



Welcome to the City of Daytona Beach, FL

City Attorney Position Open - Apply by February 26, 2016



Estimated 2016 Population: 61,005

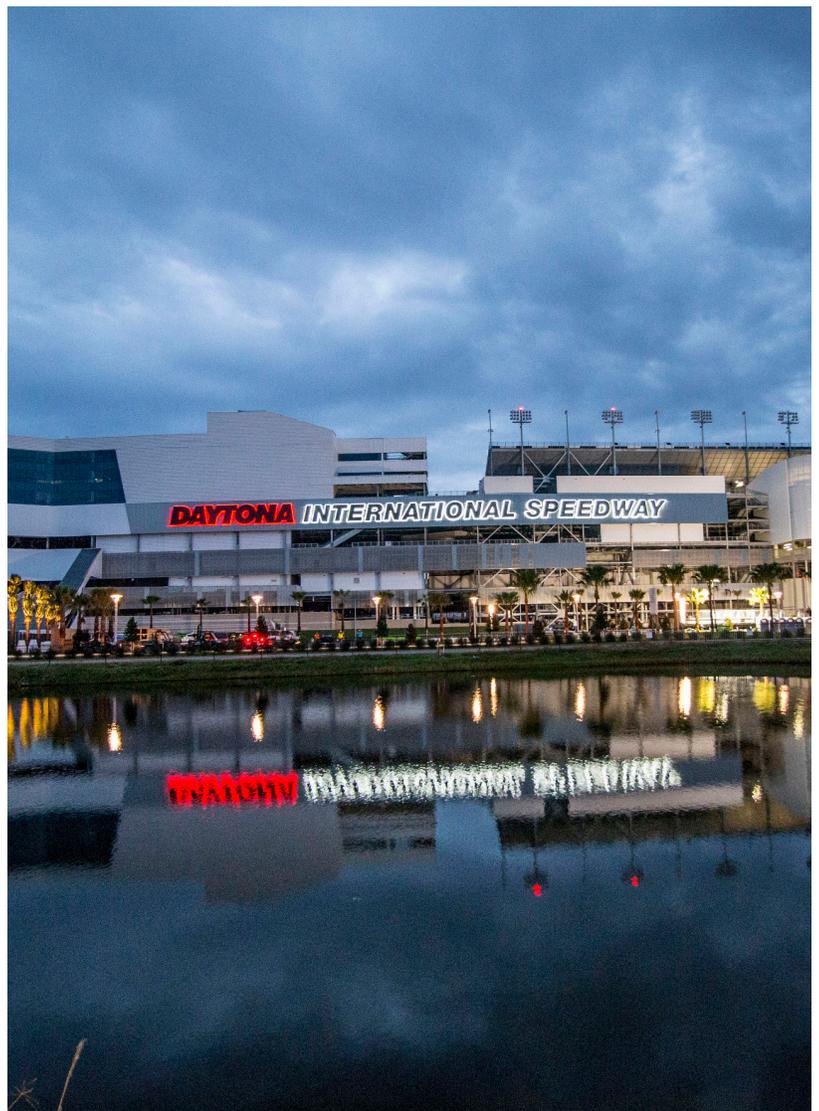
With a 23 mile stretch of famous white sand, the Daytona Beach area is the original American sunshine escape and family beach vacation! Daytona Beach, home to over 61,000 citizens, is also home to legendary attractions such as NASCAR, the Daytona International Speedway, the LPGA, and the Daytona Tortugas, a minor league baseball team. With all this, and more, it's no wonder that the Daytona Beach area attracts over 8 million tourists each year!

The Daytona Beach region is experiencing unprecedented growth, which makes it ideal for personal and business relocation. The area is home to six universities and colleges, a nationally recognized K-12 system, state of the art hospitals, an international airport, and two major interstate highways; with I-4 ending at the western city limits, and I-95 running north and south.

