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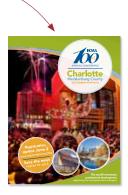


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BY MARTHA PEREGO

NAVIGATING THE JOB SEARCH PROCESS

How to land the next great position with your dignity and ethical standards intact

A nyone who has searched for an executive-level position in the local government job market knows that it can be a daunting process. Unlike counterparts in the private and nonprofit sectors, local government managers don't have the luxury of competing for their next job quietly behind closed doors.

Today's transparency standard means that at a minimum, the names of finalists will be disclosed. In a few states, just applying will get your name in the paper. The public's right to know and have confidence in the integrity of the process is certainly important. But every disclosure that you are seeking a position elsewhere has the potential to burn some political capital at the home base.

Then there is the challenge that if you are offered the job, you end up negotiating terms and compensation with an individual who doesn't have the legal authority to seal the deal. Hiring the manager and approving the employment agreement requires the vote of the full governing body.

And public processes by their very nature are not speedy ones. By the time all this takes place, months have passed. Those actively searching for a new position can find themselves involved in multiple recruitments, each at varying stages of the process.

As you search for your next great position, consider this practical advice to assist in navigating your way to a successful outcome.

Accurate resumés. For evidence of the importance of accuracy in presenting

educational credentials, Google "Yahoo CEO Thompson." Misstating your credentials and employment history—yes, even omitting short tenures—can have serious repercussions for your reputation and future employment.

Complete candor. At times there may be something in a candidate's record that is best shared early in the process and by the candidate. Better to be forthcoming as a demonstration of honesty than to stay silent and have a matter disclosed in a background check.

Free agency. Just like the sports athlete, a local government professional is a free agent who is free to apply for positions and interview with multiple organizations. The person is not under any ethical obligation to tell his or her current employer about looking elsewhere.

But as with most things in life, timing is important. If you do not wish to burn any bridges, advance notice to the current employer before the news leaks out works well. And of course, if you are relying on certain people for a reference, advance discussions are a must do.

Participating in multiple recruitment processes gets challenging as you progress to the next level. You may find yourself a finalist in two or more recruitments. It's fine to continue interviewing for any and all jobs as long as you have a serious interest in the position. Don't waste the recruiter's or organization's time if after the first interview you don't see yourself working in that organization.

If you progress beyond the initial interview, you may want to consider



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informing the recruiter or organization of your status as a candidate in other places.

Due diligence. Responsibility for thoroughly evaluating the position, organization, and community to determine whether it will be a good fit both personally and professionally rests with you.

Getting to Yes

The offer to join the organization as the next manager is just that: an offer. It's entirely contingent upon work there regardless of how much compensation they are willing to offer.

Once you give your verbal acceptance of the terms outlined in an employment agreement or offer letter, you are committed. Oral acceptance of an employment offer is considered binding unless the employer makes fundamental changes in terms of employment.

At this point, you should cease interviewing with other employers. An interview at this stage is like going out on a date after getting engaged to be married: it sends the wrong message about your level of commitment.

JUST LIKE THE SPORTS ATHLETE, A LOCAL GOVERNMENT PROFESSIONAL IS A FREE AGENT WHO IS FREE TO APPLY FOR POSITIONS AND INTERVIEW WITH MULTIPLE ORGANIZATIONS.

both parties reaching agreement on the compensation and terms. The process of getting from offer to the finish line (i.e., governing body approval) is a tango. Both parties need to be moving in sync.

Assuming that you want to work for the organization, the appropriate response to the offer is "yes, contingent upon reaching agreement with the organization." Regardless of how much ground was covered during the interview about your terms, do not be surprised if the governing body starts the negotiation from a different position. Or has an issue with a particular requirement. That's why it's called a negotiation.

Your verbal acceptance starts the negotiation process and signals your willingness to get to yes. Never start the negotiation process with an organization if you do not intend to With your commitment in hand, it is up to the governing body to hold up its end of the bargain and approve the agreement.

Integrity Matters

Unlike the professional athlete who goes to the highest bidder, ICMA members should not entertain a counter offer from their current employer. In a public process, you have given your *word*.

Withdrawing your acceptance to take more money is bad form and reflects poorly on the profession. Members who accept an appointment to a position should not fail to report for that position. **PM**



MARTHA PEREGO Ethics Director, ICMA Washington, D.C. mperego@icma.org

WHAT POINTERS WOULD YOU GIVE RECENT GRADUATES ON FINDING THEIR FIRST JOB IN LOCAL GOVERNMENT?



LOUIE CHAPMAN, JR. City Manager Delray Beach, Florida chapman@mydelraybeach.com

In seeking that first job, the recent graduate should consider what first attracted him or her to local government. A graduate who can match those embers that lit the flame of interest in seeking a career in government will find the search to be easier.

People who are good communicators are an asset to most organizations seeking entry-level employees. This includes verbal, written, and computer skills, as these are the abilities sought by local government human resources personnel.

A graduate's resume should emphasize the skills that have been obtained and will contribute to better communications between the government and its residents.

Be somewhat flexible how the skill set is presented to a prospective employer, because what may interest an employer in a particular graduate may not be the same factor that an individual thinks is his or her strongest asset.



REBECCA VANCE, ICMA-CM City Manager Cayce, South Carolina rvance@cityofcayce-SC.gov

Be willing to accept such positions as internships, entry-level planner, research analyst special-project coordinator, and jobs in small communities in order to gain experience.

The public sector is just like the private sector in the fact that you have to work your way up. There is no shortcut to the top.

Do the tasks, projects, or initiatives that no one else wants to do because you will have gained the knowledge that no one else in your organization was willing to gain.

Be like a sponge and absorb all of the information you can on as many diverse projects as you can get. To be a manager, you need to be a jack of all trades.

You will be faced with a wider and more varied range of things then you could ever imagine in your wildest dreams, and you never know when you will be able to use that one nugget of information you learned when doing that one task or taking that one position that no one else wanted.



RON MATTIUSSI City Manager Kelowna, BC, Canada rmattiussi@kelowna.ca

My advice to a recent graduate would be to start by getting as much information as possible about the local government. Most local governments are open and transparent, so the graduate should have every opportunity to do the necessary research.

Employers are impressed by someone who has taken the time to find out about their organizations. Set up an appointment to speak to someone about career opportunities. Be persistent but respectful, and recognize that these are busy people who you are asking to share their time.

Ask if you can visit to introduce yourself. Be flexible and also recognize you might need to consider a different community and accept a junior position to get into the system.



APRIL LYNCH City Manager Ferndale, Michigan alynch@ferndalemi.com

The face of local government is changing so quickly that the traditional track of becoming a city or county manager has taken multiple detours.

