

City Attorney Evaluation/Salary Review Committee
Via Enterprise Video Conferencing
Call: 312-626-6799
ZOOM Meeting ID: 873 7834 4680
Monday, March 25, 2024
4:00 P.M.

Commissioners Present: Vice Mayor Sofia and Commissioners Lance, Morris, and Reynolds remotely.

Commissioners Absent:

Others Present: Jill Steele, City Attorney: Rebecca Fleury, City Manager: Victoria Houser, City Clerk: Michelle Hull, Human Resource Director

Call to Order: The meeting was called to order at 4:08 P.M.

Public Comments: There were none.

Approval of Minutes: Comm. Lance, supported by Comm. Morris, made a motion to approve the February 18, 2022 meeting minutes. All yes, none opposed. Motion approved.

Committee Discussion:

Vice Mayor Sofia noted the Committee was just advisory and their role was to make a recommendation to the City Commission.

Attorney Steele confirmed her last day would be July 31, 2024. Attorney Steele reminded the committee that the resolution approved Tuesday, March 19, 2024 included a charge that this committee recommend a process for replacing the City Attorney position after her retirement. Attorney Steele noted the Human Resource Department normally recruits and hires employees, stating the HR Director has developed a job description consistent with City responsibilities, noting the job description would need to be approved by the City Commission. Attorney Steele noted the position could be posted with minimum qualifications, going through the normal screening process, instead of hiring a search firm.

Attorney Steele noted another option is to hire a search firm, done via an RFP (request for proposals). Attorney Steele stated the City could run a parallel process, and if HR does not receive a reasonable pool of candidates, the process may then pass to a search firm. Attorney Steele reminded the committee the City Commission hires two positions, the City Manager and the City Attorney, and candidate interviews would need to be held at an open meeting, in compliance with the Open Meetings Act.

Ms. Fleury shared the proposed City Attorney job description. Committee members reviewed the proposed job description, agreeing to recommend the job description to the City Commission for approval.

Vice Mayor Sofia stated she liked the idea of a parallel process, with HR posting the position in several locations, while at the same time issuing an RFP for a search firm, noting the city could use the search firm if there was not sufficient interest from the HR posting.

Comm. Morris agreed a dual approach may be necessary, also expressing appreciation to Attorney Steele for providing several months for the search, and possibly time to train a new city attorney.

Comm. Lance agreed a two pronged approach was appropriate for this position.

Attorney Steele stated she would prepare a resolution to approve the proposed job description, and another resolution to issue an RFP for a search firm, following a two pronged process. Attorney Steele requested the HR Director provide information as to how long the job posting would be open and how much time was needed to screen applicants.

Ms. Hull noted she was unsure of the market for city attorneys, stating she would like to post the position as soon as possible, and the city should know the level of interest within 7 – 10 days. Ms. Hull also noted it would be beneficial to turn off the internal process once a search firm is hired to avoid any confusion.

Commissioner Lance suggested candidates be requested to submit writing samples, 5 recent cases they have been a part of, references, including opposing counsel, in addition to a resume, certifications, and educational degrees.

Attorney Steele shared that she uses PACER (Public Access to Court Electronic Records) to review briefs that have been filed, also using the State Bar Association to determine how long the candidate has been licensed and if there have been any discipline issues. Attorney Steele offered to assist HR with the review process, noting she is more familiar with the documents. Attorney Steele also suggested the initial posting note a search firm may be used and the date they may begin if

the job posting does not result in many candidate interests. Attorney Steele agreed writing samples and professional references be required when submitting applications.

Vice Mayor Sofia suggested the HR posting be open until April 19th, 2 ½ weeks after the Commission meeting. Vice Mayor Sofia also suggested the RFP also be open until April 19th.

Ms. Fleury informed the committee that Purchasing issued an RFP on Friday, March 22nd, based on Tuesday's Commission resolution.

Ms. Hull noted it was important the posting included a salary range for the City Attorney position, confirming she could score the position as all other city positions are scored.

Vice Mayor Sofia suggested pulling the RFP until approved by full City Commission.

Attorney Steele noted a resolution approving a search firm may not be needed, depending on costs. Attorney Steele confirmed she would work with the City Manager and HR Director on a resolution for the Commission to consider.

Comm. Lance expressed belief the City should know the level of interest within 2 ½ weeks, otherwise needing to extend the posting or make a decision on a search firm, also suggesting the City contact other county bar associations.

Ms. Hull asked if there was budget for external posting boards, requesting some guidance for specific organizations to post to. Ms. Hull agreed that the initial review of applications after April 21st would give a good indication of interested candidates.

Attorney Steele stated she would also inform organizations she is affiliated with, noting she will also put the job posting on the ListServ.

Attorney Steele noted it has been 2 years since the City Attorney performance evaluation was completed, asking the committee to complete a review of her performance prior to her retirement.

Committee Discussion: No additional committee discussion took place.

Next Meeting: TBD

Adjournment: Comm. Sofia adjourned the meeting at 4:45 pm.