



# Board of County Commissioners Meeting Agenda

**District #1**  
John E. Manning

**District #2**  
Cecil L Pendergrass  
Chair

**District #3**  
Larry Kiker  
Vice Chair

**District #4**  
Tammy Hall

**District #5**  
Frank Mann

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Doug Meurer  
Interim County Manager

Michael D. Hunt  
County Attorney

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**January 15, 2013**

If you plan to address the Board, please complete a blue "Request for Comment" card (located on the table outside the Chamber entrance) or you can submit your comment electronically by clicking [here](#).

Completed cards should be returned to the Staff table at the right of the podium prior to the start of the meeting.

All back up for this agenda is available on the Internet at <http://www.lee-county.com>. Additional information is available in the

**Public Resources Office**, 1<sup>st</sup> Floor, Administration Building, 2115 Second St., Fort Myers, FL

**PLEASE NOTE:** The Board may take action in its capacity as the Port Authority or Government Leasing Corporation.

**COMMISSION CHAMBERS, 2120 MAIN STREET, FORT MYERS, FLORIDA  
9:30 AM**

Invocation: Dr. Richard Powell, McGregor Baptist Church

Pledge of Allegiance

Recap

Public Comment on the Consent and Administrative Agenda

Consent Agenda

- Items to be pulled for discussion by the Board
- Motion to approve balance of items
- Consideration of items pulled for discussion

Administrative Agenda

Walk-ons and Carry-overs

Commissioners' Items/Committee Appointments

County Manager Items

County Attorney Items

Adjourn

## CONSENT AGENDA

1. COUNTY ADMINISTRATION
2. COMMUNITY DEVELOPMENT
3. CONSTRUCTION AND DESIGN
4. COUNTY COMMISSIONERS
5. COUNTY LANDS
6. HUMAN SERVICES
7. INDEPENDENT

A) **ACTION REQUESTED/PURPOSE:**

Approve Lee County Transit's Revised Substance Abuse Policy. All Federally funded transit agencies must have a current adopted Substance Abuse Policy for safety sensitive employees pursuant to 49 CFR, Part 40 and Part 655. This revised policy brings Lee Tran into compliance with Federal regulations.

(#20121090-TRANSIT)

**FUNDING SOURCE:**

N/A.

**WHAT ACTION ACCOMPLISHES:**

This revised policy brings Lee Tran into compliance with Federal regulations.

**MANAGEMENT RECOMMENDATION:**

Approve.

B) **ACTION REQUESTED/PURPOSE:**

Approve and execute revisions to the Social Security Alternative (Premier) Plan.

(#20130001-HUMAN RESOURCES)

**FUNDING SOURCE:**

Employee funded at 100%.

**WHAT ACTION ACCOMPLISHES:**

Updates MidAmerica's Social Security Alternative Plan to conform to current IRS regulations. There are no substantive changes to the plan that would impact the operation of the Alternative Social Security Plan.

**MANAGEMENT RECOMMENDATION:**

Approve.

8. NATURAL RESOURCES/SOLID WASTE
9. PARKS AND RECREATION
10. PUBLIC SAFETY
11. PUBLIC WORKS ADMINISTRATION
12. TRANSPORTATION

13. **UTILITIES**

A) **ACTION REQUESTED/PURPOSE:**

Pursuant to the County's interlocal agreement with the City of Fort Myers, approve monthly payments to the City up to the annual amount of \$6,296,000 for the cost of operating Central and South Wastewater Treatment Plants. In addition, approve a \$253,991.18 contribution toward the amortization of debt funded CIP projects at those plants. (#20121085-UTILITIES)

**FUNDING SOURCE:**

These funds have been budgeted within the Utilities FY 2012/2013 operating budget.

Fund: LCU Operating; Program – Wastewater Treatment Contract; Project – Other Contracted Services.

**WHAT ACTION ACCOMPLISHES:**

Authorizes Lee County Utilities to pay the City for the cost of wastewater treatment during FY 2012/2013 at two treatment plants up to \$6,296,000 based on estimated flows. Authorizes \$253,991.18 contribution toward the annual flat fee amortization of debt funded CIP improvements to the treatment plants.