I would encourage new grads to stay open to their career path. So many look in one direction—being a city manager—that they don't see other opportunities.

Be creative; look for unique positions or internships that give your resume depth. Becoming an assistant manager isn't the only route to a dream job. If you can't find an internship or position that suits your interests, call a local government and offer your talents.

Working for free won't pay the bills, but it will help you pave a path for your future career.

DAZZLE THEM WITH SUSTAINABILITY This briefing



This briefing paper offers case studies from small communities that have implemented sustainability policies and are doing their part to protect the environment.

icma.org/ sustainability_policies



After years of groundwork by ICMA México-Latinoamérica and ICMA's members, the governing council of Navolato, in the state of Sinaloa, Mexico, created the position of municipal administrator as a nonpartisan, nonpolitical council appointee. This was a significant step in a country where all government chief executives are strong mayors and virtually all management positions are held by the mayor's political allies.

icma.org/navolato

icma anniversary

MOMENT IN HISTORY



June 1922 was an exciting time for what was then the City Managers Association (CMA). The association moved to Lawrence, Kansas, and appointed John G. Stutz as fulltime executive secretary and editor of the City Manager Bulletin. Stutz also continued to serve

as secretary of the Municipal Reference Bureau at the University of Kansas and as executive director of the League of Kansas Municipalities. He would serve CMA until 1929.

Also in 1922, Louis Brownlow, an American journalist, political scientist, and former city manager of Petersburg, Virginia, and Knoxville, Tennessee, was elected CMA president. Along with Charles E. Merriam, a highly respected member of the University of Chicago political science faculty and president of the American Political Science Association, Brownlow diligently sought foundation funding and other support for CMA.

To learn more about the many milestones in the history of ICMA, its members, and the professionalism of local government management, visit icma.org/anniversary and scroll through the anniversary timeline on the homepage. Also watch this space in *PM*, where we'll highlight an anniversary moment each month.



EXECUTIVE PRESENCE

Do you have the leadership "wow" factor?

By David Limardi, David Morrison, and Daven Morrison

As a manager, do you know how you are viewed as a leader? Do you know how you are viewed as you perform your daily responsibilities, or interview for a job, or are considered for a promotion? Are you viewed as someone who is:

- + Intelligent and in command?
- + Patient, detail-oriented, and an insightful judge of human nature and able to influence and motivate?
- + Viewed as having gravitas?
- + Able to command a room upon entering?

TAKEAWAYS

> What characteristics attract people to a leader?

> What are the core characteristics of a leader's "presence" that maximize influence and motivation?

> Spend some "thinking time" about your personal connection to the characteristics that define executive presence and arm yourself with more data on your journey as a leader. here appears to be general agreement that how managers are viewed as they lead is an important component of leadership, yet it is too often overlooked.

Perhaps that is because executive presence is an intellectually challenging and elusive topic. There has been a buzz recently about the topic, particularly in private sector leadership circles. Executive coaching has become a popular tool in the private sector as a way to secure this quality.

Consider this definition of *presence* from the free *Merriam–Webster* online dictionary (http://www.merriam-webster.com), which highlights its inherent power: "The bearing, carriage, or air of a person; especially stately or distinguished bearing; a noteworthy quality of poise and effectiveness."

Can executive presence be defined? What impact does it have on successful leaders? Is it merely a perception, or are there core characteristics that should be considered by professional local government managers?

One of the authors of this article, David Morrison, who has worked with professional local government managers for more than 40 years, has been intrigued by executive presence and its impact on successful outcomes in the public sector.

His broad-brush question for senior executives in the public and private sectors is: How is the relationship between local government management professionals, elected bodies, and other groups operating within a local government impacted by executive presence. In interviews with public and private sector executives, Morrison asked:

- Does executive presence exist?
- What are its characteristics?
- Can you name individuals who have it and do not have it?

The results of the interviews were fascinating. Every leader interviewed believed executive presence was real, that is, that executive presence exists. They could point to people who had it, those who did not, and the differences between them.

Here are the key insights, culled from the interviews about the nature of executive presence:

1. You will know it when you see it.

2. It can be a success accelerator or

success decelerator.

3. It involves value alignment.

4. Important decisions are based upon it, including hiring and promotional decisions.

5. Information is shared in confidence to individuals with it.

6. Individuals who are knowledgeable and competent are often deferential to those with it.

7. Executive presence is not leadership. It is tied to the role, the achievements, and the accomplishments of the person but is not tied to the actions themselves.

8. Those with it have a certain "wow factor" or magnetism.

9. A leader must be absolutely realistic about possessing the core characteristics of executive presence in order to be strategic about career planning and management challenges.

The interviewed senior executives identified certain core characteristics of executive presence. Characteristics were broken down into those applicable to the self and those that apply to interpersonal interactions (see Figure 1).

Four Core Characteristics

Upon reflection and based on years of active participation in local government management and advising and observing managers, we believe that four core characteristics define executive presence as it applies to managers. **1** Seriousness of purpose. Leaders with executive presence generate a perception that they should be followed. They possess a seriousness of purpose that is clearly communicated.

They do so through an unforced self-confidence, readily apparent selfdiscipline and thorough preparation, attention to detail, decisiveness at the appropriate time, and a clearly communicated vision of the path ahead. Consider President Franklin Roosevelt, Prime Minister Margaret Thatcher, and legendary football coach Vince Lombardi. These leaders left no doubt that they wanted to lead.

Texas Governor Rick Perry is an example of someone who failed to communicate a seriousness of purpose when he fumbled the question during the November 2011 Republican debates concerning which departments in the federal government he would eliminate. His response of "Sorry, oops" was a fatal mistake. Compare Governor Perry's performance with that of Mayor Giuliani following the 9/11 attacks as he forcefully communicated a seriousness of purpose.

President Lincoln was once asked if he had eight hours to cut down a large tree, how would he use that time? He responded by saying he would use six of the hours sharpening his ax. Lincoln proved that effective preparation is critical to success as a leader.

This has become even more critical due to the prominence of the Information Age. Effective and thorough preparation is the cornerstone to communicating a seriousness of purpose.

It is important for a leader to never imply power where that power does not exist. This can be a real challenge in professionally managed local government where power is shared and not concentrated in any one person or group. There can be moments during a career where due to the professional local government managers' long tenure, past success or strength as a leader it is presumed by Leaders with executive presence draw people in and maintain that connection. It is an attraction based on how they are seen by others and a clear understanding by the leader of the importance of how they are seen.

others that power exists where that power belongs to others. The lure of the temptation to accept this presumption is rejected by leaders seeking to communicate a seriousness of purpose.