There are plenty of things to be proud of within Daytona Beach, and fueling the need for speed is an accomplishment the city

does not mind bragging about! Auto racing started on the beaches in the early 1900s, and continues today at the Daytona International Speedway. The Speedway's newest expansion project – Daytona Rising – is a \$400 million reconstruction project designed to create a world-class facility with premium amenities and exceptional conveniences and experiences. Daytona Rising made its debut in January 2016. Daytona is also known for enjoying a slower ride, with the tradition of cruising as bicyclists, motorists and motorcyclists alike. Whatever mode of transportation you choose, you can cruise down Atlantic Avenue or, for an extra special treat, cruise along the beautiful and peaceful Ormond Scenic Loop ('The Loop'). This 33.98-mile route of well-maintained, twisting and turning roads, with no stoplights or shopping centers will have you marveling at wild animals, birds, and the most diverse natural scenery remaining in northeast Florida, with creeks, marshes, beach and the pristine hardwood hammock forest that canopies the road. You'll pass by Tomoka State Park where you'll see folks fishing and crabbing along the Tomoka River, and enjoy a long stretch that is shaded by a beautiful ancient Live Oak canopy. There are several routes to choose from, making 'The Loop' a ride you'll want to take more than once.

Another unique place to drive to and on – is the actual beach! Daytona Beach is known as the "World's Most Famous Beach" for a variety of reasons, but mainly for the hard-packed sand that first welcomed automobile and motorcycle racing in 1902. Today, beachgoers can still enjoy beach driving as one of the most popular and iconic activities of the Daytona Beach tradition. Vehicles may enter from easy access points and are permitted in designated areas of the beach from sunrise to sunset, to take a scenic drive along the shore (tidal conditions permitting), or park right next to your beach bag and towel, which makes beach accessibility perfect for everyone! Also check out the many beachfront splash parks, beach volleyball courses and jungle gyms for fun along the shoreline, or bring a bicycle for an enjoyable ride on the sand. There's also something memorable about a boardwalk experience, and the Daytona Beach



Boardwalk and Pier will not disappoint with fun and food! Located on the boardwalk is an incredible entertainment center which features outdoor and indoor rides, such as a high-speed ocean view roller coaster, go karts, the Slingshot, and a classic arcade. You can also find delicious food at Joe's Crab Shack located on the Daytona Beach Pier, with fireworks every Saturday night from Memorial Day through Labor Day. There are concerts, street performers and plenty of family friendly activities. For the older crowd there is dancing, live music, and high-energy clubs. Nearby in Ponce Inlet, you can visit the tallest lighthouse in Florida which is open for tours and special events throughout the year. You can also learn about sea life at the Marine Science Center, or go for an aquatic adventure with Ponce Inlet Watersports.

Fun isn't limited to dry land and the beach – there are plenty of adventures one can have with over 320 square miles of water to explore! Enjoy swimming, and ride the waves of one of America's original surfing towns, where gentle waves come over a shallow sandbar and make Daytona Beach an easy place to learn to surf! Or head to the beaches by Ponce Inlet for something more difficult, or watch the best of the local wave riders. One can also try kayaking, parasailing, or Stand-Up Paddleboards (SUP's), as a great option for a calm day at the beach or go enjoy the inland waters and the natural beauty of the waterways. You might even encounter a friendly manatee or dolphin! Fishermen have also been drawn to the waters of the Daytona Beach area for decades with legendary bass fishing in the St. Johns River to the west, deep-sea fishing excursions off the Atlantic coast and everything in between. It really is all here at Daytona Beach!

Back on land, the city has an inviting historic and rejuvenated downtown with a number of great eating establishments, shops and a very walkable park fronting the Intracoastal Waterway. The latter hosts a farmers' market every Saturday morning. A little further west is the Volusia Mall where you can shop until you drop and the International Airport which offers service by Delta, JetBlue, and American Airlines. On the barrier island, you will find the Convention Center, the Peabody Auditorium and numerous hotels.

Known for its special events, each year starts with Speedweek at Daytona in February, which marks the return of racing season. The world famous Bike Week follows in March. During the summer, enjoy weekly live entertainment at the historic Daytona Bandshell with the Summer Concert Series. Celebrate Independence Day with the favorite Coke Zero 400 annual NASCAR Sprint Cup Series stock car race

at the Speedway. Fall is the biggest season for festivals such as the Daytona Blues Festival, and Biketoberfest; where several hundred thousand bikers from all over the world visit the greater Daytona Beach area. There is also the Daytona Beach Film Festival, the Halifax Art Festival and the Turkey Run (a car show at Thanksgiving and again in March).