**MANAGEMENT RECOMMENDATION:**

Approval.

B) **ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset - Estero Court Waterline Extension (BS 20121093/24505, MMM/SDG):

1) Approve final acceptance, by Resolution, as donation of a water main extension with all related appurtenances known as "ESTERO COURT WATERLINE EXTENSION";

2) Authorize Chair, on behalf of the BOCC, to execute the Rebateable Agreement for the water main extension to be recorded in the Public Records of Lee County, Florida. This is a Developer contributed asset project located along the east side of S. Tamiami Trail approximately ¼ mile north of Corkscrew Road.

(#20121093-UTILITIES)

**FUNDING SOURCE:**

N/A.

**WHAT ACTION ACCOMPLISHES:**

Provides adequate utility infrastructure to support redevelopment of the subject property and complies with the Lee County Utilities Design Manual.

**MANAGEMENT RECOMMENDATION:**

Approval.

C) **ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset - Arca de Salvacion (BS 20121095/24507, MMM/SDG): Approve final acceptance, by Resolution and recording of one (1) utility easement, as a donation of one 4" diameter fire line, to provide potable water service and fire protection to "ARCA de SALVACION" a recently constructed place of worship. This is a Developer contributed asset project located the northwest corner of Michigan Avenue and Markland Avenue. (#20121095-UTILITIES)

**FUNDING SOURCE:**

N/A.

**WHAT ACTION ACCOMPLISHES:**

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Design Manual.

**MANAGEMENT RECOMMENDATION:**

Approval.

**13. UTILITIES (Continued)**

**D) ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset - Villa Palmeras (BS 20121100/24512, THO/SDG): Approve construction of water distribution and gravity collection systems serving "VILLA PALMERAS", to provide potable water service, fire protection, and sanitary sewer service to this proposed residential community. This is a Developer contributed asset project located on the east side of Three Oaks Parkway approximately ¼ mile south of Corkscrew Road. (#20121100-UTILITIES)

**FUNDING SOURCE:**

N/A.

**WHAT ACTION ACCOMPLISHES:**

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Design Manual.

**MANAGEMENT RECOMMENDATION:**

Approval.

**14. COUNTY ATTORNEY**

**A) ACTION REQUESTED/PURPOSE:**

Consider, approve and authorize the Chair's execution of a "Letter of Agreement" by and between Lee County, the City of Bonita Springs and Bonita Springs Utilities (BSU) to amend Section 14 of the 2002 Tri-Party Bonita Springs Utilities Franchise Agreement. (#20121131-COUNTY ATTORNEY)

**FUNDING SOURCE:**

No funds required.

**WHAT ACTION ACCOMPLISHES:**

Amends Section 14 of the Franchise Agreement to allow the City to use aid to new construction fee banking for economic development purposes.

**MANAGEMENT RECOMMENDATION:**

Staff recommends approval and execution of the Letter of Agreement.

**15. HEARING EXAMINER**

**16. CONSTITUTIONAL OFFICERS**

**A) ACTION REQUESTED/PURPOSE:**

Approve disbursement of excess funds resulting from the sale of tax deed certificates to a claimant verified and certified under Florida Statutes 197.582. (#20130014-DELINQUENT TAX)

**FUNDING SOURCE:**

Proceeds from a tax deed sale in excess of the taxes and/or liens owed are being held by the Board for disbursements in accord with Florida Statutes, Chapter 197.

**WHAT ACTION ACCOMPLISHES:**

Provides for disbursement of excess tax deed proceeds to an appropriate claimant in compliance with statutory rules and requirements.

**MANAGEMENT RECOMMENDATION:**

Approve disbursement to identified claimant.

**B) ACTION REQUESTED/PURPOSE:**

Request Board approves disbursements. The check and wire registers can now be viewed on the Clerk's website, [www.leeclerk.org](http://www.leeclerk.org) by accessing the BoCC Minutes and Documents link. (#20130015-FINANCE)

**FUNDING SOURCE:**

N/A.

