



Midpeninsula Regional
Open Space District

R-11-99
Meeting 11-26
September 28, 2011

AGENDA ITEM 4

Authorize the General Manager to execute a professional services agreement with the executive search firm of Peckham and McKenney for Recruitment of a District General Counsel

BOARD APPOINTEE EVALUATION AD HOC COMMITTEE RECOMMENDATIONS

1. Authorize the General Manager to execute a professional services agreement with the executive search firm of Peckham and McKenney for Recruitment of a District General Counsel in an amount not to exceed \$17,500 and expenses not to exceed \$7,000.
2. Assign the Board Appointee Evaluation Ad Hoc Committee to work with Peckham and McKenney and to return to the Board with a proposed recruitment process, timeline, and draft candidate profile for Board review and approval.

SUMMARY

The Board of Directors tasked the Board Appointee Evaluation Ad Hoc Committee with the initial steps of a recruitment process for a successor to the District's General Counsel as a result of her retirement announcement. The Ad Hoc Committee has completed these tasks and is recommending that the Board authorize retention of the executive search firm of Peckham and McKenney due, among other factors, to the firm's excellent references, recent success in placing public agency attorneys, and familiarity with the District including placement of the current General Manager. These factors may also help expedite the recruitment process. The Ad Hoc Committee is recommending further that it be assigned to work with Peckham and McKenney to develop a proposed recruitment process, timeline, and draft ideal candidate profile for Board review and approval at its meeting of October 12, 2011.

DISCUSSION

At the Board's meeting of August 24, 2011, the Board assigned the task of developing and recommending a General Counsel recruitment plan to the Board Appointee Evaluation Ad Hoc Committee (see Report No. R-11-90) and the Board directed the Board Appointee Evaluation Ad Hoc Committee (Committee) to undertake the initial steps of the plan.

The Board directed the Committee to identify qualified search firms and send out a Request for Proposal to these firms. The Board directed the Committee to interview responsive search firms and

return to the Board for its approval of a recommended search firm from among the top three finalists. Thereafter, with Board approval, the Committee will work with the firm and return to the Board at its next meeting with a proposed search and selection process and timeline for Board approval. To help expedite the process, the Committee is also requesting that it be tasked with returning with a draft “ideal candidate profile” for Board review and approval.

The Committee met on September 2, 2011, to identify qualified executive search firms. The Committee reviewed and approved the Request for Proposal to be sent to these firms. Finally, the Committee agreed upon a timeframe for receipt of proposals, Committee review of the proposals, and proposed dates for interviews of the top three firms.

An invitation for proposals was sent out to seven firms on September 7, 2011, with proposals due on September 15, 2011. The District received three proposals as set out in the following table:

Firm Name	Firm Location	Fee/Expenses
Alliance Resource Consulting LLC	Long Beach, CA; Palo Alto, CA	\$16,500/\$7,500
Bob Murray & Associates	Roseville, CA	\$16,500/\$6,500
Peckham & McKenney	Sacramento, CA	\$17,500/\$7,000

The Committee met on September 19th, reviewed the proposals, and determined that all three firms were qualified. The Committee determined that personal interviews would not assist in evaluating the firms’ qualifications as interview questions were sent out as an attachment to the RFP and written responses were reviewed. The Committee asked each interviewee questions which covered the following general topics:

1. District knowledge: What do you know about Midpeninsula Regional Open Space District? Since an open space special district differs from a typical city or county government agency, what changes, if any, would you make in your approach in finding candidates for us?
2. Board participation: How would you involve the Board in the recruitment process? What process would you use to assist the Board in arriving at a consensus regarding the most desired characteristics?
3. Staff participation: What methods have you used to include senior management in the recruitment process?
4. Interim problem: Sometimes a replacement person lasts only a short time when coming in after a long-term incumbent. How would the recruiter work with us so that this risk is minimized? What experience has the recruiter had with this issue?
5. Time frame: Our goal is to have the candidate’s acceptance by January 1, 2012. How would the recruiter suggest we best proceed?
6. Searching for hidden candidates: What process is used to discover and recruit potential candidates who may be quite satisfied with their current position and are not considering a change? What success has been found in this endeavor?

7. Size of the firm: How large is the firm? What resources are available? How important is THIS search in the firm's workload and schedule?
8. Staff: How many clients will the assigned recruiter be working with at the same time? Who additionally will be working on our position?
9. Interview questions: Will you also be suggesting questions that we may ask candidate finalists?
10. District Staff: How might you involve the General Manager and senior management in the interview of finalists?
11. Ability to Meet Timeline: If your firm is selected, the Board will meet on September 28, 2011, to award the contract. The selected firm will be notified on September 29, 2011. If selected, would you be available to meet with the Board's recruitment subcommittee the week of October 3, 2011, to develop a recruitment and selection process and timeline?
12. Ability to Meet Timeline: The District Board will be meeting on October 12, 2011 to receive the recommended recruitment approach. Will you be able to provide your written recommendation to the committee for a recruitment and selection process by October 5, 2011 in order for the Board to consider this at its meeting of October 12, 2011?

With this written interview process, and reference checks on all three firms, the Committee felt it had sufficient information to make a recommendation.

While the Committee felt any of these three firms would have provided acceptable service to the Board, the Committee found the Peckham and McKenney (Peckham) firm to be the most qualified firm for this search. The difference in estimated costs was within \$1,000 and the Committee felt while cost certainly is a factor, this difference in cost was acceptable given the firm's qualifications (see below).

The Committee concluded, given all factors, that this firm would provide superior and responsive services to the Board during a compressed timeline for recruitment compared to the other firms. Bobbi Peckham will be the principal handling the recruitment. Ms. Peckham has conducted three recruitments for the District, including the General Manager's recruitment in which she worked closely with the Board. The Committee felt that the knowledge, familiarity and good fit with the Board she has already demonstrated were important factors. She will have a superior ability to get up to speed. Lastly, her reference check elicited responses that were superior to those received for the other firms.

If the Board approves selection of this firm, the Committee will work with the firm and return to the Board at its October 12 meeting with a proposed search and selection process and timeline for Board review and approval.

The additional task assigned to the Ad Hoc Committee was to review and assemble key District documents pertinent to the recruitment for use by the selected recruiter, including review of the

present General Counsel's job description, and structure and functions of the position. That process is ongoing. In addition, once the recruiter is on board the recruiter's input will assist in completion of this task.

FISCAL IMPACT

The \$17,500 cost of the recruitment plus a not to exceed figure of \$7,000 for expenses such as brochure preparation was not included in the FY2011-12 budget. The Board will be requested to authorize additional funds for this purpose at the time of midyear budget adjustment.

PUBLIC NOTICE

Public notice of this Agenda item was provided pursuant to the Brown Act. No additional notice is required.

CEQA COMPLIANCE

This proposed action is not a project under the California Environmental Quality Act (CEQA) and no environmental review is required.

NEXT STEPS

If the Board approves this firm, the Committee will work with the firm and return to with a proposed search and selection process, timeline, and candidate profile for Board review and approval at its next meeting on October 12, 2011.

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