2 Ability to forge relationships built on trust. One of the foundations of representative democracy is trust. Leaders with executive presence are expert in developing relationships built on trust and communicating and keeping a promise.

This promise is not an ironclad guarantee of success. It is an ironclad guarantee that the leader is wholly invested in the promise.is emotionally present, has the intention and power to work to keep the promise, will keep everyone's best interests in mind, will protect the needs of all involved, and understands and will work to manage the risks. Consider leaders like Abraham Lincoln, Dr. Martin Luther King, or Phil Jackson, the winner of 11 NBA championships.

Relationships built on trust require predictability of behavior, which is built over time. For leaders in new roles who are anxious to produce adaptive change, patience is required. Success in developing relationships built on trust results from a series of successes and accountability for any failures.

Leaders who project a trustworthy self also inspire trustworthiness in others.

This trustworthiness on the part of leaders and followers is required for the resolution of difficult issues.

Leaders with executive presence set a trustworthy context, making it easier for those involved to understand the roles, the problem, and the path to a realistic solution. Clear and precise communication is imperative.

3 Strong personal connection. Leaders with executive presence draw people in and maintain that connection. It is an attraction based on how they are seen by others and a clear understanding by the leader of the importance of how they are seen.

Consider presidents John F. Kennedy, Ronald Reagan, and Bill Clinton. Keep in mind that many thought Richard Nixon lost the 1963 presidential debates because of his 5 o'clock shadow and perspiration on national television.

It is critical not to confuse this characteristic solely with handsomeness, beauty, or seduction. Building connections and holding people's attention has a physical quality to it, such that presence is about projecting a physical appearance that is appropriate for the situation and context. It is projecting poise under pressure.

Leaders with executive presence dress appropriately, speak in an ap-

FIGURE 1. Characteristics of Executive Presence.

Interviews with 30+ private and public sector executives were conducted in 2011 by David Morrison as part of data collection concerning the topic of executive presence. Results indicate the percentage of interviewees who mentioned the characteristic.

Personal Characteristics:

94% Confident

69% Competent thinker

63% Attractive appearance

44% Fully present

38% Master of self

25% Genuine

Interpersonal Interactions:

100% Communicates a strong desire to lead

94% Emotionally engaged

44% Trustworthy

44% Has a connective impact on others One of the foundations of representative **democracy is trust.** Leaders with executive presence are expert in developing relationships built on trust and communicating and keeping a promise.

propriate voice and tone, are careful about body language, and maintain a workplace environment that delivers the appropriate message. What message do you receive when you enter an office or meeting place that is disorganized and chaotic?

Simple things like a firm handshake, eye contact, and a well- kempt appearance are essential. Understanding that there is a difference between the public and private sector in this regard is also important. Blue jeans worn in offices in Silicon Valley may project a different message in a city hall in America's heartland.

Styles are not always interchangeable. An October, 2012 study by the Center for Talent Innovation, a non-profit research think tank in New York City in which 208 senior executives were surveyed revealed that 75 percent of those surveyed about executive presence said that unkempt attire is a detractor for both men and women, and 73 percent said that ill-fitting or provocative clothing is problematic.

Focused awareness. Leaders with **4** executive presence are fully present, focused, and attentive to the needs of others. Managing group dynamics, monitoring emotions, managing conflict, giving and receiving feedback, providing support through structure, and recognizing formal and informal authority are all critically important. Consider former

Leaders with executive presence are fully present, focused, and attentive to the needs of others.

GE Chairman Jack Welch, South African President Nelson Mandela, and the early performance of Pope Francis.

Having a realistic view of oneself is a critical component. Constantly searching for objective feedback helps that realistic view.

Understanding the importance of monitoring process and not just the outcomes through disciplined reflection is a necessity, as is monitoring your leadership energy as well as the energy of a group. A leader should only give the group work at a pace and in a quantity the group can handle, keeping the stress level manageable.

A Leadership Necessity

Understanding the power and complexity of executive presence is a leadership necessity. It is vital for leaders to spend thinking time evaluating their personal assets to determine how they can be best used and pay particular attention to the core characteristics of executive presence.

We believe that all of us have been affected by the concept of executive presence, in most cases unknowingly, because it is not a topic we have spent much time thinking about. It may have determined the candidate we voted for, the mentor we chose, the hero who inspired us or the news anchor we watch. We also believe that spending some thinking time on the topic and evaluating how we are perceived by others and our personal connection to the core characteristics is a key to maximizing our ability as a leader to influence and motivate. PA



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By Stanley Leasure and Ray Gosack



WHY MEDIATION WORKS IN EMINENT DOMAIN CASES

TAKEAWAYS

> Mediation is a lowcost and expedient alternative to litigation.

Mediation requires
 cooperation and agreement by all parties.

> Mediation is more likely than litigation to achieve a win-win outcome. minent domain mediation is a process through which a neutral mediator assists a condemning authority—for example, a local government—and a landowner to reach a settlement agreement that each finds acceptable. Our experience with mediation as

local government representatives tasked with acquiring land for a large water supply, lake-expansion project has led us to three conclusions:

- 1. Mediation can be effectively employed to help resolve difficult eminent domain disputes.
- 2. Mediation in eminent domain cases is universally available by agreement of the parties. Some jurisdictions-by statute or court rule-require mediation prior to scheduling eminent domain cases for trial, even in the absence of agreement of the parties. In jurisdictions in which mediation is not required, it is underused.
- 3. As a result, the local government and the landowner forfeit the significant benefits of this alternative.

Mediation Basics

For local government managers who haven't been part of the mediation process, the mediator's primary task is to facilitate communication between the parties, identify their respective interests, and, hopefully, help them resolve the issues on terms with which both can live. The prospect of settlement is quite high.

Reports of settlement rates in mediations generally are impressive—as high as 80 percent—and are comparable to the limited settlement rate data in eminent domain mediations.¹

The reasons are self-evident: The parties come together with a skilled mediator—often with eminent domain expertise—for the express purpose of trying to settle the case. Mediation can occur whenever the parties agree, but it is important that the parties have exchanged In the group session, counsel for the parties make a statement about the case and outline what they consider to be the important factors in evaluating the case. In the next phase, representatives of each side are separated into private caucus rooms to meet confidentially with the mediator.

There the parties, with the assistance of the mediator, consider the strengths and weaknesses of their position, identify essential interests, and develop settlement proposals. The mediator engages in a form of shuttle diplomacy, relaying offers and counter offers between the parties and continuing to assist the parties and their representatives to analyze the important elements of the case.