**WHAT ACTION ACCOMPLISHES:**

Florida Statute Chapter 136.06(1) requires that all County disbursements be recorded in the Minutes of the Board.

**MANAGEMENT RECOMMENDATION:**

Compliance with the requirements of FS 136.06(1).

**17. PORT AUTHORITY AND OTHER GOVERNING BOARDS**

## **ADMINISTRATIVE AGENDA**

### **1. COUNTY ADMINISTRATION**

#### **A) ACTION REQUESTED/PURPOSE:**

A) Authorize staff to take all necessary steps to file a local bill with the Lee County Legislative Delegation that provides for the composition of members of the Lee County Tourist Development Council (TDC) appointed pursuant to Section 125.0104, Florida Statutes.

B) Authorize the Chair, or his designee, to transmit the Board's local bill request and present same to the delegation at its January 29, 2013 public hearing.

C) Direct staff to publish a notice advertising intent to seek enactment of local legislation and describing the substance of the contemplated law as soon as practicable, but in any event at least thirty (30) days prior to the first day of the regular legislative session. (#20121137-COUNTY MANAGER)

#### **FUNDING SOURCE:**

N/A.

#### **WHAT ACTION ACCOMPLISHES:**

The proposed local bill would provide that Lee County's municipal TDC members consist of: 1) the municipality that generated the highest revenues from the tourist tax in the most recent fiscal year; and 2) another municipality serving a two (2) year term based on an established rotation.

#### **MANAGEMENT RECOMMENDATION:**

Approve.

### **2. COMMUNITY DEVELOPMENT**

### **3. CONSTRUCTION AND DESIGN**

### **4. COUNTY COMMISSIONERS**

### **5. COUNTY LANDS**

### **6. HUMAN SERVICES**

### **7. INDEPENDENT**

### **8. NATURAL RESOURCES/SOLID WASTE**

### **9. PARKS AND RECREATION**

### **10. PUBLIC SAFETY**

### **11. PUBLIC WORKS ADMINISTRATION**

### **12. TRANSPORTATION**

### **13. UTILITIES**

### **14. COUNTY ATTORNEY**

### **15. HEARING EXAMINER**

### **16. CONSTITUTIONAL OFFICERS**

### **17. PORT AUTHORITY AND OTHER GOVERNING BOARDS**

## **WALK ON AGENDA**

**1. ACTION REQUESTED/PURPOSE:**

A) Select and recommend; and authorize staff to negotiate and execute a service provider agreement with the recruitment firm(s) chosen to conduct the County Manager/County Attorney recruitment.

B) Authorize Chair to execute service provider agreement on behalf of the Board.

(#20130039-HUMAN RESOURCES)

**FUNDING SOURCE:**

Fund – General Fund; Program – Non-Departmental; Project County Manager/County Attorney Recruitment.

**WHAT ACTION ACCOMPLISHES:**

Allows the County Manager and County Attorney recruitment process to proceed with securing a recruitment firm.

**MANAGEMENT RECOMMENDATION:**

Select and recommend; and authorize staff to negotiate and execute a service provider agreement with Bob Murray & Associates to conduct the County Manager and County Attorney recruitments.

**REASON FOR WALK ON:**

Board directed.

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20121090**

**1. ACTION REQUESTED/PURPOSE:**

Approve Lee County Transit's Revised Substance Abuse Policy. All Federally funded transit agencies must have a current adopted Substance Abuse Policy for safety sensitive employees pursuant to 49 CFR, Part 40 and Part 655. This revised policy brings Lee Tran into compliance with Federal regulations.

**2. FUNDING SOURCE:**

N/A.

