

RESOLUTION 20-97

A RESOLUTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH COLIN BAENZIGER AND ASSOCIATES RELATING TO THE CANDIDATE SEARCH FOR A NEW CITY CLERK FOR THE BASIC AMOUNT OF \$14,500; AND AUTHORIZING A BUDGET AMENDMENT TO APPROPRIATE ADDITIONAL FUNDS FOR THIS CONTRACT.

WHEREAS, the City Council has determined to use the services of a professional consultant to assist with the recruitment and search for a new City Clerk; and

WHEREAS, the need for this service, and the attendant costs to interview candidates, was not anticipated when the FY 2019-2020 budget was prepared; and

WHEREAS, a budget amendment is necessary to appropriate funds for these purposes.

BE IT RESOLVED that:

1. The appropriate officers of the City are authorized to accept and deliver on behalf of the City that certain Agreement between the City and Colin Baenziger and Associates, relating to the recruitment and hiring of a new City Clerk, in the basic amount of Fourteen Thousand, Five Hundred Dollars (\$14,500), in substantially the form attached and presented to the Council today, with such changes, insertions or omissions as may be approved by the City Manager and whose execution shall be conclusive evidence of such approval.
2. The following budget amendment #29 is adopted for the City of Panama City Beach, Florida, for the fiscal year beginning October 1, 2019 and ending September 30, 2020, as shown in and in accordance with the attached and incorporated Exhibit A.


THIS RESOLUTION shall be effective immediately upon passage.

PASSED in regular session this 23rd day of April, 2020.

CITY OF PANAMA CITY BEACH

By: 
Mayor

ATTEST:

Interim 
City Clerk

April 15, 2020

Mr. Tony O'Rourke
City Manager
City of Panama City Beach
104 South Arnold Road
Panama City Beach, FL

RE: Engagement Letter for City Clerk Search

Dear Mr. O'Rourke:

I would first like to thank you for selecting my firm to help find Panama City Beach's next City Clerk. This letter summarizes process we will undertake.

Section A: Work Plan

Phase I: Needs Assessment / Information Gathering

- Discuss with the Mayor and other key officials to:
 - Develop a description of the ideal candidate,
 - Learn the issues the next City Clerk will face, and
 - Review the City's recruitment brochure and update as appropriate based on the conversations we have.
- Develop materials we can utilize to recruit candidates.

Phase II: Candidate Recruitment

- Assist in searching for outstanding candidates who are well suited for the position by emailing the advertisement to our database of local government professionals,
- Collect the resumes and cover letters from all applicants, and
- Compile a list of all applicants.
- Note: The City will place all advertisements.

Phase III: Candidate Review and Selection of Finalists

- Resumes will be screened, and we will narrow the list to the top six most qualified semi-finalists.

Engagement Letter, Panama City Beach, FL, April 15, 2020

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- We will conduct thorough reference and background investigations on the selected semi-finalists. It should be noted that, when we conduct our investigations, we do not simply accept the references the candidates suggest. We tell the candidates whom we want to speak with. These include current and former elected officials, former supervisors, subordinate employees and others who know the candidate's work. Our goal is to get comments from six to ten references for each candidate. We also conduct criminal, civil, driver license, media, and credit checks, and we verify employment history and education. We believe these should be done early in the process to avoid embarrassment after a selection has been made.
- We will recommend four to six candidates to the City to consider interviewing. Along with our recommendation, we will provide the results of our background work electronically.

Note: This letter covers the full extent of Colin Baenziger & Associate's work.

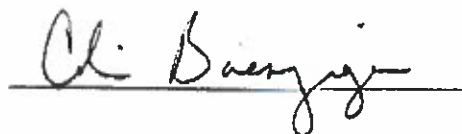
Section B: Fee

We offer a firm, fixed price of \$14,500, which includes all expenses, except the costs associated with bringing the finalists to interview with the City (travel, meals, hotel etc.). Bills will be rendered as the search progresses and due at the end of each Phase as indicated below:

Phase	Cost
I. Needs Analysis / Information Gathering	\$ 2,000
II. Recruiting	2,5000
III. Candidate Screening	10,000

Assuming the City agrees that this letter provides a basic understanding of the work to be performed in this engagement, please have the appropriate representative of the City sign below and we can begin our efforts

Sincerely,



Colin Baenziger, Principal

For the City:

Signature	Title	Date
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DAYTONA BEACH SHORES, FL	REDMOND, WA
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City of Panama City Beach

April 16, 2020

TO: Mayor and City Council

FROM: Tony O'Rourke, City Manager

RE: City Clerk Recruitment Guide

The following guide is designed to help the City Council and City staff navigate the City Clerk recruitment, selection, negotiations and on-boarding process to find the best individual to serve as the next permanent City Clerk.