Several caucuses with each party are usually necessary. If an agreement is reached, a settlement agreement is

PARTIES CAN EXERCISE SIGNIFICANT CONTROL OVER THE RESOLUTION PROCESS ITSELF. RATHER THAN BEING REQUIRED TO ADHERE TO COURT-MANDATED PROCEDURES, THEY CAN FOCUS ON THE MERITS OF THE CASE AND THEIR OWN INTERESTS.

the information necessary to effectively evaluate the critical issues in the case.

Those in attendance will include the mediator, counsel for both sides, one or more representatives of the condemning authority, and the landowners. The format can be as varied as the wishes of the parties and the style of the mediator, but most eminent domain mediations consist of a group session; a series of private meetings, also known as caucuses, between the mediator and the parties; and, hopefully, drafting and execution of a settlement agreement. drafted for execution prior to conclusion of the mediation.

Mediation Advantages

Mediation in eminent domain cases has three primary advantages: confidentiality, control, and cost.² In jurisdictions in which it is available, mediation confers the critical advantage of confidentiality. Litigation, conversely, is an extremely public process. This factor, in and of itself, may hamper efforts at settlement of eminent domain cases.

Statutory and contractual confi-

dentiality provisions—pertinent in the event the case is not settled—typically include: inadmissibility at trial of statements made during mediation; protection of the privileged character of information disclosed to the mediator; protection of the mediator from compelled disclosure in judicial proceedings; and introduction of evidence related to the mediation. These protections help parties speak freely during mediation.

Parties can exercise significant control over the resolution process itself. Rather than being required to adhere to court-mandated procedures, they can focus on the merits of the case and their own interests. The emphasis shifts from compliance with court mandates designed to accommodate a wide variety of civil disputes, to the particular requirements of the condemnation case at hand.

This control can extend to every facet of the dispute, including discovery, timing, and the nature of the dispute-resolution process itself. Mediation almost always yields quicker resolution. The parties to the eminent domain case also have control over the selection of the mediator. Most consider it helpful to employ a mediator with condemnation expertise.

Importantly, parties have complete control over the outcome since they decide their own fate, which can include creative solutions specifically tailored to the special needs of the parties.

Condemnation litigation is costly in terms of lawyers, expert witnesses, lost productivity of staff, negative public perception, and other intangibles. Mediation typically results in lower cost in all these areas owing primarily to the expedience with which the case can be resolved.

Fort Smith's Success

The city of Fort Smith, Arkansas, used mediation extensively to acquire properties in a neighboring county for expansion of a regional water-supply lake. The properties were acquired to meet regulatory requirements and to

Litigation vs. Mediation

Here is a comparison of key features of the two processes:

KEY FEATURES	LITIGATION	MEDIATION
Cost	More Costly	Far Less Costly
Determination of Outcome	By Third Party (judge or jury)	Self-Determined by Parties
Amount of Time	Lengthy	Quick
Focus	Legal Positions	Issues Important to Parties
Problem-Solving Approach	Adversarial	Collaborative

provide long-term protection of the watershed. In every instance where mediation was employed, a settlement was reached.

Some property owners were skeptical to try mediation. To get them more comfortable with the idea, the city made sure the property owners understood there was no risk to them for trying it. The city paid the entire cost of the mediator's services to encourage participation. This small accommodation paid large dividends.

In the opening group session, it was important for Fort Smith's lead representative to:

- Make a statement that the city is committed to be fair and reasonable with the property owner, but it must also be fair with the taxpayers whose funds will pay for the property.
- Explain the purpose for the acquisition and the benefits the project will provide for the entire region.
- Acknowledge the impact the property acquisition was having on the owner. In some cases, the acquired property had been owned by the family for several generations. It was important to recognize the emotional connections many landowners had to their properties.

These opening points demonstrated to the property owner that the city was sensitive and empathetic to the property owner's interests. Mediation isn't a complex process, it can be tailored to meet the particulars of the issue at hand, it requires only a moderate amount of preparation, and it usually doesn't compromise the party's interests if the case does proceed to trial.

A practical benefit of mediation compared to litigation is that mediation allows the parties to discuss the issues important to each party. Litigation, on the other hand, is focused on advancing and protecting legal positions. This difference allowed the parties to arrive at mutually agreeable outcomes at far less legal cost and time than allowing a jury to decide the compensation.

Unlike jury trials, the parties were always satisfied with the final outcome. There were cases where the mediator discovered that property owners wanted minor nonfinancial considerations that were easily accommodated.

Good mediators will push the envelope to encourage the parties to arrive at a settlement. At times, this can make the parties uncomfortable. It's important, however, to remember that the mediator brings objectivity to the process and provides a reality check on the strengths and weaknesses of each party's desires. The participants have to keep focused on the goal of arriving at a settlement that's fair and reasonable for the property owner and for the taxpayers.

No two mediation cases proceed identically. The process and outcome of each mediation case couldn't have been scripted in advance. Those who don't have a stomach for spontaneity shouldn't be at the mediation table. Flexibility, without compromising core principles of fairness, is imperative for a successful outcome.

Mediation is a low-risk, low-cost alternative for resolving many types of legal cases, including property acquisitions by eminent domain. A mediator can facilitate, but not force, an agreement.

Mediation allows more resources to be focused on project planning, development, and execution rather than energydraining legal battles. And, it helps to preserve vital relationships necessary for crucial public projects to succeed. **PI**

ENDNOTES

1 See, Report of the Tennessee Advisory Commission on Intergovernmental Relations (February 2013). Eminent Domain in Tennessee, p.8. Retrieved March 14, 2014, from http://www.tn.gov/ tacir/PDF_FILES/Growth_Policy/EminentDomain. pdf and American Bar Association Division for Public Education (n.d.) How Courts Work-Mediation. Retrieved March 14, 2014, from http:// americanbar.org/groups/public_education/resources/ law_related_education_network/how_courts_work/ mediation_advantages.html.

2 Variation in local law is beyond the scope of this article. It is important to note that local law must be considered in assessing the advantages available through the use of eminent domain mediation. This is particularly true with respect to confidentiality



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TAKEAWAYS

>Fourth Amendment searches and qualified immunity dominate the Supreme Court's term as it relates to local governments.

> The Supreme Court will also decide a number of free speech cases affecting local government.

- ON THE -Supreme Court

Interesting mix of cases touch local government issues

By Lisa Soronen

he Supreme Court has accepted all the cases it will decide during its 2013–2014 term. Two of the major local government cases are no longer on its docket.

Mt. Holly v. Mt. Holly Gardens Citizens in Action, involving whether disparate impact claims can be brought under the Fair Housing Act, was settled. *Madigan v. Levin*, involving whether age discrimination claims can be brought against government employers under the Constitution instead of the Age Discrimination in Employment Act, was dismissed as improvidently granted. (See "Supreme Court 2013–2014 Term Preview" in the December 2013 *PM* at http://icma.org/ scpreview2013-14)

None of the most prominent cases of the term directly involve local government. Yet, the docket remains surprisingly interesting to local government.