**3. WHAT ACTION ACCOMPLISHES:**

This revised policy brings Lee Tran into compliance with Federal regulations

**4. MANAGEMENT RECOMMENDATION:** Approve

**5. Departmental Category:** C7A

**6. Meeting Date:** 1/15/2013

**7. Agenda:**

Consent

**8. Requirement/Purpose: (specify)**

- Statute
- Ordinance
- Admin Code
- Other                      CFR Part 40/655

**9. Request Initiated**

**Commissioner:** All  
**Department:** TRANSIT  
**Division:** No Divisions  
**By:** Steve Myers

**10. Background:**

A Substance Abuse Policy has been in effect at Lee Tran since January 1, 1995. It is a mandatory requirement in this policy to list the County's Employee Assistance Program (EAP) provider's contact information. On August 1, 2012 Lee County's EAP provider changed to ComPsych. This change has been reflected in our policy on Pages 17 and 18. To be fully compliant with FTA requirements, this policy must be approved and adopted by Lee County's Governing Board.

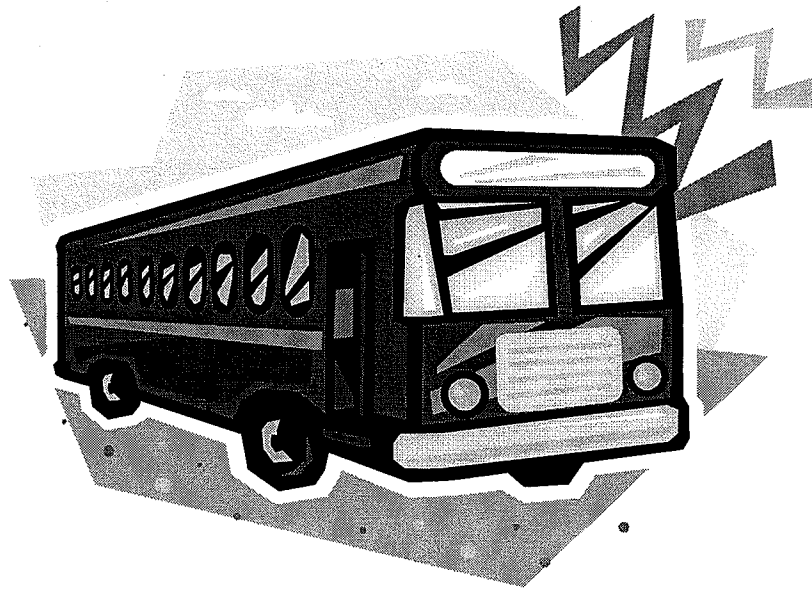
**11. Required Review:**

<i>Steve Myers</i>	<i>Tricia Jackson</i>	<i>John Fredyma</i>	<i>David Harris</i>	<i>Christine Brady</i>	<i>Peter Winton</i>
TRANSIT	Budget Analyst	County Attorney	Budget Services	Human Resources	County Manager

**12. Commission Action:**

# LEE COUNTY TRANSIT (Lee Tran)

## Substance Abuse Policy Safety Sensitive Employees February, 2013



Effective Date: 2/1/13



**Lee County Transit  
(Lee Tran)  
Zero Tolerance Substance Abuse Policy for  
Safety Sensitive Employees**

**February, 2013**

**Executive Director/General Manager Statement**

Lee County Transit is dedicated to providing safe, dependable, and economical transportation services to its patrons. Lee County Transit employees are a valuable resource and it is also our goal to provide a safe, healthy and satisfying working environment for employees. In meeting these goals, it is our policy to: (1) assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner; (2) create a workplace environment free from the adverse effects of drug and alcohol abuse or misuse; (3) prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances; and, (4) encourage employees to seek professional assistance anytime personal problems, including alcohol or drug dependency, adversely affects their ability to perform their assigned duties. This Substance Abuse Policy implements a drug and alcohol testing program for all safety-sensitive employees. Each employee shall sign a "Confirmation or Receipt" form acknowledging receipt of a copy of the adopted policy.

