



**AGENDA  
CITY MANAGER SEARCH COMMITTEE  
REGULAR MEETING  
MAY 15, 2023  
6:00 PM  
CITY COMMISSION CHAMBERS  
204 ASH STREET  
FERNANDINA BEACH, FL 32034**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF MINUTES**
  - 4.1 April 17, 2023
- 5. OLD BUSINESS**
  - 5.1 **CITY MANAGER QUALIFICATIONS** - *The CMSC, at their April 17, 2023, meeting, reached consensus to contact the Commissioner who appointed them to inquire what qualities and qualifications they are looking for in a new City Manager.*
- 6. NEW BUSINESS**
  - 6.1 **ORIENTATION - SUNSHINE, PUBLIC RECORDS, AND ETHICS LAW ORIENTATION** - *City Attorney Tammi Bach will review sunshine, public records and ethics law orientation.*
  - 6.2 **EXECUTIVE SEARCH FIRM - COLIN BAENZIGER AND ASSOCIATES** - *The City Commission at their April 18, 2023, Regular Meeting, approved Colin Baenziger and Associates (Resolution 2023-66) to serve as the City's Executive Search Firm. Human Resources Director Denise Matson will provide a process overview.*
- 7. PUBLIC COMMENT**
- 8. NEXT MEETING DATE**
  - 8.1 *Alternate Meeting Date - discuss alternate June 19 meeting date due to Juneteeth, a City observed holiday.*
- 9. ADJOURNMENT**

All members of the public are invited to be present and be heard. Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 (for the hearing or speech impaired). All interested parties may appear at said meeting and be heard as to the advisability of any action, which may be considered with respect to such matter. For information regarding this matter, please contact the City Attorney.

The City Manager Search Committee (CMSC) conducted their inaugural meeting Monday, April 17, 2023, at 6:00 PM in City Hall Commission Chambers, 204 Ash Street, Fernandina Beach, Florida. Members present were Wayne Peterson, Margaret Davis, Tim Poynter, Jackie Miller, Steve Simmons, and Advisor Jim Hanson. Also in attendance were Human Resources Director Denise Matson, City Clerk Caroline Best and City Attorney Tammi Bach.

CALL TO ORDER: Member Poynter called the meeting to order and led the Pledge of Allegiance to the Flag.

4.1 ELECT CHAIR, VICE CHAIR AND RECORDING SECRETARY: The City Manager Search Committee selected Tim Poynter to serve as Chair, Margaret Davis to serve as Vice Chair and Jackie Miller to serve as Recording Secretary. **Vote upon passage of the motions was taken by ayes and nays, and being all ayes, carried.**

5.1 ESTABLISH CITY MANAGER SEARCH COMMITTEE MEETING FREQUENCY: No action taken due to CMSC not knowing whether the City Commission will hire an executive search firm at their April 18, 2023, Regular Meeting.

INTRODUCTION: CMSC Advisor Jim Hanson introduced himself, a retired City Manager who was employed as a City Manager for forty-one years. In retirement, Mr. Hanson is a Florida City and County Managers Association Senior Advisor who assists municipalities in hiring City/County Managers, free of charge.

5.2 REVIEW - CHARTER SECTION 25: CITY MANAGER APPOINTMENT; TENURE OF OFFICE; QUALIFICATIONS: The CMSC reviewed Charter Section 25.

5.3 REVIEW - CHARTER SECTION 29: CITY MANAGER POWERS AND DUTIES ENUMERATED: The CMSC reviewed Charter Section 29.

5.4 REVIEW - INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION (ICMA) - LOCAL GOVERNMENT ADMINISTRATOR RECRUITMENT GUIDELINES:

5.5 EXECUTIVE SEARCH FIRM: Advisor Hanson noted one of the most critical hires a City Commission makes is that of City Manager. To ensure a good fit, it is important that the City Commission determine qualifications, this will set the City, and next City Manager, up for success. Following discussion, **a motion was made by Vice Chair Davis, seconded by Member Peterson, to recommend that the City Commission hire an executive search firm and pay for their full scope of services. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

5.6 DISCUSSION - CITY MANAGER QUALIFICATIONS: Following discussion, it was determined that City Commission direction is necessary prior to CMSC taking steps towards crafting City Manager qualification recommendations.

6. PUBLIC COMMENT:

EXECUTIVE SEARCH FIRM SUPPORT: Len Kreger, 1313 Hickory Street, former City Vice Mayor and Planning Advisory Board member, supported the CMSC recommendation to hire an executive search firm.

CITY MANAGER QUALIFICATIONS: Richard Deem, 4104 Dunewood Place, noted some key City Manager competencies: accountability, integrity, coalition building, ability to mediate, mentor, and someone with three levels of vision.

EXECUTIVE SEARCH FIRM SUPPORT: Margaret Kirkland, 1377 Plantation Point Drive, representing Conserve Nassau, supports the CMSC recommendation to hire an executive search firm.

CITY MANAGER QUALIFICATIONS: Sheila Cocchi, 1553 Indigo Street, suggested that behavior interviewing techniques be used in the hiring process in addition to qualifications.

CITY MANAGER QUALIFICATIONS: Richard Doster, 676 King George Lane, would like the new City Manager to understand why residents love the City as well as the kinds of things that create a thriving environment. Mr. Doster suggested the CMSC craft the City Manager qualifications in the interest of time.

CITY MANAGER QUALIFICATIONS: Bryn Byron, 1438 South Fletcher Avenue, recommended the Nassau County Commissioners and City Human Resources Department assist the City Commission with establishing City Manager qualifications in the interest of time.

7.1 NEXT MEETING DATE: City Attorney Bach noted the next proposed meeting date is May 15, not May 23 as indicated on the agenda. Assuming the City Commission hires an executive search firm at their April 18<sup>th</sup> Regular Meeting, the CSMS members should contact the Commissioners who appointed them to ask what their City Manager qualifications are by May 1, 2023. City Attorney Bach also recommended that the CMSC determine Mr. Hanson's role. Chair Poynter requested his presence at every CMSC meeting due to his wealth of knowledge.

7.2 ALTERNATE MEETING DATE: Staff will advise on June 19 (Juneteenth, a City observed holiday) alternate meeting date at a future meeting.

ADJOURNMENT: 7:16 PM

Submitted:

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Recording Secretary Jacki Miller

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Chair Tim Poynter

**CITY OF FERNANDINA BEACH**  
**SUNSHINE, PUBLIC RECORDS, AND ETHICS LAWS**  
**ORIENTATION**

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**I. SUNSHINE LAW**

The purpose of the Sunshine Law is to provide a right of access to government proceedings. All public agencies are subject to the Sunshine Law.

The Sunshine Law is set forth in Florida Statutes § 286.011 and Article 1, Section 24 of the Florida Constitution. **The Sunshine Law extends to discussions and deliberations taken by a public board and is applicable to any gathering (formal or casual) of two or more members of the same board or commission to discuss some matter on which foreseeable action will be taken by the board or commission.**

**THREE BASIC REQUIREMENTS OF THE SUNSHINE LAW AS SET FORTH IN FLORIDA STATUTES § 286.011:**

1. Meetings of the public must be open to the public;
2. Reasonable notice of such meetings must be provided; and
3. Minutes of the meeting must be taken.

**MEETINGS:**

1. The Sunshine Law applies to meetings between individuals who are members of the same board.
2. Meetings with agency staff are not ordinarily subject to the Sunshine Law unless staff ceases to function in a staff capacity and is delegated authority normally within the public agencies discretion.
3. Discussions between a public board and its attorney are subject to the Sunshine Law, except in limited circumstances.
4. Members of the same board or commission may meet socially provided that matters which are coming before the board, or may come before the board, are not discussed.
5. The Sunshine Law applies to subcommittees, unless they are solely fact-finding or information gathering.



### **MEETINGS OPEN TO THE PUBLIC:**

1. Meetings must occur in a location that is easily accessible to the public.
2. The public must be provided “reasonable opportunity” to be heard on a matters prior to a board taking official action. Any violations of this provision may result in the recovery of attorney’s fees by the affected party.

### **REASONABLE NOTICE:**

1. Reasonable notice of all meetings must be provided. According to the Florida Attorney General, the definition of “reasonable” depends on the facts of the situation and board involved.
2. The Sunshine Law does not mandate that an agency provide notice of each item to be discussed through a published agenda. A public body may add additional items to the agenda at regularly noticed meetings and take action on the added item.

### **MINUTES:**

1. Written minutes of all meetings and workshops must be recorded and open to the public for inspection. Verbatim minutes are not required.

### **CONSEQUENCES OF SUNSHINE VIOLATIONS:**

1. Any member of a board or commission who knowingly violates the Sunshine Law may be subject to criminal penalties of a misdemeanor of the second degree. Fla. Stat. § 286.011(3)(b).
2. Sunshine Law provides that a fine not exceeding \$500.00 may be imposed for noncriminal infractions.
3. In civil actions to enforce the Sunshine Law, reasonable attorney’s fees will be assessed against any board or commission found to have violated the Sunshine Laws.

### **NOTE:**

*Lorenzo v. City of Venice*, Case No. 2008 CA 8108 SC (Fla. 12<sup>th</sup> Cir. Ct. Oct. 7, 2009) –The City of Venice was ordered to pay \$777,114.42 in attorney’s fees and costs to the Plaintiff’s attorney. This judgment is one of the highest and most costly judgments entered against a local government for violations of the Public Records and Sunshine Laws.

## II. PUBLIC RECORDS LAWS

Chapter 119, Florida Statutes, and Article I, Section 24 of the Florida Constitution set forth Florida's Public Records laws. These laws apply to the City Commission.

Article I, Section 24 of the Florida Constitution states:

Every person has the right to inspect or copy **any public record made or received in connection with the official business** of any public body, officer, or employee of the state, or persons acting on their behalf, except with respect to records exempted pursuant to this section or specifically made confidential by this Constitution.

Florida Statutes § 119.011(12) defines public records as “all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.”

### **PUBLIC RECORDS:**

1. **Public records include all materials made or received by an agency in connection with official business which are used to perpetuate, communicate or formalize knowledge no matter the form.**
2. There is no “unfinished business” exception to the public inspection and copying requirement of Chapter 119, Florida Statutes; i.e., draft documents are public record.
3. Social networking site communications (Facebook, Twitter, YouTube, LinkedIn, etc.) and text messages (even on your personal devices) are considered a public record if related to official City business. The content of the communication is the determining factor.
4. There are a number of statutory exemptions to disclosure.

### **RIGHT TO INSPECT/COPY:**

1. **Any person is authorized to inspect and receive copies of public records. Individuals are not required to have a special or legitimate interest. Requests do not have to be made in writing.**
2. The records custodian or his/her designee, is responsible for making public records available for inspection and/or copying “at any reasonable time, under reasonable conditions”. Fla. Stat. § 119.07.

3. Any exemption from the public records laws must be stated in writing. Fla. Stat. § 119.07(1)(e). **The public records laws are construed in favor of open government**, so exemptions are strictly construed.

### **CONSEQUENCES OF PUBLIC RECORD VIOLATIONS:**

1. Any member of a board or commission who knowingly violates the Public Records Act may be subject to criminal penalties of a misdemeanor of the first degree (one year in prison or \$1,000 fine, or both). Fla. Stat. § 119.10(1)(b).
2. The Public Records Act provides that a fine not exceeding \$500 may be imposed for noncriminal infractions by a public officer. Fla. Stat. § 119.10(1)(a).
3. If a civil action is filed against an agency and the court determines that the agency unlawfully refused to permit a public record to be inspected or copied and the complainant provided written notice identifying the public record request to the agency's custodian of public records at least 5 business days before filing the civil action, the court shall assess and award attorney's fees against the agency responsible. If the court determines the complainant request to inspect or copy a public record for an improper purpose, the court may not assess and award the reasonable costs of enforcement, including reasonable attorney fees, to the complainant, and shall assess and award against the complainant and to the agency the reasonable costs, including reasonable attorney fees, incurred by the agency in responding to the civil action.
4. Further, any person who willfully and knowingly violates any provision of the Public Records Act commits a misdemeanor of the first degree punishable by one year in prison or \$1,000 fine, or both. Fla. Stat. § 119.10(2)(a).

### **III. FLORIDA'S ETHICS CODE**

Florida's Ethics Code is found in Part III of Chapter 112, Florida Constitution and Article II, Sec. 8 of the Florida Constitution.

1. Premised upon maintaining public trust and prohibiting public officials from using their office for "private gain". Private gain references a public official's ***financial interest*** which is directly affected as result of a vote.
2. Voting Restrictions: You must abstain from voting and refrain from participating in discussion on any measure that would inure to your special private gain or loss, or that of any employer, principal, or relative. Fla. Stat. § 112.3143

- a. If conflict is known, publicly state to the assembly the nature of the conflict and abstain from voting.
- b. The Memorandum of Voting Conflict form must be filed with the City Clerk within 15 days.

Also note that Fla. Stat. § 286.012 provides that a member of a municipal governmental board, commission, or agency who is present at a meeting of any such body at which an official decision, ruling, or other official act is to be taken or adopted may not abstain from voting in regard to any such decision, ruling, or act; and a vote shall be recorded or counted for each such member present, unless, with respect to any such member, there is, or appears to be, a possible conflict of interest under s. 112.311, s. 112.313, s. 112.3143. If the official decision, ruling, or act occurs in the context of a quasi-judicial proceeding, a member may abstain from voting on such matter if the abstention is to assure a fair proceeding free from potential bias or prejudice.

## pensacola news journal

### NEWS

# Escambia County to hire law firm in Doug Underhill public records request lawsuit

**Jim Little** Pensacola News Journal

Published 6:00 a.m. CT Jan. 6, 2020

### Story Highlights

The county is defending two lawsuits brought by David Bear over multiple public records requests he made to Underhill for messages from his Facebook account.

The retention letter calls for an hourly rate of \$275 for firm partners and \$210 for associate attorneys working the case.

The case could set a new precedent in Florida public records law.

Escambia County is turning to an outside law firm in lawsuits over public records requests made to Commissioner Doug Underhill.

The county is defending two lawsuits brought by David Bear, vice president of The Lewis Bear Co., over multiple public records requests he made to Underhill for messages from his Facebook account.

The County Commission is set to vote Tuesday to ratify the hiring of the Nabors Giblin and Nickerson law firm based out of Tallahassee. The retention letter signed by County Attorney Alison Rogers calls for an hourly rate of \$275 for firm partners and \$210 for associate attorneys working the case.

Bear sued the County Commission and Underhill in October in state court, alleging Underhill had not fulfilled multiple public records requests involving both his personal Facebook account and a page called "Commissioner Doug Underhill." The lawsuit also alleged that Underhill's Facebook page settings, which hide the full discussions in his posts, violated Bear's First and 14th Amendment rights.

Because of the constitutional questions raised by the lawsuit, the case was moved to federal court.

Bear filed another lawsuit in December, again in state court, after receiving more than 1,700 screenshots of Underhill's private messages in response to his records request. The lawsuit alleges that the information was non-responsive to his records request because the screenshots appeared to be in a random order and parts of exchanges cut off.

- ▶ **Lawsuit filed:** Escambia County Commissioner Doug Underhill sued over public records request
- ▶ **Crowdfunding defense:** Doug Underhill launches GoFundMe to pay for legal defense
- ▶ **Unprecedented:** Lawsuit over Underhill's Facebook may set precedent for how politicians use social media

Underhill has maintained the lawsuits are politically motivated. The Bear family contributed heavily to Underhill's 2018 opponent and to a political action committee that ran negative advertisements against Underhill during the election.

"I think it's appropriate that the county have an outside law firm, one that doesn't have any connections to the politics of this county," Underhill said. "Because at the end of the day, this is not about whether or not I did anything wrong. It's whether or not a commissioner is allowed to oppose the Bear family."

The case could set a new precedent in Florida public records law. The Florida attorney general has issued an opinion that social media pages of government accounts should be retained as public record, but there have been few, if any, court cases on the issue.

Rogers told the News Journal that one of her jobs as county attorney is to ensure the county's legal expenses remain as small as possible.

"I take that very seriously, but I also have to make sure that we don't get ethically sideways with the Florida Bar," Rogers said.

Bear's two lawsuits against the county could result in a situation where the legal interest of the Board of County Commissioners conflicts with the legal interest of Underhill, Rogers said.

"The possibility is ripe here for all the parties to blame each other, and that then sets up a problem ethically with the Florida Bar," Rogers said. "You can't represent multiple sides of the same dispute."

Additionally, Rogers said, attorneys in her office have been listed as material witnesses in the case as Bear made several of his records requests through the county attorney's office.

"That certainly creates some ethical conundrums for us now because there aren't going to be a lot of other witnesses," Rogers said.

*Jim Little can be reached at [jwlittle@pnj.com](mailto:jwlittle@pnj.com) and 850-208-9827.*



# Herald-Tribune

VENICE

## North Port is sued for alleged Sunshine Law violation

**Earle Kimel** Sarasota Herald-Tribune

Published 3:25 p.m. ET Oct. 14, 2020 | Updated 5:36 p.m. ET Oct. 14, 2020

NORTH PORT – Denovo Law Services has filed suit against the City of North Port and City Manager Peter Lear, claiming they violated the state's Sunshine laws for not producing electronic records in a timely fashion.

In a suit filed in the 12th Judicial Circuit Court Tuesday, Michael Barfield, a paralegal consultant with Denovo and president of the American Civil Liberties Union of Florida, claims that more than 20 days have elapsed without a response from the city since he filed a Sept. 24 public records request asking for all electronic communications from Lear between Feb. 3, 2020, and Sept. 23, 2020.

Barfield said he picked that time period because it covered the time period relevant in the investigation conducted by Sproat Workplace Investigations of a complaint filed with the city's Human Resources Department against Lear.

Lear was ultimately suspended for five days following the investigation. At a mid-August budget workshop, the city commission imposed a Sept. 4 deadline on Sproat, who was not given a due date when originally contracted.

"I think the public is entitled to see the records sent and received between Mr. Lear and his staff member paramour," Barfield said. "I think the investigation was cut short, according to the investigator."

The suit, filed by attorney Robert Watrous on behalf of Barfield, asked for, among other things, an accelerated hearing on the complaint, as well as an award of costs and attorney fees and any other relief the court deemed appropriate.

On Tuesday, Circuit Judge Hunter W. Carroll issued an order for the city and Lear to either comply with the request or show cause as to why Denovo's petition should not be granted.



The city has 10 days from the receipt of Carroll's order to respond.

Ironically, on Sept. 24, the city used its GovQA public records portal to send Barfield an invoice for \$2,524.32 to complete the required work.

Barfield said Wednesday he never received that invoice.

He submitted the records request via email to Lear, City Clerk Heather Taylor and Cynthia Kelly, the records management administrator for the city. He did get an automated response that his request had been read by Lear and received by Taylor and Kelly.

City spokesman Josh Taylor said Wednesday that before work would begin, the city should receive a deposit of \$1,262.16. The public records would be delivered only upon receipt of the balance of the cost.

The invoice estimated that it would take 99.5 hours at \$24.58 per hour to compile and redact the emails, messages and Teams/Share point messages, for a cost of \$2,445.71, and another two hours to compile social media records at a cost of \$52.41 per hour, though 30 minutes of that would be waived, which came to an additional \$78.61.

"If I had gotten the bill for \$2,500, I can say this, I would have filed a lawsuit a long time ago," said Barfield, who added that he double-checked for a response from the city before filing the suit.

Taylor later said in an email that Barfield's request came in at 11:49 a.m. Sept. 24 and that the response was sent through its GovQA portal.

**More:** North Port Commission to discuss brownfield application for Central Parc

**More:** North Port residents step in with alternative Halloween events

That system shows the estimate was sent at 4:45 p.m., and the GovQA system and the system showed that message was confirmed as delivered, he added.

Upon reviewing a copy of the invoice supplied to him by a reporter, Barfield said that it was unclear whether the city would also examine messages on his nongovernmental account.

"Those messages become relevant under the public records act as it relates to the subordinate city employee," Barfield said, then later added, "The Supreme Court has said location doesn't matter, it's content that matters."

Barfield said he is particularly interested in the decisions related to restructuring Neighborhood Development Services by placing the Planning and Social Services Division as well as the Economic Development on the third floor – where the City Manager’s offices are located – as part of a new Office of Community & Environmental Planning.

**More:** North Port commission candidates offer visions for future at League of Women Voters forum

**More:** North Port commissioners plan to increase impact fees

While the department would have a new director, it would report directly to Lear.

Barfield said that after reading the Sproat investigation, he has more questions he’d like answered – especially in relation to the potential department reorganization.

“I know people have a perception of North Port,” Barfield said. “I don’t live there, but it is the largest city in the county, so I look at it from the respondents point of view – the citizens are paying taxes, and I think they’re entitled to know what their government is up to; that includes Mr. Lear.

“And now a \$2,500 bill to find out what he’s up to?” he added. “That’s just ridiculous.”

## NEWS

# State Attorney clears Destin Mayor Gary Jarvis of Public Records Law violations

**Tom McLaughlin** Northwest Florida Daily News

Published 6:13 p.m. ET Sep. 30, 2020

DESTIN — The State Attorney's Office has cleared Mayor Gary Jarvis of any violations of the state's Sunshine Law.

The decision was announced in a news release issued Wednesday afternoon.

Jarvis has freely admitted that he violated Florida's public records laws on two occasions. He has personally reported those violations to the Florida Commission on Ethics and to the state's Attorney General's Office, and said he would willingly pay any fines he might incur.

**More:** Destin mayor asks Ethics Commission to review possible Sunshine Law violations

The first alleged violation involved Jarvis' failure in 2019 to turn over text messaged discussions between himself and a developer concerning a project that was to be brought before Destin officials.

After a group called Pointe Mezzanine LLC filed a public records lawsuit, Jarvis admitted he had failed to turn over text messages he'd sent to development consultant Joe Winkeler, who was working for Pointe Mezzanine. He testified in a deposition that he believed the texts were already in Pointe Mezzanine's hands.

After reviewing the first offense, Chief Deputy State Attorney Greg Marcille reported that following Jarvis' revelations and the settling of the Pointe Mezzanine lawsuit, which cost Destin some \$30,000, the city had changed its public records policies.

The policy changes "should help prevent these problems from occurring in the future," his investigative report said. "For this reason, no further action will be taken."

The second alleged offense, actually committed more than once, occurred in February of this year when Jarvis sent more than one email urging another group of potential developers to contact him at a personal email address to "keep the emails off the public record."

**More:** Legal fees at heart of spat between Destin Council member, mayor

**More:** Destin finally provides answers to legal expense questions

The State Attorney's Office found that "while the mayor may have had the intent to violate the Public Record Law there is no evidence that any records were not produced as a result of his actions."

"For that reason there is insufficient evidence to establish that a crime has been committed," the report said.

Jarvis's initial request for the Ethics Commission to review of his violations was turned down.

In a letter to the mayor, the commission's executive director informed Jarvis that state statutes "do not authorize the filing on an ethics complaint against oneself" and Jarvis was therefore not subject to commission action.

But Marcille said in the press release issued Wednesday that his office would resubmit details of the case to the Ethics Commission. The Ethics Commission can take action based on a third-party complaint.

**More:** Destin's Mayor Jarvis cleared of ethics violation

Marcille said the Attorney General's Office was aware that a complaint against Jarvis had been filed with the State Attorney's Office. The two agencies had discussed the reported violations and the State Attorney's Office led the investigation into possible criminal offenses.

After Destin's city attorney submitted notification of the possible records' laws violations to the State Attorney's Office, City Councilwoman Prebble Ramswell provided additional information for the agency's review.

"Based on emails and information I was privy to as a City Council member I recognized that relevant information had not been included in the initial request for review," Ramswell said. "Because I had knowledge of this information I felt I had a duty to be fully transparent and provide the missing information I had knowledge of for the State Attorney's Office review."

# Sunshine Law & Ethics



# Overview of Topics

## Sunshine Law

- Open Meetings
- Public Records

## Ethics Law

- Voting Conflicts
- Gifts/Honoraria
- Misuse of Public Position



Is this  
required?

- According to Section 112.3142, Florida Statutes, all elected municipal officers, constitutional officers, and CRA commissioners must complete 4 hours of ethics training each calendar year, to address, at a minimum:
  - Article II, Section 8 of the Florida Constitution
  - The Code of Ethics for Public Officers and Employees
  - Public records and public meetings laws of the state



# The Sunshine Law

- Access to public records and meetings is guaranteed in Article I, Section 24 of the Florida Constitution:
- Every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf, except with respect to records exempted pursuant to this section or specifically made confidential by this Constitution. This section specifically includes the legislative, executive, and judicial branches of government and each agency or department created thereunder; counties, municipalities, and districts; and each constitutional officer, board, and commission, or entity created pursuant to law or this Constitution.
- All meetings of any collegial public body of the executive branch of state government or of any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, shall be open and noticed to the public and meetings of the legislature shall be open and noticed as provided in Article III, Section 4(e), except with respect to meetings exempted pursuant to this section or specifically closed by this Constitution.

# Public Meetings

- Chapter 286.011, Florida Statutes
- All meeting of any boards or committees of any state agency or authority, or of any county, municipality, or political subdivision, are to be open to the public at all times.
- Reasonable notice must be given to the public of all meetings.
- Meeting minutes must be taken and be open to the public.
- This applies to elected or appointed officials who have not yet taken office as well.

# What does this mean in practice?



If the meeting is not open to the public, reasonable notice given, and minutes taken, two or more members of a given board or committee may not discuss any matter on which foreseeable action will be taken by that board, council, or commission.



The City must inform the public of all upcoming meetings of the Commission as well as all boards, committees and councils appointed by the Commission that are decision-making or advisory in nature.



Minutes are kept of all meetings and available to the public.

## How does the City meet these requirements?

- All meetings of Boards and Committees are publicly noticed on the City's calendar.
- All Board and Committee agendas are published a week in advance on the City's website and posted in various public locations in City facilities. This includes scheduled meetings that are cancelled.
- Meetings are usually held at Commission Chambers to accommodate the public and for consistency. Other City facilities occasionally host meetings as well.
- Meetings are generally audio and video recorded (not a statutory requirement) and livestreamed on the website and via Comcast channel 264
- Meeting minutes are taken and are sent out weekly with the City Manager's report. They are available upon request to the Clerk's office.
- Notices of gathering are published for public events where multiple Commissioners may attend.

Where can I  
find this  
information?

The City's calendar is at: <http://www.fbfl.us/calendar.aspx>



### Calendar

View all calendars is the default. Choose Select a Calendar to view a specific calendar.

Select the arrows on either side of the current month to change the month.

ListWeekMonth

Find a FacilityNotify MePrintSubscribe to iCalendar

Search calendar by:  
Start dateEnd dateSearchShow Past EventsSelect a Calendar

March2022

| Su | M  | Tu | W  | Th | F  | Sa |
|----|----|----|----|----|----|----|
| 27 | 28 | 1  | 2  | 3  | 4  | 5  |
| 6  | 7  | 8  | 9  | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 | 1  | 2  |

Jump To:

Meetings Calendar (14)

Meetings Calendar

Arts & Culture Nassau Regular Meeting  
March 7, 2022, 12:00 PM - 1:00 PM  
[More Details](#)

Parks and Recreation Advisory Committee Regular Meeting  
March 8, 2022, 5:00 PM - 6:00 PM  
[More Details](#)

Golf Course Advisory Board  
March 9, 2022, 9:00 AM - 10:00 AM  
[More Details](#)

Golf Course Advisory Board Regular Meeting  
March 9, 2022, 9:00 AM - 10:00 AM  
[More Details](#)

Planning Advisory Board Regular Meeting  
March 9, 2022, 5:00 PM - 6:00 PM  
[More Details](#)

Technical Review Committee Regular Meeting  
March 10, 2022, 10:00 AM - 11:00 AM  
[More Details](#)

# City Boards and Committees

- City Commission
- Community Redevelopment Agency Board
- Airport Advisory Commission
- Arts & Culture Nassau
- Board of Adjustment
- Board of Trustees General Employees Pension Plan
- Board of Trustees Police and Fire Pension Plan
- Charter Review Committee
- Code Enforcement and Appeals Board
- CRA Advisory Board
- Golf Course Advisory Board
- Historic District Council
- Housing Authority
- Marina Advisory Board
- Parks and Recreation Advisory Committee
- Public Educational and Governmental Channel
- Planning Advisory Board
- Technical Review Committee
- Youth Advisory Council
- Various ad hoc committees as appointed by Commission

# Frequently Asked Questions

- Can two members of the same public board socialize?
- What does “reasonable notice” mean?
- What are the penalties for violating this statute?



# Public Records

- Section 119.01 (1), Florida Statutes: It is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency.

# What constitutes a public record?

- The Florida Supreme Court has determined that public records are all materials made or received by an agency in connection with official business which are used to perpetuate, communicate, or formalize knowledge. This includes:
  - Emails
  - Memos
  - Tapes
  - Films
  - Sound recordings
  - Contracts
  - Reports
  - Meeting minutes
  - Notes
  - Text messages
  - Phone messages
  - Social media posts and messages

# Emails

- Emails are public record if it is prepared or received in connection with official City business and if there is no exemption (more on this later).
- Emails from private accounts are subject to public records laws if they have to do with City business.
- Private emails on public computers are not automatically public record, but there is no expectation of privacy for any communication using public computers and email.

# Text messages and phone calls

- Voicemail messages (both office and cell phone) and texts are public records if they are made in the course of conducting City business.
- Official City business should not be communicated via text, per City policy.

# How does the City keep records?

- The IT department preserves all email messages dating from 2014.
- The Clerk's Office uses several programs to maintain official records and capture social media posts.
- Departments are responsible for maintaining their own records.
- And... yes, there are storage units full of old City records.

# Responding to Public Records Requests

- Florida Statute 119.07 states that
  - “every person who has custody of a public record shall permit the **record to be inspected and copied by any person** desiring to do so, **at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public records.**”
  - “A custodian of public records and his or her designee must **acknowledge requests to inspect or copy records promptly and respond to such requests in good faith.** A good faith response includes making reasonable efforts to determine from other officers or employees within the agency whether such a record exists and, if so, the location at which the record can be accessed.”

# JustFOIA

“FOIA” stands for “Freedom of Information Act”, and JustFOIA is the name of the program the City uses to gather requests and release them to requestors.

Last year, the City recorded 1,194 public records requests. As of March 15, 2022, the City received and processed 375 requests.

Requestors can go to the Clerk’s page and submit an electronic request:  
<http://www.fbfl.us/70/City-Clerk>

\* denotes a required field



## City of Fernandina Beach

### Public Records Request

204 Ash Street - Fernandina Beach, Florida 32034

Phone: (904) 310-3115 Fax: (904) 310-3454

Pursuant to [Chapter 119 Florida Statutes](#), I hereby request the following currently existing records of the City of Fernandina Beach, Florida.

Requests are not required to be in writing, nor is the requester required to provide their name or an explanation as to why the request is being made. For those who wish to make a written request, you may complete and submit this form or otherwise please contact the City Clerk's Office (904) 310-3119.

The request must be clear enough to enable the City to conduct a meaningful search. The City may ask questions about the request in order to fully respond in a timely manner.

#### FEES:

##### Paper Copies

Letter/Legal: Single-sided \$.15 - Double-sided \$.20

11X17 \$.25 - Oversized Copies : Subject to outside services

Certified Copies \$1.00 per copy

##### Recording Copies

Cassette Tape \$1.00 - CD \$.50 - DVD - \$2.00

Name of Requester

Phone

Email

Optional

###-###-####

johndoe@example.com

Address

City

State

Zip

123 Example Drive

Fernandina Beach

Florida

32034

Description of Request (Be as specific as possible, including name, dates, case numbers, etc, if known.)\*

Enter Text

# Frequently Asked Questions



What is a “reasonable” time frame?



Can I tell the requestor to file their request with the Clerk’s office?



Can the requestor remain anonymous?



The requestor asked for a list of items – we don’t have one like that, do I make one for them?



This request is really broad. Can I ask to narrow it down?



This will take forever. Can we charge a fee for this?



# What is my responsibility as a Board member or City employee?

- You are responsible for maintaining your records while doing City business.
- Board Members: keep your emails, and a folder with your papers relating to City business. If you use social media as part of doing City business, let the Clerk's office know so they can capture that data for the record.
- Employees: keep your files organized and available in case of inspections. Work with the Clerk's office as requests are routed to you.

# Open Meetings/ Public Records Questions?

When in doubt, contact the  
City Clerk's Office or the City  
Attorney's Officer with any  
questions.

# Quasi-Judicial Review Process

- Zoning, variances, and other land use approvals follow a quasi-judicial procedure instead of a legislative one.
- This applies to the City Commission, Code Enforcement & Appeals Board, Special Magistrate Hearings, Historic District Council, and the Board of Adjustment.
- Quasi-Judicial hearings are used for the City Commission during agenda items dealing with preliminary and final plats, first readings of annexation and zoning ordinances, and variances. Other Board cases include variances, certificates of appropriateness, and alleged violations of City Code.

# What's the difference?

## Legislative Actions

- Set general policy
- Allows for broad discretion in decision-making
- Appeals result in new hearing where parties present evidence and testimony, decision made using “fairly debatable” standard

## Quasi-Judicial Actions

- Implement or apply an adopted policy
- Narrow discretion in decision-making – must be based in competent substantial evidence
- Appeals are based entirely on the record of the quasi-judicial proceeding and whether procedural due process was followed and whether the decision was made on competent, substantial evidence

## What is my responsibility as a Board member during quasi-judicial procedures?

- In a quasi-judicial hearing, you are acting in a role similar to a judge in a courtroom.
- Go into the hearing with an open mind.
- You must apply the applicable law to the facts and evidence presented in the hearing.
- The decision you reach should be supported by competent substantial evidence.
- Due process must be followed.
- Ex-parte communications should be avoided.

# Competent Substantial Evidence is relevant, material, and reasonable.

## Competent Substantial Evidence

- Professional planning staff and Planning Board comments where there are facts in the record to support those opinions.
- Professional expert opinion supported by facts the expert knows or has reviewed.
- Non-professional layperson opinion that is fact-based on issues that are not highly technical or scientific.

## NOT Competent Substantial Evidence

- Statements of opinion of public support or opposition.
- Attorney argument unless the attorney establishes on the record additional educational background or employment experience in the field at issue.
- “Expert” testimony from non-staff professionals who do not state their credentials on the record.
- Letters, documented phone calls, emails, or petitions where there can be no cross-examination by the parties.

# Due Process

- Due process means following the established rules set up for the enforcement and protection of private rights.
- Quasi-judicial hearings meet basic due process requirements if the parties are:
  - Provided notice
  - Provided an opportunity to be heard
  - Allowed to present evidence and cross-examine witnesses
- Those who testify are required to swear in.

## Ex-Parte Communications

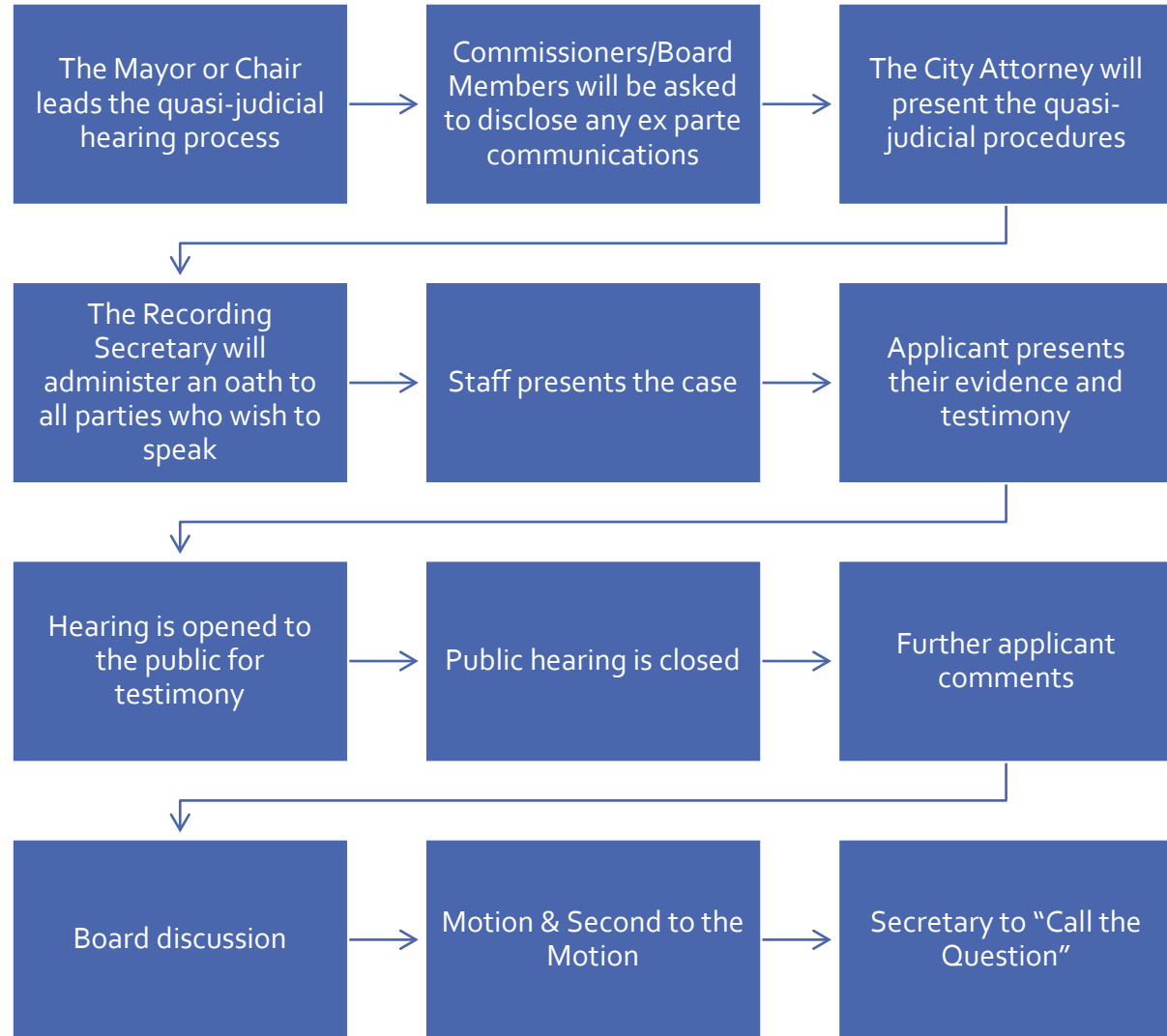
- Ex parte communication occurs when a party to a case, or someone involved with a party, talks or writes to or otherwise communicates directly with the judge about issues in the case without the other parties' knowledge.
- When a Board hears a quasi-judicial case, they are acting as the "judge".
- Ex parte communications are outside of the hearing and so, off the record. They include all forms of communications, investigations, site visits, and expert opinions.



## Disclosure of Ex-Parte Communications

- Ex-parte communications must be disclosed by the Commission or Board member at the beginning of the hearing. That way, adverse parties are provided the opportunity to respond to any such disclosure to prevent the appearance of impropriety.
- See 286.0115, Florida Statutes

# Hearing Process: Establishing the Record



## Findings of Fact

- Findings of fact are not legally required to be in writing by the state; however, they are an important part of the hearing record and in some cases, City Code requires them to be in writing.
- During the discussion and deliberation portion of the quasi-judicial hearing, the Board is strongly encouraged to discuss the evidence and testimony presented as it relates to the facts and to the Code of Ordinances and Land Development Code, and base a decision upon those specific, stated, actual findings.
- Findings of fact should be recited in the motion for inclusion in the order.



# Questions on Quasi-Judicial Hearings

# Ethics

A public office is a public trust.

(Article II, Section 8, Florida Constitution)

## Florida Ethics Laws

- In 1968, a revision to the Florida Constitution required a Code of Ethics for all state employees and non-judicial officers.
- In 1976, the Sunshine Amendment provided additional constitutional guarantees and created the Commission on Ethics to investigate complaints.
- The Code of Ethics for Public Officers and Employees is found in Chapter 112 of the Florida Statutes.

# Florida Commission on Ethics

- Investigate complaints
- Renders advisory opinions to public officials
- Prescribes forms for disclosure
- Administers the executive branch lobbyist registration and reporting law
- Maintains financial disclosure filings of constitutional officers, state officers, and employees
- May file suit to void contracts
- Makes recommendations to disciplinary officials when appropriate

## Ethics Laws Provisions

- There are generally two types of provisions, those prohibiting certain actions or conduct and those requiring that certain disclosures be made to the public
- These laws apply generally to all public officers and employees, state and local, including members of the advisory bodies. Judges are exempt, as they fall within the jurisdiction of the Judicial Qualifications Commission.



## Solicitation and Acceptance of Gifts / Unauthorized Compensation

### OVERVIEW OF LAWS RELATING TO "THINGS OF VALUE," GIFTS, AND EXPENDITURES (Sections 112.313(2) and (4), 112.3148, 112.31485, and 112.3215, Florida Statutes)

- Sections 112.313(2) and 112.313(4), Florida Statutes, prohibit solicitation and acceptance of gifts in certain situations and apply to ***all*** public officers and employees. Section 112.313(2) prohibits officials from soliciting or accepting *anything* of value to the recipient, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the official's action would be influenced. Section 112.313(4) prohibits the official *or his or her spouse or minor child* from accepting anything of value when the official knows, or with the exercise of reasonable care should know, that it was given to influence the official.

## Solicitation and Acceptance of Gifts / Unauthorized Compensation

- **EXPENDITURE BAN**
- Section 112.3215, Florida Statutes, prohibits officials, members, or employees of the State Executive Branch who are required by law to file full or limited public disclosure of financial interests from accepting *any* expenditure\* from a lobbyist or a lobbyist's principal. Lobbyists and their principals are prohibited from making such expenditures. Legislative members and employees should refer to Section 11.045, Florida Statutes, which contains a similar restriction.
- If the gift or thing of value is not prohibited by any of the above laws, then the following laws apply:

## Solicitation and Acceptance of Gifts / Unauthorized Compensation

- **PROHIBITIONS ON GIFTS FROM POLITICAL COMMITTEES**

- Pursuant to Section 112.31485, Florida Statutes, reporting individuals and procurement employees and their parents, spouses, children, and siblings are prohibited from soliciting or knowingly accepting, directly or indirectly, any gift from a political committee, and a political committee is prohibited from giving, directly or indirectly, any gift to a reporting individual or procurement employee or his or her parent, spouse, child, or sibling. "Gift" is defined—*for purposes of this law only*—as "any purchase, payment, distribution, loan, advance, transfer of funds, or disbursement of money or anything of value that is not primarily related to contributions, expenditures, or other political activities authorized pursuant to chapter 106."

## Solicitation and Acceptance of Gifts / Unauthorized Compensation

- **GIFT SOLICITATION PROHIBITIONS**

- Persons required to file financial disclosure Form 1 or Form 6, including candidates, and State procurement employees are prohibited from soliciting any gift from a political committee, lobbyist\*\* of their agency, or from a partner, firm, employer, or principal of such a lobbyist\*, or from a vendor of their agency.

- **GIFT ACCEPTANCE PROHIBITIONS**

- Individuals, including candidates, required to file disclosure Form 1 or Form 6 and State procurement employees are prohibited from directly or indirectly accepting a gift worth more than \$100 from a lobbyist\*, from a partner, firm, employer, or principal of the lobbyist\*, or from a political committee or vendor. However, a gift may be accepted by a person on behalf of a governmental entity or charitable organization, provided the gift is promptly transferred to the intended entity or organization.

# Solicitation and Acceptance of Gifts / Unauthorized Compensation

## **GIFT GIVING PROHIBITIONS**

- Lobbyists, and their firms, partners, employers and principals, and political committees and vendors are prohibited from giving gifts valued at over \$100 to any person required to file Form 1 or Form 6 financial disclosure and to any State procurement employee or to others on behalf of the above.

## **GIFTS OVER \$25 AND NOT EXCEEDING \$100**

- Persons required to file financial disclosure Form 1 or Form 6, including candidates for office and State procurement employees may accept a gift valued at more than \$25 but not exceeding \$100 from a lobbyist\*, the firm, partner, employer or principal of a lobbyist, or a political committee or vendor. However, any of these persons or entities who gives a gift valued at over \$25 but not exceeding \$100 to a covered reporting individual or State procurement employee must report the gift on Commission on Ethics Form 30 by the last day of the calendar quarter for gifts given in the preceding quarter. Additionally, the donor must notify the recipient at the time a reportable gift is made that the gift will be disclosed as required above.