Fourth Amendment Cases

In *Riley v. California* and *U.S. v. Wurie*, the court will decide whether the Fourth Amendment permits police to search a cellphone without a warrant, found on a person lawfully arrested. The lower courts reached opposite conclusions in these cases.

In *Riley*, the California Court of Appeals concluded the warrantless search was lawful. State court precedent held that a warrantless cellphone search was permissible as incident to an arrest if it was "personal property . . . immediately associated with [his] person." In this case it was.

In *Wurie*, the First Circuit applied the two justifications for a search incident to an arrest articulated in *Chimel v. California*, officer safety and preservation of evidence, and concluded that the warrantless cellphone search violated the Fourth Amendment. The court reasoned that officer safety is irrelevant to cellphones, and it is extremely unlikely that cellphone data would be destroyed while officers obtain a warrant. As the court in *Wurie* points out, smartphones are computers containing a wealth of information. It would significantly assist local police officers if they could search these devices when they arrest someone without first obtaining a warrant.

$\bigstar \bigstar \bigstar$

Police officers shot and killed Donald Rickard and his passenger after Rickard led police on a high-speed chase. Their families sought monetary damages claiming the officers violated the Fourth Amendment by using excessive force. The officers argued they should be granted qualified immunity because their use of force wasn't prohibited by clearly established law.

In *Plumhoff v. Rickard*, the Supreme Court will decide whether the lower court properly denied qualified immunity by distinguishing this case, which arose in 2004, with a later Supreme Court decision from 2007. The court also will decide whether qualified immunity should be denied based on the facts of this case.

Rickard wove through traffic on an interstate connecting two states, collided with police vehicles twice, and used his vehicle to escape after being surrounded by police officers, nearly hitting at least one officer. Local governments will benefit from clarity the Supreme Court will provide on the boundaries of both qualified immunity and the "hot pursuit" doctrine. The State and Local Legal Center (SLLC) has filed an *amicus* brief in this case.

First Amendment Issues

In 2006, in *Garcetti v. Ceballos*, the Supreme Court held that public employee speech made pursuant to an employee's official job duties isn't protected by the First Amendment because a public employee is not acting as a private citizen when making such speech. In *Lane v. Franks*, Edward Lane asks the Supreme Court to make an exception for subpoenaed testimony.

Lane claims he was laid off because he testified pursuant to a subpoena before a grand jury and at a federal criminal trial that a state legislator employed by his program didn't do any work. The Eleventh Circuit found that Lane was acting pursuant to his official job duties when he testified and therefore his speech wasn't protected by the First Amendment.

Other circuits have disagreed, reasoning that public employees have obligations as citizens independent of their public employment to testify truthfully. *Garcetti*, decided 5 to 4, was a big win for public employers. This is the court's first opportunity to narrow or affirm *Garcetti*.

$\bigstar \bigstar \bigstar$

In *Wood v. Moss,* pro- and anti-President Bush demonstrators had equal access to the president as his motorcade arrived in Jacksonville, Oregon. But when the president made an unexpected stop for dinner, Secret Service agents moved the anti-Bush protesters, who were closer to the restaurant than the pro-Bush demonstrators, about one block further away from the president than the pro-Bush demonstrators.

The anti-Bush protesters sued two Secret Service agents claiming they violated their First Amendment rights by discriminating against them because of their viewpoint. The Ninth Circuit denied the agents qualified immunity. The Supreme Court will decide whether the lower court evaluated the qualified immunity question in this case too generally.

The Ninth Circuit focused on its conclusion that the agents engaged in "viewpoint discrimination" instead of whether it was clearly established that the anti-Bush protesters could not be moved further away from the president than the pro-Bush demonstrators. The Supreme Court will also decide whether the anti-Bush protesters have adequately claimed viewpoint discrimination when there was an obvious security-based rationale for moving them: They were closer to the president. SLLC has filed an *amicus* brief in this case.

Religious Freedom

In Sebelius v. Hobby Lobby Stores and Conestoga Wood Specialties Corp. v. Sebelius, the Supreme Court will decide whether the Religious Freedom Restoration Act (RFRA) applies to for-profit, closely held secular corporations. Three corporations claim that the Affordable Care Act's requirement that employers with 50 or more employees provide coverage of all FDA-approved contraceptive methods violates the act.

RFRA provides that the federal government "shall not substantially burden a person's exercise of religion." If RFRA applies to corporations, the Religious Land Use and Institutionalized Persons Act (RLUIPA) likely will also apply to corporations, greatly expanding the scope of RLUIPA.

RLUIPA bars state and local governments from enforcing land use regulations that impose a substantial burden on "the religious exercise of a person" unless the government can point to a compelling interest. RFRA and RULIPA are related statutes. RFRA only applies to the federal government, and RULIPA only applies in the land use and institutionalized persons' context.

Both statutes use the term "person" to define who is covered. SLLC filed an *amicus* brief in this case arguing that for-profit corporations aren't covered by RULIPA.

Decisions Reached in Three Cases

The Supreme Court (as of late April) had decided three cases of interest to local governments. In *Fernandez v. California*, the court held that if a defendant objects to the search of his or her home, that objection may be overridden by a co-tenant after the defendant is no longer present.

Walter Fernandez told police they could not search his home. But after he was arrested and removed from the premises because he was suspected of domestic violence, the woman he was living with consented to a search. In *Georgia v. Randolph*, the court held that if a defendant is physically present and objects to a warrantless search, a co-tenant cannot override that objection.

The court refused to extend *Georgia v*. *Randolph*, where the objecting defendant

is no longer present. While the defendant pointed out the police were responsible for his absence, the court noted that his removal was objectively reasonable. The court also rejected Fernandez's argument that his objection should remain effective until he changed his mind.

Georgia v. Randolph was based on the "widely shared social expectation" that if you call on someone and one of the tenants says you were not welcome, you would not enter. The "calculus of this hypothetical caller would likely be quite different if the objecting tenant was not standing at the door." Local police have been waiting since 2006 to find out if the Court would extend *Georgia v. Randolph.*

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In *Prado Navarette v. California*, an anonymous 911 caller in Mendocino County reported that a driver had run the caller's car off the road. The court held 5 to 4 that a police stop of that driver complied with the Fourth Amendment because, under the totality of the circumstances, the officer had reasonable suspicion that the driver was intoxicated.