***This is a Zero Tolerance Policy for all safety-sensitive employees. Employees in violation of this policy shall be terminated.***

This policy was approved by the Board of County Commissioners on January 15, 2013 and is effective on February 1, 2013

Name: Steven L. Myers

Title: Transit Director

Signature: \_\_\_\_\_

***Please note that policy items that are implemented under Lee County Transit's (Lee Tran's) authority are italicized.***

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## **1.0 Background**

Pursuant to the Omnibus Transportation Employee Testing Act of 1991, the Federal Transit Administration (FTA) published regulations prohibiting drug use and alcohol misuse by transit employees and requiring transit agencies to test for prohibited drug use and alcohol misuse. Federal regulations 49 CFR Part 655, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations" mandates urine drug testing and breath alcohol testing for all employees in safety-sensitive positions. These regulations prohibit the performance of safety-sensitive functions when there is a positive drug or positive alcohol test result. In addition, the U.S. Department of Transportation (DOT) has issued 49 CFR Part 40, "Procedures for Transportation Workplace Drug and Alcohol Testing Programs" to provide uniform procedures and standards for conducting drug and alcohol testing programs. The Lee County Transit drug and alcohol testing program will be conducted in accordance with 49 CFR Parts 40 and 655, as amended.

## **2.0 Purpose**

This policy is established to comply with FTA drug and alcohol testing requirements to ensure employee fitness for duty, and to protect our employees, passengers, and the general public from the risks posed by the use of alcohol and prohibited drugs. This policy is also intended to comply with and incorporate Federal Regulation 49 CFR Part 32, The Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA, including the reporting of employees convicted of criminal drug offenses that occur in the workplace.

Employees must abide by the terms of the policy as a condition of employment.

**2.1** Law enforcement shall be notified, as appropriate, where criminal activity is suspected.

## **3.0 Policy Applicability**

This policy applies to all safety-sensitive transit system employees as identified and described herein. Paid full-time, part-time, on-call employees and contractors, when performing safety-sensitive duties, are also covered by this policy when performing any Lee County Transit related business. This policy applies to off-site lunch periods or breaks when an employee is scheduled to return to work. Additionally, this policy applies to volunteers who perform safety sensitive duties who are required to hold a Commercial Driver's License, or who receive remuneration in excess of his or her actual expenses incurred while engaging in the volunteer activity. Each employee shall sign a "Confirmation of Receipt" form acknowledging receipt of a copy of the adopted policy and the regulation summary and shall be responsible for reading and understanding its contents.

A safety-sensitive function is any duty or function related to the operation of transportation service including the operation, controlling or movement of a revenue service vehicle, dispatch and maintenance of a revenue service vehicle (whether or not the vehicle is in revenue service) and the operation of a vehicle requiring a CDL. Participation in the drug and alcohol testing program is required and considered a condition of employment.

#### **4.0 Covered Employees**

Safety-Sensitive Employees and Applicants for Safety-Sensitive Positions covered by this Policy include those:

1. Operating a revenue service vehicle, including when not in revenue service
2. Operating a non-revenue service vehicle when such is required to be operated by a holder of a commercial driver's license
3. Controlling dispatch or movement of a revenue service vehicle
4. Maintaining a revenue service vehicle or equipment used in revenue service
5. Authorized by NOT APPLICABLE to carry a firearm for security purposes
6. Direct supervisors of employees described in 1-5 above who may perform any of the above safety sensitive functions.

This policy is applicable to the following positions within Lee County Transit

- Bus Drivers
- Paratransit Drivers
- Supervisor, Transit
- Fleet Mechanics
- Supervisor, Fleet Mechanics
- Sr. Maintenance Worker
- Maintenance Worker
- Crew Leader
- Deputy Director, Transit Operations
- Manager, Transit Maintenance

#### **5.0 Prohibited Substances**

Prohibited Substances addressed by this policy include the following:

- Cocaine
- Opiates (e.g., heroin, codeine)
- Phencyclidine (PCP)
- Cannabinoids (Marijuana)
- Amphetamines
- Alcohol

#### **6.0 Illegally Used Prohibited Substances and Misuse of Prescribed Drugs**

Lee County Transit shall test for the substances listed above in Section 5.0. Prohibited substances include those identified in Schedules I through V of Section 202 of the Controlled Substance Act (21 USC 812), and as further defined by 21 CFR Parts 1300.11 through 1300.15. This includes: marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine. The misuse of legally prescribed drugs or the use of illegally obtained prescription drugs is also prohibited and shall be considered prohibited conduct. Use or ingestion of prohibited drugs is prohibited at all times.