This guide is based on best practices utilized by both executive search firms and cities.

1. Conducting the Recruitment

There are several major elements and decision points in the City Clerk recruitment process. The City Council has three major choices for conducting the recruitment. It can:

- a. Conduct the recruitment internally by using the City Manager, HR Director, City Attorney and Public Information Officer to handle the recruitment process.
- b. Select an executive recruitment firm to conduct the recruitment. If an outside executive recruitment firm option is selected, the City Council can either competitively bid these services or per City Charter, enter directly into a professional service contract, which would save the City Council about 45 days. The typical cost for the recruitment process ranges between \$20,000 and \$30,000 and includes travel expenses. If an executive recruitment firm is selected, it normally takes approximately 90 days to complete the recruitment process. Most firms will conduct free replacement searches if the selected candidate leaves or is terminated within one year of their selection.
- c. Use a hybrid approach and conduct the recruitment in conjunction with an executive search firm. The staff may be responsible for the mechanics of the

recruitment (e.g. schedule, advertising, conducting interviews, etc.), whereas the executive search format will focus on interviewing the City Council and staff to identify the expectations, skills and experience desired in a new City Clerk. The executive search firm would also focus on screening and evaluating candidates and giving the City Council a list of the top 10 semi-finalist prospects. The City Council would then narrow the candidate field down to four or five finalists. The executive search firm would then conduct a comprehensive background check on each of the finalists.

To save time and money, the City Council will retain Colin Baenziger & Associates to conduct the City Clerk position profile, facilitate candidate recruitment, screen applications and conduct background checks on the top five finalists. Mr. Baenziger is quite familiar with Panama City Beach, given he conducted the recent City Manager search. Mr. Baenziger has stated he would provide this service for a not to exceed price of \$14,500. A copy of Mr. Baenziger's engagement letter is attached.

If an executive search firm is retained, all applications would be sent to the executive firm and not the City. In Florida any submission of a letter of interest and/or resume to the City or even an executive search firm is a public record and therefore subject to disclosure. We shall make this issue clear in our recruitment advertising.

2. Create a City Council Recruitment Steering Committee

Once the City Council has made the decision to conduct the recruitment either internally, by an executive search firm, or a combination of City staff and executive search firm, it should create a City Council Recruitment Steering Committee after the April 21 City Council election to oversee the recruitment process. The Steering Committee could consist of several Council members or the entire City Council. Advisory and non-voting members of the Steering Committee may consist of the City Attorney and key staff.

The most significant point for the City Council Steering Committee in the recruitment of a City Clerk is to define what the members are looking for – that is, to create the City Clerk profile. The profile will encompass those qualities, characteristics, experience, and areas of expertise that would be found in an ideal candidate. Only by considering how applicants compare and measure against one another and, of course, against the established criteria can the governing body be sure that the candidate it appoints has the appropriate combination of work experience, management experience, and

leadership style to be successful in the position. Attached is a City Clerk criteria checklist and scoring instrument for City Council consideration.

To create this recruitment profile, the City Council should survey its own members, staff and public. This feedback will help the City Council define its needs and expectations and establish the groundwork for generating a strong pool of applicants with the skills and abilities to meet the needs of the City Council, organization and community. In addition to defining the attributes and experience the City Council is seeking in a City Clerk, it is highly desirable to require City Clerk candidates either be a Certified Municipal Clerk (CMC) or Master Municipal Clerk (MMC) as designated and recognized by the International Institute of Municipal Clerks.

Unless the City Council can come to consensus in the City Clerk position criteria, it may be difficult to find the right candidate. By reaching consensus, however, the City Council will be better able to inform the City Clerk applicants of what it is looking for in a new City Clerk.