# Solicitation and Acceptance of Gifts / Unauthorized Compensation

## **GIFTS FROM GOVERNMENT AGENCIES and DIRECT-SUPPORT ORGANIZATIONS**

- State government entities, water management districts created pursuant to Section 373.069, Florida Statutes, the South Florida Regional Transportation Authority, the Technological Research and Development Authority, counties, municipalities, school boards, and airport authorities which lobby governmental entities may give a gift worth more than \$100 to a person required to file financial disclosure and to a State procurement employee if a public purpose can be shown for the gift.
- Also, a direct-support organization for a governmental entity may give such a gift to a person who is an officer or employee of that entity. The governmental entity or direct-support organization giving such gift must provide the recipient with a statement describing the gift, the date it was given, and its value no later than March 1 of the following year. The reporting individual/recipient then must disclose this information on Commission on Ethics Form 10, which is to be filed by July 1 with his or her annual financial disclosure.

# Solicitation and Acceptance of Gifts / Unauthorized Compensation

## DEFINITION OF "GIFT"

- "Gift" means anything accepted by a person or on that person's behalf, whether directly or indirectly, for that person's benefit, and for which equal or greater consideration is not given within 90 days of the receipt of the gift.
- "Gift" includes real property or the use thereof; tangible or intangible personal property or the use thereof; a preferential rate or terms on a transaction not available to others similarly situated; forgiveness of a debt; transportation (unless provided by an agency in relation to officially approved governmental business), lodging, or parking; food or beverage; dues, fees, and tickets; plants and flowers; personal services for which a fee is normally charged by the provider; and any other thing or service having an attributable value.
- "Gift" does not include salary, benefits, services, fees, gifts, commissions, or expenses associated primarily with one's employment, business, or service as an officer or director of a corporation or organization; campaign contributions or expenditures pursuant to the election laws; an honorarium or honorarium expense; an award, plaque, certificate, etc., given in recognition of public, civic, charitable, or professional service; honorary membership in a service or fraternal organization; the use of a public facility or public property made available by a governmental agency for a public purpose; and transportation provided by an agency in relation to officially approved governmental business.
- Also exempted are some gifts from organizations which promote the exchange of ideas between, or the professional development of, governmental officials and employees and whose membership is primarily composed of elected or appointed public officials or staff, if the gift is to a member of the organization.

## Solicitation and Acceptance of Gifts / Unauthorized Compensation

### QUARTERLY GIFT DISCLOSURE BY REPORTING INDIVIDUALS

- All persons required to file financial disclosure and State procurement employees and who receive a gift which is not prohibited and which is worth more than \$100 must file a Form 9, Quarterly Gift Disclosure, with the Commission on Ethics no later than the last day of a calendar quarter following the quarter in which the gift



## Misuse and Abuse of Public Position

- Public officers and employees and local government attorneys are prohibited from corruptly using or attempting to use their official positions or resources thereof to obtain a special privilege or benefit for themselves or others.
- Public officers and employees are prohibited from abusing their public positions in order to obtain a disproportionate benefit for themselves or certain others.

## Disclosure or Use of Certain Information

- Public officers and employees are prohibited from abusing their public positions in order to obtain a disproportionate benefit for themselves or certain others.

## Solicitation or Acceptance of Honoraria

- Persons required to file financial disclosure Forms 1 or 6 are prohibited from soliciting honoraria related to their public offices or duties.
- Persons required to file Forms 1 or 6 are prohibited from knowingly accepting honorarium from a political committee or lobbyist. However, they may accept the payment of expenses related to an honorarium event, provided that the expenses are disclosed.

## Doing Business with One's Agency

- A public employee acting as a purchasing agent or public officer acting in an official capacity, is prohibited from purchasing, renting, or leasing any realty, goods, or services for their agency from a business entity in which the officer, their spouse, or child owns more than a 5% interest.
- A public officer or employee, acting in a private capacity, is also prohibited from renting, leasing, or selling any realty, goods, or services to their own agency or political subdivision.

## Conflicting Employment or Contractual Relationship

- A public officer or employee is prohibited from holding any employment or contract with any business entity or agency regulated by or doing business with their public agency.
- A public officer or employee is prohibited from holding any employment or having a contractual relationship which will pose a frequently recurring conflict between the official's private interests and public duties or which will impede the full and faithful discharge of the official's public duties.

# Exemptions to conflicting employment/ business dealings

- When a business is rotated among all qualified suppliers in a city or county
- When the business is awarded by sealed, competitive bidding and the official has not attempted to persuade the agency to enter into the contract (note: appropriate disclosure must be filed at the time of bid submission)
- When the purchase is for legal advertising, utilities service, or passage on a common carrier
- Emergency purchases
- Sole source with appropriate disclosure
- When the aggregate of the transactions does not exceed \$500 in a calendar year
- For Advisory Board members only – when the prohibitions are waived by a 2/3 vote of the appointing body (and disclosure)
- When employed by a tax-exempt agency so long as the officer is not directly or indirectly compensated and the officer is not involved in the decision to enter into the contract and abstains from voting on any matter involving the employee (and disclosure)

# Lobbying, Dual Office- Holding, Prohibited Employment

- A member of the legislature is prohibited from representing another person or entity for compensation during their term before any state agency.
- A public employee is prohibited from being a member of the governing body which serves as their employer.
- Officers of a state, county, or regional professional or occupational organization or association, while holding that position, may not serve as a member of a state examining or licensing board for the profession or occupation.
- Local government attorneys and their law firms are prohibited from representing private individuals and entities before the unit of local government which they serve
- Candidates and elected officers are prohibited from accepting public employment if they know it is being offered for the purpose of influence, if the position was not previously in existence. Promotions for those holding public employment may not be given.

## Voting Conflicts

- No county, municipal, or other local public officer may vote in an official capacity upon any measure which would inure to their special private gain or loss, or that of a relative or business associate.
- The officer must publicly announce the nature of their interest before the vote and file a memorandum of voting conflict.



## Restrictions on Appointing, Employing, and Contracting with Relatives

- A public official is prohibited from seeking for a relative any appointment, employment, promotion, or advancement in the agency they are serving.
- This prohibition does not apply to school districts, community colleges and state universities, and small municipalities (less than 35,000 residents).

# Financial Disclosures: Form 1

- You must fill out a Form 1 if you are a:
  - State officer, local officer, or candidate for local office
  - Specified state employee
  - Code enforcement board member
  - Member of a planning or zoning board or other board having the power to recommend, create, or modify land planning or zoning within the political subdivision
  - On pension or retirement boards
  - City manager, finance director, chief building inspector, chief of police, fire chief, municipal clerk, purchasing agent

## Form 1: Disclosure & Filing

- What must be disclosed:
  - Sources and types of financial interests
  - Names of employers
  - Property holdings
  - Ownership interests in certain businesses like utilities and banks
  - No dollar values are required to be listed
- Candidates must file at the time they file their qualifying papers; all others must file by July 1 of each year.
- The form is filed with the Supervisor of Elections

## Financial Disclosure: Form 6

- You must fill out a Form 6 if you are:
  - An elected constitutional officer or candidate for such office
  - Mayor or City Council member in Jacksonville
  - Duval County Superintendent of Schools
  - Transportation authority member
- Form 6 is a detailed disclosure of assets and liabilities and their values, including total net worth. You can opt to file your most recent tax return in lieu of sources of income.
- Form 6 is filed electronically through the Commission on Ethics

## Penalties for Violations of the Code of Ethics

- Impeachment, removal from office or employment, suspension
- Public censure, reprimand, demotion, reduction or forfeiture of salary level
- Civil penalty up to \$10,000
- Restitution of any pecuniary benefits received, and triple the value of a gift from a political committee
- Candidates may be disqualified from ballot

## Other Penalties

- If you fail to file a Form 1 or Form 6, a \$25 per day penalty is assessed (up to \$1,500)
- Public officers and employees are subject to forfeiture of all rights and benefits of pension if convicted of embezzlement, theft of public funds, bribery, impeachable offenses, and felonies committed with intent to defraud the public.

# Filing Complaints

- The Commission on Ethics can only conduct investigations of alleged violations of a person files a sworn complaint. They may not take action through newspaper reports, telephone calls, or letters. They do accept referrals from the Governor, FDLE, or a State or U.S. Attorney.
- The complaint, proceedings and records, are confidential until the accused requests the records become public or the matter reaches a stage in the Commission's proceedings where it becomes public.
- Once a complaint is filed, it goes through three procedural stages: determination of legal sufficiency, preliminary investigation and decision on probable cause to believe there is a violation; and a hearing and decision on whether there was a violation and what penalty to assess.

# Complaints

- The Commission can dismiss a complaint at any point in the proceedings; records generally become public upon dismissal.
- All sworn complaints alleging a violation of the Sunshine Amendment or the Code of Ethics must be filed with the Commission within five years of the alleged violation or other breach of the public trust. Time is measured from one day after the alleged violation.



# Ethics Commission Advisory Opinions

- The Commission on Ethics offers advisory assistance to help avoid conflicts of interest
- Any public officer, candidate, or public employee in Florida may seek an advisory opinion about the applicability of the standards of conduct or disclosure rules to themselves or their employee.
- Opinions are requested by letter presenting a real situation, including a detailed description.
- Opinions issued by the Commission are binding on the conduct of the person who is the subject.
- All opinions are available for viewing online, though some may have names redacted due to confidentiality procedures.

# Questions on Ethics



# What do you think?

- QUESTION 1: Would a county commissioner have a prohibited conflict of interest under the Code of Ethics were he to accept employment with the county as county surveyor for no compensation?
- QUESTION 2: Would a county commissioner have a prohibited conflict of interest under the Code of Ethics were he to perform the duties of county surveyor as an outside contractor for no compensation?
- QUESTION 3: Would a county commissioner be presented with a voting conflict under Section 112.3143(3)(a), Florida Statutes, were he to vote on a proposition to create the County Surveyor position, whether the position is created as an employee or an outside contractor?

# Commission's Advisory Opinion 21-4

- Yes. A prohibited conflict of interest would be created under Section 112.313(7)(a), Florida Statutes, were a county commissioner to serve simultaneously as the county's surveyor, regardless of whether he is hired as a county employee or as an independent contractor, and regardless of whether he accepts compensation for his services. Were the county commission to vote on creating the position, the county commissioner would not have a voting conflict under Section 112.3143, Florida Statutes, considering that he would be prohibited from serving in the position while still a commissioner. However, if he intends to apply for the position in the future, after his tenure on the commission ends, it is recommended that he abstain from the vote pursuant to Section 286.012, Florida Statutes, to avoid any appearance of impropriety.

What do you  
think?

- Is a prohibited conflict of interest created where a member of the City Council enters into a contract with the City for usage of the City recreation center to host karate classes?

# Commission's Advisory Opinion 21-6

- **No.** Under the particular facts presented, Section 112.316, Florida Statutes, will negate a conflict of interest under Section 112.313(7)(a), Florida Statutes, were a member of a City Council to enter into a contract with the City for usage of the City recreation center to host karate classes. No conflict is found under Section 112.313(3), Florida Statutes. Based on the facts presented, **it does not appear you are acting in an official capacity to purchase karate instruction for the City and you are not acting in a private capacity to sell karate instruction to the City.** Therefore, Section 112.313(3) does not apply to pose any prohibited conflict of interest.

What do you think?

- Would a prohibited conflict of interest be created were you, a county commissioner, to own a hardware store which sells goods to the county?

# Commission's Advisory Opinion 20-6

- **Yes.** A prohibited conflict of interest would be created under Sections 112.313(3) and 112.313(7)(a), Florida Statutes, were a hardware store owned by a county commissioner to sell goods to the county. **However, if the county purchases goods from the commissioner's hardware store on a rotating basis from all qualified suppliers in the county, the exemption provided in Section 112.313(12)(a), Florida Statutes, would apply** and the transaction(s) would not be prohibited.



# What do you think?

- **QUESTION 1:** Would tickets to events held by non-profit or for-profit entities, paid for by the City via a sponsorship contribution, and given by the City to public officers and employees who file financial disclosure be considered gifts?
- **QUESTION 2:** Would tickets or admissions to VIP events or to early performances not otherwise available to the public and given to public officers and employees who file financial disclosure be considered gifts?
- **QUESTION 3:** Would tickets to fundraising events hosted and sponsored by non-profits that receive funding from the City and given to public officers and employees who file financial disclosure be considered gifts?
- **QUESTION 4:** How would tickets or admissions to an event hosted by a non-profit entity be valued, where the City has purchased a sponsorship for the event, a portion of which was identified as tax deductible, and thereafter received a sponsorship benefits package including radio and print advertising recognizing the City as a sponsor of the event, as well as several tickets or, alternatively, access to a table at the event?

# Commission's Advisory Opinion 19-17

- For purposes of Section 112.3148, Florida Statutes, **a city official or employee who files financial disclosure (a reporting individual) has received a "gift" from the city when they accept complimentary tickets to events sponsored in part by the city and hosted by for-profit or non-profit entities.** As the gift involves a ticket(s), its valuation is controlled by Section 112.3148(7), Florida Statutes, and Rule 34-13.500, Florida Administrative Code. As there is no indication that the tickets are an indirect gift from a lobbyist or from a partner, firm, employer, or principal of a lobbyist who lobbies the city or a vendor of the city for purposes of Section 112.3148(4), Florida Statutes, **the city officials and city employees may accept the ticket(s), but where the combined face value of the tickets accepted by a reporting individual exceeds \$100, the reporting individual must disclose them** pursuant to Section 112.3148(8), Florida Statutes. Further, **tickets or admissions to VIP events or to early performances not otherwise available to the public and given to public officers and employees who file financial disclosure would be considered gifts.** Also, where a reporting individual receives complimentary tickets to fundraising events held by non-profit entities that receive funding from the city, the ticket(s) would constitute an indirect gift from the non-profit, which could be accepted provided that the non-profit is not a lobbyist or the partner, firm, employer, or principal of a lobbyist who lobbies the city or a vendor of the city, but the tickets must be disclosed quarterly on a CE Form 9. Further, pursuant to Section 112.3148(7)(h), Florida Statutes, and Rule 34-13.500(5)(d), Florida Administrative Code, **the value of a ticket to a charitable fundraising event is the face value of the ticket or if no face value was provided the published cost of admission to persons with similar tickets.**

What do you  
think?

- Would a city councilmember be in violation of Section 112.3135, Florida Statutes, were the city council to approve an appropriation to the city manager's budget and direct the city manager to use the appropriation to increase the salary of the city clerk, who is the councilmember's wife?

# Commission Advisory Opinion 19-24

- **No.** A city councilmember will not transgress Section 112.3135(2)(a), Florida Statutes, the State's anti-nepotism law, were the city council to approve a budgetary appropriation and direct it be used to increase the salary of the city clerk, a position held by his wife, **so long as the pay increase will not exceed the salary range authorized for that position.**

# What do you think?

- **QUESTION 1:** Do donations given to a nonprofit organization where a municipal police chief serves as an uncompensated director—including donations from police department lobbyists, the partners, firms, employers, or principals of such lobbyists, and police department vendors—constitute "indirect gifts" to the police chief under Section 112.3148(4), Florida Statutes, when they are used to make charitable contributions to local families, individuals, and community organizations?
- **QUESTION 2:** Do donations given to a nonprofit organization where a municipal police chief serves as an uncompensated director—including donations from prohibited sources—constitute "indirect gifts" to the police chief under Section 112.3148(4) when they are used to purchase equipment and gear for the police department?
- **QUESTION 3:** Would the police chief misuse his public position contrary to Section 112.313(6), Florida Statutes, were he to wear his police uniform or identify his title with the police department while fundraising for the nonprofit?
- **QUESTION 4:** Would the police chief have a prohibited conflict of interest under Section 112.313(7)(a), Florida Statutes, if the nonprofit donates equipment and gear to the city's police department?

# Commission Advisory Opinion 19-13

- Under the circumstances presented, where a municipal police chief serves as an uncompensated director and engages in fundraising activities for a nonprofit organization, and where the nonprofit uses donations to make charitable contributions to local families, individuals, and community organizations, **the donations will not constitute "indirect gifts" to the police chief** under Section 112.3148, Florida Statutes. However, if the nonprofit uses **the donations to purchase equipment or gear for the police department, and were the police chief to use that equipment or gear, the donations would be considered "indirect gifts" to him.** If the police chief engages in fundraising on the nonprofit's behalf, no provision in the Code of Ethics prohibits him from wearing his uniform or identifying his public position, so long as he obtains permission and remains in compliance with local ordinances governing such conduct. And since the police chief does not intend to have employment or a contractual relationship with the nonprofit, his affiliation with the nonprofit will not trigger the prohibitions found in Section 112.313(7)(a), Florida Statutes.

What do you  
think?

- Would a member of a city council be presented with a voting conflict under Section 112.3143(3)(a), Florida Statutes, regarding measures concerning changes to the city's land development regulations relating to the city center zoning district wherein she and her spouse own property?

# Commission Advisory Opinion 18-14

- No. A member of a city council is not presented with a voting conflict requiring her abstention and compliance with Section 112.3143(3)(a), Florida Statutes, regarding measures concerning changes to the city's land development regulations relating to the city center zoning district wherein herself and her spouse own property. **Under these circumstances, the size of the class of affected properties is sufficiently large such that any gain or loss to the council member and/or her spouse is not "special."**



# Case Study: Commission on Ethics Opinion 23-2

- Statute at issue: **SECTION 112.313(7)(A) FLORIDA STATUTES**

“No public officer or employee of an agency shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he or she is an officer or employee . . . ; nor shall an officer or employee of an agency have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.”

# Case Study: Commission on Ethics Opinion 23-2

- **QUESTION #1 - PROHIBITED CONFLICT OF INTEREST**

Will a member of the West Villages Improvement District Board of Supervisors have a prohibited conflict of interest if he maintains a membership in the nonprofit corporation functioning as the homeowners' association for a community within the District, serves as an officer on that nonprofit corporation, and serves as the designated corporate representative of the nonprofit corporation in a lawsuit against the District?

# Case Study: Commission on Ethics Opinion 23-2

- **QUESTION #1 - ANALYSIS**

- There are two prohibitions in Section 112.313(7)(a).
  - The first prohibition of this statute proscribes a public officer from having any contractual relationship with a business entity or an agency that is regulated by or is doing business with his or her agency.
  - The second prohibition of this statute proscribes a public officer from having a contractual relationship that would create a continuing or frequently recurring conflict of interest or would create an impediment to the full and faithful discharge of his or her public duties. This requires an examination of the public officer's duties and a review of his or her private employment or contractual relationship "to determine whether the two are compatible, separate and distinct or whether they coincide to create a situation which tempts dishonor." Zerweck v. State Commission on Ethics, 409 So. 2d 57, 61 (Fla. 4th DCA 1982)

# Case Study: Commission on Ethics Opinion 23-2

## QUESTION #1 – ANSWER – PROHIBITED CONFLICT OF INTEREST

- “Rank and file” membership in a nonprofit corporation (here an HOA) is a contractual relationship between the public officer and corporation
- A corporation is doing business with a public agency where the corporation and agency have a lease or contract (here HOA has a contract with public agency for irrigation water)
- Having a lawsuit between a corporation and public agency does not in itself constitute “doing business” with a public agency (HOA is suing public agency related to the irrigation contract with public agency)
- **YES, THE MEMBER OF DISTRICT BOARD HAS A CONFLICT OF INTEREST BECAUSE OF THE IRRIGATION WATER CONTRACT**
- **BUT, WAIT; SECTION 112.313(12)(C) PROVIDES AN EXCEPTION FOR UTILITIES SERVICE TO NEGATE THIS TYPE OF CONFLICT OF INTEREST**
- **BUT, WAIT AGAIN; SECTION 112.316 PROVIDES A LESS PERMANENT EXCEPTION THAT “GRANDFATHERS” A CONTRACT EXISTING PRIOR TO THE PUBLIC OFFICER’S ELECTION OR APPOINTMENT TO PUBLIC AGENCY BOARD, IF THE CONTRACT IS AMENDED AFTER THE PUBLIC OFFICER TAKES OFFICE, THE EXCEPTION**
- Whether a public officers’ private contractual relationships coincides with public duties to create a situation(s) that tempts dishonor is a fact-specific analysis. In prior opinions from the Florida Commission on Ethics, they have found that membership in a corporation does create a contractual relationship with the corporation for the public officer, just membership is not enough to create a frequent occurring or continuing conflict under the second part of Sec. 112.313(7)(a); however, when the membership in the corporation is coupled with additional incentive to compromise one’s public duties, serving as an officer, director or corporate representative in litigation, **it is a prohibited conflict of interest and violation of Sec. 112. 313(7)(a) and the public officer should resign from being an officer of the corporation (can still be a member), and the public officer should not be the corporate representative for the corporation in the lawsuit against the public agency.**

# Case Study: Commission on Ethics Opinion 23-2

- Statute at issue: **SECTION 112.3143(3)(A) FLORIDA STATUTES**

“No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporation parent by which he or she is retained, other than an agency as defined in s. 112.312(2); or which he or she knows would insure to the special private gain or loss of a relative or business associate of the public officer.

# Case Study: Commission on Ethics Opinion 23-2

## **QUESTION #2 – VOTING CONFLICT**

- Can the appointed member of the District Board vote on a matter concerning the litigation between the District and the HOA?

# Case Study: Commission on Ethics Opinion 23-2

## QUESTION #2 – ANALYSIS & ANSWER

- The statute prohibits the District Board member from voting on any measure that will inure to his special private gain or loss, or special private gain or loss of a principal by whom he is retained, a relative or business associate
- Nothing here suggests the HOA is a principal (boss) of the public officer because the public officer is not compensated by the HOA, and not business associate or relative is included in these facts, so the analysis is just whether the public officer's vote would create a special private gain or loss for the public officer himself
- The Commission on Ethics further analyzes the size of the class of people affected by a vote, and if sufficiently large (determined by prior Commission on Ethics opinions), a public officer's proportional interest in the class is sufficiently small, a public officer's gain or loss is not "special" in violation of the statute
- **A vote by the public officer on a matter related to the litigation may create a gain or loss by the public officer, but he is just one member of the HOA which has 1,935 residential units and members that would be affected by the outcome of the litigation, so a voting conflict is not created because the gain or loss to the public officer is not "special" due to the size of the class affected**

# *Memorandum*

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*Colin Baenziger & Associates*

**TO:** Mayor and Members of the City Commission  
Fernandina Beach

**FROM:** Colin Baenziger and Lynelle Klein

**DATE:** April 24, 2023

**SUBJECT:** Initial Meetings Concerning the City Manager Search

---

I would first like to thank you for the opportunity to assist Fernandina Beach in finding your next City Manager. It is an honor and a significant responsibility, one we do not take lightly.

The first step in the search process is for us to meet with each of you individually (in person and/or via video) and any others you feel we should meet with. The purpose of the meetings is to gather much of the information we need so that we can recruit the best candidates. We also need to get to know you as not just elected officials, but as people. The best candidates will ask us about the situation, about you, about how you work together as a body, and we need to be able to answer.

Our conversations will be frank and free flowing. You do not need to prepare extensively for our meeting but if you could give a little thought to the following questions, it would be helpful. We are sure we will be asking many follow-up questions, but the basic questions are:

1. What makes Fernandina Beach a great place to live, work, play and be the City Manager?
  - Some possible answers might be good schools, small City feel, great place to raise a family, friendly people, access to amenities, and so on.
  - The elected officials all have the best interests of the community at heart and work well together. The staff is first rate, etc.
2. What are the challenges the next City Manager will have to face?
  - Finances, level of service, and redevelopment are issues common to many cities. Are they here and are there others?
3. What characteristics do you feel the ideal candidate should have? What are you looking for in the next manager? What type of person do you think will fit best in your community?
  - Excellent communications skills, strong knowledge of finance, expertise in redevelopment, people person, strong management, visionary leader, integrity, etc.
4. How much do you want to pay the next manager?

As noted, we will be gathering the information we need to market the position and accurately portray the community to potential candidates. They can then determine if this job is one they want to pursue. Consequently, while we need to be positive, we also need to be honest. If the material is not accurate, the person you hire may feel misled, be dissatisfied or not be a good fit, and leave.

We look forward to meeting with each of you!



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## **Preparation and Events for the City Manager Interviews**

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The following is a list of items that need to be addressed to prepare for the City Manager Interviews and Selection Process. It probably contains more detail than necessary, but we felt it was best to provide as much information as possible so nothing is forgotten.

### **Pre-Interview Tasks – After Finalists Are Selected**

**Notification:** Colin Baenziger & Associates (CB&A) will notify the finalists and alternate who have been selected to be interviewed. *Responsible Party: CB&A.*

**Preparatory Material:** As soon as the finalists and alternate have been selected, the City should send each of them as many of the following materials as are available, if not available on the internet: the current year budget, an organization chart, the latest certified audit and management letter, any City strategic and long range plans, enabling legislation and other materials that define the role and duties of the City Manager, and any evaluations of the organization completed in the previous twelve months. The City should also try to include other materials, such as housing guides, welcome kits from the Chamber of Commerce, maps of the area, etc. *Responsible Party: The City.*

**Candidate Travel:** We will ask the candidates to purchase their airline tickets, with the cost reimbursed directly by the City after the candidate is interviewed. *Responsible Party: CB&A*

**Candidate Lodging:** The City should make reservations for the finalists at a local hotel and pay the hotel directly (thus avoiding the sales tax). *Responsible Party: The County.*

### **Interview Tasks**

**Candidates Meet the Staff:** Many local governments want the candidates to meet their senior staff, and conversely, the candidates like to meet the people with whom they would work. There are several ways to accomplish this. One is a "meet and greet" which normally lasts an hour or two. Another is to divide the senior staff into groups of three from different departments, such as someone from Public Works, Human Resources, and Parks and Recreation forming a group. The candidates then rotate among the groups, spending 30 to 45 minutes with each group. Normally, meeting the staff occurs just before the City tour, but can occur afterwards. *Responsible Party: The City.*

**City Tour:** We highly recommend the City conduct a tour for the candidates and their spouses early afternoon. A van or small bus will be needed, and a knowledgeable staff member should be assigned to conduct the tour so that everyone hears the same information. We suggest the tour start at 1:00 P.M. *Responsible Party: The City.*

**Realtor's Tour:** Many candidates and spouses have questions about residential neighborhoods, schools, medical facilities, and other City amenities. A real estate professional can usually answer those questions. Since the spouses will likely be free during the formal interviews on Saturday, we suggest they be provided a list of area Realtors to contact for a tour. *Responsible Party: The City to provide a list of Realtors, or CB&A can arrange.*

## Preparation and Events for the City Manager Interviews

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**Reception:** The City will choose a location for the candidate reception, and typically, it is held at a public facility, a local restaurant, a country club, or other suitable location. It can be scheduled to begin as early as 5:30 P.M., or as late as 7:00 P.M., and usually lasts 90 minutes. The City will need to determine who should be invited. In addition to the elected officials (and their spouses) and the candidates (and their spouses), chairpersons of key committees are often invited, as well as other City officials and local business leaders. With the entire governing body in attendance, the reception should be noticed as a public meeting to avoid any possible appearance of a violation of the public meeting statutes. As a public event, news media representatives will often attend, as well as some members of the public. The City should arrange for food and drink and bear the cost. In some cities and counties, the local Chamber of Commerce has sponsored the event and assumed the cost.

The reception provides the first opportunity for the elected officials to meet the finalists, and although the event need not be lavish, it should put the City in its best light. We are often asked if alcohol should be served, and that is a matter for the City to determine. Occasionally, it can be revealing to see how candidates react when alcohol is available. We also recommend the City provide name tags. What seems to work best is something simple such as the self-adhesive name tags which can be purchased at an office supply store. We suggest the candidate name tags be one color while all the other attendees be given name tags of a different color. That makes it easy for the elected officials and the public to identify the candidates. *Responsible Party: The City.*

### **Interviews with Elected Officials**

**Interview Morning Breakfast:** The City should arrange for a light Continental breakfast on the morning of the interviews. Coffee, juice, Danish, and fruit are usually served 30 minutes before the start of the one-on-one interviews. Generally, very little is eaten so the breakfast need not be lavish. *Responsible Party: The City.*

**One-on-One Interviews:** The candidates will rotate between the offices of individual members of the elected body for approximately 40 minutes according to a pre-determined schedule. CB&A will provide sample questions that the Commission may wish to ask. A CB&A representative or member of City staff will usher each candidate to each elected official at the appropriate time to keep the process on schedule. *Responsible Party: CB&A and the Elected Body*

**Interview Day Lunch:** The City should arrange for a light lunch for the elected officials and the candidates. It is served immediately after the one-on-one interviews. Usually, 30 to 40 minutes are allocated for lunch, and it is done in the same facility where the interviews are held. Again, it need not be lavish. Sandwiches (or subs), a salad and drinks are typical. *Responsible Party: The City.*

**Interviews by the Elected Body as a Whole:** We recommend the elected body as a whole interview each of the candidates for approximately 30 minutes. These interviews will be conducted as public meetings. We start with a brief 5-minute session to discuss procedures and

## **Preparation and Events for the City Manager Interviews**

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settle on the questions to be asked. The staff member will then usher the first candidate to the podium and introduce him or her. The Mayor typically welcomes the candidate and provides the candidate with a few minutes to describe his or her background briefly. Each elected official in turn asks the candidate one or two questions, and any follow-up questions. If time permits, more questions may be asked. While each interview generally lasts 30 minutes, since the interviews are sequential, the Commission can take more or less time with each finalist. The important thing is for the Commission to get the information it needs to make the right decision. *Responsible Party: The Elected Body with staff assistance.*

**Recap, Discussion of Next Steps and Possible Selection:** At the conclusion of the last interview, the Commission will briefly recap the day's events. Some elected bodies make the selection of the manager that day. Others prefer to consider what they have learned for at least a day or two before making their selection. *Responsible Party: City Commission with City Staff and CB&A.*

If you have any questions, please let us know, and we will be happy to provide answers.

***Fernandina Beach - City Manager Interview Schedule - DRAFT***

4/24/2023

***Date TBD***      1:00 p.m.: Tour of City. Meet at City Hall

3:30 p.m.: Cheese and cracker reception with staff

5:00 p.m. Finalists have free time.

5:30 p.m. to 7:00 p.m. Finalist Reception at a location to be determined.

***Date TBD***      ***One-on-One Interviews at the City Hall***

| Time                     | Antun                         | Ayscue      | Bean        | Ross        | Sturges     |
|--------------------------|-------------------------------|-------------|-------------|-------------|-------------|
| 8:45 a.m.                | Coffee, tea, danish and fruit |             |             |             |             |
| 9:00 to 9:40 a.m.        | Finalist #1                   | Finalist #2 | Finalist #3 | Finalist #4 | Finalist #5 |
| 9:40 to 10:20 a.m.       | Finalist #5                   | Finalist #1 | Finalist #2 | Finalist #3 | Finalist #4 |
| 10:20 to 11:00 a.m.      | Finalist #4                   | Finalist #5 | Finalist #1 | Finalist #2 | Finalist #3 |
| 11:00 to 11:10 a.m.      | Break                         |             |             |             |             |
| 11:10 to 11:50 a.m.      | Finalist #3                   | Finalist #4 | Finalist #5 | Finalist #1 | Finalist #2 |
| 11:50 a.m. to 12:30 p.m. | Finalist #2                   | Finalist #3 | Finalist #4 | Finalist #5 | Finalist #1 |

|                 |                                                  |
|-----------------|--------------------------------------------------|
| 12:30 to 1 p.m. | Light lunch for Finalists and Commission Members |
|-----------------|--------------------------------------------------|

***Special Meeting - Interviews with the Commission as a Whole at City Hall***

| Time              | Name                             |
|-------------------|----------------------------------|
| 1:00 to 1:05 p.m. | Review procedures for interviews |
| 1:05 to 1:35 p.m. | Finalist #1                      |
| 1:35 to 2:05 p.m. | Finalist #2                      |
| 2:05 to 2:35 p.m. | Finalist #3                      |
| 2:35 to 2:45 p.m. | Break                            |
| 2:45 to 3:15 p.m. | Finalist #4                      |
| 3:15 to 3:45 p.m. | Finalist #5                      |

4:00 p.m.: Commission meets to make a selection or discuss next steps.

In order to write the recruitment profile, we need the following information and materials, provided it is available. If it is not, we will work around it.

1. A brief history of the City and the area (ideally in a Word format).
2. List of any recognitions the City or the area has acquired over the past 10 years. For example, one of the ten best cities to raise a family.
3. About the community
  - A list of the activities (cultural, sporting, outdoors, etc.) that the area offers.
  - What does a typical home sell for in the City?
  - What is crime like in the City?
  - What is the quality of the schools?
  - A few reasons why people are drawn to your community and like to live there.
4. Concerning the City Commission
  - When are elections?
  - How long are the elected officials' terms?
  - Are the elected officials elected all at once or are the terms staggered?
  - How is the Mayor selected? (Direct election by the citizens, from among the Commission Members, etc.)
  - How long have each of the current members served?
  - What officials do the Commission appoints? (typically it is the City Manager and the City Attorney but sometimes there are others like the City Clerk).
5. The following data:
  - Amount of the City's total budget\*
  - Amount of the general fund budget\*
  - Total number of people working for the City\*
  - Total number of people under the supervision of the City Manager\*
  - A breakdown of the number of employees by key department\*
  - Principal employers in the City, if available – often a copy of the page from the CAFR works well
  - The salaries of the City's five highest paid employees

\* Note: Please provide the actual numbers, rather than directing us to a document. That will avoid the need to correct the numbers later if we pick up the wrong numbers.

6. Please provide an organization chart for the City government.
7. Does the City have unionized employees?
  - If yes, what are the union(s) and whom do they represent?

8. About the City
  - What services does the City provide?
    - Are any provided through a third party contractor? If so, what are they?
9. About the City Manager
  - Is the City Manager appointed and removed by a vote of a simple majority of the City Commission members? If not, how is it done?
  - What does the City do for a pension for the City Manager? Is it in the state system or does it have its own plan? Does the City also provide the City Manager with a 457 plan, or any other extra benefits?
  - Provide a copy of the most recent City Manager's contract.
10. 20 to 30 high resolution images of scenes from around the City. These should include buildings, scenery and especially some with residents (from a festival, community event or just people doing something they would typically do in the City). Each picture file should be at least 300 KB in size. Smaller file sized tend to become fuzzy when we enlarge them for our brochure.
11. Contact telephone numbers and email addresses for each of the elected officials.
12. Anything else you think it is important for us to know.

Thank you.



**PROPOSAL TO PROVIDE EXECUTIVE RECRUITMENT SERVICES  
FOR  
FERNANDINA BEACH, FL**

**Volume I: Proposal**

**RFP 23-07**

***Colin Baenziger & Associates***

**Contact Person:**

Colin Baenziger (561) 707-3537  
Colin Baenziger & Associates  
2055 South Atlantic Avenue • Suite 504  
Daytona Beach Shores, FL 32118  
e-mail: [Colin@cb-asso.com](mailto:Colin@cb-asso.com)  
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***...Serving Our Clients with a Personal Touch...***

# PROPOSAL TO PROVIDE EXECUTIVE SEARCH FIRM SERVICES

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March 23, 2023

The Honorable Mayor Bradley Bean, Vice-Mayor David Sturges, and Commissioners James Antun, Darron Ayscue, and Ronald "Chip" Ross  
Attn: City Clerk's Office – RFP #23-07  
City of Fernandina Beach  
204 Ash Street  
Fernandina Beach, FL 32034

The Honorable Mayor Bean, Vice-Mayor Sturges, and Commissioners Antun, Ayscue, and Ross:

Colin Baenziger & Associates (CB&A) would like to thank you for the opportunity to submit this proposal to assist in finding your next City Manager. While selecting key personnel is never easy, CB&A has developed a problem-free process that has been tested across the country and found to be extremely effective.

While CB&A is a nationwide municipal recruiting firm, our home base is Florida. In fact, we have been selected to perform 127 of the last 191 recruitments where a Florida city or county has chosen to use a recruiter to find its Manager / Administrator. We pride ourselves on providing not just high-quality results, but, equally important, providing a great deal of personal attention to each of our local government clients and candidates. To conduct a proper recruitment, we feel the project manager must do more than just drop by occasionally. He/she must get to know the elected officials and the community firsthand. That effort takes time, but it is the only way to ensure the candidates we recommend are well qualified and fit well with you and your community. As a result, we only take a few clients at a time and focus on completing each assignment in an exemplary manner. Further, we routinely complete our work in ninety days. This timeframe includes preparation of recruitment and advertising materials, candidate outreach, candidate screening, finalist interviewing, and selection. Finally, we offer one of the better warranties in the industry.

Some of our Florida searches include City Managers for Jacksonville Beach, Aventura, Bay Harbor Islands, Bradenton, Cape Coral, Cutler Bay, Destin, Estero, Fort Myers, Fruitland Park, Gainesville, Hallandale Beach, Islamorada, Lady Lake, Melbourne, Miramar, Mount Dora, Ocala, Orange City, Palm Beach Gardens, Palmetto Bay, Palm Coast, St. Pete Beach, Tavares, Treasure Island, and West Melbourne. Nationally we have found City Managers for Ankeny, IA; Bellevue,

COLIN BAENZIGER & ASSOCIATES  
EXECUTIVE RECRUITING

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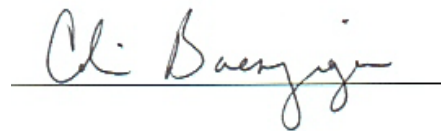
WA; Doraville, GA; Fayetteville, NC; Portland, ME; Roanoke, VA; Scottsdale, AZ; Tacoma, WA; and Winchester, VA. We have also found the Borough Manager for Matanuska-Susitna Borough, Alaska (a county the size of West Virginia) as well as County Managers for Brevard County, FL; Clackamas County, OR; Clay County, FL; El Paso County, TX; James City County, VA; Polk County, IA; St. Lucie County, FL; St. Johns County, FL; and Union County, NC.

Some of our current searches include City/Town Managers for Belle Isle, FL, Cooper City, FL, Fircrest, WA, Fort Walton Beach, FL, Oakland, FL, Ocean Ridge, FL; a County Administrator for Manatee County, FL; a City Attorney for Sebastian, FL, an Executive Director for Lake County Water Authority, FL; and a General Manager for Sun 'n Lake Improvement District, FL.

Those authorized to bind the company are myself, Colin Baenziger, and Lynelle Klein, Vice President for Operations.

We look forward to formally presenting our credentials and working with you in the near future. If you have any questions, please feel free to contact me at (561) 707-3537.

Sincerely,



Colin Baenziger  
Principal / Owner

*...Serving Our Clients with a Personal Touch...*

## ***I. Qualifications and Experience of the Firm***

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### ***The Firm, Its Philosophy, & Its Experience***

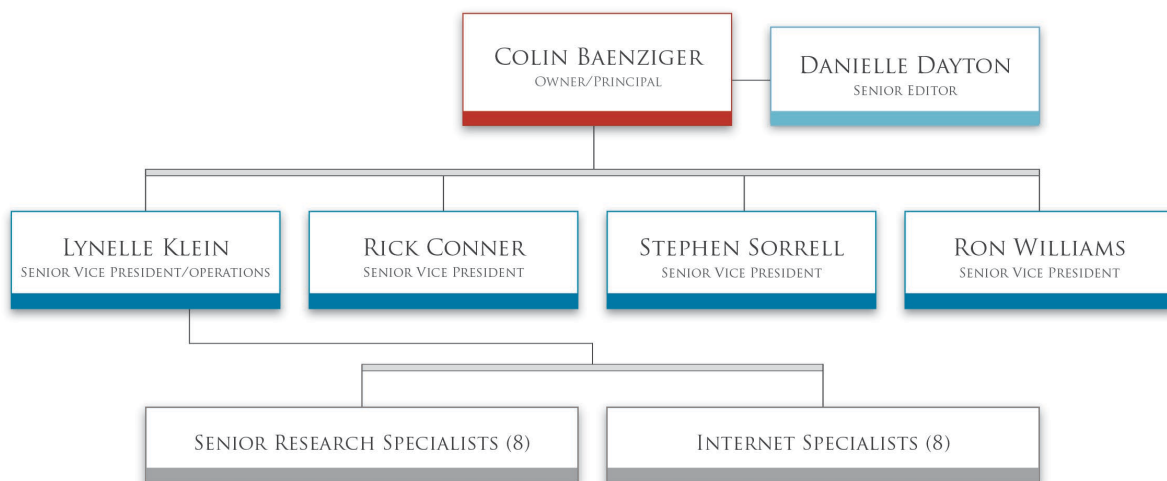
Colin Baenziger & Associates (CB&A) is a nationally recognized executive recruiting firm established in 1997 and owned and operated by Colin Baenziger. We are a sole proprietorship headquartered in Volusia County, FL with satellite offices in Grand Junction, CO, and Pensacola, FL. As a sole proprietorship, we are not registered with any state as a corporation, foreign or otherwise.

Colin Baenziger & Associates' outstanding reputation is derived from our commitment to the quality of our product and the timeliness of the delivery. Further, our work is not done until you are fully satisfied. That means we go the extra mile and, at times, expend more effort and energy than originally anticipated in our action plan. When we do so, we do not ask for more than the originally quoted price. We feel you are hiring us as your experts and once a contract is signed, we have an obligation to fulfill its requirements with excellence, on time, and within budget. We simply do not believe in unforeseen circumstances.

Since beginning our executive search practice in 1998, we have conducted searches for clients in thirty-four states. Overall, we have sought over 230 CEOs for cities, counties, and special districts. We have also conducted over 415 searches overall. The basic approach outlined herein has been refined to the point where it is problem-free.

### ***Technical Capabilities and Organizational Structure***

Colin Baenziger & Associates has developed its business model over the past 26 years, and it has proved to be extremely effective. Our work has focused primarily on Executive Search and our staff is extremely capable and experienced. See Section III for more details. The structure of our firm is outlined below.



## ***I. Qualifications and Experience of the Firm (continued)***

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### ***Completion of Projects within Budget***

Colin Baenziger & Associates is proud of its record of completing searches within budget. Once we quote a price to the client, that price is what the client will pay, no matter how difficult the search is or what circumstances may develop. ***We have never requested anything beyond the originally quoted price, even when we were probably entitled to do so, and we never will.***

### ***Completion of Projects on Schedule***

Colin Baenziger & Associates routinely completes its assignments within ninety days. Further, since CB&A began performing recruitments, ***it has never missed a significant project milestone.***

### ***Diversity***

CB&A has extensive contacts with individuals and organizations representing women and minorities. We are thus able to identify and bring a diverse group of finalists to the City. The proof is that from the beginning of 2009, 25% of the candidates selected as semi-finalists have been females and/or minorities. In one recent year, 47% of our placements were either females or minorities.

### ***Prior Names and Litigation***

Colin Baenziger & Associates has always operated under its current name and has never been involved in any litigation, except to testify as an expert witness on behalf of one of the parties. Our performance has never been questioned nor have we or any of our clients been involved in any legal action as a result of our work.

### ***Insurance***

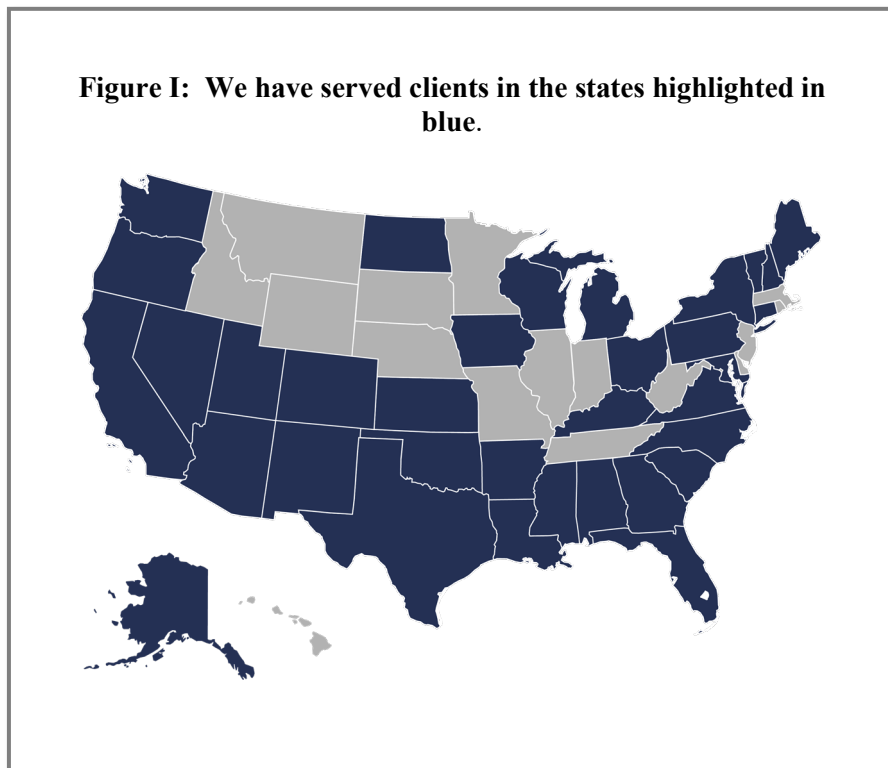
To protect our clients, Colin Baenziger & Associates maintains the following insurance coverages: (1) general liability insurance of \$1 million combined single limit per occurrence for bodily injury, personal injury, and property damages, (2) automobile liability insurance of \$1 million per accident, and (3) professional liability insurance of \$1 million per occurrence and \$2 million aggregate. As a small firm, predominantly utilizing independent contractors, we are not typically subject to the requirements for workers compensation and employer liability insurance in many states. If required by the client, and if it is available to us, we will obtain these coverages prior to contract execution.