#### **7.0 Legal Drugs**

The appropriate use of legally prescribed drugs and non-prescription medications are not prohibited. However, the use of any substance which carries a warning label that indicates the mental functioning, motor skills, or judgment may be adversely affected must be reported to

supervisory personnel and medical advice must be sought, before performing work-related duties.

A legally prescribed drug means a prescription or other written approval from a physician for the use of a drug by an individual in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legally prescribed drugs while performing safety-sensitive functions is prohibited. This includes the use of medication that is prescribed to an individual other than the employee.

### **8.0 Proper Application of the Policy**

Lee County Transit is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner.

Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy regarding subordinates, shall be subject to disciplinary action up to and including termination.

### **9.0 Employee Protections**

The procedures that will be used to test for the presence of alcohol or a controlled substance shall be such that they protect the employee, the validity the testing process, the validity of the test results, and ensure that those results are attributed to the correct employee.

Testing shall be conducted in a manner that will ensure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities, which have been approved by the U.S. Department of Health and Human Services (DHHS).

Alcohol initial screening tests will be conducted by a National Highway Traffic Safety Administration (NHTSA)-approved Evidential Breath Testing Device (EBT) or non-evidential alcohol screening device that has been approved by NHTSA. Confirmatory tests for alcohol concentration will be conducted utilizing a NHTSA approved EBT. A trained Breath Alcohol Technician (BAT) shall conduct alcohol screening tests. In accordance with the provisions of 49 CFR Part 40, as amended, the results of both the screening and confirmation of breath alcohol tests, as applicable, shall be displayed to the individual being tested immediately following the test(s). The results will be transmitted by the breath alcohol technician to Lee County Government (Transit) in a confidential manner, in writing, in person, by telephone or electronic means in accordance with 49 CFR Part 40, as amended. All testing will be conducted consistent with the procedures put forth in 49 CFR Part 40, as amended.

Lee County Transit affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. Handling of tests and confidentiality shall be in conformance with 49 CFR Part 40, and as described below:

1. Except as required by law or expressly authorized in this section, Lee County Government (Transit) shall not release employee information that is contained in records maintained per 49 CFR Section 655.73.

2. An employee is entitled, upon written request, to obtain copies of any records pertaining to the employee's use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substances tests.
3. Lee County Government (Transit) shall release information regarding an employee's records as directed by the specific, written consent of the employee authorizing release of the information to an identified person. Release of such information is permitted only in accordance with the terms of the employee's consent.
4. Records shall be made available to a subsequent employer upon receipt of a written request from an employee.
5. Lee County Government (Transit) may disclose information required to be maintained under 49 CFR Part 655.73 pertaining to an employee/applicant, or the decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of such individuals, and arising from the results of an alcohol and/or controlled substance test administered under this part, or from the employer's determination that the employee engaged in conduct prohibited by this policy (including, but not limited to, a worker's compensation or other proceeding relating to a benefit sought by the employee).
6. Lee County Government (Transit) shall make available, copies of all results of a requested alcohol and/or controlled substances testing conducted under this policy and any other information pertaining to this alcohol misuse and/or controlled substance use prevention program, when requested by the U.S. Secretary of Transportation and any DOT agency.
7. When requested by the National Transportation Safety Board as part of an accident investigation, Lee County Government (Transit) shall disclose information related to its administration of a post-accident alcohol and/or controlled substance test administered following the accident under investigation.

#### **10.0 Training**

Safety-sensitive employees will receive at least 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, and the work environment, and on the signs and symptoms that may indicate prohibited drug use. ***Safety-sensitive employees will receive at least 60 minutes of training on the effects and consequences of alcohol misuse on personal health, safety, and the work environment, and the signs and symptoms that may indicate alcohol misuse.***

Supervisors who make reasonable suspicion determinations shall receive at least 60 minutes of training on the physical, behavioral and performance indicators of probable drug use and 60 minutes on the physical, behavioral and performance indicators of probable alcohol use.

