

City of Brisbane Agenda Report

TO: Honorable Mayor and City Council
FROM: Clay Holstine, City Manager
DATE: City Council Meeting of November 5, 2012
SUBJECT: City Attorney Recruitment Process Update and Approval of Professional Services

RECOMMENDTION

Receive update on City Attorney Recruitment Process and authorize the Mayor to execute the proposal submitted for the services of Peckham & McKenney to assist in the recruitment process

BACKGROUND

In July, the City Attorney advised the Council that he would be retiring sometime in the fall of 2012. His official date of retirement is October 1st, but he has agreed to continue to provide services until a successor is chosen.

At the City Council Meeting of August 27th, the Council appointed a Council Subcommittee of Councilmember Miller and Councilmember Richardson to meet and make recommendations to the Council on the recruitment process.

ANALYSIS

The Subcommittee has met on four occasions to discuss how to proceed. It was decided to invite Ms. Bobbi Peckham of Peckham & Mc Kenney to their meeting of October 2, 2012 and as a result of that discussion she submitted the attached proposal for services.

The proposal lists the areas that her firm would handle and which parts would be handled by City staff to reduce the costs of the recruitment.

The Council Subcommittee felt that Ms. Peckham is very well qualified and was responsive to the subcommittee's direction, as well as the fee being reasonable.

Listed below is an estimated timing of the recruitment process:

11/5/2012	Council considers approval of retention of services for recruitment
Nov-Dec.	Staff and Council Subcommittee develop Request for Proposals (RFP)
12/17/2012	Council considers approval of RFP
12/18-12/28	Staff distributes RFP
Feb. 15 th	Deadline for response to RFP
Feb.-Mar	Council Subcommittee and Peckham & McKenney review proposals and conduct preliminary interviews
April	Full Council interviews of Finalists and Screening/Background/Ref. Checks
May 1 st	City Attorney Selected

FISCAL IMPACT

The cost of services is \$9,750 and was not anticipated in the approved budget, therefore a supplemental appropriation would need to be approved in this amount.



Clayton Holstine, City Manager



October 15, 2012

Vice Mayor Ray Miller
and Council Member Sepi Richardson
City of Brisbane
50 Park Place
Brisbane, CA 94005

Dear Vice Mayor Miller and Council Member Richardson:

Thank you for your patience in receiving this overview of our discussion on October 2. As Clay may have mentioned, I broke my wrist the next day and have been struggling with some of the relatively simple tasks in life since then. Typing appears to be my greatest challenge.

I appreciated the opportunity to meet with you to discuss the recruitment of the City Attorney. Based on our conversation, the following outlines my understanding of your needs and the process involved.

The City's Needs

With the retirement of your long-tenured City Attorney, the Brisbane City Council is interested in recruiting an individual to serve as a contract City Attorney who will work on site on an as-needed basis (office hours and Council/Planning Commission meetings) as well as provide advice and counsel on a daily basis from an off-site location.

The Recruitment Process

RFP -- In order to identify interested parties/individuals from law firms or other professionals, the City of Brisbane will prepare a Request for Professional Services for City Attorney services. The Council Subcommittee will work with City staff to draft the RFP and assemble a list of potential law firms and other individuals to receive the RFP. I will assist the City in reviewing the draft RFP as well as supplement the distribution list with additional professionals in the industry. The RFP will then be sent to the distribution list with direction that all responses must be sent directly to the City. The RFP will also be posted on our firm's web site.

Gaining Familiarity with Brisbane – I will attend a City Council meeting in order to become more familiar with the Council, organizational culture and needs, and current/future issues and challenges facing the community and organization. This familiarity will assist me in the review and screening of candidates that "fit" the organization and Council's needs.

Review of Proposals – The Council Subcommittee will review proposal responses and determine the leading candidates/firms (no more than 12) for further consideration. I will meet with the Subcommittee to review those identified, outline any questions or concerns the Subcommittee may have, and offer any additional advice or assistance necessary.

Preliminary Interviews – My firm will schedule face-to-face preliminary interviews with those individuals selected by the Subcommittee, and I will personally conduct those interviews. Candidates/firms will be reviewed for background/experience, skills, and “fit” with the City of Brisbane’s needs and organizational culture.

Recommendation of Finalists – I will meet with the Subcommittee to review the results of the preliminary interviews and provide a recommendation of the leading candidates to attend finalist interviews with the Subcommittee or Council. All candidates/firms will be notified of their status following this meeting.

Screening/Backgrounding/References – My firm will obtain release forms from finalists in order to conduct necessary background checks (civil/criminal/credit/education/motor vehicle) as well as reference checks. All results of these checks will be provided to the City for their review and confidential files.

Attendance of Finalist Interviews – My firm will contact finalists and schedule their interviews with the Subcommittee or Council. I will personally facilitate these finalist interviews and provide sample interview questions as well as evaluation and ranking sheets.

Offer of Employment – The City will negotiate the offer of employment/contract with the selected finalist/firm. All other finalists will be notified of their status by my firm.

Professional Fee & Expenses

The professional fee and out-of-pocket expenses incurred to provide the above assistance to the City is \$9,750. Additional assistance outside the scope of services detailed above would be negotiated.

Thank you once again for your interest in my services. I look forward to hearing from you at your convenience.

Sincerely,

Bobbi C. Peckham

bobbi@peckhamandmckenney.com

(866) 912-1919 toll-free; (916) 730-2014 (c)

Accepted:

Approved and Accepted:

Bobbi C. Peckham

Cliff Lentz, Mayor, City of Brisbane