## ***I. Qualifications and Experience of the Firm*** *(continued)*

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### ***Geographic Reach***

Since initiating its search function in 1998, CB&A has become a nationwide recruiting firm. See Figure I below for the states we have conducted searches in. A complete list of our searches can be found in Appendix A.





## ***II. Proposed Work Plan***

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The following search methodology has been refined over the past twenty-six years and is virtually foolproof. That said, we will integrate any ideas you have into the process to the extent possible. Our goal is to ensure you have the right people to interview as well as all the information you need to make the right decision.

### ***Phase I: Information Gathering / Needs Assessment / Brochure Preparation***

#### ***Task One: Needs Assessment***

An important part of the recruiter's work is selling the community to the very best candidates (including those who are not actively looking for the next job) while providing an honest portrayal of the community and the opportunity. As such, CB&A must first determine the needs of the client and the characteristics of the ideal candidate. Our approach is as follows:

- Gather information from the jurisdiction, its website and other sources;
- Interview the elected body and other key parties (such as City staff). Our goal is to develop a strong sense of your organization, its leadership, its short- and long-term expectations, and its challenges;
- Determine the characteristics of the ideal candidate. These will include experience, longevity, education, personality, demeanor, skills, and achievements as well as other items you and the community consider important;
- Determine a reasonable compensation package; and
- Finalize the timeline with the City so both the elected body and the candidates will know when the interviews will be held and when they need to be available.

We will also conduct a public workshop with the appointed Citizen Committee to receive its member's input. Further, if the City wishes, we will gladly also conduct a town hall meeting for the public at large to solicit their insights. We can also solicit the input of your residents through an on-line survey (see Appendix D for a sample).

#### ***Task Two: Develop Position Description and Recruitment Materials***

Based on the information we gather, CB&A will next develop a comprehensive recruitment profile for your review. We will then incorporate any additional suggestions you may have and finalize the document. A sample profile is included as Appendix B. Other examples can be found on our firm's website under the "Executive Recruitments" / "Active Recruitments" tabs.

## ***II. Proposed Work Plan (Continued)***

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### ***Phase II: Recruitment***

#### ***Task Three: Recruit Candidates***

CB&A uses a number of approaches to identify the right people for your position. We say people (and not person) because our goal is to provide you with six to ten outstanding semi-finalists. You then select the top three to five people to interview and ultimately choose the candidate who is the best fit with you and your community. The approaches we use are:

- ***Networking:*** The best approach is diligent outreach. We will network with potential candidates and consult our data base of government professionals. Being well established in Florida, we know whom we should contact. As we identify outstanding candidates (many of whom are not in the market), we will approach them and request that they apply. Often excellent candidates are reluctant to respond to advertisements because doing so may alienate their current employers.
- ***Advertising:*** While we will network to find the best, we will not ignore professional organizations and trade press which sometimes yield strong candidates. These will include the Florida League of Cities, International City/County Management Association, the Florida City and County Management Association. Other sources will be organizations and websites who focus on female and minority candidates LinkedIn is another vehicle we may use.
- ***CB&A Website:*** We will also post the recruitment on our website, [www.cb-asso.com](http://www.cb-asso.com). With our reputation, many candidates consult it regularly.
- ***Email:*** We will e-mail the recruitment profile through our listserv of almost fourteen thousand managers and professionals who are interested in local government management positions. One of the advantages of e-mail is that if the recipient is not interested, he/she can easily forward the recruitment profile to someone else who may be interested.

We generally do not use local, newspapers, national newspapers or generic websites because while they produce large numbers of applications, they generally do not produce the caliber of candidates we are seeking. If the City wants to have ads placed in these venues, it will need to bear the cost.

### ***Phase III: Screening and Finalist Selection***

#### ***Task Four: Evaluate the Candidates***

Based on our most recent recruiting efforts, we anticipate receiving resumes from forty to sixty applicants. We will use the information we developed in Phase I to narrow the field. Selecting strong candidates is, in reality, more of an art than a science and a mixture of in-depth research and subjective evaluation. While we consider standard ranking factors and the elements of the job, ultimately the most important factor is who we believe will be an outstanding fit with the City and the community as your next City Manager. Our work will include working with the Citizen Committee to narrow the field.



## ***II. Proposed Work Plan (Continued)***

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Specifically, our efforts will involve:

**Step One. Resume Review.** CB&A will evaluate all resumes and identify the eight to fifteen candidates of the highest quality.

**Step Two. Screening Interview.** Our lead recruiters, and possibly other senior representatives of the firm, will interview each of the top candidates. Using what we learned in Phase I and our experience as managers and recruiters, as well as our unique ability to assess candidates, we will determine whether to consider each candidate further.

**Step Three. Evaluate the Best Candidates.** We will conduct thorough research into the backgrounds of the best six to twelve candidates. Specifically, CB&A will:

- **Ask the Candidates to Prepare a Written Introduction:** We will ask the candidates to answer a series of questions about themselves as an adjunct to their resumes and cover letters. By so doing, (1) the candidates can tell their story *in their own words* and balance the negativity that is so often characteristic of the press, and (2) the City to evaluate the candidates written communication skills.
- **Interviews of References:** We provide the candidate with the positions of the references with whom we wish to speak. These will include current and former elected officials, the municipal attorney, the external auditor, staff members, peers, news media representatives, the director of the local chamber of commerce, community activists, the Human Resources Director they work with, and others who know the candidate. All told, the list will include approximately 20 individuals. We will also attempt to contact some individuals who are not on the candidate's list. Typically, we reach eight to twelve people and prepare a written approximately page lone summary of each conversation.
- **Legal Checks:** Through our third-party vendor, American DataBank, we will conduct the following checks: criminal records at the county, state and national level; civil records for litigation at the county and federal level; motor vehicle records; and bankruptcy and credit. As an aside, while only police departments have access to the gold standard for criminal records (the NCIC data base), our vendor has developed a very reliable substitute.
- **Search the Internet, Newspaper Archives, and Social Media:** Virtually every local newspaper has an electronic archive that provides stories about perspective candidates, the issues they have dealt with, how they resolved them and the results. These articles can also provide valuable insights into the candidate's relationship with the public and the governing body. Of course, not all news sources are unbiased, and we consider that in our evaluation. Further, we will review the candidate's social media accounts.

## ***II. Proposed Work Plan (Continued)***

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- **Verification of Education and Work History:** We will verify all claimed educational degrees as well as the candidate's work history for the past 15 years to assure the candidate has been completely forthright.
- **Candidate Disclosure Statement:** We ask candidates to disclose anything controversial in their background that we need to be aware of. While it is unlikely that they will disclose anything we are not already aware of at this point, we believe redundant checks are beneficial.

As part of our efforts, we will crosscheck sources, search for discrepancies, and resolve them. When sensitive or potentially embarrassing items are discovered, they will be thoroughly researched. Depending on what we discover, we may decide to drop the candidate or to present them with an explanation.

*Note: We firmly believe that all background work and checks should be completed prior to presenting them to you. That way you will know the individuals you select to interview are all top performers and do not have anything embarrassing in their pasts that might come to light after selection. It also means that once you have made a selection, you can move forward promptly, negotiate a contract and make an announcement.*

### ***Task Five: Preparation and Presentation of Candidate Materials***

CB&A will select six to ten candidates and present them for your consideration as finalists. We will provide to you electronically a complete written report for each recommended candidate which will include: the candidate's cover letter, resume, introduction, references, background checks and internet / newspaper archive search results. A complete sample candidate report is included as Appendix C. We will also provide advice on interviewing, a series of questions the elected officials may wish to ask (as well as outlining some areas that it is not wise to get into), and some logistical information.

### ***Task Six: Finalist Selection***

Approximately a week after the City has received the candidate materials, CB&A will meet with the Citizen Committee to discuss our findings and for it to select finalists (ideally five with an alternate) to be invited to interview.

### ***Task Seven: Notify All Candidates of Their Status***

We will notify the finalists by telephone and give them the opportunity to ask additional questions. Additionally, we will provide them with information concerning the interviews and travel if necessary.

## ***II. Proposed Work Plan (Continued)***

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CB&A will also contact those not selected to be interviewed. Part of the notification will include advice concerning their application materials, even though they were not selected to go forward, they will have gained something valuable from participating in the process.

### ***Phase IV: Coordinate the Interview Process and City Manager Selection***

#### ***Task Eight: Coordinate the Candidate Assessment Process***

Prior to the interviews, we will recommend an /evaluation process including mechanisms to assess the candidates' communication skills, interpersonal skills, and decision-making skills. Typically, we suggest the Commission observe the finalists in three settings: a social setting (since the selected candidate will frequently represent the City at community functions), one-on-one interviews, and a Commission meeting. The Citizen Committee will play an active role in the interview process.

**Day #1:** The finalists are given a tour of the community by a knowledgeable staff member or resident. Communities often also include a reception with the City's senior staff at this point.

Later, that evening, the Commission can host a reception for the candidates. The purpose is to observe how the finalists respond to a social situation. As noted, your next City Manager will, after all, represent your local government in a variety of venues. It is thus important to know how the individual will respond to your citizenry. The reception also serves as an icebreaker whereby the Commission Members and the candidates get to know one another informally.

**Day #2:** The next morning, each candidate will interview individually with each Commission Member for approximately 40 minutes. These meetings provide you with an opportunity to assess how the candidates might interact with you on an individual basis. Ultimately, Managers succeed or fail based on their interaction with the Commission and its individual members. One-on-one interviews are an excellent way to test that interaction.

After lunch, the Commission, as a group, will interview each finalist one at a time for approximately 30 minutes. Part of the interviews might include a PowerPoint presentation, so the Commission can observe the candidates' presentational skills.

We recommend you invite the finalists' spouses to the interviews, so they can become familiar and feel comfortable with the community.

Finally, if you it would make you feel more comfortable, we can recommend several third-party management and personality assessment tools that the City can use to provide additional input. They are available at a relatively small cost and are not included in our fee.

## ***II. Proposed Work Plan (Continued)***

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### ***Task Nine: Debriefing and Selection***

After the interviews are completed, we have developed a simple methodology that moves the elected body quickly and rationally to selecting your next Manager.

### ***Phase V: Negotiation and Continuing Assistance***

#### ***Task Ten: Notification, Contract Negotiations and Warranty***

If requested, we will assist in the employment agreement negotiations. Generally, a member of the elected body and the attorney conduct the actual negotiations while we provide advice and assistance concerning the compensation package and contract. We can also take the lead role in the negotiations if desired. We have a standard contract you are welcome to use with the selected candidate. Your attorney, of course, will prepare the final contract. Since the basic parameters will have been discussed with the candidates and the candidates have been thoroughly vetted, we expect prompt agreement.

#### ***Task Eleven: Continuing Assistance***

Our work is not done when the contract is executed. We will stay in touch with you and your new City Manager. Our goal is to be there to assist in resolving any issues that arise before they become intractable. We simply feel it is part of our job to assure a successful relationship.

**Communications:** We will provide weekly reports about the status of the search, in writing or by phone, depending upon your preference. At significant milestones we will make the reports in person. We are also available at any time, day or night, to address any questions you have along the way. To do so, we will provide you with our cellphone numbers and you should feel comfortable contacting us whenever you have a question whether it is directly related to the search or, for that matter, anything else related to local government. We are, in addition to being exceptional recruiters, students of local government, and can often provide insights and names of parties who have dealt a wide variety of issues, often with innovative solutions. We want to be responsive and to assist in any way we can.

### ***The City's Obligations***

The City will be responsible for providing the facilities for the interview process, coordinating lodging for candidates from outside the area, and making arrangements for the reception. The City will also be responsible for reimbursing the candidates (and spouses, if invited) for all expenses associated with their travel, meals, and incidentals for the interview process.

## ***II. Proposed Work Plan (Continued)***

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### ***Proposed Project Schedule***

We understand the City wants to move quickly on this recruitment. We are uniquely positioned to do so based on our knowledge of and experience in Florida.

#### ***Phase I: Needs Assessment / Information Gathering***

- May 3<sup>rd</sup>: CB&A begins meeting with the Commission Members and other stake holders to understand the job and its challenges.
- May 16<sup>th</sup>: CB&A submits the draft of the full recruitment profile to the City for its review.
- May 23<sup>rd</sup>: City provides comments on the recruitment profile.

#### ***Phase II: Recruiting***

- May 26<sup>th</sup>: CB&A posts the full recruitment profile on its website and submits it to the appropriate publications. It is also e-mailed to almost 14,000 local government professionals.
- June 23<sup>rd</sup>: Closing date for submission of applications.
- June 28<sup>th</sup>: CB&A reports on the results of the recruitment.

#### ***Phase III: Screening, Reference Checks and Credential Verification***

- July 24<sup>th</sup>: CB&A forwards its reports and materials to the City for the recommended candidates. These will include the candidates' cover letters, resumes and introduction as well as the results of our reference, background and Internet/newspaper archives/social media checks.
- August 1<sup>st</sup>: City selects approximately five finalists and an alternate to interview.

#### ***Phase IV: Interview Process Coordination and City Manager Selection***

- August 10<sup>th</sup>: City holds reception for the finalists.
- August 11<sup>th</sup>: One-on-one and full Commission interviews and decision.

#### ***Phase V: Negotiation, Warranty & Continuing Assistance***

- Post-Selection: CB&A works with City representatives and the selected candidate on an employment agreement.



### ***III. Proposed Project Team***

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#### ***Project Team and Involvement***

Colin Baenziger & Associates has assembled an outstanding project team to serve your needs.

**Colin Baenziger** will have overall responsibility for the execution of the search. Mr. Baenziger has spent ten years local government as a senior manager and over 30 years as a consultant. In addition to his 25 years in executive search, he specialized in operational reviews of governmental agencies and private sector clients such as the Recording Industry Association of America, and the Marriott Corporation. Mr. Baenziger has a master's degree with distinction in public administration from Cornell University's Graduate School of Management, and a Bachelor of Arts degree from Carleton College. He is also active in the International City Management Association and the Florida City and County Management Association.



**Lynelle Klein**, Vice President for Operations, is a skilled professional with extensive expertise in executive search. Starting as a research assistant with CB&A 12 years ago, she has now firmly established herself as the number two person at CB&A. Prior to joining the firm, she worked primarily in the private sector providing financial and administrative services. Ms. Klein has an associate degree from Brigham Young University in Rexburg, Idaho. She currently resides in Mesa County, CO.



**Stephen Sorrell**, Senior Vice President, brings over 35 years of management and technical experience in municipal, county, state, and special district agencies in addition to his work with Colin Baenziger & Associates (CB&A). Some of the leadership positions Steve has held include serving as Executive Director, Emerald Coast Utilities Authority in Pensacola, Florida, and as City Manager, Director of Public Safety, Assistant City Manager, and Director of Finance, all for Hamilton, Ohio. He is a P.E. and earned a Bachelor of Science in Civil Engineering Degree from the University of Dayton, Ohio, and Master of Public Administration Degree from the University of Cincinnati, Ohio. He is a member of the International City/County Management Association, Florida City/County Management Association, Florida Finance Officers Association, American Water Wastewater Association, President of the Exchange Club, President of the Safety Council, Chairman of the Neighborhood Watch Program, and served on the Board of Directors for Senior Services and the Chamber of Commerce. One day, he hopes to slow down – just not yet.





### ***III. Proposed Project Team*** *(continued)*

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**Ron Williams**, Senior Vice President. While Mr. Williams is technically relatively new to CB&A, he worked with the firm in its infancy and helped develop the operating methodology that has led to our growth and success. His public sector career began as a budget analyst for the City of Miami and culminated as the City Manager for Palmetto Bay (an affluent suburb of Miami, FL with 24,000 residents) and then for Live Oak (a rural city of 7,000 about 100 miles west of Jacksonville, FL). Along the way, he served in high level positions in the juvenile justice, public works, and general services. What excites him now is finding the people you need to fill your key positions, and he is exceptionally good at it. Ron has a Bachelor of Science in Management and a Master's Degree in Public Administration from the University of West Florida. He has also taught at Miami Dade College and in the County's public school system.



**Rick Conner**, Senior Vice President, has over 30 years of experience in executive recruiting and in local government (serving as a city manager in Florida and Texas) as well as a public works and utilities director. That experience provides him with an excellent perspective of the needs of local government operations and staffing. Rick earned Bachelor of Science Degrees in Business Administration and Engineering from the University of Missouri. He is a Registered Land Surveyor and a Professional Engineer in Missouri, as well as a Professional Engineer in Florida, Tennessee and Texas. In his spare time, he invents scuba diving equipment and accessories.





## IV. References

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### ***City Manager, Jacksonville Beach, FL (population 23,518)***

**Contact:** Former Mayor Charles Latham at (904) 910-4004, or  
Current Mayor Christine Hoffman at (904) 476-6153, or  
[choffman@jaxbchfl.net](mailto:choffman@jaxbchfl.net)

CB&A began work on July 16, 2018. We were asked to conduct the search expeditiously so that interviews could be conducted prior to the November election. We sought candidates from around the country, performed the candidate screening. Interviews were held on October 12<sup>th</sup> with *Mr. Michael Staffopoulos, formerly an Assistant City Manager with Largo, FL*, being selected later that day. Mr. Staffopoulos remains with the City.



### ***County Manager, Clay County, FL (population 191,400)***

**Contact:** Current Commission Chair Mike Cella at (904) 234-4630  
([mike.cella@claycountygov.com](mailto:mike.cella@claycountygov.com)) or  
Former Commissioner Diane Hutchings, at (904) 710-1469

Clay County is located just southwest of Jacksonville on the St. Johns River. We have found the County's last three managers, Fritz Behring in 2005 (who left in 2010 to become the County Manager of Pinal County, AZ), Stephanie Kopelousos in 2010 (who left to the Florida Governor's Director of Legislative Affairs in March 2019), and Howard Wanamaker in 2019. The more recent search began work on December 20, 2018, and included recruiting and advertising for candidates, conducting background checks, selecting the most qualified, recommending them for interviews, coordinating the interview process, and assisting in contract negotiations. Interviews took place on March 22, 2019, and the County hired *Howard Wanamaker, then the Chief Strategy Office & Director of Human Resources with Hanania Automotive*. He remains with the County.



### ***City Manager, Orange City, FL (population 11,569)***

**Contact:** Mayor Gary Blair at (386) 775-5403 or  
[gblair@ourorangecity.com](mailto:gblair@ourorangecity.com)

CB&A began work in September 2015 to assist the city in finding its next **Manager**. Our work included scouring the nation to find the right person for the job, interviewing the candidates, conducting thorough background checks, recommending finalists for the city to interview and helping with the contract negotiations. *Dale Arrington, former Assistant City Manager for DeLand, Florida*, was selected on January 9, 2016. The announcement of the selection led to applause from the audience waiting in council chambers. She remains with the City.



## ***IV. References (continued)***

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### ***City Manager, Seminole, FL (17,800)***

**Contact:** Mayor Leslie Waters at ((727) 430-7553, or  
[lwaters2@myseminole.com](mailto:lwaters2@myseminole.com)

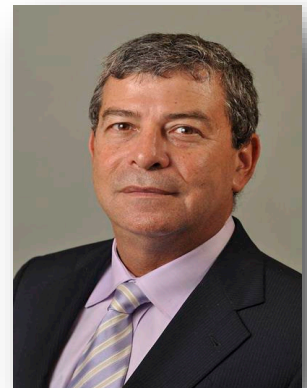
Colin Baenziger & Associates was asked to conduct Seminole's **City Manager Search** in early April 2015. Our work included recruiting and advertising for candidates, conducting background checks, selecting the most qualified, recommending them for interviews, coordinating the interview process, and assisting in the contract negotiations. Interviews took place on June 25<sup>th</sup> and 26<sup>th</sup>. On June 30<sup>th</sup>, *Ann Toney-Deal, a past City Manager of Haines City, FL*, was selected. Ms. Toney-Deal remains with the City and in 2020 the Council was so pleased with her performance that they gave her an 8% salary increase.



### ***City Manager, St. Pete Beach, FL (population 9,700)***

**Contact:** Mayor Al Johnson at (727) 543-2794  
or [ajohnson@stpetebeach.org](mailto:ajohnson@stpetebeach.org)

We began our work in November of 2018 to find the next City Manager for St. Pete Beach. Located on a barrier island in the Gulf of Mexico just west of Tampa/St. Petersburg in Pinellas County, St. Pete Beach is a special place. Our work included searching the nation to find the right person for the job, interviewing the candidates, conducting thorough background checks, and recommending finalists for the county to interview. In February 2019 the Board selected *Alex Rey, formerly the Town Manager for Miami Lakes, FL*. Mr. Rey remains with the City and in 2021 he received unbridled praise along with a contract extension that included a 5% salary increase and a \$500 a month housing stipend.



### ***City Manager, West Park, FL (population 13,700)***

**Contact:** Former Mayor Eric Jones at (954) 410-8139

West Park is a relatively new city in Broward County, FL. CB&A began meeting with the City's elected officials on January 13, 2010 to find its next **City Administrator**. It was critical to the Council that the finalists all understand the character of the community and be able to function well in an urban environment. The City also wanted a panel of local City Managers to review the finalists and to make recommendations concerning CB&A's finalists (which elongated the process slightly). Interviews were conducted on April 16<sup>th</sup> and 17<sup>th</sup> with *Ajibola Balogun, formerly the City Manager of South Miami* being selected on April 21<sup>st</sup> 2010. Mr. Balogun remains with the City.



#### ***IV. References (continued)***

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##### **Candidate References**

While it is important to deliver what the City expects, it is also important to keep candidates informed and to treat them with respect and dignity. Accordingly, we have provided references from three of those candidates.

| <b>Placement</b> | <b>Formerly</b>                                       | <b>Recruited To Be</b>                                                                                                                                                                                                       | <b>Contact at</b> |
|------------------|-------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| Eden Freeman     | Assistant City Manager<br>Sandy Springs, GA           | City Manager<br>Winchester, VA<br>Appointed June 2014,<br>she left in March 2020 to<br>become the Deputy City<br>Manager for Greenville,<br>SC, and then returned to<br>Sandy Springs as the City<br>Manager in January 2022 | (404) 683-4816    |
| Bryan Hill       | Deputy County Administrator<br>Beaufort County,<br>SC | County Administrator<br>James City County, VA<br>Appointed July 2014<br>Hired as the Fairfax<br>County, VA, CEO in<br>January 2018                                                                                           | (843) 368-7458    |
| Chris Morrill    | Assistant City Manager,<br>Savannah, GA               | City Manager,<br>Roanoke, VA<br>Appointed December<br>2009<br>Hired as the Executive<br>Director of the<br>Government Finance<br>Officers Association<br>in February 2017                                                    | (843) 368-7458    |



## ***V. Fee and Warranty***

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### **Fee**

CB&A offers a firm, fixed price of \$32,500, which includes all the expenses we will incur in the search with one exception. The City will make a reservation and pay for one night's stay in the same hotel as the finalists when they come to interview for the City Manager position so we can help facilitate the final stage of the recruitment process. The only other expenses the City will incur are those associated with bringing the finalists (and spouses, if invited) 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:

| <b>Requested Services</b>                                     |                 |
|---------------------------------------------------------------|-----------------|
| <b>Phase I:</b> Needs Analysis / Information Gathering        | \$ 4,000        |
| <b>Phase II:</b> Recruiting                                   | 14,000          |
| <b>Phase III:</b> Screening                                   | 12,000          |
| <b>Phase IV:</b> Interview Process Coordination and Selection | 1,500           |
| <b>Phase V:</b> Negotiation and Warranty                      | 1,000           |
| <b>Firm, Fixed Fee Total*</b>                                 | <b>\$32,500</b> |

If the City asks us to perform work that is clearly beyond the scope of this proposal, it will be billed at a rate of \$150 per hour. No such work will be performed without your written authorization. Please note, as previously stated, that we have never billed nor requested additional funds beyond our originally quoted fee – even when circumstances suggested we were entitled to them and where the work we performed extended beyond the scope of our assignment.

### **Warranty**

Colin Baenziger & Associates offers one of the best warranties in the industry. We can offer it because we have confidence in our work. Provided we conduct the full search (Phases I-V), follows our recommendations, and selects from among the candidates we recommend, we warrant the following:

- 1) We will not approach the selected candidate for any other position as long as the individual is employed by the City.
- 2) If the selected individual leaves for any reason other than an Act of God (such as total incapacitation or death) within the first year, CB&A will repeat the search for the reimbursement of our expenses only.
- 3) If you are not satisfied with the candidates we present, CB&A will repeat the search until you are satisfied.
- 4) Our price is guaranteed and will not be exceeded for any reason, even if conditions change after the contract is executed.



## ***VI. Required Forms***

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**CITY OF FERNANDINA BEACH, FLORIDA  
REQUEST FOR PROPOSAL  
RFP 23-07 CITY MANAGER EXECUTIVE SEARCH FIRM**

**EXHIBIT "A"**  
**CONTACT SHEET**

**Name:** Colin Baenziger and Associates

**Federal Taxpayer ID:** 20-8185763

**Mailing Address:** 2055 South Atlantic Avenue, Suite 504

**City, State, & Zip Code:** Daytona Beach Shores, FL 32118

**Telephone:** (561) 707-3537 **Fax:** (561) 621-5965

**Email:** Colin@cb-asso.com

**Submitted By:** Lynelle Klein

**Title:** Senior VP for Operations

**Accounting Contact:**

**Name:** Colin Baenziger **Title:** Principal

**Email Address:** Colin@cb-asso.com **Phone:** (561) 707-3537

**THIS FORM MUST BE INCLUDED WITH BID/PROPOSAL**



## ***VI. Required Forms*** (continued)

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CITY OF FERNANDINA BEACH, FLORIDA  
REQUEST FOR PROPOSAL  
RFP 23-07 CITY MANAGER EXECUTIVE SEARCH FIRM

**EXHIBIT "B"**

**SWORN STATEMENT UNDER F.S. SECTION 287.133(3) (A), ON PUBLIC ENTITY CRIMES**

**THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.**

1. This sworn statement is submitted with Bid, Proposal or Contract for  
RFP \_\_\_\_\_, 23 \_\_\_\_\_ 07 \_\_\_\_\_

2. This sworn statement is submitted by (entity) Collin Baenziger and Associates whose business address is 2055 S. Atlanta Avenue, Suite 504, Daytona Beach Shores, FL 32118 and (if applicable) Federal Employer Identification Number (FEIN) is 20-8185763 ( If a Sole Proprietor and you have no FEIN, include the last four (4) digits of your Social Security Number: 4451.)

3. My name is Lynelle Klein and my relationship to the entity named above is  
Employee.

4. I understand that a "public entity crime" as defined in Paragraph 287.133(a) (g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any proposal or contract for goods or services to be provided to any public entity or any agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

5. I understand that "convicted" or "conviction" as defined in paragraph 287.133(a) (b), Florida Statutes, means finding of guilt or a conviction of a public entity crime with or without an adjudication of guilt, in any federal or state trial court of records relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

6. I understand that an "affiliate" as defined in Paragraph 287.133(1) (a), Florida Statutes, means:

1. A predecessor or successor of a person convicted of a public entity crime; or
2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The City of Fernandina Beach, Florida ownership by one of shares constituting a controlling income among persons when not for fair interest in another person, or a pooling of equipment or income among persons when not for fair market value under a length



**CITY OF FERNANDINA BEACH, FLORIDA  
REQUEST FOR PROPOSAL  
RFP 23-07 CITY MANAGER EXECUTIVE SEARCH FIRM**

agreement, shall be a prima facie case that one person controls another person. A person who was knowingly convicted of a public entity crime, in Florida during the preceding 36 months shall be considered an affiliate.

7. I understand that a "person" as defined in Paragraph 287.133(1) (e), Florida Statutes, means any natural person or entity organized under the laws of the state or of the United States with the legal power to enter into a binding contract for provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

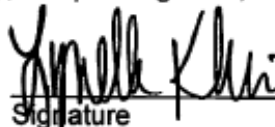
8. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies)

  X   Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

       The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. (Please attach a copy of the final order.)

       The person or affiliate was placed on the convicted FIRM list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in public interest to remove the person or affiliate from the convicted FIRM list. (Please attach a copy of the final order.)

       The person or affiliate has not been placed on the convicted FIRM list. (Please describe any action taken by, or pending with, the Department of General Services.)

  
Signature

March 24, 2023

Date:

***VI. Required Forms*** (continued)

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CITY OF FERNANDINA BEACH, FLORIDA  
REQUEST FOR PROPOSAL  
RFP 23-07 CITY MANAGER EXECUTIVE SEARCH FIRM

STATE OF COLORADO

COUNTY OF MESA

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first being sworn by me, affixed his/her signature at the space provided above on this 24 day of March, 2023 and is personally known to me, or has provided Colorado Drivers License as identification.

J M Martinez

Notary Public

My Commission expires: 01/28/2026



**THIS FORM MUST BE INCLUDED WITH BID/PROPOSAL**

## ***VI. Required Forms*** (continued)

CITY OF FERNANDINA BEACH, FLORIDA  
REQUEST FOR PROPOSAL  
RFP 23-07 CITY MANAGER EXECUTIVE SEARCH FIRM

**EXHIBIT "C"**  
**DRUG-FREE WORKPLACE CERTIFICATION**

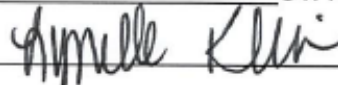
The below-signed INDIVIDUAL/FIRM certifies that it has implemented a drug-free workplace program. In order to have a drug-free workplace prepare, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violation of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or services a copy of the statement specified in paragraph 1.
4. In the statement in paragraph 1., notify the employees that, as a condition of working on the commodities or contractual services that are under proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of nolo contendere to, any violation occurring in the workplace no later than five (5) working days after such conviction.
5. Impose a sanction on, or require fine satisfactory participation in drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign this statement, I Certify that this firm complies fully with the above drug-free workplace requirements.

COMPANY: Colin Baenziger and Associates

CITY: Daytona Beach Shores STATE: FL ZIP CODE: 32118

SIGNATURE:  PHONE: 970-433-7189

NAME (TYPED OR PRINTED): Lynelle Klein TITLE: Senior VP

**THIS FORM MUST BE INCLUDED WITH BID/PROPOSAL**

## ***VI. Required Forms*** (continued)

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**CITY OF FERNANDINA BEACH, FLORIDA  
REQUEST FOR PROPOSAL  
RFP 23-07 CITY MANAGER EXECUTIVE SEARCH FIRM**

**EXHIBIT "D"**  
**E-VERIFY STATEMENT**

**Bid/Proposal Number:** RFP 23-07

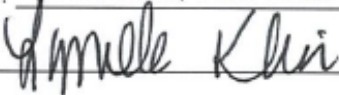
**Project Description:** City Manager Executive Search

I/FIRM acknowledges and agrees to the following:

I/FIRM shall utilize the U.S. Department of Homeland Security's E-Verify system, in accordance with the terms governing use of the system, to confirm the employment eligibility of:

1. All persons employed by the FIRM during the term of the Contract to perform employment duties within Florida; and
2. All persons assigned by the FIRM to perform work pursuant to the contract with the Department.

**Individual/Company/Firm:** Lynelle Klein, Colin Baenziger & Associates

**Authorized Signature:** 

**Title:** Senior VP for Operations

**Date:** March 24, 2023

**THIS FORM MUST BE INCLUDED WITH BID/PROPOSAL**

## ***VI. Required Forms*** (continued)

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**CITY OF FERNANDINA BEACH, FLORIDA  
REQUEST FOR PROPOSAL  
RFP 23-07 CITY MANAGER EXECUTIVE SEARCH FIRM**

### **EXHIBIT "E"**

#### **PROPOSER ACKNOWLEDGEMENTS AND AGREEMENTS**

The undersigned, as an employee or agent of the Proposer, having the authority to sign a binding agreement on behalf of the corporation, company, or firm presenting this submittal, confirms understanding and/or agreement and/or takes exception with any statement in the following sections of this ITB/RFP document.

1. INTRODUCTION AND GENERAL INFORMATION  
Understands and agrees to all terms.
2. PROPOSAL INSTRUCTIONS, TERMS AND CONDITIONS  
Understands and agrees to all terms.
3. EVALUATION AND CONTRACT OVERVIEW  
Understands and agrees to all terms.
4. PROPOSER'S RESPONSE: SUBMITTAL INFORMATION  
Understands and agrees to all terms.
5. PROPOSER'S RESPONSE: PROPOSED TEAM  
Understands and agrees to all terms.
6. PROPOSER'S RESPONSE: PROPOSED COMPENSATION  
Understands and agrees to all terms.

Name: Lynelle Klein Title: Senior VP for Operations

Signature:  Date: March 24, 2023

**THIS FORM MUST BE INCLUDED WITH BID/PROPOSAL**



## VI. Required Forms (continued)

CITY OF FERNANDINA BEACH, FLORIDA  
REQUEST FOR PROPOSAL  
RFP 23-07 CITY MANAGER EXECUTIVE SEARCH FIRM

**EXHIBIT "F"**

**CONFLICT OF INTEREST STATEMENT**

This sworn statement is submitted with Bid, Proposal or Contract for RFP 23-07.

This sworn statement is submitted by (entity) Colin Baenziger and Associates whose business address is 2055 S. Atlanta Avenue, Suite 504, Daytona Beach Shores, FL 32119 (if applicable) Federal Employer Identification Number (FEIN) is 20-8185763 (If a Sole Proprietor and you have no FEIN, include the last four (4) digits of your Social Security Number: 4451.)

My name is Lynelle Klein and my relationship to the entity named above is Employee.

1. The above-named entity is submitting a Proposal for the City of Fernandina Beach.
2. The Affiant has made diligent inquiry and provides the information contained in the Affidavit based upon his/her own knowledge.
3. The Affiant states that only one submittal for the above proposal is being submitted and that the above-named entity has no financial interest in other entities submitting proposals for the same project.
4. Neither the Affiant nor the above-named entity has directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraints of free competitive pricing in connection with the entity's submittal for the above proposal. This statement restricts the discussion of pricing data until the completion of negotiations if necessary and execution of the Contract for this project.
5. Neither the entity nor its affiliates, nor anyone associated with them, is presently suspended or otherwise ineligible from participation in contract letting by any local, State, or Federal Agency.
6. Neither the entity nor its affiliates, nor anyone associated with them have any potential conflict of interest due to any other clients, contracts, or property interests for this project.
7. I certify that no member of the entity's ownership or management is presently applying for an employee position or actively seeking an elected position with the City of Fernandina Beach.
8. I certify that no member of the entity's ownership or management, or staff has a vested interest in any aspect of the City of Fernandina Beach.
9. In the event that a conflict of interest is identified in the provision of services, I, on behalf of the above-named entity, will immediately notify the City of Fernandina Beach.

  
Signature

March 24, 2023

Date:

***VI. Required Forms*** (continued)

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CITY OF FERNANDINA BEACH, FLORIDA  
REQUEST FOR PROPOSAL  
RFP 23-07 CITY MANAGER EXECUTIVE SEARCH FIRM

STATE OF COLORADO

COUNTY OF MESA

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first being sworn by me, affixed his/her signature at the space provided above on this 24 day of March, 2023, and is personally known to me, or has provided Colorado Drivers License as identification.

01/28/2026 My Commission expires:  
J Martinez Notary Signature



**THIS FORM MUST BE INCLUDED WITH BID/PROPOSAL**

## VI. Required Forms (continued)

**CITY OF FERNANDINA BEACH, FLORIDA  
REQUEST FOR PROPOSAL  
RFP 23-07 CITY MANAGER EXECUTIVE SEARCH FIRM**

**EXHIBIT "G"**

**NON-COLLUSION AFFIDAVIT**

This sworn statement is submitted with Bid, Proposal or Contract for RFP 23-07.

This sworn statement is submitted by (entity) Colin Baenziger and Associates whose business address is 2055 S. Atlanta Avenue, Suite 504, Daytona Beach Shores, FL 32119 (if applicable) Federal Employer Identification Number (FEIN) is 20-8185763 (If a Sole Proprietor and you have no FEIN, include the last four (4) digits of your Social Security Number: 4451.)

My name is Lynelle Klein and my relationship to the entity named above is Employee.

1. The above named is fully informed respecting the preparation and contents of the attached proposal and of all pertinent circumstances respecting such proposal;
2. Such Proposal is genuine and is not a collusive or sham proposal;
3. Neither the said Proposer nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest, including this affiant, has in any way colluded, connived, or agreed, directly or indirectly, with any other Bidder, firm or person to submit a collusive or sham Proposal in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm, or person to fix the price or prices in the attached proposal or any other Bidder, or to fix any overhead, profit or cost element of the proposal price or the proposal price of any other Bidder, or to secure through any collusion, connivance, or unlawful agreement any advantage against the City of Fernandina Beach, Florida or any person interested in the proposed Contract; and
4. The price or prices quoted in the attached proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

Lynelle Klein  
Signature

March 24, 2023

Date:

STATE OF COLORADO  
COUNTY OF MESA

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first being sworn by me, affixed his/her signature at the space provided above on this 24 day of March, 2023 and is personally known to me, or has provided Colorado Drivers License as identification.

J. Martinez  
Notary Signature

My Commission expires: 01/28/2026

**THIS FORM MUST BE INCLUDED WITH BID/PROPOSAL**





## ***VI. Required Forms*** (continued)

CITY OF FERNANDINA BEACH, FLORIDA  
REQUEST FOR PROPOSAL  
RFP 23-07 CITY MANAGER EXECUTIVE SEARCH FIRM

**EXHIBIT "H"**

**DISPUTES DISCLOSURE FORM**

Answer the following questions by placing an "X" after "YES" or "NO". If you answer "YES", please explain in the space provided, or via attachment.

Has your firm or any of its officers, received a reprimand of any nature or been suspended by the Department of Professional Regulations or any other regulatory agency or professional association within the last five (5) years?

YES \_\_\_ NO ✓

Has your firm, or any member of your firm, been declared in default, terminated or removed from a contract or job related to the services your firm provides in the regular course of business within the last five (5) years?

YES \_\_\_ NO ✓

Has your firm had against it or filed any request for equitable adjustment, contract claims, bid protest, or litigation in the past five (5) years that is related to the services your firm provides in the regular course of business?

YES \_\_\_ NO ✓

If yes, state the nature of the request for equitable adjustment, contract claim, litigation, or protest, and state a brief description of the case, the outcome or status of the suit and the monetary amounts or extended contract time involved.

I hereby certify that all statements made are true and agree and understand that any misstatement or misrepresentation or falsification of facts shall be cause for forfeiture of rights for further consideration of this proposal for the City of Fernandina Beach.

