



PORT ORANGE CITY COUNCIL

SPECIAL MEETING

Council Chambers

Tuesday, November 10, 2020 @ 6:00 PM

SPECIAL MEETING AGENDA

Pursuant to Section 3.06 of the Charter of the City of Port Orange, the Mayor has called a **Special Meeting** of the City Council to be held for the following purposes:

OPENING

1. Silent Invocation
2. Pledge of Allegiance
3. Roll Call

DISCUSSION / ACTION

4. Interim City Manager Appointment & Selection Process for New City Manager

ADJOURNMENT

NOTICES – PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.



FOR SPECIAL ACCOMMODATIONS, PLEASE NOTIFY THE CITY CLERK'S OFFICE (PHONE: 386-506-5563) 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 OR HEARING DATE.



HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), 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, THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, CITYCLERK@PORT-ORANGE.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 OR HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 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.

ANY INVOCATION THAT IS OFFERED BEFORE THE OFFICIAL START OF THE CITY COUNCIL MEETING SHALL BE THE VOLUNTARY OFFERING OF A PRIVATE PERSON, TO AND FOR THE BENEFIT OF THE CITY COUNCIL. THE VIEWS OR BELIEFS EXPRESSED BY THE INVOCATION SPEAKER

City Council Special Meeting

November 10, 2020

Page **2** of **2**

HAVE NOT BEEN PREVIOUSLY REVIEWED OR APPROVED BY THE CITY COUNCIL OR THE CITY STAFF, AND THE CITY IS NOT ALLOWED BY LAW TO ENDORSE THE RELIGIOUS BELIEFS OR VIEWS OF THIS, OR ANY OTHER SPEAKER. PERSONS IN ATTENDANCE AT THE CITY COUNCIL MEETING ARE INVITED TO STAND DURING THE OPENING INVOCATION AND PLEDGE OF ALLEGIANCE. HOWEVER, SUCH INVITATION SHALL NOT BE CONSTRUED AS A DEMAND, ORDER, OR ANY OTHER TYPE OF COMMAND. NO PERSON IN ATTENDANCE AT THE MEETING SHALL BE REQUIRED TO PARTICIPATE IN ANY OPENING INVOCATION THAT IS OFFERED. A PERSON MAY EXIT THE CITY COUNCIL CHAMBERS AND RETURN UPON COMPLETION OF THE OPENING INVOCATION IF A PERSON DOES NOT WISH TO PARTICIPATE IN OR WITNESS THE OPENING INVOCATION.



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 11/10/2020

Consent item: No

SUBJECT: (4) Interim City Manager Appointment & Selection Process for New City Manager

DEPARTMENT: Administrative Services

GOAL:

RECOMMENDED MOTION:

SUMMARY: Ken Parker, Former City Manager of Port Orange, will be present to answer questions and assist with options.

ICMA Senior Advisor Program generally will only provide formal recruitment and selection services to cities with populations under 20,000.

A Professional Executive Search Firm will be estimated to cost between \$15,000-\$30,000

Other Considerations for future discussion:

Candidate Profile

Citizen Involvement - Would Council like to appoint another City Manager Selection Committee comprised of citizens? Resolution No. 14-79 is attached for your review as to past practice. In 2014, each Council Member chose two citizens to serve on this committee, along with an alternate. If Council chooses this direction again, the City Clerk will accept applications to be presented to Council.

Selection Process - Use of assessments, interview process, timeline

Contract Provisions

Project No.: Funding Account No.:

Presenter:

ATTACHMENTS:

1.	City Manager Recruitment	City Manager Recruitment- Revised.pptx
2.	Resolution No 14-79 - City Manager Selection Committee	Resolution No 14-79 - City Manager Selection Committee.pdf

3.	Memorandum from Ken Parker Sr Advisor	Memorandum from Ken Parker Sr Advisor.docx
----	--	---

Robin Fenwick

Created/Initiated - 11/6/2020



Selection Process for City Manager

Administrative Services Department

Jamie Miller

November 10, 2020



Purpose / Agenda

- **Purpose:** Discussion in preparation of the selection process for the new City Manager
- **Agenda:**
 - Short Term Plan
 - Recruitment Options
 - Market Data
 - Future Considerations



