



The MANAGER

FLORIDA CITY AND COUNTY MANAGEMENT ASSOCIATION
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Have We Done This to Ourselves?

By Lynn Tipton, Executive Director

Last Friday, the Florida Legislature passed SB 88, which limits the amount of severance and/or bonus a governmental entity may provide to a contractual employee. As this newsletter goes to print, the governor's office has not received the final bill, but veto letters are being sent by cities, counties, school districts, special districts, community colleges, universities and authorities, as well as from the associations that represent these governments. Back in March, some of our members were very helpful in sharing talking points, legislative arguments and compromise language when the bill (and its House companion) was going through the various committees. In talking with some of the local government lobbyists, it was readily apparent that the bill's sponsors and supporters believed the state needed to have this provision in state law because governments other than the state were being excessive in their severance and bonus provisions. Several headlines from newspapers were held up during the legislative committee meetings as the proof of a broken system – and the blame placed squarely on the governing bodies of these entities that had entered into these contracts. One of the lobbyists squared his shoulders after an especially lengthy diatribe in one of the committees and said to me with a sigh, "your members aren't helping themselves right now – here's another headline for a severance to a manager that exceeds \$200,000; it makes my work very hard when the legislators point out the dollar figures." I asked if the bills were a response to the Bell, California debacle, and the answer came back strongly that the bills were a response to the severances paid in the past few years to several county and city managers in Florida. Some of these individuals were 20-plus year employees that had earned large amounts of leave time, as well as earning other benefits – but that argument did not sit well with legislators. Neither did the arguments regarding competition for the best talent; the comparable use of severance and bonus in the private sector; the volatility of the local government management profession and the risk these professionals take in moving their families for jobs – each time I offered these arguments to the lobbyists I was met with, "yeah, I hear you on that, but in tough economic times no one wants to see someone leave a job with these kinds of payouts – not when it is public money." About the only argument that seemed to

resonate well was Home Rule powers for cities and counties (nothing to say about the other governments that have never had these powers), but even Home Rule was set aside last Friday. So, as we prepare to gather for our annual conference in Clearwater later this month, I'm puzzled about *how* we did this to ourselves. The immediate reply is that most legislators have little understanding of Home Rule and therefore no respect for it; it is easy to vote on something like this because the sound bite the legislator takes home is that they've limited the greed of government officials and saved the taxpayer money. That isn't something we did to ourselves, but in digging deeper, we (the collective of governments) have failed to educate legislators, or to find candidates for the legislature with deep respect for the powers of other governments and who share the belief that this kind of mandate should not occur from the state to any other level of government. I also remember the days when new legislators had extensive orientation sessions about governmental structure, governance and related subjects – and these orientations do not occur anymore (except limited presentations within the political parties). I don't have an answer to the problem beyond the often repeated one of better civics education and greater community understanding of the governments around us, but I believe this legislation represents many things about the future of the state's relationships with the governments that operate within its boundaries.

Richard G. (Dick) Simmons: At Home on the Range

By Ann Toney-Deal

Setting the Stage

In 1823, Florida's territorial Governor, Andrew Jackson, assigned two men to ride their horses, one from Pensacola and the other from St. Augustine, and where they met would be the location of the new state capitol. The rider from St. Augustine was Dr. W. H. Simmons, an ancestor of our very own Richard G. (Dick) Simmons. Little did Dr. Simmons know at that time that he would not be the only one in his family "riding the ranges" of Florida. Arguably, the impact of his descendant, while not as historic, is and will continue to play a crucial role in many of Florida's local governments for generations to come.

Dick Simmons' role in Florida government is tightly woven into the founding fabric of the Florida City and County Management Association (FCCMA). This year it is an honor to celebrate 60 years of his tireless service to our great organization.

In the Beginning...

Dick Simmons was born on August 6, 1928. He graduated from Osceola High School in 1946. He played football for the Osceola High School Cowboys and his proudest moment of that year was that the Cowboys beat St. Cloud in the biggest game of the season. Dick received his Bachelor of Science Degree in Public Administration and Masters of Arts Degree from the University of Florida. It is interesting to note that he had initially applied for and was accepted to the University of Florida Law School, but after only one day of classes, he talked to an advisor about a Public Administration related Master's Degree which was, in turn, customized for him.

Happy Trails

Dick's first job in local government management was as an administrative assistant for his hometown of Kissimmee. Next, after graduate school, he was an Assistant City Manager in

Melbourne (1951-1952). In 1952-1953 he was selected as an Administrative Resources Intern for the City of Phoenix, Arizona. This is perhaps the best known Public Administration Internship program in the country. During his time in Phoenix, Barry Goldwater was on the City Council.

