



AGENDA
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL DRAINAGE
DISTRICT
FEBRUARY 28, 2011
2:00 P.M.
Town Council Chambers
94 Ashfield Road
Atherton, California
Special Meeting

2:00 P.M. ROLL CALL Widmer, Lewis, Dobbie McKeithen, Carlson

2:02 P.M. PUBLIC COMMENTS

2:15 P.M. REGULAR

1. APPROVAL OF BUDGET AMENDMENT TO HIRE AN EXECUTIVE FIRM TO RECRUIT A PERMANENT CITY MANAGER

Report: Interim City Manager Theresa DellaSanta

Recommendation: Adopt Resolution 12-xx approving budget amendment to hire an executive search firm to recruit a permanent City Manager in the amount not to exceed \$17,000

2. REVIEW AND DISCUSS WORK IN PROGRESS FOR RECRUITMENT OF PERMANENT CITY MANAGER AND ESTABLISH A TIMELINE FOR COMPLETION; DISCUSS, DEVELOP AND TAKE ACTION ON CRITERIA FOR VETTING RESUMES

Report: Interim City Manager Theresa DellaSanta

Recommendation: To Be Determined

4:00 P.M. ADJOURN

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the City Clerk's Office at (650) 752-0500. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CRF 35.104 ADA Title II)



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: THERESA N. DELLASANTA, INTERIM CITY MANAGER

DATE: FOR THE MEETING OF FEBRUARY 28, 2012

SUBJECT: ADOPTION OF A RESOLUTION APPROVING BUDGET AMENDMENT FOR FY 2011-12 FOR RECRUITMENT OF PERMANENT CITY MANAGER

RECOMMENDATION

Adopt the resolution approving an appropriation of up to \$17,000 from General Fund reserves for the recruitment of a permanent City Manager and provide staff direction related to the recruitment process.

DISCUSSION

It has been four weeks since the Town appointed an interim City Manager in place of former City Manager John Danielson who was required to resign by CalPERS. During that time the Town has waited patiently for CalPERS to respond to the Town on whether they approve the consultant contract with John Danielson. Given Mr. Danielson's recent experience on the job, the Town preferred to hire him as an independent contractor to perform recruiting services rather than hiring an expensive recruiting firm. CalPERS contacted the Town late last week and notified the interim City Manager that the review process could take up to two more months. There is nothing in the law that requires the Town to submit contracts to CalPERS for review, but the Town did so voluntarily. The Town believes the agreement, as approved by Council, complies with CalPERS circular letters and the law regarding the hiring of annuitants as consultants. The Town has done everything in its power to demonstrate sincerity and honesty in the process. Nevertheless, after speaking with the Mr. Danielson we felt it was appropriate to allow City Council to move forward by hiring a different recruiter in order not to stall the process.

Staff has developed a Request for Proposal for professional services, and solicitation and evaluation of proposals based on Council-approved selection criteria and make a

recommendation to City Council to interview the top firms. Council will interview the top firms and provide direction to the interim City Manager to negotiate a contract which will come back to Council. Council should discuss the level of involvement they would like to play in the selection process for the executive search firm.

As an alternative to hiring another recruitment firm, Council may choose to provide direction to the interim City Manager to establish a timeline and process for the in-house recruitment of a permanent City Manager. The interim City Manager will work with Council to develop the criteria and attributes necessary to be a viable candidate for interim City Manager. The Town will continue with advertising and recruitment of candidates and recommend the top candidates to the Council to be interviewed. This option will provide the Council with a customized process that will include specific details of the needs of the organization and the fiscal impact will be less significant.

FISCAL IMPACT

The General Fund Budget does not include an appropriation for the recruitment of a City Manager and therefore an additional appropriation of \$17,000 is proposed. This appropriation will come from General Fund reserves.

Attachment: Budget Amendment Resolution

RESOLUTION NO. 12-xx

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF
ATHERTON APPROVING BUDGET AMENDMENT FOR FY 2011-12
FOR RECRUITMENT OF PERMANENT CITY MANAGER**

WHEREAS, it is in the best interest of the Town of Atherton that the Fiscal Year 2011-12 Operating Budget be amended as set below, and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the Town of Atherton does hereby approve an amendment to the FY 2011-12 Town Budget to enact the changes identified below:

1. Increase appropriation to General Fund expenditures (01-12-54010-012) in the amount of \$17,000 from General Fund undesignated fund balance.

PASSED AND ADOPTED at a meeting of the City Council of the Town of Atherton held on the 28th day of February, 2012, by the following vote:

AYES: Council Members:
NOES: Council Members:
ABSTAIN: Council Members:
ABSENT: Council Members:

William R. Widmer
Mayor

ATTEST:

Theresa N. DellaSanta
Deputy City Clerk

William Connors
City Attorney

TOWN OF ATHERTON
REQUEST FOR QUALIFICATIONS (RFQ)
FOR AN EXECUTIVE SEARCH FIRM
TO CONDUCT THE RECRUITMENT FOR
THE POSITION OF CITY MANAGER



SUBMITTAL DEADLINE: Thursday, March 8, 2012

RFQ SUMMARY

DATE ISSUED:

February 21, 2012

PROJECT TITLE:

EXECUTIVE SEARCH FIRM TO CONDUCT THE RECRUITMENT FOR THE POSITION OF CITY MANAGER

DESCRIPTION OF PROJECT:

The City is seeking qualifications from executive search firms to enter into an Agreement for Consultant Services to work with an Ad Hoc Committee of the City Council and the City Council as a whole to conduct a recruitment process for the position of City Manager.