3. Prepare the Position Profile and Advertising

Once the City Council has identified the skills, abilities and experience it is seeking in a City Clerk, the staff or executive search firm can prepare a position profile. Serious applicants will not submit a resume for consideration until they have done their homework and have satisfied themselves that the position represents a good career opportunity. Often they will seek information from local government officials about the community, the organization and the position.

This is one of the first contacts that will form an impression of the local government on the potential applicant. If the impression created is that the recruitment is well-organized, that the City knows what it is looking for, and that sufficient information about the City Council, organization, community, compensation and benefits is available, potential applicants are more likely to form a positive image of the position and decide to apply.

To help disseminate the same information to all applicants, the City should put together a packet of information that includes:

- a. A copy of the position profile, including key job criteria
- b. City Charter provisions regarding the position
- c. General summary information about the community and City organization
- d. The name, phone number and email address of the key City contact person
- e. The application deadline

It is to the advantage of the local government to ensure that every professional who might have an interest in the vacant position is aware of the opportunity to apply for it. Therefore, it is important that the advertising campaign be comprehensive and include a carefully worded advertisement. This does not mean, however, that the campaign has to be expensive.

The most effective national and regional advertising and outreach vehicles to recruiting a City Clerk can be found with organizations, such as International Institute of Municipal Clerks, Florida League of Cities, Florida Association of City Clerks, and on-line government job sites such as governmentjobs.com hosted by Neogov. A typical time frame for application submission is 30 days from the start of advertising.

4. Role of the Media in the Recruitment Process

Members of the media will obviously have an interest in the recruitment process and their involvement will be dictated in part by State Sunshine Law. At the outset, local government officials should brief the media on the timing and steps involved in the overall process. After the deadline has passed for submitting resumes, the governing body may decide to brief the media and the community on the overall response. As the confidentiality of resume is a major concern in any recruitment and can significantly affect the number and quality of resumes received, applicants should be apprised that in Florida the Sunshine Laws will not permit applicant confidentiality.

5. The Selection Process

Once the 30-day deadline for submitting a cover letter and resume has passed and all applications have been received, the selection process begins. Principal steps are as follows:

- a. Review and screen the applicants
- b. Identify which candidates to interview
- c. Interview the candidates
- d. Make the final selection

In reviewing the applications, the City Council Recruitment Steering Committee may consist of the City Council body as a whole or a subcommittee of the City Council, City Attorney and staff.

Once the deadline for submitting resumes has passed, the City Council as a whole, or a subcommittee can select one of the following review options:

- A. Each member of the City Council will be given one week to review all resumes and recommend those who should receive further consideration. Based on the criteria for the position that was developed at the outset of the recruiting process, the Committee can then group the "common" top 10 choices together

to determine what candidates to consider and conduct background checks on. Here are some items for consideration:

- Has the applicant had experience working in a local government of comparable size?
 - Has the applicant had experience with the variety of duties required by the position?
 - Has the applicant worked in a similar geographic area? Is the applicant likely to be comfortable in a resort setting and familiar with the challenges faced by the City?
 - What specific responsibilities has the applicant had, and what has the applicant accomplished? How does this compare with the objectives and priorities of the City?
 - Has the applicant had broad administrative responsibility or has the experience of the applicant been limited to administering activities in specialized areas?
 - Has the applicant worked directly with local government in the past? Does the applicant have experience working with citizen and other groups?
 - What is the employment history of the applicant? Does it suggest a pattern of broad experience and increasing responsibility? Does the applicant have good tenure with each employer, or is there a pattern of frequent movement from one position to another?
- B. Have the City Council as a whole body, or a subcommittee narrow the application field down to 10 semifinalists which the City Council can further reduce to a manageable finalist group of five to seven. A thorough vetting of the finalists should be conducted, including criminal and civil records and education verification.

Informing the candidates: Once finalist candidates have been selected, the City Council representative or the staff should contact each candidate by phone and do the following:

- a. Inform the candidate that he or she has been selected to be interviewed and offer congratulations. The candidate should be made to feel that the governing body is pleased to have reviewed his/her resume. At the same time, confirm the candidate's continuing interest in the position.
- b. Advise the candidate of: the nature of the interview process, including date and time, number of other candidates, whether there are any in-house candidates, and when a decision is expected to be made. Indicate that all the

details and information will be confirmed in a written correspondence. If email is to be used for this correspondence, confirm the candidate's email address.

