.O. Funds)	\$ 31,088,720	\$ 31,282,330	\$ 26,928,469	\$ 24,129,394
Sewer Fund	\$ 12,119,828	\$ 11,807,552	\$ 11,746,176	\$ 12,401,975
TOTAL	\$ 43,208,548	\$ 43,089,882	\$ 38,674,645	\$ 36,531,369
Percent Change for Current	N/A	0.3%	11.7%	18.3%

Month Ending January, 2026

January, 2026

GENERAL FUND						
Agent	Security Type (Last Digits Account ID)	Cost Basis	Yield to Cost	Market Value	Gain / Loss	Annual Income @ Cur. Int%
SBA	Investment-General (031)		4.15%	\$ 640		\$27
BoA	Cash-Pool Cash Account (5882)		0.75%	\$ 13,896,397		\$104,223
	<i>Includes Contraband Pool Cash</i>			\$ 45,552		\$0
	<i>Includes Economic Development Cash</i>			\$ 516,584		\$0
	<i>Includes Capital Improvement Funds</i>			\$ 1,499,946		\$0
	<i>Less: Pool Cash Due to Sewer Funds</i>			\$ (1,832,801)		\$0
Seacoast	Cash-Pool Cash Account (0706)	\$36,970	0.15%	\$ 36,970	\$0	\$55
Chase	Cash-Pool Cash (2110)	\$908,846	0.75%	\$ 908,846	-	\$6,816
	<i>Less: Pool Cash Due to Sewer Fund</i>			\$ (198,964)		\$0
	CD (5936)	\$110,336	1.85%	\$ 110,336	\$0	\$2,041
JP Morgan	US Treasury Securities	\$18,081,447	2.44%	\$ 18,167,296	\$85,849	\$441,100
ALL GENERAL FUND			1.92%	\$ 31,088,720	\$85,849	\$554,262
PRIOR MONTH				\$ 31,282,330		

SEWER OPERATING						
SBA	Investment (032)	\$640	4.15%	\$ 640	\$0	\$27
BoA	Sewer Operating Fund (4319)	\$1,848,185	0.75%	\$ 1,848,185		\$13,861
Seacoast	Cash (4966)	\$22,716	0.15%	\$ 22,716	\$0	\$34
	<i>Add: Pool Cash Due From General Fund</i>			\$ 1,957,573		\$0
JP Morgan	US Treasury Securities	\$8,094,257	2.67%	\$ 8,205,559	\$111,302	\$216,082
ALL SEWER OPERATING FUND			3.42%	\$ 12,034,672	\$111,302	\$230,003
PRIOR MONTH				\$ 11,721,407		

SEWER IMPACT FEES (Restricted)						
BoA	Sewer Impact Fees (4351)		0.75%	\$ 10,964		\$82
	<i>Cash-Pool Cash Due From Gen. Fund</i>			\$ 74,192		\$0
ALL SEWER IMPACT			0.10%	\$ 85,156	\$0	\$82
PRIOR MONTH				\$ 86,145		

ALL FUNDS			1.82%	\$ 43,208,548	\$197,151	\$784,348
PRIOR MONTH				\$ 43,089,882		
MONTHLY CHANGE				\$ 118,666		
MONTHLY CHANGE %				0.3%		

Month Ending January, 2026

January, 2026

GENERAL FUND												
Agent	Security Type (Last Digits Account ID)	Cusip	Purchase Date	Maturity Date	Par Value/Face Value	Coupon Rate	Cost Basis	Yield to Maturity	Market Value	Market G/L	Accrued Interest	Income to Maturity
J.P.Morgan	US Treasury Bill (6-month)	912797TD9	12/22/25	06/18/26	\$ 1,904,000		\$ 1,872,200	2.60%	\$ 1,878,537	\$ 6,338		\$ 31,800
J.P.Morgan	US Treasury Bill (6-month)	912797SW8	11/28/25	05/28/26	\$ 2,223,000		\$ 2,182,903	2.67%	\$ 2,197,684	\$ 14,781		\$ 40,097
J.P.Morgan	US Treasury Bill (3-month)	912797RV1	12/04/25	03/05/26	\$ 4,067,000		\$ 4,030,458	2.15%	\$ 4,054,377	\$ 23,919		\$ 36,542
J.P.Morgan	US Treasury Bill (3-month)	912797SN8	01/29/26	04/30/26	\$ 4,088,000		\$ 4,052,065	2.20%	\$ 4,052,630	\$ 565		\$ 35,935
J.P.Morgan	US Treasury Bill (6-month)	912797SW8	11/28/25	05/28/26	\$ 6,053,000		\$ 5,943,821	2.67%	\$ 5,984,067	\$ 40,246		\$ 109,179
ALL GENERAL FUND					\$ 18,335,000		\$ 18,081,447		\$ 18,167,296	\$ 85,849	\$ -	\$ 253,553
									PRIOR MONTH	\$ 18,116,039		
												2.44%

SEWER FUND												
J.P.Morgan	US Treasury Bill (3-month)	912797RU3	11/28/25	02/26/26	\$ 1,700,000		\$ 1,684,381	2.13%	\$ 1,695,899	\$ 11,518		\$ 15,619
J.P.Morgan	US Treasury Bill (4-month)	912797TJ6	12/22/25	04/21/26	\$ 1,896,000		\$ 1,874,428	2.33%	\$ 1,881,278	\$ 6,850		\$ 21,572
J.P.Morgan	US Treasury Bill (12-month)	912797QD2	04/29/25	04/16/26	\$ 2,913,000		\$ 2,809,099	3.54%	\$ 2,891,788	\$ 82,689		\$ 103,901
J.P.Morgan	US Treasury Bill (3-month)	912797RV1	12/04/25	03/05/26	\$ 1,742,000		\$ 1,726,348	2.15%	\$ 1,736,593	\$ 10,245		\$ 15,652
ALL SEWER OPERATING FUND					\$ 8,251,000		\$ 8,094,257		\$ 8,205,559	\$ 111,302		\$ 156,743
									PRIOR MONTH	\$ 8,181,160		
												2.67%

ALL FUNDS					\$ 26,586,000		\$ 26,175,704		\$ 26,372,855	\$ 197,151		
									PRIOR MONTH	\$ 26,297,199		
									MONTHLY CHANGE	\$ 75,656		
									MONTHLY CHANGE %	0.3%		

EXECUTIVE SUMMARY

Month Ending December, 2025

December, 2025

CURRENT YEAR OPERATIONAL PERFORMANCE				
Fund or Fund Segment	YTD Revenue	YTD Expense	Revenue Less Expense	Margin %
General Fund Operations	\$9,772,957	\$4,528,806	\$5,244,151	54%
General Fund Sub-Total	\$9,772,957	\$4,528,806	\$5,244,151	54%
Sewer Fund Operations	\$675,584	\$772,888	(\$97,303)	-14%
Sewer Fund Restricted Impact Fee	\$1,670	\$0	\$1,670	100%
Sewer Fund Sub-Total	\$677,254	\$772,888	(\$95,633)	-14%
TOTAL ALL FUNDS FISCAL YTD	\$10,450,212	\$5,301,694	\$5,148,518	49%

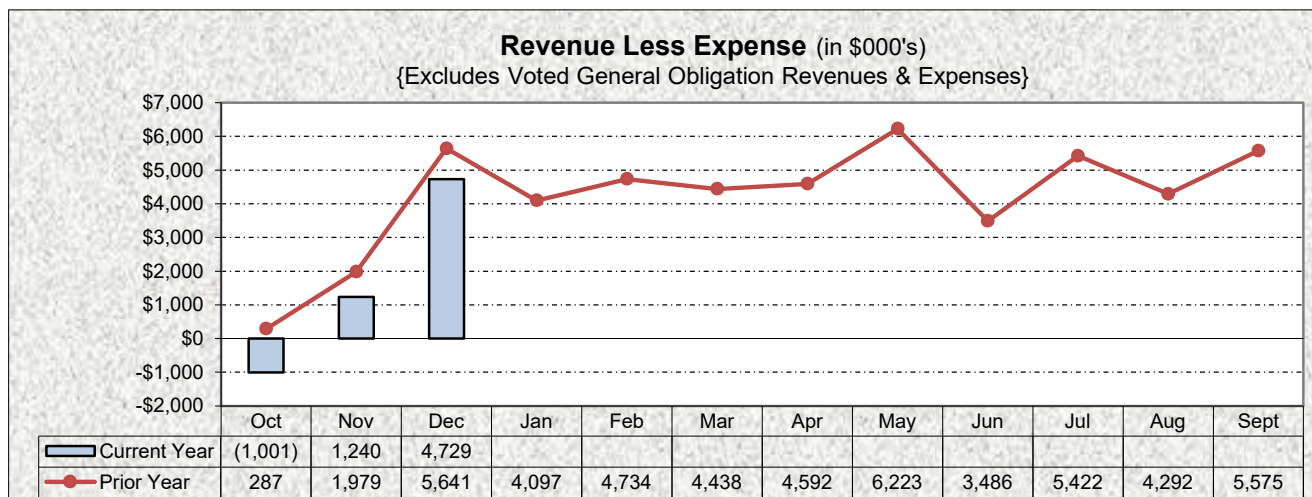
CASH / INVESTMENT POSITIONS PERFORMANCE				
	Current Month Current Year	Current Month Prior Year	12-Month Change	Percent Change
General Fund (excl. G.O. Funds)	\$31,282,330	\$24,585,735	\$6,696,595	27%
Sewer Fund	\$11,807,552	\$11,867,258	(\$59,706)	-1%
Sub-Total Operating Funds	\$43,089,882	\$36,452,993	\$6,636,889	18%
TOTAL ALL FUNDS	\$43,089,882	\$36,452,993	\$6,636,889	18%

PROJECTED FISCAL YEAR END (FYE) CASH FLOW FROM NORMAL OPERATIONS**			
	General Fund	Sewer Fund	Total
Current Cash vs. Prior Year Ending Cash	\$6,013,960	(\$1,038,581)	
Add Back for Current Year CS Construction Expense	N/A	N/A	
Historical Mean Projected Remaining Cash Flow	\$869,285	(\$717,417)	
PROJECTED FYE NORMALIZED CASH FLOW	\$6,883,245	(\$1,755,998)	\$5,127,247

All Funds Budget Performance Summary Report (in 000's)

Month Ending December, 2025

NON-G.O. FUNDS	December, 2025		VERSUS PRIOR YEAR TO DATE		
	Current Budget	Current YTD Actual	Prior YTD Actual	Vs. Prior Yr. Favorable / (Unfavorable)	% vs. Prior Year
Revenues ('000s)					
General Fund	\$23,114	\$9,773	\$490	\$9,283	1894%
General Fund Capital	\$1,287		\$0	\$0	
Utility Fund	\$43,691	\$676	\$237	\$439	185%
Utility Fund Capital			\$0	\$0	
Total Revenues & Appropriations	\$68,091	\$10,449	\$727	\$9,722	1337%
Expenses ('000s)					
General Fund Less Capital	\$18,387	\$4,476	\$1,125	\$3,351	298%
General Fund Capital	\$6,013	\$52	\$25	\$27	110%
Utility Fund	\$20,725	\$773	\$164	\$609	371%
Utility Fund Capital	\$22,966	\$418	\$0	\$418	
Total Expenses & Appropriations	\$68,091	\$5,720	\$1,314	\$3,988	303%
Revenue Less Expense ('000s)					
General Fund	\$0	\$5,244	(\$660)	\$5,904	\$9
Utility Fund	\$0	(\$515)	\$73	(\$588)	-806%
Revenue Less Expense	\$0	\$4,729	(\$587)	\$5,316	906%



General Fund Detail Budget Report

Month Ending December, 2025

	December, 2025		VERSUS PRIOR YEAR TO DATE		
	Current Budget	Current YTD Actual	Prior YTD Actual	Vs. Prior Yr. Favorable / (Unfavorable)	
Revenues/Sources					
Ad-Valorem Taxes	10,430,400	7,962,070	6,771,748	1,190,322	17.58%
Business Taxes	98,000	102,493	7,235	95,258	1316.63%
Utility Taxes	1,070,000	209,198	347,597	(138,399)	-39.82%
Permits & Franchise Fees	1,160,500	294,259	342,538	(48,279)	-14.09%
Intergovernmental	2,903,500	68,846	186,524	(117,678)	-63.09%
Donations	-	-	420	(420)	-100.00%
Charges for Services	2,024,100	687,442	452,833	234,609	51.81%
Fines & Forfeitures	105,000	25,452	16,222	9,230	56.90%
Non-G.O. Interest	45,000	22,264	120,942	(98,678)	-81.59%
Unrealized Investment G/(L)	450,000	113,197	-	113,197	
Miscellaneous & Fixed Asset Sales	70,500	10,986	15,306	(4,321)	-28.23%
Internal Services	1,110,400	276,750	270,474	6,276	2.32%
Non G.O. Transfer In-Fund Balance	3,646,400	-	0	-	
Non-G.O. Gen. Fund Revenue	\$ 23,113,800	\$ 9,772,957	\$ 8,531,839	\$ 1,241,118	14.55%
Non-G.O. CAPITAL Revenue	1,286,500			0	
Total Non-G.O. Revenue	24,400,300	9,772,957	8,531,839	1,241,118	
Operating Expenditures					
Excluding CAPITAL Expense					
Legislative	203,000	60,845	54,873	5,972	10.88%
Executive	958,200	183,028	242,620	(59,592)	-24.56%
Finance	774,400	167,971	124,523	43,448	34.89%
Legal Counsel	185,100	22,371	19,335	3,036	15.70%
Comp. Planning	150,600	34,824	22,966	11,858	51.63%
Information Technology	904,700	430,692	137,036	293,656	214.29%
Other Gov't Services	59,000	340	1,967	(1,627)	-82.71%
Public Safety-Admin	1,758,200	435,882	397,450	38,432	9.67%
Public Safety-Patrol/Rescue/CID	7,125,100	1,509,006	1,124,103	384,903	34.24%
Public Safety-Auto Maint.	198,900	49,979	43,062	6,917	16.06%
Public Safety Operations	9,082,200	1,994,866	1,564,615	430,251	27.50%
Building Dept.	649,900	156,527	150,139	6,388	4.26%
Emergency Mgmt - Hurricanes	-	-	-	-	
Phy. Envir. -- Solid Waste/Recycle	1,671,500	413,587	256,007	157,580	61.55%
Public Works-Admin	543,000	186,609	151,431	35,178	23.23%
Public Works-Bldg. Maint.	644,800	155,996	63,969	92,027	143.86%
Public Works-Streets	958,700	150,315	167,286	(16,971)	-10.15%
Public Works Operations	2,146,500	492,920	382,686	110,234	28.81%
Inventory	-	-	-	-	
Human Resources	240,000	75,585	-	75,585	
Parks & Rec	890,400	152,154	169,419	(17,265)	-10.19%
Community Center	629,000	153,760	153,811	(51)	-0.03%
Senior Center	-	-	-	-	
Economic Development Programs	100,000	11,332	-	11,332	
Contingency/Transfers	5,357,600		-	-	
Long-Term Debt	398,200	125,585	154,645	(29,060)	-18.79%
Non-G.O. Operations Expense	24,400,300	4,476,389	3,434,642	1,041,747	30.33%
Non-G.O. CAPITAL Expense	4,726,500	52,417	65,193	(12,776)	-19.60%
Total Non-G.O. Expense	29,126,800	4,528,806	3,499,835	1,028,971	29.40%
Non-G.O. Revenue Less Expense	\$ -	\$ 5,244,151	\$ 5,032,004	\$ 212,147	4.22%

Utility Fund Detail Budget Report

Month Ending December, 2025

	VERSUS PRIOR YEAR TO DATE				
	December, 2025				
Fund 401	Current Budget	Current YTD Actual	Prior YTD Actual	Vs. Prior Yr. Favorable / (Unfavorable)	% vs. Prior Year
Operations Revenues					
Charges for Services	\$ 4,400,400	\$628,136	\$273,943	\$354,193	129%
Interest	105,000	47,448	139,366	(91,918)	-66%
Grants	22,591,400			0	
Approp. Ret. Earnings & Debt Proc.	16,578,000			0	
Transfer from Fund Balance			0	0	
Total Operating Revenues	\$ 43,674,800	\$675,584	\$413,309	\$262,275	63%
Operations Expenditures					
Sewer Operating Incl. Depreciation	\$ 4,130,400	\$770,470	\$322,228	(\$448,242)	-139%
- Less Debt Service Principal [a]	16,578,000		0		
- Less Not Offset Capital Expense [b]					
Transfers to Capital Fund	22,966,400	2,418	0		
Total Operating Expense	\$ 43,674,800	\$772,888	\$322,228	(\$448,242)	-139%
Operations Margin	\$ -	(\$97,303)	\$91,081		
% Gain/(Loss)		-13%	28%		

Fund 402

Impact Fee Revenues					
Sewer Impact Fees	\$ 16,000	\$ 1,642	\$1,717	(\$75)	-4%
Impact Fee Interest	100	28	10	18	179%
I.F. Approp. Retained Earnings					
Total Impact Fee Revenue	\$ 16,100	\$ 1,670	\$ 1,727	\$ (57)	-3%
Impact Fee Expense					
Sewer Impact Fee Exp	\$ 16,100			\$ -	
Total Impact Fee Expense	\$ 16,100	\$ -	\$0	\$ -	
Impact Fee Margin	\$ -	\$ 1,670	\$ 1,727	\$ (57)	-3%
% Gain/(Loss)		100%	100%		

TOTAL FUND PERFORMANCE

TOTAL FUND Revenue	\$ 43,690,900	\$677,254	\$415,036	\$262,218	
TOTAL FUND Expense	\$ 43,690,900	\$772,888	\$322,228	\$450,660	
FUND Revenue Less Expense		(\$95,633)	\$92,808	\$712,878	

[a] In Enterprise Funds, debt service principal payment expenses are credited against the debt liability on the balance sheet, reducing the debt on the Balance Sheet and eliminating the expense from the Income Statement.

[b] In Enterprise Funds, the expense of Capital is allocated to depreciation, which in this report is included in the listed operating expense.

FISCAL YEAR-TO-DATE CAPITAL BUDGET ACCOUNT REPORT

Month Ending December, 2025

Department	Description	Budgeted*	Paid
60645 Lease	Lease	1,286,500	-
30100 GF Improvements	Improvements	82,500	39,432
30200 GF Vehicles/Equipment	Equipment/Vehicles	-	
30500 PS Vehicles/Equipment	Equipment/Vehicles	585,000	
30800 GF Transportation	Improvements	90,000	
31700 GF Facility Renew/Replace	Building, Land, Improvements	3,505,000	12,985
32200 GF Leisure Capital	Improvements, Machinery	464,000	
601 Forfeiture	Machinery/Equipment		
GENERAL FUND TOTAL		6,013,000	52,417
40800 SWR Equipment	Equipment	505,000	132,660
40900 SWR Improvements	Improvements	24,374,000	285,523
	Capital Offset to Depreciation Exp	(24,879,000)	(418,183)
GRAND TOTAL		6,013,000	52,417

INVESTMENT REPORT
Month Ending December, 2025

Policy Restrictions

<u>Investment</u>	<u>December, 2025</u>	<u>Must</u>	<u>Int.Cap</u>	<u>Class Cap</u>	<u>Current</u>	<u>In Limits</u>
SBA	SBA			None	0.0%	
US Gov't Securities	USGS			100%	61.0%	Yes
Cash & CDs	CASH			None	39.0%	Yes
Money Market Funds	MMF			20%	0.0%	
Fed Instrum. & Agncy	FIA			30%	0.0%	
Collat. Mortg. Obligtns.	CMO			20%	0.0%	
Commercial Paper	CP			10%	0.0%	
FMIT	FMIT			None		

Performance @Period Ending:

<u>Institution</u>	<u>Account</u>	<u>Maturity</u>	<u>Asset</u>	<u>Invest Class</u>	<u>Restriction</u>	<u>Account Value</u>	<u>Period Int. Rate</u>	<u>% of Portfolio</u>
SBA: Prime	131031		Investment	SBA	General Fund	\$ 638	4.48%	0%
SBA: Prime	131032		Investment	SBA	Sewer Fund	\$ 638	4.48%	0%
TOTAL SBA						\$ 1,275		0.0%
U.S. Treasury Bill	912797TD9	6/18/2026	Investment	USGS	General Fund	\$ 1,873,103	2.58%	4%
U.S. Treasury Bill	912797SW8	5/28/2026	Investment	USGS	General Fund	\$ 2,191,414	2.65%	5%
U.S. Treasury Bill	912797SW8	11/29/2024	Investment	USGS	General Fund	\$ 5,966,994	2.65%	14%
U.S. Treasury Bill	912797RV1	3/5/2026	Investment	USGS	General Fund	\$ 4,042,247	2.17%	9%
U.S. Treasury Bill	912797RK5	1/29/2026	Investment	USGS	General Fund	\$ 4,042,282	2.10%	9%
U.S. Treasury Bill	912797TJ6	4/21/2026	Investment	USGS	General Fund	\$ 1,875,735	2.31%	4%
U.S. Treasury Bill	912797RU3	2/26/2026	Investment	USGS	Sewer Fund	\$ 1,690,675	2.20%	4%
U.S. Treasury Bill	912797QD2	2/26/2026	Investment	USGS	Sewer Fund	\$ 2,883,353	3.53%	7%
U.S. Treasury Bill	912797RV1	4/16/2026	Investment	USGS	Sewer Fund	\$ 1,731,398	2.17%	4%
TOTAL US TREASURIES						\$ 26,297,199		61.0%
Bank of America	004537065882		Cash	CASH	Working Cash	\$ 13,862,460	0.75%	32%
Bank of America	005562564319		Cash	CASH	Sewer Operating	\$ 1,843,627	0.75%	4%
Bank of America	005562564351		Cash	CASH	Sewer Impact Fee	\$ 10,955	0.75%	0%
JP Morgan Chase	663652210		Cash	CASH	Working Cash	\$ 904,352	0.75%	2%
JP Morgan Chase CD	100079555936		Cash	CD	Pool Cash	\$ 110,336	1.85%	0%
Seacoast Bank	4810004966		Cash	CASH	Sewer Operating	\$ 22,713	0.15%	0%
Seacoast Bank	4810000706		Cash	CASH	Working Cash	\$ 36,965	0.15%	0%
Seacoast Bank	4810003566		Cash	CASH	Loan Reserve	\$ -	0.00%	0%
TOTAL BANKS						\$ 16,791,408		39.0%

TOTAL CURRENT VALUE @ PERIOD END	\$43,089,882
WEIGHTED AVERAGE TOTAL RETURN FOR CURRENT MONTH	1.5459%

<u>CHANGE IN CASH & INVESTMENTS (Incl. interfund transfers)</u>	<u>Current Value</u>	<u>Vs. Last Month</u>	<u>Vs. Prior Year To Date</u>	<u>Vs. Prior Fiscal Year End</u>
General Fund (excl. G.O. Funds)	\$ 31,282,330	\$ 25,377,338	\$ 26,928,469	\$ 24,129,394
Sewer Fund	\$ 11,807,552	\$ 11,953,727	\$ 11,746,176	\$ 12,401,975
TOTAL	\$ 43,089,882	\$ 37,331,065	\$ 38,674,645	\$ 36,531,369
Percent Change for Current	N/A	15.4%	11.4%	18.0%

Month Ending December, 2025
December, 2025

GENERAL FUND						
Agent	Security Type (Last Digits Account ID)	Cost Basis	Yield to Cost	Market Value	Gain / Loss	Annual Income @ Cur. Int%
SBA	Investment-General (031)		4.15%	\$ 638		\$26
BoA	Cash-Pool Cash Account (5882)		0.75%	\$ 13,862,460		\$103,968
	<i>Includes Contraband Pool Cash</i>			\$ 45,552		\$0
	<i>Includes Economic Development Cash</i>			\$ 521,539		\$0
	<i>Includes Capital Improvement Funds</i>			\$ 1,499,946		\$0
	<i>Less: Pool Cash Due to Sewer Funds</i>			\$ (1,549,495)		\$0
Seacoast	Cash-Pool Cash Account (0706)	\$36,965	0.15%	\$ 36,965	\$0	\$55
Chase	Cash-Pool Cash (2110)	\$904,352	0.75%	\$ 904,352	-	\$6,783
	<i>Less: Pool Cash Due to Sewer Fund</i>			\$ (198,964)		\$0
	CD (5936)	\$110,336	1.85%	\$ 110,336	\$0	\$2,041
JP Morgan	US Treasury Securities	\$18,045,070	2.41%	\$ 18,116,039	\$70,969	\$435,521
ALL GENERAL FUND			1.85%	\$ 31,282,330	\$70,969	\$548,395
PRIOR MONTH				\$ 25,377,338		

SEWER OPERATING						
SBA	Investment (032)	\$638	4.15%	\$ 638	\$0	\$26
BoA	Sewer Operating Fund (4319)	\$1,843,627	0.75%	\$ 1,843,627		\$13,827
Seacoast	Cash (4966)	\$22,713	0.15%	\$ 22,713	\$0	\$34
	<i>Add: Pool Cash Due From General Fund</i>			\$ 1,673,269		\$0
JP Morgan	US Treasury Securities	\$8,094,257	2.68%	\$ 8,181,160	\$86,904	\$216,971
ALL SEWER OPERATING FUND			3.19%	\$ 11,721,407	\$86,904	\$230,858
PRIOR MONTH				\$ 11,867,591		

SEWER IMPACT FEES (Restricted)						
BoA	Sewer Impact Fees (4351)		0.75%	\$ 10,955		\$82
	<i>Cash-Pool Cash Due From Gen. Fund</i>			\$ 75,190		\$0
ALL SEWER IMPACT			0.10%	\$ 86,145	\$0	\$82
PRIOR MONTH				\$ 86,136		

ALL FUNDS			1.81%	\$ 43,089,882	\$157,873	\$779,336
PRIOR MONTH				\$ 37,331,065		
MONTHLY CHANGE				\$ 5,758,817		
MONTHLY CHANGE %				15.4%		

Month Ending December, 2025

December, 2025

GENERAL FUND												
Agent	Security Type (Last Digits Account ID)	Cusip	Purchase Date	Maturity Date	Par Value/Face Value	Coupon Rate	Cost Basis	Yield to Maturity	Market Value	Market G/L	Accrued Interest	Income to Maturity
J.P.Morgan	US Treasury Bill (6-month)	912797TD9	12/22/25	06/18/26	\$ 1,904,000		\$ 1,872,200	2.58%	\$ 1,873,103	\$ 903		\$ 31,800
J.P.Morgan	US Treasury Bill (6-month)	912797SW8	11/28/25	05/28/26	\$ 2,223,000		\$ 2,182,903	2.65%	\$ 2,191,414	\$ 8,510		\$ 40,097
J.P.Morgan	US Treasury Bill (3-month)	912797RV1	12/04/25	03/05/26	\$ 4,067,000		\$ 4,030,458	2.17%	\$ 4,042,247	\$ 11,789		\$ 36,542
J.P.Morgan	US Treasury Bill (3-month)	912797RK5	10/30/25	01/29/26	\$ 4,053,000		\$ 4,015,687	2.10%	\$ 4,042,282	\$ 26,594		\$ 37,313
J.P.Morgan	US Treasury Bill (6-month)	912797SW8	11/28/25	05/28/26	\$ 6,053,000		\$ 5,943,821	2.65%	\$ 5,966,994	\$ 23,172		\$ 109,179
ALL GENERAL FUND					\$ 18,300,000		\$ 18,045,070		\$ 18,116,039	\$ 70,969	\$ -	\$ 254,930
PRIOR MONTH									\$ 18,052,779			2.41%

SEWER FUND												
J.P.Morgan	US Treasury Bill (3-month)	912797RU3	11/28/25	02/26/26	\$ 1,700,000		\$ 1,684,381	2.20%	\$ 1,690,675	\$ 6,293		\$ 15,619
J.P.Morgan	US Treasury Bill (4-month)	912797TJ6	12/22/25	04/21/26	\$ 1,896,000		\$ 1,874,428	2.31%	\$ 1,875,735	\$ 1,308		\$ 21,572
J.P.Morgan	US Treasury Bill (12-month)	912797QD2	04/29/25	04/16/26	\$ 2,913,000		\$ 2,809,099	3.53%	\$ 2,883,353	\$ 74,253		\$ 103,901
J.P.Morgan	US Treasury Bill (3-month)	912797RV1	12/04/25	03/05/26	\$ 1,742,000		\$ 1,726,348	2.17%	\$ 1,731,398	\$ 5,049		\$ 15,652
ALL SEWER OPERATING FUND					\$ 8,251,000		\$ 8,094,257		\$ 8,181,160	\$ 86,904		\$ 156,743
PRIOR MONTH									\$ 8,154,410			2.68%

ALL FUNDS					\$ 26,551,000		\$ 26,139,326		\$ 26,297,199	\$ 157,873		2.50%
PRIOR MONTH									\$ 26,207,189			
MONTHLY CHANGE									\$ 90,010			
MONTHLY CHANGE %									0.3%			



**CITY COMMISSION AGENDA MEMORANDUM
MARCH 3, 2026 AGENDA**

TO: Honorable Mayor and Members of the City Commission

FROM:

PREPARED BY: Cheri Schwab, City Clerk

SUBJECT: Approval for Annual Mosquito Control

SYNOPSIS:

This is the annual letter of authority from the County to perform low level flights for mosquito control.

