



City of Daytona Beach Shores

"Life is Better Here"

"A Premier, Friendly Place to Be"

AGENDA CITY COUNCIL MEETING APRIL 28, 2020

**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 Council Meeting Hall. 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. Presentation by CRI of the Comprehensive Annual Financial Report for Fiscal Year 2018-2019

6. APPROVAL OF MINUTES

- A. Minutes from March 10, 18 and 27 City Council Meetings

7. CONSENT AGENDA:

- A. March monthly Public Safety report
- B. February 2020 Community Services Report
- C. February 2020 Building Division Report
- D. February Finance Report
- E. March Finance Report
- F. March 2020 Community Services Report
- G. March 2020 Building Division Report
- H. Beach Bagel Cafe of Daytona, LLC Grant Agreement
- I. City Attorney March 2020 Invoice

8. REPORTS OF THE CITY ATTORNEY:

9. REPORTS OF THE CITY MANAGER:

- A. City Manager Report April 28, 2020

10. OLD BUSINESS:

- A. Ordinance 2020-05: An ordinance amending various sections of Chapter 14 (Zoning Regulations) of the Land Development Code relating to outdoor dining.

11. NEW BUSINESS:

- A. Economic Development Grant Application 12020014: Daytona Diner Outdoor Dining Improvements-2043 S. Atlantic Avenue
- B. Consideration to Cancel the regular meeting on May 12, 2020
- C. Discussion on Treasure Island status
- D. Discussion on status of townhomes at 2900 S. Atlantic Avenue

- 12. COUNCIL 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 COUNCIL 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 386-763-5364, 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 72121 or 1 800 955 8771.

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 COUNCIL MEETING
March 10, 2020
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

Present: Mayor Nancy Miller, Councilmember Richard Frizalone, Councilmember Mel Lindauer, Vice Mayor Richard Bryan, Councilmember Michael Politis

Staff: City Manager Michael T. Booker, City Clerk Cheri Schwab, City Attorney Raymond Branch, Community Services Director Fred Hiatt, City Planner Stewart Cruz, Finance Director Kurt Swartzlander, and Public Safety Director Stephan Dembinsky.

2. ROLL CALL BY CITY CLERK

3. PRAYER

4. PLEDGE OF ALLEGIANCE

5. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:

6. APPROVAL OF MINUTES

A. City Council Minutes Feb. 25, 2020

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by COUNCILMEMBER MEL LINDAUER to approve the City Council Minutes of Feb. 25, 2020.

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

Yes: Mayor Nancy Miller, Vice Mayor Richard Bryan, Councilmember Richard Frizalone, Councilmember Mel Lindauer, Councilmember Michael Politis

7. CONSENT AGENDA:

A. City Attorney February 2020 invoice

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by COUNCILMEMBER MEL LINDAUER to approve the consent agenda.

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

Yes: Mayor Nancy Miller, Vice Mayor Richard Bryan, Councilmember Richard Frizalone, Councilmember Mel Lindauer, Councilmember Michael Politis

8. REPORTS OF THE CITY ATTORNEY:

There was no City Attorney report for this agenda.

9. REPORTS OF THE CITY MANAGER:

A. City Manager report March 10, 2020

City Manager Booker reported on the following: staff will meet with Halifax Health officials who anticipate having "bid ready" documents in a week; city staff will begin work on creating a more coherent Economic Development Incentive Ordinance. He recommended suspending any new grant applications. Those currently in the process would be considered. Census meetings will begin starting tomorrow (March 11). There will be a secure computer in the Community Center for residents to use. There is definite interest from the Port Orange Chamber of Commerce to open an annex here in the City. Developer Mark Scharff who had planned on creating apartments south of Dunlawton has withdrawn his applications.

10. OLD BUSINESS:

A. Ordinance 2020-04: Amending the Daytona Beach Shores Land Development Code tree removal exemption provisions for consistency with Sec. 163.045, *Florida Statutes*.

It was explained that this ordinance allows the city to comply with the new state law for tree removal.

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by COUNCILMEMBER MEL LINDAUER to adopt Ordinance 2020-04 on second reading.

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

Yes: Mayor Nancy Miller, Vice Mayor Richard Bryan, Councilmember Richard Frizalone, Councilmember Mel Lindauer, Councilmember Michael Politis

11. NEW BUSINESS:

A. Ordinance 2020-01: City of Daytona Beach Shores and Oceans 25, LLC Development Agreement to permit the development of townhomes on the City owned property located at 2900 S. Atlantic Avenue.

City Planner Stewart Cruz provided a brief overview of his staff report. The property is currently under contract to develop 25 town-homes at 2900 S. Atlantic Avenue. The proposed development agreement would be for two years. The agreement calls for \$100,000 from the city for the sewer line relocation. As part of the economic development incentive program, the city will rebate 10% of the purchase price upon issuance of the certificate of occupancy if the project is completed within two years from the closing date. The amount would be \$80,100. The development agreement includes three deviations from the Land Development Code. They are: a front yard setback of 15 feet on S. Atlantic Avenue and 10 feet on Ridge Road, there is no commercial component as required by the Mixed Use District and there are no loading zones. The site is limited to only 25 town-

homes with a deed restriction requirement. The new renderings were on display. Mr. Cruz stated that staff did recommend approval.

Joe Hopkins spoke for the developer. He stated that the development team listened to the changes that both the council and the residents requested. There are now patios and balconies on the units. The roof line is more developed showing gable roofs. The exterior coatings now have a mix of hardy board and stone. When asked how long construction would take, Mr. Hopkins responded 9 months once the site plan was approved. The Council complimented them on their response to the previous concerns.

Audience member John Hannula explained that he was a retired builder. He felt the site needed to provide more of a landscape buffer along S. Atlantic Avenue. He also was not in agreement with the setback amounts for the structures. Mr. Hopkins explained there was a large utility easement in the front of that building that does not allow and landscaping.

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by COUNCILMEMBER MEL LINDAUER to approve Ordinance 2020-01 on first reading.

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

Yes: Mayor Nancy Miller, Vice Mayor Richard Bryan, Councilmember Richard Frizalone, Councilmember Mel Lindauer, Councilmember Michael Politis

B. Economic Development Grant Application 12019036: Lynn Jones-Kwik Stop Plaza-3348 S. Atlantic Avenue

City Planner Stewart Cruz explained that the item had been continued from the last meeting. The grant application was submitted on November 25, 2019. The owner would like to repave and re-stripe the parking lot and also install new modern electrical lighting. The minimum bids received totaled \$14,795. The grant program is capped at \$20,000. After a brief discussion, the council was not in favor of businesses utilizing grant funds for what they considered routine yearly property maintenance.

COUNCILMEMBER MEL LINDAUER moved, seconded by COUNCILMEMBER RICHARD FRIZALONE to deny Economic Development Grant Application 12019036 due to the fact it is routine maintenance.

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

Yes: Mayor Nancy Miller, Vice Mayor Richard Bryan, Councilmember Richard Frizalone, Councilmember Mel Lindauer, Councilmember Michael Politis

C. Economic Development Grant Application 12020003: Eri's Property, LLC-3344 S. Atlantic Avenue

City Planner Stewart Cruz began by explaining that the property owner would like to combine both grant applications on the night's agenda. The paving and re-striping component would be removed. Council should only consider the grant to renovate the interior space of the building to transform from Beach Bagel Cafe to High Tide Kitchen, a

full service restaurant. The business will extend service hours and hire additional employees. The design also included a new outdoor dining area. The business owner has been working with staff for many months to draft the proposed plans. The renovations will exceed \$80,000 but the grant is capped at \$20,000. City staff recommended approval of the grant funds.

The Council had a few questions for the business owner but were very impressed with the proposed plans. They looked forward to another option for evening dining.

COUNCILMEMBER MEL LINDAUER moved, seconded by COUNCILMEMBER RICHARD FRIZALONE to Approve Economic Development Grant Application 12020004: Eri's Property, LLC-3344 S. Atlantic Avenue.

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

Yes: Mayor Nancy Miller, Vice Mayor Richard Bryan, Councilmember Richard Frizalone, Councilmember Mel Lindauer, Councilmember Michael Politis

- D. Economic Development Grant Application 12020004: Beach Bagel Cafe of Daytona, LLC-3344 S. Atlantic Avenue

This item was included with the above agenda item.

- E. Ordinance 2020-05: An ordinance amending various sections of Chapter 14 (Zoning Regulations) of the Land Development Code relating to outdoor dining.

City Planner Stewart Cruz provided a brief summary of his staff report. If adopted, this would allow properties who are non-conforming to establish dining structures within front and side yard setbacks. The structure would be 400 square feet or less and located no less than three feet from the property line. There are currently two applications that are in the process now. One restaurant wants to construct a pergola for dining and the other wishes to have a pavilion. The Planning & Zoning Board recommended unanimous approval.

COUNCILMEMBER MEL LINDAUER moved, seconded by COUNCILMEMBER MICHAEL POLITIS to approve Ordinance 2020-05 on first reading.

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

Yes: Mayor Nancy Miller, Vice Mayor Richard Bryan, Councilmember Richard Frizalone, Councilmember Mel Lindauer, Councilmember Michael Politis

12. COUNCIL COMMENTS:

Mayor Miller explained that she wanted to hold a workshop to amend the current Economic Development Incentive program. Council decided to meet on Friday, March 20 at 2:00 pm. She reminded the audience that the next Coffee with the Mayor was the following day. She advised that the city website was updated with links to the latest information regarding the Corona Virus. CMBR. Frizalone agreed that the development

incentive grants needed to be revised. He also stated that he would like all future Development Agreements to first be shown to the Planning & Zoning Board for their recommendation. CMBR. Bryan requested an update on the Treasure Island property. Code Enforcement Coordinator, Gwyn Herstein explained that so far they had not complied with the dates given by the Special Magistrate. The next meeting is March 25th.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

Jeremy Stroud explained that he would like to open a new restaurant. He has had successful restaurants in Georgia. He had been speaking with the City Planner and asked the City Council for any advice. Mayor Miller advised him to continue working with City Planner Stewart Cruz.

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

discussion on number of members for P & Z board, suspending economic development grant applications

15. ADJOURNMENT:

The meeting ended at 7:13 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
MICHAEL T. BOOKER**

ATTEST:

CITY CLERK, CHERI SCHWAB

MINUTES
CITY COUNCIL MEETING
March 10, 2020
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

Present: Mayor Nancy Miller, Vice Mayor Richard Bryan, Councilmember Richard Frizalone, Councilmember Mel Lindauer, Councilmember Michael Politis

Staff: City Manager Michael T. Booker, City Clerk Cheri Schwab, City Attorney Raymond Branch, Community Services Director Fred Hiatt, Finance Director Kurt Swartzlander, and Public Safety Director Stephan Dembinsky.

2. NEW BUSINESS:

A. Discussion on RFP for City Attorney Services

Vice Mayor Bryan began the discussion by providing a handout. He had researched three cities that utilized the fixed price model- Palm Coast, Cocoa Beach and St. Augustine Beach. He felt this approach would be best for the city because it could save money. CMBR. Politis felt it would be best to put out a Request For Proposals and see what is submitted. The RFP would outline the city requirements. There was a discussion on whether to request both a fixed price and a monthly retainer. It was decided that a monthly detail of work performed would be required to submitted. City Attorney Branch announced that he would be retiring effective April 23rd. The firm would assign another attorney if possible. He explained that the firm would not participate in the bid process, but they would renegotiate the existing contract if the council wanted to. CMBR. Politis explained that he would interview for an interim attorney if one is needed. The council felt that 45 days to submit a proposal would be adequate. They would like one bid that asked for both a fixed price and a monthly retainer.

3. ADJOURNMENT:

The meeting ended at 5:39 pm.

MAYOR
NANCY MILLER

CITY MANAGER
MICHAEL T. BOOKER

ATTEST:

CITY CLERK, CHERI SCHWAB

MINUTES
CITY COUNCIL MEETING
March 18, 2020
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

Present: Vice Mayor Richard Bryan, Councilmember Richard Frizalone, Councilmember Mel Lindauer, Mayor Nancy Miller, Councilmember Michael Politis

Staff: City Manager Michael T. Booker, City Clerk Cheri Schwab, City Attorney Raymond Branch, City Planner Stewart Cruz, Finance Director Kurt Swartzlander, and Public Safety Director Stephan Dembinsky.

2. ROLL CALL BY CITY CLERK

3. NEW BUSINESS:

A. Emergency Ordinance 2020-06

Mayor Miller explained that this ordinance is a formality to ensure emergency funding and other issues. The other cities in the county are also adopting similar ordinances. Vice Mayor Bryan requested a change in the number of people allowed to gather from 50 to 10. This is the latest recommendation from the CDC. CMBR. Lindauer would like a more extended date. Attorney Branch explained that it was concurrent with Executive Order 20-51. If that were to be extended, this would also get extended.

VICE MAYOR RICHARD BRYAN moved, seconded by COUNCILMEMBER MEL LINDAUER to adopt Emergency Ordinance 2020-06 with the following amendments: gatherings of people not to exceed 10 and the expiration date is May 8, 2020 or as further extended by the Governor or the City Council.

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

Yes: Mayor Nancy Miller, Vice Mayor Richard Bryan, Councilmember Richard Frizalone, Councilmember Mel Lindauer, Councilmember Michael Politis

Director Dembinsky explained that the patrol officers are handling Executive Order 20-68 that deals with the closure of bars and nightclubs. Restaurants are still open with 50% less capacity. Everyone seemed to be complying.

Mayor Miller explained that the Volusia County Council had determined that the beach would stay open utilizing social distancing. She requested that the councilmembers not make any statements on Facebook regarding city activity. All announcement will flow through the City's Facebook page. It was announced that all meetings and workshops in March were cancelled. The Mayor inquired if there is a state emergency, can members call in to participate in a meeting and vote. She has heard that other cities were putting resolutions in place for this.

4. ADJOURNMENT:

The meeting ended at 3:30 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
MICHAEL T. BOOKER**

ATTEST:

CITY CLERK, CHERI SCHWAB

MINUTES
CITY COUNCIL MEETING
March 27, 2020
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

Present: Mayor Nancy Miller, Vice Mayor Richard Bryan, Councilmember Richard Frizalone, Councilmember Mel Lindauer, Councilmember Michael Politis

Staff: City Manager Michael T. Booker, City Clerk Cheri Schwab, City Attorney Raymond Branch, City Planner Stewart Cruz, Finance Director Kurt Swartzlander, and Public Safety Captain Michael Fowler.

2. ROLL CALL BY CITY CLERK

3. NEW BUSINESS:

- A. Ordinance 2020-01: City of Daytona Beach Shores and Oceans 25, LLC Development Agreement to permit the development of townhomes on the City owned property located at 2900 S. Atlantic Avenue.

The City Manager read the ordinance by title for the record. The meeting was held utilizing Zoom communication technology. Mayor Miller explained that there were no changes to the ordinance or the proposed development agreement since the first reading on March 10th. There was no one present in the audience who wished to comment.

There were two comments made through Zoom. Paul Garimaldi inquired if Oceans West Blvd. would be able to accommodate emergency vehicles with the extra traffic from the town homes. Both Captain Fowler and City Planner Stewart Cruz stated that the road dimensions were adequate for the vehicles. Sue Zuron expressed her displeasure with the setbacks and the proposed wall that would be erected around the town homes.

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by COUNCILMEMBER MICHAEL POLITIS to Adopt Ordinance 2020-01 on second reading.

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

Yes: Mayor Nancy Miller, Vice Mayor Richard Bryan, Councilmember Richard Frizalone, Councilmember Mel Lindauer, Councilmember Michael Politis

4. ADJOURNMENT:

The meeting ended at 2:15 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
MICHAEL T. BOOKER**

ATTEST:

CITY CLERK, CHERI SCHWAB



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 MARCH 2020

	Mar-20	20/YTD	Mar-19	19/YTD
Police Related Calls	2,758	7,728	3,278	9,196
Fire Related Calls	52	152	36	106
Rescue Related Calls	90	230	117	288
Fire Related Alarms Sounding	16	45	9	30
Traffic Citations	324	780	640	853
Written Warnings	25	158	217	356
Building Inspections	21	113	59	145
Arrests: Adults	35	109	60	209
Juveniles	2	3	0	1
Civil Citations	0	0	18	38
City Ordinance Charges	0	0	0	0
Florida State Statute Charges	66	137	111	406
Accidents: Total	23	33	27	60
Street/Highway	10	27	14	32
Parking Lot	13	25	13	28

Stephan Dembinsky Public Safety Director

POLICE CALLS TOTALS BY TYPE

DB SHORES POLICE

DATES: 2020-03-01 through 2020-03-31

LOCATION: ALL | ZONE: ALL | RD: ALL

DESCRIPTION	SIGNAL	TOTAL CALLS	% OF ALL CALLS	DAILY AVG
EXTRA PATROL	EP	879	31.87 %	28.35
TRAFFIC STOP	TS	413	14.97 %	13.32
MISCELLANEOUS LE CALL	MISC	368	13.34 %	11.87
PROPERTY CHECK	PRC	320	11.60 %	10.32
SUSP PERSON	SPER1	52	1.89 %	1.68
TELEPHONE HANDLE	THC	47	1.70 %	1.52
SUSP VEHICLE	SVEH	38	1.38 %	1.23
DISTURBANCE	DIST	36	1.31 %	1.16
DIRECTED PATROL REQUEST	DPR	32	1.16 %	1.03
MEDICAL EMERGENCY	MED1	29	1.05 %	0.94
SPECIAL DETAIL	SDL	29	1.05 %	0.94
TOWED VEHICLE	TOW	25	0.91 %	0.81
SUSP INCIDENT	SINC	24	0.87 %	0.77
RADAR	RADAR	22	0.80 %	0.71
INVESTIGATION	INV	19	0.69 %	0.61
MVA	MV	17	0.62 %	0.55
FIRE ALARM	ALARMF	16	0.58 %	0.52
TRESPASSERS	TRES	16	0.58 %	0.52
INFORMATION GIVEN	INFO	15	0.54 %	0.48
911 CK/OPEN LINE	911CK	13	0.47 %	0.42
BUSINESS ALARM	ALARMB	13	0.47 %	0.42
WALKUP	WALKUP	13	0.47 %	0.42
WARRANT	WAR	13	0.47 %	0.42
CIVIL COMPLAINT	CIVIL	12	0.44 %	0.39
FLAG DOWN	FLAG	12	0.44 %	0.39
RECKLESS DRIVER	RD	12	0.44 %	0.39
FALL- NON EMERGENCY	TRAU3	10	0.36 %	0.32
FIGHT	FIGHT	10	0.36 %	0.32
TRAUMA EMERGENCY	TRAU1	10	0.36 %	0.32
ELEVATOR CALL	ELEV	9	0.33 %	0.29
MEDICAL NON-EMERG	MED2	9	0.33 %	0.29
NOISE	NOISE	9	0.33 %	0.29
ANIMAL COMPLAINT	AC	8	0.29 %	0.26
ILLEGAL PARKING	PARK	8	0.29 %	0.26
NARCOTICS	NARC	8	0.29 %	0.26
WELL BEING CHECK	WBC	8	0.29 %	0.26
ATT TO CONTACT	ATC	7	0.25 %	0.23
HIT&RUN MVA	MVHR	7	0.25 %	0.23
SUSPECT STOP	SS	7	0.25 %	0.23
THEFT	THEFT	7	0.25 %	0.23
ASSAULT/BATTERY	ABAT	6	0.22 %	0.19
ASSIST AGENCY	ASSIST	6	0.22 %	0.19
DOMESTIC DISTURBANCE	DV	6	0.22 %	0.19
DRUNK PERSON	IP	6	0.22 %	0.19
ESCORT	ESCORT	6	0.22 %	0.19
FOUND PROPERTY	PROPF	6	0.22 %	0.19

GENERATED 2020-04-06 11:36:34

POLICE CALLS TOTALS BY TYPE - Volusia County Sheriff's Office Reporting Services

PAGE 1 of 3

POLICE CALLS TOTALS BY TYPE

DB SHORES POLICE

DATES: 2020-03-01 through 2020-03-31

LOCATION: ALL | ZONE: ALL | RD: ALL

DESCRIPTION	SIGNAL	TOTAL CALLS	% OF ALL CALLS	DAILY AVG
MEDICAL UNKNOWN	ALARMM	6	0.22 %	0.19
DISABLED VEHICLE	DAV	5	0.18 %	0.16
DRUNK DRIVER	DUI	5	0.18 %	0.16
LOST PROPERTY	PROPL	5	0.18 %	0.16
MISC FIRE SERVICE CALL	MISCF	5	0.18 %	0.16
ROAD OBSTRUCTION	RDOB	5	0.18 %	0.16
DEAD PERSON	DEAD	4	0.15 %	0.13
FLEEING DRIVER	FLEE	4	0.15 %	0.13
STOLEN VEHICLE	SV	4	0.15 %	0.13
STROKE / CVA	CVA	4	0.15 %	0.13
UNCONSCIOUS	UNC	4	0.15 %	0.13
VANDALISM	VAND	4	0.15 %	0.13
ALCOHOL VIOL	ALC	3	0.11 %	0.10
BOLO	BOLO	3	0.11 %	0.10
BURGLARY ALARM	ALARM	3	0.11 %	0.10
CIVIL SERVICE	CIVILS	3	0.11 %	0.10
JUVENILE	JUV	3	0.11 %	0.10
RECOVERED SIG 10	SVR	3	0.11 %	0.10
SHOPLIFTING	SHOP1	3	0.11 %	0.10
BURG/RESO	BURGR	2	0.07 %	0.06
DEPOSITS	DEP	2	0.07 %	0.06
FRAUD	FRAUD1	2	0.07 %	0.06
HIT&RUN W/INJ PED	MVHRPI	2	0.07 %	0.06
MVA W/ HAZARD	MVH	2	0.07 %	0.06
REPOSSESSED VEH	REPO	2	0.07 %	0.06
SEX OFFENSE HIGH PRI	SO1	2	0.07 %	0.06
SHOOTING	SHOOT	2	0.07 %	0.06
TRAUMA CRITICAL	TRAUE	2	0.07 %	0.06
ASSIST	ASST	1	0.04 %	0.03
BOAT EMERGENCY	BOATE	1	0.04 %	0.03
BURG/IN PROG	BURGIP	1	0.04 %	0.03
CARDIAC ARREST	CPR	1	0.04 %	0.03
DANGEROUS COND FD	DCFD	1	0.04 %	0.03
DRONE	DRONE	1	0.04 %	0.03
FAILURE TO PAY	FTP1	1	0.04 %	0.03
FIRE OUTSIDE STRUCTURE	FOS	1	0.04 %	0.03
HARRASSING CALLS	HCALL	1	0.04 %	0.03
MENTALLY ILL PER	MIP	1	0.04 %	0.03
MVA W/ INJURIES	MVI	1	0.04 %	0.03
NE ASST- FIRE REQ	LEO2	1	0.04 %	0.03
OPEN DOOR	OPD	1	0.04 %	0.03
PANIC ALARM	ALARMP	1	0.04 %	0.03
PERSON SHOT	PSHOT	1	0.04 %	0.03
POWER LINES HAZARD	PL	1	0.04 %	0.03
SEX OFFENSE	SO	1	0.04 %	0.03
SMOKE INVESTIGATION	SMOKE	1	0.04 %	0.03

POLICE CALLS TOTALS BY TYPE

DB SHORES POLICE

DATES: 2020-03-01 through 2020-03-31

LOCATION: ALL | ZONE: ALL | RD: ALL

DESCRIPTION	SIGNAL	TOTAL CALLS	% OF ALL CALLS	DAILY AVG
SMOKE ODOR IN STRUCTURE	SMODIS	1	0.04 %	0.03
STEP ZONE	STP	1	0.04 %	0.03
SUPPLEMENT	SUP	1	0.04 %	0.03
THREATENING CALL	TCALL	1	0.04 %	0.03
TRAFFIC CONTROL	TC	1	0.04 %	0.03
TRAUMA NON EMERG	TRAU	1	0.04 %	0.03
WALK & TALK	WT	1	0.04 %	0.03
WEAPONS COMPL	WC	1	0.04 %	0.03
TOTAL CALLS:		2,758	100.00%	88.97

NOTE: CAD-generated statistical reports are compiled from a live database of calls for service; this live database requires frequent call updating to ensure real time data is correct and maintained. When compiling and comparing statistics over time, minor discrepancies are inherent and should be expected. For final report information on crime, Uniformed Crime Reporting (UCR) statistics should be utilized.