For local students, the Volusia County School District has a current enrollment of 62,000 students, and is the county's largest employer. It has 45 elementary schools, 12 middle schools, 9 high schools, 2 combination schools (K-8 / 6-12), 13 alternative/special centers, and 8 charter schools. What's most impressive is the student to teacher ratio of 11:1, which is 32.7% less than Florida's other school districts, and 28.5% less than national numbers. The School District works to elevate student learning and educate a diverse population, while addressing the needs of the 21st century. One way they achieve these goals, is to integrate innovation into its nationally recognized Bring Your Own Technology (BYOT) and Next Generation Career Academies programs. High school students can take advantage of dual enrollment options at Daytona State College, honors programs and advanced placement courses, as well as IB classes. Partnerships have also been established with Embry-Riddle Aeronautical University and Bethune-Cookman University. In addition, Daytona State College has partnered with the University of Central Florida, allowing any student with an associate's degree from Daytona State to have direct admission to the university. Over 22,000 students attend the area's colleges and universities, and students from several other technical and vocational institutes add to that number. The area's educational resources make this community a great training ground, whether one chooses to broaden technical skills, pursue a liberal arts degree, get an MBA, or earn a specialized degree. Options for success through the Volusia County education system are vast and encouraging.

Those who enjoy local arts and sciences will want to visit the nationally accredited Museum of Arts and Sciences, which is the primary cultural facility for the area. The museum houses a collection of smaller museums and galleries, including the Root Family Museum featuring one of the largest Coca-Cola memorabilia collections in the world and a children's science center which opened in 2008. Other museums located in the city include the Southeast Museum of Photography and the Halifax Historical Museum. In terms of the performing arts, the Peabody Auditorium hosts U.S. and international orchestras, opera and dance companies each season.

The cost of living in Daytona Beach, home values in particular, is quite reasonable, compared to both Florida and many locations nationally. The cost of living is about 15% lower than the national average and the recently adjusted average median home price is \$86,700. That said, you can spend into the millions for beachfront and a new 3 bedroom / 2 bath single family home with 2,300 square feet under air will likely to cost between \$180,000 and \$230,000.

For the times you are ready to travel beyond the Daytona Beach area, you can use the International Airport within the city, which had more than 627,000 passengers that flew in and out during the year ending November 30, 2015. Driving about 50 minutes southwest, is the Orlando-Sanford International Airport, or continuing south about 20 more minutes, you'll arrive at the Orlando International Airport. In addition, there is the Jacksonville International Airport just over 90 minutes north, or the Melbourne International Airport 90 minutes south. If you want to enjoy a cruise, you can depart from the second busiest multi-day cruise port in the world, just one hour south at Port Canaveral!

Travel along the coast has historical value in visiting places such as St. Augustine and the Kennedy Space Center. Going inland one hour, sets you right in the middle of the tourist and amusement park mecca of Orlando!

What makes the City special though is its residents and a sense of community. The people here help one another and are proud of their city's diversity. Knowing it is not perfect—no city is – they are committed to making it a better place for themselves, their children, their neighbors and those who come after them.

Many people come to visit Daytona Beach and Florida. As you consider the job of City Attorney, find out the blessings and benefits of someone that can call this beautiful, shimmering city on the ocean, your own home!

History

Daytona Beach's modern history began in 1804 with a land grant of 3,000 acres to Samuel Williams from the Spanish Crown, which had regained Florida from the British after the American Revolution. Williams built a slave-labor-based plantation to grow cotton, rice and sugar cane. His son, Samuel Hill Williams, abandoned the plantation during the Second Seminole War, when the Seminole Indians burned it to the ground.

In 1871, Mathias Day, Jr. of Mansfield, Ohio, purchased a 2,144.5 acre tract of the former Williams Plantation, on the

west bank of the tidal channel known as the Halifax River. He plotted the area, and then sold it as an early Florida planned community. He also built a hotel around the initial section of town, which today is the Daytona Beach Historic District. In 1872, due to financial troubles, Day lost title to his land; nonetheless, residents decided to name the city Daytona, in his honor, and incorporated the town in 1876.