FISCAL IMPACT STATEMENT:

BACKGROUND:

If approved, the County will be authorized to perform low level flights, inspection, and application of insecticides within the city limits to provide aerial mosquito control services.

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:

I move to approve the item.

ATTACHMENT: 1. Annual Mosquito Control



PUBLIC WORKS DEPARTMENT
MOSQUITO CONTROL DIVISION

Marcus McDonough
MOSQUITO CONTROL DIRECTOR

801 South Street, New Smyrna Beach, Florida 32168
Phone: (386) 424-2920 • Fax: (386) 424-2924
mmcdonough@volusia.org

February 17, 2026

City Manager- Michael Fowler
City of Daytona Beach Shores
2990 South Atlantic Ave
Daytona Beach Shores, FL 32118
386-763-5373

Dear City Manager Fowler,

Attached in this correspondence is a *Letter of Authority* which I am requesting to be filled out and returned to the listed address above. As in the past, per Federal Aviation Administration (FAA) regulations, this authorizes us to perform low level flights, inspection, and application of insecticides in your city to provide aerial mosquito control services.

Please return the completed and signed Letter of Authority by **April 15, 2026**. Please notify me if you need additional time to complete this form. Your prompt attention to this request is greatly appreciated. If you have questions, please feel free to contact me or the Mosquito Control Helicopter Pilot, Andrew Rilea at (386) 424-2920.

Respectfully,

A handwritten signature in blue ink, appearing to read "Marcus McDonough", is written over a light blue horizontal line.

Marcus McDonough
Volusia County Mosquito Control Director

CC: Andrew Rilea, VCMC Pilot



PUBLIC WORKS DEPARTMENT
MOSQUITO CONTROL DIVISION

Letter of Authority

We hereby give authorization, during the calendar year 2026 through June 30, 2028, to the East Volusia County Mosquito Control Taxing District (County of Volusia, Mosquito Control Division) to perform low-level flights over our city/jurisdiction in connection with their aerial inspection and application of insecticides for the control of adult and larval mosquitoes, in compliance with the FAA regulations explained in a letter from Volusia County Mosquito Control.

SIGNED: _____

DATE: _____

NAME: _____

TITLE: _____

CITY/TOWN/COUNTY: _____

STATE: _____

ZIP CODE: _____

THE AMERICAN OVERSIGHT
DOCS-REF ID: A60000

CONCLUSION

The purpose of this report is to provide a summary of the findings of the investigation conducted by the American Oversight team. The investigation was conducted in response to a request from the American Oversight team, which was received on [redacted] 2017. The investigation was conducted by the American Oversight team, which is a non-profit organization dedicated to promoting transparency and accountability in government. The investigation was conducted in accordance with the Freedom of Information Act (FOIA) and the American Oversight team's policies and procedures. The investigation was conducted by the American Oversight team, which is a non-profit organization dedicated to promoting transparency and accountability in government. The investigation was conducted in accordance with the Freedom of Information Act (FOIA) and the American Oversight team's policies and procedures.

Page 42 of 177



CITY COMMISSION AGENDA MEMORANDUM

MARCH 3, 2026 AGENDA

TO: Honorable Mayor and Members of the City Commission

FROM: Gwyn Herstein, City Planner

PREPARED BY: Cheri Schwab, City Clerk

SUBJECT: Ordinance 2026-01: Land Development Code Amendment to Create a Definition for Wine Bistro and Add Wine Bistro as a Permitted Principal Use in the GC-2 Retail/Service Commercial Development District and the GC-RD General Commercial-Redevelopment District.

SYNOPSIS:

Ordinance 2026-01 (Exhibit A), if approved, would (1) add a definition for "wine bistro" to Section 2-2 of the Land Development Code of the City of Daytona Beach Shores ("Code") and (2) add wine bistro to the list of permitted principal uses in the GC-2 Retail/Service Commercial District (Section 14-23.2. of the Code) and the GC-RD General Commercial-Redevelopment District (Section 14-31.1.2. of the Code). A wine bistro is a specialized restaurant which focuses on curated wine service, selected food pairings to accentuate the wine menu, an education component offered by formally trained staff, and the sale of wine for off-site consumption.

FISCAL IMPACT STATEMENT:

BACKGROUND:

A. Background

Dawn Rogers, business owner of the specialty wine store, Coast Wine Co. at 101 Dunlawton Boulevard, recently submitted a request to City staff (Exhibit B). In addition to wine sales, she asked to be permitted to offer specialty wines by the glass and wine flights (small pours of 3-6 different wines served simultaneously for the purpose of comparing their qualities) along with specially paired foods. The utilization of an outdoor area for seating and service was part of the request.

101 Dunlawton Blvd. is located in the *GC-2 Retail/Service Commercial District*. This district occurs along most of the Dunlawton Blvd. corridor and along the west side of South Atlantic Avenue, primarily south of Dunlawton Blvd. (See Exhibit C). No currently permitted use in the GC-2 district allows the business owner to expand in the manner of her request.

B. Staff Analysis

The purpose and intent of the *GC-2 Retail/Service Commercial District* is to provide small attractive

commercial areas to meet the needs of the resident and tourist population, while causing the least possible nuisance to adjacent residential uses. Current uses in the GC-2 district include the following:

1. Professional, business, offices, or retail stores except stores whose principle [sic] use is the sale of souvenirs and gifts.
2. Service establishments such as barber or beauty shop, photographic studio, dance or music studio, self-service laundry, tailor, drapery or dressmaker, laundry or dry cleaning pick-up station and similar activities.
3. Newspaper office (but not printing).
4. Food stores and bakery.
5. Banks and savings and loan associations, small loan agencies.
6. Medical and dental clinics.
7. Private clubs and lodges.
8. Public/quasi public facilities.
9. Automotive service station.
10. Restaurant.
11. Telecommunication towers and antennas, subject to compliance with section 14-60.1 et seq.

Restaurants have been a permitted principal use in the GC-2 zoning district since the 1991 adoption of the Land Development Code. Taverns, establishments devoted primarily to the on-premises consumption of alcoholic beverages, are not a permitted principal use in the GC-2 district, but are permitted in the GC-1 district. Permitting the wine bistro use would provide for establishments such as the requestor described without allowing full taverns or bars.

There are 28 properties in the GC-2 district. Of these, seven (7) are located on the Dunlawton Blvd. corridor and four (4) make up the Publix grocery store area. The remaining 17 properties have an average depth of 108 feet from the right-of-way to the rear-abutting properties; many of these rear-abutting properties are single-family residences.

There are 37 properties making up the GC-1 district. After deducting Surfside Plaza as an outlier, the remaining 36 properties have an average depth of 145 feet. Many lots in the GC-1 district are through lots, which means they abut streets on two opposing sides rather than directly abutting single-family properties.

In general, larger-depth through lots in the GC-1 district are better able to accommodate taverns as principal uses, while wine bistros can expand the flexibility of GC-2 district properties without negatively impacting the surrounding neighborhoods as taverns would.

After determining that GC-2 district properties are well-suited to accommodate businesses utilizing the wine bistro use, the GC-RD General Commercial-Redevelopment District was analyzed for suitability to also accommodate the wine bistro use. The purpose and intent of the GC-RD General Commercial-Redevelopment District is to encourage the development and redevelopment of commercial property in the redevelopment areas. Current uses in the GC-RD district include the following:

1. Professional and business offices.
2. Retail stores.
3. Service establishments such as barber or beauty shops, photographic studios, dance or music studios, self-service laundries, tailor shops, drapery or dressmaker shops, laundry or dry cleaning pick-up stations (without any on-site dry cleaning activities using chemicals of any type or nature) and similar activities.

4. Newspaper offices (but not printing activities of any type or nature).
5. Food stores and bakeries.
6. Banks and similar financial institutions, small loan agencies.
7. Medical and dental clinics.
8. Private clubs and lodges.
9. Public/quasi public facilities.
10. Restaurants.
11. Art galleries.
12. Bowling facilities and similar recreational facilities.
13. Performance theaters.
14. Movie theaters.
15. Public parking facilities.
16. Medical offices and facilities.
17. Telecommunication towers and antennas, subject to compliance with section 14-60.1 et seq. and other controlling law.

Restaurants have been a permitted principal use in the GC-RD zoning district since 2007, when the district was added to the Land Development Code. Taverns are not a permitted principal use in the GC-RD district, but permitting the wine bistro use in this district provides for desirable establishments without allowing full taverns or bars.

There are 62 properties in the GC-RD district. All are located along SR A1A; 33 are through lots or abut commercial property immediately to the west. The remaining 29 properties abut single-family and multi-family residences on their west sides. Of the 62 total GC-RD properties, 20 are vacant buildings and store-fronts. Wine bistros, a desired type of business in Daytona Beach Shores, can expand the flexibility of GC-RD district properties without negatively impacting the surrounding neighborhoods as taverns would, and will offer another option to reduce the City's vacant store-fronts and buildings.

Adding a wine bistro use to the GC-2 and GC-RD districts is consistent with Objective A.2 of the City's Strategic Plan to enable and promote desired redevelopment and is consistent with the City's Comprehensive Plan. All City staff reviewers support all changes contained in Ordinance 2026-01.

C. Planning & Zoning Board Recommendation

The Planning & Zoning Board recommended approval of Ordinance 2026-01 at the February 9, 2026, P & Z Board Meeting. This recommendation included the change requested by staff during said meeting, to add the wine bistro use to the list of permitted uses in the GC-RD zoning district. The attached Ordinance 2026-01 proposes adding the wine bistro use to both the GC-2 and GC-RD districts.

LEGAL REVIEW:

RECOMMENDATION:

Staff recommends approval of Ordinance 2026-01, as presented.

SUGGESTED MOTION:

A City Commissioner may motion as follows:

1. "I move to approve Ordinance 2026-01, as presented."

OR

2. "I move to approve Ordinance 2026-01, with the following amendments..."

OR

3. "I move to deny Ordinance 2026-01, on the basis of the following..."

ATTACHMENT:

1. Exhibit A
2. EXHIBIT A ORD 2026-01-LDC Text Amendment-WINE BISTRO IN THE GC-2 and GC-RD
3. Exhibit B
4. Exhibit B Letter of Request from Dawn Rogers, Owner of Coast Wine Co.
5. Exhibit C
6. Exhibit C Daytona Beach Shores GC-2 Zoning District Map
7. Exhibit D
8. EXHIBIT D Daytona Beach Shores GC-RD Zoning District Map

Exhibit A

Ordinance 2026-01

ORDINANCE 2026-01

AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, RELATING TO WINE BISTROS; AMENDING THE MUNICIPAL CODE OF ORDINANCES, APPENDIX G - LAND DEVELOPMENT CODE, BY AMENDING SECTION 2-2 ENTITLED “GENERAL DEFINITIONS”, BY CREATING A DEFINITION FOR WINE BISTRO; AMENDING SECTION 14-23 ENTITLED “GC-2 RETAIL/SERVICE COMMERCIAL DISTRICT”, BY AMENDING SECTION 14-23.2. ENTITLED “PERMITTED PRINCIPAL USES” TO ADD WINE BISTRO AS A PERMITTED PRINCIPAL USE; AMENDING SECTION 14-31.1. ENTITLED “GC-RD GENERAL COMMERCIAL-REDEVELOPMENT DISTRICT”, BY AMENDING SECTION 14-31.1.2. ENTITLED “PERMITTED PRINCIPAL USES” TO ADD WINE BISTRO AS A PERMITTED PRINCIPAL USE; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2, *Constitution of the State of Florida*, authorizes the City of Daytona Beach Shores to exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, Section 163.3202, *Florida Statutes*, provides that the City of Daytona Beach Shores shall adopt and enforce land development regulations for the purpose of implementing its comprehensive plan and protecting the public health, safety, and general welfare; and

WHEREAS, the purpose and intent of the Daytona Beach Shores “GC-2 Retail/Service Commercial District” is to provide small attractive commercial areas which would meet the daily retail and service needs of the residential and tourist population; and

WHEREAS, the purpose and intent of the Daytona Beach Shores “GC-RD General Commercial-Redevelopment District” is to encourage the development and redevelopment of commercial property in the redevelopment areas; and

WHEREAS, a wine bistro is a desired use in Daytona Beach Shores; and

WHEREAS, providing for a wine bistro permitted principal use in the “GC-2 Retail/Service Commercial District” and the “GC-RD General Commercial-

Redevelopment District” may provide residents and tourists additional destinations for food and beverage consumption and for the procurement of specialty wines; and

WHEREAS, a wine bistro is not currently a permitted use in the “GC-2 Retail/Service Commercial District” or the “GC-RD General Commercial-Redevelopment District” in the City’s Land Development Code; and

WHEREAS, Objective A2 of the City of Daytona Beach Shores Strategic Plan calls for the removal of land development regulations which are obstacles to desired redevelopment and to enable or promote desired redevelopment; and

WHEREAS, this Ordinance is consistent with the goals, objectives, and policies of the *Comprehensive Plan of the City Daytona Beach Shores*; and

WHEREAS, for purposes of this Ordinance, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text and ~~struckthrough~~ shall constitute deletions to the original text.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA THAT:

SECTION ONE: LEGISLATIVE FINDINGS AND INTENT.

- (a). The City staff report and City Commission agenda memorandum relating to this matter are hereby adopted as fully set forth herein.
- (b). The City of Daytona Beach Shores has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.
- (c). The foregoing recitals (whereas clauses) are hereby adopted as the legislative findings of the City Commission of the City of Daytona Beach Shores and incorporated into this Ordinance as set forth *in haec verba*.
- (d). This Ordinance is an exercise of the City of Daytona Beach Shores' powers as a municipality under the provisions of Article VIII, Section 2 of the *Constitution of the State of Florida*; Chapter 163, *Florida Statutes*; Chapter 166, *Florida Statutes*, and other applicable law.

SECTION TWO: The City Commission of the City of Daytona Beach Shores hereby amends the *Code of Ordinances of the City of Daytona Beach Shores*, Appendix G - *Land Development Code*, Chapter 2, Section 2-2. entitled “General definitions” as follows:

CHAPTER 2. DEFINITIONS

Sec. 2-1. Interpretations of certain terms and words.

For the purposes of this Land Development Code, the following terms, phrases, words and their derivations shall have the meanings given herein when not inconsistent with the text. Words used in the present tense include the future tense. Words used in the singular number include the plural and words used in the plural include the singular. The word "shall" is mandatory and the word "may" is permissive.

For the purpose of this Code, certain words or phrases shall be defined as follows. Webster's New Collegiate Dictionary (G & C Merriam Co., most recent edition) shall be used for the definition of any words not defined in this Glossary.

Sec. 2-2. General definitions.

Restaurant: A restaurant is an establishment where food is ordered from a menu, prepared and served for pay primarily for consumption on the premises in a completely enclosed room, under the roof of the main structure or in an interior court. A drive-in restaurant is not a restaurant. A wine bistro and a cafeteria shall be deemed a restaurant for purposes of these zoning regulations.

Wine bistro: A restaurant which offers a wine selection for consumption on premises together with curated food pairings, education regarding same from formally trained staff, and the retail sale of wine.

SECTION THREE: The City Commission of the City of Daytona Beach Shores hereby amends the *Code of Ordinances of the City of Daytona Beach Shores*, Appendix G - *Land Development Code*, Chapter 14, Section 14-23. entitled "GC-2 Retail/Service Commercial District." as follows:

Sec. 14-23. GC-2 Retail/Service Commercial District.

14-23.2. Permitted Principal Uses.

1. Professional, business offices or retail stores except stores whose ~~principle~~ principal use is the sale of souvenirs and gifts.
2. Service establishments such as barber or beauty shop, photographic studio, dance or music studio, self-service laundry, tailor, drapery or dressmaker, laundry or dry cleaning pick-up station and similar activities.

3. Newspaper office (but not printing).
4. Food stores and bakery.
5. Banks and savings and loan associations, small loan agencies.
6. Medical and dental clinics.
7. Private clubs and lodges.
8. Public/quasi public facilities.
9. Automotive service station.
10. Restaurant.
11. Wine bistro.

11.12. Telecommunication towers and antennas, subject to compliance with section 14-60.1 et seq.

SECTION FOUR: The City Commission of the City of Daytona Beach Shores hereby amends the *Code of Ordinances of the City of Daytona Beach Shores*, Appendix G - *Land Development Code*, Chapter 14, Section 14-31. entitled “GC-RD General Commercial-Redevelopment District.” as follows:

Sec. 14-31. GC-RD General Commercial-Redevelopment District.

14-31.1.2. *Permitted Uses.*

1. Professional and business offices.
2. Retail stores.
3. Service establishments such as barber or beauty shops, photographic studios, dance or music studios, self-service laundries, tailor shops, drapery or dressmaker shops, laundry or dry cleaning pick-up stations (without any on-site dry cleaning activities using chemicals of any type or nature) and similar activities.
4. Newspaper offices (but not printing activities of any type or nature).
5. Food stores and bakeries.
6. Banks and similar financial institutions, small loan agencies.
7. Medical and dental clinics.

8. Private clubs and lodges.
9. Public/quasi-public facilities.
10. Restaurants.
11. Art galleries.
12. Bowling facilities and similar recreational facilities.
13. Performance theatres.
14. Movie theatres.
15. Public parking facilities.
16. Medical offices and facilities.
17. Wine bistro.

17.18. Telecommunication towers and antennas, subject to compliance with section 14-60.1 et seq., and other controlling law.

SECTION FIVE: SAVINGS. The prior actions of the City of Daytona Beach Shores relating to the regulation of the matters and uses which are the subject of this Ordinance are hereby ratified and affirmed.

SECTION SIX: CODIFICATION. The provisions of this Ordinance, including its recitals, shall become and be made a part of the *Code of Ordinances of the City of Daytona Beach Shores, Florida* and the Sections of this Ordinance may be renumbered or relettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that Sections One, Four, Five, Six, Seven, and Eight shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION SEVEN: CONFLICTS. All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION EIGHT: SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION NINE: EFFECTIVE DATE.

This Ordinance shall take effect immediately upon adoption.

CITY OF DAYTONA BEACH SHORES, FLORIDA

NANCY MILLER, MAYOR

MICHAEL FOWLER, CITY MANAGER

CHERI SCHWAB, CITY CLERK

Approved as to form and legality:

GRETCHEN R. H. VOSE, CITY ATTORNEY

Passed on first reading this _____ day of _____, 2026.

Adopted on second reading this _____ day of _____, 2026.

Exhibit B

Letter of Request from Dawn Rogers,
business owner of Coast Wine Co.

Good afternoon –

This is a formal request to the City of Daytona Beach Shores that my small wine retail business be re-classified from being a wine retail shop with a 2APS license for off-site consumption to a wine bistro with a 2COP license for on-site consumption selling specialty wines by the glass, and wine flights paired with light foods inside the building and also utilizing our secured outdoor patio.

I am a wine industry professional having spent the last 15+ years as the Marketing and Front of House Operations Director for a small boutique winery in Southeastern, CT. I ran a Tasting Room that served wine by the glass, bottle, and tasting flights. I oversaw all staff training and event logistics including, but not limited to, musical concerts, festivals, corporate events and weddings.

My wine training started over 10 years ago when I enrolled at Johnson & Wales University in Rhode Island to study wine education founded by the Wine and Spirit Education Trust (WSET) based out of London, England. One of the oldest and most respected wine education programs in the world. I currently hold a level 3 certification and am currently finishing up the level 4 programming.

As I was building out my small wine retail store, I had multiple curious residents swing by to see what we were doing, and they all asked the same question.... “Are you a wine bar?”. Now that we are open, we continue to receive the same inquiry as customers remark how nice it would be to come in and experience a glass a wine and a light snack on-site with friends and family.

We’ve had a family home in the Shores since the late 1980’s, so I feel deeply connected to this community. My desire is to become a hub for our Shores and local residents to have a place to connect socially. This is not just a business location, it’s also my home and I’m committed to becoming an integral part of the Shores community now and into the future.

Thank you for your consideration.

Regards,

Dawn Rogers
Owner/Coast Wine Co.



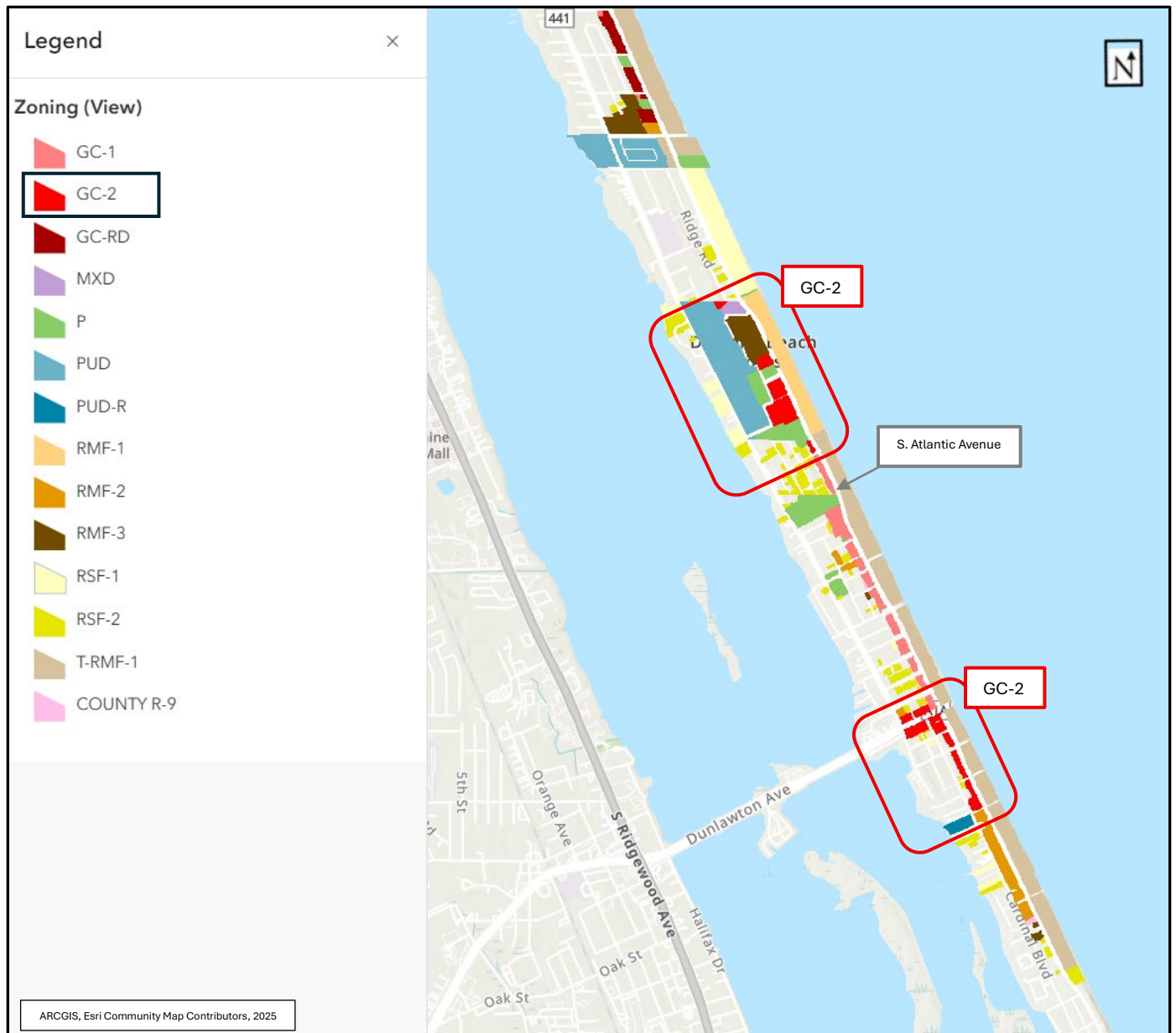
Exhibit C

Zoning Map of Daytona Beach Shores 2430 S. Atlantic Ave. to 3875 S. Atlantic Ave.

