



Staff Report

City of Manhattan Beach

TO: Honorable Mayor Montgomery and Members of the City Council

THROUGH: *DC* David N. Carmany, City Manager

FROM: Clay J. Curtin, Management Analyst *CC*

DATE: May 17, 2011

SUBJECT: Consideration of the Appointment of a Subcommittee to Develop a Process for the Selection of a City Attorney, and to Report the Results of their efforts back to the City Council for Further Consideration.

RECOMMENDATION:

Staff recommends that the City Council consider the appointment of a subcommittee to develop a procedure for selection of a City Attorney based on criteria and priorities identified after discussion by the City Council and which allows for public input into the process.

FISCAL IMPLICATION:

There is no fiscal implication associated with the staff recommendation.

BACKGROUND:

At the May 2, 2011, City Council Study Session meeting, Interim City Attorney Lee Dolley provided a presentation on the permanent City Attorney position, the responsibilities, the differences between Contract vs. In-House attorney services providers, and the typical selection process of a City Attorney. Councilmember Howorth and Councilmember Lesser met on May 9, 2011, on an ad-hoc basis, to discuss the issue further. The discussion included the suggestion that a subcommittee could allow for further evaluation of the specifics of the City Attorney position along with consideration for inclusion of public input into a revised request for proposal that could be approved by the City Council.

DISCUSSION:

A subcommittee of two City Council members could be formed to work with staff in revising the request for proposal for City Attorney Services. The City Council may wish to consider the addition of two qualified community members to the subcommittee as well. The role of the subcommittee would be to determine the process, timeline, and criteria for evaluation of responses to the request for proposal. Their recommendation would then be brought back to the full City Council for further consideration.

Staff recommends that the subcommittee host a publically noticed and widely advertised

community meeting for the purpose of discussing the City Council's priorities in the selection of a City Attorney and for receiving public comment and input into the scope of work for the position. At this public meeting, the subcommittee could afford the opportunity for community members to assist in evaluating the bid proposals received and in drafting the final recommendation for the full City Council.

Attachment: A. Recommended timeline
B. Proposed criteria and process for appointment of community members to the subcommittee

cc: Leland C. Dolley, Interim City Attorney

Recommended Timeline for Selection of City Attorney Services

May 17, 2011	Formation of a subcommittee and discussion by City Council of priorities for inclusion into a revised request for proposal for City Attorney Services. Announcement of the application process for community members to join the subcommittee.
May 31, 2011	Community meeting to discuss the City Attorney position and receive public comment and input into the process. The subcommittee would work with staff to revise the request for proposal specifications, based on City Council priorities and public input, for the City Council's review and approval.
June 7, 2011	City Council review and approval of the revised request for proposal specifications and consideration of the appointment of community members to the subcommittee to assist with evaluation of the bids and development of recommendations to the full City Council.
June 8, 2011 to July 1, 2011	Request for Proposals for City Attorney Services publically advertised.
July 1, 2011	Bid proposals due.
July 5, 2011	Subcommittee review and evaluation of proposals begins.
August 2, 2011	Subcommittee presentation and recommendation for consideration by the full City Council.

Proposed Criteria and Process for Selection of Community Members to the Subcommittee for Selection of City Attorney

The role of community members of the proposed subcommittee would be to assist in the evaluation of bid responses to the request for proposal for City Attorney Services and development of the subcommittee recommendation to the full City Council for its consideration.

Applications from community members for this opportunity could be received following the formation of the subcommittee, with application forms available upon request, at City Hall, on the City website, and at the proposed community meeting on May 31, 2011.

It is requested that applications be submitted by 5:00 PM on Wednesday, June 1, 2011, to the City Clerk's Office. It is recommended that the City Council consider appointing two (2) qualified community members during its June 7, 2011, Regular City Council Meeting.

Suggested qualifications for community member applicants include:

1. Manhattan Beach Resident.
2. Background and experience with municipal or public sector law.
3. Experience in recruiting, selecting, and hiring legal counsel.
4. Independent, focused, and able to work as a team member in developing solutions.
5. Absent close association with any City of Manhattan Beach affiliates or entities that could pose a conflict of interests.
6. Membership in the State Bar of California and experience practicing law in California is highly desirable.