Henry M. Flagler, an American industrialist, believed that Florida had the potential to attract large numbers of tourists. He constructed the 540-room Hotel Ponce de Leon in St. Augustine, and realized the importance of a transportation system to support his hotel ventures. Growth was slow until Flagler purchased the Jacksonville, St. Augustine & Halifax Railroad, which would eventually become the Florida East Coast Railway system. Flagler brought his railroad to Daytona in the 1890s.

Flagler's investments were instant successes, and two years later, Flagler expanded by building a railroad bridge across the St. Johns River and purchasing the Hotel Ormond, just north of Daytona. The separate towns of Daytona, Daytona Beach, Kingston, and Seabreeze merged as "Daytona Beach" in 1926.

The trend continued with other entrepreneurs endeavoring to build a city of commerce and vision. Commodore Charles Burgoyne began by building a community center in Daytona Beach in the early 1900s. Burgoyne organized concerts along the riverfront actively promoting the town's events to travelers.

Dr. Mary McLeod Bethune established a school in 1904 to educate the daughters of African-American workers on the railroads called Bethune-Cookman College (now Bethune-Cookman University) and was later appointed to government positions by Calvin Coolidge, Franklin Roosevelt and Harry Truman. Today, the school has an enrollment of 2,300 students, and visitors can learn about her life's achievements at her former home, now a museum on the University's sprawling campus.

Daytona's wide beaches, with smooth, compacted sand, attracted automobile and motorcycle pioneers in the early 1900s who came to the area to test their inventions. In 1904, William K. Vanderbilt, first introduced racing on the beach as he set an unofficial record of 92.307 mph and started the Vanderbilt Cup. Later, in 1935, Malcolm Campbell set the record at 276.816 mph.

Crowds gathered to watch the cars racing on Daytona's hard-packed sandy beach, and eventually speed records



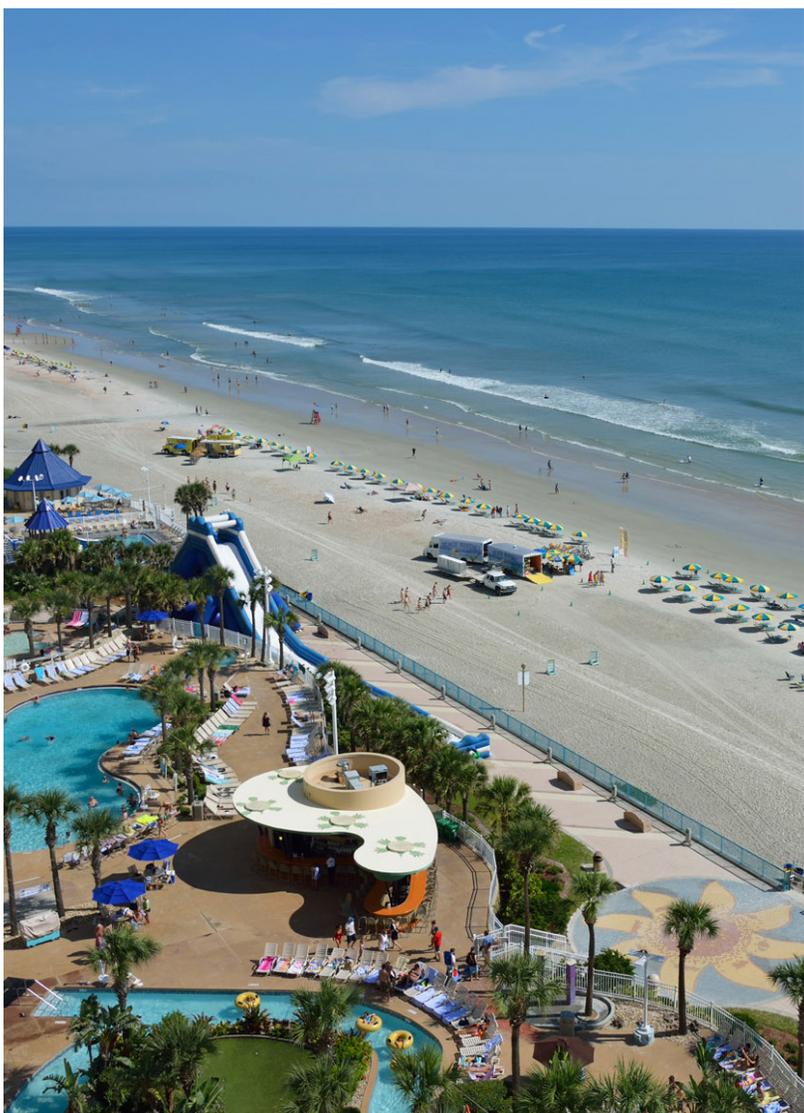
turned into stock car racing. Those events earned Daytona Beach a reputation for being more than just a beautiful beach. By the 1920s, it was dubbed "The World's Most Famous Beach" with its famous Boardwalk. In fact from the turn of the century until the 1930s, some of the nation's wealthiest families spent their winters here. Among them were Ransom Olds, who started Oldsmobile, and James Gamble of Procter & Gamble.