Upon completion of the Phoenix internship in 1953, Dick became the Chief Administrative Officer of Eau Gallie. From there he went to be the City Manager of Melbourne. Then in 1955, he was called to duty in the United States Air Force and was stationed at Patrick Air Force Base.

Dick, and anyone who knows him, agrees that the best decision he ever made was when he asked Kay Upton, a beautiful, smart, FSU graduate and school teacher, to marry him. They were married in 1955. Dick and Kay have two children, Sandra and Susan. Sandra graduated from FSU and is an administrator with the Social Security Administration. Sandra and her husband have one son, Christopher, who upon graduation from college was employed by a Public Relations Agency in Washington, D. C. Dick recently said with pride and laughter in his voice, "He's going to be a politician, I'm afraid." Susan, graduated from Palm Beach Atlantic and following in her mother's footsteps, became a teacher. She and her husband have two daughters, Amy and Angela. Amy is a nurse and Angie works in marketing.

Upon Dick's return to civilian life, he accepted the position of City Manager for the City of Haines City in 1956. In 1959, Dick became the City Manager of Winter Park. Notable about his appointment was that he was the ninth manager in ten years, but he stayed in Winter Park for eight years before returning to his pre-military job as City Manager of Melbourne.

In 1969, he became the City Manager of West Palm Beach where he served until his retirement in 1985. Dick has been credited for bringing financial stability and the necessary infrastructure planning that was and is the foundation of the many successes of West Palm Beach today.

When Dick announced his retirement from West Palm Beach, he and Kay also announced that they were moving back to Kissimmee to spend their "retirement" years. The ink was barely dry on Dick's retirement notice to the West Palm Beach officials, when a representative of the City of Kissimmee contacted him about a then-vacant City Manager position in his hometown. Dick and Kay discussed the proposition and Dick promised Kay that he would be the City Manager there as long as it was "fun." He further promised that when it was no longer fun he would really retire. Dick was true to his word; and in 1987, he left the employment of Kissimmee to restart his retirement years.

This phase of retirement, while longer than the one between West Palm Beach and Kissimmee, was also short lived. Two years later, in 1989, he was hired as a part-time manager for the City of Davenport. Because this was a short drive from Kissimmee and was a part time position, it was a win-win for both Dick and the City. Dick continued in his position in Davenport until 1992. He REALLY did retire from local government management at that time, but in true "Dick Simmons tradition," he was far from through.

Trail Blazer

Over the years, Dick has been known nationwide for his hiring and training of young administrators. In fact, in 1977, ICMA awarded him the L. P. Cookingham Award for Career

Excellence. Each year one manager in the nation is selected for this prestigious award that “recognizes an outstanding local government administrator who has made a significant contribution to the career development of new talent for professional local government management.” It is the opinion of this writer, that had Dick been born before Mr. Cookingham, Mr. Cookingham would have been awarded the Richard G. Simmons Award!

Dick knew no boundaries and found no glass ceiling that shouldn’t be shattered. He sought to hire and train the brightest and best, and understood the outright need and obligation as a professional manager to recruit young professionals regardless of race, creed, color, or college affiliation. And yes, he did hire people who went to FSU. The one thing that all of Dick’s assistants and interns shared, was that when they went to work for Dick, they became a part of his and Kay’s family. That priceless relationship did not stop when the assistant or intern took their next job.

The young professionals who were lucky enough to have Dick as a mentor are too numerous to mention, and that list alone would dominate this article. However, there are many of note who have been or still are in local government management: Laura Blackmon (first female Assistant City Manager to be FCCMA President); Tom Bradford; Ron Davis (first African American City Manager in Florida); Joseph Gallegos (first Hispanic FCCMA president); Ed Gladfelder; Brian Gore; Ken Hammons (FCCMA President); Travis Kilgore; George Knoblock; Patrick Miller; Byron Moore; Les Murdock; Paul Nicoletti; Mike Sittig (Executive Director of the Florida League of Cities); Jack Noble; and Ann Toney-Deal (first female City Manager to be FCCMA President).

Dick has often related that there were many times in his career when his City could not afford assistants, so he would hire interns who would work their “fingers” off for very little money just for the professional experience. He was right, and many went on to not only make Dick proud but to become testaments to the city management profession.

Dick recently shared some “words of wisdom” for local government managers that we all should heed:

- 1) The old Boy Scout motto works well. “Be prepared” (for anything; for you never know what might come up next).
- 2) Pick the smartest and best to work for you. They won’t let you down and will make you look good to the Council. You are the high-priced go between (between the Council and the employees). If they do a good job, the Council is happy and gets re-elected. This is as close as you should get to favoring elected officials.
- 3) Have a tough skin!