DAYTONA BEACH SHORES DEPARTMENT OF PUBLIC SAFETY

MARCH 2020 STATISTICS

FIRE CALLS	CURRENT MONTH			YEAR TO DATE			PRIOR YEAR		
	CITY	COUNTY	MUTUAL AID	CITY	COUNTY	MUTUAL AID	CITY	COUNTY	MUTUAL AID
ENGINE RESPONSE									
STRUCTURE FIRES	1	0	0	2	0	0	1	0	0
HAZARDOUS CONDITIONS	1	0	0	4	1	0	11	3	2
VEHICLE FIRES	0	0	0	0	0	0	0	0	0
BOAT FIRES	0	0	0	0	0	0	0	0	0
OTHER FIRES NOT LISTED	0	1	0	1	1	0	1	1	1
VEHICLE CRASHES W/ENGINE RESPONSE	0	1	0	1	1	0	2	0	0
SERVICE CALLS	27	3	3	77	10	4	34	13	3
FIRE ALARMS	15	1	0	44	1	0	30	0	0
CANCELLED EN ROUTE	11	2	2	33	10	7	22	7	5
TOTALS	55	8	5	162	24	11	101	24	11

CURRENT MONTH ESTIMATED FIRE DAMAGES

CITY: \$8,000
COUNTY: \$0
MUTUAL AID: \$0

INSPECTIONS	CURRENT MONTH		YEAR TO DATE		PRIOR YEAR	
	INITIAL	FOLLOW-UP	INITIAL	FOLLOW-UP	INITIAL	FOLLOW-UP
HIGH RISE	1	1	9	16	11	33
HOTEL/MOTEL	1	3	8	13	28	21
ASSEMBLY	0	0	2	0	0	2
MERCANTILE	0	0	5	4	6	3
RESTAURANT	1	0	4	1	1	1
BUSINESS	4	0	5	0	21	9
OTHER	4	0	15	0	16	0
CONSTRUCTION	6	0	24	1	12	0
OCCUPATIONAL LICENSES	0	0	0	0	0	0
APARTMENTS/CONDO	0	0	6	0	5	3
TOTALS	17	4	78	35	100	72

PLANS EXAMINATION HOURS:11 HRS

DAYTONA BEACH SHORES DEPARTMENT OF PUBLIC SAFETY

MARCH 2020 STATISTICS

EMS CALLS

CURRENT MONTH

YEAR TO DATE

PRIOR YEAR

	CITY	COUNTY	MUTUAL AID	CITY	COUNTY	MUTUAL AID	CITY	COUNTY	MUTUAL AID
ALS CALLS	43	6	1	113	15	2	147	25	5
BLS CALLS	29	8	3	77	16	7	90	16	3
TOTALS	72	14	4	190	31	9	237	41	8



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

TRAINING SEMINARS ATTENDED

Month of March 2020

*Karen Howard
Michael Schoenbrod*

3/4

*ACLS Refresher
DBSDPS*

*Kathryn Gotz
Michael Schoenbrod*

3/5

*Stock Stick training
Mt. Dora*



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DEPARTMENT OF PUBLIC SAFETY
3050 South Atlantic Avenue
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MONTHLY REPORT FOR MARCH 2020

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:

Replaced pump & solenoid	veh #117
Replace door moulding	veh #125
Replace brakes & engine mount	veh #119
Replace front bumper	veh #131

COMMUNITY SERVICES DEPARTMENT

MONTHLY REPORT - FEBRUARY 2020

FACILITIES MAINTENANCE DIVISION:

Currently three positions.

Normal monthly duties:

This division is responsible for setting up and cleaning rooms for all rentals and City activities for the Senior Center, Tile Room, Council Chambers, Community Center, City Hall, and Public Safety. Two of the employees have janitorial type duties, like emptying the trash and cleaning the bathrooms in all the buildings, vacuuming the floors, dusting and taking care of whatever else is needed regarding the city buildings' cleaning needs. One employee has the maintenance type duties. He assesses any problems reported with the buildings and handles the repair if it is within his ability. He now has an a/c certification so replacing the filters he can do a lot of the repairs inhouse. He replaces light bulbs, cleans the outside windows, paints and any other general maintenance needed with the city buildings.

Additionally, this month:

The building maintenance technician installed an exhaust fan motor and blades at public safety, worked on a broken ice machine and finished up on bid specs for the public safety roof replacement.

PARKS/STREETS DIVISION:

Currently twelve maintenance positions and one electrician position.

Normal monthly duties:

This division takes care of the maintenance, up keep and general appearance of all the parks, streets, sidewalks and medians daily. They mow, change out lights, restock supplies, replace plants as needed, replace or repair street signs, check and clear the storm drains, as well

as any other issues that may arise in the city. Although there are two divisions they now all share in the normal monthly duties.

Additionally, this month:

The division installed and relocated the well pump at McElroy park, added clay to the tennis courts in need, put up and took down the Duels banner on Dunlawton as well as setting up the sign board for the event. They have started replacing the old ADA sidewalk pads around the city, reinstalled a fence after work was done at the public safety impound area, made some repairs at Fornari park restrooms and started removing sod and working on the new bocce ball area in McElroy park. The electrician assisted the sewer department with the installation of a new generator at station 5 and began prep work for the new lights on Oceans West Blvd as well as handling 33 power line locates this month.

SEWER DIVISION:

Currently four positions.

Normal monthly duties:

This division maintains and checks all the sewer stations daily, they do all the general maintenance of the sewer stations, generators and the property the stations are located on. This includes mowing and general outside maintenance as well as cleaning the pump areas, wet wells and floats. The division also maintains the manholes in the city, delivers past due sewer bill notices for finance every month, does cooling tower readings quarterly and has two employees in the division that are animal control officers.

Additionally, this month:

The division formed up a spot for concrete pad to be poured for a new generator at station 5 and installed a rebuilt pump at station 4 but had to remove it due to a seal leak. They also cleared a sewer back up at the racquet club, installed a manhole gasket at 2970 A1A, handled 5 animal control calls and also 49 sewer line locates during this month.

City of Daytona Beach Shores

Planning & Building Division Statistics

Monthly Report – February, 2020

Planning Division

Site Plans - Submittals and Approvals:

Submitted this Month: 1
 Submitted this Fiscal Year: 4
 Approved by Staff this Month: 0
 Approved by Staff this Fiscal Year: 1
 Approved by City Council this Month: 0
 Approved by City Council this Fiscal Year: 0
 Amendments Approved by Staff this Fiscal Year: 0

Building Division

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

PROJECT	WORK ADDRESS	DATE	WORK DESCRIPTION	VALUE	REVENUE
Dimucci Twin Towers North	3311 South Atlantic Avenue	2/3	Re roof main building, 1 penthouse, stairwell roofs	\$478,573.00	\$2,151.44
Dimucci Twin Towers South	3315 South Atlantic Avenue	2/3	Re roof main building, 1 penthouse, stairwell roofs	\$478,573.00	\$2,151.44
Walgreens	3004 South Atlantic Avenue	2/5	Replace rusted metal coping cap	\$11,894.00	\$129.10
Daniels Residence	2625 South Atlantic Avenue, Unit 12BNW	2/5	Remodel kitchen and guest bath	\$12,250.00	\$155.65
Oceans Three Condo	3043 South Atlantic Avenue	2/6	Replace fire alarm panel with voice evaq	\$24,534.00	\$402.50
Hunter Residence	2625 South Atlantic Avenue, Unit 25NE	2/7	Shower conversion, new cabinets	\$25,000.00	\$227.87
Senesac Residence	2625 South Atlantic Avenue, Unit 23NW	2/7	New cabinets in bathroom, texture walls and ceilings	\$25,000.00	\$209.87
Zaluski Residence	2625 South Atlantic Avenue, Unit 16NW	2/7	Remodel kitchen and bathroom	\$22,500.00	\$217.11
Rabach Residence	2625 South Atlantic Avenue, Unit 19NE	2/7	New kitchen and bathroom cabinets	\$18,800.00	\$177.58
Rabach Residence	2625 South Atlantic Avenue, Unit 22SW	2/7	New cabinets	\$18,800.00	\$177.58
Blalock Residence	2625 South Atlantic Avenue, Unit 6NW	2/7	New kitchen and bath cabinets, shower to tub	\$20,660.00	\$188.34

PROJECT	WORK ADDRESS	DATE	WORK DESCRIPTION	VALUE	REVENUE
Smith Residence	2625 South Atlantic Avenue, Unit 21SE	2/7	New kitchen counter tops, tub to shower conversion	\$12,800.00	\$137.65
Desjardins Residence	2625 South Atlantic Avenue, Unit 7NE	2/7	Add lights in kitchen, install toilet, texture walls	\$14,495.00	\$154.75
Hair Residence	2625 South Atlantic Avenue, Unit 9SW	2/7	New cabinets, texture and paint walls	\$11,950.00	\$129.10
Shores Club Condo	3815 South Atlantic Avenue	2/7	Construct new beach ramp	\$62,000.00	\$434.35
Dimucci Twin Towers North	3311 South Atlantic Avenue	2/10	Install 57 aluminum hurricane stands on roof	\$71,250.00	\$536.05
Dimucci Twin Towers South	3315 South Atlantic Avenue	2/10	Install 57 aluminum hurricane stands on roof	\$71,250.00	\$536.05
Castaways Beach Resort	2043 South Atlantic Avenue	2/11	Concrete restoration on East elevation	\$324,000.00	\$1531.97
Carmichael Residence	3757 South Atlantic Avenue, Unit 706	2/14	Replace 2 sliding glass doors	\$15,803.00	\$161.50
Carmichael Residence	3757 South Atlantic Avenue, Unit 1104	2/14	Replace 2 sliding glass doors	\$15,803.00	\$161.50
DePalo Residence	2987 South Atlantic Avenue, Unit 2106	2/14	Repair drywall, shower change cabinets	\$10,000.00	\$112.00
Rogers Residence	3703 South Atlantic Avenue, Unit 902	2/17	Change out 5 ton HVAC system	\$10,790.00	\$110.50
Liang Residence	2625 South Atlantic Avenue, Unit 22SE	2/18	Create opening between kitchen and living room	\$10,300.00	\$120.55
Buquiccio Residence	2625 South Atlantic Avenue, Unit 26NW	2/19	Repair drywall, replace kitchen cabinets, tile	\$14,500.00	\$154.75
MacPhee Residence	3855 South Atlantic Avenue, Unit 403	2/19	New kitchen cabinets, tops, 3 showers, vanities, tops	\$35,000.00	\$266.76
Dobbe Residence	3757 South Atlantic Avenue, Unit 806	2/20	Replace 2 sliding glass doors and 1 window	\$19,209.00	\$182.96
Tuscan Villas	3635 South Atlantic Avenue	2/21	Re roof with asphalt shingles	\$14,400.00	\$154.75
Oceans Ten Condo	2917 South Atlantic Avenue	2/25	Replace kitchen cabinets, tops and 2 bathroom vanities	\$16,000.00	\$161.50
Oceanside Inn	1909 South Atlantic Avenue	2/25	Add and relocate sprinkler heads	\$29,558.00	\$330.91
Lowery Residence	3047 South Atlantic Avenue, Unit 1902	2/25	Remodel kitchen, 2 bathrooms	\$61,500.00	\$420.20
Shores Medical Center	3512 South Atlantic Avenue	2/26	Build new facade	\$65,000.00	\$487.42
7-Eleven	3210 South Atlantic Avenue	2/26	Install new roofing system	\$31,990.00	\$249.69
Opus Condo	2071 South Atlantic Avenue	2/26	Replace 8 ton Aeon package unit	\$53,697.00	\$408.88
Kellam Residence	3425 South Atlantic Avenue, Unit 1104	2/27	Install 3 motorized roll down hurricane shutters	\$12,294.00	\$137.65
TOTALS	WORK ADDRESS	DATE	WORK DESCRIPTION	\$2,120,173.00	\$13,269.92

Building Division Revenue by Permit Category:

PERMIT TYPE	FEBRUARY 2020	FISCAL YEAR-TO- DATE 2019 TO 2020	FEBRUARY 2019	LAST FISCAL YEAR-TO- DATE 2018 TO 2019
BUILDING	\$8,969.09	\$60,881.63	\$6,014.66	\$53,104.02
ROOF	\$4,914.22	\$7,066.18	\$1,896.80	\$11,445.04
DEMOLITION	\$120.00	\$240.00	\$0.00	\$0.00
ELECTRICAL	\$2,243.00	\$10,092.96	\$1,466.00	\$8,722.98
MECHANICAL	\$3,174.18	\$10,878.56	\$2,564.23	\$12,470.63
PLUMBING	\$2,312.66	\$11,904.49	\$1,945.38	\$12,590.21
SIGN	\$277.00	\$1,382.94	\$186.00	\$1,167.03
POLITICAL SIGN BONDS	\$0.00	\$0.00	\$0.00	\$0.00
STORMWATER MANAGEMENT	\$0.00	\$0.00	\$0.00	\$0.00
MISCELLANEOUS	\$1,017.75	\$1,814.50	\$286.35	\$821.37
DEVELOPMENT FEES	\$320.00	\$2,787.90	\$245.00	\$2,740.00
PROMOTIONAL ACTIVITIES	\$0.00	\$0.00	\$0.00	\$0.00
TOTALS	\$23,347.90	\$107,049.16	\$14,604.42	\$103,061.28

Building Division Activities:

ACTIVITY	FEBRUARY 2020	FISCAL YEAR-TO- DATE 2019 TO 2020	FEBRUARY 2019	LAST FISCAL YEAR-TO- DATE 2018 TO 2019
INSPECTIONS	257	1,309	221	1,264
FINAL CERTIFICATES OF OCCUPANCY ISSUED	0	2	0	0
TEMPORARY CERTIFICATES OF OCCUPANCY ISSUED	0	0	0	0
FINAL INSPECTIONS	134	788	139	751
FAILED INSPECTIONS	20	92	25	118

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

Projects Begun Current Fiscal Year-to-Date – 2019 to Present: \$11,680,395.00

Projects Begun Last Fiscal Year – 2018 to 2019: \$39,968,375.00

Projects Begun Two Fiscal Years Ago – 2017 to 2018: \$24,944,320.00

EXECUTIVE SUMMARY
Fiscal Year-To-Date Financial Report
Month Ending February, 2020

CURRENT YEAR OPERATIONAL PERFORMANCE				
Fund or Fund Segment	YTD Revenue	YTD Expense	Revenue Less Expense	Margin %
General Fund Operations	\$9,414,938	\$5,518,610	\$3,896,328	41%
General Obligation Debt Service	\$2,514,940	\$2,026,990	\$487,949	19%
General Obligation Construction	\$0	\$0	\$0	
General Fund Sub-Total	\$11,929,878	\$7,545,601	\$4,384,277	37%
Sewer Fund Operations	\$1,032,227	\$1,041,070	(\$8,843)	-1%
Sewer Fund Restricted Impact Fee	\$2,782	\$0	\$2,782	100%
Sewer Fund Sub-Total	\$1,035,009	\$1,041,070	(\$6,061)	-1%
TOTAL ALL FUNDS FISCAL YTD	\$12,964,887	\$8,586,671	\$4,378,216	34%

CASH / INVESTMENT POSITIONS PERFORMANCE				
	Current Month Current Year	Current Month Prior Year	12-Month Change	Percent Change
General Fund (excl. G.O. Funds)	\$21,880,517	\$20,115,342	\$1,765,176	9%
Sewer Fund	\$9,745,525	\$8,678,192	\$1,067,332	12%
Sub-Total Operating Funds	\$31,626,042	\$28,793,534	\$2,832,508	10%
Gen. Obligation [GO] Construction & Debt	\$2,483,534	\$2,362,195	\$121,339	5%
TOTAL ALL FUNDS	\$34,109,576	\$31,155,729	\$2,953,846	9%

PROJECTED FISCAL YEAR END (FYE) CASH FLOW FROM NORMAL OPERATIONS**			
	General Fund	Sewer Fund	Total
Current Cash vs. Prior Year Ending Cash	\$4,388,650	\$1,130,009	
Add Back for Current Year CS Construction Expense	\$0	N/A	
Historical Mean Projected Remaining Cash Flow	(\$3,266,912)	\$740,659	
PROJECTED FYE NORMALIZED CASH FLOW	\$1,121,738	\$1,870,668	\$2,992,406

Saleable Investment Propertie(s): (Cost Basis)	
2608-12 S. Atlantic Ave. *	\$917,535

* This property is currently producing rental income.