Daytona Beach not only inspired those who wanted to test the limits of speed, but also those who have desired to test the limits of society. Daytona Beach's role in the history of civil rights is significant. On March 17, 1946, Jackie Robinson played in the first integrated spring training baseball game with the Montreal Royals, a farm team of the Brooklyn Dodgers. Later he became the first African-American to play in the Major Leagues. Today, Robinson's name identifies the stadium in Daytona Beach and a life-size statue of him has been cast at the entrance.

The racing sport became more organized as Bill France and others formed NASCAR in 1947. Ten years later, the Daytona International Speedway was built on that vision when William France Sr. and NASCAR created the Daytona International Speedway. Tourism continued to boom and Daytona Beach was the number one tourist attraction in Florida for many years.

That began to change in the 1960s as the area ceased to be viewed as a highly desirable location. During the 1980s, millions of dollars were spent on renovation. Dilapidated homes and businesses around the Boardwalk were torn down. A convention center, the Ocean Center, and a first-class hotel, now the Hilton, were built. But further improvements stalled. Plans for two new hotels never materialized. Much of the area's new residential development went to nearby Port Orange and Daytona Beach Shores.

Today, however, Daytona's rebirth is well on track. A \$400 million renovation, modernization and enhancement of the Speedway is finished. Across the street, on a now barren expanse of 181 acres, will be One Daytona, a mixed use development of new hotels, restaurants, offices,



apartments and stores. On the beach itself, a number of new hotels are planned just north of the Ocean Center. As the Daytona Beach News Journal put it in a 2013 article, “a thundering wave of new development [has] crashed...on the World's Most Famous Beach.”

Demographics

In 2014, the mean income for a household in the city was \$40,035. See Table 1.

Table 1: Daytona Beach Demographics

2016 Estimated Population: 61,005			
Distribution by Race (2013)D		istribution by Age (2000)	
Caucasian	54%	0 to 18	18%
African American	32%	18 to 24	17%
Hispanic or Latino	8%	25 to 44	25%
Asian	3%	45 to 64	20%
Other	3%	Over 65	20%

Educational Achievement (over age 25)		Median Age	
High School or Higher	86.5%	Daytona	40.3
Bachelor's Degree or Higher	17.9%	Florida	41.5
		U.S.	37.2

Source: U.S. Census Bureau

Climate

Daytona Beach has a humid subtropical climate – typical of the Gulf and South Atlantic states. There are two seasons in Daytona Beach, much the same as the entire state of Florida: the hot, humid and wet season (late May through October) and the cooler and dry season (November through April). In the warm and dry season of winter, Daytona Beach has mostly mild and sunny weather typical of cities on the Florida peninsula. The coolest months are from December through February; average daytime highs range from 65°F to 70°F and nighttime lows are near 50°F. Occasional cold fronts often drop the daytime temperatures into the 50s°F with nights in the 30s°F a few times each month. Ocean breezes keep the climate mild in winter and provide cool winds in the summer. All in all it is the perfect place for fun in the sun year round!