Colin Baenziger and Associates

March 24, 2023

Firm

Date

Lynelle Klein  
Authorized Signature

Lynelle Klein, Senior VP for Operations

Printed or Typed Name and Title

**THIS FORM MUST BE INCLUDED WITH BID/PROPOSAL**

# COLIN BAENZIGER & ASSOCIATES

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EXECUTIVE RECRUITING



## **PROPOSAL TO PROVIDE EXECUTIVE RECRUITMENT SERVICES FOR FERNANDINA BEACH, FL**

**Volume II: Appendices**

**RFP 23-07**

***Colin Baenziger & Associates***

**Contact Person:**

Colin Baenziger (561) 707-3537  
Colin Baenziger & Associates  
2055 South Atlantic Avenue • Suite 504  
Daytona Beach Shores, FL 32118  
e-mail: [Colin@cb-asso.com](mailto:Colin@cb-asso.com)  
Fax: (888) 635-2430

***...Serving Our Clients with a Personal Touch...***

# **PROPOSAL TO BE THE CITY'S EXECUTIVE RECRUITING FIRM**

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# Appendix A

*Searches by  
Colin Baenziger & Associate' Staff*

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## *Governmental Search Assignments*

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### *Current Searches*

City Manager, Belle Isle, FL (population 7,344)  
City Manager, Cooper City, FL (population 33,867)  
City Manager, Fircrest, WA (population 7,174)  
City Manager, Fort Walton Beach FL (population 20,879)  
County Administrator, Manatee County, FL (population 422,774)  
Town Manager, Oakland, FL (population 5,400)  
Town Manager/Finance Director, Ocean Ridge, FL (population 1,830)

Landscaping Director, Estero, FL (population 33,450)  
City Attorney, Sebastian, FL (population 25,703)

General Manager, Sun 'n Lake Improvement District, FL (population served 9,000+)

### *Completed Searches in 2023*

County Administrator, Indian River County, FL (population 163,662)  
Town Manager, Juno Beach, FL (population 3,770)  
County Administrator, St. Lucie County, FL (population 343,579)

Deputy Water & Sewer Director, Miami-Dade County, FL (population 2.706 million)  
Assistant to the City Manager, North Myrtle Beach, SC (18,790)

General Manager, Beaufort-Jasper Water & Sewer Authority, SC (population served 150,000)

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## ***Governmental Search Assignments*** (continued)

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### *Completed Searches Prior to 2023*

#### **City/Town/Village Manager/Administrator**

City Manager, Albany, GA (population 75,600) in 2011  
City Manager, Ankeny, IA (population 45,600) in 2013  
City Manager, Ashland, KY (population 21,000) in 2013  
City Manager, Auburn, AL (population 58,582) in 2017  
City Manager, Aventura, FL (population 37,724) in 2017 and 2018  
Village Manager, Bal Harbour, FL (population 3,300) in 2013  
City Manager, Bartow, FL (population 16,000) in 2007 in 2017 and 2022  
Town Manager, Bay Harbor Islands, FL (population 5,628) in 2007, 2012 and 2020  
City Manager, Bellevue, WA (population 122,400) in 2014  
City Administrator, Bradenton, FL (population 60,888) in 2021  
City Manager, Brighton, CO (population 41,254) in 2020  
Town Manager, Buckeye, AZ (population 32,000) in 2006  
City Manager, Burien, WA (population 55,188) in 2017  
City Manager, Cape Canaveral, FL (population 10,200) in 2010  
City Manager, Cape Coral, FL (population 194,570) in 2012 and 2020  
City Manager, Carnation, WA (population 1,873) in 2017  
City Manager, Casselberry, FL (population 25,000), in 2005  
City Manager, Chamblee, GA (population 17,000) in 2011  
City Manager, Clewiston, FL (population 7,270) in 2019  
City Manager, Cocoa Beach, FL (population 11,200) in 2012, 2015 and 2016  
City Administrator, Connell, WA (population 4,200) in 2014  
City Manager, Cooper City, FL (population 32,000) in 2008  
City Manager, Coral Gables, FL (population 43,000) in 2009  
City Manager, Cottonwood Heights, UT (population 34,000) in 2004  
City Manager, Covington, VA (population 5,802) in 2016  
City Manager, Crescent City, FL (population 1,542) in 2020  
Town Manager, Cutler Bay, FL (population 35,000) in 2006  
City Manager, Dania Beach, FL (population 28,000) in 2009  
City Manager, Danville, VA (population 43,000) in 2016  
City Manager, Deerfield Beach, FL (population 78,000) in 2019  
City Manager, Delray Beach, FL (population 64,100) in 2014  
City Manager, Deltona, FL (population 83,000) in 2006 and 2008  
City Manager, Destin, FL (population 12,000) in 2003 and 2011  
City Administrator, Dickinson, ND (population 22,300) in 2018  
City Manager, Doral, FL (population 24,000), in 2004  
City Manager, Doraville, GA (population 10,896) in 2013, 2017 and 2020  
Town Manager, Dundee, FL (population 3,000) in 2006 and 2009  
City Manager, Ellensburg, WA (population 18,350) in 2014  
City Manager, Elmira, NY (population 29,200) in 2014  
Village Manager, Estero, FL (population 26,600) in 2015  
City Manager, Fairborn, OH (population 33,200) in 2017

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## *Governmental Search Assignments* (continued)

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### **City/Town/Village Manager/Administrator** (continued)

City Manager, Fayetteville, NC (population 208,000) in 2012  
City Manager, Fernandina Beach, FL (population 11,000) in 2006 and 2015  
City Manager, Fife, WA (population 8,700) in 2010  
City Manager, Fort Myers, FL (population 68,190) in 2016  
Town Manager, Fort Myers Beach, FL (population 6,900) in 2006 and 2008  
City Manager, Fort Pierce, FL (population 41,900) in 2012  
City Manager, Fort Smith, AR (population 87,650) in 2016  
City Manager, Fruitland Park, FL (population 4,100) in 2013  
City Manager, Gainesville, FL (population 133,857) in 2016 and 2019  
City Manager, Greensboro, NC (population 259,000) in 2009  
City Manager, Groveland, FL (population 12,493) in 2018  
City Manager, Hallandale Beach, FL (population 39,000) in 2010 and 2012  
City Manager, Holly Hill, FL (population 13,000) in 2008 (partial search)  
City Manager, Homestead, FL (population 62,000) in 2010  
City Manager, Indianola, IA (population 15,108) in 2015  
Village Manager, Islamorada, Village of Islands, FL (population 7,500) in 1999, 2005, 2021 and 2022  
City Manager, Jacksonville Beach, FL (population 23,387) in 2018  
Town Manager, Juno Beach, FL (population 3,600) in 2005  
Village Manager, Key Biscayne, FL (population 11,000) in 2007 and 2011  
City Manager, Key West, FL (population 24,600) in 2012  
Town Manager, Lady Lake, FL (population 15,954) in 2021  
City Administrator, Lake Forest Park, WA (population 13,059) in 2018  
Town Manager, Lake Park, FL (population 9,100) in 2001 and 2003  
City Manager, Lake Worth Beach, FL (population 38,010) in 2003, 2007 and 2021  
Town Manager, Lantana, FL (population 9,600) in 2000 and 2021  
City Manager, Lauderdale Lakes, FL (population 32,000) in 1998 and 2002  
City Manager, Leesburg, FL (population 20,390) in 2013  
City Manager, Madeira Beach, FL (population 12,300) in 2011  
Town Manager, Mangonia Park, FL (population 1,400) in 2001  
City Manager, Marathon, FL (population 11,500) in 2002 and 2004  
City Manager, Marco Island, FL (population 15,000) in 2014  
City Manager, Mascotte, FL (population 5,873) in 2021  
City Manager, Medina, WA (population 3,000) in 2013  
City Manager, Melbourne, FL (population 72,500) in 2012  
City Manager, Miami Gardens, FL (population 101,000) in 2004  
City Manager, Mill Creek, WA (18,828) in 2015 and 2022  
City Manager, Miramar, FL (population 122,000) in 2013  
City Manager, Monroe, NC (population 33,500) in 2013  
City Manager, Montverde, FL (population 1,675) in 2020  
Town Manager, Mooresville, NC (population 41,995) in 2019  
City Manager, Mount Dora, FL (population 12,000) in 2005  
City Manager, Mount Pleasant, MI (population 26,000) in 2014

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## ***Governmental Search Assignments*** (continued)

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### **City/Town/Village Manager/Administrator** (continued)

City Manager, Mountlake Terrace, WA (population 20,700) in 2014 and 2016  
City Manager, Naples, FL (population 21,800) in 2018  
City Manager, New Smyrna Beach, FL (population 23,000) in 2009  
City Manager, Normandy Park, WA (population 6,335) in 2013 and 2015  
City Manager, North Miami, FL (population 62,000) in 2010 and 2014  
Village Manager, North Palm Beach, FL (population 12,500) in 2004, 2005, 2007 and 2012  
City Manager, North Port, FL (population 55,800) in 2011  
Town Manager, North Topsail Beach, NC (population 734) in 2018  
City Manager, Norwich, CT (population 40,500) in 2016  
City Manager, Oakland Park, FL (population 42,800) in 2014  
City Manager, Ocala, FL (population 52,000) in 2008 and 2015  
City Manager, Opa-Locka, FL (population 2,180) in 2019  
City Manager, Orange City, FL (population 10,000) in 2010 and 2016  
City Manager, Orange Park, FL (population 9,100) in 2010  
City Manager, Oviedo, FL (population 33,000) in 2008  
City Manager, Palm Bay, FL (current population 101,000) in 2002 and 2015  
City Manager, Palm Coast, FL (population 71,000) in 2006  
Village Manager, Palmetto Bay, FL (population 24,000) in 2003  
City Manager, Panama City Beach, FL (population 12,776) in 2012 and 2019  
City Manager, Parkland, FL (population 30,177) in 2017  
City Manager, Petersburg, VA (population 32,701) in 2017  
Village Manager, Pinecrest, FL (population 19,300) in 2011  
City Manager, Pompano Beach, FL (population 101,000) in 2007  
City Manager, Port Orange, FL (population 67,494) in 2021  
City Manager, Port Richey, FL (2,869) in 2020  
City Manager, Port St. Lucie, FL (population 174,100) in 2016  
City Manager, Portland, ME (population 65,000) in 2011  
City Manager, Prosser, WA (population 5,802) in 2016  
Chief Administrative Officer, Renton, WA (population 100,953) in 2021  
City Manager, Riviera Beach, FL (population 37,000) in 2009  
City Manager, Roanoke, VA (population 98,465) in 2009 and 2017  
City Manager, Sammamish, WA (population 64,548) in 2019  
City Manager, Sanibel Island, FL (population 7,319) in 2021  
City Manager, Sarasota, FL (population 55,000) in 2012  
City Manager, Satellite Beach, FL (population 10,100) in 2013  
City Manager, Savannah, GA (population 142,800) in 2016  
City Manager, Scottsdale, AZ (population 217,400) in 2013  
City Manager, Sebastian, FL (population 24,772) in 2018  
City Manager, Seminole, FL (population 17,800) in 2015  
City Manager, Sequim, WA (population 6,700) in 2015 and 2021  
Town Manager, Sewall's Point, FL (population 2,000) in 2006  
Township Manager, Spring Garden Township, PA (population 12,963) in 2018  
Township Manager, Springettsbury Township, PA (population 26,700) in 2014 and 2016



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## ***Governmental Search Assignments*** (continued)

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### **City/Town/Village Manager/Administrator (continued)**

City Manager, St. Pete Beach, FL (population 10,000) in 2014 and 2019  
City Manager, Stuart, FL (population 17,000) in 2006 and 2017  
City Manager, Sunny Isles Beach, FL (population 17,000) in 2006 and 2011  
City Manager, Sunrise, FL (population 84,400) in 2012  
City Manager, Sunnyside, WA (population 15,860) in 2013 and 2018  
Town Manager, Surfside, FL (population 6,000) in 2014  
City Manager, Tacoma, WA (population 200,000) in 2011 and 2017  
City Administrator, Tavares, FL (population 11,000) in 2006  
City Manager, Temple Terrace, FL (population 26,901) in 2022  
City Manager, Titusville, FL (population 43,940) in 2014  
City Manager, Treasure Island, FL (population 6,937) in 2017  
City Manager, Vero Beach, FL (population 16,751) in 2019  
City Manager, West Melbourne, FL (population 15,000) in 2009  
City Manager, West Park, FL (population 12,000) in 2005 and 2010  
City Manager, Weston, FL (population 70,015) in 2019  
City Manager, Winchester, VA (population 28,108) in 2014 and 2020  
City Manager, Winter Haven, FL (population 37,900) in 2017  
City Manager, Yakima, WA (population 91,000) in 2011 and 2012

### **County Administrator / Manager - Completed Searches**

County Manager, Alachua County, FL (population 251,400) in 2014  
County Manager, Baker County, FL (population 27,000) in 2006  
County Administrator, Bay County, FL (population 158,000) in 2005  
County Manager, Brevard County, FL (population 536,000) in 2009  
County Administrator, Broward County, FL (population 1,800,000) in 2006  
County Administrator, Clackamas County, OR (population 383,900) in 2013  
County Manager, Clay County, FL (population 212,230) in 2005, 2011 and 2019  
Chief Administrator, El Paso County, TX (population 827,700) in 2014 and 2016  
County Administrator, Emmet County, MI (population 32,900) in 2014  
County Manager, Flagler County, FL (population 83,000) in 2007  
County Manager, Fulton County, GA, (partial search) in 2015 (population 894,300) in 2015  
County Administrator, Hernando County, FL (population 172,800) in 2012  
County Administrator, Highlands County, FL (population 98,000) in 2008  
County Administrator, James City County, VA (population 69,000) in 2014  
County Manager, Lee County, FL (population 600,000) in 2009  
County Administrator, Martin County, FL (population 140,000) in 2005  
Borough Manager, Matanuska-Susitna Borough, AK (population 85,000) in 2011  
County Administrator, Monroe County, FL (population 80,000) in 2004  
County Administrator, Nassau County, FL (population 60,000) in 2004  
County Administrator, Okaloosa County, FL (population 183,500) in 2013  
County Administrator, Okeechobee County, FL (population 39,000) in 2008

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## ***Governmental Search Assignments*** (continued)

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### **County Administrator / Manager - Completed Searches (continued)**

County Manager, Osceola County, FL (population 235,000) in 2003 and 2007  
County Administrator, Polk County, IA (population 400,000) in 2007 and 2011  
County Manager, Seminole County, FL (population 410,000) in 2006  
County Administrator, St. Johns County, FL (population 162,000) in 2007  
County Administrator, St. Lucie County, FL (population 284,000) in 2014  
County Manager, Union County, NC (population 198,600) in 2010  
County Administrator, York County, VA (population 66,269) in 2015

### **Completed Searches – Other Municipal CEO**

Executive Director, Bartow Municipal Airport Development Authority, Bartow, FL in 2017  
Chief Executive Officer, Chatham Area Transit, Savannah, GA (population served 286,900) in 2016  
General Manager, Chittenden Solid Waste District, Williston, VT (population 157,461) in 2016  
General Manager, Holiday Park Recreation District, FL (population 4,500) in 2007  
Executive Director, Lakewood Ranch Inter-District Authority, Manatee County, FL (population 15,000) in 2011 and 2022  
Executive Director, Northern Palm Beach Improvement District, Palm Beach Gardens, FL (population 200,000) in 2003  
Executive Director, South Correctional Entity (SCORE), Des Moines, WA (population served 406,000) in 2018

### **Community Association CEOs and Assistant CEOs**

Chief Operating Officer, Amelia Island Plantation Community Association, FL (population 3,000) in 2016  
Executive Director, Lakewood Ranch Inter-District Authority, Manatee County, FL (population 15,000) in 2011 (The Executive Director also managed five community associations.)  
Executive Director, Sun City Summerlin Home Owners Association, Las Vegas, NV (population 14,000) in 2015 and 2017  
Vice President for Administration, Ocean Reef Communication Association, Key Largo, FL in 2017  
Vice President, Public Works & Operations, Ocean Reef Community Association (population 2,000), Key Largo, FL, in 2001

### **Completed Searches – Assistant/Deputy Managers**

Assistant City Manager / Operations, Corpus Christi, TX (population 308,000) in 2013  
Assistant City Manager / Utilities, Corpus Christi, TX (population 308,000) in 2014  
Deputy City Manager, Danville, VA (43,000) in 2016

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## ***Governmental Search Assignments*** (continued)

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### **Completed Searches – Assistant/Deputy Managers (continued)**

Deputy City Administrator, Dickinson, ND (population 22,300) in 2016  
Deputy City Manager for Community Building, Durham, NC (population 220,000) in 2009  
Assistant Town Manager, Jupiter Island, FL (population 654) in 2010  
Assistant Village Manager, Islamorada, Village of Islands, FL (population 7,500) in 1998  
Assistant City Manager, Lake Worth Beach, FL (population 37,000) in 2004  
Assistant County Administrator, Martin County, FL (population 140,000) in 2006  
Deputy City Manager, Sammamish, WA (60,000) in 2016  
Assistant City Manager, Tamarac, FL (population 55,500) in 2001  
Assistant City Manager, West Palm Beach, FL (population 101,000) in 2004 and 2013

### **Completed Searches – City or County Attorneys**

County Attorney, Clay County, FL (population 196,400) in 2016  
City Attorney, Daytona Beach, FL (62,300) in 2016  
City Attorney, Fort Lauderdale, FL (population 178,752) in 2018  
City Attorney, Fort Pierce, FL (population 41,590) in 2016 and 2018  
County Attorney, Fulton County, GA (population 996,319) in 2015  
City Attorney, Lawton, OK (population 94,653) in 2020  
City Attorney firm, Naples, FL (population 22,367) in 2021  
City Attorney, Ocala, FL (population 60,021) in 2022  
Chief Labor Negotiator, Orlando, FL (population 270,934) in 2018  
City Attorney, Port St. Lucie, FL (population 185,132) in 2016 and 2019  
County Attorney, Prince William County, VA (population 438,580) in 2015  
City Attorney, Roanoke, VA (population 96,000) in 2012  
Fire District Attorney, St. Lucie County Fire District, FL (population 298,600) in 2017  
City Attorney, Vero Beach, FL (population 16,751) in 2019  
City Attorney, West Melbourne, FL (population 15,000) in 2008

### **Completed Searches – Community Development/Growth Management/Planning**

Planning and Community Development Director, Bradenton, FL (population 60,888) in 2021  
Growth Management Director, Collier County, FL (population 357,305) in 2015 and 2017  
Community Development Director, Danville, VA (population 43,000) in 2016  
Planning and Development Director, Fairfax County, VA (population 1,150,309) in 2022  
Director, Building and Development, Loudoun County, VA (population 336,900) in 2014  
Community Development Director, Miami, FL (population 408,000) in 2008  
Director of Planning, Building and Development, Roanoke, VA (population 96,000) in 2012  
General Manager, North Sarasota Redevelopment District, Sarasota, FL (population 53,000) in 2008  
Growth Management Director, St. Lucie County, FL (population 261,000) in 2005  
Community Development Director, Tamarac, FL (population 55,500) in 2007

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## ***Governmental Search Assignments*** (continued)

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### **Completed Searches – Economic Development / Redevelopment**

Growth Management Manager, Wellington, FL (population 55,000) in 2009  
Executive Director, Camden County (GA) Joint Development Authority (pop. 51,400) in 2014  
Economic Development Director, Collier County, FL (population 328,000) in 2012  
Economic Development Director, Concord, NH (population 42,444) in 2017  
Assistant City Manager for Community Building, Durham, NC (population 220,000) in 2009  
Economic Development Director, Roanoke, VA (population 96,000) in 2012  
Director, Office of Economic & Workforce Development, Durham, NC (pop. 220,000), 2009  
Economic Development Director, Loudoun County, VA (population 326,000) in 2010  
Economic Development Director, St. Johns County, FL (population 162,000) in 2011

### **Completed Searches – Engineers**

City Engineer, Gulfport, MS (population 90,000) in 2008  
Director/Engineering/Public Works /Utilities, Hallandale Beach, FL (population 39,000) 2013  
Deputy County Engineer, Martin County, FL (population 140,000) in 2006  
Assistant City Engineer, Melbourne, FL (population 75,000) in 2008  
City Engineer, Sunny Isles Beach, FL (population 17,000) in 2006  
Staff Engineer, Wellington, FL (population 55,000) in 2009

### **Completed Searches – Facilities Management**

Director, Performing Arts & Convention Center, Federal Way, WA (population 92,700) in 2015  
Director, Landscaping, Weston, FL (population 65,300) in 2013

### **Completed Searches – Finance and Budget**

Finance Director, Altus, OK (population 19,800) (background check) in 2012  
Finance Director, College Park, MD (population 32,256) in 2016  
Procurement Director, Collier County, FL (population 357,305) in 2016  
Finance Director, Danville, VA (population 43,000) in 2014  
Finance Director, Daytona Beach, FL (population 31,860) in 2012  
Finance Director, DeLand, FL (population 28,230) in 2016  
Finance Director, Escambia County (FL) Housing Authority (population served: 302,700), 2014  
Chief Financial Officer, Estero, FL (population 36,939) in 2022  
Finance Director, Fort Walton Beach, FL (population 20,000) in 2006  
Finance Director, Gainesville, FL (population 133,857) in 2020  
Finance Director, Groveland, FL (population 12,493) in 2018  
Director, Management & Financial Services, Loudoun County, VA (population 326,000) in 2012  
Manager, Office of Management & Budget, Lake Worth Beach, FL (population 37,000) in 2010  
Finance Director, Lauderdale Lakes, FL (population 32,000) in 1998

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## ***Governmental Search Assignments*** (continued)

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### **Completed Searches – Finance and Budget** (continued)

Finance Director, Miami, FL (population 408,000) in 2013  
Finance Director, Miramar, FL (population 130,300) in 2016  
Treasurer, Miami, FL (population (408,000) in 2013  
Finance Director, Oregon City, OR (population 31,860) in 2012  
Finance Director, Petersburg, VA (population 32,701) in 2017  
Finance Director, Roanoke, VA (population 99,000) in 2014  
Director of Finance and Administration, Roanoke Regional Airport, Roanoke, VA, in 2014  
Revenue Operations Director, Savannah, GA (population 142,800) in 2017  
Budget Director, St. Petersburg, FL (population 248,000) in 2009  
Finance Director, St. Petersburg, FL (population 248,000) in 2010  
Finance Director, Sunny Isles Beach, FL (population 17,000) in 2010  
Finance Director, Surfside, FL (population 5,700) in 2012  
Finance Director, Tamarac, FL (population 55,500) in 2005 and 2009  
Finance Director, West Palm Beach, FL (population 101,000) in 2007  
Chief Financial Officer, Winter Springs, FL (population 36,342) in 2022

### **Completed Searches – Fire/EMS/Dispatch**

Fire Chief, Cape Coral, FL (population 154,300) in 2013  
Fire Chief, Lauderdale Lakes, FL (population 32,000) in 1999  
Executive Director, South Sound 911 (serves a population of 808,000), Tacoma, WA, in 2013  
Fire Chief, St. Lucie County Fire District, FL (population 298,600) in 2018  
Fire Chief, West Palm Beach, FL (population 101,000) in 2005

### **Completed Searches – General Services / Administration**

General Services Director, Loudoun County, VA (population 349,700) in 2015

### **Completed Searches – Housing/Building**

Building Official, Jupiter Island, FL (population 580) in 2005 and 2010  
Building Official, Miami Beach, FL (population 91,000) in 2005  
Building Official, Sewall's Point, FL (population 2,000) in 2006  
Building Official, Tamarac, FL (population 55,000) in 2008

### **Completed Searches – Human Resources**

Human Resources Director, Boca Raton, FL (population 84,000) in 2006  
Human Resources Director, Cape Coral, FL (population 154,300) in 2013

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## ***Governmental Search Assignments*** (continued)

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### **Completed Searches – Human Resources (continued)**

Director, Human Resources, Gainesville, FL (population 125,000) in 2014  
Director of Personnel, Fulton County, GA (population 992,000) in 2010  
Director, Human Resources, Hillsborough County, FL (population 1,292,000) in 2015  
Human Resources Office, Loudoun County, VA (population 326,000) in 2011  
Human Resources Administrator, Martin County, FL (population 140,000) in 2007  
Personnel Director, North Miami, FL (population 56,000) in 2001  
Director, Human Resources, Sunrise, FL (population 88,800) in 2015  
Director, Human Resources, Roanoke, VA (population 99,000) in 2014  
Personnel Director, Vero Beach, FL (population 17,900) in 2003  
Human Resources Director, West Palm Beach, FL (101,900) in 2013 and 2014

### **Completed Searches – Health and Human Services**

Director, Health and Human Services, St. Johns County, FL (population 162,000) in 2010

### **Completed Searches – Information Technology**

Information Services Director, Cooper City, FL (population 33,382) in 2017  
Information Services Director, Lauderdale Lakes, FL (population 32,000) in 1998  
Information Services Director, Palm Beach County Tax Collector (population 1,300,000), Palm Beach County, FL in 2012 (partial search)  
Chief Information Officer, Weston, FL (population 65,300) in 2015

### **Completed Searches – Parks/Recreation/Libraries**

Parks and Recreation Director, Cape Coral, FL (population 179,804) in 2018  
Parks and Recreation Director, Deerfield Beach, FL (population 78,041) in 2017 and 2019  
Director, Parks, Recreation, & Conservation, Hillsborough County, FL (pop. 1,292,000) in 2015  
Director, Parks and Recreation, Hobbs, NM (population 35,000) in 2014  
District Manager, Holiday Park Recreation District, Palm Bay, FL (population 1,400) in 2007  
Libraries and Information Services Director, Newport News, VA (population 183,000) in 2017  
Library Services Director, St. Johns County, FL (population 162,000) in 2007  
Parks and Recreation Director, West Palm Beach, FL (population 101,000) in 2006  
Parks and Recreation Director, Weston, FL (population 70,015) in 2019

### **Completed Searches – Police**

Police Chief, Farmington, NM (population 45,900) in 2014  
Police Chief, Golden Beach, FL (population 355) in 2011 (partial search)



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## ***Governmental Search Assignments*** (continued)

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### **Completed Searches – Police (continued)**

Police Chief, Indian Creek Village, FL (population 89) in 2022  
Police Chief, Lauderhill, FL (population 66,900) in 2011 (partial search)  
Police Chief, Melbourne, FL (population 76,000) in 2011 (partial search)  
Chief of Police, Mooresville, NC (population 35,300) in 2016  
Police Chief, Petersburg, VA (population 32,701) in 2017  
Director of Administration – Public Safety, Ocean Reef Community Association, Key Largo, FL in 2016  
Police Chief, Sewall’s Point, FL (population 2,000) in 2007  
Police Chief, St. Augustine Beach, FL (population 6,200) in 2012  
Police Chief, Sunny Isles Beach, FL (population 17,000) in 2010  
Police Chief, Winchester, VA (population 27,216) in 2017

### **Completed Searches – Public Works**

Public Works Director, Aventura, FL (population 37,200) in 2016  
Public Works Director, Camden County, GA (population 53,044) in 2019  
Solid Waste Director, Camden County, GA (population 53,044) in 2018  
Public Works Director, Chandler, AZ (population 250,000) in 2007  
General Manager, Chittenden Solid Waste District, Williston, VT (population 157,461) in 2016  
Executive Director, Northern Palm Beach Improvement District, Palm Beach Gardens, FL (population 200,000) in 2003  
Vice President, Public Works & Operations, Ocean Reef Community Association (population 2,000), Key Largo, FL, in 2001  
Executive Director, Environment and Infrastructure, Pinellas County, FL (pop. 917,000) in 2012  
Public Works Administrator, Renton, WA (population 100,953) in 2020  
Public Works Director, Sammamish, WA (60,000) in 2016  
Director/Capital Projects Manager/City Engineer, Sunny Isles Beach, FL (pop. 17,000) in 2007  
Assistant Public Works Director, Sumter County, FL (107,000) in 2015  
Assistant Public Works Director, Sunny Isles Beach, FL (population 17,000) in 2008  
Public Works Director, Tamarac, FL (population 55,500) in 2003  
Solid Waste Director, Tampa, FL (population 335,700) in 2014  
Director, Landscaping, Weston, FL (population 65,300) in 2013

### **Completed Searches – Transportation**

Chief Executive Officer, Chatham Area Transit, Savannah, GA (population served 286,900) in 2016 and 2022

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## ***Governmental Search Assignments*** (continued)

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### **Completed Searches – Utilities**

Water Resources Director, Asheville, NC (population 87,200) in 2015  
Executive Director, Cape Fear Utility Authority, Wilmington, NC (population served 230,000) in 2021  
Utility Director, Danville, VA (population 43,000) in 2015  
Power & Light Division Director, Danville, VA (population 43,000) in 2015  
Water and Gas Director, Danville, VA (population 43,000) in 2016  
Utilities Manager, Deerfield Beach, FL (population 78,041) in 2017  
Watershed Management (Water and Wastewater) Director, DeKalb County, GA (population 691,900) in 2011 and 2013  
Executive Director, Des Moines (IA) Water Works (serves a population of over 500,000) in 2012 and 2020  
Executive Director, Emerald Coast Utilities Authority, Pensacola, FL (population served 300,000) in 2020  
Executive Director, Florida Keys Aqueduct Authority, Key West, FL (pop. 90,000) in 2003  
General Manager, Island Water Association, Sanibel, FL in 2018  
Utilities Director, Lake Worth, FL (population 37,000) in 2009  
Waterworks Director, Newport News, VA (population 183,000) in 2017  
Executive Director, Onslow Water & Sewer Authority, Jacksonville, NC, (pop. 160,000) in 2009  
Utilities Director, Palm Bay, FL (population 101,000) in 2005  
Utilities Director, Panama City, FL (population 38,286) in 2017  
Executive Director, Environment and Infrastructure, Pinellas County, FL (pop. 917,000) in 2012  
Executive Director, Sewerage and Water Board of New Orleans, LA (population 369,000) in 2013  
Customer Service Chief (a C Suite level position), Sewerage and Water Board of New Orleans, LA (population 369,000) in 2020  
Director, South Martin Regional Utilities, FL (population 22,000) in 2013  
Executive Director, Spartanburg Water, SC (population served 327,997) in 2022  
Water (Wastewater) Resources Director, St. Petersburg, FL (population 248,000) in 2008  
General Manager, Tampa Bay Water, FL (population served 2,400,000) in 2008 and 2021  
Chief Operating Officer, Tampa Bay Water, FL (population served 2,400,000) in 2022

### **Completed Searches – Work Force Management**

Director, Office of Economic & Workforce Development, Durham, NC (pop. on 220,000), 2009

### **Completed Searches – Other**

Chief Operating Officer, Amelia Island Plantation Community Association, FL (population 3,000) in 2016  
City Clerk, Lauderdale Lakes, FL (population 32,000) in 1998  
Clerk to the County Commission, Fulton County, GA (population 1.02 million) in 2018



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## ***Governmental Search Assignments*** (continued)

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### **Completed Searches – Other** (continued)

Director, Registrations and Elections, Fulton County, GA (population 992,000) in 2009

Environmental Resources Director, St. Lucie County, FL (population 261,000) in 2009

Executive Director, Sun City Summerlin Homeowners Association, Las Vegas, NV

(population 14,000) in 2015 and 2017

Special Projects Coordinator, Islamorada, Village of Islands, FL (population 7,500) in 1998

Vice President for Administration, Ocean Reef Communication Association, Key Largo, FL  
in 2017

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## **Appendix B**

*Sample Brochure:  
City Manager Search  
Jacksonville Beach, FL*

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CITY MANAGER POSITION AVAILABLE  
Apply by August 24, 2018

## Welcome to Jacksonville Beach

If you are looking for an outstanding city manager opportunity with an extremely well run local government in an unbeatable location, read on.

Jacksonville Beach is a place where the elected officials, staff, and the public take their government seriously and are proud of what they have achieved. The city has a corporate style culture and expects everything they do to be done right and to be first rate. Their police department is accredited and the city's electric utility is one of the best in the country and is loved by its customers. To top it off, the city is located on a barrier island community fronting the Atlantic Ocean a little east of Jacksonville. It offers glittering, white sand beaches, music, arts, nature, and a wonderful quality of life while retaining a family-friendly, laidback atmosphere. It is a wonderful place already, but it is also brimming with potential!





Living in Jacksonville Beach has much to offer. The people are warm, friendly, and helpful. They welcome newcomers and you will feel right at home. The city has been recognized by several organizations including being ranked #2 best on WalletHub's "2016's Best & Worst Florida Cities for Finding a Job," on NerdWallet's 2015 "Best Places to Start a Business in Florida," and ranked the 7th Best City in Florida by Mike Anderson in Cost of Living 2013.

Crime is generally quite low here (particularly given its proximity to a major metropolitan area), the schools are excellent, and medical care is outstanding. The Mayo Clinic/Jacksonville is literally 15 minutes away and it is only one of several excellent facilities in the area. Housing opportunities are varied ranging from the reasonable to the pricey (the median price of homes is in the mid-\$400,000).

The opportunities for leisure are unmatched. The city has wonderful beaches that routinely grace top 10 lists for its beauty and activities along with a renowned fishing pier. Over seventy events are held here annually including blues, jazz, rock'n roll and pops concerts by the sea, beach runs, a national night out, art fairs, and much more. For those who enjoy the outdoors, you will find a boatload of activities: swimming, beach volleyball, surfing (some of the best waves in the region are found here), kayaking, windsurfing, fishing and boating.



Visitors and natives alike are delighted by dolphins frolicking just off the beach. Enjoy the Beaches Museum & History Park, Adventure Landing, and sports leagues including baseball, softball and football, or the city's newly redesigned golf course. Shopping is plentiful and it is easy to find whatever you want—if not here, in nearby Jacksonville. The nature-lover will find the area to be a paradise. Cradle Creek Preserve, the newest of Jacksonville Beach's parks, is 43.3-acres of primarily undisturbed land along the Intracoastal Waterway. To the south lies Guana River Management Area while to the north are the Timucuan Ecological and Historical Preserve as well as Kathryn Abbey Hanna Park and the Huguenot Memorial Park.

Historic St. Augustine and Fernandina Beach (on Amelia Island) are less than one hour away while Jacksonville is right next door. The latter hosts the Museum of Contemporary Art, the Museum of Science (with its Bryan Gooding Planetarium) the Jacksonville Zoo and Gardens, the Jacksonville's Time-Union Center for theater, symphony, and touring Broadway shows. The city is also home to the NFL's Jacksonville Jaguars and the headquarters for the PGA tour is located in nearby Ponte Vedra Beach

Travel is convenient in Jacksonville Beach due to its location as a nexus between major highways and ports. Jacksonville International Airport is 30 minutes away and those who love to cruise can sail out of the Port of Jacksonville or travel a few hours south to Port Canaveral, the second busiest cruise port in the world.

With beautiful sunny days and gorgeous ocean views, Jacksonville Beach is a tropical paradise, where you can

work, live, play, and enjoy the beauty that Florida has to offer. The city's steady growth and strong community await a City Manager to continue the trip to its destiny of becoming a world class city.

## HISTORY

Modern history begins with French Huguenots and the Spanish laying claim to the area, what would come to be known as Jacksonville Beach. Its origins as a community truly began when river pilots and fishermen built a port on the nearby river in 1831. Over time, the population grew, and by 1885, the town had 600 inhabitants, a post office, a school, and a lighthouse. Steamships visited daily, bearing beach-goers from Jacksonville.

A group of businessmen in Jacksonville devised a railway that would lead to the beaches east of Jacksonville, where they intended to develop a summer resort to attract tourists. The Jacksonville and Atlantic Railway Company was chartered in 1883 to build 16.5 miles of railway, and the company acquired many acres of oceanfront property. These were sold in lots, drawing in many prospective buyers and totaling sales of \$7,514.

The area became known as Pablo Beach in 1886, named after the San Pablo River that divides the island from the mainland. The railway was completed in 1886, as well, and the first resort hotel was opened, The Murray Hall Hotel with 192 rooms and boasting its location on "The Finest Beach in the World!"

The railway continued to expand, leading to Pablo Beach's incorporation on May 22nd, 1907. The name was changed



to Jacksonville Beach in 1925. In that interim, the area’s reputation grew as a boardwalk was constructed, along with dance pavilions, shooting galleries, restaurants, and other forms of entertainment.

For the remainder of the 20th century, Jacksonville Beach continued to grow. It did not, however, always thrive. In fact, by the latter half of the century, it was rather run down and unsafe. Over the last 30 years, that has all changed through a great deal of hard work, and assistance from the city government. The downtown has been revitalized and the city is once again a true destination.

DEMOGRAPHICS

See Table 1 (right) for information regarding Jacksonville Beach Demographics.

CLIMATE

Jacksonville Beach’s climate is described as humid subtropical with primary seasons: the hot, rainy season, which lasts from May to September, and the mild, dry season, which runs from October to April. During the summer months, the high temperatures are typically in the high 80s, rarely falling below the mid-70s, and the afternoons often bring short bursts of rain and thunder. During the cooler months, the average temperature is in the mid-60s, with the lows landing in the mid-40s. The average rainfall is 51 inches a year.

Jacksonville Beach is less susceptible to hurricanes than much of the East Coast. In fact, the area has only received one direct hit from a hurricane since 1871—Hurricane

Table 1: Jacksonville Beach Demographics

| Estimated Population: 23,518 |       |                     |       |
|------------------------------|-------|---------------------|-------|
| Distribution by Race         |       | Distribution by Age |       |
| Caucasian                    | 90.6% | 0 to 15             | 13.2% |
| African American             | 3.7%  | 15 to 25            | 9.0%  |
| Asian                        | 2.3%  | 25 to 45            | 30.1% |
| Native American              | 0.1%  | 45 to 65            | 31.3% |
| Two or More Races            | 3.3%  | 65 to 85            | 14.0% |
| Total                        | 100%  | Over 85             | 2.4%  |
| Hispanic (all races)         | 5.0%  |                     |       |

| Educational Achievement<br>(over age 25) |       |
|------------------------------------------|-------|
| High School or Higher                    | 97.1% |
| Bachelor's Degree or Higher              | 48.6% |

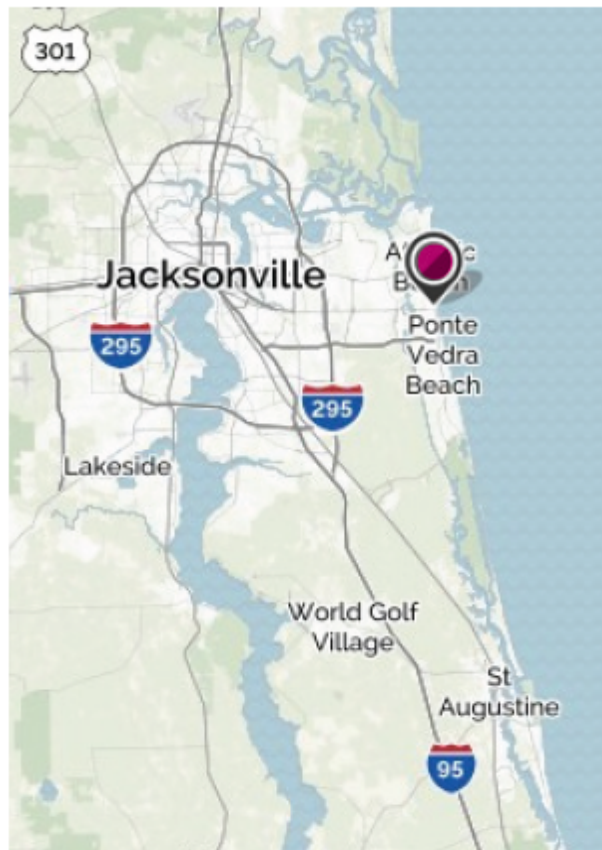
| Other Statistics              |      |
|-------------------------------|------|
| Median Age-Jacksonville Beach | 43.2 |
| Median Age-U.S.               | 37.4 |
| Poverty Rate                  | 8.2% |

Source: U.S. Census Bureau

Dora in 1964. Recently, in 2016 and 2017, Hurricanes Matthew and Irma did not pass through the city but brought wind, rain, tree damage and some flooding

GEOGRAPHY

According to the United States Census Bureau, Jacksonville Beach covers a total area of 22.0 square miles, 7.3 square miles of which is land and 14.6 square miles of which is water. It is the eastern terminus of U.S. Route 90, which ends



at an intersection with State Road A1A three blocks from the Atlantic Ocean. It is due east of the city of Jacksonville and lies an average of 10 feet above sea level.

## COMMERCE

See Table 2 (lower left) for information regarding Jacksonville Beach Principal Employers.

## THE GOVERNMENT

Jacksonville Beach operates under a Council-Manager form of government. The seven-member City Council consists of the Mayor, three Council members elected at large, and three Council members elected by district. They serve staggered four-year terms and historically the Council has been relatively stable. The city does have, however, limits of two consecutive terms. The result is, along with retirements, three members will be leaving the Council this fall and the Mayor and remaining other

three will be termed out in 2020.

The Council is responsible for determining policy, passing ordinances, adopting the annual budget, appointing committees, and appointing the City Manager and City Attorney. The Council works well together generally and has a great deal of respect for city staff.

The City Manager is charged with carrying out the policies made by Council and managing

Table 2: Principal Employers, Jacksonville Beach and the Surrounding Environs

| Employer                       | Industry   | Employees |
|--------------------------------|------------|-----------|
| Naval Station Mayport          | Military   | 9,000     |
| Baptist Medical Center—Beaches | Healthcare | 800       |
| PGA Tour                       | Leisure    | 800       |
| Ponte Vedra Inn and Club       | Leisure    | 650       |
| Sawgrass Marriot               | Leisure    | 465       |
| Optimum Healthcare IT          | Healthcare | 450       |
| City of Jacksonville Beach     | Government | 400       |
| TPC Sawgrass                   | Leisure    | 320       |
| Vicar's Landing                | Healthcare | 320       |
| U.S. Coast Guard               | Military   | 300       |

Source: City of Jacksonville Beach, FL 2017 CAFR

the day-to-day operations of the city. The City Manager also prepares the annual budget for Council approval and hires City employees. He/she and the City Attorney are the Council's two appointees.

The city offers many services, including police, fire, code enforcement, animal control, beachfront restrooms and facilities, lifeguards along 4.1 miles of protected beach, a golf course, parks and recreation, two cemeteries, street maintenance, electric, water, stormwater, sewer, sanitation, and natural gas. Sanitation is provided through a third party and EMS transport is provided by the county.

City services are excellent and highly acclaimed. Beaches Energy is very well regarded and received the Diamond designation from the American Public Power Association for being a Reliable Public Power Provider in 2017 and was honored by the Florida Municipal Electric Association with the Building Strong Communities Award, most recently in 2015 and 2017. The Police Department has been accredited by the National Commission on Accreditation for Law Enforcement for 22 consecutive years. The city has received the Government Finance Officers Association awards for both the Comprehensive Annual Financial Report and the Annual Budget for over 20 consecutive years.

Jacksonville Beach is in extremely sound financial condition, and, through long-term planning and capital budgeting, expects to be debt-free by the year 2020. Its FY 2018 budget is \$164,505,457, and the general fund budget is \$21,520,576. The large majority of the difference comes from and goes to the city's utility operations. It has 343 full-time employees and 134 part-time. The largest departments are police (90 full time employees) followed

by Beaches Energy (75 fulltime) and public works (67 fulltime). The city has three unions—the Fraternal Order of Police, the International Association of Firefighters and the Laborers' International Union of North America.

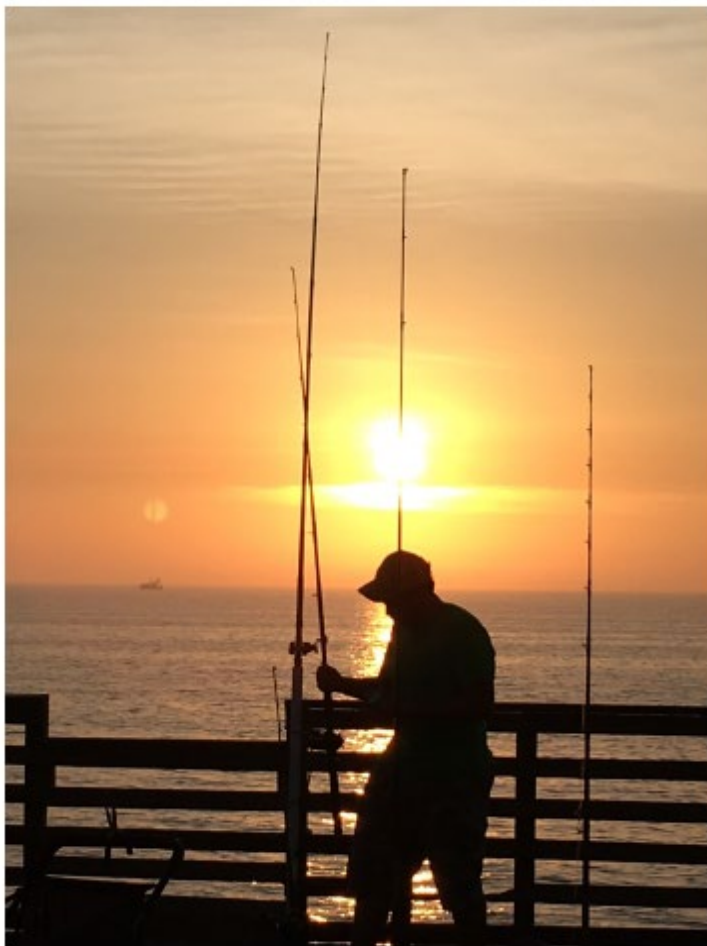
## THE CHALLENGES AND OPPORTUNITIES

Over the past 20 years, Jacksonville Beach has made a remarkable recovery. The once blighted downtown is now a destination for residents and tourists alike. The city is extremely well run and financially sound. It is not, however, without its issues.

First, while the downtown has made remarkable progress, it is not yet where the city wants it to be. By day, the downtown is a comfortable, family-oriented beach area. From about 5 p.m. to 10 p.m., it is frequented by those out for an evening dinner and a stroll. After 10 p.m., however, the dynamic shifts and until 2 a.m., when the bars close, the area is frequented by a much younger crowd. The influx of this late-night crowd creates significant issues that require additional policing efforts. You can read about recent incidents on the internet. The city and its residents are ready to eliminate this problem. The next manager will play a large role in helping create the solution. Jacksonville Beach's downtown has the potential to rival Florida's best—Naples, South Beach, and Delray Beach.

Intergovernmental relations are a focus area. In 1968, all but four cities (Jacksonville Beach, Atlantic Beach, Neptune Beach, and Baldwin) consolidated to become Jacksonville-Duval County under one government. That created a David and Goliath situation. Cooperation with the consolidated government is essential for many areas, but in particular





because it owns the Fishing Pier in the city, most of the main thoroughfares and the Mike McCue Boat Ramp, all of which are vital to the city's health. Unfortunately, they are not always vital to Jacksonville/Duval's health. The result is repairs to the Pier - Hurricane Matthew washed away 350 feet of it in the fall of 2016—will not be completed at least until mid to late 2019, and the county roads are not as well maintained as the city would like. A related topic is relations with the state. At the present time, the Mayor has very strong relationships in Tallahassee. As noted, however, he will be leaving in 2020 and someone else will need to step up in that area.

A related topic is how the city will provide fire service. Presently, the county provides EMS transport, while the city provides fire as well as some EMS service. The two are currently discussing the possibility of the city contracting with the county for those services.

As with most Florida coastal communities, ensuring that the beach does not recede is a continuing concern. When replenishment is needed, it will require coordination with the county, state and federal governments.

In another area, staffing may become an issue. Salaries at the county government are growing faster than those in the city. Further, as the region's prosperity continues, Jacksonville Beach will need to compete to keep its outstanding employees and that will have a

budgetary impact. A second personnel issue is that some key staff are retiring. The Public Works Director recently retired and the Police Chief will leave in January. The former's replacement has already been hired but the next manager will be responsible for selecting the next Police Chief. Succession planning is an area that will need more focus in the future.

Finally, whoever is selected will follow a very successful, long-term manager. After 23 years of extremely successful leadership, he has left very big shoes to be filled. Therefore, team building should be a priority for his replacement.

## THE IDEAL CANDIDATE

Jacksonville Beach is seeking a highly motivated leader with a commitment to team and participative management. The individual will be a strong, experienced, ethical, forward thinking professional manager with a commitment to keeping abreast of new technology and other issues relating to local government management, an outstanding leader who will partner with the City Council, staff and residents to make the city the best it can be. He/she will be extremely competent as demonstrated by a track record of achievement. The individual will be a trusted advisor and skilled in building relationships and consensus. At the same time, the city is not looking for a yes man or woman. He/she will have a strong backbone and will be comfortable telling the Council diplomatically what it needs to hear rather than what it wants to hear. Speaking candidly to them and others will be important. The manager's only interest will be doing the right thing for the right reasons and what is best for the city and its residents.

The ideal candidate will be approachable, proactive, innovative, and have a passion for the city. He/she will be comfortable in the community and spend time interacting with residents and business owners. Providing outstanding customer service will be a core value and the manager will accept nothing less than excellence. He/she will lead by example, recognizing the customer may not always be right but their concerns must always be taken seriously, and treated with dignity and respect, with an effort made to resolve the issue favorably. Where the concern cannot be resolved to the customer's satisfaction, an explanation of why will be provided.

The manager will be a people person and have outstanding communications skills not just in speaking and writing but also listening, diplomacy and finesse. He/she will be able to break highly complex issues into simple pieces that everyone can understand. The individual will understand the need to share information and promote transparency. He/she will handle stress well and remain calm, rational, and effective in moments of crisis. When a problem arises, the manager will understand it, and deal with it quickly.