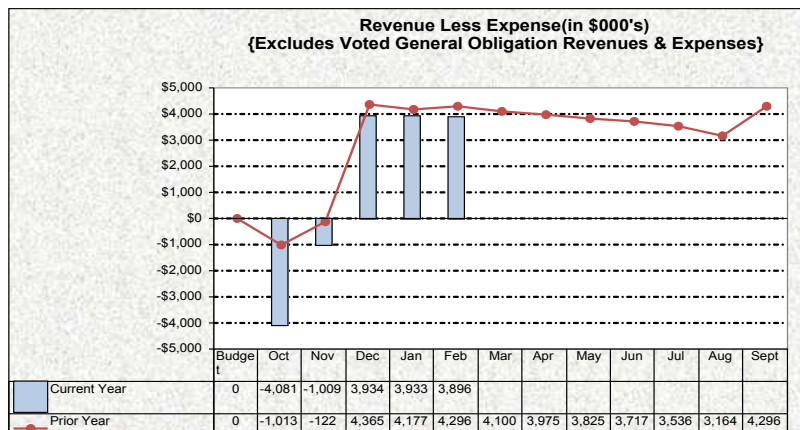
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All Funds Budget Performance Summary Report (in 000's)

NON-G.O. FUNDS	February, 2020		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	\$15,447	\$9,415	\$9,180	\$235	3%
Utility Fund	\$3,500	\$1,035	\$1,037	(\$2)	0%
Total Revenues & Appropriations	\$18,947	\$10,450	\$10,217	\$233	2%
Expenses ('000s)					
General Fund Less Capital	\$13,503	\$4,904	\$4,879	(\$25)	-1%
General Fund Capital	\$1,945	\$615	\$53	(\$562)	-1059%
Utility Fund	\$3,500	\$1,041	\$989	(\$52)	-5%
Total Expenses & Appropriations	\$18,947	\$6,560	\$5,921	(\$639)	-11%
Revenue Less Expense ('000s)					
General Fund	\$0	\$3,896	\$4,249	(\$352)	
Utility Fund	\$0	(\$6)	\$48	(\$54)	
Revenue Less Expense	\$0	\$3,890	\$4,296	(\$406)	

VOTED GENERAL OBLIGATION	February, 2020		VERSUS PRIOR YEAR TO DATE		
	Current Budget	Current YTD Actual	Prior YTD Actual	Vs. Prior Yr. Favor / (Unfavor)	% vs. Prior Year
General Obligation Revenue	\$2,889	\$2,515	\$2,520	(\$5)	0%
General Obligation Expense	\$2,889	\$2,027	\$1,966	(\$61)	-3%
Voted Gen. Oblig. Rev. Less Exp.	\$0	\$488	\$553	(\$65)	



Prior Year (No G.O.)	Current Year	Prior Yr
Budget	0	0
Oct	(4,081)	(1,013)
Nov	(1,009)	(122)
Dec	3,934	4,365
Jan	3,933	4,177
Feb	3,896	4,296
Mar		4,100
Apr		3,975
May		3,825
Jun		3,717
Jul		3,536
Aug		3,164
Sept		4,296

General Fund Detail Budget Report

	February, 2020		VERSUS PRIOR YEAR TO DATE		
	Amended Current Budget	Current YTD Actual	Prior YTD Actual	Vs. Prior Yr. Favorable / (Unfavorable)	% vs. Prior Year
Revenues/Sources					
Ad-ValoremTaxes	8,378,100	7,309,043	7,146,356	162,687	2%
Business Taxes	101,900	96,284	102,652	(6,368)	-6%
Utility Taxes	1,089,100	347,063	352,782	(5,719)	-2%
Permits & Franchise Fees	950,400	245,971	250,138	(4,167)	-2%
Intergovernmental	816,500	182,667	216,509	(33,842)	-16%
Donations	0	0	0	0	
Charges for Services	1,493,600	808,149	687,945	120,204	17%
Fines & Forfeitures	103,200	49,890	43,857	6,033	14%
Non-G.O Interest	154,700	68,665	82,389	(13,724)	-17%
Unrealized Investment G/(L)	0	0	0	0	
Miscellaneous & Fixed Asset Sales	47,500	9,664	15,973	(6,309)	-39%
Internal Services	715,000	297,542	281,750	15,792	6%
Non G.O. Transfer In-Fund Balance	1,597,400	0	0	0	
Non-G.O. Gen. Fund Revenue	\$15,447,400	\$9,414,938	\$9,180,351	\$234,587	3%
Operating Expenditures					
Excluding CAPITAL Expense					
Legislative	207,800	71,812	58,940	(12,872)	-22%
Executive	574,500	233,731	284,780	51,049	18%
Finance	585,700	250,556	258,587	8,031	3%
Legal Counsel	168,600	41,656	35,989	(5,668)	-16%
Comp. Planning	134,600	47,297	45,384	(1,913)	-4%
Other Gov't Services	268,700	131,705	145,385	13,680	9%
Public Safety-Admin/CID	1,774,700	734,631	642,032	(92,599)	0%
Public Safety-Patrol/Rescue	3,874,400	1,411,639	1,484,787	73,147	0%
Public Safety-Auto Maint.	141,600	59,786	56,548	(3,237)	0%
Public Safety Operations	5,790,700	2,206,056	2,183,367	(22,689)	-1%
Building Dept.	550,100	220,930	204,590	(16,340)	-8%
Phy. Envir. -- Solid Waste/Recycle	1,131,300	292,624	278,511	(14,113)	-5%
Public Works-Admin	262,100	105,977	98,677	(7,300)	
Public Works-Bldg. Maint.	281,600	95,122	88,866	(6,256)	
Public Works-Streets	694,500	233,862	216,554	(17,308)	
Public Works Operations	1,238,200	434,962	404,096	(30,865)	-8%
Inventory	0	555	0	(555)	
Benefit Termination Payout	29,400	0	0	0	
Parks & Rec	439,900	144,538	116,308	(28,230)	-24%
Community Center	177,700	66,035	70,899	4,864	7%
Senior Center	161,700	44,204	67,666	23,462	35%
Contingency/Transfers	1,227,700	0	0	0	
Long-Term Debt	816,000	717,081	724,224	7,143	1%
Non-G.O. Operations Expense	13,502,600	4,903,742	4,878,727	(\$25,015)	-1%
Non-G.O. CAPITAL Expense	1,944,800	614,868	53,059	(\$561,809)	
Total Non-G.O. Expense	15,447,400	5,518,610	4,931,786	(\$586,824)	
Non-G.O. Revenue Less Expense	\$0	\$3,896,328	\$4,248,565	(\$352,237)	-8%
General Obligation (G.O.) Debt Service					
Debt Service Ad-Valorem Revenue	2,875,800	2,512,353	2,514,210		
Debt Service Interest Revenue	13,200	2,587	5,377		
UG Utils- Debt Service Expense	2,889,000	2,026,990	1,966,428		
G.O. Revenue Less Expense	\$0	\$487,949	\$553,158		
G.O. Construction					
Streetscape Prjct.- Fund Bal Rev. Transfer	0	0	0		
Streetscape. - Construction Expense	0	0	0		
G.O. Construction Rev. Less Exp.	\$0	\$0	\$0		

Utility Fund Detail Budget Report

	February, 2020		VERSUS PRIOR YEAR TO DATE		
	Current Budget	Current YTD Actual	Prior YTD Actual	Vs. Prior Yr. Favorable / (Unfavorable)	% vs. Prior Year
Operations Revenues					
Charges for Services	\$3,409,000	\$1,006,698	\$1,002,596	\$4,101	0%
Interest	74,000	25,530	30,497	(4,967)	-16%
Sale of Fixed Assets / Misc.	0	0	0	0	
Total Operating Revenues	\$3,483,000	\$1,032,227	\$1,033,093	(\$866)	0%
Operations Expenditures					
Sewer Operating Incl. Depreciation	\$3,483,000	\$913,481	\$1,116,024	\$202,543	18%
- Less Debt Service Principal [a]		127,589	(126,635)		
- Less Not Offset Capital Expense [b]		0	0		
Total Operating Expense	\$3,483,000	\$1,041,070	\$989,389	\$202,543	20%
Operations Margin	\$0	(\$8,843)	\$43,704		
% Gain/(Loss)		-1%	0		

Impact Fee Revenues					
Sewer Impact Fees	16,000	2,600	\$3,650	(\$1,050)	-29%
Impact Fee Interest	700	182	305	(123)	-40%
Total IF Revenue	\$16,700	\$2,782	\$3,955	(\$1,173)	-30%
Impact Fee Expense					
Sewer Impact Fee Exp	16,700	0	\$0	\$0	
Total IF Expense	\$16,700	\$0	\$0	\$0	
Impact Fee Margin	\$0	\$2,782	\$3,955	(1,173)	-30%
% Gain/(Loss)		100%			

TOTAL FUND PERFORMANCE

TOTAL FUND Revenue	\$3,499,700	\$1,035,009	\$1,037,048	(\$2,039)	
TOTAL FUND Expense	\$3,499,700	\$1,041,070	\$989,389	(\$51,681)	
FUND Revenue Less Expense	\$0	(\$6,061)	\$47,659	(\$53,719)	

[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
February, 2020

Department	Description	Budgeted*	Paid
51/10-20 Executive/Legislative		0	0
5130 Finance	Munis Financial Software	107,000	38,077
5210 Pub. Safety Admin	CID Vehicle 1	34,500	0
5211 Patrol/Fire/Rescue	Patrol Vehicle (2)	82,500	0
	Motorcycles (2)	52,400	0
	Firetruck	570,000	555,737
5240 Building & Codes			
5410 Pub. Works Admin			
5412 Pub. Works Bldg. Maint	PS AC Repairs	23,000	0
	PS Transfer Switch Replacement	11,900	0
	PS Replacement Gutters	15,000	0
	PS Roof Replacement	275,000	0
	Chiller Replacement	185,300	0
	CH Generator Replacement	55,000	0
5413 Pub. Works Streets	PS Traffic Signal	25,000	4,647
	Vehicle	28,000	0
	<i>Gas Tax Financed</i>		
	<i>Appropriated Road Improvements</i>	60,000	0
	<i>Crosswalks</i>	73,200	0
5720 Parks	Bocce/Tennis Court Improvements	136,000	0
5751 Community Center	Microphone System		
5752 Senior Center	Demolition Old Building	211,000	16,407
GENERAL FUND TOTAL		1,944,800	614,868
401-5350 Sewer Operating	IMPROVEMENTS		
	Sewer Engineering and Project Cost	2,575,000	1,639
	EQUIPMENT		
	Generator Station 5	66,000	0
	Transfer Switch Station 5	35,000	0
	New Vactron	210,000	0
	Generator Master Station	107,000	0
	Sewer Locator	17,000	0
	Capital Offset to Depreciation Exp	(3,010,000)	(1,639)
401-5351 Sewer Impact Fee			
UTILITY FUND TOTAL		0	0
Contraband (non-budgeted)			
TOTAL FROM CONTRABAND		0	0
GRAND TOTAL		1,944,800	614,868

INVESTMENT REPORT
February, 2020

Policy Restrictions

Investment	Invest Class	Must	Int.Cap	Policy Class Cap	Current	In Limits
SBA	SBA			None	0.0%	
US Gov't Securities	USGS			50%	0.0%	Yes
Cash & CDs	CASH			None	100.0%	
Money Market Funds	MMF			20%	0.0%	Yes
Fed Instrum. & Agncy	FIA			30%	0.0%	Yes
Collat. Mortg. Obligtns.	CMO			20%	0.0%	Yes
Commercial Paper	CP			10%	0.0%	Yes
FMIT	FMIT			None	0.0%	

Performance @Period Ending: February, 2020

Institution	Account	Asset	Invest Class	Restriction	Account Value	Period Int. Rate	% of Portfolio
SBA: Prime	131031	Investment	SBA	General Fund	\$536	1.83%	0%
SBA: Prime	131032	Investment	SBA	Sewer Fund Operating	\$536	1.83%	0%
TOTAL SBA					\$1,072		0.0%
Bank of America	004537065882	Cash	CASH	Working Cash	\$9,623,333	0.55%	28%
Bank of America	898013183744	Cash	CASH	UG Util Building	\$2,483,534	0.55%	7%
Bank of America	005562564319	Cash	CASH	Sewer Operating	\$4,451,479	0.55%	13%
Bank of America	005562564351	Cash	CASH	Sewer Impact Fee	\$106,084	0.55%	0%
Seacoast Bank	4810004966	Cash	CASH	Sewer Operating	\$5,187,426	1.24%	15%
Seacoast Bank	4810000706	Cash	CASH	Working Cash	\$10,480,444	1.24%	31%
Seacoast Bank	4810003566	Cash	CASH	Loan Reserve	\$1,776,204	1.24%	5%
TOTAL BANKS					\$34,108,504		100.0%

TOTAL CURRENT VALUE @ PERIOD END	\$34,109,576
WEIGHTED AVERAGE TOTAL RETURN FOR CURRENT MONTH	0.00%

CHANGE IN CASH & INVESTMENTS (Incl. interfund transfers)	Current Value	Vs. Last Month	Vs. Prior Year To Date	Vs. Prior Fiscal Yr. End
G.O. Construction & Debt Service Funds	\$2,483,534	(\$84,302)	\$121,339	\$225,765
General Fund (excl. G.O. Funds)	\$21,880,517	(\$37,722)	\$1,765,176	\$4,312,470
Sewer Fund	\$9,745,525	\$212,847	\$1,067,332	\$292,914
TOTAL	\$34,109,576	\$90,823	\$2,953,846	\$4,831,149
Percent Change for Current	N/A	0.3%	9.5%	16.5%

Portfolio Report
February, 2020

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)	\$536	1.83%	\$536	\$0	\$10
BoA	Cash-Pool Cash Account (5882)	\$12,101,869	0.55%	\$12,101,869.23	\$0	\$66,560
	Contraband Pool Cash in 5882	\$35,483		\$35,483.03	\$0	\$0
	Pool Cash Due to Sewer Fund			(\$2,663,604)		\$0
	Economic Development			\$149,585		\$0
BoA	Cash- UG Utility [Bldg] (3744)	\$2,483,534	0.55%	\$2,483,534	\$0	\$13,659
Seacoast	Cash-Pool Cash Account (0706)	\$10,480,444	1.24%	\$10,480,444	\$0	\$129,958
Seacoast	Cash-Loan Reserve (3566)	\$1,776,204	1.24%	\$1,776,204	\$0	\$22,025
ALL GENERAL FUND			0.95%	\$24,364,051	\$0	\$232,212
PRIOR MONTH				\$24,486,076		

SEWER OPERATING						
SBA	Investment (032)	\$536	1.83%	\$536	\$0	\$10
BoA	Cash (4319)	\$1,787,875	0.55%	\$1,787,875	\$0	\$9,833
Seacoast	Cash (4966)	\$5,187,426	1.24%	\$5,187,426	\$0	\$64,324
	Cash-Pool Cash Due From Gen. Fund			\$2,663,604		\$0
ALL SEWER OPERATING FUND			0.77%	\$9,639,441	\$0	\$74,167
PRIOR MONTH				\$9,426,624		

SEWER IMPACT FEES (Restricted)						
BoA	Cash (4351)	\$106,084	0.55%	\$106,084	\$0	\$583
	Cash-Pool Cash Due From Gen. Fund			\$0		\$0
ALL SEWER IMPACT			0.55%	\$106,084	\$0	\$583
PRIOR MONTH				\$106,055		

ALL FUNDS			0.90%	\$34,109,576	\$0	\$306,962.62
PRIOR MONTH				\$34,018,755		
MONTHLY CHANGE				\$90,821		
MONTHLY CHANGE %				0.3%		

EXECUTIVE SUMMARY
Fiscal Year-To-Date Financial Report
Month Ending March, 2020

CURRENT YEAR OPERATIONAL PERFORMANCE				
Fund or Fund Segment	YTD Revenue	YTD Expense	Revenue Less Expense	Margin %
General Fund Operations	\$9,984,854	\$6,309,079	\$3,675,775	37%
General Obligation Debt Service	\$2,571,319	\$2,111,957	\$459,362	18%
General Obligation Construction	\$0	\$0	\$0	
General Fund Sub-Total	\$12,556,173	\$8,421,036	\$4,135,137	33%
Sewer Fund Operations	\$1,304,976	\$1,357,945	(\$52,969)	-4%
Sewer Fund Restricted Impact Fee	\$6,070	\$0	\$6,070	100%
Sewer Fund Sub-Total	\$1,311,046	\$1,357,945	(\$46,899)	-4%
TOTAL ALL FUNDS FISCAL YTD	\$13,867,219	\$9,778,981	\$4,088,238	29%

CASH / INVESTMENT POSITIONS PERFORMANCE				
	Current Month Current Year	Current Month Prior Year	12-Month Change	Percent Change
General Fund (excl. G.O. Funds)	\$22,680,286	\$19,484,802	\$3,195,484	16%
Sewer Fund	\$9,650,575	\$8,824,470	\$826,105	9%
Sub-Total Operating Funds	\$32,330,861	\$28,309,271	\$4,021,589	14%
Gen. Obligation [GO] Construction & Debt	\$2,398,843	\$2,545,169	(\$146,327)	-6%
TOTAL ALL FUNDS	\$34,729,703	\$30,854,440	\$3,875,263	13%

PROJECTED FISCAL YEAR END (FYE) CASH FLOW FROM NORMAL OPERATIONS**			
	General Fund	Sewer Fund	Total
Current Cash vs. Prior Year Ending Cash	\$5,103,727	\$1,035,059	
Add Back for Current Year CS Construction Expense	\$0	N/A	
Historical Mean Projected Remaining Cash Flow	(\$2,967,152)	\$577,719	
PROJECTED FYE NORMALIZED CASH FLOW	\$2,136,576	\$1,612,778	\$3,749,353

Saleable Investment Propertie(s): (Cost Basis)	
2608-12 S. Atlantic Ave. *	\$917,535

* This property is currently producing rental income.

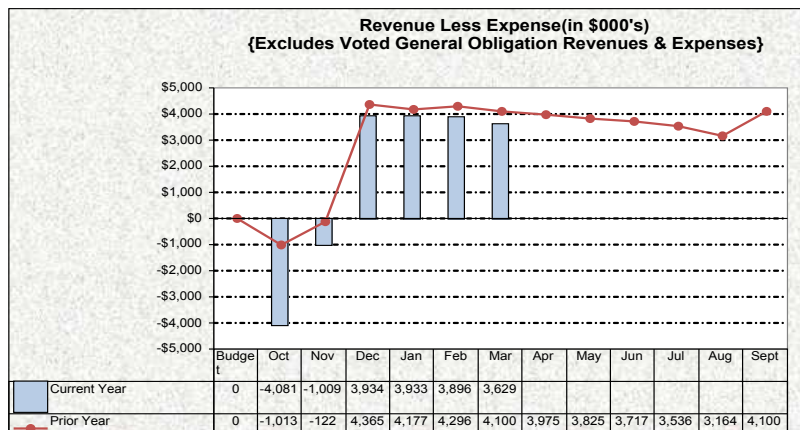
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All Funds Budget Performance Summary Report (in 000's)

NON-G.O. FUNDS	March, 2020		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	\$15,447	\$9,985	\$9,680	\$305	3%
Utility Fund	\$3,500	\$1,311	\$1,356	(\$45)	-3%
Total Revenues & Appropriations	\$18,947	\$11,296	\$11,035	\$261	2%
Expenses ('000s)					
General Fund Less Capital	\$13,503	\$5,686	\$5,668	(\$17)	0%
General Fund Capital	\$1,945	\$623	\$55	(\$568)	-1034%
Utility Fund	\$3,500	\$1,358	\$1,212	(\$146)	-12%
Total Expenses & Appropriations	\$18,947	\$7,667	\$6,935	(\$732)	-11%
Revenue Less Expense ('000s)					
General Fund	\$0	\$3,676	\$3,956	(\$280)	
Utility Fund	\$0	(\$47)	\$144	(\$191)	
Revenue Less Expense	\$0	\$3,629	\$4,100	(\$471)	

VOTED GENERAL OBLIGATION	March, 2020		VERSUS PRIOR YEAR TO DATE		
	Current Budget	Current YTD Actual	Prior YTD Actual	Vs. Prior Yr. Favor / (Unfavor)	% vs. Prior Year
General Obligation Revenue	\$2,889	\$2,571	\$2,551	\$20	1%
General Obligation Expense	\$2,889	\$2,112	\$2,058	(\$54)	-3%
Voted Gen. Oblig. Rev. Less Exp.	\$0	\$459	\$493	(\$34)	



Prior Year (No G.O.)	Current Year	Prior Yr
Budget	0	0
Oct	(4,081)	(1,013)
Nov	(1,009)	(122)
Dec	3,934	4,365
Jan	3,933	4,177
Feb	3,896	4,296
Mar	3,629	4,100
Apr		3,975
May		3,825
Jun		3,717
Jul		3,536
Aug		3,164
Sept		4,100

General Fund Detail Budget Report

	March, 2020		VERSUS PRIOR YEAR TO DATE		
	Amended			Vs. Prior Yr.	
	Current Budget	Current YTD Actual	Prior YTD Actual	Favorable / (Unfavorable)	% vs. Prior Year
Revenues/Sources					
Ad-Valorem Taxes	8,378,100	7,472,202	7,231,529	240,672	3%
Business Taxes	101,900	96,975	103,340	(6,365)	-6%
Utility Taxes	1,089,100	431,695	438,875	(7,180)	-2%
Permits & Franchise Fees	950,400	314,957	314,012	945	0%
Intergovernmental	816,500	237,858	274,092	(36,234)	-13%
Donations	0	0	0	0	
Charges for Services	1,493,600	930,670	808,228	122,442	15%
Fines & Forfeitures	103,200	55,255	52,874	2,381	5%
Non-G.O. Interest	154,700	76,300	100,755	(24,455)	-24%
Unrealized Investment G/(L)	0	0	0	0	
Miscellaneous & Fixed Asset Sales	47,500	11,892	17,737	(5,845)	-33%
Internal Services	715,000	357,050	338,100	18,950	6%
Non G.O. Transfer In-Fund Balance	1,597,400	0	0	0	
Non-G.O. Gen. Fund Revenue	\$15,447,400	\$9,984,854	\$9,679,543	\$305,311	3%
Operating Expenditures					
Excluding CAPITAL Expense					
Legislative	207,800	79,216	67,627	(11,589)	-17%
Executive	574,500	272,684	341,826	69,142	20%
Finance	585,700	298,261	302,008	3,747	1%
Legal Counsel	168,600	42,651	46,410	3,760	8%
Comp. Planning	134,600	55,569	54,587	(982)	-2%
Other Gov't Services	268,700	132,966	163,253	30,287	19%
Public Safety-Admin/CID	1,774,700	840,319	760,285		0
Public Safety-Patrol/Rescue	3,874,400	1,703,989	1,801,760		0
Public Safety-Auto Maint.	141,600	69,976	67,036		0
Public Safety Operations	5,790,700	2,614,283	2,629,081	14,797	1%
Building Dept.	550,100	262,372	245,083	(17,289)	-7%
Phy. Envir. -- Solid Waste/Recycle	1,131,300	388,429	279,761	(108,668)	-39%
Public Works-Admin	262,100	122,276	123,109		
Public Works-Bldg. Maint.	281,600	108,988	107,090		
Public Works-Streets	694,500	276,412	257,769		
Public Works Operations	1,238,200	507,675	487,968	(19,707)	-4%
Inventory	0	555	0	(555)	
Benefit Termination Payout	29,400	0	16,377	16,377	100%
Parks & Rec	439,900	174,980	141,995	(32,985)	-23%
Community Center	177,700	79,020	86,105	7,085	8%
Senior Center	161,700	52,459	82,163	29,704	36%
Contingency/Transfers	1,227,700	0	0	0	
Long-Term Debt	816,000	724,624	724,224	(400)	0%
Non-G.O. Operations Expense	13,502,600	5,685,745	5,668,468	(\$17,278)	0%
Non-G.O. CAPITAL Expense	1,944,800	623,334	54,970	(\$568,363)	
Total Non-G.O. Expense	15,447,400	6,309,079	5,723,438	(\$585,641)	
Non-G.O. Revenue Less Expense	\$0	\$3,675,775	\$3,956,105	(\$280,330)	-7%
General Obligation (G.O.) Debt Service					
Debt Service Ad-Valorem Revenue	2,875,800	2,568,435	2,544,175		
Debt Service Interest Revenue	13,200	2,884	6,828		
UG Utils- Debt Service Expense	2,889,000	2,111,957	2,057,984		
G.O. Revenue Less Expense	\$0	\$459,362	\$493,018		
G.O. Construction					
Streetscape Prjct.- Fund Bal Rev. Transfer	0	0	0		
Streetscape. - Construction Expense	0	0	0		
G.O. Construction Rev. Less Exp.	\$0	\$0	\$0		