While hurricanes have been known to occur, due to the latitude of Daytona, they are rarely a threat. The 2004 hurricane season was by far the most active in the Daytona Beach area in the last 50 years. Since 1950 there has only been one direct hit by a tropical cyclone to the Daytona Beach area, Hurricane Donna in 1960.

Geography

According to the United States Census Bureau, the city covers 64.93 square miles. Of that, 58.68 square miles is land and 6.25 square miles is water. The city of Daytona Beach is actually split in two by the Halifax River lagoon (which is part of the Intracoastal Waterway). The eastern section lies on a barrier island while the west runs beyond Interstate 95. Geographically, while almost half the city lies west of I-95, the vast majority of the population and development lies east of the interstate.

It is bordered on the north by Holly Hill and Ormond Beach and on the south by Daytona Beach Shores, South Daytona and Port Orange. It is about 65 miles northeast of Orlando, and 95 miles south of Jacksonville. Atlanta is approximately 350 miles to the northeast.

Commerce (Economy)

Doing business in Daytona Beach suits all types of operations. It is home to the corporate headquarters of NASCAR/International Speedway Corporation, the United States Tennis Association of Florida, and the PGA. Both Halifax Medical Center and Florida Hospital Memorial Medical Center have large hospitals here and are part of a large medical community. Bethune-Cookman, Embry-Riddle and Daytona State College provide a significant educational presence. There is also an array of manufacturers whose traditional industry enhances the economic base. Further, the area is showing considerable growth. The Deltona / Daytona Beach area was ranked third in a 2015 Forbes essay on where the growth would be among the strongest in the United States.

As noted, growth and development is well under way. The business corridor along I-95 is booming. The Auto Mall has expanded its dealerships. Trader Joe's built a distribution center (which covers 76 acres). A Tanger Outlet Mall is planned to open in 2016. Across from the Speedway, One Daytona has broken ground. On the beach, the County has recently instituted no traffic zones (not without some controversy that is a County issue) and several new or renovated hotels are planned on the oceanfront north of the Hilton and the Convention Center. A little to the south,



site work has begun for a Hard Rock hotel/residential complex. And, of course, more is coming.

The Government

Under Daytona Beach's commission-manager form of government, voters elect a City commission which consists of seven members - a mayor and six commissioners. They all serve four-year terms, and elections are staggered to occur in November of even-numbered years. Six members are elected by district, and the Mayor is elected city-wide. The City Commission establishes ordinances and policies for the city. It also reviews and approves the city budget annually. It is a collegial group that works very well together. While they do not always agree, they respect each other's opinions and conduct themselves in a professional manner. They all have the best interest of the residents at heart. They value the staff and their contributions.

The Commission appoints the City Manager to oversee the city's day-to-day operations. It also appoints the City Attorney who manages the City's legal affairs and serves as an advisor to the City Commission and the City Manager.

Overall, the city has approximately 800 employees and a budget of a little over \$200 million. The city offers all the standard municipal services: community development, development services, economic development, fire/EMS, leisure services (parks and recreation), police, public works, solid waste, and utilities (water/sewer/stormwater). It also offers some that are unusual including animal control, cultural services (which operates the Peabody, oversees the oceanfront band shell and many of the city's concerts and festivals) and a golf course, a tennis center and the Halifax Harbor Marina.

The City Attorney's Office

The City Attorney's Office handles, with the occasional assistance of outside counsel, all the city's legal matters. It has a budget of \$1,270,704 and a staff of seven. The staff is composed of the City Attorney, a Deputy City Attorney, three

assistant attorneys and two paralegals. The Office deals with all the normal matters that one would expect with a focus on development and code enforcement. The Office presently has 21 cases it is litigating on behalf of the City and 13 being handled primarily by outside counsel.

Challenges & Opportunities

For the most part, the City Attorney's Office faces the challenges many cities in Florida face – growth and development, code enforcement, tort litigation, and matters relating to constitutional law. The one exception is that the City has become Volusia County's mecca for the homeless. Florida's weather and the local beach are both enticing. The city and county both want to address the issue but are struggling to reach agreement over their respective shares of the costs of both construction and on-going operations.