Personally, the next city manager will be upbeat, friendly, outgoing, intelligent, organized, cheerfully persistent, and positive—someone with a "can do" attitude and one who is visionary yet practical, and definitely not a bureaucrat. While process is important, he/she will realize it cannot override common sense. At the same time, the individual will be humble and recognize he/she does not have all the answers. The individual will be naturally curious and have strong analytical skills. The best candidate will be open to new ideas and willing to learn from everyone, including subordinates. He/she will know giving others





the credit is often the best way to get things done. The manager will be honest and exhibit unquestioned integrity.

The manager will like a challenge, think strategically, and visualize solutions. The individual will be able to anticipate potential issues and resolve them before they become problems. The best candidate will understand the importance of the day-to-day, but will not let it divert his/her attention from the need to plan for the long term and from accomplishing what needs to be done to ensure the city's future success. He/she will be able to look over the horizon, anticipate potential problems and take action to ensure they never come to fruition. The individual will constantly seek better ways to accomplish the city's mission, strategies, and day-to-day business. Knowledge of the application of information technology to optimize processes will be useful.

Overall, the staff is very strong and needs a leader, not a micromanager. The ideal candidate will set forth priorities, delegate, and then step back and allow those responsible to achieve the results. In fact, the individual will realize the staff members are the city's most important resource and offer encouragement, reward success and win their respect. Part of the manager's role will be to be a mentor and to help staff reach its full potential. That said, the next manager will ensure he/she is kept informed, expect deadlines to be met and anticipate timely results.

As noted, Jacksonville Beach is extremely strong financially, and the next manager will need to continue that tradition. As such, he/she will be extremely skilled in budgeting, finance, and fiscal management. Given the city has three unions, it will be important that the new city manager have demonstrated successful experience in labor relations and collective bargaining.

Experience working with Community Redevelopment Agencies (CRAs) and with redevelopment projects is important. Jacksonville Beach is largely built out so future growth will come from replacing what is already here. As a result, experience with infrastructure development/replacement projects will also be critical.

Skill in intergovernmental relations and building partnerships with other agencies will be critical. Knowledge of and experience in the operation and management of utility systems (including electric, gas, water, wastewater, and stormwater) is a significant plus. The ideal candidate will have at least seven years of progressively responsible experience in municipal management and at least five years as the manager or assistant manager. A Bachelor's degree from an accredited college or university, with a major in administration, management or a related field, is required. Finally, the City Council hopes to find a manager who will view Jacksonville Beach as a jewel in its own right and not a stepping stone. It hopes its next manager will honor the practice of its most recent manager and stay a long time.

#### COMPENSATION

The salary range is \$140,000 to \$170,000. The actual salary will depend on qualifications and experience. Benefits are

excellent. The City Manager can join the city's defined benefit pension program with full retirement at age 62 and 10 years of credited services or have contributions made to a 457 deferred retirement plan.

#### THE MOST RECENT CITY MANAGER

The most recent city manager is retiring after 23 years with the city.

#### RESIDENCY

The city manager is required to reside within the city limits during his/her tenure as manager.

#### HOW TO APPLY

E-mail your cover letter and resume to [Recruit49@cb-asso.com](mailto:Recruit49@cb-asso.com) by August 24th. Faxed and mailed resumes will not be considered. Questions should be directed to Colin Baenziger at (561) 707-3537 or David Collier at (772) 220-4320.

#### INTERNAL CANDIDATES

No internal candidates are expected to apply.

#### CONFIDENTIALITY

Under the Florida Public Records Act, all applicants are subject to disclosure upon receipt. As a practical matter, we do not expect extensive coverage until after semi-finalists are named on October 1st.



## THE PROCESS

Applications will be screened between August 25th and September 30th. Finalists will be selected on October 1st. A reception and interviews will be held on October 11th and 12th with a selection shortly thereafter.

## OTHER IMPORTANT INFORMATION

The City of Jacksonville 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

For additional information about the city visit:

<http://www.jacksonvillebeach.org/>

COLIN BAENZIGER & ASSOCIATES  
EXECUTIVE RECRUITING



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## **Appendix C**

### ***Sample Candidate Report***

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# Sample Candidate Report

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[Note: The following materials are provided with the permission of the candidate.]

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## *Cover Letter and Resume*

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March 26, 2020

Mr. Colin Baenziger  
Colin Baenziger & Associates  
2055 South Atlantic Avenue, Suite 504  
Daytona Beach Shores, Florida 32118

Dear Mr. Baenziger:

Please accept the enclosed résumé for the position of City Manager for the City of Cape Coral, Florida. I am confident that my organizational and leadership abilities, educational background, and diverse professional experience are well-suited to the specific requirements of the position.

As indicated in the enclosed résumé, my professional background includes more than 25 years of progressive and responsible local government management experience. As an ICMA Credentialed Manager, I presently serve as the deputy city manager for the City of Fort Lauderdale, Florida. Prior to Fort Lauderdale, I served as the city manager for the City of Savannah, Georgia. In that capacity, I reported to a nine-member city council, created a new strategic plan - [SAVANNAH FORWARD](#), led a family of 2,513 exceptional employees, and implemented a lean operating budget of \$408 million and a capital improvement plan in excess of \$407 million.

My previous experience includes serving as deputy county administrator for Broward County Florida; deputy county manager for Fulton County, Georgia; and assistant to the county administrator, Broward County, Florida. Collectively, my service in these progressive communities has provided me with extensive knowledge and expertise in all aspects of local government operations including affordable housing, strategic planning, transportation, budget development, community services, economic development and community revitalization, human services, and public safety, among others.

I am confident that I bring the right skills, experience and talents to the position. If you would like to schedule an interview or discuss my interest in the position, please contact me at (954) 940-1065 or at [robhernandez@comcast.net](mailto:robhernandez@comcast.net). Thank you for your consideration.

Sincerely,

*Roberto Hernandez*

Roberto Hernandez

Enclosure:  
- Résumé

## ROB HERNANDEZ

1873 Northwest 113<sup>th</sup> Way, Coral Springs, Florida 33071 | 954-940-1065 | robhernandez@comcast.net

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### Profile

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Proven, resourceful, and results-focused public administrator with more than 25 years of progressive local government management experience. ICMA-Credentialed Manager known for leadership, professionalism and organizational abilities.

### Relevant Experience

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|                                                                                                          |                |
|----------------------------------------------------------------------------------------------------------|----------------|
| Deputy City Manager<br>City of Fort Lauderdale, Florida                                                  | 2019 - Present |
| City Manager<br>City of Savannah, Georgia                                                                | 2016 - 2019    |
| Deputy County Administrator<br>Broward County Board of County Commissioners; Fort Lauderdale, Florida    | 2013 - 2016    |
| Deputy City Manager<br>City of Coral Springs, Florida                                                    | 2011 - 2013    |
| Deputy County Manager<br>Fulton County Board of County Commissioners; Atlanta, Georgia                   | 2008 - 2011    |
| Assistant to the County Administrator<br>Broward County Board of Commissioners; Fort Lauderdale, Florida | 2003 - 2008    |
| Various Positions<br>Broward County Board of Commissioners; Fort Lauderdale, Florida                     | 1994 - 2003    |

### Education

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Master of Public Administration  
Nova Southeastern University; Fort Lauderdale, Florida

Bachelor of Public Administration  
Florida International University; Miami, Florida

### Current Professional Affiliations

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International City / County Management Association (ICMA) – Credentialed Manager

Florida City / County Management Association

Broward City / County Management Association

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## *Candidate Introduction*

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### **EDUCATION**

- Master of Public Administration, Nova Southeastern University
- Bachelor of Public Administration, Florida International University

### **EXPERIENCE**

- |                                                    |                |
|----------------------------------------------------|----------------|
| • Deputy City Manager; City of Fort Lauderdale, FL | 2019 – Present |
| • City Manager; City of Savannah, GA               | 2016 – 2019    |
| • Deputy County Administrator; Broward County, FL  | 2013 – 2016    |
| • Deputy City Manager; Coral Springs, FL           | 2011 – 2013    |
| • Deputy County Manager; Fulton County, GA         | 2008 – 2011    |

### **BACKGROUND**

Fort Lauderdale is the largest municipality in Broward County and the ninth most populated city in Florida, slightly ahead of Cape Coral. Smaller in geographic area than Cape Coral, the city encompasses 38 square miles with a population of 186,220. A popular tourism destination, the city is often referred to as the “Venice of America” because of its many inland waterways, not too dissimilar to Cape Coral’s “Water Wonderland” designation.

The City of Fort Lauderdale is a full-service municipal corporation that provides police protection, fire-rescue services, parks and recreation programs, potable drinking water to a service area both within and outside the City limits along with wastewater collection and treatment, sanitation services, development regulation, parking, and street maintenance. The City also operates a general aviation airport, a downtown heliport, an aquatic complex, and an auditorium. Its current general fund budget is more than \$373.7 million or \$832.7 million in total.

As the deputy city manager, I assist the city manager in overseeing municipal operations, specifically coordinating the activities of the Transportation and Mobility, Public Works, Sustainable Development and Parks and Recreation departments. Collectively these departments have a combined operating budget of \$380 million and 1,527 full-time employees.

The three most critical issues facing the city are:

- Infrastructure
- Resiliency
- Affordable Housing

Both Fort Lauderdale and Cape Coral have identified infrastructure as key elements of their adopted strategic plans. Fort Lauderdale’s emphasis is by necessity due to a series of recent high-profile infrastructure failures and a state mandated consent order. Fort Lauderdale’s initial development boom occurred between the 1950s and 1970s during which the majority of the city’s

infrastructure was installed. Materials of that era include cast iron pipe which is now failing regularly as a result of corrosion and erosion. From the 1990s until today, the city experienced a vertical development boom witnessed by large-scale redevelopment on its barrier island and downtown. This explosive growth was not matched by investments in infrastructure capacity, redundancy, and resiliency. Missteps occurred along the way, including transferring more than \$20 million annually from the Water and Sewer Fund to the General Fund as a “return on investment”, reduction in preventative maintenance activities, and failure to modernize its primary water treatment plant. The consequences of these decisions would surface years later as sewer main breaks, water line breaks, and flooding would disrupt life throughout the city. The City has identified more than \$1.2 billion in needed infrastructure improvements over the next 25 years. In addition to rectifying years of disinvestment in its water utilities, the City’s park system and public safety facilities have suffered a similar fate. The City is now implementing a \$200 million parks bond and \$100 million replacement police headquarters bond referendum to improve those facilities.

Sea level rise is Fort Lauderdale’s second biggest issue. Fort Lauderdale has made adaptation to climate change and rising sea levels a top priority. Many neighborhoods in Fort Lauderdale now experience chronic flooding on a regular basis. According to recent projections issued by the Southeast Regional Climate Change Compact, 10-17 inches of sea level rise by 2040 and 21-64 inches are possible by 2070. The City now requires the impact of sea level rise to be incorporated in future infrastructure master plans. Also, City-owned seawalls are being replaced and elevated, tidal valves have been installed in flood-prone areas, and the City is exploring the feasibility of raising road elevations in certain neighborhoods that are threatened by sea level rise.

Fort Lauderdale’s housing costs are now among the highest in the nation. More than 60 percent of households in the city spend more than 30 percent of their income on housing. The price of single-family homes has increased 41 percent since 2013. In 2018, the median sale price for a three-bedroom home was \$440,000. A four-bedroom home is now \$835,000. Given the high cost of homeownership, many are forced to rent; however, rental costs are equally unaffordable with the average two-bedroom rental costing \$2,705 monthly. Three bedrooms, \$3,204. The City is attempting to incentivize various housing types to support all income groups by providing zoning incentives such as height and density bonuses, no- or low-interest loans, or grants to developers to facilitate the construction of more affordable units. Without an affordable and diverse housing stock, the city, county, and region will not succeed in creating a diversified and balanced economy.

## **GENERAL MANAGEMENT STYLE AND EXPERIENCE**

Cape Coral is a jewel for public administration professionals to practice their craft in a progressive environment. The challenges in Cape Coral are similar to those I have faced throughout my career as a city manager or deputy manager. For those reasons, I believe that the combination of my experience as a proven leader understanding local government in Florida, the ability to work with elected and appointed officials and the ability to understand and solve problems will allow me to excel as Cape Coral’s next city manager.

Many can manage but few can lead. Management is something I did earlier in my career; at this point in my professional career and personal life, I believe it is more important to exercise leadership. As leaders, we must communicate a clear vision and direction. We must demonstrate a passion for what we do – that is, to make a difference every day. For me, leadership is situational. When time, resources, and skills permit, my leadership style is participatory and collaborative. In other circumstances, it must be directive.

Great leadership is infectious. People are your greatest assets. It is important to create an environment where people want to work hard by making things fun, challenging, and rewarding. I believe in building a positive work climate where people are appreciated and valued. I like to consider myself a “macromanager” rather than a micromanager. I view my role as explaining the project or task, the expected result and deadline, and monitoring performance on a regular basis. I track projects and assignments using a Sharepoint site and meet with staff on a routine basis to review progress. I meet with staff more frequently on an as-needed basis. I describe what needs to be done, provide them the resources, get out of their way, and hold them accountable. So far, I think this approach has worked.

I am confident that staff and elected officials would describe me as professional, thorough, hard-working, ethical, honest, opinionated, and transparent. They would hopefully view me as engaged, participative and inclusive and valuing open communication and feedback, while also allowing for empowerment and accountability.

Two strengths that others will point to are my transparency and ability to make strategic decisions. In terms of a weakness, I believe that my commitment to my organization and loyalty to my teammates has led others to conclude that I can be defensive at times.

Regarding performance measurement, I believe it starts at the top with the governing body establishing a clear strategic vision for the organization, and cascades downward. Once key strategic objectives are defined by the governing board, it is the manager’s job to develop strategies to meet those strategic objectives. Business units then must identify those operational efforts and measures that are aligned with the strategies and long-term objectives. Those help form the basis for developing individual performance measures that are included in performance reviews.

In terms of a significant professional achievement, the revitalization of the Fulton Industrial District (FID) in metro-Atlanta, one the largest industrial, warehousing and logistics centers in the southeastern United States, is one that I am most proud of. In the fall of 2008, I toured FID as Fulton County’s new deputy county manager. What was once a leading center of economic activity was now rife with rampant prostitution, open drug sales, shuttered buildings, neglect, and decay. FID was well into a state of decline that began in the 1980s as its warehouses were abandoned for taller and larger ones elsewhere and manufacturing disappeared overseas. I observed conditions that I had never seen in my career until that day. Families called extended stay motels home. A police detective explained how FID was the child prostitution hub for the entire metropolitan Atlanta region. After a woman was found locked in a dog crate in one of FID’s many hotels, I was horrified and said: “not anymore – not on my watch.”



For the next three years, we made it our mission to make FID better. We used every conceivable resource within county government and put together a team of county agencies that included everything from arts to zoning. We rolled up our sleeves and went to work. We attacked the issues from every angle: from health to human services to public safety. With the help of a dedicated team, we accomplished a remarkable turnaround that included:

- Adoption of the Fulton Industrial Redevelopment Framework
- Designation by the State as an “Opportunity Zone”, providing needed economic incentives
- Establishment of the Fulton Industrial Community Improvement District, a self-taxing entity to take on area wide governance and improvements
- Establishment of the South Fulton Service Center which relocated two county commissioners, police, fire, and all other unincorporated area services to FID

Today, FID is healthy and vibrant. It is now a place where businesses invest rather than flee.

My biggest disappointment thus far involves the establishment of a fire assessment fee in Savannah. A \$14 million budget deficit welcomed me upon arriving in Savannah in October 2016. As I tackled the deficit with my new team members, I realized the City had a structural imbalance that needed a long-term solution. Although revenue growth was respectable, it lagged projected expenditures well into the future. Working with the city council, we agreed to a stopgap approach for Fiscal Year 2017 with the understanding that we would bring back long-term options the following year. Fiscal Year 2018 presented a \$12 million imbalance and to address it, I proposed a fire service assessment using an approach and the same consulting firm as Cape Coral. After spending considerable time and effort creating such a fee, the city council adopted the budget with this fee. The fee provided financial stability, allowed us to lower the millage rate, and provided resources to address capital needs and service priorities. The fee was controversial and faced stiff public resistance. Continued opposition to the fee caused the city council to reverse its decision midway through the fiscal year, requiring us to identify more than \$16 million in new revenue and expenditure reductions. Rescinding a budget halfway through the fiscal year was disruptive to operations. In retrospect, I did not anticipate such stiff opposition since we held more than 60 community meetings and thought we had obtained community buy-in to the extent we could. Newspaper editorials supported our approach. In the end, the fire assessment was reversed, the equivalent of two engine companies eliminated from the fire department’s budget, and the millage rate increased. The painful lesson I learned throughout all of this is that local government must do a better job educating the public on how well it is performing and safeguarding the public’s resources. It was a painful lesson – it still hurts to sit to this day.

Employee terminations are always an unfortunate aspect of what we do as leaders. Unfortunately, I have had to dismiss employees throughout my career for poor performance or poor leadership. While it is never an encounter that brings pleasure or satisfaction, these separations were not a surprise to the affected individual. In every instance the individual was counseled and made aware of performance deficiencies beforehand, corrective actions identified, and the consequences of not meeting the performance standards explained. I hope that in every instance, I treated the employee with respect and dignity. I allowed them to “write their final chapter” with the organization and



allowed them to leave at the top of their game with a celebration of their accomplishments to the organization.

The issues and challenges facing Cape Coral's next city manager are:

- Leading in the Post COVID-19 Era.
- Ensuring continued Smart Growth.
- Continuing to expand and upgrade critical infrastructure.

Sadly, Cape Coral's next city manager will have to lead the organization through the aftermath of Covid-19's devastation. Although the City has a diversified revenue base not overly dependent on one specific funding source, it can expect revenues of all types to be impacted. While the financial realities of the pandemic will become clearer in the months to come, Cape Coral's next city manager will need to assess the financial impacts and determine how to continue basic municipal services, allow for certain aspects of the local economy to resume and balance the workforce and service demands with the new fiscal realities.

Second, Cape Coral's next city manager will need to continue to position the city for growth once the post-COVID 19 recovery begins to take shape. The City will need to continue progressive land use policies and zoning incentives to attract orderly and smart development to greenfields and redevelopment. Promoting growth in the tax base and employment for the city's residents must be a top priority. Fortunately, Cape Coral is well-positioned to attract further economic investment once the nation and the state adjust to the realities of the post-pandemic world.

Finally, investments in infrastructure must continue to drive the next city manager's agenda. During difficult times, many municipalities defer or eliminate investments in critical infrastructure improvements. This is a grave mistake and the next city manager must avoid the urge to gut capital investment plans. Since capital investments are long-term in nature, it is important that Cape Coral's next city manager appreciates the need to ensure adequate investments are made in all facets of municipal infrastructure including roadways, water utilities, facilities, and information systems. For Cape Coral, this includes expanding infrastructure utilities to areas currently not served plus parks and open space to accommodate neighborhood growth. The benefits of such continued investment will pay off in the longer-term. It is important to take a long-term view rather than an immediate one, however painful it may be.

If selected for the position, during my first six months I will:

- Listen, listen, and listen to understand issues, challenges, and desires of all stakeholders: elected officials, neighborhood groups, organized labor, business community, education representatives, the local media, and others;
- Forge a close relationship with the City Council and Mayor;
- Review goals and objectives for the organization with the Mayor and City Council;
- Reach out to department directors and learn about their challenges, priorities, and programs;

## **Rob Hernandez**

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- Meet as many employees as possible by conducting several “town hall” sessions;
- Establish trust and credibility with all stakeholders; and.
- Become familiar with the community and its culture.

As for media relations, I appreciate the work the media does. The media can be a great asset if managed properly and cultivated. Being open and honest with them is important. Integrity is an essential part of the relationship with the media. In Savannah, I practiced an open-door policy with the media and reserved a better part of Tuesdays to meet with them. I am not aware of anything in my background that could be considered embarrassing to a potential client.

Social media is an effective tool in keeping the public informed and is changing how government communicates with its various constituencies. I have used social media, primarily twitter, to keep interested individuals informed with short briefs on an issue. This helped us shape our story and put us in leading the community conversation rather than delegating that role to media. I have used social media to help sustain interest on an issue and to keep the public informed on upcoming discussions or significant events. During workshops or regular meetings of my elected body, we would “tweet” aspects of the discussion. In Fort Lauderdale, we rely on ZenCity to help us mine social media on a regular basis to help us gauge public sentiment on a variety of issues.

There is “no dirt” on me. I live a clean, simple life, prefer to tell things as I see it, and sleep well at night. I also treat people with professionalism and respect. I am honestly not aware of anything in my professional or personal lives that could be viewed negatively. However, while serving as the city manager of Savannah, there were a few individuals who were not supportive of my efforts or views. You may find some blogs critical of my opinion on building materials in the city’s landmark historic district, my hesitance in assuming the operating costs of a regional expressway, and of the ill-fated fire assessment. Regardless, I always conducted myself professionally and never brought any negative attention to the elected officials or the organization I worked for.

My personal interests include the outdoors and pursuing home improvement projects.

### **ADJECTIVES OR PHRASES THAT DESCRIBE ME:**

Driven, Professional, Focused, Disciplined, Organized, Thorough

### **REASONS FOR CONSIDERING LEAVING CURRENT POSITION:**

I am considering opportunities beyond Fort Lauderdale because I believe that I can have a greater impact on an organization and a community by serving in the top leadership role.

### **CURRENT SALARY**

+/- \$217,000 plus \$4,680 auto allowance and \$1,310 cell phone allowance.

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*CB&A Background Checks*

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**Background Check Summary for  
ROBERTO HERNANDEZ**

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**Criminal Records Checks:**

|                                    |                  |
|------------------------------------|------------------|
| Nationwide Criminal Records Search | No Records Found |
| County                             |                  |
| Broward County, FL                 | No Records Found |
| Chatham County, GA                 | No Records Found |
| Fulton County, GA                  | No Records Found |
| State                              |                  |
| Florida                            | No Records Found |
| Georgia                            | No Records Found |

**Civil Records Checks:**

|                    |                  |
|--------------------|------------------|
| County             |                  |
| Broward County, FL | No Records Found |
| Chatham County, GA | No Records Found |
| Fulton County, GA  | No Records Found |
| Federal            |                  |
| Florida            | No Records Found |
| Georgia            | No Records Found |

**Motor Vehicle**

|         |                  |
|---------|------------------|
| Florida | No Records Found |
|---------|------------------|

|               |           |
|---------------|-----------|
| <b>Credit</b> | Very Good |
|---------------|-----------|

|                   |                  |
|-------------------|------------------|
| <b>Bankruptcy</b> | No Records Found |
|-------------------|------------------|

|                  |           |
|------------------|-----------|
| <b>Education</b> | Confirmed |
|------------------|-----------|

|                   |           |
|-------------------|-----------|
| <b>Employment</b> | Confirmed |
|-------------------|-----------|

Under the Fair Credit Reporting Act, 15 U.S.C. 1681-1681Y, credit and bankruptcy information are very sensitive and should not be used in the consideration of hiring. The information is included for each candidate because we do not want you to be surprised if third parties raise what they consider to be a concern.

**Background Check Summary for  
ROBERTO HERNANDEZ  
Personal Disclosure**

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**Personal Disclosure Questionnaire**

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Name of Applicant: ROB HERNANDEZ

The following questions are designed so that we will be able to make full disclosure to our client concerning your background. Please answer them honestly. Cutting corners or misrepresenting your past will result in you being eliminated from all further searches conducted by this firm. We understand that frivolous charges are sometimes made and that charges do not mean you were guilty. We also understand that you may have been wronged and needed to seek compensation. The bottom line is that we want to be certain that our client is fully informed. If you have any questions, please contact us for clarification.

*Please explain any yes answers on a separate sheet of paper.*

1. Have you ever been charged or convicted of a felony?  
Yes ☐ No ☒
2. Have you ever been accused of or have been involved in a domestic violence or abuse incident?  
Yes ☐ No ☒
3. Have you ever declared bankruptcy or been an owner in a business that did so?  
Yes ☐ No ☒
4. Have you ever been the subject of a civil rights violation complaint that was investigated or resulted in a lawsuit?  
Yes ☐ No ☒
5. Have you ever been the subject of a sexual harassment complaint that was investigated or resulted in a lawsuit?  
Yes ☐ No ☒
6. Have you ever been charged with driving while intoxicated?  
Yes ☐ No ☒
7. Have you ever sued a current or former employer?  
Yes ☐ No ☒
8. Do you have a personal My Space, Face Book or other type of Web Page?  
Yes ☐ No ☒
9. Do you have a personal Twitter Account?  
Yes ☐ No ☒
10. Is there anything else in your background that, if made public, would cause you, our client or our firm embarrassment if it came to light through the press or any other mechanism?  
Yes ☐ No ☒
11. Please provide a list of any lawsuits in which you are or have been a party either as plaintiff or defendant.  
NONE

Attested to:

  
Signature of Applicant

Please email this form via PDF DOCUMENT to [Lynelle@cb-asso.com](mailto:Lynelle@cb-asso.com) or via fax to  
(888) 539-6531 no later than 5:00 PM PST 04/13/2020.

(Note: Please be sure to sign the form with your actual signature if you are sending Fax or PDF Document)

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## *CB&A Reference Notes*

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## Reference Notes

### Roberto “Rob” Hernandez

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**Elizabeth Taschereau – Director of Developmental Services, City of Margate, FL**  
**954-884-3686 954-218-9798**

Ms. Taschereau has known Mr. Hernandez since 2011 when he was hired as the Deputy City Manager for Coral Springs. She was the Community Redevelopment Agency Coordinator and reported to him. She later followed him from Coral Springs to the Savannah when he became the City Manager. She had enjoyed working for him and had wanted to continue learning from him so much that she willingly commuted between her home in Florida to her job in Georgia. After he left Savannah to go to Fort Lauderdale, she also left.

Mr. Hernandez was a successful and professional leader. He had strong project and time management skills. Ms. Taschereau especially admired how well he kept track of numerous project deadlines on his calendar, which she had access to when working under him. He worked well with team and delegated excellently. The only possible weakness he had was his high expectations. He strove to accomplish much, and he expected his staff to perform similarly. Such expectations may have been overwhelming for some who were unsure of their abilities to accomplish their tasks. However, staff members were able to look back and be amazed by how much and how well they accomplished those tasks. Though his high expectations were a challenge for some, many Cities turned around for the better because of his drive.

Mr. Hernandez worked on numerous high profile projects, such as building a new city hall. The old city hall was built in 1905. It was very much out of date and far too small for a city of Savannah’s size. That said, building a new city hall spurred a great deal of controversy over architecture and location. Recognizing it as a critical need, Mr. Hernandez took charge of the project and eventually achieved community acceptance of the building’s location downtown and of the architecture. It all came about in approximately a year and a half and the new city hall celebrated its grand opening in 2018. Another significant project he worked on as upgrading the City’s arena while working with a management company. He was able to renovate the facility while negotiating a contract that was eventually approved by the County Commissioner. It was a huge accomplishment.

Mr. Hernandez was very inclusive of employees in projects, meetings, emails, status reports, memos, and other forms of communication. He communicated in a way they easily understood, and he expected his staff to communicate with him. Such an inclusive mindset was different for staff from the Cities of Coral Springs and Savannah, where the culture was less inclusive. He managed several internal and external projects that involved multiple people across different divisions. Many commented how they had not enjoyed such high communication levels before Mr. Hernandez came. Previously, little communication occurred between divisions. As such, decisions were delayed and less efficient. When he effectively included different groups to integrate on multi-division projects. He helped projects move forward.

Mr. Hernandez also generally made good decisions. He had high integrity. He made the best recommendations and decisions possible for the community as a whole. He did consider the input of groups with special interests, but he strove to make the best possible decision. He also made good decisions with staff members. For example, he reorganized the Savannah City staff, which

## Reference Notes

### Roberto “Rob” Hernandez

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composed of approximately 2,400 employees. This momentous change created openings, which he filled with sharp and high performing individuals. The new employees immediately began planning and establishing standard procedures. The City began to change, and consequently, so did the community. Furthermore, Mr. Hernandez greatly believed in committees. He formed several committees with the Human Resource Department and with staff, sometimes even bringing in external panel members if necessary. He wanted people in high-level positions to make decisions together.

As a great public speaker, Mr. Hernandez worked well with the public. He always remained composed and professional. He had excellent presentation skills. People were generally perceptive to his ideas when he spoke, and he communicated well when invited to speak for different organizations. Even if some people at those meetings were exceedingly unprofessional toward him, he managed himself well. He performed well despite those difficulties. In addition, Mr. Hernandez worked well with individuals. He educated others, providing recommendations on what the Mayor and others needed to vote on. Because of these interpersonal abilities, Mayor and Councilmembers voted on multiple successful projects. Moreover, Mr. Hernandez had good financial skills. He used a hands-on approach with the city budget and worked closely with chief financial officers and the Budget Director. He wanted to ensure he understood the budget accurately.

Though a change agent, Mr. Hernandez did not seek change for the sake of change. He carefully evaluated a City’s situation, whether involving technology, processes, or even City culture. He observed how others managed tasks before he made necessary changes to keep the City moving forward. Ms. Taschereau has done her best to incorporate this valuable lesson into her own leadership skills. Also, Mr. Hernandez an effective problem solver. He solved numerous issues that had existed for long periods of time. Some problems required many changes and more money, which made certain solutions difficult to implement. He attempted to solve these, and then he put plans into place to initiate these necessary changes once enough resources were available. Other problems were out of his realm of influence. As such, Mr. Hernandez made good recommendations, even if people did not follow his advice.

Ms. Taschereau is unaware of anything in Mr. Hernandez’ personal or professional background that will concern a future employer. She would definitely hire him if possible. As someone who has worked for him, she knows how good he is at overcoming challenges and managing a city. Mr. Hernandez is passionate about municipal work. He wants his employers to be high-performing organizations. He has been and will continue to be a very good Manager.

#### **Words or phrases used to describe Roberto Hernandez:**

- Successful,
- Professional,
- Collaborative,
- Inclusive,
- High integrity,
- Good speaker, and
- Influential.



## Reference Notes

### Roberto “Rob” Hernandez

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**Strengths:** Project management, leadership and staff management, presentation abilities, financial understanding.

**Weaknesses:** His high expectations can be daunting at time, but his expectations drive people to accomplish goals they previously thought they were incapable of achieving.

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**Skye Patrick – former Director of Libraries, Broward County, FL 562-940-8400  
562-659-1155**

Ms. Patrick has known Mr. Hernandez since 2014. She really enjoyed working with him and learned much from him.

Public Administration was Mr. Hernandez’s strong suit. He was thoughtful and he understood County policy and procedures very well, which meant he navigated in a way that was very helpful to his department. He did not know much about the library system when he was hired, but he studied and learned about how they operate and developed a good understanding.

The Directors hired by Mr. Hernandez were very good selections. He sat on the panel that hired the Finance and Business Administrator, and helped with the searches for the Aviation Director and Human Services. When making decisions in general he was very thoughtful and took the time to gather information.

In general, Mr. Hernandez maintained the organization at a high level and had learned from his department heads to be innovative and creative. They had a monthly meeting where Mr. Hernandez provided information on organizational changes. Ms. Patrick headed a very large organization with many issues. He was always available and responsive.

Some community members were very aggressive. Mr. Hernandez took the time to attend both scheduled and off the cuff meetings with individuals who had concerns about an issue. His openness and willingness to address an issue immediately, without any delay, was impressive.

In his capacity Mr. Hernandez really tried to lead the organization, and was creative and thoughtful in meeting goals. He worked very well with the Board, which consisted of nine voices with sometimes conflicting concerns. He protected the department heads when necessary and did a great job balancing the administration and the politics, which is no small feat.

Several major personnel issues involving union members were escalated to upper management. Mr. Hernandez was not required to attend the meetings but he came to help negotiations. The union had between 500 and 600 members. He helped navigate the very rocky road between the union relationship and County protocol. He showed great initiative in addressing problems that existing prior to his arrival. He helped resolve long-standing issues in only 2 to 3 meetings.

Mr. Hernandez was given directives to create a business plan for the new Panther Stadium. The process took several months and he worked with several departments to create the business model. He also worked on a new transportation plan that was very complex. The process has spanned for several years and involves 15 of the 31 cities in Broward County.

## Reference Notes

### Roberto “Rob” Hernandez

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They were short 800k in a capital budget of \$5 million dollars. Mr. Hernandez worked with the staff to review the overall budget and prioritize projects. Several of the big-ticket items related to technology were prioritized, and he found a way to upgrade their enterprise software.

They only knew each other for a few years, but Ms. Patrick does not know anything controversial that involves Mr. Hernandez.

Broward County has a \$6.5 million dollar budget with 31 cities plus some incorporated areas. Ms. Patrick would hire Mr. Hernandez and feels he is well suited to run a community the size of Broward County or slightly larger. Every department head he worked with has a positive opinion of his management and leadership qualities. Employees are comfortable working with him and felt very supported by him. He ensured that Ms. Patrick had the financial resources she needed. She confidently recommends him for a Manager position.

#### **Words or phrases used to describe Roberto Hernandez:**

- Extremely thoughtful,
- Very intelligent,
- Incredible business mind,
- Perfectly capable administrator,
- Incredible leadership qualities, and
- Shows initiative and foresight to present quantifiable outcomes.

**Strengths:** Thoughtful; understands policy and procedures; public administration; learns what he needs to know.

**Weaknesses:** He could have a greater understanding of the different lines of work that each department head was responsible for.

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#### **Van Johnson – Mayor, City of Savannah, GA 912-651-5988 912-651-6444**

Mr. Johnson worked with Mr. Hernandez between 2016 and 2019 when Mr. Hernandez became the Savannah City Manager. Mr. Johnson and Mr. Hernandez had a good relationship.

Mr. Hernandez performed decently as City Manager. He was smart, strong-willed, and a hard worker. He was a workhorse who innovatively tried to find solutions to problems. He was always quite professional, cordial, and direct. At times, his passion and directness may have caused people to think Mr. Hernandez was emotional or overly direct. However, these traits were a function of his military background.

Mr. Hernandez had good communication skills. He kept Mr. Johnson informed via email, phone, and personal communication when appropriate. Mr. Hernandez generally made good decisions and usually made good decisions when hiring personnel. He was customer service oriented. He accomplished tasks in a timely manner.

Additionally, Mr. Hernandez tried to make the City to a high-performing organization. He recognized several structural financial issues within the City and put the City on track. He was

## Reference Notes

### Roberto “Rob” Hernandez

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both a leader who rallied employees around the organization’s vision and a manager who oversaw processes behind a desk. He worked hard to effectively solve problems to the best of his abilities. For example, he brought about a strategic plan for the City, which had not existed prior to Mr. Hernandez’s arrival. He led the Council and the organization to determine a goals and priorities. The Savannah Forward strategic plan is still currently used.

One of the largest criticisms against Mr. Hernandez was that he was less social than the public expected their Manager to be. Certainly, he was kind and polite. He had experience working with the public and sometimes was out in the public attending community meetings to represent the organization. However, he often worked more than he socialized.

At times, Mr. Hernandez experienced some difficulties wading through the City’s Council-Manager form of government. These hardships were not entirely his fault because some councilmembers violated these lines at times. Usually, Mr. Hernandez persevered. Eventually, these challenges became too much for him to bear. For example, he proposed instituting a City fire fee similar to what Florida cities used to address the City’s structural deficits. The Council accepted the idea. However, when the public became upset with the fee, the Council blamed him for the failure. Furthermore, the previous Mayor needed a scapegoat for some of his poor decisions and blamed Mr. Hernandez – even though the City Manager only carried out decisions made by the City Council.

Mr. Johnson is unaware of anything in Mr. Hernandez’s background that will concern a future employer. If given the opportunity to rehire Mr. Hernandez, Mr. Johnson would consider him as a candidate. Given the difficult circumstances in Savannah, Mr. Hernandez was a great Manager.

#### **Words or phrases used to describe Rob Hernandez:**

- Smart,
- Strong-willed,
- Hard worker,
- Good work ethic,
- Innovative, and
- Professional.

**Strengths:** Work ethic, innovative solution finding.

**Weaknesses:** Mr. Hernandez’s passion and directness may have been misconstrued as being emotional or overly direct.

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#### **Claudette Bruck – former Commissioner, City of Coral Springs, FL 954-562-2526**

Ms. Bruck has known Mr. Hernandez since 2011. He was their Deputy City Manager for all too short of a time. They were sad to see him leave and would love to have him back.

Mr. Hernandez was extremely bright, very diligent and focused. When he first came to the city he first stood back and analyzed the organization. When it was his turn to speak, he impressed

## Reference Notes

### Roberto “Rob” Hernandez

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everyone. His presentations are flawless but factual. Everything he said was entirely trustworthy; he presented information he could stand behind.

Their interactions were all professional. Mr. Hernandez was very respectful. He listened and was prompt in responding to inquiries. His decisions when hiring personnel were very good. He was innovative and operated at a high performance level. He listened, assessed a situation, and then came forward with an excellent recommendation. He was very experienced and innovative.

Mr. Hernandez frequently gave presentations at workshops, commission meetings and community meetings and always did an excellent job. He had good rapport with the audience and a demeanor that invited trust.

Mr. Hernandez kept the Commissioners informed as appropriate. The Manager’s office operated independently of the Commission. Rather than reporting in on a daily basis, they did so at special meetings or as needed. Mr. Hernandez did not have the opportunity to work one-on-one with residents, but he did present information about projects to the community. He was always prepared and answered questions on the spot.

The Commission received much information from varying sources, and the information was not always accurate. They felt very fortunate to have Mr. Hernandez on staff and trusted his accuracy. He led the organization well because he earned the trust of employees.

Mr. Hernandez played a significant role in pension discussions. He responded to questions at community and commission meetings. He followed through and was customer service oriented. He always did what said to do. He was not directly involved in the finance department or the creation of the budget, but he had a good understanding of the numbers.

Ms. Bruck is unaware of any controversy involving Mr. Hernandez. She would hire him and feels he would be a great Manager. He was knowledgeable, experienced, task oriented, focused, and could always be trusted. His departure was a tremendous loss to Coral Springs.

#### **Words or phrases used to describe Roberto Hernandez:**

- Trustworthy,
- Bright,
- Quick study,
- Serious about his position,
- Honorable, and
- Innovative.

**Strengths:** Very thorough; brought an idea forward only after it had been thorough researched; good at identifying problems and determining solutions.

**Weaknesses:** None identified.

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## Reference Notes

### Roberto “Rob” Hernandez

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#### **Brooks Stillwell – former City Attorney, City of Savannah, GA 912-484-1690**

Mr. Stillwell worked with Mr. Hernandez between 2016 and 2019. During this time, Mr. Stillwell was the Savannah City Attorney and Mr. Hernandez was the City Manager. They worked closely together daily and reported to the City Council.

Mr. Hernandez was a great City Manager operationally. He worked hard and had good fiscal planning abilities. He had several good ideas for the City and was a good strategic planner. He possessed a long-term vision of what he wanted to accomplish and strove to quickly achieve those goals. He was driven and dedicated.

Mr. Hernandez managed day-to-day operations exceptionally well. He worked well with staff members and those close to him in the office. He met with Mr. Stillwell during weekly meetings with City leaders and kept the City Attorney well informed.

As a change agent, Mr. Hernandez came in and proposed several changes to help the City run better. He initiated several positive transformations, such as with implementing the City’s strategic plan. However, Mr. Hernandez implemented other changes too quickly for the historical City to handle. For example, he tried to completely change the City’s property exchange, planning, and financing. Each area’s change was tough individually, but all these at once were especially difficult to maintain.

Savannah is a very unusual city. Its roots go back almost 300 years and Mr. Hernandez did not fully appreciate how the City’s unique historical culture differed from the culture found in his previous positions in Florida. In past jobs, he rarely handled city politics as the person second in charge. In Savannah, he had to involve himself more than he had previously done. The City traditionally expected the City Manager to be its Chief Executive Officer and to be heavily involved with the entire community outside of city government organization. As such, Mr. Hernandez had to work with county officials, chamber commerce, state legislature, and community leaders. Though Mr. Hernandez worked well with staff, he did not see community politics as part of his job, which was a large issue for the City. He frankly did not anticipate the public blowback from some of the programs he recommended the City Council implement. As such, he faced many challenges.

Even though many of his ideas were conceptually good, Mr. Hernandez was unable to bring the public to side with his solutions. For example, he tried implementing a fire fee to unburden property owners’ taxes. He saw the fee as a method of fixing the City’s fiscal problem. Though he initially had the Council’s support, Mr. Hernandez eventually faced huge public backlash. Then some council members tried to politicize the plans which led to the fee being poorly implemented. Mr. Hernandez also tried to implement a union contract with the fire union, which ended up facing public blowback as well. He had little Council support because such a plan did not translate well to Georgia.

Eventually, Mr. Hernandez left the City to return to Florida. Both his wife and he were unhappy with how rough this period was for them. He gave several months’ notice before his resignation.

## Reference Notes

### Roberto “Rob” Hernandez

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Despite these issues, Mr. Hernandez was a great City Manager. He spoke well with public groups. He was an excellent fiscal manager. He generally made good decisions and hired personnel quite conscientiously. He was particularly customer service oriented. He was a leader who had a vision of how to accomplish goals and who tried to mold the City’s organizations to this vision. He accomplished tasks in a timely manner. He set goals and timeframes to move forward. He solved several problems effectively. He successfully implemented the complete reorganization of the City’s organizational department. He worked hard through stress to overcome issues. He also was outstanding with crisis management, such as when the City dealt with two hurricanes.

Any future employer will need to discuss what they expect Mr. Hernandez to do and what he expects to do with public and community leadership. These clear explanations are critical. Mr. Hernandez will perform well under a strong County Manager or strong Mayor who assumes all roles of working with the public. Mr. Hernandez understands how this type of government is organized and will do well in this system. Mr. Hernandez was an excellent City Manager on a whole, just not for the City of Savannah.

Mr. Stillwell is unaware of anything in Mr. Hernandez’s personal background that will concern a future employer. Though Mr. Stillwell would not rehire Mr. Hernandez for the City of Savannah, Mr. Stillwell would definitely hire Mr. Hernandez for most any other municipality. A future employer will not find a more dedicated, hardworking person who can implement ideas well. Mr. Hernandez has been and will continue to make a good Manager.

#### **Words or phrases used to describe Rob Hernandez:**

- Tremendously hardworking,
- Good strategic planner,
- Aggressive in a good way,
- Dedicated, and
- Visionary.

**Strengths:** Long-term planning, fiscal planning, management skills.

**Weaknesses:** Interacting with public and political leaders was hard for Mr. Hernandez, who was used to a more strictly managerial position.

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#### **Zachary Williams – former Fulton County Manager, GA 404-990-6545 404-371-2881**

Mr. Williams has known Mr. Hernandez since 1994. They worked closely from 2008 to 2011 when Mr. Hernandez was the Deputy County Manager. He did an excellent job. His work performance, personality, and interactions were outstanding. He was handpicked from South Florida to come and work for Mr. Williams.

Mr. Hernandez had an excellent work relationship with his elected officials. They trusted that what he said to had been well researched. He earned their respect and represented Mr. Williams very well.

## Reference Notes

### Roberto “Rob” Hernandez

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Once he had been given a problem to solve, Mr. Hernandez was tenacious. He marshaled resources and focused them through team building to get the job done. He did not shy away from challenges. He was patient when it was warranted; however, it did not come naturally to him.

Mr. Hernandez preferred face-to-face interactions whenever possible. If meeting a person directly was not an option, then he used the phone. He was an excellent writer and could be successful using email; however, he had developed respect from his subordinates by meeting with them personally, listening to their issues, and explaining his thoughts.

Depending on the nature of the decision that needed to be made, Mr. Hernandez responded quickly. Circumstances that required gathering facts may have taken him longer. He was not indecisive but rather took the appropriate amount of time to gather the information and opinions he needed to make good decisions.

Mr. Hernandez hired good employees. In some instances where a hire did not work out, he did all he could to work with them. He went through exhausted hiring practices involving many stakeholders. He was analytical and used that to his advantage in the hiring process.

Mr. Hernandez was innovative but did not try to change things just for the sake of change. He was mature enough to leave a process alone when it worked well. He had improved existing processes in Fulton County.

Mr. Williams was proud of the redevelopment that was carried out on Fulton Industrial Boulevard. Under Mr. Hernandez’s leadership, an area known for drugs, prostitution, and crime had reversed its negative direction to become an area where businesses wanted to locate. Mr. Hernandez created momentum in this large container warehousing district. He acquired State funding and formed a commercial improvement district.