	Current Year Bud		Prior Year Act
rev	\$18,336,400	\$12,556,173.09	\$12,230,545.18 Rev
exp	\$18,336,400	\$8,421,036.04	\$7,781,422.41 Exp
	\$0		

Utility Fund Detail Budget Report

	March, 2020		VERSUS PRIOR YEAR TO DATE		
	Current Budget	Current YTD Actual	Prior YTD Actual	Vs. Prior Yr. Favorable / (Unfavorable)	% vs. Prior Year
Operations Revenues					
Charges for Services	\$3,409,000	\$1,276,632	\$1,268,737	\$7,895	1%
Interest	74,000	28,344	37,926	(9,582)	-25%
Sale of Fixed Assets / Misc.	0	0	0	0	
Total Operating Revenues	\$3,483,000	\$1,304,976	\$1,306,663	(\$1,687)	0%
Operations Expenditures					
Sewer Operating Incl. Depreciation	\$3,483,000	\$1,230,356	\$1,339,400	\$109,043	8%
- Less Debt Service Principal [a]		127,589	(127,589)		
- Less Not Offset Capital Expense [b]		0	0		
Total Operating Expense	\$3,483,000	\$1,357,945	\$1,211,811	\$109,043	9%
Operations Margin	\$0	(\$52,969)	\$94,852		
% Gain/(Loss)		-4%			

Impact Fee Revenues					
Sewer Impact Fees	16,000	5,875	\$48,525	(\$42,650)	-88%
Impact Fee Interest	700	195	368	(172)	-47%
Total IF Revenue	\$16,700	\$6,070	\$48,893	(\$42,822)	-88%
Impact Fee Expense					
Sewer Impact Fee Exp	16,700	0	\$0	\$0	
Total IF Expense	\$16,700	\$0	\$0	\$0	
Impact Fee Margin	\$0	\$6,070	\$48,893	(42,822)	-88%
% Gain/(Loss)		100%			

TOTAL FUND PERFORMANCE

TOTAL FUND Revenue	\$3,499,700	\$1,311,046	\$1,355,556	(\$44,510)	
TOTAL FUND Expense	\$3,499,700	\$1,357,945	\$1,211,811	(\$146,134)	
FUND Revenue Less Expense	\$0	(\$46,899)	\$143,745	(\$190,644)	

[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
March, 2020

Department	Description	Budgeted*	Paid
51/10-20 Executive/Legislative		0	0
5130 Finance	Munis Financial Software	107,000	43,197
5210 Pub. Safety Admin	CID Vehicle 1	34,500	0
5211 Patrol/Fire/Rescue	Patrol Vehicle (2)	82,500	0
	Motorcycles (2)	52,400	0
	Firetruck	570,000	555,737
5240 Building & Codes			
5410 Pub. Works Admin			
5412 Pub. Works Bldg. Maint	PS AC Repairs	23,000	0
	PS Transfer Switch Replacement	11,900	0
	PS Replacement Gutters	15,000	0
	PS Roof Replacement	275,000	0
	Chiller Replacement	185,300	0
	CH Generator Replacement	55,000	0
5413 Pub. Works Streets	PS Traffic Signal	25,000	7,585
	Vehicle	28,000	0
	Gas Tax Financed		
	Appropriated Road Improvements	60,000	0
	Crosswalks	73,200	0
5720 Parks	Bocce/Tennis Court Improvements	136,000	408
5751 Community Center	Microphone System		
5752 Senior Center	Demolition Old Building	211,000	16,407
GENERAL FUND TOTAL		1,944,800	623,334
401-5350 Sewer Operating	IMPROVEMENTS		
	Sewer Engineering and Project Cost	2,575,000	8,995
	EQUIPMENT		
	Generator Station 5	66,000	0
	Transfer Switch Station 5	35,000	0
	New Vactron	210,000	0
	Generator Master Station	107,000	0
	Sewer Locator	17,000	0
	Capital Offset to Depreciation Exp	(3,010,000)	(8,995)
401-5351 Sewer Impact Fee			
UTILITY FUND TOTAL		0	0
Contraband (non-budgeted)			
TOTAL FROM CONTRABAND		0	0
GRAND TOTAL		1,944,800	623,334

Budget 4,954,800 Match to total on monthly report
0

INVESTMENT REPORT

March, 2020

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Policy Restrictions

Investment	Invest Class	Must	Int.Cap	Policy Class Cap	Current	In Limits
SBA	SBA			None	0.0%	
US Gov't Securities	USGS			50%	0.0%	Yes
Cash & CDs	CASH			None	100.0%	
Money Market Funds	MMF			20%	0.0%	Yes
Fed Instrum. & Agncy	FIA			30%	0.0%	Yes
Collat. Mortg. Obligtns.	CMO			20%	0.0%	Yes
Commercial Paper	CP			10%	0.0%	Yes
FMIT	FMIT			None	0.0%	

Performance @Period Ending: March, 2020

Institution	Account	Asset	Invest Class	Restriction	Account Value	Period Int. Rate	% of Portfolio
SBA: Prime	131031	Investment	SBA	General Fund	\$537	1.36%	0%
SBA: Prime	131032	Investment	SBA	Sewer Fund Operating	\$537	1.36%	0%
TOTAL SBA					\$1,073		0.0%
Bank of America	004537065882	Cash	CASH	Working Cash	\$10,406,970	0.15%	30%
Bank of America	898013183744	Cash	CASH	UG Util Building	\$2,398,843	0.15%	7%
Bank of America	005562564319	Cash	CASH	Sewer Operating	\$4,353,922	0.15%	13%
Bank of America	005562564351	Cash	CASH	Sewer Impact Fee	\$106,097	0.15%	0%
Seacoast Bank	4810004966	Cash	CASH	Sewer Operating	\$5,190,019	1.24%	15%
Seacoast Bank	4810000706	Cash	CASH	Working Cash	\$10,495,688	1.24%	30%
Seacoast Bank	4810003566	Cash	CASH	Loan Reserve	\$1,777,091	1.24%	5%
TOTAL BANKS					\$34,728,630		100.0%

TOTAL CURRENT VALUE @ PERIOD END	\$34,729,703
WEIGHTED AVERAGE TOTAL RETURN FOR CURRENT MONTH	0.00%

CHANGE IN CASH & INVESTMENTS (Incl. interfund transfers)	Current Value	Vs. Last Month	Vs. Prior Year To Date	Vs. Prior Fiscal Yr. End
G.O. Construction & Debt Service Funds	\$2,398,843	(\$84,691)	(\$146,327)	\$141,074
General Fund (excl. G.O. Funds)	\$22,680,286	\$799,769	\$3,195,484	\$5,112,239
Sewer Fund	\$9,650,575	(\$94,950)	\$826,105	\$197,963
TOTAL	\$34,729,703	\$620,127	\$3,875,263	\$5,451,276
Percent Change for Current	N/A	1.8%	12.6%	18.6%

Portfolio Report
March, 2020

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)	\$537	1.36%	\$537	\$0	\$7
BoA	Cash-Pool Cash Account (5882)	\$12,792,405	0.15%	\$12,792,404.72	\$0	\$19,189
	Contraband Pool Cash in 5882	\$30,807		\$30,806.67	\$0	\$0
	Pool Cash Due to Sewer Fund			(\$2,565,826)		\$0
	Economic Development			\$149,585		\$0
BoA	Cash- UG Utility [Bldg] (3744)	\$2,398,843	0.15%	\$2,398,843	\$0	\$3,598
Seacoast	Cash-Pool Cash Account (0706)	\$10,495,688	1.24%	\$10,495,688	\$0	\$130,147
Seacoast	Cash-Loan Reserve (3566)	\$1,777,091	1.24%	\$1,777,091	\$0	\$22,036
ALL GENERAL FUND			0.70%	\$25,079,129	\$0	\$174,977
PRIOR MONTH				\$24,364,051		

SEWER OPERATING						
SBA	Investment (032)	\$537	1.36%	\$537	\$0	\$7
BoA	Cash (4319)	\$1,788,096	0.15%	\$1,788,096	\$0	\$2,682
Seacoast	Cash (4966)	\$5,190,019	1.24%	\$5,190,019	\$0	\$64,356
	Cash-Pool Cash Due From Gen. Fund			\$2,565,826		\$0
ALL SEWER OPERATING FUND			0.70%	\$9,544,477	\$0	\$67,046
PRIOR MONTH				\$9,639,441		

SEWER IMPACT FEES (Restricted)						
BoA	Cash (4351)	\$106,097	0.15%	\$106,097	\$0	\$159
	Cash-Pool Cash Due From Gen. Fund			\$0		\$0
ALL SEWER IMPACT			0.15%	\$106,097	\$0	\$159
PRIOR MONTH				\$106,084		

ALL FUNDS			0.70%	\$34,729,703	\$0	\$242,181.45
PRIOR MONTH				\$34,109,576		
MONTHLY CHANGE				\$620,127		
MONTHLY CHANGE %				1.8%		

COMMUNITY SERVICES DEPARTMENT

MONTHLY REPORT - MARCH 2020

FACILITIES MAINTENANCE DIVISION:

Currently three positions.

Normal monthly duties:

This division is responsible for setting up and cleaning rooms for all rentals and City activities for the Senior Center, Tile Room, Council Chambers, Community Center, City Hall, and Public Safety. Two of the employees have janitorial type duties, like emptying the trash and cleaning the bathrooms in all the buildings, vacuuming the floors, dusting and taking care of whatever else is needed regarding the city buildings' cleaning needs. One employee has the maintenance type duties. He assesses any problems reported with the buildings and handles the repair if it is within his ability. He now has an a/c certification so replacing the filters he can do a lot of the repairs inhouse. He replaces light bulbs, cleans the outside windows, paints and any other general maintenance needed with the city buildings.

Additionally, this month:

The building maintenance technician had surgery and was out most of March, and he assisted the building department when he returned. The janitorial employees were quite busy this month with additional cleaning required with the beginning of this COVID 19 Pandemic.

PARKS/STREETS DIVISION:

Currently short one position so eleven maintenance positions and one electrician position.

Normal monthly duties:

This division takes care of the maintenance, up keep and general appearance of all the parks, streets, sidewalks and medians daily. They

mow, change out lights, restock supplies, replace plants as needed, replace or repair street signs, check and clear the storm drains, as well as any other issues that may arise in the city. Although there are two divisions they now all share in the normal monthly duties.

[Additionally, this month:](#)

The division continued work on the new bocce ball area in McElroy Park and started a freshening of the parks and city properties by weeding and mulching flower beds, planting and removing trees. But toward the end of the month the COVID 19 pandemic got to a point where the division had to start working split shifts to enable social distancing. They continue to disinfect city areas daily in addition to their normal daily duties. The electrician assisted the sewer department with station motor starter replacements and repairing the master station lighting. He finished up the Oceans West Blvd LED lighting change out as well as handling 35 power line locates this month.

[SEWER DIVISION:](#)

Currently four positions.

[Normal monthly duties:](#)

This division maintains and checks all the sewer stations daily, they do all the general maintenance of the sewer stations, generators and the property the stations are located on. This includes mowing and general outside maintenance as well as cleaning the pump areas, wet wells and floats. The division also maintains the manholes in the city, delivers past due sewer bill notices for finance every month, does cooling tower readings quarterly and has two employees in the division that are animal control officers.

[Additionally, this month:](#)

The division also started a split shift schedule toward the end of the month but also accomplished installing 10 manhole gaskets and repaired the manhole at 2870 S. Atlantic Avenue. They replaced the winch on

vehicle 169, installed a rebuilt pump twice at station 4, painted at stations and installed safety grates at the master station in addition to doing 2 pool readings, handled 8 animal control calls and also 54 sewer line locates during this month.

City of Daytona Beach Shores

Planning & Building Division Statistics

Monthly Report – March, 2020

Planning Division

Site Plans - Submittals and Approvals:

Submitted this Month: 1
 Submitted this Fiscal Year: 5
 Approved by Staff this Month: 3
 Approved by Staff this Fiscal Year: 5
 Approved by City Council this Month: 0
 Approved by City Council this Fiscal Year: 0
 Amendments Approved by Staff this Fiscal Year: 0

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Fitzsimons Residence	3311 South Atlantic Avenue, Unit 1004	3/5	Remodel master bath and kitchen	\$75,000.00	\$494.31
Bubar Residence	2625 South Atlantic Avenue, Unit 9SE	3/5	Kitchen cabinets, shower conversion in master bath	\$15,150.00	\$161.50
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TOTALS	\$27,542.94	\$134,592.10	\$18,206.72	\$121,268.00

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FINAL INSPECTIONS	119	907	194	945
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EDP EVALUATION CRITERIA- Alternative Grants & Renovations										
Business Name:		Beach Bagel Café – High Tide Kitchen			Address:		3344 S. Atlantic Ave			
Business Type:		Restaurant		Vacant Space:	N	Evaluation Date:		3/10/20	Application No.:	12020004
A	Mandatory Criteria-City Planner				Yes	No	Comment			
1	Location in Targeted Area?				X					
2	Targeted Business?				X		Full service restaurant with dinner service.			
3	If no to #2, is Business Substantially Compliant & Desired As Approved by CC?						N/A			
4	Is Business a Permitted Use /Non-Residential/Mixed Use?				X					
5	Appropriate Zoning Consistent w/ Comp Plan?				X					

B	Supplemental Criteria Met-City Attorney	Yes	No	NA	Comment
1	Current w/ Applicable Taxes, Fees, Etc.?			X	This will be evaluated prior to payout, if approved.
2	Subject to Related Foreclosure, Bankruptcy or Defaults?				Unknown.
3	Current Related Code or Ordinance Violations?			X	This will be evaluated prior to payout, if approved.
4	Applicant Willing to Enter into Agreement w/ Conditions?	X			
C	Grant Distribution-Committee	Yes	No		Comment
1	Consistency w/ED Grant Distribution Summary	X			
D	General Grant Criteria-Committee	Yes	No	Amount	Comment
1	New jobs created?	X			
2	Capital investment made?	X			
3	Desirable business type?	X			
4	Attract desirable new business?				Possibly.
E	Alternative Grant (AG) & Renovation & Dev. (R&D) Criteria-Committee	Yes	No	NA	Comment
1	(AG)-Same or more economic & other benefits as lease subsidy?			X	
2	R&D-Spur additional development and private investment?	X			Business owner and landlord collectively will be expending over \$100,000 to improve the interior and external space and property.
3	R&D-Create effective merchandise mix?			X	A full service restaurant with dinner service will be added.
4	R&D-Substantial positive visual and aesthetic impact to the City?	X			See attached plans.
5	R&D-Fill vacant retail space?			X	The space is currently a restaurant use.
6	R&D-Increase real property value(s)?	X			Physical external improvements associated with the new restaurant will increase value.
7	R&D-Increase employment opportunities?	X			Per application, additional jobs will be created due to the restaurant transformation.
8	R&D-Complement other development by providing enhanced activities?	X			The interior renovation will complement the external outdoor dining.
9	Additional City Council Criteria?				This is at the discretion of the City Council.

STENSTROM, McINTOSH, COLBERT & WHIGHAM, P.A.
ATTORNEYS AND COUNSELORS AT LAW

WILLIAM L. COLBERT
FRANK C. WHIGHAM

KENNETH W. McINTOSH
RETIRED
ROBERT K. McINTOSH
RETIRED

300 INTERNATIONAL PARKWAY
SUITE 100
LAKE MARY, FLORIDA 32746
T: (407) 322-2171
F: (407) 330-2379

OF COUNSEL
LONNIE N. GROOT
DAVID W. HALL
RAYMOND J. BRANCH, III
STACEY R. SPRINGER

March, 31, 2020

Michael T. Booker, City Manager
City of Daytona Beach Shores
2990 S. Atlantic Avenue
Daytona Beach Shores, FL 32118

C-50-803

BASIC SERVICES:

Prepare for and attend City Council Meetings on March 10, 2020, attend workshop; discussion with City Staff to obtain information and answer questions regarding the above items; general and miscellaneous telephone conferences with staff.

ADDITIONAL SERVICES:

1. CITY MANAGEMENT

Receive and review e-mails from Ms. Schwab; review ordinances and economic development documents on CivicClerk; review Statute and case law for authority to suspend action on City Ordinance; review Charter for applicable provisions; review Ordinance 2019-06; e-mail from Ms. Schwab; review attached ordinance re Emergency City Council Meeting; research statutory notice requirements; review Charter requirement; attend emergency meeting to adopt Ordinance 2020-06 re Covid-19; conference with Mr. Cruz at City Hall; conference with Ms. Schwab; conference with Mr. Booker at City Hall re future meetings; receive and review Covid-19 Executive Order 20-69; telephone conference with Mr. Lockwood re public access to CMT for special meetings; review Notice of special meeting; review memorandum and ordinance; review City Charter and ordinances for meeting requirements; e-mail to/from Ms. Schwab re posting of Emergency Ordinance on Website; attend special meeting via CMT;

TIME: 6.75 hrs

2. PLANNING & ZONING

Telephone conference with Mr. Cruz; re proposed revisions to outdoor dining ordinance; draft revisions to outdoor dining ordinance; e-mail to Mr. Cruz; receive and review multiple e-mails; receive and review agenda; attend meeting at City Hall; meeting with Mr. Cruz to discuss upcoming meeting with Beach Bagel; meeting with Mr. Booker re incentive applications and alternative grant programs; telephone conference with Mr. Cruz re Lease Subsidy/Grant Agreement for Beach Bagel/Hide Tide Kitchen; draft revised Lease Subsidy Grant Agreements; receive and review

CivicClerk fro Mr. Cruz re agenda item suspending acceptance of applications for lease subsidy grants; prepare and post comments adding motion language for consideration by Council; e-mail from Mr. Cruz; receive and review proposed Resolution from Mr. Cruz r floodplain Mitigation Strategy; e-mail to Mr. Cruz with suggested revisions; review Development Agreement, Purchase and Sale Agreement; e-mail to/from Mr. Cruz; receive and execute signature pages for Development Agreement and Ordinance 2020-01;

TIME: 8.25 hrs

3. MCCREE

Receive and review correspondence and attachment from Attorney Bradford; review docket; revieww copies of e-mails from Chief Dembinsky and Mr. Booker; e-mail to Chief dembinsky and Mr. Booker; e-mail to Attorney Bradford; e-mails from/to Attorney Bradford, Chief Dembinsky and Mr. Booker; review case mediation and conflict notice from Judge Orfinger;

TIME: 1.25 hrs

4. ECONOMIC DEVELOPMENT ACTIVITIES

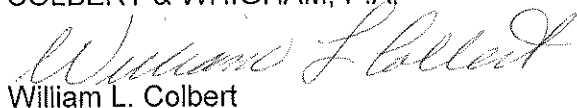
Prepare for and attend EDC meeting at City Hall;

TIME: 2.50 hrs

BASIC SERVICES	=	\$ 2,500.00
ADDITIONAL SERVICES:		
18.75 hrs @ \$170.00/hr	=	\$3,187.50
TOTAL ATTORNEYS' FEES	=	\$3,187.50
 TOTAL BALANCE DUE	=	 \$5,687.50

Sincerely,

STENSTROM, McINTOSH,
COLBERT & WHIGHAM, P.A.



William L. Colbert

This statement is subject to the provisions of the Florida Prompt Payment Act, Section 218, Part VII, Florida Statutes.



CITY OF DAYTONA BEACH SHORES

"Life Is Better Here"

Office of the City Manager

Phone (386) 763-5373 Fax (386) 763-5360

MEMORANDUM

DATE: April 28, 2020

TO: City Council: Mayor Nancy Miller; Vice Mayor Richard Bryan, Council Member Rick Frizalone; Council Member Mel Lindauer, and Council Member Michael Politis

FROM: Michael T. Booker, City Manager

SUBJECT: City Manager Report

RECREATION:

I have hired a Recreation Director to replace outgoing Director, Roni Jackson. Nancy Maddox, formerly with New Smyrna Beach and Volusia County, will begin on May 1. She brings with her a wealth of experience in recreation, facilities management and grant writing. I believe she will be an excellent addition to our staff and she will help move our programs and facilities to the next level.

COVID-19 and RELATED ISSUES:

All City Departments are either working in shifts or working off-site to help curb the spread of the Corona Virus to their fellow employees or those they serve.

The best guesstimate at this time is that the spread of the virus will not peak in Volusia County until the first week in May. It will probably peak sooner in south Florida because it started sooner there. Daytona Beach Shores will be coordinating its efforts regarding re-opening with federal, state, and county policies as they are established.