#### **11.0 DOT Required Background Checks**

In accordance with 49 CFR Part 40.25, Lee County Government (Transit) must make a good faith effort to obtain drug and alcohol testing records from prior DOT covered employer(s) for the previous two years for all applicants seeking safety-sensitive positions and all current employees transferring into a safety-sensitive position. Lee County Government (Transit) will require each applicant/transferee for a safety-sensitive position to complete a written consent

that allows the release of drug and alcohol testing information from previous DOT covered employers to Lee County Government (Transit). An applicant/transferee who refuses to provide written consent will not be permitted to perform safety-sensitive functions for Lee County Transit.

All safety-sensitive applicants who have previously failed a DOT pre-employment test must provide proof that they have completed a Substance Abuse Professional's evaluation and treatment program in addition to their submission to a pre-employment drug test with negative results prior to their employment into a safety-sensitive job function. The credentials, training and education of the Substance Abuse Professional must meet or exceed the regulation 49 CFR Part 40 Subpart O.

### **12.0 Notifying Lee County Government (Transit) of Criminal Drug Conviction**

Any employee who is convicted of, pleads guilty or nolo contendere (no contest) to any criminal drug statute violation, or has a finding of guilt whether or not adjudication is withheld, or enter into a diversionary program in lieu of prosecution must notify the Transit Director or designee no later than five (5) days after such conviction. Failure to do so will be cause for appropriate disciplinary action up to and including termination. Once Lee County Transit receives such information an appropriate determination will be made as to what disciplinary action, if any, is to be taken.

### **13.0 Alcohol**

Alcohol is a socially acceptable substance that is consumed throughout the world. It is considered a recreational beverage when consumed in moderation for enjoyment and relaxation during social gatherings. However, when consumed primarily for its physical and mood-altering effects, it is a substance of abuse. As a depressant it slows down physical functions and progressively impairs mental functions.

For the purposes of this policy, alcohol is defined as the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl or isopropyl alcohol. Alcohol use means the consumption of any beverage, mixture, or preparation, including any medication containing alcohol. 49 CFR Part 655 authorizes alcohol testing and requires Lee County Government (Transit) to take action on the findings, regardless of whether it was ingested as a beverage alcohol or in a medicinal or other preparation.

Statistics measuring the social issues related to chronic consumption of alcohol include the following:

- Two-thirds of all homicides are committed by people who drink prior to the crime.
- Two to three percent of the driving population is legally drunk at any one time. This rate is doubled at night and on the weekends.
- Two-thirds of all Americans are involved in an alcohol related vehicle accident during their lifetimes.
- The rate of separation and divorce in families with alcohol dependency problems is seven times the average.
- Forty percent of family court cases are alcohol problem related.
- Alcoholics are 15 times more likely to commit suicide than the other segments of the population.

- More than 60 percent of burns, 40 percent of falls, 69 percent of boating accidents and 76 percent of private aircraft accidents are alcohol related.
- It takes one hour for the average person (150 pounds) to process one serving of an alcoholic beverage from the body.
- Impairment in coordination and judgment can be objectively measured with as little as two drinks in the body.
- A person who is legally intoxicated is six times more likely to have an accident than a sober person.

#### **14.0 Alcohol Use and Breath Alcohol Testing**

No safety-sensitive employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.02 or greater. If there is actual knowledge that an employee may be under the influence of alcohol while performing safety sensitive functions, the employee shall not be permitted to perform or continue to perform safety-sensitive functions, pending a reasonable suspicion interview, conducted per Section 15.2 No safety-sensitive employee shall use alcohol while performing safety-sensitive functions, within (4) four hours prior to performing a safety sensitive function, or during the hours that they are on call or standby for duty. No safety-sensitive employee shall use alcohol within eight (8) hours following an accident or until the employee undergoes a post-accident test, whichever occurs first.

If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. A safety-sensitive employee who has a confirmed alcohol concentration of greater than 0.02 but less than 0.04 will result in removal from his/her position for (8) eight hours unless a retest results in a concentration measure of less an 0.02. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy.