- c. Confirm that the candidate has received the information package provided during the application process. Indicate that a supplemental package with more detailed information will be provided directly to the candidate's home in advance of the interview.
- d. Confirm local government policy on reimbursement of expenses incurred in conjunction with the interview. Many local governments reimburse candidates for all out-of-pocket expenses, including reasonable transportation, room and board.

The City staff can offer to handle all reservations, transportation and related matters, but this can be cumbersome and time-consuming. In most cases, the local government confirms the time and place and lets the candidate make his or her own arrangements. The candidates usually prefer this approach as well.

6. Interviewing the Candidates

Most local governments use the interview approach for selecting a City Clerk. The interview can consist of just a meeting with the whole City Council, as well as a separate staff interview. The City Council may also want to conduct one-on-one City Council-candidate interviews as they did during the recent City Manager recruitment. The one-on-one interviews are not common, however, they are highly productive in evaluating the candidate, and the candidate's assessment of the City Council.

As part of the initial interview, the City may want to include a comprehensive tour of the community. A trusted senior staff person, such as Debbie Ward, would be a likely tour guide.

Content of the Interview Questions: During the interview, the City Council will question the candidate about a variety of matters, such as overall work experience, specific accomplishments, career objectives, alternative approaches to practical problems faced by local government, and similar matters. A list of potential questions is provided in Appendix A.

The interview also gives the candidate an opportunity to evaluate the governing body as a group and to ask questions. An important issue to discuss during the interview is the governing body's working relationship with the City Clerk, clarifying roles and responsibilities.

During the formal and any informal meetings between the City Council and the candidates, discussions and questions should focus on the criteria for the position that were established at the outset of the recruiting process.

When the initial interview process is over, the governing body should avoid impulsive action but rather take whatever time is necessary to arrive at a comfortable and well-reasoned decision.

Once the City Council has made a decision and a candidate has been selected, and the finalist has indicated a willingness to serve, the City should personally contact the final candidates and applicants to inform them of the City Council's decision and prepare to negotiate with the selected candidate to serve as City Clerk.

Negotiation: The City Council should select the City Attorney to act as its negotiator in securing an agreement with its selected candidate to serve as City Clerk. In negotiations, compensation is a great place to start. The current City Clerk classification salary range is \$49,774 to \$82,139. Ultimately, what salary is acceptable to the City Council? What is the bargaining range? What is the current salary of the selected applicant?

Besides the candidate salary, the negotiations should cover the following subjects:

- Severance pay
- Pension
- Medical insurance
- Vacation, sick leave or paid time off accrual rate
- Holidays
- Professional development dues, conferences and memberships
- Relocation expenses
- Temporary housing
- Performance evaluation goals, objectives and annual or semi-annual review schedule

At the conclusion of the negotiations, a written summary of the terms and conditions of employment to which parties agreed should be memorialized in a written contract for City Council approval and execution by the candidate.

After the City Council and new City Clerk have reached an agreement, the new City Clerk selection announcement should be made to the media, organization and community.

On-boarding: Given the experience the previous Interim City Clerk Jo Smith has, and the City Attorneys and staff have with the functions and duties of the City Clerk, it would be wise to have the new City Clerk spend their first few days speaking with these resources and get acquainted with the job history and expectations before jumping into the City Clerk role full-time.

Appendix A

Potential Interview Questions

It is suggested that each member of the governing body ask the same questions of each candidate.

Candidate Traits/Experience/ Qualifications

1. Provide a brief summary of your education and work experience.
2. Please briefly describe your experience with:
 - Agendas for City Council, Pension Board
 - Meeting Minutes
 - Records Management
 - Public Records Requests
 - Bid Openings
 - Meeting Notices
 - Administrative Support
 - Scheduling and Calendars
 - Financial Closure Statement Filings
3. How would you describe your leadership and management styles?

Interaction with Governing Body

1. What do you perceive to be the City Clerk's role in working with the governing body, local government attorney and others?
2. What are your expectations of the governing body in relations to:
 - A. Yourself
 - B. Other staff
3. How and when do you communicate with the governing body?