We are still asking everyone to remain vigilant by staying at home as much as possible and maintaining social distancing guidelines when you must go out. As of this writing, there have been no "confirmed" cases of COVID-19 in Daytona

Beach Shores. Some residents have Self isolated when they felt that they may have been exposed or felt they experienced symptoms. Much of the recent increase in confirmed cases in Volusia County is attributable to those in the Tomoka Correctional Facility and some assisted living facilities. Nonetheless, the general population is still highly susceptible to the virus.

We are tracking our non-budgeted expenses in case federal, state or county funding becomes available to individual cities. Thus far we have been able to maintain an adequate level of Personal Protective Equipment for our emergency management first responders.

Please bear in mind that even after the spread of the virus peaks, it will be some time before life is back to normal. Please be patient as the city and its businesses phase in their re-openings. Please use this unusual and difficult time to examine ways to become better citizens and family members. And, most of all, stay safe!

cc:

Department Heads

City Attorney



CITY COUNCIL AGENDA MEMORANDUM

APRIL 28, 2020 AGENDA

TO: Honorable Mayor and Members of the City Council

FROM: Stewart Cruz, City Planner

PREPARED BY: Stewart Cruz, City Planner

SUBJECT: Ordinance 2020-05: An ordinance amending various sections of Chapter 14 (Zoning Regulations) of the Land Development Code relating to outdoor dining.

SYNOPSIS:

Ordinance 2020-05, if adopted on second reading, will allow properties to establish outdoor dining structures within required front and side setbacks. The ordinance also provides for outdoor dining exemptions from certain landscape and lot coverage requirements prescribed by the Land Development Code. This ordinance was precipitated from outdoor dining applications and concepts proposed by at least three existing restaurants. There are currently two outdoor dining applications that would benefit from this ordinance.

FISCAL IMPACT STATEMENT:

This amendment could have a positive yet minimal impact to permitting revenue by allowing additional locations to be eligible for outdoor dining.

BACKGROUND:

Most restaurants on the west side of S. Atlantic Avenue are located on nonconforming and physically and dimensionally constrained properties. These properties were platted in the late 1800s to early 1900s and developed in the 1950s through 1970s. Consequently, these establishments have difficulty meeting outdoor dining and other development standards established by the City's Land Development Code, which was adopted in the early 1990s. The proposed ordinance, if adopted, would permit restaurants to establish outdoor dining ancillary structures on the aforementioned properties located in the GC-1 (Tourist Oriented Commercial), GC-2 (Retail/Service) and GC-RD (General Commercial-Redevelopment) districts.

The proposed changes include, but are not limited to, the following:

1. Outdoor dining structures 400 square feet or less would be exempt from the City's lot coverage requirements.

2. Outdoor dining structures would be permitted in required front and side yards but no less than five (5) feet from the property line. Safety features and ground treatment may extend to the property line. **(NOTE:** All structures will required building permits and will be reviewed for consistency with the Florida Building Code regarding wind loads, safety, etc.)

3. Terminal landscape and interior landscape requirements may be waived in cases where a restaurant desires to establish an outdoor dining operation and the subject property is and has been nonconforming to the landscape standards prior to the adoption of the ordinance.

LEGAL REVIEW:

RECOMMENDATION:

Staff recommends approval of Ordinance 2020-05 as presented.

SUGGESTED MOTION:

A City Council Member may move as follows:

1. "I make a motion to approve Ordinance 2020-05 as presented."

OR

2. "I make a motion to approve Ordinance 2020-05 on the condition that..."

OR

3. "I make a motion to deny Ordinance 2020-05 on the basis of..."

ATTACHMENT: 1. Ord 2020-05 Outdoor Dining Structures

ORDINANCE 2020-05

AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, RELATING TO OUTDOOR DINING; AMENDING THE *CODE OF ORDINANCES, APPENDIX G-LAND DEVELOPMENT CODE*; BY AMENDING CHAPTER 14 ENTITLED “ZONING REGULATIONS”; 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 City Council of the City of Daytona Beach Shores desires that the economy of the City of Daytona Beach Shores be one that is vibrant, creative, flexible and dynamic; and

WHEREAS, the City Council of the City of Daytona Beach Shores recognizes that outdoor temporary promotional activities can help to retain and enhance existing business operations and success; and

WHEREAS, the City Council of the City of Daytona Beach Shores recognizes that outdoor temporary promotional activities can be regulated so as to not adversely impact the appearance of the community and its public image; and

WHEREAS, the City Council of the City of Daytona Beach Shores recognizes that outdoor temporary promotional activities can be regulated so as to not adversely impact the public health, safety and welfare; and

WHEREAS, the City Council of the City of Daytona Beach Shores has deemed approval of this Ordinance to be in the best interest of the businesses, visitors, residents and 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, 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 strikethrough shall constitute deletions to the original text.

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

SECTION ONE: The City Council 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, entitled “Zoning Regulations,” by adding the following:

CHAPTER 14 – ZONING REGULATIONS

Sec. 14-22. - GC-1 Tourist-Oriented Commercial District.

14-22.5. Dimensional Requirements.

Minimum lot size: Seven thousand five hundred (7,500) square feet.

Minimum lot width: Sixty-five (65) feet.

Minimum yard size:

Front yard: Twenty (20) feet.

Rear yard: Twenty (20) feet.

Side yard: None, except when abutting any residential district in which case the side yard will be the same as the abutting district.

Maximum building height: Forty-five (45) feet.

Maximum lot coverage: Thirty-five (35) percent of total area. Accessory structures 400 square feet or less that are associated with an approved bona fide outdoor dining conditional use permit pursuant to Sec. 14-58.2.1.A. of this Land Development Code shall be exempt from this standard.

Screening: Shall be a minimum of six-foot opaque fence or wall when abutting a residential district.

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

14-23.5. Dimensional Requirements.

Minimum lot size: Seven thousand five hundred (7,500) square feet.

Minimum lot width: Sixty-five (65) feet.

Minimum yard size:

Front yard: Twenty (20) feet.

Rear yard: Twenty (20) feet.

Side yard: None, except when abutting any residential district in which case the side yard will be the same as the abutting district.

Maximum building height: Forty-five (45) feet.

Maximum lot coverage: The total area covered with principal and accessory building shall not exceed thirty-five (35) percent of the total lot area. Accessory structures 400 square feet or less that are associated with an approved bona fide outdoor dining conditional use permit pursuant to Sec. 14-58.2.1.A. of this Land Development Code shall be exempt from this standard.

Screening: Shall be a minimum of six-foot opaque fence or wall when abutting a residential district.

14-31.1. GC-RD General Commercial-Redevelopment District.

14-31.1.8.

Dimensional Requirements.

Side Yard: Ten (10) feet.

Front Yard: Twenty (20) feet.

Building Height: Forty-five (45) feet.

Rear Yard: Twenty (20) feet.

Lot Coverage: Thirty-five (35) percent. Accessory structures 400 square feet or less that are associated with an approved bona fide outdoor dining conditional use permit pursuant to Sec. 14-58.2.1.A. of this Land Development Code shall be exempt from this standard.

Minimum Lot Size: Seven thousand five hundred (7,500) square feet.

Minimum Lot Width: Seventy-five (75) feet.

Screening: Screening shall, at a minimum, be accomplished by an opaque fence or wall when abutting a residential district both of which must be six (6) feet in height.

Sec. 14-34. - Accessory uses and structures.

No accessory uses, structures, which shall include publication storage devices as an accessory use, shall be located in any required yard except as provided for below:

1. In residential districts accessory uses and structures shall not be located in required front or side yards but may be located in required rear yards not less than five (5) feet from the rear lot line, provided, however, that accessory structures for the housing of persons, such as a garage apartment, shall not be located in any required yard.
2. In residential districts on double frontage lots or corner lots accessory uses and structures shall not be located in any required yard abutting the public right-of-way but may be located not less than five (5) feet of the lot lines of one (1) but not both required yards that abut upon an adjacent lot.
3. In all zoning districts fences, walls, and hedges shall be permitted subject to the requirements of section 14-44.
4. In all zoning districts boat houses and boat docks may be located in any required waterfront yard but shall not encroach within fifteen (15) feet of the side lot.
5. In all zoning districts rooftop air conditioning and ventilating units shall be so screened as to not be visible from the immediate public right-of-way.
6. a. Publication storage devices may be located in any area of any lot except in the area within the following yard areas:
 - (1) *Side Yard*: Twenty (20) feet from the property line.
 - (2) *Front Yard*: Twenty (20) feet from the property line.
 - (3) *Rear Yard*: Ten (10) feet from the property line.
- b. Notwithstanding the foregoing, it is prohibited and unlawful to place, install, use or maintain a publication storage device:
 - (1) So as to violate any relevant provision of the Americans with Disabilities Act (ADA), in existence or as amended from time to time;
 - (2) Within five (5) feet of any marked crosswalk;
 - (3) Within five (5) feet of the curb return of any unmarked crosswalk;
 - (4) Within five (5) feet of any fire hydrant, fire call box, police call box, or other emergency facility;
 - (5) Within five (5) feet of any driveway;
 - (6) In such a location as to cause a material public safety issue;
 - (7) Within such distance from a designated bus stop, bus bench or bus shelter so as to impede the entry or exit from a bus;

- (8) On any access ramp for disabled persons;
- (9) Within the limits of any designated loading zone; or
- (10) So as to interfere with access to or egress from a handicapped parking space.

c. Aside from the above regulations, the City shall not regulate the placement of a publication storage device and shall, in no event, regulate the content of the publication placed in a publication storage device when such publication does not violate law.

7. Accessory uses and structures associated with an approved bona fide outdoor dining conditional use permit pursuant to Sec. 14-58.2.1.A. of this Land Development Code may be permitted in required front and side yards, providing any permanent improvement, except for ground treatment and safety features, shall be located no less than three (3) feet from the property line.

Sec. 14-43. - Exceptions to required yard regulations.

In all zoning districts every part of every required yard shall be open and unobstructed at, and above ground level, except as provided for herein or as otherwise permitted in these regulations:

1. Sills may not project over twelve (12) inches into a required yard.
2. Movable awnings may not project over two (2) feet into a required yard, provided that where the yard is less than five (5) feet in width the projection shall not exceed one-half (½) the width of the yard.
3. Chimneys, fireplaces, pilasters, roof overhangs, unenclosed balconies and stairways shall not project over three and one-half (3½) feet and under no circumstances shall the side yard setback be less than five (5) feet. The board of adjustments shall not grant any variance to this setback requirement.
4. Fences, walls and hedges are permitted in required yards subject to the provisions of section 14-44.

5. Permanent improvements associated with an approved bona fide outdoor dining conditional use permit pursuant to Sec. 14-58.2.1.A. of this Land Development Code may be permitted in required front and side yards, providing any permanent improvement, except for ground treatment and safety features, shall be located no less than three (3) feet from the property line.

Sec. 14-46. - Landscaping standards.

14-46.5. Landscape Design Standards.

1. *Minimum tree and shrub planting or preservation requirements:*

Ordinance 2020-05

Page 5 of 11

a. Trees shall not be placed where they interfere with site drainage or where they shall require frequent pruning to avoid interference with overhead power lines.

(1) Single-family residential lots. One (1) tree shall be planted or preserved for every two thousand five hundred (2,500) square feet of area of a single family residential unit site or fraction thereof in accordance with section 14-46.11, Tree Protection Requirements, Minimum Tree Coverage Requirements of the Zoning Regulations, Chapter 14 of this Code. A minimum of fifty (50) percent of all required trees shall be shade trees if it can be determined that such species are available and which are salt tolerant and wind resistant.

(2) Multi-family residential lots. One (1) tree shall be planted or preserved for every two thousand five hundred (2,500) square feet of multifamily residential unit site or fraction thereof in accordance with section 14-46.11, Tree Protection Requirements, Minimum Tree Coverage Requirements of the Zoning Regulations, Chapter 14 of this Code. A minimum of twenty-five (25) percent of all required trees shall be shade trees if it can be determined that such species are available and which are salt tolerant and wind resistant.

(3) *Non-residential lots* . One (1) tree shall be planted or preserved for every two thousand five hundred (2,500) square feet of non-residential site or fraction thereof in accordance with section 14-46.11, Tree Protection Requirements, Minimum Tree Coverage Requirements of the Zoning Regulations, Chapter 14 of this Code. A minimum of fifty (50) percent of all required trees shall be shade trees if it can be determined that such species are available and which are salt tolerant and wind resistant. Notwithstanding the requirements of this section to the contrary, the provisions hereof may be waived upon application of the property owner provided that: (i) the waiver is in conjunction with an approved bona fide outdoor dining conditional use permit, and (ii) the subject property is, and continuously has been, nonconforming to the landscape standards adopted prior to ordinance 2020-05.

2. *Landscaping the interior of vehicular use areas* : It is the intent of the City that vehicular use areas be both functional and aesthetically pleasing. It is the intent of these regulations to achieve this goal by providing for greater design flexibility while increasing minimum standards for required landscaping. A distinction is made among landscape regulations applicable to two (2) types of vehicular use areas. These are:

Off-street parking; and

Other vehicular use areas (such as "stacking" areas in automotive service stations, fast food outlets, or banks) that are used by the public, but not for parking.

Within off-street parking areas, developers are permitted to choose between two (2) design alternatives. The first, the traditional approach, required land to be set aside in the form of interior islands and perimeter landscape strips. The second eliminates interior islands, but increases tree canopy through increased planting. This design option is only available, however, if parking stalls are laid out so that four (4) stalls intersect.

Regarding vehicular use areas not used for off-street parking but that are open to the public, it is required that an area equal to a percentage of the total paved area be set aside for interior landscaping. This approach gives greater design flexibility and is relatively easily administered.

a. *Landscaping the interior of off-street parking areas.*

(1) *Design alternative one.*

(a) A minimum of fifteen (15) square feet of landscaping for each parking space shall be provided within the interior of an off-street parking area. Notwithstanding the requirements of this section to the contrary, the provisions hereof may be waived upon application of the property owner provided that: (i) the waiver is in conjunction with an approved bona fide outdoor dining conditional use permit, and (ii) the subject property is, and continuously has been, nonconforming to the landscape standards adopted prior to ordinance 2020-05.

(b) Each row of parking spaces shall be terminated by landscaped islands that measure not less than five (5) feet in width and not less than eighteen (18) feet in length. At least one (1) tree shall be planted in each terminal landscaped island. Notwithstanding the requirements of this section to the contrary, the provisions hereof may be waived upon application of the property owner provided that: (i) the waiver is in conjunction with an approved bona fide outdoor dining conditional use permit, and (ii) the subject property is, and continuously has been, nonconforming to the landscape standards adopted prior to ordinance 2020-05.

(c) Interior landscaped islands shall also be provided within each row of parking spaces. One (1) interior island shall be provided for each twelve (12) parking spaces or fraction thereof. Landscaped interior islands shall measure not less than five (5) feet in width and not less than eighteen (18) feet in length. At least one (1) tree shall be planted in each interior island.

(d) Landscaped divider medians may be used to meet interior landscape requirements. If divider medians are used, they should form a continuous landscaped strip between abutting rows of parking spaces. The minimum width of a divider median shall be five (5) feet. One (1) tree shall be planted for each forty (40) linear feet of median or fraction thereof. Trees in a median may be planted singly or in clusters.

(e) All interior landscaped areas not dedicated to trees or to the preservation of existing vegetation shall be landscaped with grass, ground cover or shrubs. Sand or other pavement shall not be considered appropriate landscape treatment.

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

14-58.2.1.A. Outdoor Dining.

4. Review Criteria .

- a. In commercial districts, outdoor dining may only be permitted where a restaurant or retail establishment serving prepared food generates over fifty (50) percent of its gross sales from the sale of food 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 ~~shall not be located~~ 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 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 food preparation establishment, unless otherwise approved by the city council.
- 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 (100) square feet 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. Any change in the location of the permitted outdoor dining area shall require a new application and permitting.
- 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, article II of this Code.
- j. Feeding of wildlife shall be prohibited and unlawful.
- k. All outdoor dining furniture and accessories shall be maintained in good repair.

SECTION TWO: ENFORCEMENT AND PENALTIES.

- (a). It is prohibited and unlawful for any person to fail to comply with the requirements of this Ordinance.
- (b). The City may enforce the provisions of this Ordinance by any lawful means available to the City under the controlling provisions of State law and Section 1.8 of the *Code of Ordinances of the City of Daytona Beach Shores, Florida*.
- (c). The penalties for violation of this Ordinance shall be as set forth in the code enforcement method asserted by the City under the *Code of Ordinances of the City of Daytona Beach Shores, Florida* or as may be available under the controlling provisions of State law.

SECTION THREE: SAVINGS. The prior actions of the City of Daytona Beach Shores relating to temporary promotional activities 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 Five, Six, Seven, Eight, Nine and Ten 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 enactment.

CITY OF DAYTONA BEACH SHORES, FLORIDA

NANCY MILLER, MAYOR

MICHAEL T. BOOKER, CITY MANAGER

CHERI SCHWAB, CITY CLERK

Approved as to form and legality:

RAYMOND BRANCH, CITY ATTORNEY

Passed on first reading this _____ day of _____, 2020.

Adopted on second reading this _____ day of _____, 2020.



CITY COUNCIL AGENDA MEMORANDUM

APRIL 28, 2020 AGENDA

TO: Honorable Mayor and Members of the City Council

FROM: Stewart Cruz, City Planner

PREPARED BY: Stewart Cruz, City Planner

SUBJECT: Economic Development Grant Application 12020014: Daytona Diner Outdoor Dining Improvements-2043 S. Atlantic Avenue

SYNOPSIS:

On February 26, 2020, the City received Economic Development Grant application 12020014 from Daytona Diners, LLC, owner of the Daytona Diner restaurant located at 2043 S. Atlantic Avenue. The restaurant is situated on the east side of S. Atlantic Avenue on the Castaways Resort property and is open to the general public. The application is for a lease subsidy renovation grant that would facilitate the expansion of the business by constructing an outdoor dining area. Based on the two bids provided, the lowest total cost of the project is \$28,963.58. In line with the Economic Development Committee guidelines and previous action by the City Council, ie a dollar for dollar match capped at \$20,000, if approved, the grant would be in the amount of \$14,481.79.

FISCAL IMPACT STATEMENT:

This is a budgeted item.

BACKGROUND:

On July 9, 2019 the Daytona Beach Shores City Council approved Economic Development Ordinance 2019-06. Sec. Four (a) of the ordinance establishes a Commercial lease Subsidy Program while Sec. Four (d) states "lease subsidies may be made only to, or for the benefit of, a tenant and may only be used for development and renovations to real property or lease payments as determined by the City Council." Lease subsidies are capped at \$20,000.

On March 10, 2020, the City Council agreed to take formal action on amending Ordinance 2019-06 at a future City Council meeting. However, the City Council also directed staff to halt the processing of any new Economic Development applications although existing and completed applications already in the pipeline may continue to be processed accordingly. The Daytona Diner application meets this criteria.

In addition to extending its current lease for five years, the Daytona Diner establishment is proposing to expand their existing business by constructing an outdoor dining area on the ocean side of the restaurant. The outdoor dining expansion area is approximately 512 square feet and will cater to owners with pets and those who enjoy beachfront views. If established, the outdoor dining area will provide 24 seats and five tables and create two new jobs. The proposed work includes, among other things:

support columns, new ceiling, privacy fence, electrical work, new glass patio door, ADA ramp work, internal and external painting, etc.

LEGAL REVIEW:

RECOMMENDATION:

Due to the COVID-19 pandemic, the Economic Development Committee (EDC) did not have the opportunity to meet to discuss the grant as a group. However, multiple staff have individually reviewed the application consistent with Ordinance 2019-06 and the EDC's guidelines. Staff recommends approval of the grant and accompanying agreement in the amount of \$14,481.79.

NOTE: This amount applies a dollar for dollar match per the EDC guidelines.

SUGGESTED MOTION:

A City Council member may move as follows:

1. "I move to approve Economic Development Grant Application 12020014 and its accompanying grant agreement as presented."

OR

2. "I move to approve Economic Development Grant Application 12020014 and its accompanying grant agreement with the following conditions..."

OR

3. "I move to deny Economic Development Grant Application 12020014 and its accompanying grant agreement on the basis of the following..."

ATTACHMENT:

1. Daytona Diner-EDG Application 12020014-City Council Mtg
2. ord 2019-06 economic development
3. Daytona Diner Development -Renovation Agreement

DAYTONA BEACH SHORES ECONOMIC DEVELOPMENT PROGRAM

GRANT APPLICATION

12020014 12020014

(There is no entitlement to any reward, but the City encourages applications and the opportunity to work with applicants.)

DATE RECEIVED:

REFERENCE:

(Please Print)

APPLICANT NAME: Daytona Diner
CONTACT PERSON (if an entity): Linda Toffolun
ADDRESS: 2043 S. Atlantic Ave.
CITY: DBS STATE: FL ZIP: 32118
TELEPHONE: 256-2603 FAX:
EMAIL ADDRESS: LTOFFOLOV@CFL.RR.COM

522111
RECEIVED

FEB 26 2020

BUILDING AND CODES DIVISION
CITY OF DAYTONA BEACH SHORES

APPLICANT BUSINESS STRUCTURE:

(Please check all that apply)

☒ Sole proprietorship/individual

☐ Corporation

☐ Limited Liability Company

☐ Other

GRANT TYPE:

(Check one only)

Lease Subsidy

☐ New Business (Buildout or Lease Subsidy)

☒ Existing Business Expansion

☐ Existing Business Relocation

☐ Existing Business Lease Extension

Other

☐ Land Purchase

☐ Façade/Beautification

☐ Alternative Grant Request

PROJECT SITE INFORMATION:

Address: 2043 S. Atlantic Ave.