There were very few tasks in public service Mr. Hernandez could not do well. He is ready to take the helm of an organization and become a Manager. Mr. Williams gives him his full and complete endorsement and support. Mr. Hernandez was one of the best public servants Mr. Williams has ever worked with.

#### **Words or phrases used to describe Roberto Hernandez:**

- Embodies what public service should be,
- True believer in the mission to make other people’s lives better,
- Tenacious,
- Analytical,
- Hardworking, and
- Professional.

**Strengths:** Problem solving; tenacity; marshaling resources; and team building.

**Weaknesses:** He could be patient when it is warranted; however, it did not come naturally to him.



## Reference Notes

### Roberto “Rob” Hernandez

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**Dele Lowman – former Assistant to the County Manager, Fulton County, GA  
(404) 612-8331**

Ms. Lowman worked with Mr. Hernandez in the Fulton County Manager’s Office. She had known him since 2003 where they worked together in Broward County. They had a good working relationship. He was very diligent and mission focused.

When Mr. Hernandez first arrived in the Administrative Office in Broward, she was working as a graduate being mentored by the County Administrator. She was told to watch Mr. Hernandez and learn from how he took a task, broke it into small parts, and organized people to get the job done. If there was something he did not know he studied to become more effective.

Mr. Hernandez and Ms. Lowman had philosophical differences yet got along quite well. His military background had shaped his personality and made him the driven person he was. He worked well with elected officials. He spent most of his time with the commissioner over the unincorporated areas. Though their interests were not always the same, they worked well together. He had the respect of the commissioners. Mr. Hernandez valued loyalty. His greatest strengths were diligence and following through. No matter how difficult a situation had become, he did what he needed to for the best interest of the community.

Laser focus was both strength and a weakness for Mr. Hernandez. In his current role as second in command, he did what he was asked without stepping back to see if there was another way. If he was the final decision maker, perhaps that would have been different. Unlike many managers, Mr. Hernandez did not have an aversion to staff meetings. He liked to speak with people face-to-face. He was more than capable of interacting via telephone and email, but he favored the personal approach when dealing with direct reports.

Mr. Hernandez was a great public speaker. He had a teaching background in the military. He interacted well with the public and dealt with residents often in the unincorporated area.

One task Mr. Hernandez was asked to take on was building the first amphitheater on the south side of the county. It was an overwhelming project with an unreasonable timeline and difficult budget. He did an outstanding job and followed it through to opening day.

There are certain people Ms. Lowman has worked with that she would hand pick to be on her team and Mr. Hernandez is one of them. She highly recommends hiring him.

#### **Words or phrases used to describe Roberto Hernandez:**

- Focused,
- Reliable,
- Diligent,
- You can trust him to do what he says,
- Professional and,
- Hard working.



## Reference Notes

### Roberto “Rob” Hernandez

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**Strengths:** Diligence; follow through; loyalty.

**Weaknesses:** Laser focus, however he might step back if he were the manager.

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#### **Bill Durrence – former Alderman, City of Savannah, GA 912-247-8108**

Mr. Durrence worked with Mr. Hernandez between 2016 and 2019. At the time, Mr. Durrence was in his first term as Alderman. Mr. Durrence was one of the Savannah City Councilmembers who hired Mr. Hernandez to be City Manager. Mr. Durrence was one of Mr. Hernandez’s directors.

Mr. Hernandez possessed an impressive and thorough understanding of the City. He had extensive knowledge from public works to finance. He was as open as possible with councilmembers. Even though working for nine directors made things complicated, Mr. Hernandez was exceptionally competent and provided numerous innovative ideas. He was good internally and developed good staff relationships. He accomplished tasks in a timely manner. He was highly skilled in running the City.

Mr. Hernandez offered many solutions to the City’s issues. He helped councilmembers understand the reason for the City’s problematic budget stresses. Although the City was a successful destination for tourism, very little of that money went to the City’s coffers. Certainly, some sales tax revenue came to the City, but most went to businesses involved with tourism. Mr. Hernandez clearly identified the City’s financial stress points.

As good as he was with finances, Mr. Hernandez struggled to maintain public posture as Savannah City Manager. First, he underappreciated the historical nature and character of the City that brought much community pride. Because historic landmarks and districts made the City different, many people expected solutions to be likewise unique. Local attitude often discouraged researching how other places solved similar problems. Mr. Hernandez’s approach to look at other cities’ solutions made people feel slighted. As such, he missed an opportunity to engage early and gain the public’s support. Second, he was generally more of a hands-on manager who seemed uncomfortable interacting in social management of a highly networked City. He was more comfortable rolling up his sleeves and working than being a public face for the City. Because he did not engage people to his side, he was less effective than he could have been.

Mr. Hernandez generally made good decisions. He also hired well for many top staff members, including the Fire Chief, Police Chief, and Human Resources Director. He often reached out to other senior staff when looking for personnel, and this collaborative approach was helpful. Some personnel he inherited were not highly qualified for their positions. At one point, Mr. Hernandez successfully moved senior personnel to fill vacancies. Prior to this major shuffle, staff members were scattered all over the City, causing much unnecessary work. He consolidated staff, thus making processes more efficient. Occasionally, Mr. Hernandez needed to be more disciplinary, but he eventually let a number of problematic people go. For example, he fired the Director of the Department of Revenue because she was simply unable to fix a particular issue, even after being given adequate time and resources.

## Reference Notes

### Roberto “Rob” Hernandez

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Mr. Durrence is unaware of anything in Mr. Hernandez’s background or conduct that will concern a future employer. If given the opportunity, Mr. Durrence would rehire Mr. Hernandez. Being new to a large leadership position as Alderman, Mr. Durrence understands the learning curve Mr. Hernandez faced while being City Manager for the first time. Mr. Hernandez was a bright individual who experienced valuable lessons. He was a good Manager.

#### **Words or phrases used to describe Rob Hernandez:**

- Knowledgeable,
- Competent,
- Introvert,
- First rate manager,
- Innovative, and
- Open.

**Strengths:** Financial skills, extensive understanding of how to run a city, executive functioning.

**Weaknesses:** He did not fully appreciate the City of Savannah’s uniqueness and had a hard time connecting with the City’s people.

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#### **William “Bill” Hubbard – Chief Executive Officer, Savannah Area Chamber of Commerce, GA 912-657-9207**

Mr. Hubbard and Mr. Hernandez interacted when Mr. Hernandez was the Savannah City Manager between 2016 and 2019. They have since messaged each other occasionally.

When Mr. Hernandez worked in the City, he communicated fairly regularly with Mr. Hubbard. Mr. Hernandez called and sent emails. He sometimes dropped by Mr. Hubbard’s office, and they typically saw each other weekly during city events.

Mr. Hernandez was a decent City Manager. Mr. Hernandez was a good, smart man. He was quite professional and thoughtful. He had good financial grounding. He built good staff around him and organized them well. He generally made good decisions. He also did a great job with reorganizing the city staff. At times, though, Mr. Hernandez made some poor staffing decisions. For example, he left an engineer in a developmental position a bit longer than others might have preferred. Additionally, he let go an assistant city manager by leaving a note on her chair. Although several elected officials asked him to let her go, this approach was unprofessional.

Mr. Hernandez faced difficulties integrating himself in the community. As a first time city manager, Mr. Hernandez was not accustomed to being one of the City’s key leaders. He wanted to ensure others did not accuse him of playing favorites. As such, he interacted with the philanthropic, nonprofit, church, and business communities on a purely business level. He experienced difficulty developing tough enough skin to deal with criticism. This weakness held him back and

## Reference Notes

### Roberto “Rob” Hernandez

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undermined his ability to be effective. Despite his strengths as City Manager, his inability to fully participate in the community affected the public’s confidence in him. He needed to get to know these smaller communities better.

Mr. Hernandez was a good manager who oversaw processes behind a desk. He had great management skills and good knowledge of running a city. He thoroughly researched various solutions and made decisions effectively. For example, he led a team in providing a strategic plan in a fairly short time period. He worked with elected officials to agree to this plan.

Unfortunately, Mr. Hernandez had challenges working through the politics to implement the strategic plan. In one instance, Mr. Hernandez proposed a fire fee to help city finances. Around this time, the City had collected approximately \$10 million in revenue. While garnering public support for the fire fee, Mr. Hernandez was also especially transparent with this revenue. Because the public misunderstood how the revenue was not part of the City’s own earnings, people were particularly upset with the fee. Mr. Hernandez had admirable intentions to be transparent, but his timing cost him the fire fee concept.

Despite these challenges, he was always polite and diplomatic with people. Even when church groups angrily protested and wanted him fired, he kept going. He handled stress well for the most part and never showed a temper. Eventually, however, Mr. Hernandez and his wife left the City because they felt alone.

Mr. Hubbard is unaware of anything in Mr. Hernandez’s professional or personal conduct that will concern a future employer. Mr. Hernandez had been purely professional, honest, and transparent. Although Mr. Hubbard would not rehire Mr. Hernandez to be City Manager, Mr. Hubbard would consider Mr. Hernandez for an Assistant Manager position. Mr. Hernandez was strategic and smart. He would excel in the responsibilities expected of a Deputy Manager.

#### **Words or phrases used to describe Rob Hernandez:**

- Professional,
- Good guy,
- Quite thoughtful,
- Polite,
- Diplomatic, and
- Capable.

**Strengths:** Financial skills, building good staff.

**Weaknesses:** He was politically weak and often distant from constituents.

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#### **John Hearn – City Attorney, Coral Springs, FL 954-344-1011**

Mr. Hearn has known Mr. Hernandez since 2011. In terms of job performance, Mr. Hernandez was very energetic and a go-getter. He really moved projects along and stayed on top of them. He was a change agent.

## Reference Notes

### Roberto “Rob” Hernandez

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City Hall was in an office that was built by General Electric for selling homes. The City had been trying to build a City Hall since 1993. Mr. Hernandez really energized those involved, and the new City Hall was finally under construction.

Mr. Hernandez was always very involved in the community, and he attended community meetings. He had a very good relationship with the public. He was customer service oriented.

Mr. Hernandez led staff to fulfill the vision of the Board. Employees did not have much appetite for moving forward with the downtown development, which included the new City Hall. He took the bull by the horns and made a very detailed PowerPoint presentation showing all the issues that their current City Hall had. He demonstrated how having a vibrant downtown area would benefit the City and residents. He did a nice job leading the project.

Mr. Hearn was not directly involved with the budget and finances, but in the course of their conversations he came to believe that Mr. Hernandez had good financial skills. Mr. Hernandez completed tasks by the deadline given.

Mr. Hernandez had not been involved in anything personally or professionally controversial. He left Fulton County because his family wanted to return to Florida. When an opportunity opened up on Broward County, he embraced it. He moved forward when doing so made sense.

Mr. Hearn would hire Mr. Hernandez and had a positive experience working with him. Mr. Hernandez would be a good City or County Manager. The five Commissioners and City Manager in Coral Springs loved working with Mr. Hernandez.

#### **Words or phrases used to describe Roberto Hernandez:**

- Energetic,
- Outgoing,
- Positive,
- Change agent,
- Engaged, and
- Active.

**Strengths:** Energetic; very much wanted to make decisions; could shepherd a project from A to Z very well.

**Weaknesses:** People’s greatest strengths are often their greatest weaknesses. Because he moves projects along so well, Mr. Hearn had to slow him down a little and occasionally reminded Mr. Hernandez of a step that needed to be taken in the process.

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**Prepared by:** Danielle Dayton and Lynelle Klein  
Colin Baenziger & Associates

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*CB&A Internet Research*

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WLRN News HD1 (FL)  
February 21, 2020

### **Fort Lauderdale Officials Respond to \$1.8 Million State Fine for Sewage Spills**

Author: *Alexander Gonzalez & Tom Hudson*

Pipes in Fort Lauderdale keep breaking--it's been an almost daily reality for many people living and working in the city. More than 200 million gallons of sewage have spilled from busted pipes in Fort Lauderdale since December. The state responded to the sewer spills this week. The Florida Department of Environmental Protection fined the city almost two million dollars. That amount is based in part on how much sewage has spilled. On the South Florida Roundup, host Tom Hudson talked about the issue with WLRN's Broward County reporter Caitie Switalski and Fort Lauderdale's deputy city manager **Rob Hernandez**.

Here's an excerpt of their conversation: Tom Hudson: What are the funding options if the city has to pay the state this \$1.8 million fine or any fine for that matter?

**Rob Hernandez:** Well, if we have to pay the fine, it's either going to have to come out of the Water and Sewer fund or the city's general fund. And again, we believe that \$1.8 million will best serve our local residents and our taxpayers by being reinvested into some of these projects rather than just going in and being deposited into a general fund at the state level. We're not being critical of the state. We understand that they were in the position where they felt that they had to take some sort of action. But we're hopeful that we'll be able to work something out that is slightly different than just the fine.

Caitie Switalski: When it comes to the punitive nature of the fine, \$1.4 million of the \$1.8 million is civil penalties based on how much sewage and how many days the sewage spill went on. I know the city is in the middle of weaning off trying to take money out of those funds [general or Water and Sewer funds] to balance the regular budget. That was a practice leftover from the last city administration. But if the city has to pay part of this fine out of those funds again, have you heard from any residents about that?

**Hernandez:** No, we haven't heard from any residents. And certainly I don't think it's going to change the practice. The city commission has made it abundantly clear that we were going to transition away from transferring funds from the Water and Sewer fund into the general fund. The city commission that's currently in office directed the city manager to transition us over a four-year period. They have since directed us to accelerate that transition. And that's something, going into next fiscal year, that we're certainly looking at. If there's an opportunity to return those funds at midyear this year, that's something that our city manager is looking at. But I don't think that the fine is going to derail us from making progress. And using your word, "weaning" ourselves off of that budget transfer. We're under clear direction that the funds that are generated by the Water and Sewer fund are going to go back into the necessary improvements that need to be made. And certainly we've been working in that direction for the last couple of years and we will continue to do so.

South Florida Sun Sentinel (FL)  
July 23, 2019

**Fort Lauderdale: Contractor Who Broke Water Main Wasn't Digging Where it told us**

Author: *Larry Barszewski*

Fort Lauderdale never warned a contractor that a critical water line lay buried where workers planned to dig last week, a report shows, but city officials say that's because the contractor supplied the wrong address. The misinformation led to a failure that ultimately dried up the city's water supply and led to days of boil-water orders. Taps ran dry hours after the contractor drilled into the water supply line July 17. Countless businesses were forced to close, and more than 200,000 people were left without water to drink or shower. The contractor, Florida Communication Concepts, used a service called Sunshine 811 to find out whether there were underground utilities it had to watch out for while doing work for Florida Power & Light Co. The statewide utility service is authorized under Florida law and is the state's official resource for companies and individuals planning underground work.

The report shows Fort Lauderdale never told the contractor that the site in the back of 2525 NW 55th Court contained a 42-inch pipe that supplied raw water to the main water treatment plant. Instead, the city indicated that it didn't provide service there, according to the report from Sunshine 811. Deputy City Manager **Rob Hernandez** said the city's water line isn't on that property; it's 75 feet north. The digging was being done to the north and east of the requested location, he said. "It appears that where the contractor was digging is not where they indicated on the 811 ticket," **Hernandez** said. "Our investigation is still ongoing." The owner of Florida Communication Concepts, Tim Hicks, said he couldn't comment, and FPL has declined to answer reporters' questions.

Contractors contact Sunshine 811 to alert agencies about the work they plan to do and to find out whether there are pipes or underground facilities they need to avoid when digging. The service then alerts the utilities, which are supposed to inform the contractor whether they have lines in the area and mark them if they do. Florida Communication Concepts filed a ticket with Sunshine 811 on June 25 to install conduit in July for FPL near Fort Lauderdale Executive Airport, records show. Sunshine 811 notified Fort Lauderdale and nine other entities, based on maps they submitted to Sunshine 811 that indicated it was possible they could have equipment near the work site. Tamarac and Crown Castle Fiber responded that they had no facilities there. Oakland Park, Teco People's Gas of South Florida and CenturyLink said their lines were outside of the work site.

Others said they did have equipment in the area. Fort Lauderdale Executive Airport, Comcast Cable, AT&T and FPL indicated that they marked the locations of their lines for the contractor. Fort Lauderdale responded as well, but it used a code indicating that no city utilities were present at that excavation site. The code it used said "another company provides the services at this location." That code typically is used by utilities that do not have services at that exact location, according to Sunshine 811's online site. **Hernandez** said that's because the city doesn't have any water lines at the property address the contractor listed. He also said Florida Communication

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*(Articles are in reverse chronological order)*

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Concepts said on its Sunshine 811 form that it would not be doing boring, but that's how the city's pipe was pierced. Fort Lauderdale receives dozens of requests each day from Sunshine 811 for underground line information. Sunshine 811 sent the city 20,501 notices last year and 12,635 so far this year, the service reported. The requests go to the city's distribution and collections chief for its water and wastewater services. A city police report filed at the time the line was punctured said the company had used the line-locating service. However, it cited Florida Communication Concepts for not having a permit for the work, violating city codes. It issued the contractor a "Notice to Appear" citation. City officials said a date has not been set for a hearing. It's not clear whether a permit was needed. **Hernandez** said last week that FPL has a franchise agreement with the city that does not require the utility to get a permit every time it digs.



Post Gazette (PA)  
July 19, 2019

### **Fort Lauderdale gets 'Temporary Relief' While Crews Repair a Water Main Break**

Author: *Dakin Andone & Emanuella Grinberg*

Officials in Fort Lauderdale, Florida, said a temporary fix water has running again after a main break left an estimated 220,000 customers without service Thursday. Water is flowing below normal pressure and is expected to return to "near normal" sometime Thursday night, Mayor Dean Trantalis said in an evening news conference. A subcontractor repairing electric lines on Wednesday struck a pipe that supplies water to a treatment plant, cutting off the city's water supply. No major incidents were reported as a result of the outage, the mayor said. A partial patch was placed on the hole, increasing water pressure, Mr. Trantalis said. Those involved in the repairs are "confident" that the patch will provide "temporary relief" while crews work to redirect the water flow through a backup line and replace the broken pipe, he said.

The installation could take through the weekend, Mr. Trantalis said. While repairs are underway, a boil water advisory is in effect until and water distribution sites will stay open until at least Saturday, Mr. Trantalis said. With repairs underway, he said the city's focus will shift to investigating the cause and seeking compensation for not only the city but hotels, restaurants and other businesses impacted by the service outage. "This was not just a minor incident, this impacted many hundreds of thousands of hundreds of people," Mr. Trantalis said. "It was clearly haphazard," he said. "It's clearly something that we're going to seek retribution for."

#### What the city is doing to fix the pipe

On Wednesday, a subcontractor working near the city's Executive Airport for Florida Power & Light damaged a 42-inch city pipe that supplies water from wellfields to the Fiveash Water Treatment Plant, the mayor said. The service outage impacted the city and surrounding municipalities that receive water through the city, including Lauderdale-by-the-Sea, Oakland Park, Wilton Manors and sections of Davie and Tamarac. An estimated 220,000 customers were impacted, Deputy City Manager **Rob Hernandez**. Crews are now building a concrete bunker around the broken pipe to seal the break and protect the pipe, Mr. Trantalis said. The bunker should be completed by 10 p.m. ET and the Fiveash Water Treatment Plant should be back to full and normal operation, he said. The temporary fix will give crews time to redirect the water flow through a backup line, Mr. Trantalis said. Once the backup line is in place, a replacement pipe for the primary main will be installed, likely over the course of the weekend, the mayor said.

#### Cause of outage under investigation

Earlier Thursday, Mr. Trantalis said crews responded immediately, but as they were working, the damaged pipe collapsed, forcing the city to turn off the water flow. During Thursday night's news conference, he suggested the subcontractor bore the brunt of the blame for "something they should not have done." The subcontractor has been cited and an enforcement action has been launched, the mayor said, although he was unable to identify the specific citation. When initially asked if there was anything the city could have done better, the mayor responded "no," then

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**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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added, "Yes -- we could have foreseen this but you can't foresee these types of things." Later in the press conference, the mayor maintained the incident an "accident" caused by "human error," but he also acknowledged that it put a spotlight on the city's redundancy systems.

Deputy City Manager **Rob Hernandez** said "difficulty" with at least one valve that was supposed to redirect water to the redundant system, leaving them unable to isolate the damaged section of pipe. "What [this] pointed out to us is that we need to pay more attention to our infrastructure needs and that we need to go back and make sure that these redundancies systems do work when they're supposed to work." Residents in need of bottled water can find it at the Beach Community Center on 33rd Avenue, Mills Pond Park on Northwest 9th Avenue and Riverland Park on Southwest 27th Avenue.

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**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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SavannahNow

Posted May 26, 2019 at 8:18 PM Updated May 27, 2019 at 12:29 AM

**Savannah's city manager out on medical leave**

By DeAnn Komanecky and Eric Curl

Savannah City Manager **Rob Hernandez** is out on medical leave, with Patrick Monahan now serving as acting city manager. **Hernandez** tendered his resignation on April 12 with a last work day date of June 30. Whether **Hernandez**'s medical leave will change when he leaves his post is not known. City spokesperson Ken Slats said no other details are currently available. Monahan, a former Chatham County assistant manager, was hired in April as a consultant to work with **Hernandez**, starting in May. Monahan retired from the county in 2013 and has said he would only take the interim position temporarily, but is willing to stay long enough after this fall's election for the new city council to hire the long-term manager next year. He will be paid \$20,000 a month for up to 12 months, under the agreement.

**Hernandez**'s resignation came after news broke of his pending departure for a job as deputy city manager of Fort Lauderdale, Florida. **Hernandez** declined interview requests regarding his resignation, but said in a subsequent press release that he and his wife decided to go back to south Florida to help their siblings care for their elderly mothers. He indicated there was more to the decision than just family reasons, however, in correspondence obtained by the Savannah Morning News. **Hernandez** said he intended to stay away from city manager positions for a while after being asked about his plans by Lake Wales, Florida, City Manager Kenneth Fields. "The last three years here have been tough as a (city manager)," **Hernandez** said. He responded in a similar manner to an April 12 email from Chatham County Engineer Leon Davenport. "Tough town," **Hernandez** said. "Going back to Fort Lauderdale."

The city council hired **Hernandez** as city manager Sept. 1, 2016, with a \$238,000 salary and \$600 monthly vehicle allowance, as well as a \$7,000 annual 457 retirement plan. After his arrival, **Hernandez** led the city through a major restructuring and successful development of a strategic plan. The city has also experienced two years of budget surpluses after **Hernandez** had implemented a hiring freeze and budget cuts. His impact was praised by some of his executive team following word of his departure.

City Management Coordinator Joe Shearouse Jr. wrote in response to his resignation notice that he thought a lot about the accomplishments **Hernandez** had made in Savannah. "Your impact on people is extensive and much more influential than a project or initiative," Shearouse said. "Your openness and eagerness to provide us opportunities to grow and learn is lasting and far reaching." Special Projects Coordinator Daphne Williams said in an email that it may be a long time before they get someone else comparable. "Our team was on fire," Williams said.

**Hernandez** also experienced his share of criticism, which began shortly after his arrival when he proposed cuts, which were ultimately restored, to arts organizations and social programs. And he was widely panned by residents following the implementation of a fee for fire service.

**Hernandez** had touted as a way to get all property owners — including those that are tax-exempt

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*(Articles are in reverse chronological order)*

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— to contribute to the rising costs of providing fire protection. Public indignation only grew when **Hernandez** presented the council with a spending plan for a budget surplus from 2017 of more than \$10 million about five months after the fee was adopted. The fee was ultimately repealed, but **Hernandez** later attributed some subsequent job searches to the widespread opposition he encountered following its implementation.

Savannah Morning News (GA)  
April 29, 2019

### **Savannah Could Get More Affordable Housing Under These Proposed City Programs**

Author: *Eric Curl*

About 44 percent of Savannah families cannot afford quality housing, according to city officials. In other words, almost 24,000 local households are cost burdened because they spend 30 percent or more of their income on housing, said Housing and Neighborhood Services Director Martin Fretty. To address the issue, the city is considering some new affordable housing initiatives that were presented to the Savannah City Council during a workshop Thursday. The initiatives include a \$20 million investment to acquire, redevelop and sell 1,000 blighted properties over a 10-year period. The investment would provide more affordable housing, while also reducing the number of abandoned properties that cost the city an average about \$1,300 a year each in lost tax revenue and expenses related to police, fire and code enforcement services, Fretty said. The city is hoping to get \$10 million for the acquisition program included on the Special Purpose Local Option Sales Tax referendum going before voters this fall. The eventual sale of the properties would go back into a revolving fund and help drive down costs for future investments, Fretty said. "After a couple of years you ought to be able to recover, we think, 80 percent of what we invested in the properties to acquire them," he said. The city is expected to meet with Chatham County officials next month to discuss the SPLOST project list and determine Savannah's distribution share of the sales-tax revenue. Savannah affordable housing presentation by savannahnow.com on Scribd. Inclusionary zoning. The city is also contemplating the implementation of an inclusionary zoning policy, similar to one established in Atlanta last year. The policy would require developers of apartment projects to include a certain percentage of affordable units or pay a one-time fee into a city housing fund. In turn, the developer could select from a list of incentives that could allow for more units, reduced parking requirements and a streamlined permitting process. In Atlanta the program applies to areas where the city is experiencing the pressures of redevelopment, said Bridget Lidy, Savannah's director of planning and urban design. In Savannah, the Canal District, where the new arena is being built west of downtown, provides an opportunity for the program's launch, Lidy said. "It's ripe for this," she said. The proposal received general support from the council, although it is still early in the process. Lidy was encouraged to set up a meeting with Atlanta officials, who she said have expressed interest in helping Savannah establish their own initiative.

And City Manager **Rob Hernandez** said he thought the city would likely need to hire an outside consultant before they could develop an inclusionary zoning policy. "I think we need to bring in the resources from other communities that have gone through that process," **Hernandez** said. "We haven't and there is a lot of stakeholder involvement and a lot of legalities involved." In the meantime, the city has developed some proposed standards to reduce development costs and increase the amount of affordable housing, including the reduction of the minimum lot size and parking requirements in traditional neighborhoods. In addition, the city's proposed new zoning ordinance, NewZo, provides more flexibility for constructing accessory dwelling units, with no more than one bedroom, in some areas. City officials are planning for the new ordinance to be adopted in July after public hearings are held in June.

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Savannah Morning News (GA)  
April 13, 2019

**Hernandez Formally Resigns Post**

Author: *Savannah Morning News*

Savannah City Manager **Rob Hernandez** formally submitted his resignation letter Friday morning. "Such letters are never easy to write and I hope it conveys my appreciation to all of you and our great staff, especially those that sit around the table with me each Monday," **Hernandez** wrote in an email to the city council and city staff. "I know that I've made some mistakes along the way as I am far from perfect. Please know that I have always attempted to do what is in the best interest of the city in the long term, and endeavored to create a culture of fairness, professionalism, integrity, inclusion, diversity, opportunity and ingenuity. I'm fortunate to have been surrounded by a team of good people. I'm grateful to have known you. Together, we've gotten a lot done since October 11, 2016. I hope that I have served all of you well," he wrote. "Thank you for the opportunity to serve as your city manager."

Fort Lauderdale City Manager Chris Lagerbloom informed the Savannah Morning News on Thursday that **Hernandez** will be joining the city as deputy city manager later this summer. In a formal resignation letter addressed to the mayor and alderman, **Hernandez** touted the team's accomplishments, from upgrading the city's bond rating to launching the design of the new arena. "I have been honored with the privilege of serving as Savannah's eighth city manager since adoption of the council-manager form of government in 1951. I joined the City on the heels of Hurricane Matthew on October 11, 2016, and since then we've weathered literal and figurative storms and overcame numerous obstacles in providing exceptional municipal services," **Hernandez** wrote. "We accomplished much during this time while simultaneously creating an organizational spirit focused on one simple concept: Forward. Forward is a fanatical passion for momentum, progress and achievement. It is an obsession with what is possible rather than the status quo. It is the driver behind our biggest accomplishment - SAVANNAH FORWARD, our guide to strategic policy-making and investments through 2025."

**Hernandez** said in a press statement issued later that he and his wife decided to go back to south Florida to help their siblings care for their elderly mothers. His resignation is effective June 30. Savannah Mayor Eddie DeLoach has recommended that former assistant Chatham County Manager Pat Monahan serve as interim city manager, but he is awaiting support for that decision from the rest of the city council. A special meeting has been called for 6 p.m. Monday in the Media Room on the second floor of City Hall for the council to consider an interim city manager. The next city manager is not expected to be hired until after the new city council is sworn in next year following this fall's election.

Savannah Morning News (GA)  
January 9, 2019

**Savannah City Manager Rob Hernandez: Government Leadership Backs Savannah Fire Department**

Author: ***Rob Hernandez***

There has been much discussion in recent days about staffing levels within Savannah's Fire Department. I would like to take this opportunity to address misinformation circulating in social and regular media outlets.

First, what the city government has not done:

- We have not closed any fire stations.
- We have not laid off any fire personnel.
- We have not left any neighborhood in Savannah unprotected.
- We have not taken steps that will delay Savannah Fire's response time to an emergency.

What we have done is eliminate vacant positions in Savannah Fire over the past two years. To put those reductions in context, I would like to take you back to 2014. For the first time that year, Savannah Fire was granted an ISO Class 1 rating — an insurance classification that evaluates a community's fire operations and water infrastructure. Less than 1 percent of fire departments in the nation are rated Class 1. The following year, in 2015, Savannah received a three-year, \$3.5 million FEMA grant designed to increase staffing levels in Savannah Fire. We did just that. In 2015, we added 15 firefighter positions. In 2016, we added another 15 firefighter positions. And in 2017, we grew by 10 more firefighter positions. Add it all up and over a three-year period we added 40 new firefighters to our payroll — a 12.6 percent staffing increase. At 366 total positions, including 341 firefighters, this was the highest staffing level in Savannah Fire's history.

That grant ended in 2017, and with it we faced a difficult decision: Do we ask Savannah taxpayers to continue funding this increased staffing level, or do we make reductions? We were facing flat revenues that year, and direction from city council to continue making investments in the police department. To balance the 2018 budget, we eliminated 45 vacant positions across the city government organization, including 18 within Savannah Fire. Council directed that those cuts come from Engine 16/Marine 1 — a specialized unit that operates the fire boat and a backup pumper truck at fire department headquarters on Oglethorpe Avenue. That same budget authorized a permanent funding solution for fire operations: the fire fee. That fee was rejected over the summer, and during months of public discussion we heard repeatedly from property owners that they preferred a smaller fire department over paying a new fee to fund fire services.

We contracted with the University of Georgia Carl Vinson Institute of Government to analyze Savannah Fire operations and make recommendations on better use of resources. I expect those recommendations within the month, but preliminary discussions with the report authors identified options for increased efficiency and reducing costs. The 2019 budget was balanced with the elimination of another 15 vacant positions. The UGA recommendations will drive where

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those reductions are made. It is important to note that even with the elimination of these 33 vacancies over the past two years, Savannah still has seven more firefighter positions today than we did in 2014, when we received our ISO-1 rating. And we are still well-staffed compared with communities our size; Charleston, for instance, has one fewer firefighter position than Savannah, and 24 percent more territory to cover.

As a resident or business owner in this city, you are served not just by the fire station located in your neighborhood, but a fire protection system consisting of 15 stations and 22 emergency response vehicles. The city government also maintains agreements with our adjacent cities, which provide us access to more than 20 other fire stations, firefighters, and equipment should they be needed in the unlikely event all of our resources are unavailable. No area of the city will ever be left without a response to a fire. We are fortunate to have one of the best fire departments in the nation. Savannah Fire will continue to be, even with these adjustments.

**Rob Hernandez** is Savannah's city government manager.



WTOC 11

April 9, 2019 at 11:21 PM EDT - Updated April 11 at 10:36 AM

## **City of Fort Lauderdale extends offer to Savannah city manager**

By Sean Evans

SAVANNAH, GA (WTOC) - Several sources have confirmed that Savannah City Manager **Rob Hernandez** is leaving his job. "The city is losing a very smart and talented individual," Savannah Alderman John Hall said. "I wish Mr. **Hernandez** the best wherever he goes. Our loss is another city's gain." **Hernandez** said that he has not officially tendered his resignation or discussed this with all of city council as a group. He said he will not release a statement until he felt it was the appropriate time. We've reached out to the mayor's office and the city spokesperson for comment.

**Hernandez** came to Savannah from Broward County, FL in 2016. "He inherited a virtual mess. Remember, he came in in the middle of a hurricane. The first hurricane we'd had in what, 27 years," said District 4 Alderman, Julian Miller. In addition to dealing with the aftermath of Hurricane Matthew, **Hernandez** was tasked with completing a budget and coming up with a blueprint that would carry Savannah years into the future. "He has come up with the city's first strategic plan and gotten it going. He has refined our logo so we have the same logo everywhere. There's an awful lot he has done, most of which the public will never see," Alderman Miller said. Several things spear-headed by **Hernandez** have been very public, like re-establishing a Savannah Police Department after the de-merger with the county, the search for a new police chief, and the fire fee proposal.

Less than a year after the fire fee proposal was dropped by city council after public backlash, **Hernandez** referenced it in a moment of levity during his speech at a firefighter award ceremony Wednesday afternoon. "Believe it or not, the city actually imposed a fire fee way back in the early 1800's to provide fire protection services to all property owners of the city. I wish I would've known that a year-and-a-half ago. That could have helped us sell what we were trying to do a little easier to those that were opposed to what we were trying to do," he said.

If **Hernandez** is in fact out the door like sources tell us, city leaders know they need a similar leader to take the helm. "When you run a city, there are so many moving wheels and so many gears going in different directions. There's always going to be hundreds of things that have to be addressed. That's why it's going to take someone who really knows what they're doing to pick up the mantle and go forward," Miller said.

**Hernandez's** previous attempts to change jobs have been publicized. In August of 2018, it was announced that **Hernandez** did not get a county administrator position in Pinellas County, FL. The city of Savannah confirmed he was a finalist for the position. **Hernandez** was also on the shortlist for a city manager position in Brownsville, TX. At the time, **Hernandez** said he wasn't sure if the Savannah community wanted to work with him. "Criticism of government is healthy and important, and comes with the territory," he said in a statement in August of 2018. "I don't take it personally, even if some of the attacks on me have been very personal. What I do want is

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**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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to work in a community that wants to work with me. I am not sure that is currently the case. Amid a sustained level of criticism and uncertainty, I have considered opportunities outside Savannah. While I have no desire to leave, I did feel it was a prudent move for me and my family.” **Hernandez** was a key architect of a proposed fire fee in Savannah that drew the ire of many in the city. The city council withdrew the fee from consideration after a tortured fine-tuning process. The mayor proposed to halve the fee weeks before it was withdrew.

Chaz Adams with the city’s strategic communications office says **Hernandez** has received an offer as Deputy City Manager for the City of Fort Lauderdale Florida. “The City of Fort Lauderdale has extended an offer to Roberto “Rob” **Hernandez** for the position of Deputy City Manager. The offer is contingent upon approval from the Fort Lauderdale City Commission. The commission plans to consider the item at their next meeting, which will take place on Tuesday, April 16,” Adams said. City council will hold its regularly scheduled meeting on Thursday. We’ll be following this closely to see if anything is announced regarding a resignation, as well as what’s next if the Savannah city manager position becomes vacant.

Savannah Morning News (GA)  
December 20, 2018

## **Savannah City Council Oks \$1M Fire Station Sale Despite Buyer's History of Code Violations**

Author: *Eric Curl*

The Savannah City Council on Thursday approved the sale of a former fire station, despite the buyer's history of being cited for code and maintenance violations at multiple properties throughout downtown. The \$1.05 million sale to Inman Park Properties came after three proposals were submitted to the city and evaluated by a five-person staff committee. Inman received the highest score after proposing to preserve and restore the 72-year-old building at 6 W. Henry St. for use as a cafe and office space. Rajesh Patel had proposed paying \$525,000 for the property, while Lynch Associates Architects offered \$455,000. The sale was quickly approved without discussion by the city council, with the exception of Alderman Bill Durrence, who had stepped out of the chambers to speak with someone who was leaving.

Durrence, who represents the area where the building is located, said he probably would have voted for the sale also. It was his understanding that most of the property maintenance issues have been addressed and he was hoping to see something done with the building, Durrence said. "The bottom line for me is that it didn't matter how I voted because the majority of council made up their mind that for that price point, they were going to sell it," he said. Inman's proposal is expected to activate the "somewhat stagnant" block and generate 75 full-time jobs in the neighborhood, according to the developer's proposal. Inman reported that construction was expected to begin 120 days after closing and take one year to complete.

Staff had delayed consideration of the sale in October following inquiries from the Savannah Morning News into the buyer's past code and property maintenance issues. From 2012 through 2016, the city instigated 16 Chatham County Recorder's Court cases against Inman's owner, Jeff Notrica, for 14 downtown properties. Charges related to overgrown vegetation, maintaining a clean and sanitary property, safety, defacement of property, accumulation of garbage, and an unsafe building. The pending sale comes after the approved sale this year of multiple downtown city properties. City Manager **Rob Hernandez** has touted the sales as a way to return outdated properties to the tax rolls and raise revenue for the construction of a new municipal center west of the Historic District, where the city is building a new arena.

However, **Hernandez** said during an interview Tuesday that the sales revenue may instead go toward construction of the arena. The amount of current voter-approved Special Purpose Local Option Sales Tax is expected to raise \$120 million, while about \$22 million was raised during previous tax periods. Still, the city expects to need an additional \$20 million to \$40 million to cover the estimated \$140 million to \$160 million costs of the arena's construction, as well as relocating public works from the arena site and building a new complex for that department, **Hernandez** said. The city does not plan on adding the arena to the next SPLOST referendum going before voters this fall, he said.

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**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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Savannah Morning News (GA)  
November 16, 2018

**Savannah Proposing Slight Property Tax Cut, Employee Wage Hike**

Author: *Eric Curl*

The owner of a home valued at \$100,000 will save about \$8 a year under a proposal to reduce the property tax rate in 2019, according to city estimates. The reduction from 13.40 mills to 13.20 mills was requested by the Savannah City Council on Friday, the second day of a two-day budget retreat, after staff had initially proposed retaining the existing rate. Alderman Brian Foster advocated for the reduction to provide some relief to taxpayers after the rate was increased from 12.48 mills this year following the elimination of the widely opposed fire fee. "It's a start," Foster said. The council also directed staff to incorporate a 3.5 percent wage increase for employees next year. The proposed increase was agreed to as a compromise after Alderman Van Johnson had initially sought to bump staff's recommended 3 percent wage increase to 4 percent. "The fight for the best and the brightest is real and people ultimately go where they will be paid," Johnson said.

To maintain a balanced budget, while accommodating the council's wishes, staff said they increased their "conservative" projections for property tax revenue growth next year from 3 percent to 4 percent. In addition, staff plans to cut another \$1 million from the proposed budget to cover the remaining costs, said City Manager **Rob Hernandez**. The 2019 budget is expected to be presented to the city council for adoption next month. Since **Hernandez** arrived in late 2016, he has touted the need to address what he described as a structural imbalance resulting from expenses exceeding revenue. The fire fee adopted this year was an attempt to address that imbalance, but the council voted to repeal that new revenue source after facing widespread opposition from property owners.

**Hernandez** said he believes the city has made progress, but noted the concerns raised by the council during the retreat that funding was lacking for infrastructure and service improvements. "We're still imbalanced in that this budget is not able to adequately address those needs," he said. "We are addressing them, but the need really outstrips our ability to fund them." The next Special Purpose Local Option Sales Tax, which goes before voters next fall, has been touted by the council and staff as a way to fund needed infrastructure improvements, but **Hernandez** said the city cannot rely on the tax to resolve the issue. The city will also be looking at more models to fund municipal services, including a potential stormwater fee to cover the cost of drainage projects, **Hernandez** said. In July 2017, the city council unanimously approved a \$49,651 contract with Atlanta-based Stantec Consulting Services to study the feasibility of such a fee and how it would be implemented, but the study's findings have never been presented. "We continue to look at that and we will be bringing that back to City Council at the appropriate time," **Hernandez** said.

Savannah Morning News (GA)  
August 31, 2018

### **\$3.9M Mistake Mucks Up Arena Contract**

Author: *Eric Curl*

The Savannah City Council on Thursday delayed by two weeks consideration of an \$11.2 million contract with AECOM Hunt to manage the construction of the new \$140 million arena, after learning the contract amount is actually about \$3.9 million more than city staff had initially reported. The vote for the delay came after staff explained during the morning workshop that a misreading of the fee proposal had led staff to initially report that the contract was \$7.3 million - the amount that was on the meeting agenda until Wednesday. The originally reported amount should have been a red flag since it was so much lower than the amounts submitted by the other two finalists for the contract, said Alderman Bill Durrence. Turner Construction had proposed serving as construction manager at a cost of about \$13.6 million, while JE Dunn's proposed cost amounted to almost \$12.7 million. "I'm very nervous," Durrence said. "I never spent \$140 million before." Pete Shonka, executive director of arena development, said that AECOM Hunt still had the lowest price and highest evaluation score after the error was corrected.

City Manager **Rob Hernandez** also said he felt confident in moving forward with the recommended contractor after determining the company had followed the process correctly, while acknowledging the error should not have occurred in the first place. "That reflects poorly on me and I apologize," **Hernandez** said. "We will double down to prevent circumstances like this in the future." Council members said they wanted more time to see how the error occurred before taking a vote. "The severity of it should not be lost," said Alderman Julian Miller. "We are going to be doing an awful lot of contracts and we need to have confidence on that." Walter Murphy, vice president at JE Dunn, had also spoken out against the contract being awarded to AECOM during the meeting and had informed the council that he had notified the city manager of the issue. "We were told it was a scrivener's error," Murphy said "I don't think so. I think the bid was non-responsive."

In other council news, city council approved the \$14 million sale of two downtown buildings. Mayor Eddie DeLoach joined Aldermen Carol Bell, Durrence, Brian Foster, John Hall and Miller in approving the sale of the historic Gamble Building next to City Hall for \$8.5 million, while Aldermen Van Johnson, Estella Shabazz and Tony Thomas cast the opposing votes. The buyer, Foram Development, plans to convert the building into a condo complex with rooftop gardens. Staff had recommended the sale as a way to rid itself of a building that requires extensive repairs and generate ongoing revenue by putting it back on the tax rolls. But Thomas said he disagreed with staff's assertion that the historic building was not adequate for city use. "I'm a little bit more of a sentimentalist," he said. "I believe the city is giving up its imprint on the riverfront."

The vote was similarly split with the council's approval of the sale of the former Catholic Diocese building at East Broad and Liberty streets for \$5.9 million to Standard Companies, which plans to develop the property as an apartment complex with commercial space. Johnson

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**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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said he was afraid residents were being priced out of living in the city. "This was in my mind a wonderful opportunity to provide affordable and workforce housing for people to live downtown," he said. The approved sales come two weeks after the city council's vote to sell the Broughton Municipal Building to Columbia Ventures for \$4.5 million. The buyer intends to convert the mid-century building into a hotel with retail on the ground level. And in April 2017 the council approved the \$5 million sale of a 1.2 acre lot on Oglethorpe Avenue, where a developer plans to construct a mixed-use residential complex.

**Hernandez** said the funding from the sales is being invested into a reserve account for a modern municipal center he is considering building west of downtown near the arena to consolidate city departments. The total costs of that project, which would include a public safety complex, have not been determined, **Hernandez** said. "We still have a lot of work to do on that," he said. "We still have to flesh that concept out with city council." In the meantime, the city has been relocating staff into 36,538 square feet of leased office space on Chatham Parkway at an annual cost of about \$785,000.

Savannah Morning News (GA)  
July 11, 2018

**City: Funding Problems not Over**  
**Savannah May be Facing Tough Budget Process for 2019, Hernandez Warns**  
Author: *Eric Curl*

The recent repeal of the controversial fire fee may have been welcomed by property owners concerned about the additional expense, but city officials are not breathing easy as they look toward Savannah's financial future. With the elimination of the dedicated fee, which would have freed up millions in general funds, the city may be facing a difficult budget process for 2019, according to City Manager **Rob Hernandez**. **Hernandez** warned the Savannah City Council last week that their plan to increase the property tax rate by 0.92 mills, or 7.4 percent, will not resolve long-standing financial challenges that the fee was meant to help address. Almost a third of city parcels pay little or no property taxes due to being exempt or having low value, and tax digest growth has not kept pace with expenses, **Hernandez** said. "I don't want anyone leaving here today with a rosy picture of 2019's budget process," he said. "We are structurally imbalanced."

