

Initiative Petition to Amend the Charter of the City of Daytona Beach

I am a registered voter of the City of Daytona Beach and hereby petition that the following amendment to the City Charter of the City of Daytona Beach be submitted to the City Commission of the City of Daytona Beach as required by Section 40 of the City Charter and, if the City Commission fails to pass the measure as proposed, that the measure be submitted to a vote of the electors of the City of Daytona Beach as provided in the City Charter.

Name (please print) _____

Street Address: _____

City: _____

Zip: _____

Signature: _____

Date: _____

TITLE: City Attorney

SUMMARY: Requires that the City of Daytona Beach contract for legal services, rather than having a legal department provide such services.

Article VII, Division B, Section 31 of the City Charter is amended to read as follows:

Sec.31 - City attorney.

(a) The commission shall ~~appoint~~ **contract with a law firm to serve as the** ~~appoint~~ a city attorney. **Such firm** ~~who shall serve at the pleasure of the commission and act as legal advisor for the city and all its officers in matters relating to their official duties. The city attorney shall be a duly admitted member of The Florida Bar and shall have been a practicing attorney for at least five (5) years.~~ The city attorney shall not be a member of the Florida legislature nor serve as attorney for any other municipality or taxing agency. **Subject to serving at the pleasure of the commission, a contract to provide legal services shall be awarded to the firm offering the lowest bid to provide such services for a three-year period. Legal firms that employ former city attorneys shall not be eligible to bid to provide such services.**

(b) The city attorney shall perform such professional duties as shall be required of them; shall approve all contracts of the municipality before the same shall become effective; and shall act as prosecuting attorney in any and all cases before and tried in the court.

(c) The city attorney shall attend regular meetings of the commission, and such other meetings as may be required, upon reasonable notice given.

(d) The city attorney shall be subject to an annual evaluation by the city commission.

(e) The compensation of the city attorney shall be fixed by the **contract to provide legal services** ~~commission in sums commensurate with the duties imposed;~~ provided, that all special or unusual services required may be specially compensated as the commission **by separate agreement** may see fit to provide.

~~(f) The city attorney may delegate to any duly appointed assistant city attorney any of the duties and responsibilities imposed by the provisions hereof or by the city commission.~~

~~(g) In the absence or during the disability of the city attorney, or when specifically authorized by the city attorney, an assistant city attorney may approve contracts of the municipality.~~

The following registered voters shall be officially regarded as filing the petition: Ron Bynum, 2616 S. Peninsula Drive, Daytona Beach, Florida 32118; Greg Gimberty, 255 Euclid Avenue, Daytona Beach, Florida 32118; George Smith, 1033 Chaffee PL., Daytona Beach, Florida 32116; Scott Jackson, 445 Dorothy Avenue, Daytona Beach, Florida 32117; Rosalyn Bonifay, 1062 June Terrace, Daytona Beach, Florida 32119.

Pd. Pol. Adv. Paid for, by Striving Towards A New Daytona, (STAND). 2616 S. Peninsula Drive, Daytona Beach, FL 32118.