City: DBS

State: FL

Zip: 32118

Tax Parcel ID:

5316-30-00-0001

BASE REAL PROPERTY VALUE:

Most recent City Taxable Value \$ Year:

Maximum New Investment Value \$

Certified by a licensed Florida Engineer or Architect \$

PROJECT DESCRIPTION:

Outdoor Seating. 24 Seats over looking the ocean. Extend property to include a removed back gate to allow handicap accessibility & parking. Enclose covered patio with privacy panels and additional fencing. Replace ceiling with metal Sheets to attain desired 50's diner theme.

PROJECT BENEFITS TO THE CITY:

Outdoor dining can let dog owners bring their pets with them. Can increase revenue thereby creating additional jobs. Will offer locals and visitors to our city a unique dining experience. Will enhance the look and value of the property. To my knowledge we are the only dog friendly restaurant in the Shores. We anticipate adding one to two additional employees.

REQUIRED PROJECT CHECKLIST:

- ☒ Certification by Applicant
- ☒ Application Authorization or Affidavit of Ownership
- ☒ Site plan, building plans, elevations and a detailed scope of work
- ☐ Business Plan
- ☐ Estimate by a Licensed Engineer or Architect certifying amount of new investment *Contractor* x
- ☐ Most recent property tax bill and truth in millage statement *N/A*

CERTIFICATION BY APPLICANT

The applicant certifies that all information in this application, and all information furnished in support of this application, is given for obtaining funds from the City of Daytona Beach Shores Economic Development Program and is true and complete to the best of the applicant's knowledge and belief.

If the applicant is not the owner of the property, or if the applicant is an organization rather than an individual, the applicant certifies that he/she has the authority to sign and enter into an agreement to perform the improvements on the property. **Evidence of this authority must be attached.**

Verification of any of the information contained in this application may be obtained from any source named herein.

It is further understood that all information obtained will be held in strict confidence and used for no other purposes by the City of Daytona Beach Shores inconsistent with controlling law. I have received and reviewed the program guidelines prior to submitting this application.

SIGNATURE:

Linda Tollo

DATE: 2-6-20'

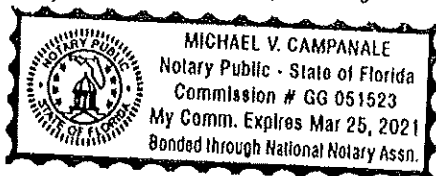
PRINTED NAME: *Linda Tollo*

STATE OF FLORIDA

COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this 6th day of FEBRUARY, 2020 by LINDA TOLLOLON, who is personally known to me, ~~OR who~~ has produced _____ as identification and did (did not) take an oath.

My commission expires: 2021'



MIKE CAMPANALE

Mike Campanale

Printed Name:

NOTARY PUBLIC

AFFIDAVIT OF OWNERSHIP*

PROPERTY ADDRESS:
TAX PARCEL ID:

Signed and sealed
in the presence of:

WITNESS #1 (Signature)

Evelyn Ellul

NAME PRINTED

EVELYN ELLUL

WITNESS #2 (Signature)

Elaine Fels

NAME PRINTED

ELAINE FELS

STATE OF FLORIDA

COUNTY OF VOLUSIA

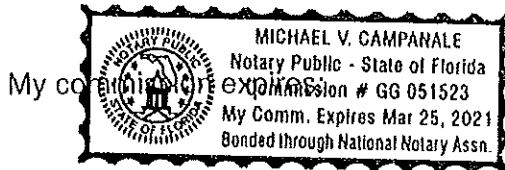
OWNER (Printed Name)

TIM BALAS

OWNER (Signature)

Tim Balas

The foregoing instrument was acknowledged before me this 6th day of Feb, 2020
by Tim BALAS, V.P., who is personally known to me, ~~OR who has~~
produced _____ as identification and did (did not) take an oath:



Mike Campanale
Mike Campanale
Printed Name:
NOTARY PUBLIC

*NOTE: If more than one owner please provide additional affidavit of ownership
for each owner.

AUTHORIZATION TO APPLY

I, _____, am the owner of the following described property:

PROPERTY ADDRESS:

I do hereby authorize the following named individual or entity to apply for an Economic Development grant and enter into an agreement with the City of Daytona Beach Shores.

AUTHORIZED REPRESENTATIVE:
(IF APPLICABLE)

PROPERTY OWNER (1) (Print Name)

TIM BALAS

PROPERTY OWNER (2) (Printed Name)

N/A

PROPERTY OWNER (1) (Signature)

Tim Balas

PROPERTY OWNER (2) (Signature)

N/A

STATE OF FLORIDA

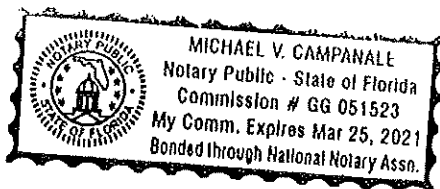
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this *6th* day of *February*, 2020' by *TIM BALAS, V.P.*, who is personally known to me, ~~OR who has produced~~ as identification and ~~did (did not) take an oath.~~

MIKE CAMPANALE

Mike Campanale

My commission expires: *2021'*



Printed Name:
NOTARY PUBLIC



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

Detail by Entity Name

Florida Profit Corporation
DAYTONA DINERS, INC.

Filing Information

Document Number	P96000086979
FEI/EIN Number	59-3410150
Date Filed	10/21/1996
State	FL
Status	ACTIVE
Last Event	AMENDMENT
Event Date Filed	05/27/2014
Event Effective Date	NONE

Principal Address

2043 S. Atlantic Avenue
Daytona Beach Shores, FL 32118

Changed: 02/02/2014

Mailing Address

2967 S. Atlantic Avenue
Unit 401
Daytona Beach Shores, FL 32118

Changed: 02/17/2020

Registered Agent Name & Address

TOFFOLON, LINDA
2967 S. Atlantic Avenue
Unit 401
Daytona Beach Shores, FL 32118

Name Changed: 08/02/2011

Address Changed: 02/17/2020

Officer/Director Detail

Name & Address

Title D, President

TOFFOLON, LINDA

2967 S. Atlantic Avenue
Unit 401
Daytona Beach Shores, FL 32118

Title SV

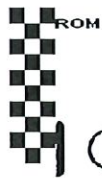
ARMSTRONG, MARLENE
P.O. BOX 290062
PORT ORANGE, FL 32129

Annual Reports

Report Year	Filed Date
2018	03/05/2018
2019	02/02/2019
2020	02/17/2020

Document Images

02/17/2020 -- ANNUAL REPORT	View image in PDF format
02/02/2019 -- ANNUAL REPORT	View image in PDF format
03/05/2018 -- ANNUAL REPORT	View image in PDF format
03/14/2017 -- ANNUAL REPORT	View image in PDF format
03/30/2016 -- ANNUAL REPORT	View image in PDF format
04/02/2015 -- ANNUAL REPORT	View image in PDF format
05/27/2014 -- Amendment	View image in PDF format
02/02/2014 -- ANNUAL REPORT	View image in PDF format
02/14/2013 -- ANNUAL REPORT	View image in PDF format
03/06/2012 -- ANNUAL REPORT	View image in PDF format
08/02/2011 -- ANNUAL REPORT	View image in PDF format
02/25/2011 -- REINSTATEMENT	View image in PDF format
01/10/2009 -- ANNUAL REPORT	View image in PDF format
01/14/2008 -- ANNUAL REPORT	View image in PDF format
01/08/2007 -- ANNUAL REPORT	View image in PDF format
02/03/2006 -- ANNUAL REPORT	View image in PDF format
01/16/2005 -- ANNUAL REPORT	View image in PDF format
03/23/2004 -- ANNUAL REPORT	View image in PDF format
03/12/2003 -- ANNUAL REPORT	View image in PDF format
02/26/2002 -- ANNUAL REPORT	View image in PDF format
04/18/2001 -- ANNUAL REPORT	View image in PDF format
03/08/2000 -- ANNUAL REPORT	View image in PDF format
03/10/1999 -- ANNUAL REPORT	View image in PDF format
02/27/1998 -- ANNUAL REPORT	View image in PDF format
01/17/1997 -- ANNUAL REPORT	View image in PDF format
10/21/1996 -- DOCUMENTS PRIOR TO 1997	View image in PDF format



Daytona Diner <ltoffolon65@gmail.com>

Daytona Diner 5 Year Lease Renewal / Extension....

message

impanale <campanale@aol.com>
>: ltoffolon65@gmail.com

Fri, Apr 17, 2020 at 11:38 AM

Linda,

The Castaways Board of Directors are pleased to inform you that your current
Diner Lease has been approved for a full five year extension effective immediately.
If you have any questions or need additional information or documentation, please
do not hesitate to contact me at any time.... mvc

Michael V. Campanale
President

Castaways Beach Resort Condominium Association, Inc.
2043 South Atlantic Avenue
Daytona Beach Shores, FL 32118
Office - 386-255-1305
Home - 386-226-1087
Fax - 386-255-1381
campanale@aol.com

Bruce E. Butler
Daytona Beach, FL 32118
License #13VH05913500

Daytona Diner
2043 S Atlantic Ave
Daytona Beach Shore
FL 32118

Proposed Project: Create new outdoor seating capacity

Construct four new 16"x16"x48" concrete fence columns to support 3' aluminum fencing to match existing gate, move existing gate as shown in diagram supplied by owner. \$2,500

Cut existing sidewalk and pour new ramp access to parking lot for new entrance.
Also restrip parking lot to conform to drawing supplied by owner. \$1,700

Construct entrance gate with small metal roof and cedar gates. \$1,100

Paint exterior walls to match existing pattern in black and white diamonds. \$ 580

Build privacy screen above south facing wall and north facing opening using cedar framework, ss fasteners and aluminum privacy screen selected by owner. \$4,800

Construct concrete columns and metal framework from 2"x2"x1/4" to support proposed granite counter 36"x120". \$2,200

Create new ceiling using corrugated galvanized metal
and cedar framing, again using ss fasteners \$2,000

Paint patio area to resemble interior floor and walls of
diner. \$ 700

Have qualified electrician extend existing lighting as
needed. \$1,300

Replace existing door to patio by glass contractor. \$9,548

Total cost of project:

\$26,428

Signed


Bruce E. Butler

Atlantic Breeze Construction LLC.**P.O. Box 291288****Port Orange, FL 32129****CBC1261432****518-572-0744****Proposal:****Daytona Diner****2043 Atlantic Avenue****Daytona Beach Shores, FL 32118****Attn: Linda Toffolon****Proposed Project;****Create new outdoor seating area****Date: April 12, 2020**

Construct four new 16"X16"X48" Concrete columns to support 3' aluminum fencing to match existing gate, move existing gate in diagram supplied by owner.	\$2900.00
Cut existing concrete sidewalk and pour a new ADA compliant ramp access to parking lot. We will also stripe parking lot to specifications provided by owner.	\$1950.00
Paint exterior walls to match existing pattern in black and white diamonds.	\$750.00
We will construct a privacy screen above south facing wall and north facing opening using cedar framing, all stainless steel fasteners and aluminum privacy screen selected by owner.	\$5,150.00
Construct concrete columns and aluminum framework from 2"X2"X1/4" to support proposed granite counter 36"X120".	\$2400.00

Create new ceiling using corrugated galvanized metal and cedar framing,
using stainless steel fasteners. \$2250.00

Paint patio area to match interior floor design inside diner. \$925.00

A certified electrician will extend existing lighting all done to local codes. \$1550.00

We will replace existing door to the patio area, to be installed by an independent
Contractor, see attached quote.

Kevin Menard
President



Total Cost: \$17,875.00

Thank you for your valued business



Alpha Omega Glass and Mirror, LLC

151 Carswell Avenue • Daytona Beach, Florida 32117

PHONE (386) 239-9521 • FAX (386) 238-6066

www.alphaomegaglass.com

Monday, March 2, 2020

Linda Tiffolon | Daytona Diner — 386-453-1256

Project: 2043 S Atlantic Ave, Daytona Beach, FL 32118, FL

Subject: Storefront Entrance

To Provide and Install the following product based on the following conditions:

▪ **Scope of Work**

- Install Large Missile Hurricane Impact Rated Storefront

▪ **Constraints on Proposal**

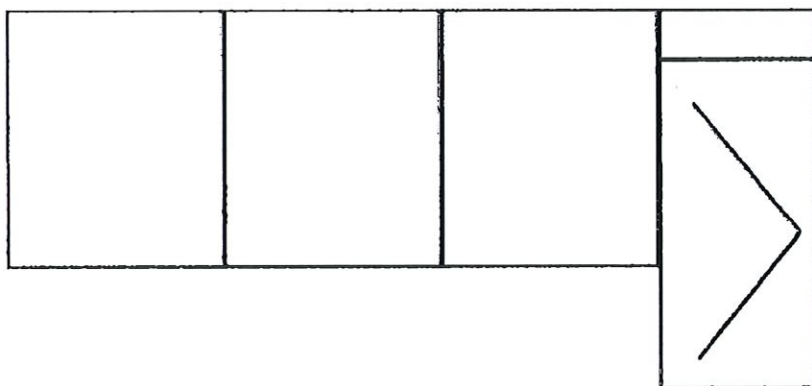
- No Plans, Specifications, or Design Pressures received
- Alpha Omega Glass carries insurance above that required by the state of Florida
- Work to be completed during normal business hours. Mon-Fri, 7:00am-3:30pm

▪ **Products**

- Aluminum Storefront Entrance
 - One (1) Opening w/ Single Door and Transom, and Windows
 - Large Missile Hurricane Impact Rated
 - 1-5/16" Laminated Insulated Glass
 - 2 ½" x 5" Aluminum Framing
 - Medium Stile Doors w/ Standard 8" Bottom Rail
 - All Hardware is Manufacturer Standard w/ standard Finish
 - Tubular Push/Pull Handles, Butt Hinges, Surface Mounted Closers
 - MS Lock w/ Construction Cylinder & Thumb Turn. Final Cylinder by Others

▪ **Color/Finish**

- Metal Framing: Dark Bronze Anodized
- Glass: Standard Gray (Turtle Code Compliant)



Base Proposal

Base Price: (Sales Tax Included)	\$9,843.54
3.0% Discount for Payment by Cash or Check:	\$295.31
Discounted Cash Price:	\$9,548.23

****Must Pay Total Contract by Cash/Check to Receive Discounted Cash Price****

State Certified Glazing Contractor. License # SCC131151136

Page 1 of 2

Alpha Omega Glass and Mirror, LLC
Ph: (386) 239-9521, Fax: (386) 238-6066

The following items are specifically excluded from this estimate: Permits, Mock-ups, Special Samples, NFRC Testing, Shop Drawings, P.E. Licensed Stamps, Structural Calculations, Engineering, Cleaning and Protective/Strippable Coatings, Air Barriers, Applied Waterproofing, Special or Field Testing, Board-Up, Trims/Stucco/concrete/brick/drywall/paint/wallpaper/flooring repairs required prior to or as a result of this scope of work, Hurricane protection for non-impact framing, Structural Repairs or Modifications, Insurance in excess of Florida Statutory requirements. Final Cleaning, anything not specifically spelled out in this proposal.

Terms and Conditions: 50% Deposit. Balance Due Upon Completion. This quotation is valid for 30 days. Acceptance of this offer shall constitute an order and contract for the purchase of the items described herein. Payments made after the agreed term will receive a Finance Charge of 1-1/2% per month or 18% Annual Percentage Rate. In the event it shall become necessary for Alpha Omega Glass, LLC. to enforce any of the provisions of this agreement, the purchaser agrees to pay all costs and expenses associated with such enforcement including without limitation, reasonable attorney's fees, court costs, and appellate costs. Venue shall be in Volusia County, FL.

Adds to Base Proposal

- **Adds for Door Panel Upgrades:**
 - Upgrade to 10" Bottom Rail for ADA. **Add: \$36.00**
- **Adds for Door Hardware Upgrades:**
 - Upgrade to Manufacturer's Standard Panic Exit Device. **Add: \$981.00**
 - Upgrade to Heavy Duty Closer. **Add: \$98.00**
 - Upgrade to LCN 4041 Closer. **Add: \$335.00**

Building Permit

- **Option #1:**
 - Building Permit to be obtained and paid for by a General Contractor.

This Option Accepted By: Signed: _____, Print: _____
- **Option #2:**
 - Building Permit to be obtained by Alpha Omega Glass. Required if Building Permit is not obtained by a General Contractor. **Add: \$250.00 PLUS City's permit fees, plus any additional engineering fees required as a result of inquiries by the Building Official.**

This Option Accepted By: Signed: _____, Print: _____

Thank you,



Toby Herman
 Estimator/Project Manager

Proposal Accepted by:

Signed: _____

Print: _____

Title: _____ Date: _____

Furniture
Total

\$2,535.58

Flash Furniture... 70% 11:55 AM

Flash Furniture...
lore.com

X



\$498.87
X2
\$997.74

Flash Furniture... 70% 11:55 AM

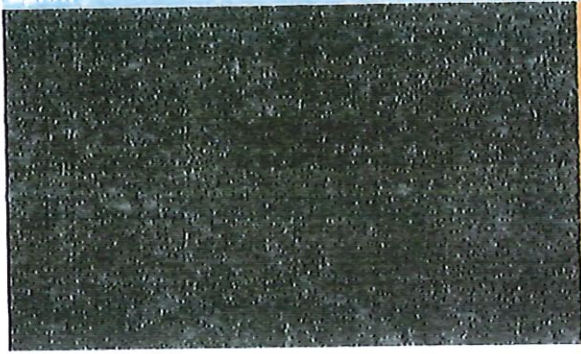


\$371.18
X2
\$742.36

pack of
2 bar
stools
\$198.87
X4
\$795.48

Sprint

08/28/11 11:48 AM



Black Pearl

Starting at

\$53¹⁰/sq. ft.

Buy A Sample

$$\$53.10 \times 20' = \$1,062$$

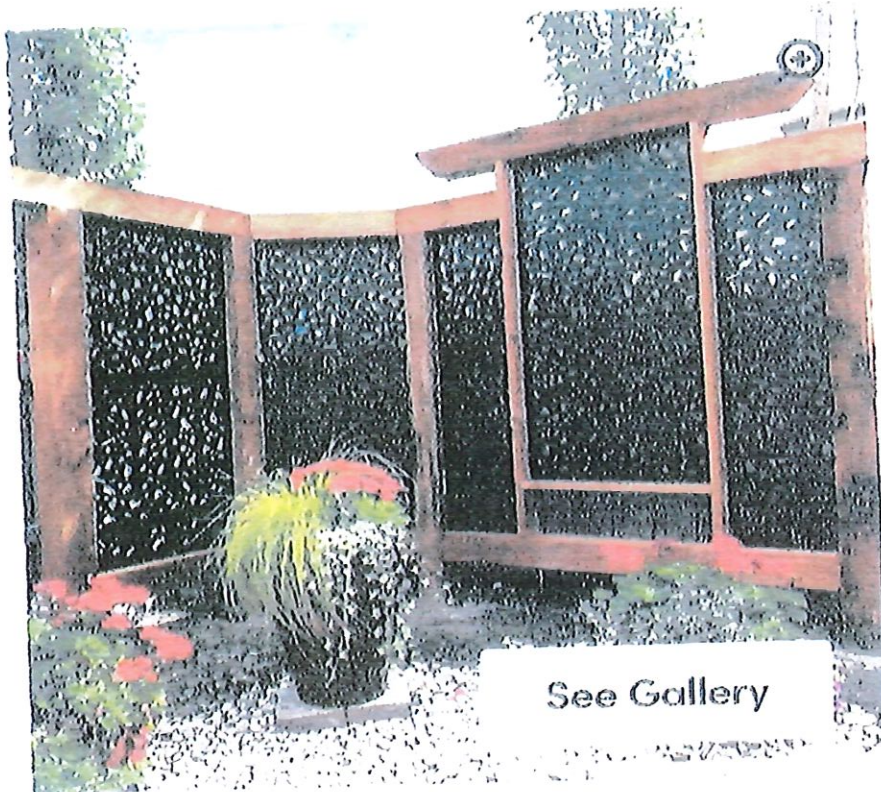
* included in estimate!