Zoning Map

Daytona Beach Shores

from to 2430 S. Atlantic Avenue to 3875 S. Atlantic Avenue



Note: Outlines demonstrate areas in which the Daytona Beach Shores commercial properties along the west side of S. Atlantic Ave. and both sides of Dunlawton Blvd. are predominantly GC-2 Retail/Service Commercial District

Exhibit D

Zoning Map of

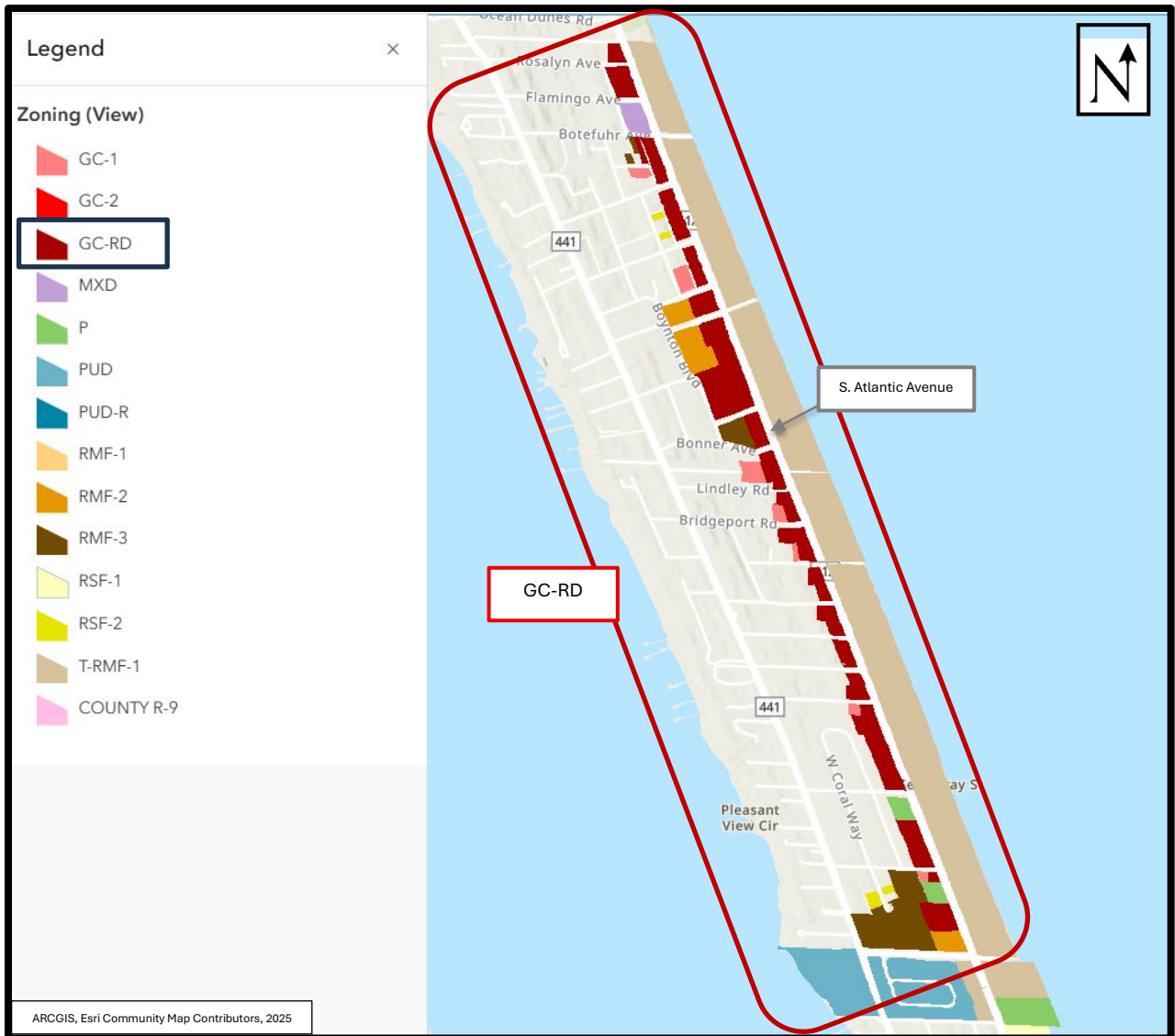
Daytona Beach Shores

1901 S. Atlantic Ave. to 2626 S. Atlantic Ave.

Zoning Map

Daytona Beach Shores

from to 1901 S. Atlantic Avenue to 2626 S. Atlantic Avenue



Note: Outline demonstrates areas in which the Daytona Beach Shores commercial properties along the west side of S. Atlantic Ave. are predominantly GC-RD General Commercial-Redevelopment District



CITY COMMISSION AGENDA MEMORANDUM MARCH 3, 2026 AGENDA

TO: Honorable Mayor and Members of the City Commission

FROM: Gwyn Herstein, City Planner

PREPARED BY: Cheri Schwab, City Clerk

SUBJECT: Ordinance 2026-02: Land Development Code Amendment to Streamline and Clarify the Application and Approval Requirements for Conditional Uses Generally, and to Streamline the Application, Approval, and Renewal Process for Certain Outdoor Dining Conditional Uses

SYNOPSIS:

Ordinance 2026-02 (Exhibit A), if approved, would amend Section 14-58. of the Land Development Code of the City of Daytona Beach Shores ("Code"), which outlines the **standards and criteria for approval of conditional use permits, generally**. The proposed amendment maintains life safety requirements while streamlining and clarifying the conditional use permit process as follows:

1. Streamlining and clarifying general requirements, including allowing completed checklist submission in lieu of requiring a statement demonstrating how individual requirements will be met.
2. Relieving the requirement to consider the number of surrounding conditional uses for administratively-approved conditional uses.

Ordinance 2026-02, would also amend Section 14-58.2.1.A. of the Code, which outlines the **standards and criteria for approval of outdoor dining conditional use permits**. The proposed amendment maintains life safety of users and others nearby while streamlining the outdoor dining conditional use process to provide ease and predictability for restaurant and wine bistro owners when considering outdoor dining as follows:

1. Allowing wine bistros to qualify for outdoor dining.
2. Providing an automatic annual renewal process and removing the renewal fee.
3. Simplification and clarification of application submission requirements.
4. Increasing the number of outdoor dining chairs allowed to be approved administratively from 25 to 28.
5. Increasing the outdoor dining parking requirement exemption threshold from 100 square feet to 150 square feet.

FISCAL IMPACT STATEMENT:

BACKGROUND:

A. Background:

Conditional uses may be authorized through the conditional use application submittal, review, and approval process. All conditional use applications currently require general application submissions along with conditional use-specific requirement submissions.

Currently, during each conditional use application review, staff must consider all other conditional uses granted in the vicinity of the proposed conditional use site to ensure the nature of the neighborhood is maintained to be mainly those uses allowed by right (listed as permitted uses) in each zoning district.

The conditional use approval process may authorize four distinct uses not allowed by right. *Live/Work Facilities* and *Tour Services* are approved administratively when all general and use-specific requirements are demonstrated and met. *Rental and Sales of Light Recreational Vehicles and/or Beach Equipment* must be approved by the City Commission. *Outdoor Dining* conditional uses are approved either administratively or by the City Commission, based on approval thresholds established in the Code. Outdoor dining conditional uses may be approved administratively when 25 seats or fewer and 6 tables or fewer are proposed and when in the front yard of an appropriate business, or when a site is located in the T Hotel/Motel District and the outdoor dining location faces the Atlantic Ocean. Applicants for proposed outdoor dining ineligible for administrative approval must seek a recommendation from the Planning and Zoning Board and approval from the City Commission before setting up or conducting outdoor dining. This is to ensure that proposed outdoor dining areas with the greatest potential to impact neighbors are reviewed as such, so impacts may be mitigated.

The process ensures minimum standards are met and maintained by all businesses offering outdoor dining. The most numerous and important of these standards require that life safety for all outdoor diners and others utilizing the services of the restaurant and nearby businesses is accounted for. Other established standards seek to minimize impacts and discomfort to neighbors of each outdoor dining site. Examples of this include outdoor dining being limited to specific hours (7:00 a.m. to 10:00 p.m.) and requiring non-administrative approval for dining areas planned in yards abutting residential properties.

Costs associated with outdoor dining approval include an application fee paid to the City in the amount of \$110.00 for an application qualifying for administrative approval or \$220.00 for an application requiring City Commission approval. Those requiring City Commission approval must also pay costs associated with notifying all abutting property owners by Certified Mail, publishing an ad in the News Journal, and placing a placard on the property. Currently, annual renewals require a \$110.00 fee.

B. Staff Analysis:

The requirement for all conditional use permit applicants to generate and submit a written statement detailing how the application specifically meets each of the use's requirements and is consistent with the goals, objectives, and policies of the City's Comprehensive Plan may be more easily met by each applicant's completion and submission of a detailed checklist enumerating the requirements.

Relieving the requirement to consider the number of surrounding conditional uses for administratively-approved, lower-impact conditional uses, while maintaining the consideration requirement for non-administrative, potentially higher-impact conditional uses, will ensure the nature

of the neighborhood is maintained to be mainly those uses allowed by right in each zoning district. Two of the three administratively approved conditional uses are conducted entirely indoors, and lower-impact outdoor dining is limited to a maximum of 6 tables; even if multiple properties in a specific area utilize administratively approved conditional uses, the nature of the neighborhood will remain intact and has the potential to be enhanced by said conditional uses.

Outdoor dining has the potential to increase a restaurant's revenue and is a desirable option for many diners. Outdoor diners and even empty-but-attractive outdoor seating areas can draw attention to restaurants, similar to the effects of well-placed banners. Regulations attempt to ensure safe use of outdoor dining spaces in a manner which enhances neighborhoods in the City. Easing, eliminating, clarifying, and simplifying these requirements where possible may encourage additional restaurants to consider and apply for approval to utilize outdoor dining.

Increasing the number of outdoor dining chairs allowed to be approved administratively from 25 to 28 will support additional table-size flexibility without significantly increasing the overall size and impact of the outdoor dining space and without triggering the requirement to obtain non-administrative approval.

Increasing the outdoor dining parking requirement exemption threshold from 100 square feet to 150 square feet of outdoor dining space, while implementing a maximum seat number for the space, will expand outdoor dining possibilities for some properties on which parking is either legal non-conforming or exactly meeting current Code requirements. Parking needs for outdoor dining at some restaurants may be eased slightly in this manner without negatively impacting the business(es) on the property due to both ride-sharing and to guests walking from nearby lodging or residences.

Two restaurants in Daytona Beach Shores currently have approvals for outdoor dining conditional uses and another two obtained approval prior to development through a development agreement. Based on currently active businesses, the potential exists for at least eighteen additional outdoor dining sites city-wide. Multiple outdoor dining spaces can contribute to the overall appeal and vibrancy of City corridors.

Goal A. of the City's Strategic Plan calls for a redeveloped west side, with destinations for residents and visitors which include sidewalk restaurants. Streamlining the outdoor dining requirements is consistent with Objective A.2 of the City's Strategic Plan to identify and remove obstacles to desired redevelopment and is consistent with the City's Comprehensive Plan. All City staff reviewers support the changes contained in Ordinance 2026-02.

C. Planning & Zoning Board Recommendation

The Planning & Zoning Board recommended approval of Ordinance 2026-02 at the February 9, 2026, P & Z Board Meeting. In addition to recommending approval for the originally proposed changes to the outdoor dining conditional use permit requirements, the Board's recommendation included approval of the following:

- Staff-requested changes to the general conditional use permit requirements
- Staff requested change to continue to require applicants to provide specifications for all proposed outdoor furniture
- Better-defined outdoor furniture requirements in Code Section 14-58.2.1.A.3.

- Requiring additional reviewers in Code Section 14-58.2.3. *Review and approval*. This section authorizes the City Manager or designee to make approval decisions based on Code requirements.

Attached Ordinance 2026-02 includes all recommendations made by the Board, except the recommended update to Code Section 14-58.2.3. *Review and approval*. described above. As the current verbiage in the Code is common practice, this language was left intact.

LEGAL REVIEW:

RECOMMENDATION:

Staff recommends approval of Ordinance 2026-02, as presented.

SUGGESTED MOTION:

A City Commissioner may motion as follows:

1. "I move to approve Ordinance 2026-02, as presented."
OR
2. "I move to approve Ordinance 2026-02, with the following amendments..."
OR
3. "I move to approve Ordinance 2026-02, on the basis of the following..."

- ATTACHMENT:**
1. Exhibit A
 2. Exhibit A ORD 2026-02-LDC Text Amendment-GENERAL CU and OD CU PROCESS SIMPLIFICATION

Exhibit A

Ordinance 2026-02

ORDINANCE 2026-02

AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, RELATING TO OUTDOOR DINING CONDITIONAL USES; AMENDING THE MUNICIPAL CODE OF ORDINANCES, APPENDIX G – LAND DEVELOPMENT CODE, BY AMENDING SECTION 14-58 ENTITLED “SPECIAL EXCEPTIONS AND CONDITIONAL USES” TO STREAMLINE AND CLARIFY THE APPLICATION AND APPROVAL PROCESS REQUIREMENTS FOR CONDITIONAL USES GENERALLY, AND BY AMENDING SECTION 14-58.2.1.A. ENTITLED “OUTDOOR DINING” TO STREAMLINE THE APPLICATION, APPROVAL, AND RENEWAL PROCESS FOR CERTAIN OUTDOOR DINING CONDITIONAL USES; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2, *Constitution of the State of Florida*, authorizes the City of Daytona Beach Shores to exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, Section 163.3202, *Florida Statutes*, provides that the City of Daytona Beach Shores shall adopt and enforce land development regulations for the purpose of implementing its comprehensive plan and protecting the public health, safety, and general welfare; and

WHEREAS, according to the National Restaurant Association (2023), 7 (seven) in 10 (ten) customers enjoy having an outdoor dining option when they eat at restaurants; and

WHEREAS, general restaurant industry sources indicate that outdoor dining can increase restaurant revenue; and

WHEREAS, approval of general conditional uses could be achieved through a streamlined process, while maintaining current requirements and safeguards, which is desirable to many businesses and similarly acceptable to the City; and

WHEREAS, approval of administrative outdoor dining conditional uses could be achieved through a streamlined process, while maintaining current requirements and safeguards, which is desirable to many businesses and similarly acceptable to the City; and

WHEREAS, Goal A of the City of Daytona Beach Shores Strategic Plan calls for a redeveloped west side, with destinations for residents and visitors including sidewalk restaurants; and

WHEREAS, approved outdoor dining conditional use permits require an annual renewal fee; and

WHEREAS, Objective A.2 of the City of Daytona Beach Shores Strategic Plan calls for the removal of land development regulations which are obstacles to desired redevelopment and to enable or promote desired redevelopment; and

WHEREAS, this Ordinance is consistent with the goals, objectives, and policies of the *Comprehensive Plan of the City Daytona Beach Shores*; and

WHEREAS, for purposes of this Ordinance, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text and ~~striketrough~~ shall constitute deletions to the original text.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA THAT:

SECTION ONE: LEGISLATIVE FINDINGS AND INTENT.

(a). The City staff report and City Commission agenda memorandum relating to this matter are hereby adopted as fully set forth herein.

(b). The City of Daytona Beach Shores has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(c). The foregoing recitals (whereas clauses) are hereby adopted as the legislative findings of the City Commission of the City of Daytona Beach Shores and incorporated into this Ordinance as set forth *in haec verba*.

(d). This Ordinance is an exercise of the City of Daytona Beach Shores' powers as a municipality under the provisions of Article VIII, Section 2 of the *Constitution of the State of Florida*; Chapter 163, *Florida Statutes*; Chapter 166, *Florida Statutes*, and other applicable law.

SECTION TWO: The City Commission of the City of Daytona Beach Shores hereby amends the *Code of Ordinances of the City of Daytona Beach Shores*, Appendix G - *Land Development Code*, Chapter 14, Section 14-58. entitled "Special exceptions and conditional uses." as follows:

Sec. 14-58. Special exceptions and conditional uses.

14-58.2. Conditional Uses.

1. *In general.* Conditional uses shall be generally limited to those uses or combination of uses which, because of their uniqueness, are not specifically identified as permitted uses, or special exception uses within any zoning district in this Code.
2. *Application procedure and submission requirements.* A fee established in the schedule of fees relating to this Code shall be paid and a written application on the prescribed form shall be made to the city in order to perfect an application for a conditional use permit. In addition, the applicant shall provide, at a minimum, the following information:
 - a. A conceptual plan depicting buildings, parking, driveway and access locations, utility service points, proposed screening or buffering, outdoor lighting and signage, outdoor furniture and fixture exhibits and any other information pertinent to the specific requested use of the site; and
 - b. ~~A written statement specifically addressing the general requirements of the proposed use and stating why the application is asserted to meet the requirements of this Code and consistency with the goals, objectives and policies of the city's Comprehensive Plan. A property owner and business owner-signed and notarized checklist confirming that all general and specific conditional use permit requirements have been met. Said checklist shall be provided by the City.~~
3. *Review and approval.* No conditional use activity may be conducted without first obtaining approval. The City Manager or designee shall have authority to review and administratively approve conditional use activity and applications as specifically permitted by this Code. The City Commission shall review ~~and approve all other all~~ conditional use applications which do not qualify for administrative approval. Decisions of the City Manager are appealable to the City Commission upon a written appeal being filed with the City Clerk within fifteen (15) days of the date of the City Manager's decision. Appeals to the City Commission shall be de novo. Approvals shall be formalized by issuance of a development order. Denials shall be formalized by issuance of a denial development order in accordance with the provisions of F.S. § 166.033, or its successor provision. The City Manager may delegate authority to issue administratively approved conditional use permits in which case the decision of the delegate is appealable to the City Manager upon a written appeal being filed with the City Clerk within fifteen (15) days of the date of the City Manager's delegatee's decision.
4. *Notice and hearing procedures.* The procedure for notice of non-administrative conditional use requests shall be consistent with the conditional use due public notice requirements set forth in App. G, section 2-2 of this Code.

- a. *Planning and zoning board action.* The Planning and Zoning Board shall hold a public hearing to consider and make a recommendation to the City Commission on conditional use applications to be heard by the City Commission. The recommendation of the Planning and Zoning Board shall be forwarded to the City Commission for consideration.
 - b. *City Commission Action.* The City Commission shall hold a public hearing to consider the application, recommendation from the Planning and Zoning Board and any additional evidence presented before taking action on a proposed conditional use. However, if the Planning and Zoning Board fails to make a recommendation within a reasonable period of time as determined exclusively ~~in~~at the discretion of the City Commission, the City Commission may take action on the conditional use without recommendation from the Planning and Zoning Board.
5. *General Requirements and Conditions.*
- a. *Conditions and Safeguards.* In granting any conditional use, or allowing a conditional use to continue, the city may prescribe appropriate conditions and safeguards to ensure compliance with the requirements of this Code and to safeguard public health, safety and welfare as may be consistent with sound and generally accepted land use planning practices and principles. ~~Such~~ These conditions may include ~~conditions such as~~, but are not limited to, time limits for the initiation and duration of the conditional use, specific minimum or maximum limits to normative Code requirements, or any other conditions reasonably related to the requirements and criteria of this Code and the safeguarding of the public health, safety and welfare as may be consistent with sound and generally accepted land use planning practices and principles.
 - b. *Review Criteria.* When reviewing an application for a conditional use, the city shall consider the following requirements and criteria:
 - (1) Traffic generation and access for the proposed use shall not adversely impact adjoining properties, businesses or general public safety;
 - (2) Off-street parking, loading and service areas shall be provided and located such that there is no adverse impact on adjoining properties beyond those generally experienced in the zoning district from permitted uses;
 - (3) Required yards, screening or buffering, and landscaping shall be consistent with the zoning district in general and the specific needs of the abutting land uses resulting from the impacts of the proposed development;

- (4) Architectural and signage treatments shall comply with the general provisions applicable to permitted uses in the zoning district and minimize impacts to abutting development; and
 - (5) The size, location, or number of non-administratively approved conditional uses in an area of the proposal surrounding the proposed site shall be considered in order to limit the proliferation of conditional uses and in order to maintain the overall character of the zoning district as intended by the uses permitted by this Code.
6. *Transfer or Abandonment of a Conditional Use.* Approved conditional uses shall be personal to the owner of the property. Therefore, ownership of a conditional use cannot be transferred to another party. The grant of a conditional use permit does not create a vested right in the use conditionally approved.
7. *Violation of Conditional Use Terms or Conditions.* Without limiting the generality of the provisions set forth in this ordinance, it is prohibited and unlawful for any person to violate or to refuse or fail to comply with any term or condition of a conditional use.
8. *Withdrawal of approval.* Failure to comply with any term, condition, or requirement of a conditional use may result in the conditional use approval being withdrawn.
9. A conditional use that is abandoned for a period of six (6) months or more after initial use shall be conclusively deemed abandoned and shall be subject to a new application and approval process.
10. No conditional use activity may be conducted under a withdrawn or abandoned approval. Withdrawal or observed abandonment shall be written and hand-delivered during business hours to the manager on duty at the restaurant or wine bistro and shall be sent by Certified Mail to the property owner.
- ~~8.11.~~ An approval of a conditional use application which is not implemented within one (1) year of being approved shall lapse and be subject to a new application and approval process.
- ~~10.12.~~ *Permit Prerequisite:* No application for a conditional use permit shall be processed by the city if the property owner owes to the city any ~~outstanding~~ fines, fees, taxes or other charges.

14-58.2.1. *Conditional Uses Permitted.*

The following uses are permitted as conditional uses subject to the provisions of this Code.

14-58.2.1.A. *Outdoor Dining.*

1. *Outdoor Dining.* Outdoor dining may be allowed as a conditional use in all commercial, planned unit development, and hotel/motel districts consistent with the regulations of this section. Outdoor dining not associated with a conventional restaurant or wine bistro shall not serve alcoholic beverages.
2. *Notice, Review, and Approval.*
 - a. *Administrative Approval:* The City Manager shall have the power and authority to notice, review, and administratively approve the following outdoor dining conditional use applications: (i) applications proposing six (6) tables or fewer, or, applications proposing ~~twenty-five-eight (2528)~~ seats or fewer; and (ii) all applications for an area facing the Atlantic Ocean in the hotel/motel zoning district, regardless of the number of tables or seats.
 - b. *City Commission Approval:* All outdoor dining applications not subject to administrative approval as set forth herein shall be noticed, reviewed and be subject to approval by the City Commission pursuant to this Code. Notwithstanding the threshold requirements for administrative approval contained herein, the following shall also be subject to approval by the City Commission: (i) all outdoor dining proposed to be located in the vicinity of the rear yard of a commercial zoning district directly adjacent to and abutting a residential zoning district on the rear yard in question; (ii) all outdoor dining proposed to be located in the vicinity of the side yard of a commercial zoning district directly adjacent to and abutting a residential zoning district on the side yard in question; and (iii) all outdoor dining in commercial zoning districts proposed to be located on or over any building or structure.
 - ~~c. *Time Limitation and Extensions:* Outdoor dining conditional uses may be permitted for a maximum period of one (1) year. Outdoor dining conditional use permits may be renewed annually for a maximum period of one (1) year subject to approval from City Manager.~~
 - c. *Time Limitation and Renewals:* Outdoor dining conditional uses shall be permitted for a period of one (1) year, with an automatic one (1) year renewal every year thereafter, provided the following:
 - (1) The principal permitted restaurant or wine bistro is in operation and possesses a valid certificate of use; and
 - (2) The terms and conditions of the development order issued at the time of approval are met; and
 - (3) The business passes the annual fire and life safety inspection and the city's review of the conditional use checklist criteria.

A restaurant or wine bistro that fails to meet the above criteria for the conditional use automatic annual renewal shall have three (3) months to be brought into compliance. If compliance is not achieved within the specified period, the outdoor dining conditional use approval shall be voided and all

outdoor dining must cease until a new conditional use permit is applied for and approved.

(4) No fee shall be collected for an automatic outdoor dining renewal.

- d. *Hours Permitted:* Outdoor dining may only be permitted and conducted between the hours of 7:00 a.m. and 10:00 p.m.
3. *Submission Requirements.* In addition to the conditional use application submission requirements, ~~the each~~ applicant for an outdoor dining conditional use permit shall submit a sketch of the outdoor seating area depicting all outdoor furniture and its dimensions from nearby property lines, buildings, parking spaces, driveways, utility service points including fire hydrants, proposed screening or buffering, outdoor lighting and signage, and any fixtures and refuse containers related to the outdoor dining along with the adequate and proportional landscaping required. Each applicant shall further submit manufacturers' images and descriptions of the specifications and appearance of any proposed outdoor furniture and fixtures, including specifications indicating such furniture is of a quality designed to withstand heavy-duty, high-frequency commercial use. floor plan, building elevation, fire hydrants, setbacks, location of refuse containers, layout of all tables, chairs and other furniture, nearby utilities and pedestrian ingress and egress, a dimensioned sketch of the seating area, and photographs, drawings or manufacturers' brochures describing specifications and the appearance of the proposed tables, chairs, umbrellas or other objects related to the outdoor dining.
4. *Review Criteria.*
 - a. In commercial districts, outdoor dining may only be permitted where a restaurant, ~~or~~ retail establishment serving prepared food, or wine bistro generates over fifty (50) percent of its gross sales from the sale of food and/or merchandise as determined by the City Manager. Establishments may be required by the City Manager to provide quarterly reports to the City Manager certifying the aforementioned. A registered state certified public accountant shall provide the required certification in accordance with sound and generally accepted accounting practices and principles.
 - b. All facilities proposing outdoor dining shall have been awarded a current and valid business tax receipt and certificate of use permit.
 - c. Permanent improvements associated with outdoor dining may be permitted in required front and side yards (setbacks), providing any permanent improvement, except for ground treatment and safety features, shall be located no less than three (3) feet from the property line. For the purposes of this section, a permanent improvement shall mean any structure, furniture, accessory or ground treatment that is anchored and/or permanently affixed on or to the ground.

- d. Outdoor dining shall not be located in required parking or driveway elements.
- e. Outdoor dining shall not impede or obstruct the flow of pedestrian traffic. In no case shall an unobstructed walkway or sidewalk be less than five (5) feet in width.
- f. Umbrellas shall maintain seven (7) feet of vertical clearance from ground level.
- g. Temporary stanchions with chains or ropes may be approved for the outdoor dining facility, the extent and nature of which shall be set out in the conditional use permit.
- h. No fencing, railings, plantings or other barriers may be installed or erected to delineate an ~~the~~ outdoor seating area in the public right-of-way.
- i. Outdoor dining areas shall not occupy an area more than fifty (50) percent of the total area of the primary restaurant or wine bistro ~~food preparation establishment~~, unless otherwise approved by the City Commission through an Outdoor Dining Conditional Use Permit application.
- j. Outdoor dining facilities shall not create a parking deficiency inconsistent with the required off-street parking requirements of this Code. Additional parking demand created by outdoor dining shall be provided, consistent with section 14-48.6(15) of this Code, providing that an outdoor dining area which is less than one hundred fifty (100150) square feet and no more than twelve (12) seats, in any district is exempt from providing additional parking.
- k. With the exception of menu boards that are conditionally approved by the city, no additional signage, including but not limited to umbrellas and furniture with signage, are allowed in the outdoor dining area.
- l. With the exception of outdoor dining in the hotel/motel districts, food preparation and kitchen service equipment shall be located inside.
- m. All outdoor dining elements including, but not limited to, furniture and accessories, elements shall be of quality design, materials and workmanship, as determined by the City Manager, to ensure the safety and convenience of users and to enhance the visual and aesthetic quality of the urban environment. All elements shall be of significant and adequate weight to prevent easy toppling in significant winds as determined by the City Manager. All elements shall be of commercial grade.