Candidate Thoughts on Role of City Clerk

1. In your opinion, what role should the City Clerk have in the community?
2. Do you believe the City Clerk should be an active member of a service or fraternal organization? If yes, why?
3. How do you deal with the news media?
4. How do you deal with special interest or single interest groups?
5. What is the best way for a City Clerk to deal with an angry constituent?

Personnel Experience

1. How and when do you delegate responsibility and authority?
2. Have you ever had to discipline, demote or fire an employee? Please elaborate.
3. How do you educate, encourage and motivate your staff?
4. Are you familiar with state and federal laws relating to nondiscrimination, sexual harassment, employees with disabilities and equal opportunity?
5. Have charges of violation of state or federal employment laws or a grievance ever been filed against you or your City? Please explain.
6. What in your opinion is the most serious issue today in City Clerk functions?

Intergovernmental Relations Experience

1. What experience have you had in dealing with:
 - Councils of government/governmental agencies?
 - County government?
 - Other local governments (schools, parks, etc.)?
 - State agencies?
 - Federal agencies?
 - State legislature?

External Organizational and Professional Association Relations

1. Have you been an active participant in the activities of a national city clerk association, or a state, city or county city clerk association, the International Institute of City Clerks or other professional organizations devoted to city clerk training and development? Please give examples of your activities.
2. Are you an International Institute of City Clerks Credentialed City Clerk? If so, how do you fulfill your annual professional development requirement?

Appendix E

Relations with Applicants — Do's and Don'ts

DO:

- Keep all candidates informed of their status at all times.
- Identify one point of contact through which everything flows, including contacts with candidates, reference checks, etc., in order to ensure that the information, messages, and details are consistent and that the process is fair and equitable.
- Keep all information strictly confidential throughout the entire recruitment and selection process unless state law requires otherwise.
- Create an outreach strategy that will ensure a diverse candidate pool.
- After carefully reviewing all applicant submittals, select a short list of the most promising candidates.
- While maintaining the confidentiality, carefully check educational credentials and references on those candidates judged best qualified.
- Invite those candidates judged best qualified for initial interviews at the local government's expense.
- Send the candidates under consideration an information packet that may include the outreach brochure and copies of your government's budget, charter, annual report, and other pertinent documents; or provide the information on where to find this material on the agency's website.
- Pay expenses of the candidates invited to a second interview (and of their spouses/partners, if applicable).
- Perform detailed background checks on the final candidate(s).
- Be prepared to enter into a formal written employment agreement with the successful candidate.
- Promptly notify all other candidates once the selection has been made and the position has been accepted. However, it is best to wait until the selected finalist has accepted the position and the agency and candidate have mutually agreed to the terms of the employment contract.

DON'T:

- Let the selection process last too long.
- Expect to get all the necessary information about the candidates from written material.
- Forget that you are seeking overall administrative ability, not technical competence in one specialized field.
- Forget to consider candidates who are assistant clerks as well as current city clerks.
- Overlook the need for candidates to possess municipal administrative experience and the advantages or value of college or university training, post degree training, and continued professional development.
- Release for publication any names or local governments of candidates unless state law requires it.



**CITY OF PANAMA CITY BEACH
BUDGET TRANSFER FORM BF-10**

No. BA # 29

FUND GENERAL	ACCOUNT DESCRIPTION	APPROVED BUDGET	BUDGET ADJUSTMENT	NEW BUDGET BALANCE
TO 001-1300-513.31-60	Professional Other	429,500.00	14,500.00	444,000.00
TO 001-1300-513.49-10	Other Current Charges	21,000.00	10,500.00	31,500.00
FROM 001-8100-999.96-00	Reserves Available for Expenditures	5,107,775.00	(25,000.00)	5,082,775.00
	Check Adjustment Totals:	5,558,275.00	0.00	5,558,275.00

BRIEF JUSTIFICATION FOR BUDGET ADJUSTMENT:

To appropriate funds related to the recruitment of a new City Clerk; headhunter services - \$14,500 Colin Baezinger and approximately \$10,500 to bring applicants and spouses to the City - travel, reception, etc.

ROUTING FOR APPROVAL

____ DEPARTMENT HEAD _____ DATE _____ CITY MANAGER _____ DATE _____

____ FINANCE DIRECTOR _____ DATE _____

Exhibit A