Short Term Plan

- Discussion Regarding Interim Position



Recruitment Options

- ICMA Senior Advisor Program (Populations Under 10,000)
- Professional Executive Search Firm (Est \$15k-\$30k)
 - Piggyback vs. RFP
- In House Recruitment



Market Data

Note: Salaries subject to change

City	Population	Salary
Daytona Beach	66,645	\$257,195
Daytona Beach Shores	4,451	\$164,507
Deland	33,532	\$175,000
Edgewater	23,455	\$140,400
Holly Hill	12,142	\$151,986
New Smyrna Beach	25,796	\$152,002
Orange City	11,804	\$154,565
Ormond Beach	43,475	\$187,464
Ponce Inlet	3,220	\$150,000
South Daytona	12,789	\$148,513
Port Orange	61,105	\$159,500



Future Considerations/Discussion

- What are you looking for in the best candidate?
- Citizen participation
- Assessments
- Interview Process
- Timeline
- Contract Provisions

RESOLUTION NO. 14-79

A RESOLUTION OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, ESTABLISHING A CITIZEN ADVISORY COMMITTEE; PROVIDING FOR PURPOSE, DUTIES AND FUNCTIONS; PROVIDING FOR APPOINTMENTS; PROVIDING FOR ORGANIZATION AND RULES OF PROCEDURE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port Orange has begun the search for a permanent City Manager; and

WHEREAS, the City Council has elected to engage the services of an executive search firm by publishing RFP# 14-32; and

WHEREAS, the City Council recognizes the value of community input during the selection process; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

SECTION 1. The City Council of the City of Port Orange, Florida, hereby establishes the City Manager Selection Citizen Advisory Committee as follows:

A. Purpose, Duties and Functions.

The City Manager Selection Citizen Advisory Committee ("Committee") shall provide community input regarding the candidate profile development by the Executive Search Firm. The Committee shall meet at least twice with the Executive Search Firm and provide input prior to the candidate profile being finalized by City Council. The Committee shall provide such other support and assistance for the City Council as may be requested from time to time. The

Committee shall cease to exist and disband once a City Manager has been selected by City Council, without any further action by City Council.

B. Appointments.

Each member of City Council shall appoint two (2) members to serve on the Committee. Once the initial appointments have been made, each City Council member shall select one (1) alternate. The alternates shall attend all meetings of the Committee, but shall not vote unless filling an absence created by a Committee member appointed by the same City Council Member as the alternate.

C. Organization, rules of procedure.

- a. *Officers.* The members of the Committee shall elect a chairman, and a vice-chairman to preside in the absence of the chairman. Such election shall take place at the first meeting of the Committee.
- b. *Responsibilities of chairman.* The chairman shall be responsible for the orderly running of all meetings, shall direct the preparation of all reports and shall make all necessary reports to the City Council.
- c. *Responsibilities of secretary; minutes.* The city recording secretary shall be responsible for keeping and recording minutes. A copy of the minutes of each meeting shall be kept on file in the city clerk's office.
- d. *Quorum; rules of order.* The presence of four or more members shall constitute a quorum of the Committee necessary to take action or conduct business. The Committee shall adopt Robert's Rules of Order, latest edition, or such other written rules and procedures as may be

desirable and necessary to promote and effectuate the purposes, objectives and business of the Committee in an orderly, timely and productive manner.

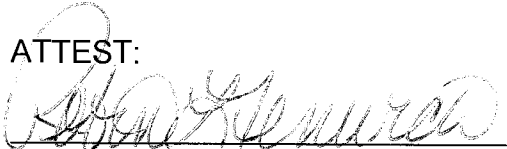
- e. *Compensation.* Members and alternates of the Committee shall serve without compensation but may be reimbursed for such travel, mileage, per diem or other expenses as may be authorized by the City Council.
- f. *Sunshine Law.* As an advisory Committee of the City Council, this Committee shall govern itself at all times in accordance with the Sunshine Laws of the State of Florida (F.S. § 286.011).

SECTION 2. If any article, section, subsection, sentence, clause, or provision of this resolution is held to be invalid for any reason, such holding shall not be construed to affect the remainder of this resolution.