- n. All outdoor dining elements including, but not limited to, furniture and accessories, shall be of uniform design and style.
- o. Outdoor dining areas shall not intrude upon designated components of egress such as exit discharge, exit discharge being defined as that portion of a means of egress between the termination of an exit and a public way.
- p. Outdoor dining furniture and accessories shall be located a minimum of five (5) feet from driveways and other vehicular use areas. Use separation devices may be required to ensure a safe outdoor dining experience.
- q. Lighting shall complement the existing building and outdoor dining design and shall not cause a glare to passing pedestrians or vehicles or residential districts. Seasonal lighting and decoration shall be approved by the Building Official. Lighting must be preapproved by the Volusia County sea turtle lighting staff.
- r. All outdoor dining areas shall include adequate and proportional landscaping to enhance the patron experience. Existing landscaping may be used to satisfy this requirement as determined by the City Manager.

5. *Operation of outdoor dining facility.*

- a. Notwithstanding the abandonment provisions of this ordinance, an outdoor dining establishment may temporarily terminate the operation of the outdoor dining on a seasonal basis without the outdoor dining conditional use permit being permanently terminated. During such time that the outdoor dining may not be in operation, all tables, chairs and accessories must be removed and stored inside. The city shall be noticed in writing by the property owner of such suspension of use.
- b. The property owner shall be responsible for maintaining the outdoor dining area in a clean and safe condition. All food and drink items, trash and litter shall be removed continuously throughout the establishment's hours of operation and immediately after customer leaves the premises. Public sidewalk trash containers shall not be used as a means of disposing of table waste generated by outdoor dining customers.
- c. The operation of an outdoor dining area shall not be conducted in such a way as to cause a public nuisance and the operation of such business shall not interfere with the circulation of pedestrian or vehicular traffic on the adjoining streets.
- d. For any ~~Any~~ change in the location of or numbers of tables and/or chairs, ~~the an approved permitted~~ outdoor dining area shall require a new

application and ~~permitting~~-approval unless the change is determined by the City Manager or designee to be de minimis.

- e. An outdoor dining facility shall only be used and operated in conjunction with, and under the same management and exclusive control of, a restaurant or food preparation facility located on the same or contiguous property as may be approved by the city.
- f. The outdoor dining area's hours of operation shall be no greater than operating hours of the principal restaurant or food preparation facility.
- g. Outdoor dining shall comply with all applicable local, state and federal laws including, but not limited to, life safety codes and the Americans with Disabilities Act.
- h. An outdoor dining establishment shall temporarily terminate the operation of the outdoor dining during all severe weather warnings and events. During such time all tables, chairs and accessories not permanently installed must be removed and stored inside.
- i. Outdoor dining music, activities and noise shall conform to the noise regulations contained in ~~chapter 16,~~ Chapter 16, ~~a~~Article II of this Code.
- j. Feeding of wildlife shall be prohibited and unlawful.
- j. All outdoor dining furniture and accessories shall be maintained in good repair.

SECTION THREE: SAVINGS. The prior actions of the City of Daytona Beach Shores relating to the regulation of the matters and uses which are the subject of this Ordinance are hereby ratified and affirmed.

SECTION FOUR: CODIFICATION. The provisions of this Ordinance, including its recitals, shall become and be made a part of the *Code of Ordinances of the City of Daytona Beach Shores, Florida* and the Sections of this Ordinance may be renumbered or relettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that Sections One, Three, Four, Five, Six, and Seven shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION FIVE: CONFLICTS. All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION SIX: SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION SEVEN: EFFECTIVE DATE.

This Ordinance shall take effect immediately upon adoption.

CITY OF DAYTONA BEACH SHORES, FLORIDA

NANCY MILLER, MAYOR

MICHAEL FOWLER, CITY MANAGER

CHERI SCHWAB, CITY CLERK

Approved as to form and legality:

GRETCHEN R. H. VOSE, CITY ATTORNEY

Passed on first reading this _____ day of _____, 2026.

Adopted on second reading this _____ day of _____, 2026.



CITY COMMISSION AGENDA MEMORANDUM MARCH 3, 2026 AGENDA

TO: Honorable Mayor and Members of the City Commission

FROM: Mark Swanson, LT

PREPARED BY: Cheri Schwab, City Clerk

SUBJECT: Ordinance 2026-03 - AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA RELATING TO GENERAL PENALTIES FOR CERTAIN ILLEGAL ACTIVITY; PROVIDING FOR AN AMENDMENT TO SECTION 1-8 OF THE CITY OF DAYTONA BEACH SHORES CODE OF ORDINANCES WITH REGARD TO THE PROVISION OF PENALTIES FOR VIOLATIONS OF CITY CODE

SYNOPSIS:

The State Attorney discovered a line in section 1-8 of our municipal ordinance code stating the city would not seek imprisonment for municipal code violations. However, municipal ordinances can be arrestable and/or fineable offenses per the city municipal code and Florida State Statute. This has caused issues as officers occasionally make municipal ordinance violation arrests, which later result in felony charges (weapons and narcotics during subsequent searches).

FISCAL IMPACT STATEMENT:

BACKGROUND:

Due to the fact that there were contradictions in the municipal ordinance, it is determined the ordinance change would remedy the issue and allow for municipal ordinance violation arrests.

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:

I move to approve Ordinance 2026-03 on first reading.

ATTACHMENT:

1. ORD 26-03 Penalties for violation of City Code
2. Ord. 2026-03 Ex. A- Sec. 1 8. General_penalty continuing_violations

3. Business Impact Statement - Ord 2026-03 General Penalties

ORDINANCE 2026-03

AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA RELATING TO GENERAL PENALTIES FOR CERTAIN ILLEGAL ACTIVITY; PROVIDING FOR AN AMENDMENT TO SECTION 1-8 OF THE *CITY OF DAYTONA BEACH SHORES CODE OF ORDINANCES* WITH REGARD TO THE PROVISION OF PENALTIES FOR VIOLATIONS OF CITY CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII Section 2(b) of the *Constitution of the State of Florida* states that municipalities shall have the governmental powers to enable them to conduct municipal government, perform municipal functions, render municipal services and exercise any power for municipal purposes except when expressly prohibited by law; and

WHEREAS, Sec. 162.22, Florida Statutes, authorizes municipalities to designate enforcement methods and penalties to be imposed for violations of ordinances adopted by the municipality, with such penalties expressly inclusive of sentencing to a definite term of imprisonment, not to exceed 60 days, in a municipal detention facility or other facility as authorized by law;

WHEREAS, it is determined that the imposition and enforcement of reasonable penalties for conduct deemed illegal and inappropriate by ordinance is necessary to protect and promote the health, safety, welfare, and morals of citizens of the City of Daytona Beach Shores; and

WHEREAS, the City of Daytona Beach Shores has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

WHEREAS, the recitals to this Ordinance (whereas clauses) are adopted as the legislative findings and intent of the City Commission of the City of Daytona Beach Shores; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA THAT:

SECTION 1: Section 1-8, Code of Ordinances of the City of Daytona Beach Shores is hereby amended to read as stated in the attached Exhibit "A." For purposes of this Ordinance, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text and ~~strikethrough~~ shall constitute deletions to the original text.

SECTION 2: CONFLICTS. All Ordinances or parts of Ordinances, insofar as they are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of any conflict.

SECTION 3: CODIFICATION. The provisions of this Ordinance, including its recitals, shall become and be made a part of the Code of Ordinances of the City of Daytona Beach Shores, Florida and the Sections of this Ordinance may be renumbered or relettered to accomplish such intention and the word “Ordinance,” or similar words, may be changed to “Sections,” “Article,” or other appropriate word; provided, however, that Sections Two, Three, Four, and Five shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION 4: SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5: EFFECTIVE DATE. This Ordinance shall take effect immediately upon enactment.

CITY OF DAYTONA BEACH SHORES, FLORIDA

NANCY MILLER, MAYOR

MICHAEL FOWLER, CITY MANAGER

CHERI SCHWAB, CITY CLERK

Approved as to form and legality:

VOSE LAW FIRM, LLP

Passed on first reading this _____ day of _____, 2026.

Adopted on second reading this _____ day of _____, 2026.

Exhibit A

Sec. 1-8. General penalty; continuing violations.

- (a) Whenever in this Code or in any ordinance of the city any act is prohibited or is made or declared to be prohibited, unlawful or an offense, or whenever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be prohibited and unlawful in whatsoever manner, the violation of any such provision of the Code or any ordinance shall be punished by a fine not exceeding \$500.00, and/or a definite term of imprisonment, not to exceed 60 days, in a municipal detention facility or other facility as authorized by law. Any condition caused or permitted to exist in violation of any of the provisions of this Code or any ordinance of the city shall be deemed a public nuisance and shall be subject to abatement and code enforcement by the city utilizing any remedy available under law. The city may prosecute violations by any means authorized by controlling law and may seek any legal remedy available under controlling law. Each occurrence (violation of a code or ordinance) shall constitute a separate violation and subject the violator to separate penalties. Any code or ordinance violation may result in the city attorney, with the consent of the city manager, bringing suit on behalf of the city against the person or persons, or entity or entities, causing or maintaining the violation. Notwithstanding the foregoing, the city shall not seek imprisonment as a penalty for any violation of the Code.
- (b) Notwithstanding the provisions of subsection (a), the city commission may prescribe a different punishment and a tailored enforcement process for any violation of this Code.
- (c) As used in this section, the phrase "violation of this Code" means any of the following:
- (1) Doing an act that is prohibited or made or declared unlawful, an offense or a misdemeanor by ordinance or by rule or regulation authorized by ordinance.
 - (2) Failure to perform an act that is required to be performed by ordinance or by rule or regulation authorized by ordinance.
 - (3) Failure to perform an act if the failure is declared a misdemeanor or an offense or unlawful by ordinance or by rule or regulation authorized by ordinance.
- (d) As used in this section, the phrase "violation of this Code" does not include the failure of a city officer or city employee to perform an official duty unless the context requires otherwise.
- (e) The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise, the imposition of civil penalties or other administrative actions.
- (f) Violations of this Code may be abated by injunctive or other equitable or civil relief, and no bond shall be required, nor proof of intent or scienter. The imposition of a penalty does not prevent equitable relief.
- (g) In any litigation commenced by the city to enforce the provisions or to enjoin a violation of this Code, the city shall be entitled to reasonable attorney's fees incurred in such litigation.

(Ord. No. 2010-11, § 13, 7-13-10; Ord. No. 2015-06, § 5, 12-8-15; Ord. No. 2016-04, § 4, 3-22-16; Ord. No. 2016-06, § 4, 5-10-16)

Cross reference(s)—Code enforcement board, § 2-26 et seq.

State law reference(s)—Fines and forfeitures in county court payable to municipality, F.S. § 34.151; punishment for misdemeanors, F.S. §§ 775.082, 775.083.

Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of Sec. 166.041(4), Fla. Stat. If one or more boxes are checked below under “Applicable Exemptions”, this indicates that the City of Daytona Beach Shores has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by Sec. 166.041(4), Fla. Stat. will be provided in the “Business Impact Estimate” section below. In addition, even if one or more exemptions are identified, the City of Daytona Beach Shores may nevertheless choose to provide information concerning the proposed ordinance in the “Business Impact Estimate” section below. This Business Impact Estimate Form may be revised following its initial posting.

Proposed ordinance’s title/reference:

AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA RELATING TO GENERAL PENALTIES FOR CERTAIN ILLEGAL ACTIVITY; PROVIDING FOR AN AMENDMENT TO SECTION 1-8 OF THE CITY OF DAYTONA BEACH SHORES CODE OF ORDINANCES WITH REGARD TO THE PROVISION OF PENALTIES FOR VIOLATIONS OF CITY CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Applicable Exemptions:

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - ☐ Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;

- ☐ Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- ☐ Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- ☐ Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Business Impact Estimate:

The City of Daytona Beach Shores hereby publishes the following information:

- 1. A summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

This Ordinance imposes and enforces reasonable penalties for conduct deemed illegal and inappropriate to protect and promote the health, safety, welfare, and morals of citizens of the City of Daytona Beach Shores.

- 2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the municipality, including the following, if any:**

- (a) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:**

None.

- (b) Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:**

None.

- (c) An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:**

None.

- 3. A good faith estimate of the number of businesses likely to be impacted by the ordinance:**

None.

- 4. Additional information the governing body determines may be useful (if any):**

None.

Note: *The City's provision of information in the Business Impact Estimate section above, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions below shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Sec. 166.041(4), Fla. Stat., Sec. 166.0411, Fla. Stat., or any other relevant provision of law.*



CITY COMMISSION AGENDA MEMORANDUM MARCH 3, 2026 AGENDA

TO: Honorable Mayor and Members of the City Commission
FROM: Madie McCallister, Community Information Coordinator
PREPARED BY: Cheri Schwab, City Clerk
SUBJECT: Resolution 2026-01 Support for Volusia Forever

SYNOPSIS:

The City Commission wishes to support the continued operation of the Volusia Forever Program.

FISCAL IMPACT STATEMENT:

BACKGROUND:

Since 1986, Volusia County through the Endangered Lands Program and Volusia Forever Programs has helped protect nearly 60,000 acres of land in the county through partnerships with state agencies. Volusia Forever was created in 2000 when the citizens of Volusia County voted to tax themselves .2 mills over 20 years to protect the county's natural biodiversity. Voters renewed it for another 20 years during the November 2020 election. To stretch these dollars as far as possible, Volusia Forever forms partnerships with federal, state, water management district and local agencies that are committed to protecting natural resources. Through these combined conservation efforts spanning nearly four decades, the programs have made significant strides in preserving the county's natural heritage for future generations. It has been stated that County Council members are considering changes that would weaken the program and diminish its promise for Volusia County's future. Changing the criteria for selecting land for protection could threaten the program's success in leveraging matching funds from regional and State of Florida conservation programs, thereby shortchanging the return for Volusia County taxpayers. To stay on course in creating an environmentally sustainable future for Volusia County, and honor the clear mandate from voters, it is necessary to urge the Volusia County to reject changes to Volusia Forever.

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:

I move to adopt Resolution 2026-01 on first reading.

ATTACHMENT: 1. Res. 2026-01 support volusia forever

RESOLUTION NO. 2026-01

A RESOLUTION OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA IN SUPPORT FOR THE CONTINUED OPERATION OF THE VOLUSIA FOREVER PROGRAM FOR THE PURPOSE OF PRESERVING CONSERVATION LANDS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Volusia County program currently known as “Volusia Forever: provides funds for County acquisition of environmentally sensitive lands; and

WHEREAS, the program enjoys substantial support by County residents, having received 61% approval when first approved by County voter referendum in 2000, and having received 75.6% approval when reauthorized by County voter referendum in 2020; and

WHEREAS, the program is operated in a manner that provides for lands acquired to be preserved for conservation; and

WHEREAS, there has been recent public discussion about potential changes to Volusia Forever Program parameters, including changes regarding the preservation of lands acquired with Program funding for conservation.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COMMISSION OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA:

SECTION ONE. The City Commission hereby declares its support for the continued operation of the Volusia Forever Program in a manner that provides for lands acquired under the Program to be preserved for conservation.

SECTION TWO. The City Clerk is hereby directed to provide a copy of this Resolution to:

County of Volusia
Attn: George Recktenwald, County Manager
123 W. Indiana Avenue
DeLand, FL 32720

.
SECTION THREE: This Resolution shall take effect immediately upon its adoption.

CITY OF DAYTONA BEACH SHORES, FLORIDA

NANCY MILLER, MAYOR

MICHAEL FOWLER, CITY MANAGER

CHERI SCHWAB, CITY CLERK

Approved as to form and legality:

VOSE LAW FIRM, CITY ATTORNEY

Adopted on first reading this _____ day of _____, 2026.



CITY COMMISSION AGENDA MEMORANDUM MARCH 3, 2026 AGENDA

TO: Honorable Mayor and Members of the City Commission

FROM: Stewart Cruz, Community Services Director

PREPARED BY: Stewart Cruz, Community Services Director

SUBJECT: Resolution 2026-02: Adoption of the 2025 Volusia Multi-Jurisdictional Program for Public Information Plan

SYNOPSIS:

Resolution 2026-02, if adopted, will adopt the 2025 Volusia Multi-Jurisdictional Program for Public Information Plan. This multi-jurisdictional plan is a common outreach program adopted by Volusia County and cities within the County with the goal of reducing the potential for flood related personal/property losses in flood prone areas and ensuring the lowest possible flood insurance premiums for property owners. By adopting this plan and participating in the program, property owners who purchase flood insurance for special flood hazard areas within the City of Daytona Beach Shores will receive a 25% discount on their insurance premiums.

FISCAL IMPACT STATEMENT:

BACKGROUND:

In an effort to reduce the potential for personal/property losses in flood-prone areas and to ensure the lowest possible flood insurance premiums for residents and businesses, the City of Daytona Beach Shores partnered with Volusia County and other local governments in the County to develop a multi-jurisdictional Program for Public Information (PPI) Plan. The PPI Plan is a coordinated flood hazard outreach program aimed at building community resilience to flooding by creating a comprehensive and coordinated approach to improving communication with citizens thereby reducing injury and damage to property from future floods. The PPI Plan was originally adopted in 2016, updated and readopted in 2021, and has since been updated and now requires adoption by participating local governments. By adopting the updated PPI Plan the City will maintain its current rating with the Community Rating System (CRS) as well as the existing discounted rate for flood insurance premiums within City limits.

LEGAL REVIEW:

RECOMMENDATION:

Approval.

SUGGESTED MOTION:

A City Commission Member may motion as follows:

"I move to approve Resolution 2026-02 as presented."

- ATTACHMENT:**
1. Res. 2026-02-Adopting the 2025County MJ PPI Plan Update
 2. 2025 CountyMJ-PPI Plan

RESOLUTION NO. 2026-02

A RESOLUTION OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA ADOPTING THE 2025 VOLUSIA COUNTY MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION PLAN; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS, PROVIDING FOR A SAVINGS PROVISION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, areas of the City of Daytona Beach Shores are vulnerable to coastal and riverine flooding that significantly threaten the safety of residents; and

WHEREAS, the City of Daytona Beach Shores participates in the National Flood Insurance Program (NFIP), a program that provides federally supported flood insurance in communities that regulate development in floodplains; and

WHEREAS, the City of Daytona Beach Shores participates in the Community Rating System (CRS) program, an NFIP incentive program that rewards communities that exceed the established minimum requirements, with benefits that include discounts on flood insurance, increased grant competitiveness and increased flood hazard awareness; and

WHEREAS, the City's participation in the CRS program has earned the City a Class 5 rating, providing flood insurance to policy holders located within the Special Flood Hazard Areas of the City a 25 percent discount on annual premiums; and

WHEREAS, the CRS program requirements were revised by the NFIP in 2013 to include new creditable activities, one of which is to develop and implement a Program for Public

Information (PPI) Plan, a coordinated flood hazard outreach program for the purpose of building community resilience to flooding; and

WHEREAS , the CRS program requirements provide extra benefit for partnering with other jurisdictions to develop and implement a PPI Plan covering a broader, multi-jurisdictional area; and

WHEREAS, the City Commission of the City of Daytona Beach Shores adopted the original PPI Plan by Resolution 2016-01 on January 26, 2016 with updates approved by Resolution 2021-01 on February 9, 2021; and

WHEREAS: the City of Daytona Beach Shores joined with its neighboring CRS communities, Volusia County, Daytona Beach, Deltona, Edgewater, Holly Hill, New Smyrna Beach, Ormond Beach, Ponce Inlet, Port Orange, and South Daytona, to develop the updated 2025 Multi-Jurisdictional PPI Plan that provides a comprehensive, coordinated approach to improving communication with citizens to reduce injury and damage to property from future floods; and

WHEREAS, the City Commission of the City of Daytona Beach Shores finds the Plan consistent with its goals and objectives in reducing the potential for personal/property losses in flood prone areas and ensuring the lowest possible flood insurance premiums for property owners, now therefore,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, AS FOLLOWS:

SECTION ONE. The City Commission of the City of Daytona Beach Shores hereby adopts the

2025 Volusia Multi-Jurisdictional Program for Public Information Plan.

SECTION TWO. IMPLEMENTING ADMINISTRATIVE ACTIONS. The City Manager, or designee, is hereby authorized and directed to implement the provisions of this Resolution and to take any and all necessary administrative actions.

SECTION THREE. SAVINGS. The prior actions of the City of Daytona Beach Shores relating to the National Flood Insurance Program, as well as any and all related actions and activities, are hereby ratified and affirmed.

SECTION FOUR. CONFLICTS. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION FIVE. SEVERABILITY. If any Section or portions of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION SIX. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

CITY OF DAYTONA BEACH SHORES, FLORIDA

By: _____
Mayor, Nancy Miller

ATTEST:

By: _____
Michael Fowler, City Manager

By: _____
Cheri Schwab, City Clerk

APPROVED AS TO FORM AND LEGALITY:

By: _____
Vose Law Firm, City Attorney

Passed and adopted on first reading this _____ day of _____, 2026.

Posted this _____ day of _____, 2026.

2025 VOLUSIA MULTI- JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION

Community Rating System Participating Communities:

**Daytona Beach, Daytona Beach Shores, Deltona, Edgewater,
Holly Hill, New Smyrna Beach, Ormond Beach, Ponce Inlet,
Port Orange, South Daytona, and Unincorporated Volusia
County**

2025

**Prepared by County of Volusia Planning and Development Services Division in coordination
with the Volusia Multi-Jurisdictional PPI Committee Members**

Contents

Executive Summary.....	3
Background	4
Community Rating System	4
Multi-Jurisdictional PPI	7
History.....	7
Committee.....	9
Public Information Needs Assessment	11
Community Profile.....	11
Flood Hazard.....	12
Flood Insurance Coverage Assessment.....	16
Flood Insurance Coverage	16
Repetitive Loss Properties	20
Summary	20
Priority Areas.....	21
Priority Audiences	21
Existing Public Information Efforts	23
Messages	29
Other Public Information Initiatives	32
Map Information Services.....	32
Hazard Disclosure for Real Estate Agents	32
Flood Protection Website	33
Flood Protection Assistance	34
Plan Maintenance Procedures	35
Plan Adoption	35

Executive Summary

Volusia County is in the central portion of the Florida east coast. The land area of Volusia County is approximately 1,103 square miles of land and 329 square miles of water with 50 miles of Atlantic Ocean shoreline, an intracoastal waterway, and bounded on the west by the St. Johns River.

All 17 jurisdictions within Volusia County participate in the NFIP.

Every jurisdiction in Volusia County participates in the Local Mitigation Strategy (LMS) Working Group to receive federal mitigation funding.

Of the 17 jurisdictions that participate in the NFIP and LMS, only 11 participate in the CRS. Those 11 communities include Daytona Beach, Daytona Beach Shores, Deltona, Edgewater, Holly Hill, New Smyrna Beach, Ormond Beach, Ponce Inlet, Port Orange, South Daytona, and unincorporated Volusia County. All 11 of these communities participate in this Multi-Jurisdictional Program for Public Information (MJ-PPI).

The Program for Public Information (PPI) is a planning tool to provide a coordinated approach to flood hazard outreach.

The Volusia Multi-Jurisdictional Program for Public Information (MJ-PPI) was initiated on March 11, 2015, through agreement with the attendees at a Local Mitigation Strategy (LMS) Working Group meeting.

The Multi-Jurisdictional Program for Public Information (MJ-PPI) committee must contain people from both inside and outside local government. The committee meets annually to monitor the implementation of the outreach projects and is integral in updating the MJ-PPI every five years - providing feedback on possible changes to targeted areas for outreach, revisions to messages, and delivery method and frequency of the messages.

The total savings for all Volusia County communities that participate in the CRS is approximately \$1,964,356 based on flood policies in effect as of January 2025.

Background

Community Rating System

The Community Rating System (CRS) is a voluntary program under the National Flood Insurance Program (NFIP) that qualifies participating communities for reduced rates on flood insurance policies. The rating system is based on 19 activities that receive credit points by implementing local mitigation, outreach, and educational activities that go well beyond minimum NFIP requirements. All 17 jurisdictions within Volusia County participate in the NFIP.

In addition, every community in Volusia County participates in the Local Mitigation Strategy (LMS) Working Group to receive federal mitigation funding. The 2025 Volusia County Multi-Jurisdictional LMS is Volusia County's Hazard Mitigation Plan, a comprehensive document that includes the Integrated Floodplain Management Plan and Volusia County Flood Warning Program.

Of the 17 jurisdictions that participate in the NFIP and LMS, only 11 participate in the CRS. Those 11 communities include Daytona Beach, Daytona Beach Shores, Deltona, Edgewater, Holly Hill, New Smyrna Beach, Ormond Beach, Ponce Inlet, Port Orange, South Daytona, and unincorporated Volusia County (Figure 1). All 11 of these communities participate in this Multi-Jurisdictional Program for Public Information (MJ-PPI).

Table 1 identifies the CRS Class for each participating community and the applicable discount potential for properties located in a Special Flood Hazard Area (SFHA) and the current savings to policyholders. It indicates that most communities have been participating in the CRS Program since the early 1990s. The flood policy discounts range according to the community class rating and flood zone. The lower the CRS Class, the more savings an individual homeowner will receive. The total savings for all Volusia County communities that participate in the CRS is approximately \$1,964,356 based on flood policies in effect as of January 2025.