The tip of dangerous driving was sufficiently reliable because the caller had eyewitness knowledge of what happened, police located the vehicle where the caller indicated it would be, and the caller used the 911 system, which can readily identify callers.

Driving someone off the road also creates reasonable suspicion of drunk driving because "[t]hat conduct bears too great a resemblance to paradigmatic manifestations of drunk driving to be dismissed as an isolated example of recklessness." While the officer didn't observe additional suspicious conduct after spotting the vehicle and observing it for five minutes, police do not have to give suspected drunk drivers a "second chance for dangerous conduct [that] could have disastrous consequences."

$\bigstar \bigstar \bigstar$

In *Sandifer* v. U.S. *Steel Corporation*, the Supreme Court held that donning

and doffing protective gear qualifies as "changing clothes" under Section 29 U.S.C. 203(o) of the Fair Labor Standards Act (FLSA).

This section allows parties to decide as part of a collective bargaining agreement that time spent changing clothes at the beginning and end of the work day is noncompensable, which is what U.S. Steel agreed to in a collective bargaining agreement. Clifton Sandifer argued donning and doffing protective gear does not constitute "changing clothes."

The Supreme Court disagreed, reasoning that clothing can include items worn for protection, and changing clothes can include altering street clothes with protective gear. It concluded that the majority of items at issue in this case—hard hats, work gloves, flameretardant jackets, and the like—were clothes. While safety glasses, earplugs, and respirators weren't, time spent donning and doffing them was minimal.

Some local government employees may wear protective gear. This case affirms that local governments and unions may agree in collective bargaining agreements to not compensate employees for taking protective gear on and off.

Most of the issues the Supreme Court has taken up this term affecting local government involve routine issues—Fourth Amendment searches, qualified immunity, and First Amendment speech. What makes these cases interesting are their sometimes controversial facts and the wide range of contexts in which the issues arise.

How will the court decide these cases? A follow-up report and summary of all cases will be available at http:// www.statelocallc.org/articles, effective July 30, 2014. **PA**



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behalf of the Big Seven national organizations representing state and local governments, which includes ICMA, National League of Cities, United States Conference of Mayors, National Governors Association, National Association of Counties, National Conference of State Legislatures, and The Council of State Governments.

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This campaign advocates and showcases the important role a professional manager plays in building communities to elected officials, the next generation of students, and other key stakeholders. ICMA knows that professional managers wish to remain unsung heroes, but without promoting the value of the profession, communities will not have the benefit of effective, efficient, and ethical local government management.

ICMA members are passionate about their profession and serving the communities they call home. Please consider contributing \$100 in ICMA's 100th year to help set up professional managers and communities for success. Learn more about *Life, Well Run* and contributing \$100 at the website icma.org/100lwr.

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BY KHASHAYAR "CASH" ALAEE AND PAULA ROMO FROM COAST TO COAST City managers facilitate analyst exchange

hen I, coauthor Cash Alaee, Palo Alto, California's senior management analyst, asked City Manager Jim Keene if I could go to Fort Lauderdale, Florida, to shadow City Manager Lee Feldman, Jim stopped jogging, looked at me, and asked, "Spring break on the city's dime?"

The running continued, and so did the conversation on the importance of exchanges and how, if carefully designed, the one I was considering could enormously impact both organizations.

Professional exchanges are not a new concept. Government organizations have been conducting them for years. ICMA, for instance, has several formal exchange programs in place that promote learning and knowledge sharing among local government professionals.

But the Palo Alto–Fort Lauderdale Analyst Exchange program was designed specifically to fit the needs of our respective organizations and our specific professional development goals. Both Keene and Feldman serve on the Alliance for Innovation's board of directors and have brought innovative strategies to their organizations. Keene has implemented design thinking, a human-centered approach to innovation, and a start-up environment in Palo Alto, and Feldman has implemented a strategic and performance management philosophy in Fort Lauderdale. We, the analysts, benefited greatly by being able to share these concepts and watch them in action.

Managers Take Mentor Role

A key to success was having the involvement of each local government manager. After the initial exchange idea was breached, Keene and Feldman took ownership of the exchange and ensured ample time was set aside on their calendars to mentor Paula and me.

Coauthor Paula Romo, Fort Lauderdale's senior performance analyst, traveled to Palo Alto, and both she and I had unfettered access to our respective host manager. We met with the host manager several times to discuss the exchange city's overall strategies, and both of us were able to attend multiple operational and elected officials' meetings, where we witnessed firsthand Keene's and Feldman's management and leadership styles in action. A month prior to our visit, we worked together to craft an actionpacked, week-long agenda where all meetings or shadowing experiences were coordinated to include travel to and from off-site locations. Finally, it was crucial that both organizations were fully aware of the exchange in advance, allowing staff to prepare meaningful site visits and learning opportunities. To help with this, we e-mailed the respective leadership teams about the exchanges several weeks before our visits, and the managers discussed the visits at their weekly executive meetings.

During the exchange, I observed firsthand how several of Fort Lauderdale's key strategies are being implemented and being used by the organization at cross-disciplinary collaboration/action meetings called FL²STAT, Fort Lauderdale's version of PerformanceSTAT. These strategies included *Fast Forward Fort Lauderdale: Our City, Our Vision* 2035 and Press Play Fort Lauderdale: Our *City, Our Strategic Plan 2018.*

I also learned about police services (both land and marine), special events coordination, and the Fort Lauderdale Executive Airport. Since I'm a member of the Palo Alto Special Events Committee, comparing both cities' programs was especially valuable, as I was able to identify areas of opportunity, including staffing structure, meeting structure, and approval process that can be implemented in Palo Alto.

Romo's Report

For this Fort Lauderdale analyst, my experience was as much learning as it was sharing. I was exposed to Palo Alto's sustainability programs, its customer-centric philosophy, and its use of technology to engage the community; specifically the 311 app, Open Data initiative, and the city's recent Hackathon, which is a collaboration on software projects.

On the sharing side, I had the opportunity to present to Palo Alto's leadership team Fort Lauderdale's strategic and performance management framework

LAST, AND DEFINITELY NOT LEAST, THE BEST PART OF THE EXCHANGE WAS THE NEW RE-LATIONSHIPS THAT WERE BUILT AMONG THE ANALYSTS AND ORGANIZATIONS.

and later, meet one-on-one with most department directors to discuss the implementation details.

The activities we participated in were similar to attending a conference session but were much more robust. The cost, too, was similar to attending, minus the registration fee, but the experience allowed full emersion into another organization and hands-on know-how.

Again, being from Palo Alto, I found that watching an FL²STAT meeting demonstrated Fort Lauderdale's ability to organize the resources to meet the needs of the community and be accountable for it. In reflecting about experiences in Palo Alto, coauthor Romo observes that "Learning about the 311 app and Open Data initiative made me understand the complexities of working with different stakeholder to make these projects a reality."