The mayor and aldermen are expected to adopt the tax increase on July 19 to restore almost \$10 million of the \$16.5 million in revenue lost with the elimination of the fire fee. The city also implemented a hiring freeze and cut expenses, including \$1 million Mayor Eddie DeLoach had sought for an early childhood learning center being planned by the Savannah-Chatham School Board. With the proposed tax increase, the city will be able to preserve funding for some priorities that included software upgrades, enhanced right of way maintenance, Waters Avenue streetscape improvements, increased city reserves, and the Savannah Shines neighborhood revitalization initiative that has already begun in Edgemere/Sackville, said Alderman Julian Miller. "I'm not sure if everyone understands how deplorable the city's computer system is," Miller said. "We're still running programs that most people have abandoned 20 years ago."

Alderman Brian Foster said the city will also maintain the full staffing levels of the police department after adding more than 120 officers to patrol the city following the department's split with Chatham County in February. "We are fully staffed and have been for a while in the first time in over a decade," Foster said. "That's what the public asked for and we have successfully done that." Savannah's property tax rate has been decreased or remained the same every year since 1994, aside from a six-month half-mill increase in 2010 that was dropped back to the previous rate the following year. The current rate of 12.48 mills has been in place since 2013. For the owner of a home with a fair market value of \$150,000, the proposed increase amounts to \$55.20 annually or \$4.60 per month.

Alderman Tony Thomas said that every effort would be made to reduce the rate in 2019, but **Hernandez** responded by casting doubt on that scenario. "I don't know at this point in time because it's still too early in the process for FY19 to determine, in fact, whether we are going to have a smooth budget process or we're going to have a rocky budget process like we've had the last couple years," **Hernandez** said. "So please do not leave here today thinking that budget

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**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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process for FY19 is going to be a smooth one because I can't guarantee that." Savannah Alderman Van Johnson suggested that the city meet with residents before the budgeting process begins to reconcile what they want and what the city can afford. "We have a region that takes advantage of many of the services that we provide that they do not pay for," Johnson said. "So I think part of this discussion is educating individuals that we can give everybody what they want, but there is a cost to it." **Hernandez** said that the city's budget director, Melissa Carter, has already proposed holding several citizen engagement panels to walk residents through the budget process, "allowing them to see how difficult it is to put together a \$400 million budget for an enterprise the size of the city of Savannah." The council will hold two additional hearings at 9:45 a.m. and 2 p.m. July 19 before making a final vote on the tax rate increase.



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Savannah Morning News (GA)  
June 8, 2018

**City to Consider \$11M in Cuts**  
**Council Approves Adding Sunday ‘Brunch Bill’ to November Ballot**  
Author: *Eric Curl*

With less than six months left to go, City Manager **Rob Hernandez** has been charged with cutting more than \$11 million from this year's budget. On Thursday, the Savannah City Council directed **Hernandez** to figure out over the next week what cuts can be made to make up for the anticipated loss in revenue, as the mayor and aldermen prepare to reduce the controversial fire fee by more than half in the face of widespread opposition. "We're just asking the city manager to go back and modify the numbers and bring us something forward that people can feel better about," said Mayor Eddie DeLoach. As proposed by the council, a property tax increase is not an option and the city would retain the one mill tax rate decrease that was approved in conjunction with the fire fee as part of the 2018 budget. The council's vote came after DeLoach announced on Wednesday a proposal to reduce the fee by 53 percent, which would bring the fee to \$120 for residential properties. The city is also offering discounts of up to 20 percent until June 15, which would bring the total to \$96. Mayor Pro Tem Carol Bell also suggested that **Hernandez** present an alternative option to cover the costs of eliminating the fire fee entirely. "As a council, let us determine if that's the way we want to go," Bell said. Previous attempts last month by Aldermen Van Johnson, Estella Shabazz and Tony Thomas to repeal or lower the fee were voted down by the remaining members of the city council during deliberations on how to spend \$10 million surplus from last year. On Thursday, Thomas said he was staunchly opposed to the fire fee, but was concerned the council was being unfair to **Hernandez** by not making the \$11 million reduction request when the surplus was presented. "I don't know if the city manager has truly analyzed that plan to see if he could reach that number," Thomas said. "And I don't know either what other options are completely out there." The surplus spending plan, which left the full fire fee intact, included funding to pay off the purchase of the Coastal Empire Fair site; complete the Cultural Arts Center; install computer security upgrades following a malware attack; fund a staff compensation study; and assist the Savannah-Chatham School Board in establishing an early learning center touted by DeLoach as an anti-poverty initiative.

**Hernandez** said Thursday he did not recommend using the surplus funds to make up fire fee cuts because the savings and unexpected revenue from 2017 were going toward one-time expenses and that the fire fee was meant to free up general funds for ongoing operational costs. "It would come back to bite us at some point in the future," he said. The proposed budget cuts are expected to be presented for the council's consideration during a budget workshop June 18. The tax rate has to be formally adopted by the end of the month and the council is expected to vote on the revised budget at their meeting June 21. Prior to the regular meeting, the council got a briefing on a hardship program the city is developing for low-income property owners who are unable to afford the fee. The city is now seeking a nonprofit social service provider to administer the program so applicants can also have an opportunity to get assistance with additional needs, said Tafanye Young, Chief Community Services Officer. "We're hoping that people will take advantage of this and see rewards beyond just the fire fee being waived," Young said.

Savannah Morning News (GA)  
April 12, 2018

### **The Sense in the City's Spare Cents**

Author: *Eric Curl*

Savannah had a better year, financially, than expected, according to city officials. Now, the city is planning on providing \$2 million in funding needed to complete the new Cultural Arts Center, paying for security upgrades following a recent computer malware attack, and covering the full costs of a 3-percent performance-based pay increases for employees, after recently closing out the 2017 budget with a \$10 million surplus. The surplus stemmed from a combination of about \$5.2 million in revenue coming in higher than anticipated, in addition to expenses coming in about \$4.7 million below budgeted amounts after the city implemented a hiring freeze last year, said City Manager **Rob Hernandez**.

Most of the growth was from elastic revenues, such as lodging and sales taxes, that expand and contract with strength of economy, **Hernandez** said. "We have a general idea how the economy is going to perform but it's a guess and science at the same time," he said. "So in 2018 our budgeting numbers are a bit more optimistic than they were when we put together the '17 budget, but something could happen tomorrow." The funding plan going before the Savannah City Council Thursday will also increase reserve funds, pay a debt owed for purchasing the Coastal Empire Fairgrounds site, and cover costs associated with converting a section of Montgomery Street for two-way traffic. In addition, staff is recommending that the revenue go towards staff relocation costs related to the planned sale of two downtown buildings and a compensation study to address pay inequities.

"We also did a reorganization this year and created new job titles," **Hernandez** said. "We think we slotted them in the right place, but it's time that we do a real in-depth review of our pay and compensation practices." Almost 100 positions were eliminated as part of the reorganization, with about 40 of them vacant, but dozens of new positions were added and impacted employees were given the opportunity to apply for the jobs. Seven employees ended up not being placed either because there was nothing available or they did not accept the position offered, according to city officials. And after the city council voted to add 24 new positions to the police department this year, there ended up being a total net reduction of one position.

**Hernandez** said the surplus does not negate the need for the city's new fire services fee, which was implemented to correct a structural imbalance the city has faced for years. "If we didn't have the hiring freeze and agencies spent every dime we got budgeted, we would have only \$5.2 million in extra revenue," he said. "The fire fee provides us an opportunity to take \$21 million of pressure off of the general fund." The city council recently approved an ordinance that offers up to a 20 percent discount on the fee for installing safety equipment, developing emergency plans and participating in fire training programs. Property have between April 15 and June 1 to apply for the reduction before bills are sent out in the fall.

Meanwhile, the city also plans to spend about \$500,000 on new technology and services to boost

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security measures after a malware attack discovered in February impacted some city services. The malware appears to have been eliminated, but the city is still not accepting email attachments as a precaution, said city spokesperson Michelle Gavin. "We think that we've gotten it," Gavin said. "We've taken all the measures to wipe computers and have taken some extreme measures, but it's an ongoing thing."

Proposed surplus expenditures

Transfer to Reserves/General Fund Balance: \$2.5 million

Performance-based 1-percent employee pay increase: \$600,000

Cultural Arts Center Overrun: \$2 million

Montgomery Street redirection project: \$1 million

MPO agreement amendment: \$200,000

Revenue dept. relocation: \$500,000

Fairgrounds - Pay off Debt Service: \$1.4 million

IT/Malware Equipment Recovery: \$500,000

Relocation Contingency: \$100,000

Compensation study: \$300,000

Facility repairs and improvements: \$800,000

Rental of backhoe - Cemeteries: \$100,000

Total: \$10 million

Savannah Morning News (GA)  
February 18, 2018

**Savannah Restructures Government Operations**  
**Officials Tout Plan as Way to Make City Operations More Efficient**  
Author: *Eric Curl*

New titles and responsibilities, along with salary increases in some cases, have been issued to a number of Savannah's department heads and top administrators as part of a government reorganization implemented by City Manager **Rob Hernandez**. Touted as a way to make city operations more efficient and achieve the Savannah City Council's priorities in a recently adopted strategic plan, new departments and positions have also been created, while others have been eliminated or modified. The restructuring consolidates two assistant city manager positions, one deputy to the assistant city manager position and five bureau chief positions into three executive officers. The employees selected for the new positions have the experience and personality to lead and get things done, **Hernandez** said. "That's what differentiates managers from leaders," he said. "I need leaders more than I need managers."

**Paying for quality**

Marty Johnston, formerly a deputy assistant to the city manager, was selected to fill the chief operating officer position, charged with asset management, customer service, special events coordination and oversight of the financial and internal service functions of the city. The move bumps her salary up from \$125,827 to \$148,000. Heath Lloyd was selected as Chief Infrastructure and Development Officer, after previously working as the public works and water resources operations director. Lloyd's responsibilities include ensuring the safety of the city's infrastructure, producing safe drinking water, protecting buildings and streets from flooding, and improving the development process. Lloyd's new salary amounts to \$148,000, up from his previous salary of \$109,414. Taffanye Young was hired as the city's Chief Community Services Officer after previously serving as the Community and Economic Development Bureau chief. Young is charged with unifying initiatives and programs focused on improving the lives of residents and providing them with clean, safe neighborhoods and access to quality housing, recreational facilities, leisure opportunities and supportive services. Her salary increased from \$132,282 to \$148,000.

The city's former budget director, Melissa Carter, also received a pay increase from \$89,400 to \$115,000 after being promoted to head the new Office of Management and Budget, which is responsible for preparing the city's yearly and long-term fiscal plans, as well as taking on an expanded role in grants development. And David Keating, who previously worked as a real property director, had his salary increased from \$84,025 to \$90,327 after being put in charge of a revamped Real Estate Services Department that now oversees property acquisitions, facilities maintenance, cemeteries, and the Civic Center. Pay was only increased for employees who have taken on additional responsibilities so that they are being fairly compensated, **Hernandez** said. "We want to keep the good ones," he said. "And also we have key positions we have to fill and we need to be able to compete and attract a quality workforce." Cutting grass and dysfunction After years of complaints about property maintenance issues and delays in completing planned

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*(Articles are in reverse chronological order)*

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projects, departments that never talked to one another were merged and new offices were launched as a way to eliminate government bureaucracy and improve focus, according to officials. To improve property maintenance, quality of life and tourism impacts, a new Code Compliance department was created. Previously, code-related activities were handled by multiple departments, prompting situations in which a property maintenance enforcement officer could not handle a zoning violation, or vice versa. In addition, property maintenance was only citing code violations on residential properties and letting violations on commercial properties go or referring them to the building department, **Hernandez** said. "So we said time out ... we're bringing all that in house," he said. "We're going to do cross-training and we're going to have commonality in how our code enforcement is handled and prosecuted."

Kevin Milton, a new employee with the city, has been hired as director of the department, with a salary of \$115,000. Former Property Maintenance Director Kimberly Corbin is now working as Code Compliance Assistant Director, with her salary remaining at \$80,368. Similar issues led to the consolidation of the city's landscape maintenance functions, including squares and monuments, into a new Greenscapes department. Prior to the consolidation, **Hernandez** said one team would cut an overgrown lot and then a different unit would come back a week later and cut the adjacent canal bank. And in some cases, **Hernandez** said, small equipment such as weed wackers would not be brought in until days after the larger mowers had cut down some city right-of-way. Now, work areas have been divided into grids that are maintained by regional teams responsible for basically anything that grows, **Hernandez** said. "They work a grid and don't leave that grid until everything is finished," he said.

Former Park & Tree Director Gordon Denney now heads the new department. His salary remains \$80,368. The reorganization also included the formation of the Capital Projects Management office, which **Hernandez** said put five full-time positions in charge of overseeing \$726 million in budgeted projects. That move was praised by Alderman Julian Miller recently when the council was given an update on the projects being funded by the voter-approved special purpose local option sales tax. Often-repeated concerns were raised about the time it has taken to complete some projects, and Miller noted that the department was created to address the issue. "This is one of those things going on behind the scenes that the public won't see that is really going to make a big difference," Miller said.

#### Staffing impacts

The restructuring came after the city imposed a hiring freeze upon **Hernandez's** arrival in October 2016, and at his direction only critical positions were filled for more than a year in anticipation of the changes. Almost 100 positions ended up being eliminated as part of the process, with about 40 of those vacant. Dozens of new positions were added, however, and impacted employees were given the opportunity to apply for those jobs. "In certain instances we were very lean in operations, and I think that was hurting us," **Hernandez** said. Seven employees ended up not being placed either because there was nothing available or they did not accept the position offered, according to city officials. And after the city council voted to add 24 new positions to the police department this year, there ended up being a total net reduction of one position, **Hernandez** said.

Not all employees' pay went up after getting a new position. One former assistant city manager,

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*(Articles are in reverse chronological order)*

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Peter Shonka, ended up having his pay reduced by \$15,624 to \$140,619 after he became head of a new arena development district office - the office focused exclusively on developing the new arena and stimulating private and public investment in the surrounding redevelopment area. Such pay reductions were unfortunate, but in some cases could not be avoided, **Hernandez** said. "There may have been several, although not widespread, due to reduction in responsibilities," he said. A number of other staffers retained the same salary, while taking on new roles. Bridget Lidy, former Tourism and Ambassadorship director, was hired as the new Planning and Urban Design director after her department was eliminated. Her salary remains \$85,703.

And Bret Bell, newly titled assistant to the city manager rather than deputy assistant, is now charged with handling legislative priorities, preparing the council's agenda, and working to ensure residents' concerns brought to the attention of aldermen are addressed. His salary remains \$107,205. In addition, former Economic Development Department Director Manuel Dominguez's salary of \$80,368 was left unchanged after he became head of what is now the Office of Business Opportunity, which is responsible for administering and coordinating the city's economic and small business development program. After being delayed for about two months as they attempted to find suitable jobs for all of the impacted employees, the reorganization became effective Feb. 1, said **Hernandez**, whose salary remains \$238,000. "One thing I want to stress to folks is patience," he said. "We just put this new organizational alignment into play."

Savannah Morning News (GA)  
December 30, 2017

**City Manager Talks ‘Funkification,’ Ferris Wheels in Savannah**  
**Opinions Expressed on Preserving Historic Structures Modernizing Others**

Author: *Eric Curl*

A modern looking arena could be in play, but a proposed Ferris wheel on River Street is out of bounds. City Manager **Rob Hernandez** recently shared his thoughts on architecture, historic preservation and development in Savannah, as the guest speaker at the Historic District Board of Review's recent retreat. During the hour-long discussion earlier this month, **Hernandez** also took time to describe one of his architectural "pet peeves." "I hate red brick," **Hernandez** said. "We seem to have this tremendous love affair with red brick." He said he would like the new arena the city plans to build west of the Historic District to have a more modern look, perhaps with stainless steel and glass, while still paying homage to history. "But it doesn't have to be rooted in red brick," he said.

The arena site is outside the board's jurisdiction, but Chairman Stephen Merriman Jr. later said he is not necessarily opposed to a more modern looking building being built at the site. "I would be more opposed to build an arena that appears like it was built in the 1850s," Merriman said. "It gives a false sense of history." **Hernandez** also made it clear that he believes City Hall is no longer an efficient place for himself and other city staffers to work or for the Savannah City Council to hold their meetings. He talked about his plan to build a modern municipal complex in order to consolidate the city's workforce, while possibly converting City Hall into a "working museum" where the mayor and aldermen could have offices. "We're going to preserve City Hall," **Hernandez** said. "We have to preserve it, but the day-to-day stuff can go somewhere else." The 111-year-old building is in serious need of repairs, and funds for the structure's restoration will need to be raised, possibly by including the project in the 2019 special purpose local option sales tax referendum, he said.

**Hernandez** got some pushback from board members when he said he was considering replacing City Hall's deteriorating wooden windows with modern faux-wood frames to make them more efficient and hurricane-resistant. Board members were concerned the move would ruin the building's historic integrity and lead to private developers also wanting to bypass ordinance requirements. They suggested the city install exterior wood windows with interior storm windows to achieve the results he is seeking. Otherwise, the historic protections in place would crumble, Merriman said. "That's one of the biggest things Savannah has going for it, is our ordinance," he said. There are some buildings that seem ripe for "funkification," such as the old East Side Theater on the corner of East Broad and East Gwinnett streets, **Hernandez** said.

The historic theater with the words "Hungry World" across the old marquee has sat vacant for decades. "Not to be disrespectful of its character, but you can do cool things with it," **Hernandez** said. "That building has a lot of potential." In a similar vein, he would like to "funkify" Martin Luther King Jr. Boulevard around the Interstate 16 flyover, which he considers an eyesore. There have been plans proposed to demolish the ramp into downtown, but **Hernandez** said he does not

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see the structure going anywhere anytime soon. But the city is too busy trying to put out daily fires and has little time to be creative, **Hernandez** said. "You're the folks that need to come up with those ideas and we'll support it when we can," he said. **Hernandez** also made it clear that some proposals will not fly as the city tries to balance the demands of tourism with preservation efforts and residential needs. Board members thanked him after **Hernandez** said he and the city council recently rejected a request to install a Ferris wheel on River Street.

The 137-foot-tall observation wheel would have been installed on a city parking lot along the water between the Abercorn and Lincoln street ramps at an initial rate of \$17,000 a month, under the lease agreement proposed by Missouri-based SkyStar Wheel. "When I looked at that request, I said no way," **Hernandez** said. **Hernandez**, who previously worked as the deputy county administrator of Broward County, Fla., became Savannah's city manager in October 2016.



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**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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Savannah Morning News (GA)  
December 1, 2017

**City Considers Budget Cuts, Fees to Cover its Shortfall**  
**Hernandez: \$187 Million Proposal a Starting Point**

Author: *Eric Curl*

Savannah staffers are proposing a variety of revenue generating options and expense cuts for the 2018 budget to determine whether the Savannah City Council wants to implement service enhancements or reductions in the face of projected funding shortfalls. The preliminary spending plan presented during the first day of a two-day budget retreat on Thursday amounts to a "bare bones, no frills and somewhat painful" general fund budget of \$187 million that includes almost \$13 million in cuts to personnel, services and capital project investment, said City Manager **Rob Hernandez**. "It's not even a recommended budget or a proposed budget," **Hernandez** said. "It's just a starting point for our conversation."

The second budget option of almost \$200 million would sustain existing services, as well provide funding for performance-based wage increases and increase reserve funds for unforeseen expenses. The third spending plan would be an "enhanced budget" of about \$213 million to cover expenses related to council priorities, such as additional police officers recommended by a consultant to improve emergency response times. Among the funding options staff presented was a proposed fee charged to all properties to cover the cost of fire department services and eliminate that department's dependence on tax revenue. Implementing a fee to cover the full cost of fire services would amount to \$370 per household and raise an estimated \$31.5 million, according to the budget report.

A consultant, Ecological Planning Group, also presented reduced rates as an option that would cover between 50 percent and 75 percent of fire service costs and raise about \$15.7 million to \$23.6 million. Property tax increases and decreases of between half a mill and two mills were also proposed, with revenue impacts ranging between \$2.5 million and \$10 million. "Anything you decide today for this budget is going to play out and have an effect for the next few years," said Erick van Malssen, who was working with the fire fee consultant. A hardship fund to assist low-income property owners is now being considered as part of the fire fee proposal, if it is adopted.

Savannah Alderman Van Johnson said he is still concerned about the fee's impact since renters would not be eligible to receive payments from the fund, even if the fee's cost was passed onto them by landlords. But Alderman Julian Miller said rental rates are established by the market and he does not expect tenants to be adversely affected as a result of the fee. Alderman Tony Thomas said renters would be impacted, but that the more than 5,800 tax-exempt property owners benefiting from fire services need to contribute to those costs. "Those folks have got to participate," Thomas said. "It's going to be tough for some people, but some people have been riding this system for decades."

The \$12.7 million in spending cuts are being proposed, despite projected increases in property

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tax revenue and other tax revenue streams this year and next. The shortfall is due to a combination of factors, including an increase of tax exemptions, operating costs and growing debt payments related to property purchases, infrastructure improvements and public safety purchases, **Hernandez** said. "We have a lot of needs in the city that far exceed the revenues available to us," he said. A surplus of about \$3.8 million is actually anticipated for 2017, due to higher than projected tax growth and salary savings from a hiring freeze. Those funds are proposed to be used to offset a budgeted use of reserve funds for 2017 and help cover expenses related to hurricane damages and capital project overruns.

The city is also anticipating some employee payouts due to some officers joining the county police department, following the split of Savannah-Chatham police. Planned civilian staff cuts stemming from a government restructuring should only result in a "handful" of employees actually leaving the organization since those impacted will have the opportunity to fill other positions, **Hernandez** said. The second day of the budget retreat is scheduled to begin at 8:30 a.m. Friday. During the workshop staff will need the council to make a decision on what type of funding options or cuts they want to move ahead with, **Hernandez** said. "I have to get some clarification on what they want to do because I have to put together a final budget," he said.

Savannah Now – Savannah Morning News (GA)  
February 11, 2017

### **Poverty Persists in Savannah, Despite City Programs**

Author: *Eric Curl*

Austin Spell, 20, wants to be a pipe-fitter or EMT. That is why he was recently sitting in a classroom at the Moses Jackson Advancement Center, where he and six others were registering for a GED program put on by Savannah Tech. Spell said he was pulled out of school by his stepfather in eighth grade and he does not have the educational background he needs to meet his career goals. “I’m planning on getting my bachelor’s degree and see what I can make out of myself,” he said. The GED program is one of many programs at the city-supported advancement center that are meant to help Savannah residents find employment. Still, Savannah’s high poverty level persists. The percentage of Savannah’s population living below the poverty level was almost 27 percent in 2015 — up from almost 22 percent in 2000, according to the US Census Bureau’s American Community Survey. The increase occurred as the city invested \$2.7 million in general funds in anti-poverty programs between 2011 and 2016, including \$642,600 to support the advancement center, according to a recent report presented by city staffers. During that time, another \$1.1 million was spent supporting Step Up Savannah’s job training and anti-poverty initiatives, and \$981,304 went toward various social service agencies.

About a million dollars in federal funds supported the advancement center and social services offered by America’s Second Harvest of Coastal Georgia, Union Mission and Lutheran Services of Coastal Georgia. Taffanye Young, Community and Economic Development Bureau chief, recently attributed the increased poverty rate to the recession when she presented the report to the Savannah City Council during an economic mobility workshop. “You had a lot of jobs that were lost,” Young said. “A lot of people with higher incomes and higher skills ended up taking some of the lower skilled jobs.” And job training is no “magic bullet” when residents have child care, transportation, substance abuse and criminal background issues to deal with, Young said. Only 17 percent of the 507 individuals who received job training through the city-funded programs since 2011 ended up becoming employed, according to the staff report. Those type of results are not satisfactory, City Manager **Rob Hernandez** told the council. “We may have to do something entirely different with some of these populations that have drastic barriers,” **Hernandez** said.

#### Hospitality programs

Other programs have fared better, however. The US Department of Labor’s Workforce Innovation and Opportunity Act only employed 34 percent of the 1,256 Chatham County participants since 2011, although many of those participants are still engaged in the program, according to the staff report. And since 2014, 316 adults received job training through the Step Up’s Chatham Apprentice Program, with 59 percent becoming employed. Another 159 jobs have been created or retained since 2011 for low- to moderate-income residents through a city-supported loan program administered by the Small Business Assistance Corporation. Goodwill of Southeast Georgia is helping residents find work with the launch this year of a hospitality training program at the advancement center. Rashena Platt, one of the six-week program’s

**Internet – Newspaper Archives Searches**  
**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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participants, said that after three months of being unemployed, the program helped “get her foot in the door” and find a job as a housekeeper.

Whether hospitality-based jobs will help Savannah reduce the poverty rate has been a matter of local debate. The growing number of hotels has drawn some criticism from residents, who are concerned about the city becoming too dependent on what they contend are low paying jobs. But Borish Jenkins, a Goodwill Career Center assistant who conducts the training course, said the hospitality industry does offer opportunities for advancement and better pay. Hotel employees, for instance, can start as a housekeeper, go to front desk, then become a supervisor and from supervisor become a general manager, said Jenkins, a former hotel employee himself. “I know it can be lucrative,” he said. And some hotels, such as developer Richard Kessler’s Plant Riverside \$270 million hotel project being built along West River Street, are going to be offering higher pay, Jenkins said.

The Plant Riverside project is located in a state opportunity zone, which makes Kessler eligible for job tax credits for providing employment in an impoverished area. The hotel is supposed to create 700 full-time permanent positions with benefits, including health insurance, and Kessler is required to pay at least \$10.25 as part of the tax credit agreement, but he has said beginning wages could reach as high as \$15 an hour. As for Platt’s plans, she said she plans on working her way up to be a manager. “You always have an opportunity for advancement,” she said. “So just take your time and move up.”

**‘Outside the box’**

City staffers said that they plan on improving coordination among service providers, identify new revenue sources, aggressively promote programs, and think “outside the box” to reduce the poverty rate and provide more employment opportunities. Young said that the city may want to try to re-implement a partnership with a local church that had retirees provide training, such as brick laying, for residents seeking job skills. Staff is also working on a proposal that will hopefully address some of the hard to hire issues with respect to city contracts and city employment, **Hernandez** said.

<https://www.wsav.com/news/savannahs-city-manager-on-his-first-3-weeks/>

Nov 9, 2016

### **Savannah's City Manager on His First 3 Weeks**

by: Andrew Davis

He was the choice of the council to lead the city of Savannah. In just three weeks on the job, City Manager **Rob Hernandez** has already been through a hurricane and multiple murders. But what does Savannah's City Manager think the next three weeks, months, even years may hold.

"Making decisions without having all the appropriate facts or knowing all the different facets of the community that could be dangerous," said **Hernandez**. That's why **Rob Hernandez** says he is in "listen, learn and observe" mode. Observing the community he now helps shape.

Shaping with a community and a staff he has already seen deal with a hurricane, and thrive under pressure. "The reverse would be that i'm here 6 months or a year and we would have a crisis and what would be going through my mind would be, well i don't know who I would rely on, I don't know how this team is going to perform, I now know that," explained the City Manager. He also knows is that crime in Savannah is a problem. "The community is very concerned about it, the community expects us to take proactive measures and we have," said **Hernandez**.

But the same community also may be too focused on each and every criminal act. "When we have an instance of crime that happens here it's unfortunate," explains **Hernandez**. "But it stands out more i think in the community mindset because it's out there its closer to them it gets publicized more in the city of Savannah." But he is not ready to rubber stamp the high cost of putting more officers on the streets. Stressing Fiscal responsibility, he hopes to find "progressive" ways to get police what they want in 2017. "My job is to balance all the competing needs in the community and to try to make a fiscally sound and operationally sound recommendation to the nine that eventually have to make the decisions," explained the City Manager.

The decisions about growth of our city is foremost on **Hernandez's** mind. "We can't afford to be as methodical as we have been in the past again because the world is moving at a breakneck speed, and we have to keep up with the world," said **Hernandez**. "Are we behind?" "I'm not saying we are behind. But we have to pick up the pace." Pace of life, and pace of drawing businesses to Savannah. "Make sure they know Savannah more than just a great place to visit. A great place to relocate your business," said **Hernandez**. "Oh and by the way they have a really great local government as well."

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**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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Sun Sentinel  
SEP 21, 2016

**Deputy Broward administrator leaving for Savannah**

By Brittany Wallman

The No. 2 official in Broward County government has resigned, after accepting a job in Georgia. Roberto "Rob" **Hernandez**, deputy county administrator, said in a letter to County Administrator Bertha Henry earlier this month that it was with "great sorrow" he submits his resignation.

**Hernandez** was responsible for a large portion of county government, and also brokered the deal with the Florida Panthers that increased the hockey club's public subsidy but helped ensure the team would stay. In a handwritten note on the resignation letter, he thanked Henry for mentoring him, and giving him "the tough tasks to take on, like the arena."

Besides the deputy position, Henry has two assistant county administrators, Monica Cepero and Alphonso Jefferson, and two assistants to the county administrator, Gretchen Cassini and Alan Cohen.

**Hernandez** has been the deputy in Coral Springs and in Atlanta's Fulton County. But he said his professional goal was to be in the top position. "I'm not getting any younger and the years are just flying by, so this was the right time and the right community," the 50-year-old **Hernandez** said in an email recently. "I did not want to take any city manager or county manager job just for the sake of it, unless the community was right. Savannah is a nice town with lots of positive attributes and challenges, too." **Hernandez's** resignation is effective Oct. 9.

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WTOC 11 (GA)  
August 11, 2016

**City of Savannah Names Roberto Hernandez as Sole Finalist for City Manager**

Author: *Sean Evans*

The City of Savannah held a news conference on Thursday to discuss updates in the search for the new city manager. After a nationwide search, and in a unanimous consensus and recommendation, **Roberto Hernandez**, deputy county administrator of Broward County, Florida, has been named the sole finalist for the position of City Manager of Savannah. Choosing **Hernandez** was a unanimous decision by city council members, and **Hernandez** has accepted the offer pending contractual negotiations according to Mayor Eddie DeLoach. DeLoach said **Hernandez's** hands-on approach, experience in government and energy are some of the qualities that separated him from the other candidates.

According to the Broward County Government website:

**Hernandez** is an ICMA-Credentialed Manager with more than twenty years of progressive and responsible local government management experience. He re-joined Broward County in July 2013 as Deputy County Administrator. Previously, he served as Deputy City Manager for the City of Coral Springs overseeing various city functions as well as the city's community redevelopment agency. Prior to Coral Springs, he served as Deputy County Manager for Fulton County, Ga., where he oversaw public safety agencies, unincorporated area services, the Office of the Child Attorney, offender reentry program, and coordinated with the County's constitutional and judicial agencies. He previously served Broward County in a variety of capacities from 1994 through 2008, including serving as an Assistant to the County Administrator from November 2003 to June 2008. **Rob** retired from the U.S. Army Reserves in 2008 after a 23-year career, most recently serving as a senior instructor in civil-military operations.

**Hernandez** was a finalist for two other jobs previously. He was a finalist for the El Paso County, TX County Administrator position earlier this year, and was a finalist for the Delray Beach City Manager position in 2014. **Hernandez** talked about the advantages the region presents, with the ports, travel opportunities with Savannah-Hilton Head International Airport and the proximity to the beach and overall rich history, as well as the military presence. "I was very impressed by the passion from the city council in terms of what they see happening in the city over time, and their strong dedication to the community. That really, that really sold me," said **Hernandez**. While in Fulton County, **Hernandez** oversaw multiple departments including police, fire and rescue and also served as the county manager's liaison with judicial agencies.

Mayor DeLoach says he believes **Hernandez** could come in and start working right away with the police department and judicial services in Savannah to address crime. Alderwoman Carol Bell says she was impressed with how much **Mr. Hernandez** knew about the city and its operations already. So WTOC asked the front-runner what he's observed so far and hopes to achieve as the next city manager. "The need for continued re-investment in certain communities, a progressive strategy for bringing new investment for the community, for growing jobs. For

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fixing and updating the condition of the infrastructure. Those are the things that everybody goes through, it's very common. But that's certainly something that I'm going to have to tackle once I get there," said **Hernandez**. Savannah City Council members met on Wednesday to hear from the search committee about where they are on the final candidates up for the position. The council and search committee then met behind closed doors in an executive session.

Current City Manager Stephanie Cutter announced her retirement at the beginning of the year, setting into motion a nationwide search for her replacement. So, what exactly was the city looking for when they put out the posting for a new city manager? It's an important question given that at least the last two city managers were not what the respective city councils eventually wanted in the role. First of all, for those who forgot or perhaps never knew, ours is a Council/City manager form of government. Meaning while the council appoints a city manager, the city manager runs the city and some might argue, the city council itself.

First and foremost council was looking for a person who had worked with and understood the challenges of a diverse community, not just racially but economically. Someone who could bring new ideas for breaking the cycle of poverty among those living in certain neglected parts of Savannah. And, of course, someone who bring new ideas to the table when it comes to fighting violent crime, in particular, gun violence. Here's an interesting role they want this person to fill: possible ax-man. Council, at least the newest members, want this new city manager to review city government top to bottom and start cutting if Savannah's City Hall has gotten too big, and taxpayers are paying too much for something that could be done with fewer people and resources.

For filling this role, our new city manager will receive the city's benefits package and a salary between \$210,000 and \$300,000. That's yet to be negotiated if **Roberto Hernandez** is our man. We mention briefly where this candidate has been and what positions he's held in the past. You may be thinking of all his deputy roles that this guy has always been the groomsman and never the groom. And **Hernandez** anticipated that issue in his actual resume' saying, "...I've resisted the temptation to 'chase' city manager positions solely for the sake of becoming a city manager at any cost. Instead, I've judiciously and patiently served in deputy roles in great organizations and exceptional communities."

**Hernandez** considers himself a pretty simply, straight-forward guy. He says his management style is fluid. It adapts to the specific situation. Not that we're looking yet, but **Hernandez** will tell you he is clean. This is what he told recruiters before tossing his hat in the ring: "...There is 'no dirt' on me. I live a clean, simple life, prefer to tell things as I see it, and sleep well at night." We will continue to follow those negotiations and let you know exactly what the city decides when it comes to salary, contract length, start time and other allowances.



Tribune Content Agency News Service (USA)  
May 20, 2016

## **Is Broward ready for a hurricane hit? Drill shows how rescue would work**

Author: *David Fleshler*

May 20--After raking the Florida Keys and Miami-Dade County, Hurricane Kimo reached Miramar as a lethal Category 3 storm, with sustained winds of 129 mph, and tore a diagonal corridor to Deerfield Beach. The slow-moving storm bore into the county for seven hours. A tornado struck Pembroke Pines, Cooper City, Davie and Fort Lauderdale. An eight-foot storm surge trapped people on barrier islands. With cell towers damaged, many smart phones became useless. This was the scenario Thursday as Broward County conducted a full-scale hurricane drill at the Emergency Operations Center in Plantation to prepare for the June 1 opening of hurricane season. About 300 people gathered on the operations center's vast open second floor to practice receiving calls for help, coordinating responses and dealing with the countless challenges of a natural disaster.

"We've got to get it right the first time," **Rob Hernandez**, deputy county administrator, told the group. "The public expects that we'll get it right the first time. We can't offer them excuses. There are no alibis, there are no mulligans." The scenario began seven hours after the all-clear, as the county lay damaged, darkened by power outages and full of a untold crises, with fatalities reported, residents trapped by floodwaters and many situations requiring immediate attention. Like much of contemporary life, the response to the crisis would be coordinated largely through a computer software program, in this case WebEOC 8.0, a crisis-management system developed by Intermedix Corp. of Fort Lauderdale.

As calls for help and reports of problems such as power outages came in, it was up to those in the room to route them to the right agency or issue the correct orders to deal with them. The group included representatives of law enforcement agencies, fire departments, the county government, Florida Power & Light Co., city governments, the Red Cross and many other organizations. A call to rescue four people trapped on a roof in Oakland Park was routed to the Broward Sheriff's Office, said Major Kevin Shults, who headed the Sheriff's Office group at the emergency operations center. But the law enforcement agency's helicopters didn't have the sort of basket-and-line system required for such an endeavor. They asked the Coast Guard to do it instead. A call for water came from Pompano Beach, where the storm damaged the treatment plant, reducing its output by half. Alan Garcia, director of the county's division of water and wastewater services, ordered emergency interconnects from a county water plant that would temporarily provide the city with sufficient water.

In the pressroom, public communications specialist Cindy Malin scrawled occasional updates on a white board: "Flooding and tornado damage throughout county. Exact location TBD." "Drones being used to assess damage." As the various reports, crises and calls for help came in, evaluators in green vests observed the work in each area. They will prepare written reports. The Red Cross, which operates shelters, faced a crisis when 2,500 people showed up at a Coconut Creek shelter that was already full. The issue was "escalated" to a high-ranking group of

**Internet – Newspaper Archives Searches**  
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*(Articles are in reverse chronological order)*

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decision-makers, who authorized the opening of an additional shelter. "The exercise is to test our abilities to collaborate, communicate and respond," said Roberto Baltodano, the Red Cross' regional communications manager. "These are things that could happen during a real hurricane. We've had these hurricane scenarios." The county has not seen a direct hit from a hurricane since Wilma in 2005. "It's been 11 years since we had one," County Mayor Marty Kiar said to the group before the drill began. "Hopefully this will be another year that we're hurricane-free. But eventually we're going to get hit."

South Florida Sun Sentinel (FL)  
Dec 8, 2015

### **Deal helps Panthers, helps Broward more**

The Broward County Commission should approve a new agreement today with the Florida Panthers because the deal would better protect the public's investment in the BB&T Center. One can argue persuasively the county was wrong to make that investment of tourist tax revenue 20 years ago, when the Panthers wanted out of the old Miami Arena. A National Hockey League team draws fewer tourists than Broward's beaches and the convention center. The county, however, can't back out of that commitment. With that in mind, county administrators make their more persuasive case for the front-loaded \$86 million deal that would run through 2028.

One argument against the deal is the public shouldn't subsidize the rich owners of the Panthers. Deputy County Administrator **Roberto Hernandez** responds that the money -- none of it property tax revenue -- would go toward the arena, not the Panthers. The team owners also run the company that manages the BB&T Center. They would have to spend the \$86 million on improving, operating and promoting the arena, of which the team is the main tenant. The county would have to sign off on the improvements. The team also would continue to pay \$5.3 million per year toward the arena's debt, which will be paid off in 2028. So the county's investment would go to the county's facility.

The other main argument against the deal is the county should spend the money on projects that better play to Broward's tourism strengths -- such as beaches. Two other key priorities are an expanded convention center and a convention center hotel. The arena is far from the county's major tourism hubs. **Hernandez** acknowledged, "We are very sensitive to that." He believes, however, the county can "meet all of our obligations" regarding tourism promotion, especially beach renourishment. County officials, **Hernandez** said, routinely have made conservative estimates of 3 percent for increases in tourist tax revenue. In fact, annual increases have been more like 5 percent.

The county has put much of that balance in reserve, **Hernandez** said. A recent study of the tourist tax questioned the amount of money held in reserve. Doing so, **Hernandez** said, means the county can use that money for one-time projects like beach renourishment and still pay the recurring expenses of the Panthers deal. Part of this story is the coming debate over raising the tourist tax from 5 percent to 6 percent, even though none of that potential revenue is part of the Panthers deal. It is generally agreed money from the sixth cent would go toward convention center expansion.

**Hernandez** said the county is waiting for bids on the expansion. When administrators have an idea of the cost, the county will start discussions on raising the tax. Miami-Dade and Palm Beach counties have raised their tourist taxes to 6 percent. +The deal would cut the county in for a share of profits if the money-losing Panthers became big winners on the ice and financially. The arena would have a better chance of getting an all-star game, and the team would continue to help youth hockey in Broward. All are nice points, but the focus of the deal, correctly, would remain

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on the BB&T Center. The healthier it is, the better for the county. Losing the Panthers would mean losing 40 dates, and the BB&T Center has lots of regional competitors. So the arena is healthier with the Panthers, and with the team having a better chance to succeed.

Having studied the financials, **Hernandez** said, "We came to the conclusion that it would cost the county almost as much if the team stayed as if the team left. It's almost an economic wash. So if we would pay with or without them, it's better to have them." The deal would allow the Panthers to leave after eight years, but the team would have to repay the \$72 million in tourist tax revenue it had received. If the team left after eight years, the county would have enough money to repay the arena debt. As long as the Panthers stay, **Hernandez** said, "We transfer a lot of the responsibility to the team." The county also would get development rights to land around the arena. One other point in the deal is worth noting. Two decades ago, the county committed to spending two cents of tourist tax revenue on the arena. The county hasn't met that obligation. Under the deal, **Hernandez** said, the Panthers would drop all claims to any unspent money. There might be emotional reasons to reject the Panthers deal. There are better business reasons to approve it.

Capital Gazette (PA)  
March 3, 2015

### **Broward Commission Brainstorms Ways to Help Struggling Center Pocket of County**

Author: *Brittany Wallman*

In the heart of Broward County is a zone of economic depression that even the most dramatic real estate boom didn't lift out of poverty. The unincorporated neighborhoods in the 33311 zip code — roughly between Interstate 95 and U.S. 441, north of Broward Boulevard — were left behind by the cities around them. No city will take them. County commissioners are their only local government. Commissioners met Tuesday to talk about the central county community — four mostly African-American neighborhoods of about 7,000 people — and agree on a host of small efforts to help. Only \$4.8 million is allotted for economic development there — a sliver of the county's overall \$4.1 billion budget. County Commissioner Dale Holness, the area's only direct local representative, said it's the first economic development money the county has spent there since the 1980s. About \$30 million has been spent on improvements of roadways, bus shelters, drainage and the like. The moves commissioners endorsed Tuesday are hardly dramatic: Relocating a Boys and Girls Club to Delevoe Park, continuing building homes on 144 lots the county owns, working with small businesses to improve properties by offering loans or grants, giving a makeover to some of the roadways, improving parks, and banking land for future redevelopment. No one promised an immediate turnaround. "It doesn't happen overnight," county Economic Development Director Sandy-Michael McDonald warned. But county leaders said they support a renewed focus. "I'm glad to see we're moving forward with some planning," Holness said, "because the community desperately needs it." While the rest of Broward enjoys a rebound from the Great Recession, with three years now of positive economic growth, the central county zone remains stagnant. "These communities look to us to guide them along the way to economic prosperity in their neighborhoods," Deputy County Administrator **Rob Hernandez** said.

Joblessness is down to about 5 percent countywide. But in Central Broward, it ranges from 21 percent in Boulevard Gardens, to 22 percent in Roosevelt Gardens, to 32 percent in Washington Park, to an astounding 44 percent in Franklin Park. Holness said many residents there lack transportation and job skills, and some have criminal backgrounds — all obstacles to employment. Countywide, the median household income is \$51,251. In the central county area, it's significantly lower, at \$33,432, Assistant County Administrator Alphonso Jefferson said. Crime is down there, county officials said. Still, the number of rapes, burglaries, car thefts and assaults are relatively high in such a small area, county leaders said, and residents complain they regularly witness drug deals and prostitution, as well as assaults. Broward County Administrator Bertha Henry said she would begin implementing the economic development ideas discussed Tuesday. McDonald said he hoped to leverage the money to spark private investment from business owners. Each project will return to a County Commission agenda for approvals. Across downtown, at the Fort Lauderdale City Commission, Commissioner Robert McKinzie asked that the city take another look at annexing the unincorporated areas. The city will move in that direction.

Broward New Times (FL)  
March 18, 2014

**Florida Panthers Asking for Public Money, but Proposal Seems to Benefit Only the Team**

Author: *Chris Joseph*

Looks like the Florida Panthers' latest proposal to Broward County has altered language that would basically screw over the county while they make the big dough, according to a rundown of the proposal by the Sun Sentinel. The first proposal the Panthers made at the beginning of the year had asked the county for something around \$70 million, claiming that they had been losing \$20 million and that they need public funds to keep from being dissolved from the NHL. This latest proposal asks for \$80 million or more. The Panthers also want to develop 22 acres north of the BB&T Center for a casino-hotel that the county is also supposed to pay for. The Panthers turned over the 57-page proposal to Broward County commissioners and, according to the Sentinel's findings, it boils down to more money for the team while the county gets the shaft. Those wishes are not far off from when the team asked for county money originally back in January. The team's original proposal included taking \$4.5 million of its annual payment off the books and having it picked up by Broward County. The team also asked the county to contribute \$500,000 a year toward maintenance.

