



City of Daytona Beach Shores

"Life is Better Here"

"A Premier, Friendly Place to Be"

AGENDA CHARTER REVIEW COMMITTEE APRIL 9, 2008

**1:30 p.m., Community Center, 3048 S. Atlantic Ave.
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. In accordance with Section 2-2, during periods set aside for public discussion of any nature, any person desiring to speak shall secure the permission of the presiding officer by first silently raising his hand and being recognized. 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.

CALL TO ORDER:

APPROVAL OF MINUTES: March 26, 2008

REVIEW OF CITY CHARTER

ADJOURNMENT:

Notice is hereby given to all interested parties that if a person should decide to appeal any decision made at the aforementioned meeting of the City Council, such person will need a recording of the proceedings conducted at such meeting, and for such purpose he or she may need to ensure that a verbatim record of the proceedings was made; such record to include testimony and evidence upon which any appeal shall be based. Please be advised that all City Council Meetings are tape recorded.

Note: Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the Office of the City Clerk at the address and telephone number noted at least seven working days prior to the meeting.

**MINUTES
CHARTER REVIEW COMMITTEE
APRIL 9, 2008
3048 S. Atlantic Ave. Daytona Beach Shores, FL 32118**

CALL TO ORDER: The meeting was called to order at 1:30 p.m. by Chairman John Ersland. Committee members present: John Ersland, Bill Dryer, Marian Fasick and Anne DiGaetano. Member excused: Marilyn Wheeler. Staff present: Sandra Ambrose, City Attorney, Michael Booker, Steve Whitmer and Cheri Schwab.

APPROVAL OF MINUTES: March 26, 2008

Ms. Fasick moved, seconded by Ms. DiGaetano to approve the minutes of March 26, 2008. The motion passed unanimously by a roll call vote.

REVIEW OF CITY CHARTER

ARTICLE VII. MISCELLANEOUS

Section 7.01 Charter Amendment.

The City Attorney advised the committee that both paragraphs a and b are statutory. She advised that some cities use a range from four to ten years to review their charter. Currently, the charter does not specify how often it will be reviewed, but ten years is the maximum length of time for reviewing. The committee was created by resolution and it is not required to be mentioned in the charter. After this discussion, there were no changes made to section 7.01.

Section 7.02 through 7.06 did not require any changes.

Section 7.07 Notice of claim.

The City Attorney explained that there is currently a bill pending in the Senate re: sovereign immunity. She will report back on this issue.

Section 7.08 Bids, contracts ad expenditures.

Mr. Ersland advised the committee of the guidelines that were used by the Wisconsin Department of Transportation in regards to expenditures. Their model was: anything under \$5,000 was purchased without quotes, from \$5,000 to \$25,000 3 quotes were needed; anything over \$25,000 sealed bids or RFP's were required. Finance Director

Whitmer felt the amount should be increased in the charter due to today's changing economy.

Audience member Lowell Wynn inquired if the City had an auditor review the city's purchases. It was explained that a yearly audit was conducted by an independent firm.

Audience member Paul deMange also felt the amount should be increased to \$25,000 to help streamline expenditures.

Ms. DiGaetano moved, seconded by Ms. Fasick that for Section 7.08 paragraph a all expenditures, including expenditures for real or personal property acquisition, not exceeding strike \$10,000 and replacing it with \$25,000. The motion passed unanimously by a roll call vote.

Sub-paragraphs b, c and d do not need to be changed.

The next paragraph states that a contract will be awarded to a responsible bidder submitting the lowest or best bid. There was discussion on the subjective terms of what is the best or most responsible. The City Attorney will bring back suggested language for the next meeting.

The final paragraph regarding bond issues will also be reviewed by the City Attorney for the next meeting.

Article 8 does not need to be addressed.

The next meeting will be on April 23. The committee will be given a draft copy of the revised charter for their review.

ADJOURNMENT: The committee meeting ended at 2:16 p.m.

ATTEST: CITY OF DAYTONA BEACH SHORES

Cheri Schwab, Recording Secretary

John Ersland, Chairman