Building New Relationships

Last, and definitely not least, the best part of the exchange was the new relationships that were built among the analysts and organizations. Long after the exchange ended, we have stayed connected, communicating often. Both of us also regularly tap the individuals we met in our respective host organizations for further details on the programs and services we learned about.

Ultimately, both of us believe that these direct exchanges should happen more often. They foster Tenet 8 of ICMA's Code of Ethics: "Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques."

Hopefully, our experience shared briefly in this article will help create a wave of informal, invaluable, and inexpensive exchanges between other local governments.



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BY RUDY BAZELMANS TAMING PRINT AND COPY COSTS

Where to look for untapped savings opportunities

n virtually every office environment today, printers, multifunction devices, and copiers abound. The good news is that this equipment brings convenience and accessibility to the workplace, boosting employee productivity. The not-so-good news is that printing and copying costs—the equipment, supplies, service, and other associated costs—often represent a substantial expense for local governments.

A thorough review of printing and imaging costs is frequently avoided, especially when taking into account running costs and related consumables. In addition, these functions aren't usually controlled centrally in organizations. An IT department, for example, might purchase and install equipment and a facilities or purchasing group might purchase supplies for the equipment or approve maintenance costs.

According to estimates by Gartner, Inc., businesses spend 1 to 3 percent of their total annual revenue producing documents, and many of them are thrown away. Buyers Laboratory reports that more than 90 percent of all companies—and presumable governmental organizations—don't track printing and copying costs.

Given the cost associated with copying and printing, organizations should look carefully at expenses in these cost categories. This represents a potential, untapped savings opportunity.

Here are some recommendations to manage printing and imaging costs—suggestions that could lead to significant savings.

1. Analyze usage data. This is the most important step to take. It's difficult to develop a plan for controlling costs without taking a close look at current

usage data.

Every organization has different printing and copying needs ranging from high volume or secure printing to color printing. Here are questions to consider in studying use:

- What are your monthly volumes?
- Do these numbers vary by month or season, and if so, how much?
- What has your historical usage been for black and white copying and for color?
- What changes in usage do you anticipate in the coming years?
- What is the ratio of color versus black and white copying? Is it appropriate?
- How does this information align with the lease and service agreements?

2. Inventory existing equipment. Each device has different operational costs. What devices do you have—printers, copiers and fax machines—and where are these devices located? What are the makes, models, and ages of the devices? Are there redundancies, and if so, where? Some additional information to gather would include:

- Which devices are used the most? Least used? (Underused devices are a waste of equipment and money; overused devices hurt productivity and can cause premature failure.)
- Which devices require a larger share of maintenance resources than others?
- Which devices generate the most complaints from users?
- Do you own devices that may need to be replaced in the future?
- Are devices being redistributed to circumvent the above issues?

Looking to the future, your organization should find the most efficient machines for your specific needs, considering initial outlay costs, equipment features and capabilities, and ongoing costs.

Beyond an analysis of usage data and developing a list of existing equipment, there are additional factors to look at related to printing and copier costs. Equipment maintenance and repair histories; document management services; and such services as IT help desk or network administration, mailroom, and print-shop services are all important considerations to take into account in developing a comprehensive view of the organization's printing and copying landscape.

3. Investigate printer maintenance

alternatives. There are two ways to manage the cost of supplies and maintenance for printers. The most common approach is to purchase toner from your office supply company and pay for repairs and maintenance as needed.

Another approach is to pay a service company for supplies and maintenance "by-the-click." This alternative, called managed print services (MPS), covers the cost of all supplies, maintenance, and repairs; reduces the risks of using remanufactured toner; and reduces IT resource requirements. This can be an effective approach to consider.

4. Leverage existing capabilities.

The tips identified above are linked to this final recommendation. A detailed review can result in a more coordinated cost-savings initiative, allowing you to leverage your total spend or negotiating position with suppliers.

Imaging and printing costs can be tamed by scrutinizing usage figures, taking stock of existing equipment and projecting future needs, examining printer maintenance alternatives, and exploring opportunities to collaborate on services and purchases.



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BY BEVERLY BROWNING THERE ARE GRANTS FOR THAT

Look to the private sector for additional funding

ocal government managers can consider three critical indicators when factoring competitive grants into local budgets: 1) professional development line items have been either decreased or deleted for one or more fiscal years; 2) rising cost of equipment repair and replacement is eating at available budget dollars, and 3) residents are disgruntled over the state of public recreation facilities.

I know this seems like I'm preaching to the choir, but sometimes to save time and effort, an easier route is taken by just filling out the forms for formula grants-guaranteed funding based on a head count allocation-while the pursuit of additional private-sector funding falls by the wayside. Simply accepting that a fiscal-year budget will always be in a deficit is also a fatal mistake.

Here are some ideas on how you can be creative and free up general funds for more critical needs by pursuing competitive private sector grants. Always keep in mind that once such grants start rolling in, they may not be comingled with your general fund account, and clear audit trails are necessary for all types of incoming funds.

1. Your unit of government can no longer afford to approve staff requests for professional development training, and spending caps are hurting staff morale.

Did you know that there are corporate and foundation grantmakers that will fund professional development grant requests? Remember, the requests must be reasonable, justified, have limited highend travel expenses (no flying to France for an international meeting or staying at five-star resorts for a conference), and be submitted at least six to nine months in advance of the training date.

You can also use a grant research database like Foundation Center, GrantStation, or eCivis Grants Network:Research to identify private-sector funders. Subscription-based databases like these can assist you in targeting grants relevant to project needs by using keywords, other filters, and e-mail alerts to automate your search and save time.

Private sector funding sources to target include community foundations and insurance foundations. You can also look up community foundations in your state and region at the community foundation locator website at http://www.cof.org/ community-foundation-locator. This way, you already know the name of the potential funder to search in one of the subscription databases.

Why use a database when you know the name of the funder? Because each of these subscription services has detailed profiles of funders that reduce your general Internet search time and frustration when you can't locate the right information.

2. Your equipment is outdated, and maintenance costs are soaring. It would actually be more cost-effective to purchase replacement items; however,

there are simply no available dollars.

Vital law enforcement, fire and emergency medical services, as well as other equipment, are often big-ticket items. As with professional development needs, you can tap into private-sector grants from corporate and foundation grantmakers to fund such necessary equipment as fire vehicles, ambulances, protective gear, vehicle-based telecommunication devices, and more.

Two examples of private sector funders supporting fire departments are the Firefighters Support Foundation and Fireman's Fund Insurance Company.