The latest proposal says the Panthers need a hotel-tax subsidy package worth \$80 million over the next 14 years to keep them from losing money. But the overall deal would seem to benefit only the Panthers. "As currently written in their proposal," Deputy County Administrator **Rob Hernandez** told the Sun-Sentinel, "it would definitely have an impact on our ability to share in any of the profits." County officials say they won't support the proposal without a better return for Broward's taxpayers. Back in September, the Panthers were bought for \$240 million by Cliff Viner and Sunrise Sports & Entertainment to a group led by New York businessman Vincent Viola. The Panthers have had an operating loss of \$12 million for the 2011-12 season and were worth \$170 million, according to Forbes. As for Panther and hockey fans' reaction to this, they took to Twitter with the usual vitriol.

**Internet – Newspaper Archives Searches**  
**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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US Fed News (USA)  
August 11, 2013

**Broward County Names New Deputy County Administrator**

Author: *Staff*

Broward County has issued the following news release:

Broward County Administrator Bertha Henry has announced the appointment of **Roberto "Rob" Hernandez** as the new Deputy County Administrator. **Hernandez** is an experienced public servant who served as deputy county manager for Fulton County, Georgia, and most recently as deputy city manager for Coral Springs in Broward County. He is returning to County Government, where he first began serving the County in 1994 and most recently served as an assistant to the county administrator from 2003 to 2008. As deputy county administrator, **Hernandez** will assist the administrator in managing the day-to-day operations of the County, and oversee the activities of several large departments, including Public Works, Human Services and Environmental Protection and Growth Management, as well as the Parks and Recreation, Libraries and Cultural divisions. Also reporting to **Hernandez** will be the Office of Economic and Small Business Development, Office of Public Communications, Office of Intergovernmental Affairs and Professional Standards, and the Office of the Medical Examiner and Trauma Services.

Henry said, "We are excited to have **Rob** back with Broward County. He has dedicated much of his professional life to public service and has a keen understanding of how county government programs and services help meet the needs of our residents, businesses and visitors. He will be a valuable asset to the County and the community." **Hernandez** has a bachelor's degree in public administration from Florida International University, and a master's degree in public administration from Nova Southeastern University. He is a graduate of the Broward Fire Academy and the U.S. Army John F. Kennedy Special Warfare Center and School. He retired from the U.S. Army Reserves in 2008 after a 23-year career, most recently serving as a senior instructor in civil-military operations.

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**Roberto Hernandez**  
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McClatchy-Tribune Regional News (USA)  
February 6, 2013

**Brief: Coral Springs Offers Incentive to Company**

Author: *Lisa J. Huriash*

Taxpayers will be handing over cash to a new business considering coming to town, although they don't know yet who is getting the check. City officials said the business, described as a "pharmaceutical manufacturing, research and development" company, is a coup for the city. The company is expected to bring 108 jobs and a new source of tax revenue to the city.

Dubbed "Project Rock Solid," the business will receive \$540,000 in state, county and city money in incentives through the state's qualified target industry tax refund program. In addition to the city's portion of \$54,000, city commissioners agreed Tuesday to allow \$825,000 in credits that would normally be paid for fees such as building permits.

"The bottom line is if we don't offer incentives, somebody else will," said **Rob Hernandez**, deputy city manager. "It's the cost of doing business." The company is allowed by state law to remain unknown to the public while it's in this process of receiving incentive money. **Hernandez** said the company asked to remain anonymous for competitive reasons.



McClatchy-Tribune Regional News (USA)  
December 13, 2012

### **Coral Springs to Consider building New City Hall**

Author: *Lisa J. Huriash*

City commissioners said Tuesday they were open to the idea of spending millions of dollars to construct a brand new City Hall. "To me, the short answer is yes," said Commissioner Claudette Bruck. "We should proceed and we should proceed now." City leaders must now decide if they really want the new building, where it will go and how to pay for the estimated \$25 million cost. It will eventually be a "financial decision," said Vice Mayor Tom Powers. "There's way too many questions." For about a year, former Mayor Roy Gold had proposed closing both City Hall buildings on the north and south sides of Sample Road to construct one large facility.

But while some commissioners had previously said the project could become unwieldy and too expensive and they doubted there would be public support, the majority now seem open to at least further discussion. Deputy City Manager **Rob Hernandez** said the 45-year-old building was "outdated and functionally obsolete." "You can go anywhere and hear conversations in the next office," he said. And, the current building is "not a source of civic pride." "That's depressing," Bruck said. **Hernandez** also said the current building is expensive to keep up, with \$1 million alone needed to retrofit the building to accommodate a new telephone system.

"If we're pouring money into a facility that is no longer worth pouring money into," the commission should consider a new building, said Commissioner Dan Daley. City Manager Erdal Donmez said the city staff will come back with "more refined numbers" in late January with the projected costs to build a new City Hall at various spots, which include the current location, Mullins Park, and the area envisioned to be built as a downtown.

Several South Florida cities have recently built new City Hall complexes. Doral earlier this year spent \$22 million on its new building and Wellington built its new building last year for \$10.5 million. In Coral Springs, officials said municipal bonds would be the best way to cover the expense Commissioner Larry Vignola said he has always opposed the plan and still does. "Is it a top priority to spend more than \$20 million on? Not in my opinion, and not in the opinion of the majority of our residents. I don't why we're still talking about this. I don't think now is the time for a project like that."

**Internet – Newspaper Archives Searches**  
**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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South Florida Sun Sentinel (FL)  
November 24, 2011

**Springs Gets New Deputy City Manager**

Author: *Arun Sivasankaran*

**Roberto Hernandez**, who has over 20 years of progressive and responsible local government management experience, has been appointed Coral Springs Deputy City Manager. "I look forward to leveraging **Rob's** operational expertise to continue delivering exceptional services to our community with the best possible level of service," City Manager Erdal Donmez said. Prior to joining Coral Springs, **Hernandez** was the Deputy County Manager for Fulton County since 2008. **Hernandez** also served as an Assistant to the County Administrator for Broward County. Before that, **Hernandez** served in a number of key roles with local government.

His professional experience includes key positions in public safety, housing and community development, and social services. In addition, his military service includes more than 23 years in the U.S. Army Reserves. He has held several leadership positions and has served on Active Duty in support of several military operations. **Hernandez** holds a Master of Public Administration degree from Nova Southeastern University and a Bachelor of Public Administration from Florida International University. **Hernandez** also obtained his certification in firefighting from the Broward Fire Academy.

The Atlanta Journal-Constitution (GA)  
May 25, 2011

## **Illegal Dumping**

### **Putting the Brakes on Tire Dumping**

#### **It's no Easy Task as Illegal Activity Stealthily Spreads Across State**

Author: *Ernie Suggs*

Over 10 days last fall, someone made three trips to the Arts Exchange and dumped more than 1,000 old, dirty tires onto the property. The location was ideal. Easy access off I-20 in southeast Atlanta. A dead-end road. A wide-open space. Across Georgia, there are hundreds of examples of illegal tire dumping such as this, on public and private lands, creating a problem that is as much health hazard as it is eyesore. Of 10 million scrap tires generated in the state annually, an estimated 1.5 million are discarded illegally, the Georgia Environmental Protection Division said. And Atlanta finds itself at the center of this rubberized abandonment, with its city council compelled this week to form a separate tire commission to combat the violators. The city annually deals with 450,000 scrap tires, nearly 70,000 of them dumped illegally, said Winthrop Brown, Georgia EPD program manager.

Not surprisingly, money is at the heart of this problem: Tire salvagers get paid to collect tires but many of them won't pay for recycling. So they dump the tires. Everywhere they can. "It is a very significant problem in the state, because of the expense and because these tires are breeding spots for mosquitoes and vectors," said Brown, noting that Newton County last year collected 67,000 dumped tires. "Dumping is bad in metro Atlanta because of the population, but dumping is increasing in rural areas because of the distance they have to travel to get rid of tires."

As part of his job, the EPD's Brown regulates how tires are disposed from car dealerships and tire shops, among others. Businesses must pay for a carrier to pick up truckloads of old tires. Otherwise, there is little concentrated enforcement. Tire dumping is a felony, but there are just five criminal cases currently pursued by the state, though several people previously have served prison time for this offense, Brown said. "If nobody calls it in, we have a hard time prosecuting," Brown said, adding there are only a few local jurisdictions, such as Columbus and Macon, that have their own laws on the books, though state regulations exist. In April, Atlanta Councilwoman Joyce Sheperd, who pushed for the tire commission, led a clean-up in District 12 in which 2,000 tossed tires were collected. In southeast Atlanta, she has overseen the retrieval of 4,711 tires this year, and more than 10,000 over the past five years.

Fulton County Deputy Manager **Rob Hernandez** said south Fulton has the same problem as Atlanta with illegal tire dumping and no ready solution. The county has considered putting a deposit price on used tires, similar to glass bottles, to encourage residents to take them to a landfill. "It's difficult to prosecute offenders unless they're caught in the act," **Hernandez** said, "and Fulton lacks the staff to try to trace tires back to suppliers and find out who they were sold to." Last summer, the Fulton County health department spent \$23,000 on a tire drive that netted 2,100 tires. The public works department pays \$50,000 per year to dispose of old tires. "This has been a real problem for us," said Cheryl Odeleye of the Arts Exchange, surveying the endless

**Internet – Newspaper Archives Searches**  
**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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and unwanted black mountain left near the center. "It is a health hazard. And it is a morale downer for someone to come in and be so disrespectful to us."

Piles of old tires don't necessarily present toxic health issues, rather they serve as nesting places for rats, snakes and mosquitoes, little consolation to those left with this mess. Across metro Atlanta, jurisdictions vary in how to deal with dump sites. DeKalb County officials said they defer to state law in dealing with tire dumping. In Clayton County, illegal dumping can land someone in jail for six months. Cobb County claimed it hasn't had much of an issue with discarded tires, outside of a few isolated incidents. "What a lot of people don't understand is that there are a lot of expenses involved in tire disposal," Dewey Grantham of Liberty Tire Recycling said.

If operating lawfully, a carrier takes used tires to a recycler, where in Georgia there is a 90 percent chance these tires will be converted to fuel. A carrier typically charges \$2 per tire, but has to pay the recycler \$1 for each, cutting into the profit. An illegal carrier might charge \$1.50 per tire on pick-ups, bypass the recycler and leave the tires at an isolated place like the Arts Exchange. There also have been cases in which people have rented trucks and abandoned them filled with old tires. Bolder criminals have stocked empty warehouses with worn tires. The state lacks funding to properly monitor tire disposal. For every new tire larger than 12 inches and sold in Georgia, a consumer pays a \$1 fee, which was supposed to go to a solid waste fund. Yet for two years, state lawmakers have diverted the funds elsewhere, covering other needs. Limited state spending also has resulted in fewer inspectors, making it harder to monitor and clean up tire dump sites.

The Arts Exchange, even with more than 1,000 tires, had what was considered a small clean-up. Liberty Tire Recycling volunteered to remove the tires, employing four workers. The tires were loaded in less than two hours. Grantham said his company processes 25,000 tires daily. "What is unfortunate is that illegal tire dumping gives tire recycling a bad name," Grantham said.

#### Tire disposal

Number of scrap tires generated in Georgia annually: 10 million

Number of those that are disposed of illegally: 1.5 million

Fulton public works department's expense each year for tire disposal: \$50,000

State fee charged on each new tire larger than 12 inches that is supposed to fund a solid waste fund, but has been diverted for the past two years for other purposes: \$1

The Atlanta Journal-Constitution (GA)  
May 16, 2011

## **Your Tax Dollars**

### **Grumbling Greet's Amphitheater**

#### **Supporters See Boon for South Fulton; Opponents Question Use of Funds**

Author: *Johnny Edwards*

South Fulton has a lot to brag about these days. After last week's announcement that Porsche would leave Sandy Springs to build its North American headquarters near Hapeville, Fulton County officials will open the new 5,200-seat Wolf Creek Amphitheater. Supporters are counting on the venue becoming another Chastain Park, a regional draw where picnicking music fans take in classy, intimate concerts. Fulton County Commissioner William "Bill" Edwards, who has championed the \$6.1 million project for the past decade, predicts it will draw the spending power of concertgoers from throughout the metro area to nearby stores and restaurants, bolstering a local economy hit hard by the recession.

But the amphitheater is a sore subject for north Fulton residents who say it's another case of the county government using their tax money for projects that don't benefit them. State Rep. Lynne Riley, R-Johns Creek, who opposed the amphitheater when she was a Fulton commissioner, said the \$6.1 million shouldn't have come from the county's general fund. "Every citizen of Fulton County, regardless of where they live, top to bottom, is underwriting the cost of operating that facility," she said, "whether it's a gain or a loss."

Edwards said south Fulton residents pay county taxes, too. "South Fulton needs to be able to live, work and play right where they are," he said. Business owners between the amphitheater, which is off Camp Creek Parkway, and I-285 expect a boost. Anwar Noorali, owner of Camp Creek World of Beverage, predicts a 15 percent to 20 percent increase in business on concert days from wine shoppers. "Any economic activity, and concerts that bring in a lot of people, will definitely be good for the local economy," Noorali said.

But some point to the location -- in the flight path of the world's busiest airport -- as an issue. Michael Fitzgerald, a Johns Creek resident and member of the Milton County Legislative Advisory Committee, said he can't fathom making a 45-mile drive to attend a show there, not with the constant roar of jet planes overhead. "One of the problems with Fulton County is it's too big, and that's a long way," he said.

The Wolf Creek Amphitheater has stirred tensions along the way. When the construction contract was approved in 2008, Riley and Commissioner Tom Lowe were outvoted 4-2. Riley contended that figures from a 2005 feasibility study -- which predicted the amphitheater would be profitable after three years -- needed to be updated. Edwards fired back that she and Lowe were trying to sabotage a revenue-generating project that south Fulton wanted. Edwards also brought up that the county spent \$1 million on Alpharetta's Verizon Wireless Amphitheatre, which was privately built. The county's contribution came through a trade-off for north Fulton not having garbage service at the time. Gary Bongiovanni, editor-in-chief of Pollstar Magazine,

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*(Articles are in reverse chronological order)*

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said a 5,200-seat venue will have a tough time up against the 6,500-seat Chastain Park in Buckhead, the 12,000-seat Verizon amphitheater, and the 19,000-seat Aaron's Amphitheatre at Lakewood in southeast Atlanta. The proximity to Hartsfield-Jackson International Airport won't help, Bongiovanni said. "Especially if you're talking about doing any acoustic acts," he said.

Fulton County Arts Council interim Director Michael Simanga, whose department will run the amphitheater, said he isn't worried about planes. Before construction began, the county held free concerts at the site, including Atlanta Symphony Orchestra performances. "You can't really hear it, once the music is playing," Simanga said. Grammy-winning soul/R&B singer India Arie will perform a free concert June 4 for the grand opening. No shows have been booked after that, he said, though he's in negotiations for some. Riley questions whether Wolf Creek will cover its operating costs.

The county doesn't have a detailed operating budget yet. Deputy County Manager **Rob Hernandez** said planners didn't expect the facility to be finished this soon, so the upcoming concert season will be something of a trial run, with 10 shows at the most. The plan is to recoup costs through concert bookings, and the County Commission has approved a fee schedule. Expenses should be limited to electricity, water, janitorial maintenance and groundskeeping, like any public park, **Hernandez** said.

Wolf Creek was the shooting venue for the 1996 Olympics, and it currently houses a police training center. A new library is in the works, and other plans include a sports complex, walking trails, horse trails, and an arts, cultural and events center, which also could generate revenue through bookings, Edwards said. Alre Alston, owner of the Ultimate Bar and Grille in Camp Creek Pointe shopping center, expects the amphitheater to bring him customers before and after shows. "I think it will be a good thing, as long as they bring in the quality clientele, not the rough clientele," he said.

Edwards said the county won't allow hard-core rap acts. He's looking for shows that appeal to south Fulton residents, citing performers that played free concerts -- R&B groups such as the Manhattans, the Spinners, the Dells and the O'Jays. However, he said, north Fulton residents are welcome to book shows, too. The amphitheater also can be used for church functions and graduations. On a recent visit, Edwards showed off the massive stage, the pristine dressing rooms for stars and the 4 feet of legroom between the rows of seats. He said he has no doubt the project will pay for itself. "It isn't about being sustaining," Edwards said. "Let me tell you what we want to pay: lights and water. This is for the people, for people to come out here and have a good time."

The Atlanta Journal-Constitution (GA)  
January 22, 2011

**Fulton Hikes Club Fees Despite Suit**  
**Judge Declared Adult Ordinance Invalid after Free Speech Dispute**  
**Strip Joints' Attorneys Debating Next Step**

Author: *Johnny Edwards*

Fulton County will raise fees on strip clubs by hundreds of dollars this year and double them for nude dancers, even though the county remains locked in litigation over the fees after a federal judge recently declared the adult entertainment ordinance unconstitutional. With no discussion, the commission voted 5-1 this week to raise a list of fees on businesses and residents in unincorporated south Fulton expected to generate an extra \$303,601 per year. Amid new and increased rates for false alarms, fire safety inspections, escort services and door-to-door salesmen were several license and permit hikes on the county's three nude bars off Fulton Industrial Boulevard.

Attorneys for the clubs say they are considering what to do: whether to seek an injunction or pay the fees and hope to recoup them as damages. "I don't know what right they have to increase them when the case is still being litigated," said Jim Cline, who represents Riley's Showbar. "I guess they can do whatever they want. I guess we can argue about it when we get to the end." **Rob Hernandez**, the deputy county manager for the South Fulton Special Services District, said the county attorney advised officials that since the lawsuit is still pending, Fulton is justified in raising the fees. If a club refuses to pay, it could have its license revoked and would face closure, he said. "There was an injunction ordered on certain aspects of the ordinance, but not all aspects of the ordinance," **Hernandez** said.

County Attorney R. David Ware did not return messages from The Atlanta Journal-Constitution inquiring about the issue. The judge's ruling arose from a First Amendment lawsuit filed by a group of clubs in 2001 that challenged the county's revved-up regulation of nude dancing as a prior restraint on free speech, part of a larger battle being waged throughout metro in both state and federal courts. The clubs won the 2001 case in U.S. District Court. It was reversed on appeal, and then it was sent back to District Court. In November 2010, Senior U.S. District Judge Robert Vining ruled that the code illegally put the clubs through a bureaucratic wringer, making them wait indefinitely for approval from police, fire and building departments. While Vining withheld judgment on whether the fees were too high, he did say that if sections of the ordinance don't hold up, none of it can stand. "Judge Vining has said that we don't have an ordinance," Cline said. "Unless they appeal, then there's no ordinance unless they go back and pass one."

But starting Feb. 1, the county will raise the cost of an adult entertainment license from \$6,000 to \$6,400 and annual license renewal from \$4,000 to \$4,300. Employee permits will rise from \$300 to \$325, permit renewals from \$50 to \$100, employee background checks from \$50 to \$55 and fire inspections from \$30 to \$75. The increases are expected to generate an additional \$11,590 per year. Cary Wiggins, an attorney for Fannie's Cabaret, said that since nude dancing is protected speech, a county's licensing fees can be no more than the cost of regulation. He said

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**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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there is no evidence that nude bars cause any more problems for police than regular bars, and he doesn't see how Fulton can charge \$4,000 to renew a license, much less \$4,300. "I'm just unaware of any evidence justifying a rate hike," Wiggins said.

The third club off Fulton Industrial, Club Babe's, isn't taking part in the lawsuit. Managers at all three declined interview requests. Wiggins also represents two Sandy Springs clubs that, while no longer in unincorporated Fulton, are seeking back compensation from the period before Sandy Springs became a city. As with the state government and other local jurisdictions, the Fulton fee hikes are part of a strategy to make up for declining revenue without burdening property-tax payers. **Hernandez** said he is also trying to recover costs and adjust an array of charges, many of which haven't changed in five years, for inflation. North Fulton Commissioner Liz Hausmann cast the sole dissenting vote Wednesday. She told the AJC that she opposes raising any fees or taxes in this economy without reducing spending. She said she wasn't aware of the strip club issue.



The Atlanta Journal-Constitution (GA)  
May 17, 2010

**County Targets Image Change**  
**Campaign is to Clean up Fulton Industrial**  
**Code Enforcers, Police Start out Cracking Down on Boulevard's Motels**  
Author: *Steve Visse*

Fulton County has an image problem with its huge warehouse district: Its legitimate economic opportunities sometimes have been overshadowed by its undesirable qualities. This has caused companies to bypass it and take their business across the Chattahoochee River to Cobb and Douglas counties, or get out of Fulton and relocate. "We have had tenants who have been there for years and years and who decided to move across the river," said Tom Flanigan, ING Clarion asset manager. "I don't think it was taxes." To attract new business and keep what it has, Fulton is pushing a campaign designed to clean up what it says is the 10 percent of Fulton Industrial Boulevard that gives the rest of it a bad name. For starters, code enforcers and police have targeted motels that allegedly were centers for sex and drug trades; three were closed for health and safety violations, and a fourth was sold to a new owner, who refurbished the property and secured a Days Inn franchise.

The new motel has posted rules in the lobby banning unregistered guests from rooms and requiring identification to reserve a room as a customer. "We got rid of a hub of criminal activity," said Tom Phillips, county code enforcement administrator. "You can walk in there now and say, 'I can stay here.' Two years ago you wouldn't have said that. You might not even have walked in there." At its last meeting, the County Commission banned truck drivers from parking their big rigs in vacant lots off the boulevard and using them as unofficial truck stops. "Truck stops, as you know, have a link to prostitution," Phillips said. Even strip clubs such as Fannies' Cabaret are seeking a more orderly boulevard. Fannies' is trying to distance itself from prostitution, specifically the hookers who regularly have solicited the club's clientele when arriving and leaving. The club hired security to run them off. "It didn't used to be this way 15 years ago," said Thomas Madden, Fannies' Cabaret general manager.

Police have cracked down, making 107 prostitution arrests in the past two years compared to 41 in the three previous years, according to county statistics. The county is committed to restoring a clean-cut image to the boulevard's seven-mile roadway that runs from Fulton County Airport at Charlie Brown Field to Campbellton Road in south Fulton, according to Deputy County Manager **Rob Hernandez**.

The area has 89 million square feet of warehouse and commercial space but a county study released in March showed that several buildings and warehouses, developed in the 1960s and 1970s, are practically unusable. Seven properties are listed on the Georgia Hazardous Site Inventory, including five for the presence of cancer-causing vinyl chloride. Noting its potential, the study described the boulevard as potentially one of the largest and most prestigious warehousing and transportation hubs east of the Mississippi River. "Today it may still be the largest, but it has lost much of its prestige," the report concluded. Last month, the county used

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**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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the area blight and vacant warehouses to have the district reclassified as an opportunity zone urban redevelopment area. That allows it to borrow \$26 million from a federal bond program and give employers a \$3,500 tax credit for each new job for 10 years. **Hernandez** said the county wants to use the bond money to install crime surveillance cameras in the area. A \$100,000 federal grant already was secured to increase police patrols and hire seven officers specific for south Fulton. "We're serious about this," **Hernandez** said. "We have put together everything we have available in our tool box to assist Fulton Industrial."

Satellite offices for county services and commissioners Emma Darnell and Bill Edwards have been set up to show the county is committed to improving the area. People have noticed. Companies recently either bought or leased separate industrial properties that cover a combined 260,000 square feet. With upgrades, the area should be able to sell itself. It is located in the center of a metro area that promotes itself as a national transportation hub. Fulton Industrial offers a regional airport and is close to Hartsfield-Jackson International Airport. I-20 is located nearby, as is the Norfolk Southern Intermodal container shipping yard in Austell, an industrial area crisscrossed by railroad tracks.

A next step would be to develop a Community Improvement District, which has happened elsewhere in Fulton and in Cobb, DeKalb and Gwinnett counties. CIDs require commercial property owners to tax themselves to pay for development plans, transportation alternatives and security. Boulevard activists so far have been unable to obtain 51 percent approval of the property owners to install a CID, which increases tax bills by 3 or 4 mills. Yet one man on board with this idea is Madden, the strip club manager, who recognizes that even the adult entertainment business needs better security. "We have to keep it clean here," he said.

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**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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The Atlanta Journal-Constitution (GA)  
October 9, 2008

**Fulton Begins Taking Steps to Aid 911 Center**

Author: *D. L. Bennett*

Fulton County has begun making changes that officials hope will improve a 911 center beset by chronic understaffing and dangerous operator errors. By filling 12 vacancies and promising reforms to reduce job-related stress, county officials say they should be able to boost both work quality and employee retention. "We are adamant when we say we are going to solve the problems in the center," said **Roberto Hernandez**, deputy county manager. "Once we know all the facts, we will address it immediately. We will fix it."

Problems at the center that takes emergency calls and dispatches aid were discovered in August when an operator mistakenly sent help to the wrong location for a Johns Creek woman who later died. An Atlanta Journal-Constitution investigation found more than 1,000 write-ups of employees during the past five years for everything from fighting, dispatching mistakes and chronic tardiness to falling asleep on the job. Current and former employees complained that understaffing leads to workers being routinely forced to work 12- and 16-hour days, straining family life and causing conflicts in the center, dispatching and call-taking errors. The inquiry found mistakes that endangered not only callers seeking help but the emergency crews sent to provide aid.

Fulton also has launched three of its own investigations -- one by an outside consultant reviewing center operations, another by police of the incident on Aug. 2 and a third by **Hernandez** and others looking at employee satisfaction issues. Rather than wait for those all to be complete, County Manager Zachary Williams has filled 12 of 33 openings for communications officers and supervisors by reassigning operators who previously provided service for the city of Milton under contract. Milton dispatching is now handled by Alpharetta.

"This definitely should add value and reduce stress on the staff," said Commissioner Lynne Riley, who represents the city of Johns Creek, where Darlene Dukes died Aug. 2. Fulton also has in process two classes of trainees who should be able to fill all the remaining spots, a move he hopes will cut down on stress at the center and reduce conflict and mistakes. Everyone should be on the job within six months, **Hernandez** said.

"We remain committed to excellence in all public safety services, and recognize that 911 operators are the first link in the chain of emergency response," said Williams. "These men and women save lives each day." The auditor's report is now due Nov. 10. The internal probe by police should wrap up this week. **Hernandez** said the committee's work on employee issues is ongoing and its plans address issues like child care for employees who work odd hours and stress management.

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**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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The Atlanta Journal-Constitution (GA)  
October 5, 2008

**Not Enough Workers and a lot of Slack**

Author: *Heather Vogell & D. L. Bennett*

A supervisor told 911 worker JoLynn Griffin she didn't have any days left for vacation. The Fulton County emergency center had barely enough workers to cover shifts. But Griffin went on a cruise anyway. She returned to find her job waiting, her personnel file shows, just as it had been when she'd missed work before. Chronic absenteeism and tardiness are among the center's most vexing problems, records and interviews suggest, accounting for roughly a quarter of all personnel infractions and aggravating a staffing shortage that can mean marathon shifts for the dispatchers who do show up. Griffin is one of scores of Fulton 911 employees who racked up roughly 280 sanctions for arriving late or not at all -- often on multiple days -- a database of personnel actions since January 2004 reveals. The problem is likely worse; officials say their data is not comprehensive.

No-shows were counseled, warned and occasionally suspended. But they were rarely fired, data show. Some workers accumulated long disciplinary histories that included 911 call errors as well as absences, and they weren't terminated, according to personnel files. "It appears that certain violations of performance were tolerated or forgiven, for lack of a better word, in order to maintain the staffing required to operate the center," said Lynne Riley, a Fulton commissioner. Losing trained employees wasn't an attractive option for the 911 center. In recent weeks, as many as a third of the center's total positions have sat vacant. Deputy County Manager **Rob Hernandez** said staffing shortages are common at 911 centers, but Fulton's center needs to train more new workers and improve retention. A county consultant should address discipline problems such as absenteeism, he said. "In general, discipline was used like a tool -- a management tool -- rather than as a last resort," he said. "It may have lost its intended effect."

Data show at least eight 911 workers have been sanctioned 10 or more times for playing hooky or walking in late since 2004. Migraines, oversleeping and not feeling well were regular excuses, files say. Employees also blamed a pet illness, panic attack, traffic, getting back in town late, driving a child to school, car problems and a broken toilet. Even current center director Crystal Williams has filed her share of tardy slips, records show, citing late starts, trouble finding parking, feeling ill and, on at least three days, alarm clock malfunctions. Reached by phone, she declined to comment. Former 911 center employees said chronic tardiness and absenteeism led to feuding among staffers. Cassandra Eloi said that during her year at the center it was common to be held over for extra work because others failed to show. Those who did come in often worked 12 to 16 hours straight, she said. "You are running a 911 center on minimal staffing every day," said Eloi, who was fired for being rude to callers. "You have calls holding. You have calls dropping, every day."

Griffin left without permission for the cruise and two other short vacations between September 2003 and March 2004 -- in addition to taking dozens of sick days and showing up late at least 14 times, records show. Alfred "Rocky" Moore, the center's director at the time, wrote in a March

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2004 letter that he was considering dismissing her. "Your personal vacation [cruise] did not justify an emergency vacation," he wrote. But Griffin hung on, volunteering for a demotion instead. Her tardiness continued. One night in January 2006, the call center sent a Fulton sheriff's car to pick her up for work because she had car trouble, records show. Later that year, she was suspended after supervisors said an error she made delayed response to a fire call. She took disability retirement in mid-2007.

Griffin, a 23-year center veteran who was called "an excellent supervisor" in a 1995 job review, said in an interview she disputes that she caused a delay on the fire call, or that her unpaid leave resulted in a staffing shortage that couldn't be covered. She said she was singled out for infractions that others -- including supervisors -- also committed. She felt Moore had a grudge against her. "There was no reason to deny me," Griffin said of her vacation requests. "It's not like I didn't do my share of covering for people, either."

Other workers also complained discipline was not handed out evenly. "There are subjects who manage to be sick every payday weekend and never receive any type of discipline from your same staff," communications officer Francesca Pearson wrote in an April memo to Moore. Pearson could not be reached for comment for this article. Morale was low. After a supervisor threatened one employee with suspension for tardiness, she responded: "go ahead and suspend me that's one less day that I have to work here," a note in her personnel file said. Moore, who was reassigned, did not return three phone messages seeking comment.

The 911 center hasn't lacked the money to fill vacancies. For the past three years, the center -- funded by fees tacked onto phone bills -- has ended the year with excess cash in its salary account, records show. In 2007, it finished nearly \$1 million richer than it started. Instead, **Hernandez** said the center appears unable to keep up with attrition. Some drop out during the intense six-month training period. Others start but find the pressure and night shifts unworkable. Child care and worries about job security as some cities encroach on Fulton's call territory are also factors, he said. He said he does not want to second-guess center managers on their handling of absent employees. But it is a serious problem. "I know my boss would consider that to be job abandonment," he said.

Data analysts John Perry and Megan Clarke and staff writer Cameron McWhirter contributed to this article. 32 emergency calls delayed. Six of those calls were delayed more than 20 minutes.

- \* 23 instances of employees being orally abusive, fighting, being unprofessional or disruptive in the call center. 34 write-ups for poor customer service. 9 instances of dispatchers sleeping on duty. 280 write-ups of not showing up to work or showing up late. 147 write-ups for not meeting monthly standards for speed and safety by the department.
- \* Numbers based on a review of the incomplete database of disciplinary actions against employees at Fulton County's 911 center.

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**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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Sun Sentinel - Fort Lauderdale (FL)  
April 29, 1997

**Conditions for Planned Shelter don's Allay Fears**

Author: *Robin Benedick*

No matter how many conditions the city puts on the proposed homeless shelter on West Sunrise Boulevard, they won't appease nearby property owners who worry about transients congregating near their homes, businesses and public parks. "Those conditions won't keep vagrants from wandering around the neighborhoods," said Fort Lauderdale Vice Mayor Tim Smith, who is among the shelter's harshest critics. "Unless there are incredibly stringent rules that you can only go in by vehicle and leave by bus, that neighborhood is going to be overrun."

Smith and neighborhood leaders are hoping to derail Broward County's plans for a \$7.7 million shelter at 600 W. Sunrise Blvd. Their first chance comes at a special meeting of the city Planning and Zoning Board at 6:30 p.m. Wednesday at City Hall, 100 N. Andrews Ave. The board's recommendation goes to city commissioners for hearings. One of the conditions the city wants to put on the proposed 200-bed homeless assistance center is that it accept no walk-ins - only tenants who are referred there by an agency or police. That means homeless people now accustomed to staying the night at Tent City, the dingy open-air camp in a downtown parking lot, won't get into the new shelter without referrals.

Opponents are pushing the planning board to delay approval until Broward hires a not-for-profit group to run the center and community leaders raise \$3 million in private donations for the project. The shelter is expected to be completed in 18 months once city approvals are granted. Broward County's architect, Edward Seymour, has designed a two-story shelter patterned after one in Miami. The building would face Sunrise Boulevard, but entrances and parking would be at Northwest Sixth and Seventh avenues. The fenced campus would have separate men's and women's dormitories with room for families, classrooms, a medical clinic, day-care center, dining hall and courtyard.

City planners are recommending approval with these conditions:

- Availability: Center must give priority to Fort Lauderdale's homeless who are within two miles of the center.
- Security: Center must pay for 24-hour security inside and outside the campus.
- Curfew: Center must require tenants to be inside from 8 p.m. to 7 a.m. daily. Exceptions would be made for school or work.
- No walk-ins: Center must not accept people without a referral. Center also must establish a no-loitering policy on the property and post signs.
- Citizen board: Center must set up a neighborhood advisory board.

County officials said they were designing a shelter that wouldn't be a magnet for uninvited homeless people. "The word will quickly get out among the homeless that this facility does not accept walk-ins," said **Rob Hernandez**, Broward County's assistant director of Human Services. With more than 5,000 homeless people in Broward, the shelter is billed as the first of several to

**Internet – Newspaper Archives Searches**

**Roberto Hernandez**

*(Articles are in reverse chronological order)*

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address a growing problem that could get worse under new federal and state welfare reforms. Homeless advocates worry that police will enforce trespassing and other city laws too eagerly to chase transients from public places. "Being homeless is not a crime and it shouldn't be that they go to jail for that," said Dianne Sepielli, a member of the county's homeless advisory board.

**Internet – Newspaper Archives Searches**  
**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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Sun Sentinel - Fort Lauderdale (FL)  
March 13, 1994

**New Refugees like Broward Cuban Immigrants Find more Opportunities, Less Congestion**  
Author: *Lyda Longa*

When Geovanny Montes de Oca and 11 of his friends set sail from Havana for the United States aboard a rubber raft in October, Montes de Oca's friends couldn't stop talking about Miami. But after the men were rescued by the U.S. Coast Guard and taken to Key West, Montes de Oca set his sights on a different place: Broward County. His relatives had described Broward as an area where plenty of opportunities could be found. "I like Miami, but up here, there's less congestion and life is more relaxed," Montes de Oca said in Spanish. "I love it here because I'm learning English, I have a job and I even got a car," he said. Montes de Oca works at the Fort Lauderdale-Hollywood International Airport's catering service. Montes de Oca, who lives with friends in west Hollywood, is not alone. In the past six months, a colony of about 50 or 60 Cuban rafters has taken root in Hollywood and Fort Lauderdale.

The reason is simple: The rafters believe that employment and housing are easier to get in Broward than in Dade County. Historically, rafters have flocked to Dade County because they felt more comfortable among their Cuban countrymen, said **Roberto Hernandez**, executive director of Hispanic Unity of Florida. But that's changing. "Lately, the rafters have learned that in Broward there is less congestion and a better chance of finding a job," **Hernandez** said. "Many of them also have friends and family in the area who have told them that Broward County has less Hispanics and less competition for work."

According to the 1990 U.S. Census, there were roughly 109,000 Hispanics in Broward County compared to almost 1 million in Dade. Of those, there were 24,000 Cubans in Broward and almost 570,000 Cubans in Dade. Hector Nodarse, 29, heard about Broward County when he was still in Havana earlier this year. Nodarse was a sound technician with El Ballet Nacional de Cuba - the Cuban National Ballet. "I like the hustle and bustle of Miami because it reminds me of Havana, but I already have a job here {in Broward}," Nodarse said. "Broward is a little too quiet for me, but I'll get used to it."

Brothers Roberto and Raydel Rivera of Dania are two more Cuban rafters who ended up in Broward. The Riveras arrived in Miami aboard a rubber raft in December; they came from the Cuban port town of Mariel. Both are learning English at a night school in Hollywood. "I lived in Miami for about a month before I came to Dania, and I tell you life is better here," Roberto Rivera, 22, said in Spanish. "I'm learning English, I just got my driver's license and soon, I know I'll have a job. Once I get that I'll get my own apartment. Life is good here."



**Internet – Newspaper Archives Searches**  
**Roberto Hernandez**  
*(Articles are in reverse chronological order)*

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Sun Sentinel - Fort Lauderdale (FL)  
February 22, 1994

**Planned Center may Help Elderly Hispanics**

Author: *Lyda Longa*

Inez Carrascillo is an elderly Hispanic woman who wants somebody to talk to. When you're 76 and the only language you speak is Spanish, it's hard to make friends in a neighborhood filled mostly with young working Anglos. Soon, Carrascillo, who is Cuban, and other elderly Hispanics in Broward County could have a place to spend time together, working on arts and crafts and chatting in Spanish.

**Roberto Hernandez**, director of Hispanic Unity of Broward, said he hopes to open the county's first senior center for Hispanics in the next few months. The proposed center, which would be in Hollywood, would provide activities, meals, transportation and companionship for Broward Hispanics over 60. The 1990 U.S. Census estimated there were 11,891 elderly Hispanics in the county. "There is no single place in Broward County where elderly Hispanic people can go just to talk and relax with their peers," **Hernandez** said. "When you reach a certain age, you want to be with other people who share a similar culture and can understand you."

**Hernandez**, 27, has applied for a \$100,000 county grant that would pay for four full-time employees for the planned center. Last year he purchased a 7,000-square-foot building at 5840 Johnson St. for the center with the help of a grant from the city of Hollywood. Edith Lederberg, executive director of the Area Agency on Aging, said she has promised **Hernandez** that her organization would provide meals for the center once it opens.

Although there are a handful of senior centers scattered throughout the county, Lederberg and other social service officials agree that none cater specifically to Broward's Hispanic elderly. "We have several senior centers throughout the county, but elderly Hispanic people won't go there because they feel uncomfortable and out of place," Lederberg said.

That feeling is not limited to elderly Hispanic people. Gema **Hernandez**, a sociologist and associate professor at Nova University's School of Business, said the sentiment is shared by most elderly people of varying ethnic backgrounds. "As we age, most of us have a need to return to our ethnic roots," **Hernandez** said. Carrascillo, who stays alone during the day in her west Hollywood home while her daughter and grandchildren go to work and school, said she needs someone to interact with during those long hours.

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Research Compiled by:      Amanda Dillabough  
                                         Colin Baenziger & Associates

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## **Appendix D**

***St. Johns County, FL Resolution Thanking  
CB&A for Its Outstanding Service***

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**RESOLUTION NO. 2007-23**

**A RESOLUTION OF THE COUNTY COMMISSION  
OF ST. JOHNS COUNTY, FLORIDA, THANKING  
COLIN BAENZIGER & ASSOCIATES FOR ITS  
OUTSTANDING EFFORTS IN CONDUCTING THE  
EXECUTIVE SEARCH FOR THE COUNTY'S NEW  
ADMINISTRATOR; AND PROVIDING AN  
EFFECTIVE DATE.**

**WHEREAS**, St. Johns County retained Colin Baenziger & Associates (CB&A) to identify and recommend strong candidates to be the County Administrator;

**WHEREAS**, CB&A's staff worked diligently to find and produce excellent candidates, and then provided the County Commission with comprehensive materials concerning the candidates' aptitude, experience, background, complete and thorough interviews, references, extensive checks of criminal, civil and financial history, verification of employment and education, and exhaustive reviews of Internet and newspaper archives of these candidates; and

**WHEREAS**, CB&A's process was completely open, fair and unbiased and was extremely well received by the County Commission, county staff, the press, and the public; and

**WHEREAS**, the County Commission wishes to express its gratitude to Colin Baenziger & Associates for its efforts on behalf of the county;

**NOW BE IT THEREFORE RESOLVED BY THE COUNTY COMMISSION OF  
ST. JOHNS COUNTY, FLORIDA AS FOLLOWS:**

**Section 1: Recitals.** The preceding recitals are true and correct and are incorporated herein by this reference.

**Section 2: Acknowledgement.** The County Commission wishes to express its sincere appreciation and gratitude to Colin Baenziger & Associates for its outstanding work and effort in assisting the county in finding its County Administrator.

**Section 3: Effective Date.** This resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, Florida, this 21 day of August, 2007.

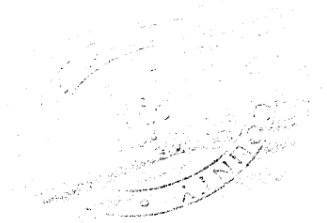
**ATTEST: Cheryl Strickland, Clerk**

**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA**

By: Pam Halterman  
Deputy Clerk

By: Ben Rich  
Ben Rich, Chairman

Rendition Date: 8/23/07



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## **Appendix E**

### ***Comments from Dale Martin on CB&A's Vetting Process***

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# Fernandina Observer™

A JOURNAL OF NEWS AND OPINION

## **Weekly comments from Dale Martin**

**By Dale Martin, City Manager, City of Fernandina Beach**

***March 18, 2016 1:00 a.m.***

The vetting process employed by Mr. Colin Baenziger following my application to the City of Fernandina Beach was the most thorough review of my career, credentials, and references that I have ever experienced. In the months leading to my appointment here, I was interviewed in several other communities for similar City Manager positions. Despite getting to the interview stage in those communities, none of my references ever indicated to me that they had been contacted. As part of the selection process here, I was required to provide an exhaustive list of references, some very specific, such as my current Town Attorney, auditor, Chamber of Commerce, etc. To the best of my knowledge, every single reference provided was contacted.

The historic information provided to the City Commission for each candidate was extensive. Reading through the older newspaper articles rekindled so many memories- the personalities and issues from earlier days illustrate some peaks and valleys over the past twenty years. It has been a wonderful ride.

Note: Mr. Martin reminisces about his career for the remainder of the article. The full article can be found at:

<http://fernandinaobserver.com/2016/03/18/weekly-comments-from-dale-martin-5/#more-65218>



RESOLUTION 2023-66  
AS APPROVED

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AWARDING REQUEST FOR PROPOSAL 23-07 FOR CITY MANAGER EXECUTIVE SEARCH SERVICES TO COLIN BAENZIGER AND ASSOCIATES IN AN AMOUNT NO TO EXCEED \$35,000; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fernandina Beach issued Request for Proposal (RFP) 23-07 from qualified firms for City Manager Executive Search Services. Five proposals were received on March 29, 2023; and

WHEREAS, the City Commission, at their April 4, 2023, Regular Meeting, approved Resolution 2023-50, as amended, to direct staff to contact the executive search firm Strategic Government Resources (SGR) to perform three services contained within their proposal: recruit qualified applicants, vetting the qualified applicants, and providing the list of qualified and vetted applicants to City staff. The City Manager Search Committee (CMSC) will further vet this list; and

WHEREAS, based upon Commission direction, Human Resources Director Denise Matson, who serves as the CMSC staff liaison, emailed SGR to inquire about the cost of the afore stated services. SGR declined providing partial services. Therefore, a Resolution to consider all proposals received in response to RFP 23-07 is before the City Commission for consideration; and

WHEREAS, staff requests that the City Commission, convene as the evaluation committee, to discuss and rank the proposals based on experience, qualifications, and proposed cost for the scope of work specified; and

WHEREAS, the City Commission believes it to be in the best interest of the City to hire a firm to assist in the process of selecting a new City Manager; and

WHEREAS, the City Commission believes that the proposal from Colin Baenziger and Associates is the most responsive to assist the City in its search; and

WHEREAS, when the Fiscal Year 2022/2023 budget was prepared, this expenditure was not anticipated, and a budget amendment will be required.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The City Commission hereby awards RPF 23-07 for City Manager Executive Search Services to Colin Baenziger and Associates in an amount not to exceed \$35,000.00.

SECTION 2. The City Clerk and the Interim City Manager are hereby authorized to execute all documentation pertaining to award of a contract to Colin Baenziger and Associates, upon review and approval of the City Attorney.

SECTION 3. This Resolution is effective immediately upon passage.

ADOPTED this 18th day of April, 2023.

CITY OF FERNANDINA BEACH

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BRADLEY M. BEAN  
Commissioner - Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



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CAROLINE BEST  
City Clerk

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TAMMI E. BACH  
City Attorney