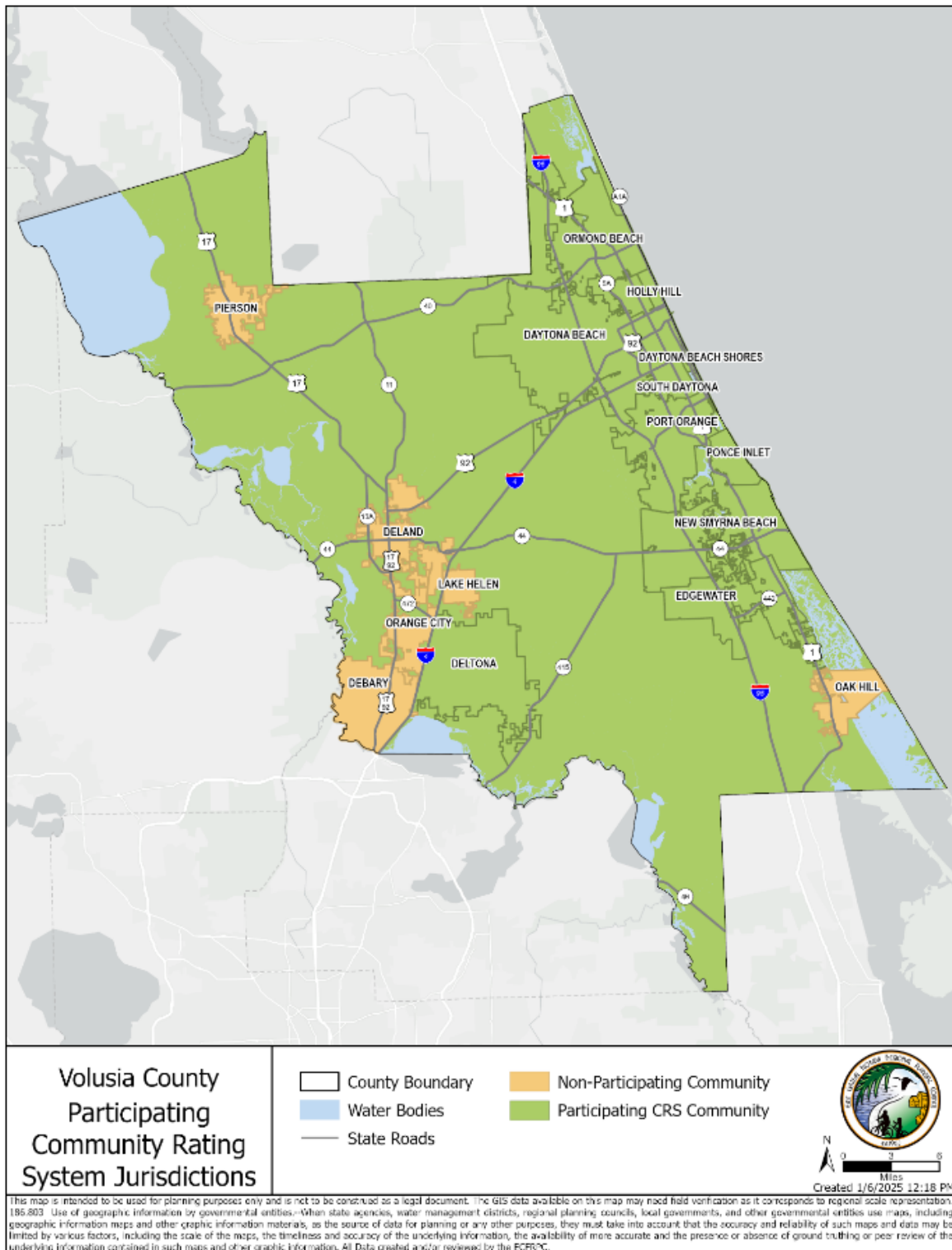
Table 1: Volusia County CRS Insurance Savings Report (as of 1/28/2025)

Community	CRS Entry Date	Current Class	% Discount for Properties in Special Flood Hazard Areas	Total Savings in Premiums for Flood Policy Holders
Daytona Beach	10/01/1994	5	25	\$340,828
Daytona Beach Shores	10/01/1992	5	25	\$56,627

Community	CRS Entry Date	Current Class	% Discount for Properties in Special Flood Hazard Areas	Total Savings in Premiums for Flood Policy Holders
Deltona	05/01/2015	9	5	\$21,819
Edgewater	10/01/1992	6	20	\$29,584
Holly Hill	10/01/1994	8	10	\$38,686
New Smyrna Beach	10/01/1991	5	25	\$463,411
Ormond Beach	10/01/1992	5	25	\$227,076
Ponce Inlet	05/01/2004	5	25	\$110,794
Port Orange	10/01/1992	5	25	\$182,645
South Daytona	10/01/1992	7	15	\$38,082
Volusia County	10/01/1993	5	25	\$454,804
			Total	\$1,964,356

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Figure 1: Participating CRS Jurisdictions in Volusia County



Multi-Jurisdictional PPI

The Program for Public Information (PPI) is a planning tool to provide a coordinated approach to flood hazard outreach. A PPI can be developed and implemented by a single community or with other communities as a multi-jurisdictional effort. The purpose is the same: to improve communication with citizens, and to provide information about flood hazards, flood safety, flood insurance and ways to protect property and natural floodplain functions to those who can benefit from it.

Coordination between jurisdictions through a Multi-Jurisdictional Program for Public Information (MJ-PPI) further increases efficiency in resource use and improves communication with citizens. All Community Rating System (CRS) participating communities realize an opportunity in collaborating to develop a multi-jurisdictional plan built on existing programs.

Reducing future flood damage requires a partnership with the public, and an educated public is an important component for success. A MJ-PPI Plan can offer participating communities the benefits of clear, coordinated messages and a more comprehensive approach in getting information out in a consistent, cost-effective manner.

Specifically, the MJ-PPI is an ongoing outreach effort to design and transmit the messages that the community determines are most important to its flood safety and the protection of its floodplains' natural functions. A MJ-PPI must be developed according to a seven-step planning and public involvement process that begins with establishing a PPI committee to guide the effort. The next step involves assessing the community's public information needs to identify key focus areas. Based on this assessment, targeted messages are formulated and specific outreach projects are identified to convey those messages effectively. The program also includes a review of other existing public information initiatives to promote coordination and avoid redundancy. Following these preparatory steps, a comprehensive PPI document is prepared and formally adopted. Finally, the program is implemented, with ongoing monitoring and evaluation to ensure that it meets the community's needs and objectives.

History

The Volusia Multi-Jurisdictional Program for Public Information (MJ-PPI) was initiated on March 11, 2015, through agreement with the attendees at a Local Mitigation Strategy (LMS) Working Group meeting.

Original preparation of the MJ-PPI, and subsequent 5-year updates, include insurance statistics showing the number of claims inside and outside of the floodplain, identification of the “Target Area”, “Target Audiences”, an assessment of the community’s public information needs, formulation of messages, and an inventory of public outreach initiatives to convey those messages.

After preparation and review, the MJ-PPI document is formally adopted by Resolution by all 11 participating communities. The MJ-PPI committee implements, monitors, and evaluates the program annually.

Table 2 identifies the summary of past actions, including the original MJ-PPI establishment in 2015 and the first 5-year update in 2020. Each update follows the seven-step planning and public involvement process outlined in the 2017 CRS Manual, pages 330-11 through 330-19.

Table 2: Summary of Past Actions

Date	Action Description
October 23, 2015	Draft Volusia MJ-PPI sent to CRS Technical Specialist
November 24, 2015	Draft Volusia MJ-PPI sent to FEMA, Region 4 - No identifiable issues found.
November 2015-June 2016	All participating communities adopted the PPI by Resolution
February 2016-January 2017	Implementation of the outreach projects
February 28, 2017	Implementation documents sent to the CRS Technical Coordinator for review
March 7, 2017	Positive score results received
April 30, 2018	Annual PPI review
March 20, 2019	Annual PPI review
March 23, 2020	Annual PPI review
September 23, 2020 October 7, 2020	Virtual meetings for 5-year update
June 25, 2021	Annual PPI review
February 24, 2022	Annual PPI review
February 17, 2023	Annual PPI review
February 9, 2024	Annual PPI review

Committee

The Multi-Jurisdictional Program for Public Information (MJ-PPI) committee must contain people from both inside and outside local government. The committee meets annually to monitor the implementation of the outreach projects and is integral in updating the MJ-PPI every five years - providing feedback on possible changes to targeted areas for outreach, revisions to messages, and delivery method and frequency of the messages. Table 3 identifies the updated MJ-PPI committee for 2025.

Table 3: Volusia Multi-Jurisdictional PPI Committee Membership

Community	Governmental Representative	Nongovernmental Stakeholder
Daytona Beach	Justin Barton, Engineer II	Angie Sehenuk, Resident
Daytona Beach Shores	Stewart Cruz, Community Services Director	Chuck Horion, Resident Kim Smith, Resident
Deltona	Phyllis Wallace, Deputy Public Works Director	Glenn Whitcomb, Resident
Edgewater	Dilena Talley, Junior Planner Erica Ehly, Senior Planner	Tracey Barlow, Resident Bliss Jamison, Real Estate
Holly Hill	Rickie Lee, Chief Building Official	Kyle Mahanes, Resident
New Smyrna Beach	Kyle Fegley, City Engineer	Stan Harrison, Insurance
Ormond Beach	Robin Gawel, Senior Planner	Becky Weedon, Resident
Ponce Inlet	Hank Baker, Chief Building Official Ami Pierce, Office Manager	Chad Sturno, Resident
Port Orange	Margaret Tomlinson, Construction & Engineering Manager Valerie Duhl, Community Development Engineer	Mike Springer, Resident
South Daytona	John Boden, Chief Building Official Becky Witte, Deputy City Clerk/Public Information Officer	Megan Howard, Resident
Volusia County	Samantha West, Sustainability & Resilience Manager Clayton Jackson, Public Information Officer Joseph Jaskula, CRS Coordinator/Planner II	Denise Hutchinson, Resident

The MJ-PPI Committee met twice in 2025, with an in-person meeting on February 18, 2025, and a virtual meeting on May 21, 2025, to review program status, data trends, and proposed updates to the Volusia Multi-Jurisdictional Program of Public Information. Committee members reviewed the annual PPI reports and were advised on areas where updates or refinements may be necessary. The County distributed background information to support updates to the 2020 MJ-PPI, and each participating jurisdiction provided updates on their current public information activities. While some outreach efforts were community specific, many were regional in nature, and the discussions highlighted opportunities for improved coordination and shared messaging among jurisdictions.

During both meetings, the committee discussed key data trends relevant to public outreach, including increasing population across most jurisdictions, declining flood insurance policies inside and outside Special Flood Hazard Areas, and rising numbers of repetitive loss properties. Members noted that population growth, particularly among new residents, reinforces the need for consistent and targeted outreach, while the decline in flood insurance participation and increases in repetitive loss buildings underscore the importance of strengthening flood risk awareness, insurance education, and mitigation-focused messaging.

The committee also reviewed the approved proposed priority areas and priority audiences for the 2025 MJ-PPI update, and evaluated revised public information messages, outcomes, and performance metrics. Additional discussion focused on program development, including ways to better deliver messages to target audiences, track outreach effectiveness, and align the PPI document with current CRS guidance and related planning documents. Members provided detailed input on recommended changes to this update, including corrections, clarifications, and refinements to messaging and document organization.

Public Information Needs Assessment

Community Profile

Volusia County is in the central portion of the Florida east coast. The land area of Volusia County is approximately 1,103 square miles of land and 329 square miles of water with 50 miles of Atlantic Ocean shoreline. Along the eastern side of the County, the Halifax River and the Indian River/Mosquito Lagoon form long, narrow estuaries which separate the County's mainland from its barrier island. Ponce DeLeon Inlet, located near the middle of the coastline, serves as the County's only inlet through the barrier island and the major passage through which Atlantic tides and storm surge propagate into the estuaries. The Tomoka and St. Johns Rivers are other major estuaries in the County which are also sources of flooding.

Volusia County has a subtropical climate, with long, warm, and humid summers and short, mild winters. The average annual precipitation is approximately 48 inches. Over half of the rainfall occurs from June 1 through November 30, designated as the "Atlantic hurricane season."

There are sixteen incorporated areas within Volusia County, of which Deltona is the largest in terms of population.

Table 4 shows the 2020 populations of the CRS participating cities and unincorporated areas within Volusia County along with the 2024 population estimates provided by the Bureau of Economic Business Research (BEBR), University of Florida.

Table 4: 2020 Census Count and 2024 Projected Population Estimates of Cities and Unincorporated Areas

Jurisdiction	2020 Population	2024 Population Estimate
Daytona Beach	71,488	84,891
Daytona Beach Shores	5,179	5,251
Deltona	93,692	98,312
Edgewater	23,097	24,981
Holly Hill	12,958	13,008
New Smyrna Beach	30,142	32,542
Ormond Beach	43,080	45,140
Ponce Inlet	3,364	3,428
Port Orange	62,596	65,670
South Daytona	12,865	13,493

Jurisdiction	2020 Population	2024 Population Estimate
Unincorporated	116,397	119,097

There has been a consistent upward trend in population growth in the participating CRS communities since the original MJ-PPI in 2015.

Flood Hazard

The 2025 Volusia County Multi-Jurisdictional Local Mitigation Strategy (LMS) identifies 17 individual hazards categorized as natural, manmade, and technological. Section 5.6 describes the Flood Hazard Profile, identifying key terms, location and spatial extent, historical occurrences, historical summary of insured flood losses, repetitive loss properties, and the probability of future occurrences. Section 6.8 identifies the vulnerability and impacts of this hazard. Flooding is the most frequent and costly natural hazard in Volusia County.

The 2025 Volusia County Integrated Floodplain Management Plan (FMP) analyzed and assessed flood hazards (including riverine, urban, and storm surge flooding) through a risk assessment. Changes in the 100-year FEMA flood zone were analyzed, comparing the acreage of the 2017 flood zone (used in the 2020 FMP analysis) to that of 2024. Storm surge flooding was assessed using the Sea, Lake and Overland Surges from Hurricane (SLOSH) model, which predicts the tidal surge heights that result from hypothetical hurricanes with selected various combinations of pressure, size, forward speed, track, and winds. The Maximum of the Maximum Envelope of High Water (MOM) was utilized from the SLOSH model from the National Hurricane Center to further determine the worst-case scenario for a particular storm category under “perfect” storm conditions.

Volusia County experienced significant flooding events since the 2020 update to the LMS, FMP, and Multi-Jurisdictional Program for Public Information (MJ-PPI). Daytona Beach and Port Orange experienced 6 to 10 inches of rainfall over a 24-hour period from a slow-moving front in 2021. Hurricane Ian (2022) produced 22 inches of rainfall, setting historic precipitation records; and Hurricane Nicole (2022) generated 3 to six inches, worsening flooding impacts and causing the St. Johns River to rise into a moderate flood stage. Holly Hill and Ormond Beach reported flooding in the fall of 2023 due to excessive rainfall. Hurricane Helene (2024) produced 0.5 to 1.5 inches of rain, and Hurricane Milton (2024) delivered 7 to 17 inches of rain. Recovery efforts from the significant flooding events that began in 2022 were further exasperated by those in 2023 and 2024.

Figure 2: FEMA Flood Hazard Zones

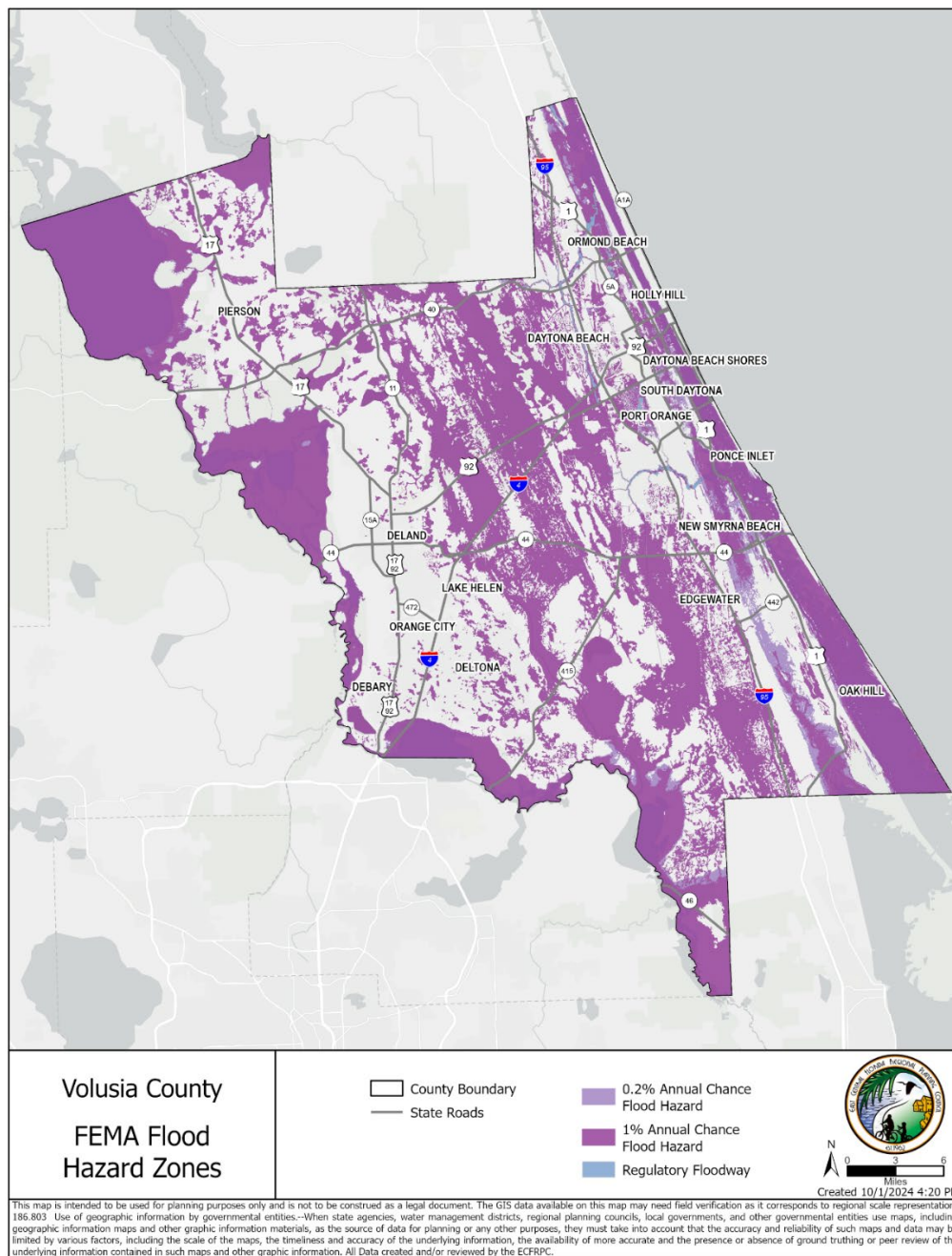


Figure 3 illustrates the location and extent of currently mapped Special Flood Hazard Areas for Volusia County based on best available FEMA Digital Flood Insurance Rate Map (DFIRM) data. This includes Zones A/AE/AH/AO (100-year floodplain), Zone VE (100-year coastal flood zones, associated with wave action) and Zone X (500-year floodplain).

Figure 3: Special Flood Hazard Areas for Volusia County

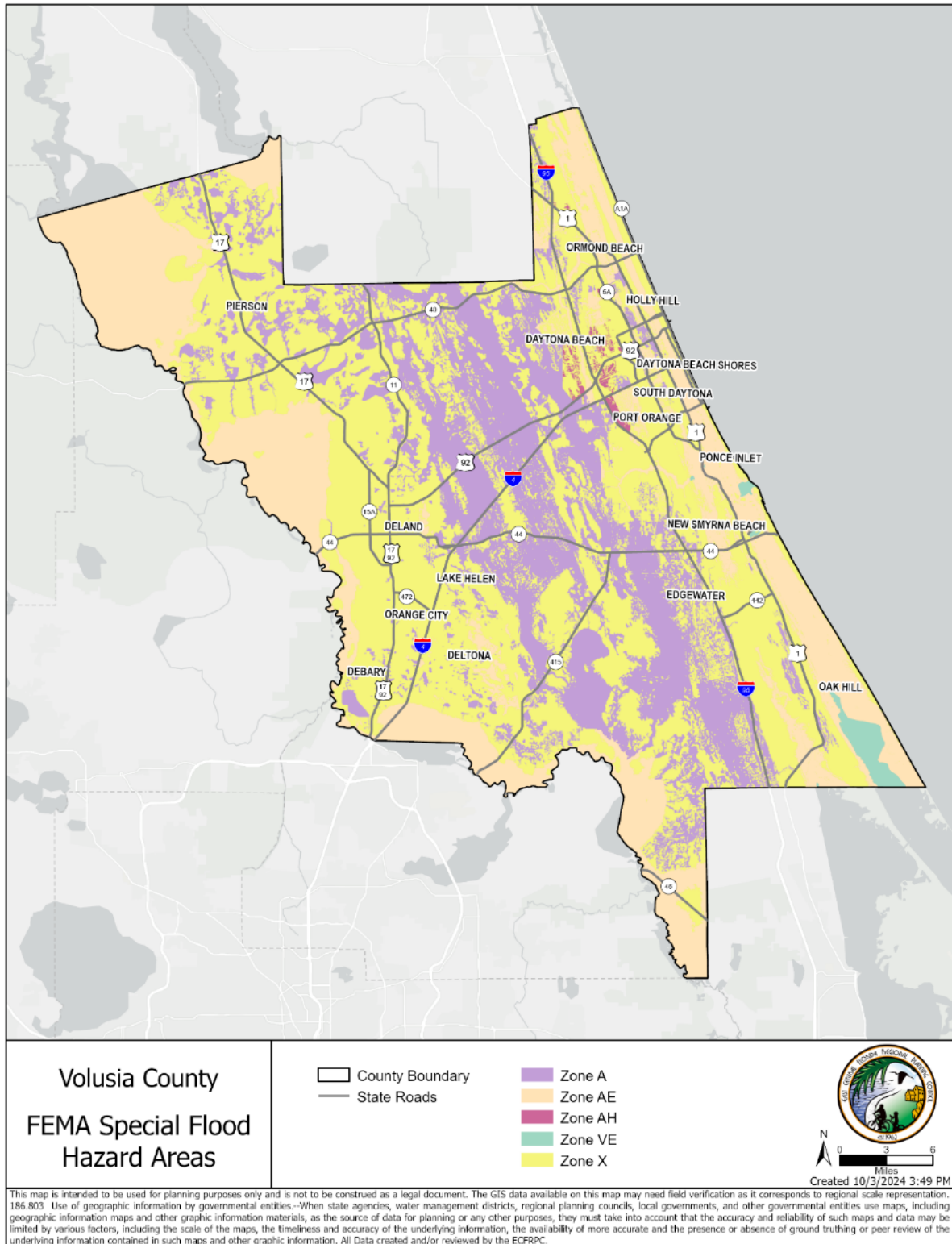
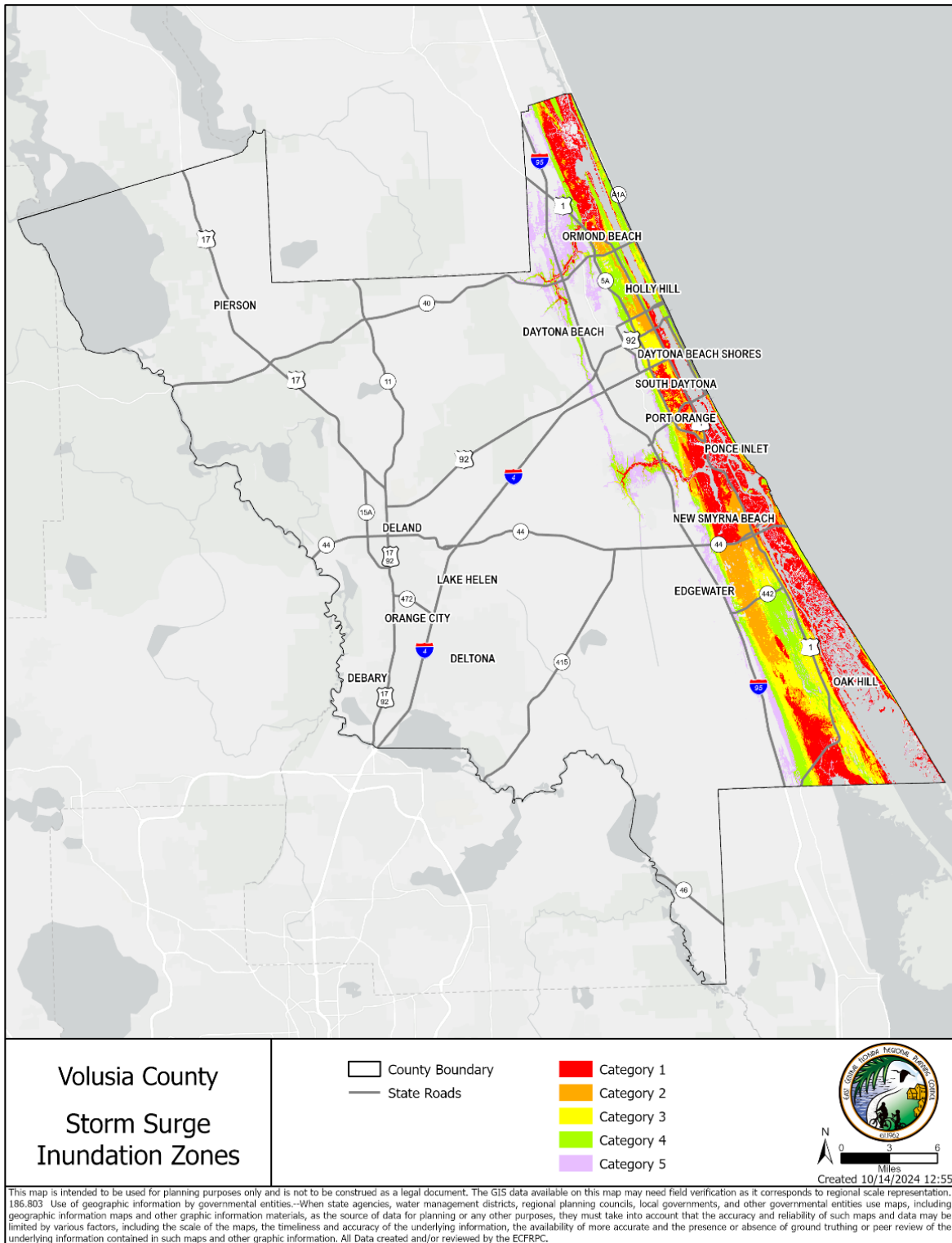


Figure 4: Storm Surge Inundation Zones



Flood Insurance Coverage Assessment

Flood Insurance Coverage

FEMA's National Flood Insurance Program (NFIP) provides coverage for residential properties, personal property, and non-residential properties. NFIP flood insurance premiums are based on the risk rating of the building to be insured: the higher the risk, the higher the flood insurance premium.

Prior to October 1, 2021, the NFIP rating methodology primarily considered flood zones and elevations, and had not been updated in 50 years, causing disparities that resulted in individuals paying more than their fair share in flood insurance premiums. New policies effective on or after October 1, 2021, are priced under Risk Rating 2.0. This is a new, individualized approach to risk assessment, built on years of investment in flood hazard information. By using new data, new flooding models, and new technology, Risk Rating 2.0 can assess many factors for individual properties, including: frequency of flooding, multiple flood types, proximity to flood sources, and building characteristics.

To determine the level of flood insurance coverage in the Volusia Multi-Jurisdictional area, the most recent flood insurance policy and repetitive loss data provided by FEMA and the Insurance Service Office (ISO), a subsidiary of Verisk Analytics, along with GIS information, were evaluated. Table 5 summarizes the two key statistics of policies in force in the Special Flood Hazard Area and past claims by jurisdiction.

