

JENSEN STRATEGIES

LETTER OF AGREEMENT

January 14, 2022

Mayor Jay Barber
City of Seaside
City Hall
989 Broadway
Seaside, OR 97138

RE: City Manager Recruitment Services

Dear Mayor Barber,

This letter represents an agreement between the City of Seaside, Oregon (City) and Jensen Strategies, LLC (Consultant) to provide City Manager recruitment services. The Scope of Work (Attachment A), provides a delineation of the services to be performed by the Consultant.

Both parties agree:

- A. This agreement is effective on January 21, 2022 or on a date at which the parties identified below have signed this agreement, whichever is later.
- B. The work outlined in Attachment A of this agreement shall be completed unless otherwise terminated or extended, on or before July 31, 2022.
- C. The City agrees to pay the Consultant professional fees not to exceed \$25,000 and direct expenses not to exceed \$5,000 as described in Attachments A and B. The Consultant will invoice the City monthly by email for any work completed or direct expenses executed within the parameters of this Agreement. The City agrees to pay monthly invoices within 30 days of receipt.
- D. The Consultant will maintain the following minimum limits of insurance: (a) General commercial liability insurance \$2,000,000 aggregate; and (b) Workers compensation insurance for \$1,000,000.
- E. The Consultant shall comply with all federal, state, and local laws and ordinances applicable to the work under this Agreement.
- F. The Consultant will not be liable for any violations of state or federal hiring laws (e.g. veterans' preference, protected class, etc.) resulting from City representatives willfully ignoring information and instructions on such legal requirements provided by the Consultant prior to such violation occurring.

- G. The Consultant shall not be deemed in default nor liable for damages arising from its failure to perform its duties or obligations if such failure is due to causes beyond its reasonable control, including acts of God, acts of civil or military authorities, fires, floods, windstorms, earthquakes, strikes or other labor disputes.
- H. The City and Consultant, by mutual written consent, may terminate this agreement at any time. The City or the Consultant, with 15 days written notice to the other party, may solely terminate this agreement.
- I. If this agreement is terminated prior to completion of the work, the City shall pay the Consultant for any work performed and expenses executed in accordance with the Agreement prior to the termination date.
- J. The delivery of signatures to this Agreement by facsimile transmission or other electronic means shall be binding as original signatures.
- K. No modification of this Agreement shall be effective unless agreed to in writing and signed by authorized representatives of both parties.

The City of Seaside, Oregon and Jensen Strategies, LLC hereby agree to the terms of items A through K above.

Signed and dated:

JENSEN STRATEGIES, LLC



 Signature

Erik Jensen, Principal
 (503) 477-8312
 erik@jensenstrategies.com

1/14/2022

 Date

CITY OF SEASIDE, OREGON



 Signature

Jay Barber, Mayor

 Name / Title

(503) 738-5511

 Phone

barberjay573@gmail.com

 Email

January 25, 2022

 Date

ATTACHMENT A

PROJECT SCOPE

Our objective is to help you select the best candidate to serve as the City of Seaside's next City Manager. Our recruitments are structured to attract a wide range of qualified applicants, who we vet using our administrative experience and our knowledge of your city's needs to present you with the best possible candidates for the position. We commit to working in close partnership with the City of Seaside (City), following a process designed to make the best use of your time and resources.

Phase 1: Start-up / Candidate Profile Development

- 1.1 Start-up Meeting:** We will begin the recruitment by meeting via phone or Zoom with the City to refine the project scope. The proposed process and timeline will be amended as necessary, respecting any scheduling considerations or special requests. In this initial phase, we will also collaborate with you to define the geographic and professional breadth of the recruitment, and identify the key stakeholders who will help inform the candidate profile development.

Deliverables: Zoom or phone meeting with designated City staff, final project scope and timeline, geographic and professional scope, and determination of key stakeholders.

- 1.2 Stakeholder Interviews:** Our team will conduct Zoom interviews with the Mayor, City Council, City executive management, City Attorney, and City Recorder to gather background information on major issues facing the City and initial perspectives on what the City is looking for in its next city administrator. In our experience, the individual interviews provide highly valuable qualitative information that can help us find the best candidates for your City's needs.

Deliverables: Up to 12 stakeholder interviews.

- 1.3 Background Research:** We will familiarize ourselves with any key documents (plans, financial information, etc.) as well as the culture and values of both the organization and the City.

Deliverables: Jensen Strategies' understanding of Seaside.

1.4 Stakeholder Meetings and Surveys: We will facilitate one external stakeholder Zoom meeting open to the public. We will also conduct an internal stakeholder online survey and/or Zoom meeting for City staff. Our team will seek an open and dynamic exchange of ideas to capture the full range of attributes Seaside would like to see in its next City Administrator. We also have the ability to provide Spanish written and verbal translation services for these surveys and meetings. City staff will be responsible for promoting the Zoom meeting(s) and/or surveys.