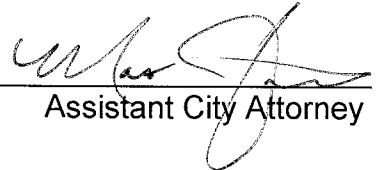
SECTION 3. This resolution shall become effective immediately upon adoption by City Council.


MAYOR ALLEN GREEN

ATTEST:


Robin L. Fenwick, CMC, City Clerk

Adopted on the 9th day of December, 2014.

Reviewed and Approved: 
Assistant City Attorney

To: The Honorable Mayor and Members of the City Council

From: Kenneth (Ken) Parker, FCCMA/ICMA Senior Advisor

Subject: City Manager Selection Process

Date: November 9, 2020

Recently, your City reached out to the Florida City-County Management Association (FCCMA) to see if Senior Advisors could assist the City of Port Orange. My name is Ken Parker. Currently, I serve as the FCCMA Senior Advisor Coordinator. There are currently eight active Senior Advisors in Florida.

What are the Seniors Advisors?

Senior Advisors are retired city and county managers with lengthy experience and who are respected within the public management field. We are appointed by the FCCMA Board of Directors and the Executive Director of the International City/County Management Association. We are not paid. All of us are volunteers.

Senior Advisors provide, at no cost:

- Career and employment counsel to FCCMA and ICMA members;
- Guidance and counsel to members regarding ethics questions or concerns;
- Assistance to cities and counties with the Council-Manager form of government.
- Assistance to cities and counties that are considering adopting the Council-Manager form of government.
- Assistance to civic groups regarding the Council-Manager form of government; and
- Assistance to members-in-transition with guidance and direction as they seek new employment opportunities.

Upon request by the governing body of a municipality whose population is under 10,000 and for counties whose population is under 50,000, Senior Advisors may provide limited Manager search services. Although we are not available to provide search services to the City of Port Orange, we are available to assist the City Council in outlining options that are available to you. Senior Advisors are not consultants, but serve as colleagues and counselors.

I think it is important to frame the decisions that the City Council has to make immediately from the decisions the City Council has to make concerning the recruitment of a permanent manager.

What is Your First Priority?

The first policy decision you must make relates to who will serve as your Interim City Manager. Continuity of government is essential. As I understand the current situation in Port Orange is that your current City Manager's resignation is effective on December 11. There are at least three options available to you.

Option 1

Do you have an internal person who is available to assume the role as Interim City Manager? This is the quickest option. That person is already part of your organization and the transition could begin as soon as the City Council made that appointment.

Option 2

There are a number of individuals who are either retired City/Country Managers or are Managers in Transition. A Manager-In-Transition is a manager who is no longer employed by a local government. Six years ago, Port Orange hired a retired City Manager to be their Interim City Manager. I could help you identify potential candidates who might be interested in being your Interim City Manager.

The process would be to identify potential candidates. Invite them to submit resumes for your consideration. You would determine which candidates you desire to interview. These individuals would be available immediately. You should be able to have a qualified Interim City Manager on board before December 11.

Option 3

Do a general advertisement for an Interim City Manager. This means advertising and receiving resumes from individuals interested in being the Interim City Manager. The major difference between option 2 and 3 is the focus. Option 2 is focused on individuals who are experienced City or County Managers who are available to be an Interim City Manager. Whereas, option 3 is focused on a larger pool of individuals. Option 3 may not meet your December 11 date.

Option 4

There are search firms that provide interim management services for local government. You would have to prepare an RFP for these services. Normally, the local government contracts with the firm and the firm provides a person to serve in that capacity. There is consultation between the firm and the governing body. In some instances, these firms provide multiple candidates who are willing to serve as an Interim Manager. Then it would up to the local governing bodies to interview and select one of the candidates. Some firms pay the individuals with the City or County reimbursing the company rather than paying the Interim Manager directly. While others bow out after the City Council makes a decision and the individual is placed on the City's payroll. Because of the need for the City to advertise for services, it may not meet your December 11 date requirement.

If you have a qualified individual internally who is willing to serve as your Interim City Manager, that by far is your quickest option. Further, I would not recommend that I contact individuals who may be available to serve as an Interim Manager unless you are serious about hiring outside the organization.

There are several policy questions that the City Council needs to answer before you embark on a Manager search.