Table 5: Flood Insurance Data in the SFHA by Jurisdiction (as of 4/2/2025)

CID	Community Name	# of Policies within the SFHA in Force	Insurance in Force	\$ of Closed Paid Losses within the SFHA	\$ of Closed Paid Losses Outside the SFHA
125099	Daytona Beach	3,091	\$967,075,000	\$89,063,128	\$30,000,340
125100	Daytona Beach Shores	15	\$792,260,000	\$60,993.90	\$3,851,237.78
120677	Deltona	199	\$163,882,000	\$1,053,635.07	\$2,265,997.61
120308	Edgewater	75	\$172,656,000	\$924,397.28	\$6,765,905.19

CID	Community Name	# of Policies within the SFHA in Force	Insurance in Force	\$ of Closed Paid Losses within the SFHA	\$ of Closed Paid Losses Outside the SFHA
125112	Holly Hill	150	\$246,684,000	\$5,247,747.90	\$7,723,871.52
125132	New Smyrna Beach	1,330	\$1,263,871,000	\$35,352,544.25	\$16,337,860.16
125136	Ormond Beach	340	\$667,697,000	\$4,920,125.48	\$8,033,635.29
120312	Ponce Inlet	358	\$452,944,000	\$5,694,530.24	\$2,310,235.74
120313	Port Orange	454	\$509,416,000	\$30,973,855	\$37,770,731
120314	South Daytona	158	\$169,501,000	\$21,382,311.02	\$38,512,069.02
125155	Volusia County	1,288	\$1,266,310,000	\$47,708,868.78	\$23,374,974.92
Total		7,458	\$6,672,296,000	\$242,382,137	\$176,946,858

Table 6 compares the number of policies in Table 6 with the number of buildings in the SFHA by jurisdiction.

Table 6: Percentage of Buildings Insured

CID	Community Name	# of Buildings Within SFHA	# of Policies Within SFHA in force	% Insured Within SFHA	Total # of Policies	Total # of Policies Outside The SFHA
125099	Daytona Beach	6,192	3,091	49%	5,713	2,622
125100	Daytona Beach Shores*	5	15	N/A	3,578	3,563
120677	Deltona	568	199	35%	579	380
120308	Edgewater	715	75	10%	571	496
125112	Holly Hill	2,791	150	5%	907	757
125132	New Smyrna Beach	1,775	1,330	75%	5,066	3,736
125136	Ormond Beach	3,150	1,043	33%	3,532	2,489
120312	Ponce Inlet	422	358	84%	1,720	1,362

CID	Community Name	# of Buildings Within SFHA	# of Policies Within SFHA in force	% Insured Within SFHA	Total # of Policies	Total # of Policies Outside The SFHA
120313	Port Orange	5,035	454	9%	1,698	1,244
120314	South Daytona	982	158	16%	571	413
125155	Volusia County	4,241	1,288	30%	4,569	3,281
Total		25,876	8,161	35%	28,504	20,343

*Note: (1) Daytona Beach Shores policies exceed the total number of buildings. For insurance purposes, some condominium units will have their own policy as well as each building. For this reason, policies exceed the number of buildings.

According to Tables 5 and 6, there are 8,161 flood insurance policies within the Special Flood Hazard Area with 20,343 policies outside the floodplain. About 35% of the buildings within the Special Flood Hazard Areas have flood insurance coverage. It should be noted that the percentage of policy coverage for buildings may be skewed due to the way condominium buildings and units are insured. For example, there may be one condominium building and 12 units for a total of 13 policies. The community only counts one building, not 12 units, so those communities with more condominiums in or out of the SFHA will have more policies. The statistics are used for broad analysis only.

Table 7: Insurance Occupancy Type

CID	Community Name	Single Family Policies in Force	2 – 4 Family Policies in Force	All Other Residential in Force	Non-Residential Policies in Force	Total # of Policies
125099	Daytona Beach	1,450	54	1,912	287	3,703
125100	Daytona Beach Shores	75	9	3,450	44	3,578
120677	Deltona	577	0	0	2	579
120308	Edgewater	548	6	1	16	571
125112	Holly Hill	342	12	512	41	907

CID	Community Name	Single Family Policies in Force	2 – 4 Family Policies in Force	All Other Residential in Force	Non-Residential Policies in Force	Total # of Policies
125132	New Smyrna Beach	1,898	202	2,825	141	5,066
125136	Ormond Beach	1,436	21	747	128	2,332
120312	Ponce Inlet	358	35	1,312	15	1,720
120313	Port Orange	1,599	27	45	52	1,723
120314	South Daytona	520	8	14	29	571
125155	Volusia County	2,915	23	1,583	55	4,576
Total		11,718	397	12,401	810	23,326

Repetitive Loss Properties

Although the entire county is susceptible to flooding, there are approximately 2,208 buildings which are considered unmitigated “repetitive loss” properties as defined by FEMA (having at least two claims of \$1,000 over a 10-year period). Of the 2,208 unmitigated repetitive loss properties, 1,125 are in the Special Flood Hazard Area, and 1083 are outside the Special Flood Hazard area as displayed in the table below.

Table 8: Total Unmitigated Repetitive Loss Buildings by Jurisdiction and Flood Zone

Community	Total RL Buildings	RL in AE, A1-30, AO, AH, A	RL in VE, V1-30, V	RL in B, C, X	RL Buildings (Insured)
Daytona Beach	405	161	2	242	138
Daytona Beach Shores	14	1	0	13	7
Deltona	11	3	0	8	6
Edgewater	29	6	0	23	16
Holly Hill	113	54	0	59	48
New Smyrna Beach	164	116	3	45	56
Ormond Beach	132	47	0	85	25
Ponce Inlet	28	22	0	6	5
Port Orange	440	242	0	198	231
South Daytona	411	152	0	259	202
Volusia County	461	315	1	145	131
Total	2208	1119	6	1083	865

Based on the statistics, 51% of the buildings classified as repetitive loss have occurred in Special Flood Hazard areas. 49% of the repetitive loss buildings are located outside Special Flood Hazard Areas.

An interesting statistic contained in Table 8 above is the number of repetitive loss buildings currently insured equals a total of 865 or 39%. Even though the building may have experienced flood loss, flood insurance is not being purchased, probably because it is not required.

Summary

Based on the information above, most property owners in the multi-jurisdictional Volusia County area do not carry flood insurance on their buildings. In the Special Flood Hazard

Areas, where flood insurance is mandatory as a condition of federal aid or a federally backed mortgage or loan that is federally backed, only 35% of the buildings have flood insurance coverage. Also, it is interesting that approximately 39% of the repetitive loss buildings are insured.

Because the percentage of properties with flood insurance coverage is generally low, the PPI committee decided to continue to target a variety of audiences to increase flood insurance coverage for buildings. The target audiences are listed in the next section. The communities of Daytona Beach, Daytona Beach Shores, Deltona, Edgewater, Holly Hill, New Smyrna Beach, Ormond Beach, Ponce Inlet, Port Orange, South Daytona, and Volusia County will continue to provide outreach to the various target audiences through methods such as mailings, ads, flyers, and the countywide website to encourage property owners to purchase flood insurance coverage. Additionally, the participating CRS jurisdictions will provide countywide information about flood insurance and other flood-related topics at public meetings and public events throughout the year. This consolidated outreach is intended to increase.

Priority Areas

The MJ-PPI committee identified the following priority areas:

- ▶ All properties
- ▶ A, AE, AH and VE zones, and flood-prone X and shaded X properties

All properties in the 11 participating CRS communities: Since flooding can happen anywhere in the County, the committee reconfirmed that the priority area of “all properties in the 11 Volusia County CRS communities” should remain unchanged. There were some recommendations to modify some of the messages and outcomes due to some activities being difficult to measure and monitor. This is the second five-year update to the plan.

A, AE, AH, VE zones, and flood-prone X and shaded X properties: Areas countywide can be flooded from overwhelmed rivers, creeks, coastal sources, sheet flow, and local drainage ways. The official FEMA Flood Insurance Rate Map designates the deeper riverine and coastal flood-prone areas as A, AE, AH or VE Zones. The committee agreed these should be priority areas, in addition to flood-prone X and shaded X properties.

Priority Audiences

The MJ-PPI Committee identified the priority audiences listed below.

- ▶ The general public
- ▶ Residents in the floodplain

- ▶ Residents and property owners in repetitive loss areas
- ▶ Residents and property owners with substantial damage properties
- ▶ Real estate, lending, title, and insurance agencies
- ▶ New residents and property owners
- ▶ Real estate appraisers

General Public in the 11 participating CRS Communities: As past flooding and flood insurance claims indicate, residents and business owners in the cities of Daytona Beach, Daytona Beach Shores, Deltona, Edgewater, Holly Hill, New Smyrna Beach, Ormond Beach, Ponce Inlet, Port Orange, South Daytona, and unincorporated areas of Volusia County need to be aware of the flood hazard, flood insurance, and ways they can protect themselves from flooding. Thus, the Committee concluded that the community at large should be considered a target audience, since flooding can occur anywhere for a variety of reasons. Flooding can occur in urban areas through an undersized culvert or blocked drain, as well as in areas not shown on flood maps. Residents may travel through flooded areas and do not know the proper safety precautions, or they may consider purchasing or moving to a flood-prone property. Although the committee reconfirmed that all properties are subject to flooding, the PPI should strive to reach all residents and businesses in the multi-jurisdictional Volusia County area, including renters.

Residents in the Floodplain: There are roughly 252,927 structures in the FEMA floodplain. Because these properties have been identified as having a known flood risk, the committee believes it is important to reach out to the property owners of these buildings to educate about flood risk, the availability of flood insurance, and the costs associated with recovery.

Residents & Business Owners in Repetitive Loss Areas: There are 2,208 unmitigated repetitive loss buildings in the participating CRS communities. These property owners, along with their neighbors, have a similar potential for flooding and should be aware of their property's risk of flooding and the availability of flood insurance. Because the residents and business owners of structures in the floodplain and the repetitive loss areas are similar, it was determined that these two groups should receive the same types of outreach.

Residents & Property Owners with Substantial Damage Properties: There is a special concern for substantial damaged properties from Hurricanes Ian and Milton. Because substantial damage can change over time, the goal is to reduce this target audience through mitigation efforts. Mitigation and outreach efforts within these affected areas aid those properties from becoming substantially damaged again.

Real Estate, Lending, Title, and Insurance Companies: These companies are the key to conveying information about flood hazards and flood insurance. The committee wants to

ensure that they understand and have all the information they need about these topics. Residential sellers should be proactive in preparing for future property sales by gathering all pertinent flood history documentation. Real estate professionals should also update their practices and educate clients on this new requirement to avoid liability. Title agencies have a part in transferring NFIP policies from one owner to another during a real estate transaction. Additionally, Florida's new flood disclosure law, House Bill 1049, went into effect on October 1, 2024. This law requires sellers of residential properties to disclose flood-related information to potential buyers. Sellers must complete a "Flood Disclosure" form before executing a sales contract, marking a shift toward greater transparency in property transactions.

New Residents/Property Owners: People new to the area often purchase new homes without knowledge of storm hazards, flooding or flood zone information. Providing educational information to the prospective buyer from the realtor will be extremely helpful in the event of flooding or a storm.

Real Estate Appraisers: Appraisers value property for buyers and sellers. The committee wants to ensure that appraisers understand buildings located in the Special Flood Hazard Area have additional permitting requirements for repairs and improvements that are not required by the Florida Building Code. For buildings located in the Special Flood Hazard Area, substantial improvement reviews are completed with alterations, renovations, additions, etc., and substantial damage reviews are completed if a building is damaged by wind, fire, or flood. If a building has been determined by the municipality to be substantially improved or damaged, then it must either show it is in compliance with the State and municipality's current flood-resistant construction requirements or be brought into compliance. Commercial buildings may be dry floodproofed. To floodproof residential buildings, they can either be elevated, if a structural engineer determines the structure can be lifted, or demolished and replaced. If a building has been determined to be substantially improved or damaged or if it is close to reaching the substantial improvement/damage threshold, appraisers' building valuations should include the cost to cure the compliance issue.

Existing Public Information Efforts

An important part of developing a public information program is to be aware of what other public information activities are reaching Volusia County multi-jurisdictional property owners. The information in Table 9 was updated by past projects, staff research, and PPI Committee members. The organizations are listed in alphabetical order.

Table 9: All Jurisdictions

Project #	Description	Message
1	Floodplain Management Website	Various
2	Annual mailing to repetitive loss areas	Information on the flood hazard, and mitigation measures
3	Distribution of FEMA materials in Local Libraries	Various
4	Letters promoting flood insurance from Mayor/Commissioner/Councilmember to all property owners	Know your risk of flooding; you should buy flood insurance; check with your agent to see if you are fully insured
5	Markers attached to storm drains	"No Dumping" – Drains to waterway markers
6	Brochure to Realtors, Lenders, and Insurance Agents	Various

Table 10: City of Daytona Beach

Project #	Description	Message
1	Flood Fact information brochure provided to all City of Daytona Beach in utility bill and direct mail	Various
2	Distribution of City, State, and FEMA brochures outside Commission Chambers	Various
3	Flood Tips PowerPoint Presentation on Channel 199	Various
4	Citywide Quarterly newsletter	Various

Table 11: City of Daytona Beach Shores

Project #	Description	Message
1	Citywide Quarterly newsletter	Various

Table 12: Deltona

Project #	Description	Message
1	Electronic and Mailed Quarterly Newsletter	Various
2	Pre-hurricane Season Activity	Preparedness – Avoid/Minimize/Recover

Table 13: City of Edgewater

Project #	Description	Message
1	Quarterly Facebook and newsletter distribution	Various
2	Brochures distributed at Edgewater Edgefest	Various
3	Brochures distributed at Environmental Services Educational presentations	Various

Table 14 : City of Holly Hill

Project #	Description	Message
1	Brochures available in City Hall	Various
2	Newsletter to Insurance Agencies	Flood Protection
3	Newsletter to Repetitive Loss Addresses	Flood Protection
4	Flood Information on Website	Various

Table 15 : City of New Smyrna Beach

Project #	Description	Message
1	Brochures and monthly Citizens Flood Newsletter available in City Hall / Building & Planning Offices	Various
2	Citizens Flood Newsletter distributed to insurance agencies	Various
3	Flood information packets distributed at community, wellness, fitness, park, and family-oriented events (5K runs, festivals, expos, and recreation events)	Various
4	Flood newsletters and information packets distributed through Citizens	Various

	Academy, committees, and public meetings	
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Table 16 : City of Ormond Beach

Project #	Description	Message
1	Flood Fact brochure distributed at Annual Earth Day event	Various
2	Flood information and website link provided to all City of Ormond Beach in utility bill	Various
3	Letter from Mayor inserted in approximately 25,000 utility bills	Flood Protection
4	Flood Information brochures available in Planning Department and in Finance office where utility bills are paid	Various

Table 17 : Town of Ponce Inlet

Project #	Description	Message
1	Flood Fact brochure and handouts, Don't Drown Frisbee distribute at Annual Ponce Preserves the Planet event, and Annual FABTO Educational Conference	Various
2	Town wide Quarterly Newsletter	Various
3	Flood Information Brochures available in Planning & Development Department and Town Community Center	Various
4	Flood Information on website	Various
5	Flood Fact brochure and letter mailed to Real estate agents, local contractors, local insurance agents, and targeted letters to contractors	Various

Table 18 : City of Port Orange

Project #	Description	Message
1	Flood Fact Brochure at kiosk in City Hall	Various
2	City weekly newsletters	Various

3	Social media messages on Facebook, Twitter/X, and Instagram	Flood Insurance
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Table 19 : City of South Daytona

Project #	Description	Message
1	City Newsletter	Flood Protection
2	Flood information distributed in City Hall	Various

Table 20 : Unincorporated Volusia County

Project #	Description	Message
1	Flood and emergency information on County website, emergency subpages, and micro sites	Various
2	Social media post and digital alerts EverBridge (AlertVolusia) and Emergency Management app)	Various
3	Radio programming, media events, and newspaper hurricane guides.	Preparedness – Avoid/Minimize/Recover
4	Flood and hurricane brochures and handouts distributed at events and outreach locations.	Various
5	Community preparedness presentations and hurricane expos	Preparedness – Avoid/Minimize/Recover
6	Flooding and stormwater education microsite	Flood Risk Awareness
7	Annual CRS Mail Out	Various

American Red Cross

- **Project 1:** Offers a Flood App for Android or Apple
 - **Message:** Prepare -- Respond -- Recover
- **Project 2:** Website educational information
 - **Message:** Prepare -- Respond -- Recover

COAD (Community Organizations Active in Disaster)

- **Project 1:** Annual hurricane expo
 - **Message:** Emergency Preparedness and Various

Florida Department of Emergency Management

- **Project 1:** Flood Awareness Week and Severe Weather Awareness Week Outreach
 - **Message:** Various

Florida Department of Environmental Protection

- **Project 1:** Flooding and Erosion webpage with links. Public information commercials on radio and cable
 - **Message:** Various

Florida Floodplain Management Association

- **Project 1:** Flood messages e-mailed
 - **Message:** Various

Hometown News

- **Project 1:** Hurricane prep guide
 - **Message:** Preparedness -- Avoid/Minimize/Recover

Insurance Agencies

- **Project 1:** Letter to homeowner policy holders with no flood insurance
 - **Message:** Flood Protection

News-Journal & Hometown News

- **Project 1:** Hurricane awareness flyers
 - **Message:** Preparedness -- Avoid/Minimize/Recover

St. John's River Water Management District

- **Project 1:** Flood Information on website
 - **Message:** Various
- **Project 2:** Distribution of brochures
 - **Message:** Flood Protection and Assistance and Stormwater Systems

Messages

After reviewing the Community Needs Assessment, the PPI Committee made a few changes to the eight originally adopted priority messages and reduced the messages to a total of 7 as indicated in Table 21.

Table 21: Messages and Desired Outcomes

Message	Outcome
A: Understand your risk of flooding. Finding out is simple!	A: Increase engagement on county's flood mapping website through the measurement of visitors inspecting the website.
B: Protect yourself, your home, business, and personal belongings from the next flood with flood insurance.	B: Increase in the number of flood insurance policies, including the number of policies in X zone.
C: Turn around, don't drown to safeguard yourself and neighbors from unnecessary flood risk. Sign up for alerts	C: Reduce water rescues or police citations for ignoring barricades after a flood event and increase Everbridge registrations for citizens.
D: Keep debris and trash clear from streams, ditches, and inlets to prevent excess flooding prior to storm events.	D: Reduce number of calls related to stream obstruction.
E: Before you start any storm repairs or improvements, check permit requirements.	E: Decrease in number of code violations for not obtaining a building permit.
F: Hire only licensed contractors who know the local ordinances and jurisdiction's requirements for permitting.	F: Fewer cases of unpermitted work through the implementation of the Floodplain Management Plan and decrease code violations.
G: Keep natural areas undisturbed, reduce and report illegal clearing and dumping, and protect water quality by limiting runoff, nutrient pollution, and improper fertilizer use.	G. Promote code compliance and responsible land management, while encouraging water quality protection and proper property fertilizer practices

The overall strategy is to make information more readily available to the target audiences in a manner that will equip and encourage these audiences to adopt behaviors to improve preparedness and decrease future flood damage. The PPI Projects and Initiatives list provides a comprehensive list of program elements organized by target audience and message. This table also includes Outreach Projects created specifically to increase the number of flood insurance coverage policies in the participating communities, denoted as “OP”.

In addition to projects that are implemented every year, the PPI Committee recommends Flood Response Projects “FRP” that will be implemented before, during and after a flood. One such project is the door hangers in English and Spanish to be placed on impacted properties after a storm. The County CRS Coordinator will provide the template to each PPI community for reproduction when needed. After a major flood event that requires a damage assessment team, door hangers will be placed on the door of each impacted property, where and when it is safe to do so.

Other FRP projects included sending EverBridge (AlertVolusia) voice, text and/or email messages. The EverBridge Emergency Notification System provides the public with the ability to receive voice, text, and/or email notifications. Volusia County has shifted to Everbridge in March of 2022, but it was available to the county and had it as a backup to CodeRed since 2018. Citizens can register online at:

<https://www.volusia.org/services/emergency-services/emergency-management/alerts/>

Any citizen with questions about the system can call the Volusia County Emergency Management Information Line at: 386-258-4088. The following EverBridge messages will be sent to all registrants along the lines of the following messages:

- ▶ Before the storm: “The National Weather Service has issued a Flood Watch for your area. A Flood Watch means that flooding is imminent or occurring. Please follow all precautions to keep you and your loved ones safe. If you are ordered to evacuate the area, do so immediately. If you suspect you are in a home that is subject to deep flooding, turn off the electricity at the circuit breaker panel and gas, gather canned foods and flashlights, and evacuate. If you are in transit, please avoid streets that are underwater or are barricaded. We urge you to stay tuned to news outlets for on-going details. Thank you for your cooperation.”
- ▶ During the storm: “Due to (event name) there are many power outages, flooded areas, and downed power lines, inoperable traffic signals, and debris around Volusia County that could cause harm or injury to residents outside. Residents are urged to remain in

place until weather conditions improve and to ensure road accessibility for first responders. If you need emergency assistance, please call 9-1-1.”

- ▶ After the storm: “Please report storm related damage to Volusia County Emergency Management at 866-345-0345. County and City employees will be travelling throughout the county assessing damage to homes.”

During the year, when there is no storm event projected, general educational EverBridge messages will also be sent periodically throughout the year. Below are some examples of messages that will be sent:

- ▶ "Know your flood zone. For information about your flood zone and flooding please see <https://www.volusia.org/services/public-protection/emergency-management/types-of-disasters/floods/>"
- ▶ "Flood insurance is a great way to protect your home when disaster strikes. Contact your insurance agent today to see if your home is covered. Be proactive. It usually takes 30 days for a policy to become effective.”
- ▶ "Flooding is one of Florida's most frequent hazards. It is a coast-to-coast threat that can occur at any time of the year. Find out ways to protect yourself, family and home at <https://www.volusia.org/services/public-protection/emergency-management/types-of-disasters/floods/>"

Other Public Information Initiatives

Map Information Services

Volusia County and Daytona Beach, Daytona Beach Shores, Deltona, Edgewater, Holly Hill, New Smyrna Beach, Ormond Beach, Ponce Inlet, Port Orange, and South Daytona provide map information in several ways. The most common method is the County flood map viewer website at:

<https://www.volusia.org/services/business-services/information-technology/geographic-information-services/flood-map-viewer.stml>

Customers enter the address of the property in question and can view on the map whether the property is in a Special Flood Hazard Area or not. Map information can also be obtained from most of the other CRS communities' websites and the FEMA interactive flood map service:

<https://msc.fema.gov/portal/search>

All CRS communities provide map information through inquiries by phone, by email, or in person through the customer service counter. This service is advertised annually to real estate agents, lenders, and insurance agents, as well as residents of properties in the floodplain and repetitive loss properties. The PPI Committee agreed to continue these procedures. Volusia County has recently updated the County's website to include all of the other CRS communities' contact information and website links in order to make flood determinations easier.

<https://www.volusia.org/services/emergency-services/emergency-management/types-of-disasters/floods/>

Hazard Disclosure for Real Estate Agents

Effective February 19, 2014, the FEMA Flood Insurance Rate Maps (FIRMs) were updated for all communities within Volusia County based on the updated riverine study. On September 29, 2017 FIRMs for coastal communities became effective based on the updated surge study. Due to an issue between some of the 2017 FIRMS and the data contained in the 2017

Flood Insurance Study, a correction was made to the applicable flood maps and updated on August 7, 2018. Volusia County has published the new flood maps on its website and encourages the public to review the updated flood zones. Now that the information is available, real estate agents and brokers, and sellers have a duty to disclose to buyers (or to make sure buyers are aware) of the flood risks associated with a particular piece of property.

One protection for buyers in Florida is the requirement that any property located in a Special Flood Hazard Area, where the purchase is financed with a federally backed loan, must be covered with flood insurance. Whether or not a private mortgage will demand flood insurance coverage depends upon that lender. It should be noted that if a buyer purchases a property with cash, then the buyer will not be required to purchase flood insurance so the flood zone may or may not be disclosed.

All real estate agents can access the State of Florida Seller's Disclosure of Property Conditions form and disclose whether a property is located in a floodplain. Real estate agents can obtain the flood zone by using the methods described above in the Map Information Service section.

A county-wide brochure called, "Ask Before you Buy" has been established for the past few years. The brochure is distributed at public outreach events and hazard presentations, and by realtors to prospective buyers through the yearly CRS Mail Out.

Flood Protection Website

The Volusia County website is updated to include information on all the priority topics listed in the Inventory of Existing Public Information Efforts table. Additional information related to outreach projects will be included on the website with links to all CRS participating communities. In addition, the County's website is updated to have a more current look and have a more prominent location on the County's main webpage.

<https://www.volusia.org/services/emergency-services/emergency-management/types-of-disasters/floods/>

Volusia County issued a news release notifying the media of the report's availability back in July. Below is a link to that news release.

https://www.volusia.org/news/news-releases.stml?portalProcess_dd_0_1_1=showPublicEvent&calendar_entry_id=91118

There are two websites that Volusia County created within the last year. They are what can be considered microsites within the main website.

<https://www.volusia.org/services/emergency-services/emergency-management/index-1.stml>

<https://www.volusia.org/services/public-works/stormwater-management/index.stml>

Flood Protection Assistance

All the participating CRS communities offer flood protection assistance including property protection advice (PPA), advice after a site visit (PPV), and financial assistance advice (FAA). These types of assistance are advertised in the annual mailing to floodplain and repetitive loss property owners. Other types of advertising will be considered for a countywide opportunity such as the Home Show (Daytona Beach's community event highlighting home trends and engagement) and other presentations to civic and professional groups.

Plan Maintenance Procedures

The Multi-Jurisdictional PPI Committee will meet annually to evaluate the Plan and incorporate any needed revisions. The evaluation will cover:

- ▶ A review of the projects that were completed
- ▶ Progress toward the desired outcomes
- ▶ Recommendations regarding projects not completed
- ▶ Changes in the target audiences

The CRS Community Assessment will be refreshed every year as part of the Annual Evaluation. The County will coordinate and facilitate this meeting, and afterward, provide a summary and an updated PPI worksheet Projects and Initiatives List reflecting the committee's decisions. The Annual Evaluation Report will be prepared each year as part of the CRS annual recertification, with copies to the County, Daytona Beach, Daytona Beach Shores, Deltona, Edgewater, Holly Hill, New Smyrna Beach, Ormond Beach, Ponce Inlet, Port Orange, and South Daytona governments, State of Florida NFIP Coordinator, and local media.

Plan Adoption

This document will not become effective until the Volusia Multi-Jurisdictional Program for Public Information is adopted by the Daytona Beach City Commission, Daytona Beach Shores City Council, Deltona City Commission, Edgewater City Council, Holly Hill City Commission, New Smyrna Beach City Commission, Ormond Beach City Commission, Ponce Inlet Town Council, Port Orange City Council, South Daytona City Council, and Volusia County Council, by Resolution.

