

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico
City Clerk Rafael E. Granado

DATE: July 24, 2024

TITLE: OVERVIEW OF PROPOSED CITY MANAGER INTERVIEW PROCESS; INTERVIEWS OF FINALISTS: ANTHONY ALICASTRO, ERIC T. CARPENTER, TARIK RAHMANI, AND JEROME "JAY" C. WILVERDING; AND SELECTION OF CITY MANAGER.

RECOMMENDATION

N/A

BACKGROUND/HISTORY

On April 18, 2024, the City Commission directed the City Clerk and City Attorney to initiate the process of selecting and appointing a new City Manager. GovHR USA, a government executive recruitment firm, was selected by the City Commission to assist with the search and selection process, which resulted in attracting 124 applicants from 29 states, including 59 applicants from within Florida. GovHR USA selected eight semi-finalists based on their experience and suitability for leading Miami Beach, conducted first-round reference checks, social media checks, and personal interviews, and will conduct background checks on the finalists. At the July 9, 2024, Special Commission Meeting, the City Commission discussed the selection process for the new City Manager and reviewed the eight semi-finalists presented by GovHR USA. From this review, Anthony Alicastro, Eric T. Carpenter, Tarik Rahmani, and Jerome "Jay" C. Wilverding were selected as finalists for the City Manager position.

The next steps in the process include in-person interviews by the Mayor and Commissioners with the finalists on July 23, 2024, followed by public interviews during the Commission Meeting on July 24, 2024.

ANALYSIS

I. Introduction

The purpose of this memorandum is to outline the proposed interview process for the selection of the City Manager, scheduled for July 24, 2025. This process involves individual public interviews of the finalists: Anthony Alicastro, Eric T. Carpenter, Tarik Rahmani, and Jerome "Jay" C. Wilverding, followed by the City Commission's selection of the City Manager.

II. Proposed Interview Process

1. **Timing and Format:** Each finalist will be allocated 30 minutes for an individual public interview with the City Commission. The City Clerk will monitor time and allow a 2-minute grace period at the 28-minute mark to facilitate a conclusion.
2. **Questioning Protocol:** During the public interviews, questions posed to candidates will be drawn exclusively from a Master List. Commissioners have contributed to this list to

ensure a comprehensive range of topics. Follow-up questions may be asked based on the candidates' responses.

3. **Commissioner Participation:** To accommodate time constraints, each Commissioner will have the opportunity to pose at least two questions to every candidate during the interviews.
4. **Additional Considerations:** In addition to the public panel interviews, each Commissioner will have an opportunity to conduct one-on-one interviews with all finalists to further inform their decision-making process.

III. Employment Law Considerations

It is crucial to emphasize that the selection of the City Manager constitutes a significant policy decision with employment law implications. Federal, State, and City anti-discrimination laws, including the City's Human Rights Ordinance, prohibit discrimination based on various protected classes. These include:

- Race
- Color
- National Origin
- Religion
- Sex
- Intersexuality
- Gender Identity
- Sexual Orientation
- Marital and Familial Status
- Age
- Disability
- Ancestry
- Height
- Weight
- Hair Texture and/or Hairstyle
- Domestic Partner Status
- Labor Organization Membership
- Familial Situation
- Political Affiliation

IV. Guidelines for Questioning

While questions on the Master List will be vetted for compliance with anti-discrimination provisions, Commissioners must remain vigilant during follow-up questions to avoid any semblance of bias related to protected characteristics. Common pitfalls involve questions concerning gender, age, or disability. Examples of acceptable and unacceptable questions are provided as follows:

- Acceptable: "How long did you stay in your last role?"
- Not acceptable: "How old are you and when did you first start working?" (Age discrimination)
- Acceptable: "Do you have any commitments that might prevent you from performing the functions of City Manager?"
- Not acceptable: "Are you married? Are you single? Do you have any children or are you planning to have children?" (Familial status discrimination)

- Acceptable: "Accurately describe the job and ask if the candidate can perform all functions."
- Not acceptable: "Do you have a disability? Have you ever filed a worker's compensation claim?" (Disability discrimination)

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate? N/A
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on N/A.
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

N/A

CONCLUSION

It is imperative that Commissioners adhere strictly to these guidelines to ensure a fair and legally compliant interview process. The Office of the City Attorney and the Office of the City Clerk remain available to address any questions or concerns regarding this process.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

No

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

City Clerk

Sponsor(s)

Co-sponsor(s)

Condensed Title

City Manager Selection Process: Public Interviews and Finalist Selection. (CC/CA)