The Ideal Candidate

The City is seeking an outstanding leader with the vision and skills to take the City Attorney's office to the next level. He/she will be someone who remains calm in the face of adversity and who is quick to think and act reasonably and responsibly. The ideal candidate will have an outstanding knowledge of the law in addition to courtroom experience.

The City Commission is seeking someone to work as an integral partner, a supporter and a trusted advisor. He/she should be intelligent, upbeat, outgoing, hardworking, ethical, organized, flexible, congenial, politically sensitive and progressive. The City needs someone who is extraordinarily responsive and has a "can do" attitude. The individual will thrive on solving problems creatively and strategically. The Commissioners ask that the City Attorney keep all equally informed and say the same thing to all. A key to success will be regular communication with the City Commission and the City Manager. Government in Daytona Beach is a team effort and no one likes surprises. The individual should believe in transparency and apply it to the degree it is wise to do so.

The ideal candidate will be someone who reviews an issue with an open mind and, when applying the law, aggressively seek ways to accomplish what is best for the city and its residents. He/she will think outside the box as needed, research new ways to resolve situations, and work hard to find a solution. Finding legal and defensible means to implement the city's goals is critical. The individual will have a healthy respect for the law but make decisions and recommendations based on what is the right thing

to do, not based on fear of the city being sued. When something cannot be done legally, he/she will provide the appropriate advice but in a way that does not undermine the city's position, should the Commission decide it wishes to pursue a different course. The City Attorney will take the long term view. While considering settling a case may save money in the short term, he/she will consider the long term consequences and the possibility that settlement might encourage others to litigate against the city.

The ideal candidate will be an exceptional manager. She/he will be able to work with staff, focus on their strengths and motivate them to stretch to their limits. The individual will be a mentor and focus on developing staff members to their fullest potential. He/she will also build a strong, proactive and dynamic team within the office. He/she will be experienced in managing outside counsel.

Analytical skills are important as it is expected that the next City Attorney will take a critical look at how the office does business and identify ways to be more efficient and effective. Communication and interpersonal skills are critical and it will be important that he/she is open and approachable. Good listening skills are crucial, as he/she should work to be viewed as both cooperative inside and outside the City government. Common sense and a sense of fairness are a must.

The position requires a Juris Doctor (JD) degree and licensure to practice law in Florida. Ten years of increasingly responsible legal experience in the practice of municipal law, is required. Strong experience with development/redevelopment is critical. As noted previously, a great deal of activity is occurring right now so there will not be time to learn it on the job. Knowledge of constitutional law is also key as is knowledge of the Pottinger Agreement establishing the rights of the homeless in Florida. The ideal candidate will also have five years of management experience. Experience and expertise in litigation is highly desirable.

Compensation

The salary range is \$140,000 to \$180,000. The City offers an excellent, competitive benefits package with pension provided through the Florida Retirement System.

The Most Recent City Attorney

The current City Attorney is retiring after more than 31 years with the City and over seven years as City Attorney.



Residency

Residency in the City is strongly preferred but not required.

How to Apply

E-mail your resume to Recruit33@cb-asso.com by February 26th. Faxed and mailed resumes will not be considered. Questions should be directed to Colin Baenziger at (561) 707-3537 or David Collier at (772) 260-1858.

The Process

Applications will be screened between February 27th and March 25th. Interviews will be held on March 30th. A selection will be made shortly thereafter.

Other Important Information

The City of Daytona Beach is an Equal Opportunity Employer and encourages women, minorities and veterans to apply. A veteran's preference will be awarded per Florida law.

Additional Information

<http://www.codb.us>

<http://www.daytonabeach.com/>

<http://www.daytonachamber.com/about/index>

https://en.wikipedia.org/wiki/Daytona_Beach,_Florida

<http://www.city-data.com/city/Daytona-Beach-Florida.html>

<http://www.teamvolusiaedc.com/core/fileparse.php/101130/urlt/Major-Employers-Overall-2015.pdf>

COLIN BAENZIGER  ASSOCIATES

EXECUTIVE RECRUITING