- Do you want to involve citizens in the development of recruitment materials and in the screening process? If so, then you would need to appoint members to the citizen group. Be sure you carefully define the role of the citizen advisory committee and what you expect from them.
- Do you want to hold community listening sessions conducted by either the City Council or the citizen advisory group?
- Do you have an internal candidate that you desire to appoint as City Manager? If the City Council has an internal candidate who you are leaning toward appointing, I would strongly recommend that you not begin the search process until after the Council decides whether to employ the internal candidate or if the internal candidate states clearly that she/he will not be a candidate and will not apply for the position.
- Will the City Council allow the Interim Manager to apply for the position if the position search is a national search? One of the frequently asked questions that I receive when working with a City is whether the City Council is considering an internal candidate for the position, especially the one who is filling the Interim Manager's position.

Search Options Available to the City Council

In my opinion, the City Council has the following options available.

1. Employ a full-service firm to handle your recruitment. These firms have highly qualified people to assist the City Council in hiring the right person. They have extensive networks. They work with the Council in developing a profile of characteristics the Council desires to have in its next manager. The candidate profile goes beyond the legal requirements that are contained in the City Charter and your Code of Ordinances. They recruit based upon charter requirements and the profile they develop working with the Council. They do not wait for applicants to apply. They contact those in their network that most closely meet the job profile and encourage them to apply. The firms are responsible for all the background checks and verifications. They work with the citizen advisory committee in developing a list of qualified individuals. They work with the City Council in refining the list down to the group to be interviewed. They help the City Council manage the interview process. They may assist the City Council in developing interview questions. They receive the applications and screen the applications for the Council. They help the Council manage the interview process and schedule. For a City your size this is by far the best option.
2. The second option is for you to handle the recruitment process internally. That means your staff would develop the entire recruitment packet. They would be responsible for advertising for the position. They would be responsible for accepting all resumes. The City would be responsible for conducting all background and verifications. Some cities choose to employ an outside firm to conduct the background and verifications. I always

recommend to any city to do the highest level of background investigation. It is far more than criminal and civil records check and related files. It includes reviewing social media and other media. It verifies education. It includes employment verification. It may include review of personnel files. Your internal staff would be responsible for managing the interview process.

If you choose to conduct the search in house, I would provide you with examples of recruitment materials that other cities have used. I would provide the Council with a questionnaire that would be used to develop the candidate profile. Not in my role as a Senior Advisors, but as a resident, I would review staff prepared documents and provide you with input.

3. The final option is to employ an internal candidate and not advertised. In my opinion, this is the first question that you must answer. If you are considering hiring an internal candidate don't waste your time with a developing an RFP for consultants or even consider any other options.

Calendar Outline for Permanent Search Process

If you decide on option 1, the following process is a typical calendar:

- Develop an RFP and advertise for a consultant. Normally, it is about a week to develop RFP and then 3 to 4 weeks to receive responses from search firms. If you were to advertised next week and allowed them 3 weeks to respond, since we are in a holiday period, you could expect to receive responses the first full week in December.
- Council could possibly interview consultants not later than the third week in December. If interviews and selection of a consultant is not done before the end of the third week in December, I would suggest that you not conduct search firm interviews until after the first of the year.
- One month to develop position profile and recruitment documents.
- Advertise for one month.
- Two weeks for the review of resumes and provide the City Council with a list of qualified candidates. If the City Council decides to use a citizen committee to provide a recommendation, that needs to be built into the schedule.
- City Council would determine which candidates from the qualified list they want to interview.
- Background and Verifications can take up to one month or more. I always recommend the background and verifications be completed prior to interviews.
- Schedule interviews.

- Select a manager and approve contract.

This schedule would most likely mean that the City Council is conducting interviews in April. Most managers have a notice provision in their contracts if they are currently employed. Some cities and counties are willing to waive the notice provision. Most cities and counties are not willing to waive the notice provision. Each Manager contract is different. The usual notice requirement is 60 days. I have seen some that are 90 days. If the person selected is employed, most likely the new manager would not start until June. If the person is not employed, then the start date would be much earlier.

A nationwide search firm may be able to cut some time off this schedule since they do this on a regular basis. One of the items they should be asked to provide you is with a calendar.

If I or another Senior Advisor can assist you, please feel free to call us. I am looking forward to meeting with the City Council tomorrow night.