

NEW TRENDS/CHALLENGES FOR THE PROFESSION

- 1) Decline in number of experienced public administrators
- 2) JFK-influenced managers are retiring
- 3) Inability to sell home limits mobility
- 4) Decline in home values lowers manager's net worth
- 5) Politicizing the position/who is getting the appointment

PUT YOURSELF IN THE SHOES OF ELECTED OFFICIALS

- 1) Too much to read
- 2) Too many emails
- 3) Too many diverse subjects
- 4) No work experience or education in 90% of municipal subject matter
- 5) Expected to be an “expert” and have an opinion on too many subjects

STORM CLOUDS ON THE HORIZON

- 1) Severe budget deficits/cuts
- 2) Consolidation of key services (police/fire)
- 3) Need to increase tax millage/water rates
- 4) Blue collar communities – political interference by Unions

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So who is going to be the scapegoat?

MANAGING THE STORM

- 1) Five year budget
- 2) Consultants/Experts/Citizen Committees
- 3) Lead from the back/Lead from the middle
- 4) Provide options to problems
- 5) Good news can wait, bad news can't
- 6) Educate, re-educate, educate some more
- 7) Build the relationship with new council members

RED FLAGS

- 1) Controversial election
- 2) Split on the council
- 3) Budget problems
- 4) One negative member on council

HEAD IN THE SAND

- 1) Supportive Mayor (only strong ally)
- 2) Can't count to four (reliance on one ally)
- 3) Long tenure in community
- 4) Educated, professional council
- 5) Election is months away
- 6) "I got a good performance review"

BUILDING THE RELATIONSHIP

- 1) Orientation to new members
- 2) Show you are neutral, not political
- 3) Developing trust takes time
- 4) Developing respect takes time
- 5) Candor in private meetings
- 6) Promptness and responsiveness

IF YOU MAKE A MISTAKE

- 1) Admit it
- 2) Provide a solution
- 3) Provide a way to prevent it
- 4) Forewarn your Mayor/ally
- 5) Go to a sounding board first

CONTRACT ISSUES: SEVERANCE

- 1) Severance without cause
 - 3-12 months
- 2) Narrowly define “cause” as basis to deny severance
 - Avoid City Council’s discretion, “satisfactory performance”
- 3) Build in other forms of severance
 - unused vacation
 - accrued comp time
 - unused sick leave
 - unused personal leave days

OTHER ISSUES: SEVERANCE

- 1) Health insurance continuation
 - stimulus package (65%)
- 2) Vesting of Employer contributions to retirement plan
 - Defined Benefit
 - Defined Contribution
- 3) Sign a release?
- 4) Lump sum severance vs. Bi-weekly checks

BREAKING UP IS HARD TO DO

- 1) Google is not your friend
- 2) The problem with selling a house
- 3) Try the “soft landing”
 - Move quickly
 - Move quietly
 - Identify a flag-bearer
 - City attorney
 - Mayor or council ally
- 4) Look out for yourself; don't try to change the world

WHAT'S IMPORTANT IN A RELEASE

- 1) Guaranteed payment of severance
- 2) Health insurance (unless a new job)
- 3) Not contest unemployment
- 4) Non-disparagement by elected officials
- 5) Enforcement mechanism for non-disparagement clause
- 6) How references are handled
- 7) Need a mutual release?
- 8) Coverage if personally sued?

KEY CONTRACT TERMS

- 1) Duration or Evergreen clause
- 2) The benefits to department heads/unions
- 3) Severance pay and health insurance
- 4) Vesting of retirement benefits
- 5) Relocation expenses
- 6) Notice of non-renewal/termination
- 7) Arbitration or Litigation
 - City pays arbitrator fees
 - Alternate: Loser pays arbitrator fees

Is compensation a key term?

- Raises
- Bonuses/Merit vs. Achievement of Objectives

OTHER FACTORS – NEW JOB

- 1) Be willing to walk away
- 2) Track record on retaining managers
- 3) Trust your gut
- 4) Impact on spouse's job
- 5) How much saved up (without touching deferred compensation)