Dick has been formally recognized by his peers over the years. In 1962-1963 he served as President of FCCMA. In addition to the 1977 L. P. Cookingham Award, Dick received the 2001 Distinguished Service Award from ICMA. Most notably Dick has been serving the State of Florida as an ICMA Range Rider since 1993. The “Ever Ready Bunny” has absolutely nothing

on Dick Simmons. Dick keeps going and going and going. The profession of local government management is better because of Dick Simmons. Many of us are fortunate enough to have worked for him, but countless scores of us know Dick as a mentor, friend and just an all-around nice guy.

Thank God for nice guys, and thank God for Richard G. (Dick) Simmons. We will only know “the tip of the iceberg” of his contribution to local governments and local government managers in Florida during our careers.

Cowboy Hats off to Dick for 60 remarkable years!!!

Conference Update

Have you packed your bags and ready to head to Clearwater? There has been a lot of time and hard work to put this conference together and it will pay off! There are over 35 sessions that you will have the opportunity to attend. There are still financial appointments available with the ICMA representatives. If you are interested, please email Hortensia Perez at hperez@icmarc.org. If you have not registered and are interested in attending, go to www.tlgconference.org and sign up today! You can still register onsite when you arrive.

Hope to see you in Clearwater!

Employment Law Webinar

This is part of the Mini-Institute Webinar Series that is presented by the Florida Association of City Clerks (FACC) in coordination with the Institute of Government (IOG). It will be held Wednesday, May 25, 2011 from 2:00 p.m. - 4:00 p.m. EST. The cost is \$50 FACC members/\$75 nonmembers.

Open Registration will be held April 15-May 20 and the Registration Deadline is Friday, May 20. For registration information, contact Liane Schrader at lschrader@flecities.com.

Keith L. Hammond, Esq., and Jessica A. DeBono, Esq., of Jackson Lewis LLP in Orlando will facilitate a Webinar covering many facets of employment law. Topics will include discrimination and harassment; wage and hour, including minimum wage and overtime; social media and electronic communications; wage garnishments; child labor; and whistleblower and retaliation.

Keith L. Hammond is a partner in the Orlando office of Jackson Lewis LLP where he represents management exclusively in labor and employment matters. He also conducts compliance training for management on sexual harassment, discrimination, and wage and hour requirements. **Jessica A. DeBono** is an associate in the Orlando office of Jackson Lewis LLP. She represents management exclusively in labor and employment matters.

Note: Approximately three days prior to the webinar, the Ideas to Action form and a phone number with the webinar code will be e-mailed to all paid registrants.

2011 FCCMA Webinars

There are two more webinars scheduled for the 2011 calendar year. The Professional Training and Development Committee have scheduled webinars for the following dates.

July 21, 2011—Navigating and Utilizing the ICMA Knowledge Network

September 22, 2011—Management in Transition OR I'm an Analyst NOW what do I do?

Please mark these dates on your calendar. These webinars are free through FCCMA's partnership with the Center for Florida Local Government Excellence. They offer an opportunity to train larger numbers of city/county employees at no cost or travel. More information in upcoming newsletters.

FCCMA Members-in-Transition

The following FCCMA members are currently in transition. Please take a minute to show your support by either emailing or phoning the MITs in your district. A phone call or an email can go a long way to help someone who is temporarily out of work.

You can also help if you have any job opportunities available in which one of our MITs may be qualified. With the current technology, the project could even be done from the MIT's home. FCCMA staff has many of their resumes. Please contact Carol Russell at crussell@flcities.com if you need a current resume for one of our MITs.

Also, please keep your FCCMA staff informed of any FCCMA members who may be eligible for MIT status. You can email Lynn Lovallo at llovallo@flcities.com or Carol Russell at crussell@flcities.com.

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*Indicates a non-Full Member

New Members

The following membership applications have been received. If no current member comes forth with a reason why these applicants should not be approved as members, they will be invoiced for dues. **Scott Andrews**, District VII, Doctorate in Organizational Leadership, Argosy University, Student Member; **Joseph E. Fazekas**, District III, Recreation Division Manager, City of Palm Bay, Affiliate Member; **Roman Gastesi**, District VI, County Administrator, Monroe County, Full Member; **Kenneth J. Hurst**, District VII, Colonel, U.S. Army at United States Special Operations Command, Affiliate Member; **Herbert Raybourn**, District III, Civil Engineer, Reedy Creek Improvement District, Affiliate Member; **William Redman**, District II, Senior Vice President, Redman Consulting Group, Inc. Corporate Member; and **Carlos Tobar**, District IV, Master's of Public Administration, University of West Florida, Student Member.