Table 22: Outreach Projects (OP) for General Public in CRS Communities of Daytona Beach, Daytona Beach Shores, Deltona, Edgewater, New Smyrna Beach, Ormond Beach, Ponce Inlet, Port Orange, South Daytona, and Volusia County

Project(s)	Messages and Outcomes (See Table 6)	Assignment	Proposed Schedule	Stakeholder	CRS Community
OP #1 Consolidated Flood Fact brochure on all messages and handouts distributed in all community permitting offices	A-G	All CRS Coordinator	Year-round	All Chamber of Commerce offices	All
OP #2 Consolidated Flood Fact brochure on all messages and handouts distributed at branch libraries	A-G	County CRS Coordinator	Year-round	All Chamber of Commerce offices	All
OP #3 Consolidated Flood Fact brochure on all messages and handouts to Chamber of Commerce for display	A-G	All CRS Coordinator	Year-round	All Chamber of Commerce offices	All

Project(s)	Messages and Outcomes (See Table 6)	Assignment	Proposed Schedule	Stakeholder	CRS Community
OP #4 Booths at countywide and citywide events	A-G	Volusia County Emergency Management	Over 68 Events in various and reoccurring locations. Majority events are held between May through July.	All Chamber of Commerce offices	All
OP #5 Presentations for countywide citizen and professional groups	A-G	Emergency Management/County CRS Coordinator	Year-round	All Chamber of Commerce offices	All

Project(s)	Messages and Outcomes (See Table 6)	Assignment	Proposed Schedule	Stakeholder	CRS Community
OP #6 Emergency Management public presentations including flood messaging	A-G	Emergency Management/County CRS Coordinator	Year-round	All Chamber of Commerce offices	All
OP #7 Multi-Media Posts and digital alerts	A-G	Volusia County Emergency Management	Year-round	All Chamber of Commerce offices	All

Table 23: Outreach Projects (OP) for Property Owners in the Floodplain and Repetitive Loss

Project(s)	Messages and Outcomes (See Table 6)	Assignment	Proposed Schedule	Stakeholder	CRS Community
OP #8 Annual Flood Guide – updated information on flood hazard preparedness that includes information on property protection – sent to all households in floodplain and distributed in County offices, regional library branches and all community building departments	A-G	All CRS Coordinators	Mailed out by 5/1	All Chamber of Commerce offices	All
OP #9 Annual letters to all repetitive loss area properties	A-G	All CRS coordinators/Emergency Management	Mailed out by 5/1	All Chamber of Commerce offices	All
OP #10 County Emergency Management will give presentations on family disaster preparedness to groups and communities	A-G	Emergency Management/County CRS Coordinator	By 5/1 of each year	All Chamber of Commerce offices	All

Project(s)	Messages and Outcomes (See Table 6)	Assignment	Proposed Schedule	Stakeholder	CRS Community
OP #11 Volusia COAD (Community Organizations Active in Disaster) will hold their annual Hurricane Expo	A-G	Volusia COAD	Annually	Volusia COAD	All
OP #12 – EverBridge text & e-mail to all	A-G	County Emergency Management	Monthly		All

Table 24: Outreach Projects (OP) for Real Estate, Real Estate Appraisers, Lending, Title and Insurance Companies

Project(s)	Messages and Outcomes (See Table 6)	Assignment	Proposed Schedule	Stakeholder	CRS Community
OP #13 Mail letters and consolidated Flood Fact brochure	A-G	Emergency Management/County CRS Coordinator	By 5/1 of each year		All
OP #14 Floodplain Disclosure and Permit Awareness Outreach	A, E, F	County CRS Coordinator	By 5/1 of each year	Buyers and lenders	All

Table 25: Outreach Projects (OP) for New Residents and Property Owners

Project(s)	Messages and Outcomes (See Table 6)	Assignment	Proposed Schedule	Stakeholder	CRS Community
OP #15 “Ask Before You Buy” brochure developed and distributed to realtors to provide all buyers.	A, B, D, E, F, and G	Emergency Management	Year-round	New resident and/or property owners	All



CITY COMMISSION AGENDA MEMORANDUM MARCH 3, 2026 AGENDA

TO: Honorable Mayor and Members of the City Commission

FROM: Gwyn Herstein, City Planner

PREPARED BY: Gwyn Herstein, City Planner

SUBJECT: Consideration of Request for Reduction/Rescission of Code Enforcement Lien for 2617 S. Atlantic Ave.

SYNOPSIS:

After late-2022 storm damage remained unrepaired, this property was sent before the Special Magistrate in March 2024, for an Initial Hearing. The former property owner, Holiday Shores Condominium Association, Inc., was given until January 21, 2025, to bring the property into compliance (see Exhibit A). No violations were corrected by the compliance date and fines began to accrue. An Affidavit of Non-Compliance was generated, and daily fines of \$250.00 were imposed as a lien at the March 20, 2025, First Compliance Hearing (see Exhibit B).

December 2024, between the Initial Hearing and the Ordered compliance date, a Warranty Deed (Exhibit C) was recorded for the purchase of the property by L & Z Ocean Breeze, L.L.C., whose managing members are Liang "Larry" Zhou and Yan Zhang.

Fines continued to accrue at \$250.00 per day until the compliance date of November 4, 2025, for a total of **286 fined days** and a **fine total of \$71,500.00**. Mr. Zhou was present for the January 15, 2026, Second Compliance Hearing, and the special magistrate considered the reduction/rescission request and document submission Mr. Zhou presented. Special Magistrate deLaroche **reduced the accrued fines by 86 days** for a **reduced fine total of \$50,000.00** (Exhibit D). He cited a number of factors for granting the reduction, including eliminating fines for any days Mr. Zhou's applications were being reviewed by staff.

Mr. Zhou hereby seeks a full fine rescission from the City Commission, from \$50,000.00 to \$0 (Exhibit E) on the basis of having learned about the lien only after purchasing the property, having acted in good faith to rectify the violations after learning of them, and that the lien is an undue hardship, as he did not cause the violations or allow them to continue. All administrative fees for this case have been paid.

FISCAL IMPACT STATEMENT:

BACKGROUND:

The 32-unit timeshare on this property had operated for over 30 years. In September and November 2022, the seawall and all areas east of the building were heavily damaged during Hurricanes Ian and Nicole. After no steps were taken to repair the hurricane damage, in March 2024, the Holiday Shores Condominium Association, Inc. was taken before the special magistrate for an Initial Hearing. The property was found in violation of the six (6) violations cited, all of which related to the damaged seawall and the undermined pool and pool deck. The Holiday Shores Condominium Association, Inc. was given until January 21, 2025, or 306 days, to correct the violations or fines of \$250.00 per day would begin. A *Findings of Fact, Conclusions of Law and Order* document was generated and recorded in the official records of Volusia County. Robert Scott MacGregor was present as a property representative.

On December 16, 2024, Mr. Zhou introduced himself as the new property owner to Building Division staff and staff discussed the five-weeks-away compliance date, after which fines would begin. Staff gave him a copy of the *Findings of Fact* document, and answered questions about it. Staff generated a Notice of Sale and a Notice of Party Substitution to reflect the change for the code enforcement record (Exhibit F).

After the compliance date, the property was re-inspected and determined to have remained in non-compliance, so fines began to accrue at \$250.00 per day. At the March 2025 First Compliance Hearing, Code Enforcement Special Magistrate deLaroche imposed the accruing fines as a lien by issuing an Order Imposing Fine/Lien, which was recorded. Mr. Zhou authorized a previous property representative, Robert Scott MacGregor, to answer any questions the special magistrate might have during the hearing.

Compliance was achieved on the property on November 4, 2025, after the seawall was rebuilt; the unseated pool house, deck pieces, and pool removed; the area behind the seawall back-filled; a site plan amendment approved for the deck area; the deck finished as per site plan; and all required building permits inspected and final-approved. On January 15, 2026, a Second Compliance Hearing was held so the special magistrate could consider the 286 fined days, which began on January 22, 2025, and ended November 3, 2025.

Fines accrued at \$250.00 per day until the compliance date of November 4, 2025, for a total of 286 fined days and a fine total of \$71,500.00. Mr. Zhou was present for the January 15, 2026, Second Compliance Hearing, and the special magistrate considered the reduction/rescission request Mr. Zhou presented. Special Magistrate deLaroche reduced the accrued fines by 86 days for a reduced fine total of \$50,000.00. He cited staff review periods as a contributing cause for the reduction.

As Mr. Zhou felt this reduction insufficient, he currently seeks full rescission of this lien from the City Commission, from \$50,000.00 to \$0. \$191.00 was paid to the City in order to make this request.

Exhibit G is comprised of limited pictures reflecting the storm damage and the restored property.

Mr. Zhou has paid the administrative fees imposed for three hearings by the special magistrate during the course of this case which totaled \$376.45. There are no other code enforcement fines or fees owed at this time and no other unresolved code enforcement cases. This is the only property in Daytona Beach Shores owned by L & Z Ocean Breeze, L.L.C.

Mr. Zhou plans to be present for this request for rescission of lien at the March 3, 2026, City Commission meeting.

LEGAL REVIEW:

RECOMMENDATION:

If desired, code enforcement staff may provide a recommendation after hearing from Mr. Zhou, however, the stated and working purpose of code enforcement staff is to gain compliance, which has been achieved.

SUGGESTED MOTION:

A City Commissioner may motion as follows:

1. "I move to reduce fines accrued under code enforcement case number SCDEF2023-40 by \$_____ for a lowered lien total of \$_____ based on _____."

OR

2. "I move not to reduce fines accrued under code enforcement case number SCDEF2023-40 and reaffirm the lien total of \$50,000.00"

ATTACHMENT:

1. Exhibit A
2. Exhibit A - Code Enforcement Findings of Fact, Conclusions of Law and Order
3. Exhibit B
4. Exhibit B - Code Enforcement Order Imposing Fine Lien
5. Exhibit C
6. Exhibit C - Warranty Deed for 2617 S. Atlantic Avenue
7. Exhibit D
8. Exhibit D - Code Enforcement Order on Reduction or Rescission of Fine
9. Exhibit E
10. Exhibit E - Request for Reduction Rescission of Code Enforcement Lien by City Commission
11. Exhibit F
12. Exhibit F - Code Enforcement Notice of Sale and Notice of Party Substitution
13. Exhibit G
14. Exhibit G - PICS of Violations at 2617 S. Atlantic Ave. and Correction

Exhibit A

Code Enforcement *Findings of Fact, Conclusions
of Law and Order*

(4 Pages)

ORDER OF THE CITY OF DAYTONA BEACH SHORES
SPECIAL MAGISTRATE

Case Number: SCDEF2023-40

CITY OF DAYTONA BEACH SHORES,
Petitioner,

vs.

HOLIDAY SHORES CONDOMINIUM ASSOCIATION, INC.,
Respondent,

I, GWYN HERSTEIN, SUPERVISOR OF CODE
ENFORCEMENT FOR THE CITY OF DAYTONA BEACH
SHORES, FLORIDA, DO HEREBY CERTIFY THAT THE
ABOVE AND FOREGOING IS A TRUE AND CORRECT
COPY OF THE ORIGINAL THEREOF ON FILE IN MY
OFFICE.
WITNESS MY HAND THIS
11th DAY OF March A.D. 2024
Gwyn Herstein
SUPERVISOR OF CODE ENFORCEMENT, CITY OF
DAYTONA BEACH SHORES, FLORIDA

FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND ORDER

The Daytona Beach Shores Code Enforcement Special Magistrate, after due notice to the property owner, has heard testimony under oath and considered other evidence admitted at a hearing held on the above styled case on the 21st day of March, 2024, and based on the evidence received, the Code Enforcement Special Magistrate hereupon issues Findings of Fact, Conclusions of Law, and Order in this Order of Violation and Non-Compliance as follows:

FINDINGS OF FACT

The Respondent, Holiday Shores Condominium Association, Inc., is listed as the owner of the property located at 2617 S. Atlantic Avenue in Daytona Beach Shores, Volusia County, Florida, which property is assigned Volusia County Property Appraiser Tax Parcel Identification Number 5322 21 00 0001 (hereinafter "the subject property").

The subject property is in violation of the provisions of the *Code of Ordinances of the City of Daytona Beach Shores*, Appendix "G" – *Land Development Code*, Chapter 14, Section 14-52.9.(C), and Sections (D)(2) & (D)(7) in the following manner: Violation a) Seawall is structurally flawed and missing in places with only temporary sandbags preventing further damage to property from high surf events; Violation b) Seawall is non-functional and is not structurally sound; Violation c) Pool deck has collapsed in places; Violation d) Pool and pool

deck are undermined; e) Seawall is not in good repair/missing and is not protecting property elements; f) Rail above seawall is missing.

CONCLUSIONS OF LAW

Code of Ordinances of the City of Daytona Beach Shores, Appendix "G" – Land Development Code, Chapter 14, Section 14-52.9.(C). provides as follows:

Unsafe Structures. All buildings or structures which have either become unsafe, structurally flawed or defective or are unsanitary for human occupancy, or do not have adequate ingress and egress, constituting a fire hazard, or otherwise, are dangerous to human life; or, which in relation to existing use, constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, or which constitute a nuisance, as defined in paragraph B., are considered unsafe structures. All such unsafe structures are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition, as authorized in paragraph E.

Code of Ordinances of the City of Daytona Beach Shores, Appendix "G" – Land Development Code, Chapter 14, Section 14-52.9.(D)(2). provides as follows:

All parts of any building and/or structure shall be structurally sound. Rotten or weakened sections shall be repaired, replaced, or removed.

Code of Ordinances of the City of Daytona Beach Shores, Appendix "G" – Land Development Code, Chapter 14, Section 14-52.9.(D)(7). provides as follows:

All retaining walls, seawalls, non-structural walls, and fences shall be structurally sound, in good repair and maintained to present cared-for aesthetic appearance.

The subject property, in summary, is in violation of the provisions of the *Code of Ordinances of the City of Daytona Beach Shores, Appendix "G" – Land Development Code, Chapter 14, Section 14-52.9.(C), and Sections (D)(2) & (D)(7)* in the following manner: Violation a) Seawall is structurally flawed and missing in places with only temporary sandbags preventing further damage to property from high surf events; Violation b) Seawall is non-functional and is not structurally sound; Violation c) Pool deck has collapsed in places; Violation d) Pool and pool deck are undermined; e) Seawall is not in good repair/missing and is not protecting property elements; f) Rail above seawall is missing.

WITNESSEIN, SUPERVISOR OF CODE ENFORCEMENT FOR THE CITY OF DAYTONA BEACH SHORES, FLORIDA, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL THEREOF ON FILE IN MY OFFICE.

WITNESS MY HAND THIS 11th DAY OF June, A.D. 2024

Carmen Hernandez
SUPERVISOR OF CODE ENFORCEMENT, CITY OF DAYTONA BEACH SHORES, FLORIDA

The description/address of the subject property and the Tax Parcel Identification Number of the subject property are stated above.

ORDER

The provisions of Chapter 162, *Florida Statutes*, relating to the enforcement of local government codes by means of code enforcement special magistrate control the subject proceedings.

Based on the foregoing Findings of Fact and Conclusions of Law, and the authority of Chapter 162, *Florida Statutes*, and other controlling law, it is duly **ORDERED** by the undersigned that the Respondent shall correct Violations a) through f) on the subject property, including fully backfilling west of the repaired/replaced seawall, providing a copy of the final engineer's report for said work to the Daytona Beach Shores Building Division office, and obtaining approved final inspections on all required City of Daytona Beach Shores permits on or before January 21, 2025.

The Respondent is further **ORDERED** to pay minimum administrative fees in the amount of one hundred sixty-two dollars and eighty-nine cents (\$162.89) to the City of Daytona Beach Shores on or before April 22, 2024.

Upon achieving compliance, the Respondent shall notify Ms. Gwyn Herstein, Code Enforcement Coordinator for the City of Daytona Beach Shores, 2990 S. Atlantic Avenue, Daytona Beach Shores, Florida, 32118, Phone 386-763-5330, gherstein@cityofdbso.org, who shall cause a code enforcement officer to perform an inspection and, based on the result of that inspection, generate an Affidavit of Compliance or Non-Compliance as the case may be.

In the event the Respondent does not comply with this Order, a fine in the amount of two-hundred fifty dollars (\$250.00) per day for each and every day the violation or violations continue or occur past the fore stated date ordered for compliance by the undersigned and additional administrative fees may be imposed at subsequent hearings. An Affidavit of Non-Compliance shall be generated in such circumstance.

Should the Respondent fail to comply with this Order within the specified timeframe, a second hearing, called a First Compliance Hearing, shall be scheduled by the Code Enforcement Officer. Said First Compliance Hearing will only address compliance and/or non-compliance with this Order.

This Order may be recorded in the Public Records of Volusia County and shall constitute notice to any subsequent purchasers, successors in interest or assigns, as the

Gwyn Herstein, SUPERVISOR OF CODE ENFORCEMENT FOR THE CITY OF DAYTONA BEACH SHORES, FLORIDA, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL THEREOF ON FILE IN MY OFFICE.
WITNESS MY HAND AND SEAL OF OFFICE
Gwyn Herstein
SUPERVISOR OF CODE ENFORCEMENT, CITY OF DAYTONA BEACH SHORES, FLORIDA
A.D. 20 24

violations concern real property, and the findings herein shall be binding upon the property owner and any subsequent purchasers, successors in interest or assigns.

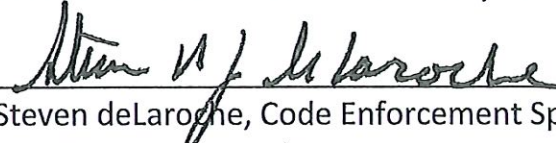
This Order may be appealed to the Circuit Court within thirty (30) days of its rendering.

The Respondent is further Ordered to contact Ms. Gwyn Herstein to verify compliance with this Order, including compliance of individual violations, which occurs past the date of required compliance. When all violations have been rectified, an Affidavit of Compliance shall be generated.

Any future reoccurrence of any these violations by the property owner within the next five (5) years may be treated as a repeat violation for which a fine of up to \$500.00 per day may be imposed.

DONE AND ORDERED this 22nd day of March, 2024, *nun pro tunc* to March 21, 2024, in Daytona Beach Shores, Volusia County, Florida.

CITY OF DAYTONA BEACH SHORES, FLORIDA


Steven deLaroché, Code Enforcement Special Magistrate


Attest: Deborah Darino, Legal Assistant

Certificate of Service

I HEREBY CERTIFY that a true and accurate copy of the foregoing is being sent to Holiday Shores Condominium Association, Inc., 2617 S. Atlantic Ave., Daytona Beach Shores, Florida, 32118; to Joann Clark, R.A., President, Re: Holiday Shores Condominium Association, Inc., 2433 Odum Screven Road, Screven, GA, 31560; and to Moises Torres, Vice President, Re: Holiday Shores Condominium Association, Inc., 2030 Cary Street, Deltona, FL, 32738, by First-Class Mail delivery this 27 day of March, 2024.


Cheri Schwab, Code Enforcement Clerk

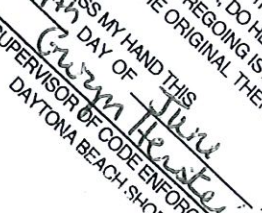
I, GWYN HERSTEIN, SUPERVISOR OF CODE ENFORCEMENT FOR THE CITY OF DAYTONA BEACH SHORES, FLORIDA, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL THEREOF ON FILE IN MY OFFICE.
WITNESS MY HAND THIS 22 DAY OF MARCH, A.D. 20 24

SUPERVISOR OF CODE ENFORCEMENT, CITY OF DAYTONA BEACH SHORES, FLORIDA

Exhibit B

Code Enforcement *Order Imposing Fine/Lien*

(2 Pages)

Volusia County Tax Parcel Identification Number:
5322 21 00 0001

ORDER OF THE CITY OF DAYTONA BEACH SHORES
SPECIAL MAGISTRATE

Case number: SCDEF2023-40

CITY OF DAYTONA BEACH SHORES,
Petitioner,

vs.

L & Z OCEAN BREEZE L.L.C.,
Respondent,

I, GWYN HENSTEN, SUPERVISOR OF CODE
ENFORCEMENT FOR THE CITY OF DAYTONA BEACH
SHORES, FLORIDA, DO HEREBY CERTIFY THAT THE
ABOVE AND FOREGOING IS A TRUE AND CORRECT
COPY OF THE ORIGINAL THEREOF ON FILE IN MY
OFFICE.
WITNESS MY HAND THIS
17th DAY OF April A.D. 20 25
Gwyn Hensten
SUPERVISOR OF CODE ENFORCEMENT, CITY OF
DAYTONA BEACH SHORES, FLORIDA

ORDER IMPOSING FINE/LIEN

The Daytona Beach Shores Code Enforcement Special Magistrate, after due notice to the property owner, heard testimony under oath and considered evidence admitted at a hearing held on the above styled case on March 20, 2024, and is hereby acting in accordance with the prior Order entered on March 21, 2024, which Order was previously furnished to the property owner. Said Order required the Respondent to bring the subject property into Code compliance by January 21, 2025. An *Affidavit of Non-Compliance* was generated on March 10, 2025, for violations labeled a) through f) on said Order not rectified by the Ordered compliance date. Based on the testimony and evidence presented, the Code Enforcement Special Magistrate finds that six violations, labeled a) – i), on the subject property were not brought into compliance as Ordered.

Accordingly, a fine and lien in the amount of two hundred fifty dollars (\$250.00) per day is hereby imposed for each day any of the aforementioned Code violations remains in non-compliance after January 21, 2025.

An additional administrative fee of eighty-five dollars and fifty-three cents (\$85.53) is also hereby imposed, to be paid on or before April 19, 2025.

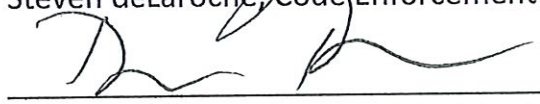
This Order may be recorded in the Public Records of Volusia County and shall constitute notice to any subsequent purchasers, successors in interest, or assigns, as the violations concern real property, and the findings herein shall be binding upon the property owner and any subsequent purchasers, successors in interest, or assigns and shall constitute a lien against the above-described property and upon any other real or personal property owned by Respondent pursuant to Section 162.08 and 162.09, *Florida Statutes*.

This Order may be appealed to the Circuit Court within thirty (30) days of its rendering.

DONE AND ORDERED this 21st day of March, 2025, *nunc pro tunc* to March 20, 2025, in Daytona Beach Shores, Volusia County, Florida.

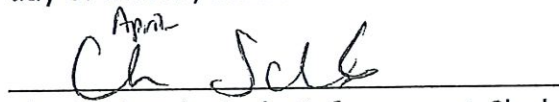
CITY OF DAYTONA BEACH SHORES, FLORIDA


Steven deLaroche, Code Enforcement Special Magistrate


Attest: Debbie Darino, Legal Assistant

Certificate of Service

I HEREBY CERTIFY that a true and accurate copy of the foregoing is being furnished to L & Z Ocean Breeze L.L.C., Attn: Liang Zhou, R.A., AMBR, 12905 Water Point Blvd., Windermere, FL, 34786, by First Class Mail delivery this 17 day of ^{April} March, 2025.


Cheri Schwab, Code Enforcement Clerk

I, GWYN HERSTEIN, SUPERVISOR OF CODE ENFORCEMENT FOR THE CITY OF DAYTONA BEACH SHORES, FLORIDA, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL THEREOF ON FILE IN MY OFFICE.
WITNESS MY HAND THIS 17th DAY OF April A.D. 20 25

SUPERVISOR OF CODE ENFORCEMENT, CITY OF DAYTONA BEACH SHORES, FLORIDA

Exhibit C

Warranty Deed for late-2024 sale of
2617 S. Atlantic Ave.

(4 Pages)

PREPARED BY:

STEVEN A. WILLIAMS, ESQ.
423 LITHIA PINECREST ROAD
BRANDON, FL 33511

WHEN RECORDED MAIL TO:

L & Z OCEAN BREEZE L.L.C.
12905 WATER POINT BLVD.
WINDERMERE, FL 34786

PARCEL ID NO.: 532221000001; [REDACTED]

PURCHASE PRICE PAID: \$2,343,250.00

OTHER CONSIDERATION: \$0.00

DOCUMENTARY STAMP TAX: \$0.70

Warranty Deed

THIS WARRANTY DEED is made on December 4, 2024, by HOLIDAY SHORES CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation, whose address is 2617 S. Atlantic Ave., Daytona Beach, FL 32118 (herein, "Grantor"), to L & Z OCEAN BREEZE L.L.C., a Florida limited liability company, whose address is 12905 Water Point Blvd., Windermere, FL 34786 (herein, "Grantee").

GRANTOR, in consideration of Ten Dollars and other valuable consideration, receipt of which is hereby acknowledged, hereby conveys to Grantee, all of Grantor's interest in and to the following described real property located in the County of Volusia, State of Florida:

SEE EXHIBIT A ATTACHED HERETO.

Property street address: 2617 S. Atlantic Ave., Daytona Beach, FL 32118

TOGETHER WITH all of the easements, rights, privileges and appurtenances thereto belonging and all of the estate, right, title, interest and claim, either at law or in equity, of Grantor of, in, to or out of such real property.

TO HAVE AND TO HOLD the above-described real property in fee simple with all appurtenances and for the purposes set forth herein, subject to all matters of record, if any. Grantor hereby fully warrants title to said property and will defend the same against the lawful claims of all persons whomsoever.

EXHIBIT A

UNITS; 100,102,103,104,105,106,107,108,109,110,111,112,113,114,115,116, 200,201,202, 203, 204,205, 206,207,207,208,209,209,210, 211, 212, 213, 214, 215,216,217 in the HOLIDAY SHORES BEACH CLUB, a condominium, according to the declaration of Condominium thereof recorded in Official Records [Book 2399, Page 790], et. Seq., of the public records of Volusia County, Florida, together with an undivided interest in the common areas.

This property is not the homestead real property of Grantor.

MAIL FUTURE TAX STATEMENT TO:

L & Z OCEAN BREEZE L.L.C.
12905 Water Point Blvd.
Windermere, FL 34786

The parties herein confirm and agree by their signatures above and/or acceptance of this document that the preparer of this document has not advised the parties on the propriety or suitability of the conveyance; has been engaged solely for the purpose of preparing this instrument; has prepared the instrument only from information given to preparer by the parties and/or their representatives; has not verified the accuracy of the consideration stated to have been paid or upon which any tax may have been calculated; has not verified the legal existence or authority of any party or person executing the document; has not been requested to provide nor has preparer provided a title search, an examination of title or legal description, an opinion on title, legal review or advice of any sort, or advice on property taxes, reassessments, other taxes or the tax, legal or non-legal consequences that may arise from the conveyance; and that they agree to hold harmless, indemnify and defend the preparer from and against any and all losses, liabilities, claims, demands, actions, suits, proceedings, and costs of every nature arising therefrom. The parties herein further agree at any time, and from time to time, to cooperate, adjust, initial, execute, re-execute and re-deliver such further deeds and documents, correct any defect, error or omission and do any and all such further things as may be necessary to implement and carry out the intent of the parties in making this conveyance. Preparer shall not be liable for any consequences arising from modifications to this document not made or approved by preparer.

■ (CM)

IN WITNESS WHEREOF, Grantor signed and sealed this Warranty Deed on the date first above written.