Deliverables: One external Zoom meeting and an online survey for public input as well as one internal Zoom meeting and/or online survey for City staff input.

1.5 Initial Candidate Profile Draft: Drawing upon the input gathered from our interviews, stakeholder meeting(s) and surveys, we will develop a draft candidate profile containing the knowledge, skills, abilities, education, and work experience desired for the position, as well as more intangible traits such as management approach and personality. Also, based on our research and information gathered, we will also prepare policy priorities and hiring procedures consistent with the requirements of ORS 192.660.

Deliverables: Candidate profile initial draft.

1.6 Draft Finalization: We will discuss our draft candidate profile with the current City Manager and management staff, as desired, to validate and finalize the draft in advance of meeting with the City Council. These discussions will take place over conference calls and/or Zoom meetings.

Deliverables: Conference calls and/or Zoom meetings as necessary to finalize the candidate profile draft. Final draft of candidate profile.

1.7 Review and Adoption of Candidate Profile and Hiring Process: We will attend a City Council work session to present the draft profile including a discussion of any changes/alterations. Following the work session, we will make any changes desired by the Council, and will submit the final profile and hiring process for formal Council approval.

Deliverables: Participation in one City Council work session. Preparation of official candidate profile and hiring process for Council adoption.

Phase 2: Position Advertisement

- 2.1 Recruitment Brochure Development:** Upon City Council formal adoption of the hiring process and candidate profile, consistent with the requirements of ORS 192.660, our team will develop a professional, comprehensive recruitment brochure designed to attract the highest quality applicants. Organization-specific information will be incorporated into the brochure, including an overview of department functions/services, staff size, budgetary information, and current challenges and policy priorities. Community information will be added, including a description of the environment with quality of life details, economic highlights such as important industries and major employers, and a listing of public agencies with overlapping jurisdiction. The brochure will conclude with position compensation information, including salary and benefits package, as well as information on how to apply for the position and the recruitment timeline.

Deliverables: Development of one recruitment brochure in PDF format.

- 2.2 Position Advertisement:** We will execute a comprehensive position advertisement process designed to attract a variety of qualified and well-suited candidates. Our approach will be multifaceted, and will include advertising the position on high-profile managerial and specialization-specific websites, within professional publications and periodicals, with venues that reach out to diverse candidate populations, and in other forums as appropriate. We will also directly contact qualified managers within our extensive professional network to inform them of the opening.

Deliverables: Online position advertisements. Direct contact of qualified managers.

Phase 3: Candidate Screening

We will carefully vet all submitted applications, conduct in-depth interview processes, and provide the City with all the information necessary to make the best choice for finalists and the successful candidate. We will also maintain written contact with candidates to keep them updated on the recruitment process.

- 3.1 Initial Application Screening:** Candidates will provide a resume, a cover letter, and a Jensen Strategies supplementary application form. We will review applications against the City Manager Profile, remove all non-responsive applications, and determine which candidates best fit the City's needs.

Deliverables: Preparation of application form. Initial application screening.

- 3.2 Preliminary Zoom Interviews:** We will conduct preliminary Zoom interviews with the candidates who best fit the candidate profile, as well as all veterans who meet the position's minimum qualifications (as required by Oregon law). In preparation for the interviews, we will conduct an internet search regarding each candidate, to identify any high profile work-related media.

Deliverables: Preliminary phone interviews and internet research for up to 10 candidates.

- 3.3 Recommendation of Finalists:** We will attend an executive session of the City Council in-person during which we will present the results of our initial review process and recommendations of up to four finalists. For transparency purposes, we will provide briefing notebooks with information on all the candidates we interviewed. During the session we will answer Council questions and assist in facilitating a discussion to help them reach consensus on up to four finalists. Subsequently, the Council will announce the finalists in a regular business meeting after we notify the selected finalists and receive permission for public disclosure of their candidacy.

Deliverables: Recommendation of up to four finalist candidates with supporting information on all candidates interviewed by Zoom. Attendance, presentation, and facilitation at a City Council executive session. Council consensus on up to four finalists.

3.4 Background Checks on Finalists: We will work with our partner, Legal Locator Service (www.legallocatorservice.com), to perform comprehensive background checks on all finalists. Background checks will include at a minimum:

- County criminal searches
- State criminal searches
- Federal criminal searches
- National criminal database searches
- Sex offender searches
- Motor vehicle searches
- Education/degree verification
- Employment verification
- Credit checks
- Civil litigation

Deliverables: Identification of any concerning issues found during background checks of up to four candidates.

3.5 Reference Checks on Finalists: We will take the necessary time to vet the candidates with the references they provide, as well as other knowledgeable contacts we may be aware of, asking incisive questions to gain a comprehensive understanding of their abilities as managers and potential fit for the City.