DEPARTMENT REQUESTING:

City Council

RFQ ISSUED:

February 29, 2012

SUBMITTAL DEADLINE:

Received by 5:00 PM, Thursday, March 8, 2012

DELIVER SUBMITTAL TO:

Theresa DellaSanta
Interim City Manager
TOWN OF ATHERTON
91 Ashfield Road
Atherton, CA 94027

CITY CONTACTS:

Theresa DellaSanta
tdelasanta@ci.atherton.ca.us
650-752-0504

I. INTRODUCTION

The TOWN OF ATHERTON is requesting qualifications (RFQ) from executive search firms to work with the City Council in the selection of a new City Manager. The selected firm will work with an Ad Hoc Committee of the City Council and/or the City Council as a whole to conduct a recruitment process, screen and interview candidates, and negotiate an employment agreement. The City Council has already developed a profile and criteria for a suitable candidate.

II. BACKGROUND

The Town is searching for a City Manager to provide strong and progressive leadership for the organization. The Town appointed an Interim City Manager in January, 2011 expecting that this person would be with the Town thru the 2011/12 fiscal year. However, the Interim City Manager was required to step down by CalPERS in January 2011, prior to the end of his contract. The City Council appointed an in-house Interim City Manager to conduct Town business until a permanent City Manager is hired. An Ad Hoc Committee of the Council has been appointed to select an executive search firm and to work with the selected firm in developing a suitable process.

The RFQ process is intended to identify firms that are best qualified to conduct this process. Selected firms may be interviewed by the Ad Hoc Committee. The selected firm will meet with the City Council the week of March 12, 2012.

III. SCOPE OF SERVICES

The scope of services to be provided by the Consultant will include:

1. Meet with the Ad Hoc Committee to develop a recruitment process and schedule.
2. Meet with the City Council to confirm the candidate profile.
3. Confirm and supplement appropriate advertising
4. Outreach to qualified potential candidates.
5. Screening and preliminary interviews of qualified applicants.
6. Meet with Ad Hoc Committee to select finalists to be interviewed.
7. Facilitate initial professional interview panels.
8. Meet with City Council to present recommendations of interview panels.
9. Conduct background checks of top candidates (2 – 3).
10. Facilitate final interviews of top candidates with City Council.
11. Assist in negotiating employment agreement with selected candidate.

IV. RFQ SCHEDULE

The following information is supplied as a guideline rather than as a set of absolute deadlines. The Town reserves the right to alter the schedule as necessary.

- RFQ issued: February 29, 2012
- Responses Due Date: March 8, 2012
- Evaluation of Responses: March 9 - 11, 2012
- Interview Selected Firms: Week of March 12, 2012
- Preferred Firm Selected: March 21, 2012
- Initial meeting with Firm selected and City Council week of March 26, 2012.

** Note: Responses to RFQ should include a proposed schedule for the recruitment process.

V. SUBMITTAL REQUIREMENTS

The Town is seeking an executive search firm with extensive experience in public sector executive recruitments, particularly recruitments for the position of City Manager. The selected firm must demonstrate that it has a strong track record in attracting and successfully placing excellent quality candidates.

Interested and qualified firms should provide an electronic copy and one hard copy (that is easily copied) of the submittal which includes the following:

- A. Statement of Qualifications and Interest. Explain the background of the firm and its principals. Describe relevant public sector experience, including in particular similar recruitments for other cities.
- B. Detailed description of resources committed to this recruitment. Provide resume and detailed information regarding the experience for the principal recruiter to be assigned to the Town's recruitment process. Also describe all other staff resources that may be assigned to this effort.
- C. Provide a proposed recruitment schedule. Outline an aggressive yet realistic timeline for the recruitment. Identify any expectations and/or deliverables that are required from the Town.
- D. References. Provide complete contact information for at least five prior public agency clients that the firm has worked with on similar recruitments within the past three years. Provide a comprehensive list of public sector clients.
- E. Insurance Coverage. Provide proof of professional liability insurance of at least \$1,000,000 and other insurance requirements.
- F. Cost. Provide a fixed cost proposal with a not-to-exceed proposal for expenses.

VI. SELECTION CRITERIA

The Ad Hoc Committee will review submittals based on the following criteria:

- A. Quality of firm and experience of principal recruiter;
- B. Demonstrated success in prior similar recruitments;
- C. Proposed recruitment schedule;
- D. References;
- E. Cost.