Hideaway Scr...
wayfair.com



Screens Shop

★★★★★ 5.0 | [1 Review](#)



See Gallery

\$369.99

(6' H x 3' W)
Panel

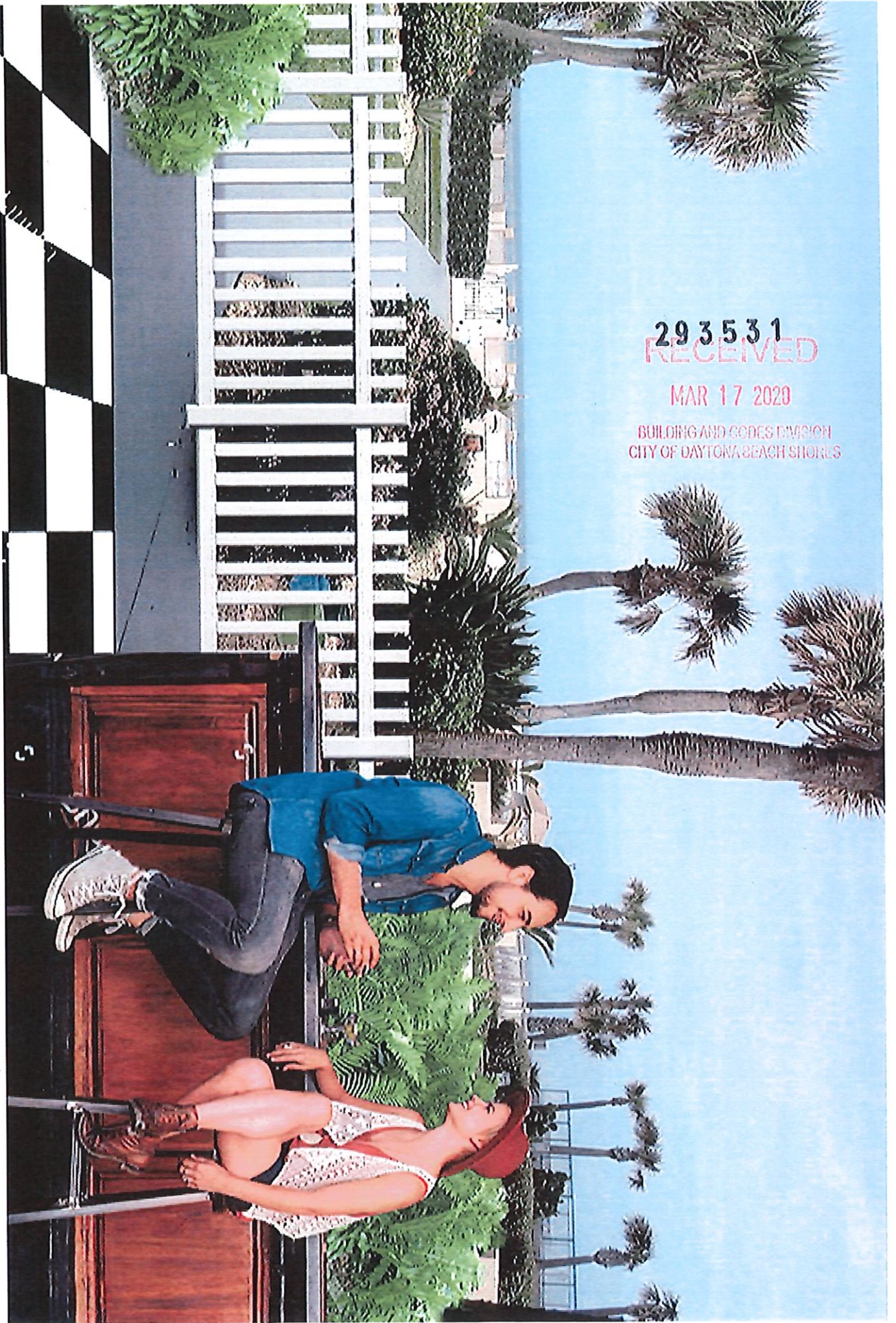
★ 8 panels = \$2959.92

included in estimate

Existing
Area



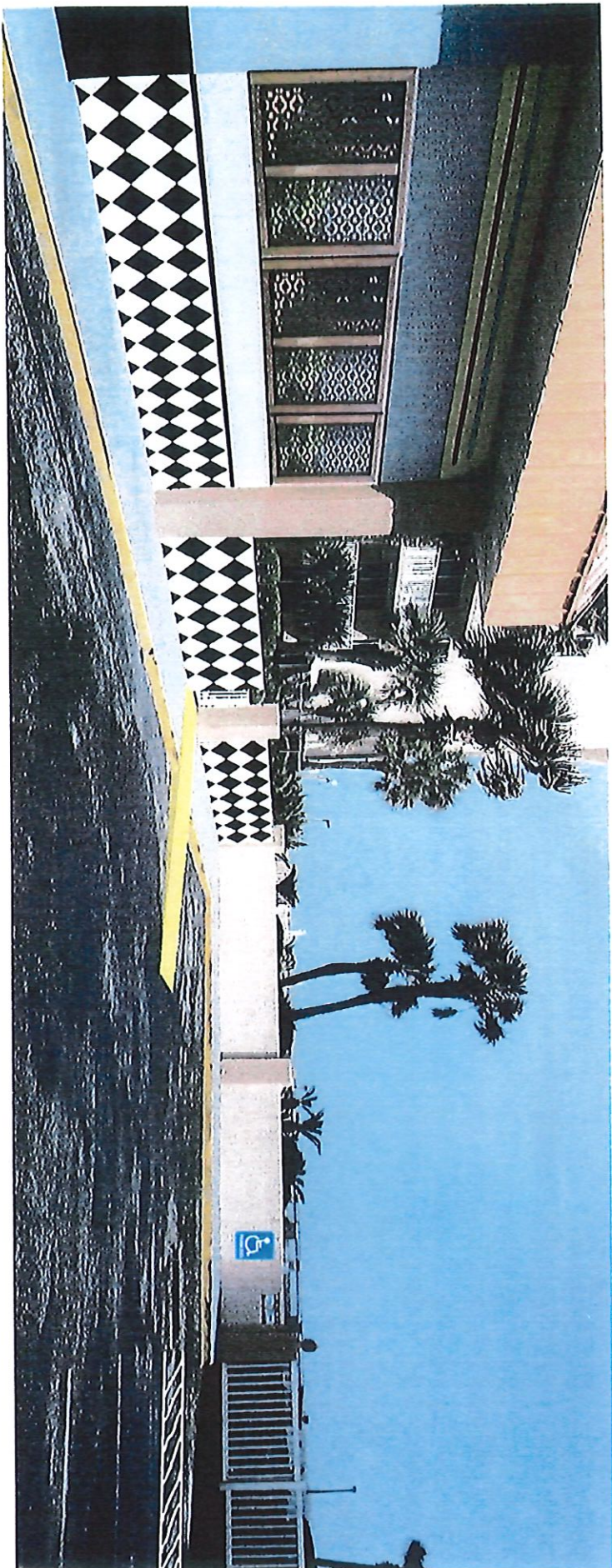


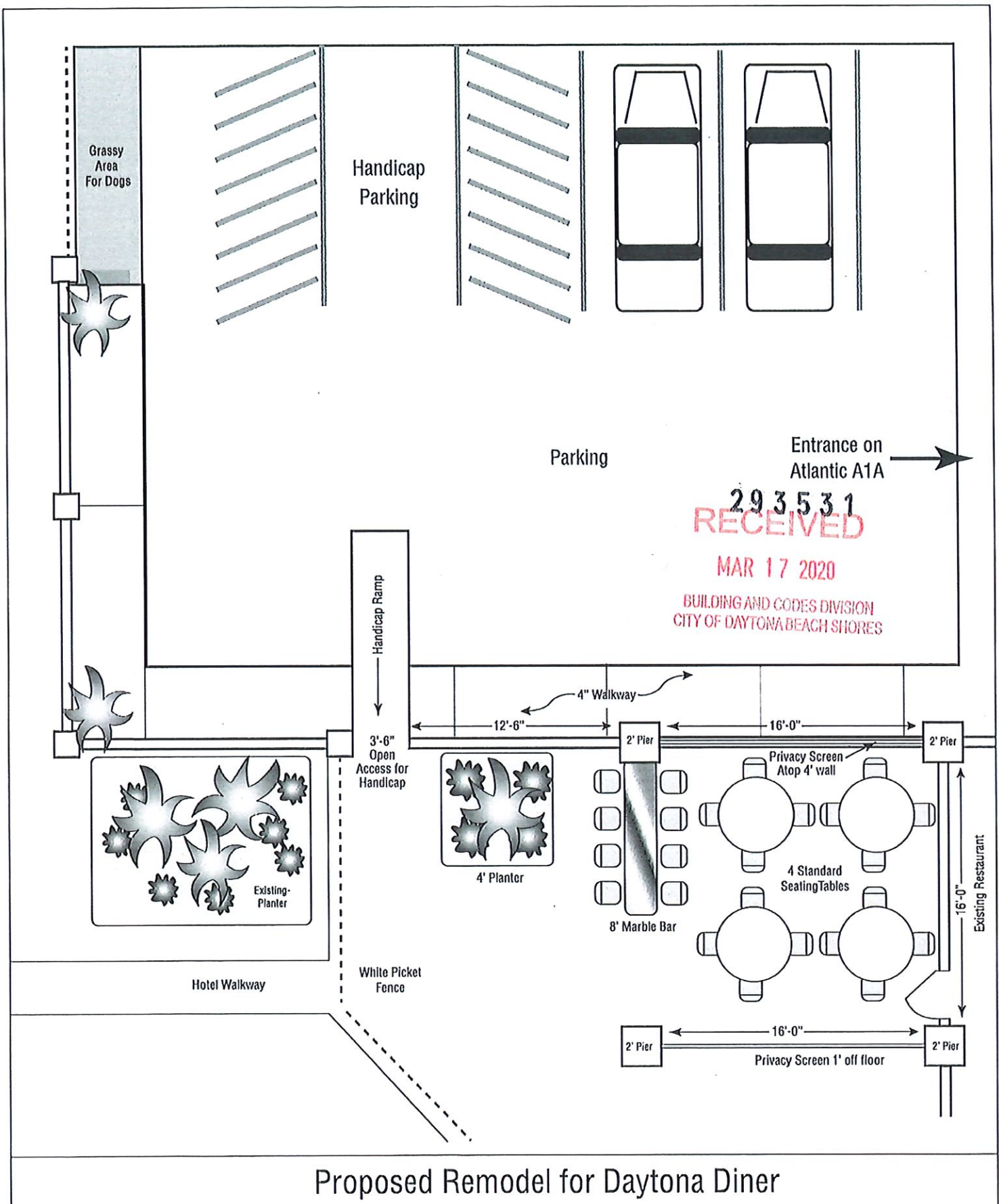


293531
RECEIVED

MAR 17 2020

BUILDING AND CODES DIVISION
CITY OF DAYTONA BEACH SHORES





Cruz, Stewart

From: Linda Toffolon <ltoffolon65@gmail.com>
Sent: Thursday, March 26, 2020 10:56 AM
To: Cruz, Stewart
Subject: Re: Outdoor Seating Plans for Daytona Diner

Yes. Thank you.

On Thu, Mar 26, 2020, 10:50 AM Cruz, Stewart <scruz@cityofdbb.org> wrote:

I will remove the design work from the concrete wall (fence) as requested. Thank you.

stewart

From: Linda Toffolon <ltoffolon65@gmail.com>
Sent: Thursday, March 26, 2020 10:34 AM
To: Cruz, Stewart <scruz@cityofdbb.org>
Subject: Outdoor Seating Plans for Daytona Diner

Stewart, Please remove outside wall design from our plans. Thank you.

Linda Toffolon

Daytona Diner

ORDINANCE 2019-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA RELATING TO A COMPREHENSIVE ECONOMIC DEVELOPMENT PROGRAM; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ECONOMIC DEVELOPMENT ACTIVITIES SUCH AS GRANT AGREEMENTS, DEVELOPMENT AGREEMENTS AND A BUSINESS LOYALTY PROGRAM; PROVIDING FOR THE CREATION OF THE CITY OF DAYTONA BEACH SHORES ECONOMIC DEVELOPMENT PROGRAM TRUST FUND; PROVIDING FOR AN ARRAY OF IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AS WELL AS THE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Daytona Beach Shores, Florida has the desire to ensure that the City of Daytona Beach Shores and its environs are desirable for economic development of a positive nature for the benefit of the citizens of the City of Daytona Beach Shores; and

WHEREAS, Section 166.021(8), *Florida Statutes*, provides as follows:

“(8) (a) The Legislature finds and declares that this state faces increasing competition from other states and other countries for the location and retention of private enterprises within its borders. Furthermore, the Legislature finds that there is a need to enhance and expand economic activity in the municipalities of this state by attracting and retaining manufacturing development, business enterprise management, and other activities conducive to economic promotion, in order to provide a stronger, more balanced, and stable economy in the state, to enhance and preserve purchasing power and employment opportunities for the residents of this state, and to improve the welfare and competitive position of the state. The Legislature declares that it is necessary and in the public interest to facilitate the growth and creation of business enterprises in the municipalities of the state.

(b) The governing body of a municipality may expend public funds to attract and retain business enterprises, and the use of public funds toward the achievement of such economic development goals constitutes a public purpose. The provisions of this chapter which confer powers and duties on the governing body of a municipality, including any powers not specifically prohibited by law which can be exercised by the governing body of a municipality, shall be liberally construed in order to effectively carry out the purposes of this subsection.

(c) For the purposes of this subsection, it constitutes a public purpose to expend public funds for economic development activities, including, but not limited to, developing or improving local infrastructure, issuing bonds to finance or refinance the cost of capital projects for industrial or manufacturing plants, leasing or

conveying real property, and making grants to private enterprises for the expansion of businesses existing in the community or the attraction of new businesses to the community.

(d) A contract between the governing body of a municipality or other entity engaged in economic development activities on behalf of the municipality and an economic development agency must require the agency or entity receiving municipal funds to submit a report to the governing body of the municipality detailing how the municipal funds are spent and detailing the results of the economic development agency's or entity's efforts on behalf of the municipality. By January 15, 2011, and annually thereafter, the municipality shall file a copy of the report with the Office of Economic and Demographic Research and post a copy of the report on the municipality's website.

(e)1. By January 15, 2011, and annually thereafter, each municipality having annual revenues or expenditures greater than \$250,000 shall report to the Office of Economic and Demographic Research the economic development incentives in excess of \$25,000 given to any business during the municipality's previous fiscal year. The Office of Economic and Demographic Research shall compile the information from the municipalities into a report and provide the report to the President of the Senate, the Speaker of the House of Representatives, and the Department of Economic Opportunity. Economic development incentives include:

a. Direct financial incentives of monetary assistance provided to a business from the municipality or through an organization authorized by the municipality. Such incentives include, but are not limited to, grants, loans, equity investments, loan insurance and guarantees, and training subsidies.

b. Indirect incentives in the form of grants and loans provided to businesses and community organizations that provide support to businesses or promote business investment or development.

c. Fee-based or tax-based incentives, including, but not limited to, credits, refunds, exemptions, and property tax abatement or assessment reductions.

d. Below-market rate leases or deeds for real property.

2. A municipality shall report its economic development incentives in the format specified by the Office of Economic and Demographic Research.

3. The Office of Economic and Demographic Research shall compile the economic development incentives provided by each municipality in a manner that shows the total of each class of economic development incentives provided by each municipality and all municipalities.

(f) This subsection does not limit the home rule powers granted by the State Constitution to municipalities."

; and

WHEREAS, Section 187.201(21), *Florida Statutes*, (part of the *State Comprehensive Plan*) provides as follows:

“(21) THE ECONOMY.--

(a) Goal. --Florida shall promote an economic climate which provides economic stability, maximizes job opportunities, and increases per capita income for its residents.

(b) *Policies.*--

1. Attract new job-producing industries, corporate headquarters, distribution and service centers, regional offices, and research and development facilities to provide quality employment for the residents of Florida.
2. Promote entrepreneurship and small and minority-owned business startup by providing technical and information resources, facilitating capital formation, and removing regulatory restraints which are unnecessary for the protection of consumers and society.
3. Maintain, as one of the state's primary economic assets, the environment, including clean air and water, beaches, forests, historic landmarks, and agricultural and natural resources.
4. Strengthen Florida's position in the world economy through attracting foreign investment and promoting international banking and trade.
5. Build on the state's attractiveness to make it a leader in the visual and performing arts and in all phases of film, television, and recording production.
6. Promote economic development for Florida residents through partnerships among education, business, industry, agriculture, and the arts.
7. Provide increased opportunities for training Florida's workforce to provide skilled employees for new and expanding business.
8. Promote economic self-sufficiency through training and educational programs which result in productive employment.
9. Promote cooperative employment arrangements between private employers and public sector employment efforts to provide productive, permanent employment opportunities for public assistance recipients through provisions of education opportunities, tax incentives, and employment training.
10. Provide for nondiscriminatory employment opportunities.
11. Provide quality child day care for public assistance families and others who need it in order to work.
12. Encourage the development of a business climate that provides opportunities for the growth and expansion of existing state industries, particularly those industries which are compatible with Florida's environment.
13. Promote coordination among Florida's ports to increase their utilization.
14. Encourage the full utilization by businesses of the economic development enhancement programs implemented by the Legislature for the purpose of extensively involving private businesses in the development and expansion of permanent job opportunities, especially for the economically disadvantaged, through the utilization of enterprise zones, community development corporations, and other programs designed to enhance economic and employment opportunities.”

; and

WHEREAS, the City Council of the City of Daytona Beach Shores, Florida desires that the economy of the City of Daytona Beach Shores be one that is vibrant, creative, flexible, dynamic, and modern as well as an economy that attracts and retains high quality businesses and economic generators to the City of Daytona Beach Shores; and

WHEREAS, the City Council of the City of Daytona Beach Shores, Florida has long recognized the economic challenges relating to the west (non-oceanfront) side of State Road A1A (South Atlantic Avenue) which is a north-south Florida State Road that runs along the Atlantic Ocean, from Key West at the southern tip of Florida, to Fernandina Beach, just south of Georgia on Amelia Island and which is the main road through most oceanfront towns such as the City of Daytona Beach Shores; and

WHEREAS, the City Council of the City of Daytona Beach Shores, Florida, desires, to a significant, but not exclusive, extent to focus on the economic challenges relating to the west side of State Road A1A (South Atlantic Avenue); and

WHEREAS, the City Council of the City of Daytona Beach Shores, Florida desires to protect the public health, safety and welfare of the citizens of the City and maintain a high quality of life for the citizens of the City; and

WHEREAS, the City Council of the City of Daytona Beach Shores hereby finds and determines that the provisions of this Ordinance provide for public benefits and serve public purposes; and

WHEREAS, this Ordinance is enacted pursuant to the home rule powers of the City of Daytona Beach Shores as set forth at Article VIII, Section 2, of the *Constitution of the State of Florida*; Chapter 163, *Florida Statutes*; Chapter 166, *Florida Statutes*; and other applicable controlling law; 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, this Ordinance, although neither creating or amending land development regulations, is consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Daytona Beach Shores*.

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

SECTION ONE: LEGISLATIVE FINDINGS AND INTENT.

(a). The City Council of the City of Daytona Beach Shores hereby adopts and incorporates into this Ordinance, as the legislative findings and intent of this Ordinance, the recitals (whereas clauses) to this Ordinance, the City staff report and City Council agenda memorandum relating this Ordinance.

(b). The City Council finds that attracting, retaining, and providing favorable conditions for the growth of businesses within targeted areas provides high quality employment opportunities for the citizens of the City of Daytona Beach Shores and enhances the economic tax base of the City. It is the policy of the City Council of the City of Daytona Beach Shores to encourage the growth of businesses that provide high-value-added employment and economic opportunities.

(c). There is a public need to enhance economic activity in specific targeted areas of the City of Daytona Beach Shores, as identified by the City Council. The economic well-being of the citizens of the City of Daytona Beach Shores and the economic resources of the City of Daytona Beach Shores would be enhanced by the provision and implementation of selected economic development activities.

(d). To improve the prosperity and welfare of the City of Daytona Beach Shores and its inhabitants, it is necessary and is in the public interest for the City Council to establish and implement selected economic development activities and programs.

(e). Nothing in this Ordinance shall require the City Council to fund any activity or programs established in this Ordinance or otherwise established by the City Council relative to the economic development activities of the City.

SECTION TWO: CREATION OF ECONOMIC DEVELOPMENT PROGRAM.

(a). The City Council of the City of Daytona Beach Shores hereby creates and establishes the City of Daytona Beach Shores Economic Development Program.

(b). The purpose of the Program is to encourage the renovation, development, redevelopment and productive use of lands and buildings within the City Limits of the City of Daytona Beach Shores.

(c). In order to implement the Program set forth in this Section, the City Council may enter development agreements, under the provisions of the *Florida Local Government Development Agreement Act* as set forth at Sections 163.3220 through Section 163.3243, *Florida Statutes*, or enter such other agreements as the City Council determines are intended to enhance the high quality economic development of the City of Daytona Beach Shores.

(d). The development agreements referenced in Subsection (c) of this Section, may relate to either City-owned or non-City-owned real property and may, among other things, provide for, by way of example and not limitation, provisions such as the City providing to the purchaser of City-owned real property an up to a 10% rebate of the purchase price to allow the purchaser to use the funds to assist in the development of the real property or, if the development agreement relates to non-City-owned real property, once the purchaser of the land applies to the City relative

to the purchase price of the land and closes on the real estate transaction, the City would provide up to a 10% grant to assist the new owner of the land in order to assist in the build out the real property in a high quality plan of development. The City shall impose conditions in each development to prevent a buyer purchasing City-owned real property from holding the real property for investment purposes or implementing a flip of the real property. The City's goal is that the real property shall be expeditiously developed in a high quality manner for the benefit of the citizens of the City.

SECTION THREE: CREATION OF CITY OF DAYTONA BEACH SHORES ECONOMIC DEVELOPMENT PROGRAM TRUST FUND.

(a). A City of Daytona Beach Shores Economic Development Program Trust Fund is hereby established, into which such revenues from such funding sources, as determined by the City Council, shall be deposited and from which all expenditures related to the City's Economic Development Program shall be paid.

(b). Accounting and reporting procedures shall be consistent with controlling State law and reported to the City Council by the City Manager, or designee, at least annually.

(c). Expenditures for activities that are not related to the City's Economic Development Program shall not be permitted from the Trust Fund.

SECTION FOUR: CREATION OF ECONOMIC DEVELOPMENT COMMERCIAL LEASE SUBSIDY PROGRAM; RESPONSIBILITIES; POLICIES; PROCEDURES; ALTERNATIVE GRANT PROGRAM.

(a). The City Council of the City of Daytona Beach Shores hereby creates and establishes the "City of Daytona Beach Shores Economic Development Commercial Lease Subsidy Program" as well as programs that are of a similar nature..