These kinds of sources can help you find grants that provide for new equipment.

Whether or not you're using a grant research database to conduct a search, you can set up automated e-mail notifications for specific search terms through your subscription service or through Google Alerts. These alerts will notify you when there's a match with your term in the database or in Google, so you can save time running manual searches.

3. Your community's parks and recreation department has been at the bottom of budgeting priorities for so long that you can't remember the last time any improvements were made. Community gardening, sports, and conservation groups have stepped up to pick up trash, pull weeds, and repaint waste receptacles.

Some common budget line items for parks and recreation that can be isolated and included in private-sector funding requests are waste receptacles, interpretive signage, resurfacing of park areas, and interpretive guides who lead park visitors through historical areas and explain their relevance to history, culture, and the community. Consider contracting with senior residents to work as guides and paying them a small stipend.

Such special events as celebrations for volunteers are also eligible for funding. The best way to get started is to review your community's wish lists for parks and recreation needs and then look at line-item expenses for the current year and following year.

What are some smaller (under \$25,000) expenses that could be directed at private sector grantmakers like community foundations, boating and fishing foundations, and recreation equipment corporate grantmakers?

In these tight times, it only makes sense to explore all possibilities.



BEVERLY BROWNING, MPA. DBA Vice President Grants Professional Services eCivis, Inc., an ICMA Strategic Partner, Pasadena, California bbrowning@ecivis.com

BY THOM PUCCIO TAKE CONTROL OF THE TRAVEL BUDGET

Planning makes perfect

ravel is an expense line item that local government managers might mistakenly overlook; however, travel funds can make up a large portion of overall costs. Travel budgets can be controlled if time is taken to do the right research and planning.

Instead of rolling over a travel budget year after year, take time to review the organization's travel patterns. Are there standard travel events that happen every year to the same location? Is there an average cost associated with last-minute bookings or travel? What part of a department's travel fluctuates on every trip, like airfare, and what part remains more consistent, like car rental?

Evaluating such organizational travel patterns as keeping track of the key city destinations, number of travelers per month from each department, and monthly spend on hotels and ancillary costs can help identify specific practices that keep costs lower.

A group of travelers in one department, for example, might be booking a hotel at a higher rate and paying for Wi-Fi and breakfast, while another department might be booking a hotel in the same city offering such complimentary amenities as free breakfast and Wi-Fi.

Taking a detailed look is how more and more organizations are planning travel budgets, thus providing an insight into which practices can be applied across the organization to optimize effectiveness and savings.

Dig Deeper Into Data

Once high-level travel budget trends are evaluated, dig deeper into the data you have. Look for specific instances where ancillary costs are adding up—things like meal expenses, technology costs, and transportation. If your organization is spending dollars on hotel rooms but staff is also paying for breakfast meals, Internet access, and parking, then policy should be changed to drive staff toward lodging options that offer those added costs for free.

These ancillary costs may seem insignificant when looked at separately, but paying \$15 for breakfast, plus \$20 for Internet access, and an additional \$30 for overnight parking really starts to add up per person.

Look to align your organization with brands that offer these amenities at no additional cost and work to implement

professional services

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a policy that identifies them as preferred partners. Staff will also have multiple brands to select from across different price points with different amenities in almost any location they could need.

With air travel, look to establish a relationship with one key partner that may have central hubs in or around your community and key travel markets for employees. I recommend that car rentals, like lodging, be centralized as much as possible to take advantage of volume buying to drive down costs.

Focused Research

All in all, it's about doing research and centralizing policies and processes. Select a preferred partner travel company across air carriers, lodging, and car rental for your organization and staff. This will help in negotiating better rates while benefiting from added perks.

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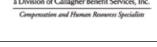


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BY TONY RIVERA BIZARRO SUPERMANAGER Stories reminiscent of the comics

B izarro Superman—a character created by DC Comics, publishers of the *Superman* comic book series—is a flawed imitation of his counterpart Superman. Bizarro lives in a Bizarro World that is an exact opposite of Superman's world. Bizarro's World might be sort of like the one that we city and county managers and administrators work in at times. Let me explain.

There was the day, for example, when I received a telephone call from a lady who claimed that Native Americans had surrounded her house and were shooting arrows at her. Living in Oklahoma, members of this population group are residents, but I'm sure they do not attack homes.

The caller reported that she could actually hear the hoofs of their horses on her roof. For this resident, the local police department rode in and saved the day.

Almost Normal

In the 42 years I've spent working in local government as city clerk/treasurer and city manager, the encounters with Bizarro World have been almost as frequent as in the *Superman* comic books. While working as city manager of Ada, Oklahoma, there was a man who visited my office often and would discuss his belief that his life and mine were somehow destined to intertwine.

He was a mysterious person and impressed upon me that he wasn't to be taken lightly. Again, police department detectives checked out his infatuation with me. They watched him for a period of time and became suspicious of his intentions.

One evening they found him lying on top of his pickup truck and camper, fully camouflaged and ready for action with a large hunting knife. We weren't sure what enemy he was expecting; but this incident gave us an opportunity to get a search warrant for his house.

What we found surprised even his relatives who lived in a nearby town. His living room had been totally excavated into a giant foxhole. He had various weapons scattered throughout his house—none of them thank goodness of the ammunition variety.

This man had army-type clothing and camouflage materials. In other words, he was ready for a war of some type. I sincerely hope I wasn't destined to be one of his targets.

Almost Comic-al

Bizarro World includes characters that mean well but are slightly misguided. "Merry Christmas, Tony. When are you going to pick up my trash" was an actual phone call received at my home one Christmas morning at 7 a.m. The caller said: "My water bill can't be right. I only take a bath when my wife does, and I use the same water."

Another caller had this to say: "Please let my dog out of the pound. He only bites relatives." Staff members who worked with me just weren't sure how the dog knew who his owner's family members were and who weren't, but maybe it was by smell.

And I expect that other managers have experienced similar stories in their Bizarro Worlds; however, we are true super heroes, and we know how to deal with strange experiences. As we find out, we have to go into the phone booth and quickly turn from a Clark Kent to Superman.

There's always a chance, of course, that someone will come up with some kryptonite and try to hurt us, but we always come out on top just like the comic book Superman.

My Super Story

Here's one final funny story. Once there was a rumor started in a city far far away that the local city manager was meeting a certain young lady frequently at a restaurant just outside of town. This was started by a group of "concerned citizens" unhappy with the town's trash collection system.

They were absolutely right. That city manager (yes, it was me) was indeed having an affair. It was with an extremely lovely lady—my wife!

I hope my management colleagues' jobs also give them some great stores to tell. **P4**



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