Witnesses:

Grantor:

Holiday Shores Condominium Association,
Inc., a Florida not-for-profit corporation

John R. Browning
Witness #1 signature
John R. Browning
Printed name of witness #1
2437 Odum St. SE #67 31560
Address, city, state, zip code of witness #1

By: Joann Clark
Printed Name: Joann Clark
Title: President

Betty Lewis
Witness #2 signature
Betty Lewis
Printed name of witness #2
2433 Odum St. SE #67 31560
Address, city, state, zip code of witness #2

STATE OF Georgia
COUNTY OF Wayne

This instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, on the 10th day of December, 2024, Joann Clark, as President of Holiday Shores Condominium Association, Inc., a Florida not-for-profit corporation, ☐ who is personally known to me OR ☐ who has produced driver's license as identification [CHECK APPLICABLE BOX TO SATISFY IDENTIFICATION REQUIREMENT OF FLA STAT. SEC. 117.05].

[Notary Seal]

Karri Carver Starling
SIGNATURE OF NOTARY PUBLIC
My commission expires: 08/24/2026



Signed Certificate Of Completion

Signer's Acknowledgment Statement

I, THE SIGNER, hereby acknowledge that I have read and understood the contents of this document. I fully comprehend the purpose and significance of this document and confirm my intent to sign it voluntarily. I understand that my signature on this document represents my agreement to its terms and provisions, including the following:

1. I acknowledge that all notary services have been fully rendered as described and completed to my satisfaction.
2. I am fully aware of and understand the previous charge associated with this service as described over the recorded line.
3. This document serves as a certificate of completion for the service completed.

Signer's Full Name: Jana Clark
Signature Of Signer: Jana Clark
Signer Address: 2433 Odum Screen Rd
Screen, GA 31560

Notary Full Name:	<u>Karri Carver Starling</u>
Notary Signature:	<u>Karri Carver Starling</u>
Commission Number:	<u>W-00571911</u>
Commission Expiration Date:	<u>08/24/2026</u>
Notary Stamp:	

Please Place A VALID Form Of Signers Identification Here:

Exhibit D

Code Enforcement *Order on Request for
Reduction/Rescission of Fine*

(2 Pages)

Volusia County Tax Parcel Identification Number:
5322 21 00 0001

ORDER OF THE CITY OF DAYTONA BEACH SHORES
SPECIAL MAGISTRATE

Case number: SCDEF2023-40

CITY OF DAYTONA BEACH SHORES,
Petitioner,

vs.

L & Z OCEAN BREEZE L.L.C.,
Respondent,

_____ /

ORDER ON REQUEST FOR REDUCTION/ RESCISSION OF FINE

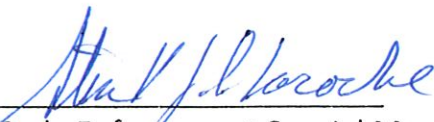
The Daytona Beach Shores Special Magistrate heard testimony under oath and considered evidence admitted at a hearing held on the above styled case on January 15, 2026. Based on the testimony given and actions taken by the Respondent, the Special Magistrate reduced the fine specified in the prior Order entered on March 21, 2024, from seventy-one thousand five hundred dollars (\$71,500.00) to fifty thousand dollars (\$50,000.00). Administrative fees in the amount of one hundred twenty-eight dollars and three cents (\$128.03) were imposed and Ordered to be paid to the City of Daytona Beach Shores on or before February 14, 2026.

A Satisfaction of Lien will be filed in the Public Records of Volusia County, Florida, when said reduced fine amount and administrative fees are paid.

This Order may be appealed to the Circuit Court within thirty (30) days of its rendering.

DONE AND ORDERED this 20th day of January, 2026, *nunc pro tunc* to January 15, 2026, in Daytona Beach Shores, Volusia County, Florida.

CITY OF DAYTONA BEACH SHORES, FLORIDA



Steven deLaroche, Code Enforcement Special Magistrate



Attest: Debbie Darino, Legal Assistant

Certificate of Service

I **HEREBY CERTIFY** that a true and accurate copy of the foregoing is being furnished to L & Z Ocean Breeze L.L.C., Attn: Liang Zhou, R.A., AMBR., 12905 Water Point Blvd., Windermere, FL, 34786, by First Class Mail delivery, this 27th day of January, 2026.



Cheri Schwab, Code Enforcement Clerk

Exhibit E

*Request for Reduction/Rescission of Code
Enforcement Lien by City Commission*

(3 Pages)



CITY OF DAYTONA BEACH SHORES

2990 South Atlantic Avenue
Daytona Beach Shores, Florida 32118
Office 386-763-5330 Fax 386-763-5370
gherstein@cityofdbs.org

RECEIVED
FEB 03 2026
BUILDING AND CODES DIVISION
CITY OF DAYTONA BEACH SHORES

**REQUEST FOR REDUCTION/RESCISSION
OF CODE ENFORCEMENT LIEN BY CITY COMMISSION**

I hereby request consideration for the code enforcement lien associated with the following property:

Address of Property Subject to the Lien: 2617 S Atlantic Avenue Daytona Beach shore FL

County Tax Parcel ID #: 532221000001 Property Owner: L & B Ocean Breeze LLC

Contact Name: Liang Larry Zhou Contact Phone Number: 4079700804

Current Amount of Lien: \$ 56,000.00 Board/Magistrate Approved Admin. Costs: \$ 128.03 pd

check

1058

Check one of the following statements:

☒ I hereby request that said lien be rescinded in full.

☐ I hereby request that the lien be reduced to the amount of \$ _____

If requested reduction is granted, I agree to pay in full by the following date: _____

Code Enforcement Case Number: SCDEF 2023-40 (CDEF number)(One application per case #)

Date the Property Became Compliant*: 11/5/2025

*Note: Cases will not be considered for lien reduction or rescission unless all violations have been corrected for the identified case and record of such is on file with the Code Enforcement Office.

Specific reason(s) the lien reduction or rescission should be granted: The current owner purchased the property by warranty deed without notice of the existing Code enforcement lien. upon learning of the issue, all violations were promptly corrected, and rescission of the lien is respectfully requested.

Specific reason(s) compliance took longer to accomplish than the violator/property owner was originally given by the code enforcement special magistrate at the Initial Hearing: The current owner was not notified of the code enforcement case at the time of the initial hearing and only became aware of the

violations after purchasing the property. Compliance was completed promptly once the owner received notice and obtained access, permits, and contractors.

I certify that the information supplied in this application is true and correct.

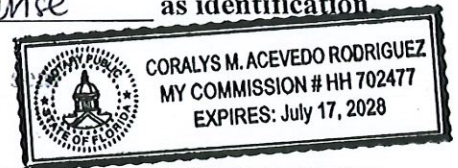
[Signature]
Property Owner/Representative Signature

Liang Zhou
Printed Name

RECEIVED
FEB 03 2026
BUILDING AND CODES DIVISION
CITY OF DAYTONA BEACH SHORES

State of Florida, County of Volusia
Acknowledged before me this 3rd day of February, 20 26, by online
notarization or X physical presence by Liang Zhou, who is
personally known to me or has produced FL Drivers License as identification

Coralys M. Acevedo Rodriguez
Notary Public



Attention Property Owner/Representative: The following must be submitted along with this Request:

- A copy of the Order on Reduction or Rescission Request issued by the Code Enforcement Board/Special Magistrate ✓
- Payment in the amount of \$191.00 for administrative costs associated with the application process (These costs are non-refundable without regard to the final disposition of the application). ✓ check #1059
- Submit this form and accompanying documents to the Code Enforcement Office on the 2nd floor of City Hall. (Documents can be notarized at the Code Enforcement Office with proper ID). While there is no deadline to make this request, it will not be placed on a City Commission meeting agenda sooner than twenty-one (21) days after its complete submittal. March 3, 2026

Official Use Only:

1. Compliance date, fine amount, and Board or Special Magistrate-approved administrative costs have been verified with the Code Enforcement Office? Comments: All amounts have been verified.

2. Date submitted to City Manager: / / Letter of denial dated: / / (If applies)

3. Date determination made by City Commission: / /

Results of Lien Consideration: (Fines & previously approved administrative costs)

Rescinded
Continued in full
or Reduced to \$

4. Returned to Code Enforcement Office for processing: / /

RECEIVED
FEB 03 2026
BUILDING AND CODES DIVISION
CITY OF DAYTONA BEACH SHORES

Property Address: 2617 S Atlantic Ave. Daytona Beach Shore FL 32118
Parcel ID: 5322 21 00 0001
Property Owner: L & Z Ocean Breeze LLC

Dear City Commission Members and Code Enforcement Staff,

I respectfully submit this Request for Rescission of Code Enforcement Lien concerning the property located at 2617 S Atlantic Ave Daytona Beach Shore FL 32118.

I purchased this property by warranty deed after the code enforcement case and lien had already accrued. At the time of purchase, I was not notified of the existing lien or violations.

Upon learning of the issue after acquisition, I acted immediately and in good faith to bring the property into full compliance. All cited violations have now been corrected.

The violations were not caused by me, and maintaining the lien would impose an undue hardship on an innocent subsequent purchaser.

Accordingly, I respectfully request that the City Commission rescind the lien in full.

Sincerely,



Liang Zhou

Director of L&Z Ocean Breeze LLC

Date: 2/3/2026

Exhibit F

Code Enforcement Notice of Sale

&

Code Enforcement Notice of Party
Substitution

(4 Pages)



CITY OF DAYTONA BEACH SHORES
COMMUNITY SERVICES DEPARTMENT
Building and Codes Division
2990 South Atlantic Avenue
Daytona Beach Shores, Florida 32118
Office 386-763-5330 Fax 386-763-5370

CITY OF DAYTONA BEACH SHORES
CODE ENFORCEMENT
NOTICE OF SALE

Date: March 10, 2025
Subject Property: 2617 S. Atlantic Avenue
Daytona Beach Shores, FL
Volusia County Tax Parcel ID #: 5322 21 00 0001
Code Enforcement Case #: SCDEF2023-40

MAY this document serve as notice that the Respondent for the above-named subject property, Holiday Shores Condominium Association, Inc., sold said property on December 10, 2024, to L & Z Ocean Breeze L.L.C., a limited liability company existing under the laws of the State of Florida, according to records filed with the Volusia County Clerk in the state of Florida, Book 8644, Page 2545.

Dated this 10th day of March, 2025.

Gwyn Herstein, Training Code Enforcement Officer
City of Daytona Beach Shores

Certificate of Service

I HEREBY CERTIFY that a true and accurate copy of the foregoing is being furnished

to L & Z Ocean Breeze L.L.C., Attn: Liang Zhou, R.A., AMBR, 12905 Water Point Blvd.,
Windermere, FL, 34786, by Certified Mail, this 10th day of March, 2025.



Cheri Schwab, Code Enforcement Clerk
City of Daytona Beach Shores



CITY OF DAYTONA BEACH SHORES
COMMUNITY SERVICES DEPARTMENT
Building and Codes Division
2990 South Atlantic Avenue
Daytona Beach Shores, Florida 32118
Office 386-763-5330 Fax 386-763-5370

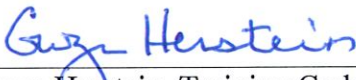
CITY OF DAYTONA BEACH SHORES
CODE ENFORCEMENT
NOTICE OF PARTY SUBSTITUTION

Date: March 10, 2025
Subject Property: 2617 S. Atlantic Avenue
Daytona Beach Shores, FL
Volusia County Parcel ID No: 5322 21 00 0001
Code Enforcement Complaint No: SCDEF2023-40

Re: Respondent for the subject property and code enforcement case named above

MAY this document serve as notice that “**L & Z Ocean Breeze L.L.C.**” is hereby substituted for “Holiday Shores Condominium Association, Inc.” as the Respondent party in the above-named code enforcement case for the above-named subject property, it coming to the attention of the City of Daytona Beach Shores that the above-named property was sold.

Dated this 10th day of March, 2025.



Gwyn Herstein, Training Code Enforcement Officer
City of Daytona Beach Shores

Certificate of Service

I HEREBY CERTIFY that a true and accurate copy of the foregoing is being furnished to L & Z Ocean Breeze L.L.C., Attn: Liang Zhou, R.A., AMBR, 12905 Water Point Blvd., Windermere, FL, 34786, by Certified Mail, this 10th day of March, 2025.



Cheri Schwab, Code Enforcement Clerk
City of Daytona Beach Shores

Exhibit G

Relevant Pictures of 2617 S. Atlantic Ave.

(2 Pages)

2617 S. Atlantic Avenue
Hurricane Nicole Damage and Compliance Pictures

West View of Property – 2617 S. Atlantic Avenue
6-29-2023



Non-Compliant Pictures – 2617 S. Atlantic Avenue
2-18-2023



Non-Compliant Picture – 2617 S. Atlantic Avenue
(After Volusia County added Trap Bags)
5-13-2023



Compliant Pictures from Deck – 2617 S. Atlantic Avenue
1-2-2026





CITY COMMISSION AGENDA MEMORANDUM MARCH 3, 2026 AGENDA

TO: Honorable Mayor and Members of the City Commission
FROM: Becky Vose, City Attorney
PREPARED BY: Cheri Schwab, City Clerk
SUBJECT: Petitions submitted by Resident

SYNOPSIS:

For consideration is a series of two (2) Petitions (collectively the “Petitions”) filed by a resident and elector of the City pursuant to Section 2-3 of the City Code of Ordinances. The Petitions, which are attached, are self-explanatory. In fact, the Petitioner actually crafted proposed Agenda Memos for each of the Petitions which are incorporated into each Petition.

FISCAL IMPACT STATEMENT:

BACKGROUND:

The City is in receipt of a series of two (2) “Petitions” submitted pursuant to Section 2-3 of the City Code, which permits written petitions to the City Commission for consideration of various policy or procedural matters. The Petitions were submitted by a current resident and elector in Daytona Beach Shores (hereinafter “Petitioner”). The Petitions are included in this agenda packet as Petitions 1 and 2 under this single agenda item for consideration and formal receipt by the City Commission.

LEGAL REVIEW:

While the Petitions were submitted pursuant to Section 2-3 of the City Code, none raise issues that are legally defective or in violation of the Charter, Code, State or Federal law, or ethical requirements. Each Petition instead reflects policy viewpoints and personal opinions regarding how the City should prioritize or handle certain programs or functions. Section 2-3 of the City Code provides for the submission of petitions for Commission consideration; however, it does not require Commission action beyond formal receipt—which is accomplished by putting the Petition on the Agenda—unless a Commissioner chooses to discuss one or more of the Petitions. Accordingly, the Petitions do not require formal action by the City Commission. Their contents have been reviewed by the City Attorney’s Office to ensure that no legally substantive issues require separate legal or procedural consideration. Should a City Commissioner wish to discuss or implement any action requested in one or more of the Petitions, it would be appropriate for that Commissioner to make a motion to discuss the issue. Any number of such motions addressing different Petitions would be appropriate if desired.

RECOMMENDATION:**SUGGESTED MOTION:**

If a change in City policy or other requested action in a Petition is desired: "I move to discuss Petition Number '___'." If there is no desire to change existing City policy or take the action as requested in a Petition, no motion is required. If no motions are made, the Petitions will merely become part of the public records of the City.

- ATTACHMENT:**
1. DBS Petition-City Commissioner Time-3-3-26
 2. Petition Relating To Use Of City LED Sign Etc_3-3-26

PETITION FOR CITY COMMISSION ACTION

BEFORE THE CITY COMMISSION OF THE

CITY OF DAYTONA BEACH SHORES

PETITION FOR CITY COMMISSION ACTION RELATING TO CITY COMMISSIONER TIME EXPENDED ON CITY BUSINESS AND RELATED MATTERS

COMES NOW the Petitioner, Lonnie N. Groot, and files this Petition in accordance with the provisions of Section 2-3, of the *Code of Ordinances of the City of Daytona Beach Shores (City Code)* and, in support thereof, states as follows:

(1). The Petitioner is a citizen and elector of the City of Daytona Beach Shores who files this Petition as a citizen and concerned person who favors the highest level of local government. This Petition is filed fully considering the Biblical admonition that “Salt is good, but if it loses its saltiness, how can you make it salty again? Have salt among yourselves, and be at peace with each other.” Mark, Chapter 9, verse 50. This Petition should be received, unlike the proposals that have been previously transmitted and ignored by the City Commission in the spirit of civic service with an open minded consideration of the proposals set forth herein

(2). Section 2-3 of the *City Code* provides as follows

Filing of petition with commission—Time restricted.

Any citizen desiring to submit a petition to the city commission for consideration must file such petition with the city clerk at the city hall three or more days prior to the meeting of the city commission in order for such petition to be considered by the city commission.

(3). Section 2-4 of the *City Code* provides as follows

Same—Insufficiency of time when filed.

Any petition that is not submitted and filed as required by section 2-3 will not be considered by the city commission and will be carried over until the next regular meeting of the city commission.

(4). As noted in the email to the undersigned from City Attorney, Becky Vose, on Saturday, November 1, 2025 at 7:10 p.m., with all of the Members of the City Commission, the Acting City Manager, and the City Clerk being copied:

. . . I do want to clarify that the City's handling of petitions was, and is, fully consistent with the procedures established by ordinance. The ordinance expressly provides which City Commission agenda a petition is to be placed on, based on the date the petition is received by the City Clerk and its relationship to the date of the next scheduled City Commission meeting. The City has no discretion to alter or override that schedule, and the process was followed exactly as prescribed by the Code.

(5). Article I of the *Constitution of the State of Florida* contains the *Declaration of Rights* pertaining to citizens of the State of Florida and provides as follows in Section 1 and Section 5, respectively:

SECTION 1. Political power. — All political power is inherent in the people. The enunciation herein of certain rights shall not be construed to deny or impair others retained by the people.

SECTION 5. Right to assemble. — The people shall have the right peaceably to assemble, to instruct their representatives, and to petition for redress of grievances.

(6). The Mayor and City Commission have specifically reduced the number of City Commission meetings from the historic two meetings a month to a single monthly meeting. The City Commission has very few work sessions and only rudimentary budget work sessions. The agenda packets are small and do not go into any in-depth analysis of

matters placed before the City Commission. In the aborted advertisement process pertaining to the selection of a City Manager, the City Commission advised prospective candidates that most meetings are very short in duration and, indeed, they are compared to other small cities within Volusia County and the State of Florida. Many of the City Commission meetings are largely ceremonial in nature. Indeed, one Commissioner was absent from the City Commission for over two months and has had numerous other actions and another missed both hearings relating to the City budget and the ad valorem tax rate of the City (calling in to one of the meetings).

(7). The Petitioner petitions the City Commission to take the following action:

Adopt a requirement that the Mayor and City Commission shall provide a monthly report to the public detailing all time expended on City business and documenting, with specificity, all absences from City meetings and all time expended on political activities.

(8). Failure to address the matter proposed in this Petition shall be deemed to be a negative vote and a rejection of the matters submitted in this proposal.

(9). A practice of the City has been to agendize petitions by means of a title of petitions constituting merely a few words without any full and complete agenda memorandum as would be normative in accordance with sound and generally accepted public management and administration practices and principles which would include publication of an agenda memorandum such as the following:

CITY COMMISSION AGENDA MEMORANDUM

MARCH 3, 2026 AGENDA

TO: Honorable Mayor and Members of the City Commission

FROM:

PREPARED BY:

SUBJECT: Petition Relating To Reports On City Commissioner Time.

SYNOPSIS: A Petition has been filed asking the City Commission to adopt a requirement for each City Commissioner to publish to the public a monthly report detailing all time expended on City business and documenting, with specificity, all absences from City meetings and all time expended on political activities.

FISCAL IMPACT STATEMENT: The accountability pertaining to the required report will provide for an array of economic benefits to the citizens of the City.

BACKGROUND: The Petition requests the City Commission to adopt a to adopt a requirement for each City Commissioner to publish to the public a monthly report detailing all time expended on City business and documenting, with specificity, all absences from City meetings and all time expended on political activities.

LEGAL REVIEW: This matter is a matter of policy determination by the City Commission.

RECOMMENDATION: City staff recommends that the City Commission review the provisions of the Petition and determine whether to take the requested actions set forth in the Petition.

SUGGESTED MOTION ALTERNATIVE MOTIONS: “I move to take the action requested in the Petition” **OR** “I move to take no action relative to the requested action set forth in the Petition”.

ATTACHMENT: Petition

Respectfully submitted this 21st day of February, 2026 to be heard at the City Commission meeting consistent with the requirements of Section 2-3 of the *City Code* and Section 2-4 of the *City Code* and, in that the *City Code* provisions provide Petitions will be considered by the City Commission at the first upcoming City Commission meeting unless a petition is not filed with the City Clerk at City Hall three or more days prior to the upcoming meeting of the City Commission, that date shall be March 3, 2026.

Lonnie N. Groot (signed)

Lonnie Groot
3047 South Atlantic Avenue
Suite 1103
Daytona Beach Shores, Florida 32118

PETITION FOR CITY COMMISSION ACTION

BEFORE THE CITY COMMISSION OF THE

CITY OF DAYTONA BEACH SHORES

PETITION FOR CITY COMMISSION ACTION RELATING LED SIGN CONTENT CREATION AND MANAGEMENT, OTHER CITY PUBLICATION, AND RELATED MATTERS

COMES NOW the Petitioner, Lonnie N. Groot, and files this Petition in accordance with the provisions of Section 2-3, of the *Code of Ordinances of the City of Daytona Beach Shores (City Code)* and, in support thereof, states as follows:

(1). The Petitioner is a citizen and elector of the City of Daytona Beach Shores who files this Petition as a citizen and concerned person who favors the highest level of local government. This Petition is filed fully considering the Biblical admonition that “Salt is good, but if it loses its saltiness, how can you make it salty again? Have salt among yourselves, and be at peace with each other.” Mark, Chapter 9, verse 50. This Petition should be received, unlike the proposals that have been previously transmitted and ignored by the City Commission in the spirit of civic service with an open minded consideration of the proposals set forth herein

(2). Section 2-3 of the *City Code* provides as follows

Filing of petition with commission—Time restricted.

Any citizen desiring to submit a petition to the city commission for consideration must file such petition with the city clerk at the city hall three or more days prior to the meeting of the city commission in order for such petition to be considered by the city commission.

(3). Section 2-4 of the *City Code* provides as follows

Same—Insufficiency of time when filed.

Any petition that is not submitted and filed as required by section 2-3 will not be considered by the city commission and will be carried over until the next regular meeting of the city commission.

(4). As noted in the email to the undersigned from City Attorney, Becky Vose, on Saturday, November 1, 2025 at 7:10 p.m., with all of the Members of the City Commission, the Acting City Manager, and the City Clerk being copied:

. . . I do want to clarify that the City's handling of petitions was, and is, fully consistent with the procedures established by ordinance. The ordinance expressly provides which City Commission agenda a petition is to be placed on, based on the date the petition is received by the City Clerk and its relationship to the date of the next scheduled City Commission meeting. The City has no discretion to alter or override that schedule, and the process was followed exactly as prescribed by the Code.

(5). Article I of the *Constitution of the State of Florida* contains the *Declaration of Rights* pertaining to citizens of the State of Florida and provides as follows in Section 1 and Section 5, respectively:

SECTION 1. Political power. — All political power is inherent in the people. The enunciation herein of certain rights shall not be construed to deny or impair others retained by the people.

SECTION 5. Right to assemble. — The people shall have the right peaceably to assemble, to instruct their representatives, and to petition for redress of grievances.

(6). The Mayor and City Commission have adopted a Policy on November 20, 2025 relating to LED sign content creation and management and approved a limited number of content categories all of which relate to City government in a very monolithic and myopic kinds of way. Government need not always focus on government as government is not needed or intended to dominate the attention of the community and, indeed, facilities of the City where and when they can be used to benefit the community **should be**. Indeed, the undersigned has proposed an array of policies to include, but not limited to, eliminating the Mayor's current political use of City signs and facilities to benefit and conduct her current political campaign. The City's signs and facilities are just not being used as they should and could be for the public interest.

(7). The Petitioner petitions the City Commission to take the following action:

Create a citizens committee of the City to study, evaluate and propose a City policy that offers the ability of other community benefitting organizations to use City signs and facilities, such as the LED sign of the City, and to advertise MANY other community events on their signs such as community plays, museums, clubs, charities, etc., such as the Daytona Playhouse, the Daytona Veterans Museum, the free Public Lands Film Festival at the Oceans Center, the Riverfront Market, events at neighboring cities, etc.

(8). Failure to address the matter proposed in this Petition shall be deemed to be a negative vote and a rejection of the matters submitted in this proposal.

(9). A practice of the City has been to agendize petitions by means of a title of petitions constituting merely a few words without any full and complete agenda memorandum as would be normative in accordance with sound and generally accepted public management and administration practices and principles which would include publication of an agenda memorandum such as the following:

CITY COMMISSION AGENDA MEMORANDUM

MARCH 3, 2026 AGENDA

TO: Honorable Mayor and Members of the City Commission

FROM:

PREPARED BY:

SUBJECT: Petition Relating To Use Of City Signs And Facilities To Benefit The Public Interest.

SYNOPSIS: A Petition has been filed asking the City Commission to create and appoint a citizens committee of the City to study, evaluate and propose a City policy that offers the ability of other community benefitting organizations to use City signs and facilities, such as the LED sign of the City, and to advertise many other community events on their signs such as community plays, museums, clubs, charities, etc., such as the Daytona Playhouse, the Daytona Veterans Museum, the free Public Lands Film Festival at the Oceans Center, the Riverfront Market, events at neighboring cities, etc.

FISCAL IMPACT STATEMENT: The maximum public-oriented use of City signs and facilities will provide for an array of benefits to the citizens of the City.

BACKGROUND: The Petition requests the City Commission to create and appoint a citizens committee of the City to study, evaluate and propose a City policy that offers the ability of other community benefitting organizations to use City signs and facilities, such as the LED sign of the City, and to advertise many other community events on their signs such as community plays, museums, clubs, charities, etc., such as the Daytona Playhouse, the Daytona Veterans Museum, the free Public Lands Film Festival at the Oceans Center, the Riverfront Market, events at neighboring cities, etc..

LEGAL REVIEW: This matter is a matter of policy determination by the City Commission.

RECOMMENDATION: City staff recommends that the City Commission review the provisions of the Petition and determine whether to take the requested actions set forth in the Petition.

SUGGESTED MOTION ALTERNATIVE MOTIONS: “I move to take the action requested in the Petition” **OR** “I move to take no action relative to the requested action set forth in the Petition”.

ATTACHMENT: Petition

Respectfully submitted this 24th day of February, 2026 to be heard at the City Commission meeting consistent with the requirements of Section 2-3 of the *City Code* and Section 2-4 of the *City Code* and, in that the *City Code* provisions provide Petitions will be considered by the City Commission at the first upcoming City Commission meeting

unless a petition is not filed with the City Clerk at City Hall three or more days prior to the upcoming meeting of the City Commission, that date shall be March 3, 2026.

Lonnie N. Groot (signed)

Lonnie Groot
3047 South Atlantic Avenue
Suite 1103
Daytona Beach Shores, Florida 32118