(b). The purpose of the Program is to encourage the renovation and development and productive use of properties and buildings in the City of Daytona Beach Shores including, but not limited to, the expansion of existing tenancies, as solely and exclusively determined by the City Council based upon the economic development needs of the City as determined by the City Council. The Program will assist business owners to develop or redevelop properties. The Program will provide a subsidy, under appropriate circumstances, to subsidize leases relating to new businesses within the City over a 3 year period of time in order to assist selected businesses to commence economic activity and remain a going concern. Leases may be subsidized up to ~~40%~~ 30% for the first year of the lease, up to ~~%~~ 20% for the second year of the lease, and up to ~~30%~~ 10% for the third year of the lease; provided, however, that the total amount of the incentive under an agreement shall not exceed \$20,000.00. Existing businesses which desire to relocate to a larger space in the City which relocation will result in enhanced business operations or employment and businesses which extend a lease for a longer term of at least 3 years when the extension will result in enhanced business operations or employment shall also be eligible for the same benefits. Applications may be submitted and shall be evaluated in accordance with the application process set forth in this Ordinance. Generally, incentive grants made under this program shall be based upon the number of new jobs created, the desirability of the type of business for the City and the capital investment to be made.

(c). Only real property that is assigned a commercial, or similar, zoning classification consistent with the City's *Comprehensive Plan* and that will be used for a nonresidential or mixed use purpose (as set forth in a binding development agreement or development order) are eligible under the Program for lease subsidy assistance.

(d). Lease subsidies may be made only to, or for the benefit of, a tenant and may only be used for development and renovations to real property or lease payments as determined by the City Council.

(e). Normative lease underwriting criteria and documentation must be satisfied as part of the transaction to protect the City's interests, as determined under the authority and guidance of the Finance Director in conjunction with the City Attorney.

(f). Should the grantee cease conducting business on the real property during the term of the lease subsidy; the City's subsidy payments shall cease.

(g). The City shall not in any way guarantee any underlying loan or the lease relating to real property and the City does not pledge its full faith and credit to any extent by enacting or implementing this Ordinance and shall not be deemed to have done so to any degree or extent or to be a partner or co-venturer in any way.

(h). The lease subsidy applicant must submit documentation to the City detailing the proposed development or renovation to be performed on the real property as well as details concerning the proposed lease and business activities. If approved by the City Council, the City will then issue a letter approving the subsidy subject to normal underwriting criteria as determined under the authority and guidance of the Finance Director in conjunction with the City Attorney.

(i). Once the lease subsidy is approved, the applicant must submit full details of the proposed transaction to the City. The amount of the subsidy will then be fixed and the funds will be encumbered and appropriately released from time-to-time. Escrow accounts may be established in conjunction within City accounting systems or under the Finance Director with the City Attorney as needed.

(j). The lease subsidy documents shall include, but not be limited to, documents to be filed of record which protect the interests of the City and shall provide that the City Manager must be notified should the real property which is the subject of the lease be sold, transferred, assigned or encumbered in any way or if the lease is terminated or sought to be terminated.

(k). In the event that an owner of real property which would be otherwise eligible for lease subsidy funding has engaged in or entered a business relationship in a manner which the City determines is not conducive to a lease subsidy being granted by the City, the City may enter grant agreements with such applicants such as, by way of example only, facade or beautification grant agreements; provided that the City is attaining substantially or more of the same economic and other benefits that are substantially the same or greater than that the City would enjoy under a lease subsidy award. Such grants may be awarded under conditions that address the unique nature of the business arrangement within which context the real property is held or the business operated while substantially addressing legal requirements, benefits to the City and the purposes expressed, and protections afforded, the City as set forth in this Ordinance; provided, however, that the total amount of the grant under an agreement shall not exceed \$20,000.00.

(l). The City Council shall evaluate applications on the basis of such criteria as it deems appropriate and in the best interests of the City to include, but not be limited to, the following:

(1). Businesses that due to their success will attract other businesses to the City shall be encouraged to apply and participate.

(2). Renovation and development projects that will spur additional development and private investment shall be encouraged to apply and participate.

(3). Renovation and development projects that will attract desirable new businesses and create an effective merchandise mix shall be encouraged to apply and participate.

(4). Renovation and development projects that will have a substantial positive visual and aesthetic impact to the City shall be encouraged to apply and participate.

(5). Renovation and development projects that will result in filling vacant retail space shall be encouraged to apply and participate.

(6). Renovation and development projects that will increase real property value(s) shall be encouraged to apply and participate.

(7). Renovation and development projects that will increase employment opportunities within the City shall be encouraged to apply and participate.

(8). Renovation and development projects that work in favorable concert with other development within the City by providing enhanced activities for the City shall be encouraged to apply and participate.

SECTION FIVE: CREATION OF BUSINESS LOYALTY PROGRAM.

The owner of a business that has been in good standing with the City for at least 3 consecutive years by (1). timely paying its certificate of use fee, (2). timely paying any local business tax due, and (3). not having been found to have violated a City code or ordinance; shall be entitled, upon application filed with the City, to a waiver of 50% its certificate of use fee amount that was paid and the payments made for the local business tax for an up to 3 year period after the period of good standing. This Section shall not apply to businesses that relate to hotel, motels,

condominiums, home occupations or like businesses. In order to be eligible for the award under this Section, a business owner must annually file an application with the City which, upon approval, shall entitle the business to the waiver; provided, however, that waivers shall be authorized commencing in 2022.

SECTION SIX: IMPLEMENTING ADMINISTRATIVE ACTIONS.

(a). The City Manager, City Clerk and City Attorney are hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions to bring into effect the purposes and provisions of this Ordinance as such Charter officials may deem appropriate in their respective roles and functions under the *City*.

(b). Without limiting the generality of the foregoing provision, the City Manager is hereby directed to develop such other economic development initiatives as may be advisable and desirable and present those proposals to the City Council for review and action which initiatives may include, but shall not be limited to, the revision of City land development regulations and the City's *Comprehensive Plan* that will encourage and incentivize high quality development and redevelopment within the City that addresses the needs of the City.

(c). The City Manager shall also work with the City Council to develop a Citywide strategic plan to sustain the future of the City's economy which plan will outline the City's vision and mission and identify goals, strategies and tactics critical to improving business expansion, recruitment, retention and job creation in the City:

(d). The City Council and the City Manager shall engage in relations and communications with other agencies and entities of government and from the private sector in an effort to receive grants, funding and other benefits that will assist the economic development and redevelopment of the City.

SECTION SEVEN: SAVINGS; EFFECT OF ORDINANCE.

The prior actions of the City of Daytona Beach Shores in terms of the matters relating to the economic development of the City of Daytona Beach Shores and any and all actions of the City of Daytona Beach Shores pertaining thereto, as well as any and all related matters and processes and procedures of the City of an associated nature, are hereby ratified and affirmed.

SECTION EIGHT: CODIFICATION; SCRIVENER'S ERRORS.

(a). The provisions of Sections One through Six of this Ordinance shall be codified while the remaining Sections shall not be codified; provided, however, that the Code codifier shall take all actions necessary to implement the codification of the provisions of this Ordinance.

(b). Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION NINE: CONFLICTS.

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

SECTION TEN: 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 ELEVEN: EFFECTIVE DATE.

This Ordinance shall take effect immediately upon enactment.

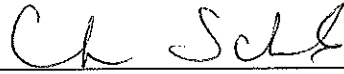
CITY OF DAYTONA BEACH SHORES, FLORIDA



NANCY J. MILLER, MAYOR

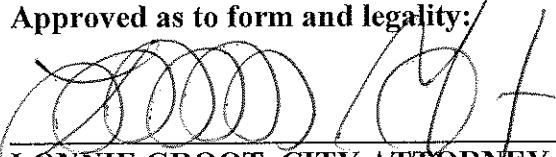


MICHAEL T. BOOKER, CITY MANAGER



CHERI SCHWAB, CITY CLERK

Approved as to form and legality:



LONNIE GROOT, CITY ATTORNEY

Passed on first reading the 25th day of June, 2019.

Passed on second reading the 9 day of July, 2019.

**CITY OF DAYTONA BEACH SHORES / COMMERCIAL LEASE
DEVELOPMENT / RENOVATION GRANT AGREEMENT FOR
2043 SOUTH ATLANTIC AVENUE**

THIS COMMERCIAL LEASE DEVELOPMENT / RENOVATION GRANT AGREEMENT (hereinafter, the “Agreement”) is made and entered into this ____ day of_____, 2020, by and between the CITY OF DAYTONA BEACH SHORES, a Florida municipality, whose mailing address is 2990 South Atlantic Avenue, Daytona Beach Shores, Florida 32118, hereinafter referred to as the “CITY”, and LINDA TOFFOLON, of 2043 S. Atlantic Avenue, as the Tenant/Lessee of business property known as the “**DAYTONA DINER**” located at 2043 S. Atlantic Avenue, Daytona Beach Shores, Florida 32118 and is hereinafter referred to as AGRANTEE@.

WITNESSETH:

WHEREAS, the City Council of the CITY has enacted Ordinance 2019-06 to further its policy objectives of facilitating the establishment of new businesses, the expansion of existing businesses and for the general improvement of unsightly, unsafe, deteriorated or vacant and abandoned commercial properties, within a targeted geographical area of the CITY; and

WHEREAS, Ordinance 2019-06 authorizes a program of economic incentives designed to attract new businesses, which are presently underrepresented in the CITY, and to locate such businesses in the targeted area of the CITY for the purpose of providing residents and visitors a wider array of goods, services, entertainment and

dining options, additional employment opportunities and, at the same time, expand the tax base of the CITY and eradicate vacant, abandoned and underutilized properties; and

WHEREAS, the economic incentives afforded by the ordinance include, but are not limited to, matching grants to new or existing owners of commercial properties and/or new or existing tenants of commercial businesses in the CITY, subject to specific dollar limits and meeting certain other criteria established by the CITY, which grants may be used for interior buildouts, infrastructure and façade improvements, structural alterations and/or beautification; and

WHEREAS, City Council of the CITY has determined that the investment of public funds in the economic incentive program generally, and in this Agreement in particular, are in the public interest and provide for and accomplish a public purpose; and

WHEREAS, the City Council of the CITY has found and determined that the provisions of this Agreement are consistent with applicable law and implement the provisions of controlling legal authority.

NOW, THEREFORE, in consideration of the terms, provisions and covenants contained herein, the parties hereto do mutually agree as follows:

SECTION 1. RECITALS. The foregoing recitals are true and correct, form a material part of this Agreement upon which the parties have relied and are hereby adopted and incorporated by reference herein.

SECTION 2. PURPOSE AND TERM. Subject to the terms and conditions hereinafter set forth, the CITY shall provide a Commercial Lease Development /

Renovation Grant (hereinafter, "Grant") to the GRANTEE and the GRANTEE shall, in consideration for the receipt of said grant funds, make the following infrastructure, façade and/or beautification improvements to the business property located at 2043 S. Atlantic Avenue, Daytona Beach Shores, Florida 32118 (hereinafter, "the property"): an outdoor dining area including but not limited to the construction of support columns, new ceiling, privacy fence, electrical work, new glass patio door, ADA ramp work and internal and external painting.

SECTION 3. TERMS AND CONDITIONS FOR PAYMENT OF GRANT FUNDS

(A). The CITY shall pay the Grant funds to the GRANTEE under the terms and conditions of this Agreement as follow:

1. The GRANTEE must be current in the payment of all taxes, fees, special assessments and charges for services and obligations owed to the CITY, the City of Port Orange or Daytona Beach (water), Volusia County, the State of Florida and the United States government, if any, related to the property, which are obligations of the GRANTEE under the lease agreement for the property, at or before and continuing throughout the period of time which this Agreement is in effect; and

2. The GRANTEE must not be in default of her obligations to any creditor at or before and continuing throughout the period of time of which this Agreement is in effect, specifically including obligations for the cost of the infrastructure, façade and/or beautification improvements for which the Grant is awarded under this Agreement; and

3. The GRANTEE must not be subject to any pending or threatened

eviction, lien foreclosure or bankruptcy proceedings at or before and continuing throughout the time of which this Agreement is in effect; and

4. The GRANTEE shall notify the City Manager if the lease is terminated or if GRANTEE has received notice of a default from the Landlord or other creditor; and

5. The GRANTEE must not be in violation of any code or ordinance of the CITY or of any State of Florida or Federal law or regulation governing the use and/or operation of the property at or before and continuing throughout the time of which this Agreement is in effect; and

6. The GRANTEE must not engage in any prohibited or nonconforming uses under the code, ordinances or regulations of the CITY or of any law or regulations of the State of Florida and the Federal Government at or before the time of payment by the CITY of the Grant funds under this Agreement; and

7. The GRANTEE must not engage in any business other than a business for which the property has been approved by the CITY at or before and continuing throughout the time of which this Agreement is in effect; and

8. The GRANTEE shall be required to submit such documentation as may be reasonably required by the CITY to verify compliance by the GRANTEE with the terms and conditions of this Agreement at or before and continuing throughout the time of which this Agreement is in effect.

9. The CITY has the right to inspect the completed work on the infrastructure, façade and/or beautification improvements to determine that such work

was performed in a reasonable, workmanlike manner and conforms to all codes and regulations of the CITY at or before the time of payment by the CITY of the Grant funds under this Agreement.

10. The GRANTEE shall be responsible for the satisfaction and/or discharge of any mechanics lien(s) against the property due to the infrastructure, façade and/or beautification improvements under this Agreement at or before and continuing throughout the time of which this Agreement is in effect.

(B). If the GRANTEE is in violation of any of the terms and conditions of this Agreement, the CITY shall declare a forfeiture and no Grant funds shall be awarded to the GRANTEE, or if already paid, the GRANTEE shall refund to the CITY the amount of Grant funds awarded under this Agreement.

SECTION 4. PAYMENT OF GRANT FUNDS BY CITY TO GRANTEE.

(A). Provided the GRANTEE is in compliance with all terms and conditions of this Agreement, the CITY shall pay to the GRANTEE an amount equal to one-half (½) of the total expenditures made by the GRANTEE for the infrastructure, façade and/or beautification improvements to the property based upon the lowest responsible bids received and approved by the CITY, upon satisfactory proof of payment by the GRANTEE as determined by the CITY, and for the total amount of Grant funds not exceeding \$20,000.00.

(B) GRANTEE shall produce proof to the City Manager, or his designee, of a minimum 3-year extension of the lease with the Landlord of the property at or before

execution of this Agreement; and

(C) GRANTEE shall produce proof to the City Manager, or his designee, of any additional employees added as a result of the infrastructure, façade and/or beautification improvements under this Agreement during the time of which this Agreement is in effect.

SECTION 5. DISCLAIMER OF THIRD-PARTY BENEFICIARIES. This Agreement is solely for the benefit of the formal parties hereto, and no right or case of action shall accrue upon or by reason hereon, to or for the benefit of any third party not a formal party hereto.

SECTION 6. ASSIGNMENT. This Agreement shall be binding on the parties hereto and their representatives and successors. Neither party shall assign this Agreement or the rights and obligations hereof to any other party.

SECTION 7. DEFAULT.

(A). In the event of default by the GRANTEE or the CITY, the aggrieved party shall be entitled to any and all legal remedies available under Florida law.

(B). The aggrieved party shall give the defaulting party written notice of any defaults hereunder and shall allow the defaulting party thirty (30) days from the date of receipt to cure such defaults. Upon the failure to timely cure the default, the aggrieved party may cancel the Agreement by notice as provided below.

SECTION 8. NOTICES. Any notice required or allowed hereunder shall be in writing and either (1) personally served upon a party, with an affidavit of service from the server or (2) sent by a commercial delivery service, restricted delivery, or (3) by US mail, certified delivery, with return receipt requested, to the designated address set forth above

for that party or such other address as a party may specify by a prior written notice delivered in accordance herewith. If a party cannot be served in the manner prescribed above after two attempts, delivery may be accomplished by publication, one time, in a newspaper of general circulation. For purposes of notice to or by a party, the City Manager, or his designee, shall represent the CITY and Linda Toffolon shall represent the GRANTEE.

SECTION 9. THE GRANTEE'S MANDATORY COMPLIANCE WITH CHAPTER 119, FLORIDA STATUTES, AND PUBLIC RECORDS REQUESTS.

In order to comply with Section 119.0701, *Florida Statutes*, public records laws, the GRANTEE must:

(A). Keep and maintain public records that ordinarily and necessarily would be required by the CITY in order to perform the service.

(B). Provide the public with access to public records on the same terms and conditions that the CITY would provide the records and at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.

(C). Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.

(D). Meet all requirements for retaining public records and transfer, at no cost, to the CITY all public records in possession of the GRANTEE upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the CITY in a format that is compatible with the information

technology systems of the CITY.

(E). If the GRANTEE does not comply with a public records request, the CITY shall enforce the contract provisions in accordance with this Agreement.

(F). Failure by the GRANTEE to grant such public access and comply with public records requests shall be grounds for immediate unilateral cancellation of this Agreement by the CITY. The GRANTEE shall promptly provide the CITY with a copy of any request to inspect or copy public records in possession of the GRANTEE and shall promptly provide the CITY with a copy of the GRANTEE's response to each such request.

(G). **IF THE GRANTEE HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, *FLORIDA STATUTES*, TO THE GRANTEE'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT: CHERI SCHWAB, CITY CLERK, (386) 763-5353, CSCHWAB@CITYOFDBS.ORG, 2990 SOUTH ATLANTIC AVENUE, DAYTONA BEACH SHORES, FLORIDA 32118.**

SECTION 10. SEVERABILITY. If any part of this Agreement is found invalid or unenforceable by any court, such invalidity or unenforceability shall not affect the other parts of the Agreement if the rights and obligations of the parties contained therein are not materially prejudiced and if the intentions of the parties can continue to be

affected. To that end, the terms of this Agreement is declared severable.

SECTION 11. TIME OF THE ESSENCE. Time is hereby declared essence to the lawful performance of the duties and obligations contained in this Agreement.

SECTION 12. APPLICABLE LAW/VENUE. This Agreement and the provisions contained herein shall be construed, controlled, and interpreted according to the laws of the State of Florida. Venue for any legal proceeding related to this Agreement shall be in the Seventh Judicial Circuit Court in and for Volusia County, Florida.

SECTION 13. ATTORNEYS FEES. In the event it becomes necessary to institute legal action to enforce any of the terms of this Agreement, the prevailing party shall be entitled to recover all out-of-pocket expenses and costs and all reasonable attorneys fees, paralegal fees and associated fees and costs from the date of filing until the termination of litigation whether incurred at trial, on appeal, or otherwise.

SECTION 14. NONDISCRIMINATION. The GRANTEE agrees that it will not discriminate against any business invitee, employee or applicant for employment because of race, color, religion, sex, age, national origin or disability. The GRANTEE, moreover, shall comply with all the requirements of the *Americans with Disability Act*, the regulations of the Federal government issued thereunder, and any and all requirements of State law related thereto.

SECTION 15. INTERPRETATION. The CITY and the GRANTEE agree that all words, terms and conditions contained herein are to be read in concert, each with the other, and that a provision contained under one heading may be

considered to be equally applicable under another in the interpretation of this Agreement.

SECTION 16. MODIFICATION. This Agreement may not be amended, changed, or modified, and material provisions hereunder may not be waived, except by a written document, of equal dignity herewith, approved by the City Council of the CITY and the GRANTEE and executed by all parties to this Agreement.

SECTION 17. ENTIRE AGREEMENT: EFFECT IN PRIOR AGREEMENT.
This instrument constitutes the entire agreement between the parties and supersedes all previous discussions, understandings, and agreements between parties relating to the subject matter of this Agreement. Amendments to and waivers of the provisions herein shall be made by the parties in writing by formal amendment.

IN WITNESS WHEREOF, the parties hereto have hereunder executed this Agreement in the date and year first above written.

ATTEST:

CITY OF DAYTONA BEACH SHORES

Cheri Schwab, City Clerk

Nancy J. Miller, Mayor

Michael T. Booker, City Manager

Approved as to form:

Raymond J. Branch, City Attorney

ATTEST:

By:



**CITY COUNCIL AGENDA MEMORANDUM
APRIL 28, 2020 AGENDA**

TO: Honorable Mayor and Members of the City Council

FROM:

PREPARED BY: Cheri Schwab, City Clerk

SUBJECT: Consideration to Cancel the regular meeting on May 12, 2020

SYNOPSIS:

Due to COVID 19 and the lack of regular business taking place, it was suggested to cancel this meeting.

FISCAL IMPACT STATEMENT:

BACKGROUND:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:

ATTACHMENT: None



**CITY COUNCIL AGENDA MEMORANDUM
APRIL 28, 2020 AGENDA**

TO: Honorable Mayor and Members of the City Council
FROM:
PREPARED BY: Cheri Schwab, City Clerk
SUBJECT: Discussion on Treasure Island status

SYNOPSIS:

This item was requested by Vice Mayor Bryan.

FISCAL IMPACT STATEMENT:

BACKGROUND:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:

ATTACHMENT: None



**CITY COUNCIL AGENDA MEMORANDUM
APRIL 28, 2020 AGENDA**

TO: Honorable Mayor and Members of the City Council

FROM:

PREPARED BY: Cheri Schwab, City Clerk

SUBJECT: Discussion on status of townhomes at 2900 S. Atlantic Avenue

SYNOPSIS:

This item was requested by Vice Mayor Bryan.

FISCAL IMPACT STATEMENT:

BACKGROUND:

LEGAL REVIEW:

RECOMMENDATION:

SUGGESTED MOTION:

ATTACHMENT: None