The selection committee may request interviews with the most qualified individuals and/or firms. The Town reserves the right to alter the selection process and/or project scope following the issuance of this RFQ.

VII. GENERAL CONDITIONS

The Town reserves the right to modify or cancel the selection process or schedule at any time. Additionally, the Town may seek clarification or additional information from proposers. This RFQ does not commit the TOWN OF ATHERTON to sign an agreement, award a contract, or to pay any costs incurred in the preparation of a response to this RFQ. City Council approval will be required.

All documents, conversations, correspondence, etc. between the Town are subject to the laws and regulations that govern the Town.

EXHIBIT 1 – INSURANCE REQUIREMENTS

I. INSURANCE REQUIREMENTS. Contractor shall procure and maintain for the duration of the contract "occurrence coverage" insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the Contractor's bid.

A. Minimum Scope of Insurance. Coverage shall be at least as broad as:

1. Insurance Services Office form number GL 0002 (Ed. 1/73) covering comprehensive General Liability and Insurance Services Office form number GL 0404 covering Broad Form Comprehensive General Liability; or Insurance Services Office Commercial General Liability coverage ("occurrence" form CG 0001.)

2. Insurance Services Office form number CA 0001 (Ed. 1/78) covering Automobile Liability, code 1 "any auto" and endorsement CA 0025.

3. Workers' Compensation Insurance as required by the Labor Code of the State of California and Employers Liability Insurance.

B. Minimum Limits of Insurance. Contractor shall maintain limits no less than:

1. General Liability: \$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

2. Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage.

3. Workers' Compensation and Employers Liability: Workers' Compensation limits as required by the Labor Code of the State of California and Employers Liability limits of \$1,000,000 per accident.

C. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of the City, either the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its officers, officials and employees; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

D. Other Insurance Provisions. The policies are to contain, or be endorsed to contain, the following provisions:

1. General Liability and Automobile Liability Coverages.

a. The City, its officers, officials, employees and volunteers are to be covered as insureds as respects: liability arising out of activities performed by or on behalf of the Contractor; products and completed operations of the Contractor, premises owned, occupied or used by the Contractor, or automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of the protection afforded to the City, its officers, officials, employees or volunteers.

b. The Contractor's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees and volunteers. Any insurance or self insurance maintained by the City, its officers, officials, employees or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.

c. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its officers, officials, employees or volunteers.

d. The Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

2. Workers' Compensation and Employers Liability Coverage.

The insurer shall agree to waive all rights of subrogation against the City, its officers, officials, employees and volunteers for losses arising from work performed by the Contractor for the City.

3. Professional Liability.

Contractor shall carry professional liability insurance in an amount deemed by the City to adequately protect the Contractor against liability caused by negligent acts, errors or omissions on the part of the Contractor in the course of performance of the services specified in this Agreement.

4. All Coverages.

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City.

E. Acceptability of Insurers. Insurance is to be placed with insurers with a Bests' rating of no less than A:VII.

F. Verification of Coverage. Contractor shall furnish City with certificates of insurance and with original endorsements effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements are to be received and approved by the City before work commences. The City reserves the right to require complete, certified copies of all required insurance policies, at any time.

G. Subcontractors. Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

H. The Risk Manager of City may approve a variation in those insurance requirements upon a determination that the coverages, scope, limits and forms of such insurance are either not commercially available or that the City's interests are otherwise fully protected.



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: THERESA N. DELLASANTA, INTERIM CITY MANAGER

DATE: FOR THE MEETING OF FEBRUARY 28, 2012

SUBJECT: REVIEW AND DISCUSS WORK IN PROGRESS FOR RECRUITMENT OF PERMANENT CITY MANAGER AND ESTABLISH A TIMELINE FOR COMPLETION; DISCUSS, DEVELOP AND TAKE ACTION ON CRITERIA FOR VETTING RESUMES

RECOMMENDATION

To be determined.

DISCUSSION

A City Manager job description and ad were created and the Town began advertising for a permanent City Manager in early February. The ad was placed in the following publications:

Western Cities (a magazine published by the League of California Cities, distributed to every city in California)

Town website

Jobs Available (A list of employment opportunities in the public sector)

Craigslist –(however because such a high response was received in less than 24 hours it was put on hold until after the Town has developed the criteria)

Almanac – run on Feb 22

Calopps (Owned and operated by cities and public agencies in the state, with a searchable database of jobs in the public service sector).

Based on the action taken under item one of this agenda, Council may or may not need to discuss a timeline and process, however, at this juncture Council will need to discuss setting criteria for vetting resumes.

The criterion for experience, qualifications, and education have been established by the interim city manager and published in the ad. Additional criteria should be established to define what the City Council prefers for characteristics in a City Manager.

Criterion for characteristics could include someone who has a willingness to be part of our community; ability to deal with hot topics/issues, leadership skills and the ability to be results-oriented; ability to strike a balance among residents, council and staff; managerial experience in the private sector; communication and interpersonal skills; transparency and respect; fiscally responsible; and works well under pressure.

FISCAL IMPACT

There is no fiscal impact for developing the criteria.