Positions

The Manager will no longer print the full ad. All ads are posted online at www.fccma.org under job postings. If you click on the job, it will take you to the full ad.

Director – Economic Development — Charlotte County, Florida—Apply on-line to Charlotte County Human Resources, at www.charlottecountyfl.com. Click on Employment.

Assistant City Manager for Finance & Administrative Support — City of Coral Gables —
Deadline: Open until filled. To ensure consideration for this position, interested candidates should forward resume, cover letter and five references immediately, via e-mail, to HRD@coralgables.com or fax to 305-460-5518.

Development Services Director — City of Coral Gables —Deadline: Open until filled. To ensure consideration for this position, interested candidates should forward resume, cover letter and five references immediately, via e-mail, to HRD@coralgables.com or fax to 305-460-5518.

Finance Director — City of Coral Gables —To ensure consideration for this position, interested candidates should forward resume, cover letter, current salary, and five references immediately, via e-mail, to HRD@coralgables.com or fax to 305-460-5518.

Division Director of Business & Revenue Development — City of Dunedin, Florida —(Pop. 37,500). Accepting applications until position is filled at 750 Milwaukee Ave., Dunedin, FL 34698. For application and job description, visit the City's website at <http://dunedingov.com/>
EOE m/f/d/v DFWP

City Manager — City of High Springs — (pop. approx. 4,800) All applicants must fill out an application. Applications may be picked up at High Springs City Hall or are available online at www.highsprings.us. Send application and accompanying résumé to Jenny L. Parham, City Clerk, 110 NW 1st Avenue, High Springs, FL 32643. Only applications and résumés received by 4:30 p.m. on Wednesday, June 1, 2011, will be considered.

Information Systems Supervisor — Jacksonville Beach — Salary negotiable: \$73,798-\$83,075 annually with excellent benefits. Deadline: Open. For an application visit www.jacksonvillebeach.org or www.COJB.jobs, email inquiries to Personnel@jaxbchfl.net or contact Amy Smith at 904-247-6263. EOE., VP

Accountant III — City of Lakeland-Lakeland Electric Department — Salary Range is \$51,979-\$80,641 depending on qualifications. Open Until Filled. For More Information Contact: Jasmine Hicks (863) 834-8791.

Executive Director — Lakeland Area Mass Transit District —COMPENSATION & BENEFITS: The Executive Director has an established pay range of \$89,000 to \$115,000, depending on qualifications. An excellent benefits package is also offered. **HOW TO APPLY:** Qualified candidates please submit a cover letter, resume and salary history immediately to: Civil Service Department: Attn: Linda Silas, 500 N. Lake Parker Avenue, Lakeland, FL 33801, or civilservice@lakelandgov.net or Fax (863) 834-8879. Position is open until filled; however, it may close at any time without notice.

Building Director — City of Miami Beach, FL (90,000) — Salary Range: \$107,025.88 - \$172,857.88 plus benefits. **APPLY ONLINE AT:** <http://web.miamibeachfl.gov/hr/jobs.aspx>.

Budget Officer — City of Miami Beach, FL — Salary Range: \$90,645.10 - \$146,396.90, plus benefits. **APPLY ONLINE AT:** <http://web.miamibeachfl.gov/hr/jobs.aspx>

Planning Director — City of Miami Beach, FL (90,000) — Salary Range: \$107,025.88 - \$172,857.88 plus benefits. **APPLY ONLINE AT:** <http://web.miamibeachfl.gov/hr/jobs.aspx>.

Village Manager — Pinecrest, FL — (population 19,400). E-mail applications to Recruit29@cb-asso.com. The application deadline is May 20th. Direct any questions to Colin Baenziger at 561-707-3537.

Manager - Equity & Workforce Development — City of Tallahassee — To apply go to the address below to learn more about this position, or go to [Talgov.com](http://www.talgov.com) and click on job opportunities. <http://www.talgov.com/hr/openings.cfm>. Manager - Equity & Workforce development Profile. <http://www.talgov.com/hr/exe-prfls.cfm>.

Town Manager — Town of Windermere, Florida — Salary and benefits negotiable. For a detailed job description, go to www.town.windermere.fl.us. Open until May 31, 2011. Reply with Resume, qualifications and experience to: “Search Committee” or “Search Committee” dburkhalter@town.windermere.fl.us c/o Dorothy Burkhalter, Town Clerk, P.O. Box 669, Windermere, FL 34786.

Date to Remember:

June 1-3, 2011—FCCMA/TLG Conference, Clearwater

June 21-24, 2011—Florida Association of Counties, Bonnet Creek, Orlando

August 11-13, 2011—Florida League of Cities, World Center Marriott, Orlando