Deliverables: Reference check summaries for up to four finalists.

3.6 Finalist Receptions: Prior to the final interviews, two receptions (Zoom or in-person depending on the status of the pandemic and City policy) will be held to provide opportunities to interact with the finalists, ask them questions, and form general impressions of the candidates. The first reception will be open to the City staff, and the second reception will be open to members of the public. At both receptions, attendees will be provided an opportunity to provide feedback concerning their impressions of the finalists, to inform the Council's final selection process. As noted before, we have the resources to provide Spanish translation for the meetings and feedback surveys. The City will be responsible for promoting both receptions.

Deliverables: Coordination, development, and implementation of two virtual or in-person finalist receptions. Feedback survey for participants.

3.7 Finalist Interviews: Finalists will be interviewed in-person by three panels in a social-distanced environment consisting of (1) the City Council, (2) a panel of local government administrators from other jurisdictions, and (3) a panel of key community members. An optional department manager panel may also be included if desired. Panelists will receive an informational packet containing interview guidelines, questions, and comprehensive information on each finalist. After panel interviews have been completed, we will summarize the findings and recommendations to be shared during Council deliberations and selection.

Deliverables: Coordinating, orienting, and providing briefing materials for the finalist panels. Moderate panel interviews. Summarize the feedback and observations from panel interviews and receptions if relevant.

3.8 Council Deliberations and Selection: The Council will convene in executive session. At the session, we will provide summary material on all input received during the finalist interview process, references, and background checks. We will facilitate the Council's discussion in identifying their selected candidate.

Deliverables: Attendance, presentation, and facilitation at City Council executive session to reach consensus on a selected candidate.

Phase 4: Contract Negotiations

4.1 As requested by the City, we will assist in the contract negotiations with the selected candidate.

Deliverables: Assistance provided to the City in contract negotiations, not to exceed four hours.

ADJUSTMENTS TO RECRUITMENT PROCESS

Jensen Strategies is dedicated to providing a recruitment process that meets the City's expectations and produces an outcome that generates wide support. We commit to working closely with the City and are more than willing to adjust our process as needed to meet the specific needs of Seaside.

SAMPLE RECRUITMENT SCHEDULE

This schedule is only illustrative of the time needed to complete the recruitment. We will work with the client to establish a final schedule.

Date	Actions
Week 1	Start-up meeting with City to finalize scope and timeline
Weeks 2 and 3	Stakeholder interviews Virtual public input meeting Staff online survey or input meeting
Week 4	Initial candidate profile draft and finalization
Week 5	City Council work session re: draft candidate profile and hiring process
Week 6	Council official adoption of candidate profile/hiring process
Week 7	Recruitment brochure development
Weeks 8 - 11	Position advertisement
Week 12	Initial application screening
Week 13	Preliminary Zoom interviews
Week 14	Recommendation and selection of finalists
Weeks 15 - 17	Background/reference checks on finalists
Week 18	Finalist receptions, interviews, and selection

ATTACHMENT B

FEES AND EXPENSES

Professional Fee: Jensen Strategies' fees includes all staff time, meetings and communication with the City, preparation of documents and advertisements, candidate profile development, application screening, communications with candidates, interviews, reference checks, candidate travel coordination, preparation/facilitation/moderation of stakeholder meetings and interview panels, and other tasks related to the recruitment. Our professional fees for the approach offered is:

Professional Fees: \$25,000

Expenses: Expenses are the responsibility of the City. Whenever possible, we will wait for your approval before incurring expenses. Though we tailor each recruitment to our clients' individual needs, expense items typically include:

- Fees for advertising the position online and in publications (typically less than \$1,800)
- Background checks for finalists (typically less than \$1,000 for up to four finalists)
- Document printing and binders (typically less than \$250)
- Graphic art design (typically less than \$1,000)
- Consultant travel expenses (mileage charged at current IRS mileage rate, lodging at \$150/night/person, travel time at \$40/hour)
- Out of state candidate travel for finalists (if beyond a designated distance) – if desired by the City (depending on number and distance, can range from \$500 to \$3,000)
- Contractual services to support department head interview panel (\$750)

Estimated expenses for this recruitment are estimated at \$5,000 plus any out of state candidate travel and lodging expenses if relevant.

Jensen Strategies will submit invoices to the City on a monthly basis for services rendered, with payment due in 30 days.

PROFESSIONAL LIABILITY INSURANCE

Jensen Strategies carries a professional liability insurance policy through The Hanover Insurance Group in the amount of \$2 million.

GUARANTEE

Jensen Strategies stands by our work. If the candidate selected by the City resigns or is terminated for cause within one year of the hire date, we will conduct replacement recruitments for no additional professional fee. In this event, the City would only be responsible for paying the expenses as outlined above associated with the additional recruitment. This guarantee also assumes that the selected candidate signs an employment agreement with the City prior to starting work.