***Lee County Policy 205, Drugs and Alcohol in the Workplace, requires all Lee County employees to report to work substance free. Failure to comply with this policy may be cause for disciplinary action up to and including termination. Please refer to Lee County Policies & Procedures for additional requirements regarding substance abuse and testing.***

#### **14.1 Refusing to Submit to Alcohol Testing**

The following actions constitute a refusal to submit to Alcohol Testing:

- (1) Fail to appear for any test within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer.
- (2) Fail to remain at the testing site until the testing process is complete
- (3) Fail to provide an adequate amount of saliva or breath for any alcohol test required by this part or DOT agency regulations.



- (4) Fail to provide a sufficient breath specimen, and the physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure
- (5) Fail to undergo a medical examination or evaluation, as directed by the Lee County Government (Transit)
- (6) Fail to sign the certification at Step 2 of the ATF
- (7) Fail to cooperate with any part of the testing process

***It is the policy of Lee County Transit to terminate the employment of any employee whose DOT required alcohol test produces a result of 0.04 or greater or any employee whose behavior constitutes a refusal to submit to testing.*** A referral to a Substance Abuse Professional that has knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders, and who meets the qualifications outlined in 49 CFR Part 40.281 Subpart O will be provided upon termination.

## **15.0 Test Types**

### **15.1 Pre-Employment Testing**

All safety-sensitive position applicants shall undergo urine drug testing prior to employment. Receipt by Lee County Government (Transit) of a negative test result is required prior to the first performance assignment of safety sensitive functions. A positive test result will disqualify an applicant from employment within Lee County Government (Transit). Lee County Government (Transit) shall notify an employee/applicant of the results of a pre-employment controlled substance test conducted under this part, if the employee/applicant requests such results within 60 calendar days of being notified of the disposition of the employment application.

In addition, an employee who returns from an extended leave period of 90 consecutive days or more, and was removed from the random testing pool, must take and pass a pre-employment drug test prior to resuming or returning to a safety sensitive function. ***Under Lee County Government's (Transit) authority, a verified positive drug test result will exclude an applicant from consideration for employment or transfer into a safety sensitive position.***

### **15.2 Reasonable Suspicion Testing**

All safety-sensitive employees may be subject to a fitness for duty evaluation, to include appropriate urine and/or breath testing when there are reasons to believe that there is prohibited drug use or alcohol use. A determination that reasonable suspicion exists shall be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee. The observations must be recent and a supervisor trained in detecting the signs and symptoms of alcohol/drug use and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to prohibited substance abuse or alcohol misuse must be able to express clearly those observations. A Reasonable Suspicion Determination form will be used to document and record the employee's behavior, as witnessed by the supervisor.

Examples of reasonable suspicion include, but are not limited to the following:

1. Overt signs and symptoms of impairment
2. The detectable odor of alcohol
3. Physical evidence of drug use, such as possession of drug paraphernalia

### **15.3 Post-Accident Testing**

**Fatal Accident:** A safety-sensitive employee shall be required to undergo urine drug and breath alcohol testing if involved in an accident that results in a fatality (regardless of whether the vehicle is in revenue service). Any other employee(s), i.e.: maintenance personnel, dispatchers, controllers, whose performance could have contributed to the accident, shall also be tested. As soon as practical following an accident involving the loss of human life, surviving covered employees shall undergo drug and breath alcohol testing.

**Non-Fatal Accident:** A post-accident test shall be conducted if an accident results in injuries requiring immediate medical treatment away from the scene, *OR* if one or more vehicles incurs disabling damage that requires towing from a site; unless Lee County Transit determines, using the best information available at the time of the decision, that the employee's performance can be completely discounted as a contributing factor to the accident. Any other safety sensitive employee whose performance could have contributed to the accident shall be tested. The decision regarding whether the employee's performance could have contributed to the accident will be made in the sole discretion of Lee County Transit using the best information available at the time of the decision.

Following an accident, the employee must be "readily available" for testing. Post accident tests will be done as soon as possible, however in any case, all reasonable efforts shall be made to test the safety sensitive employee(s) within (2) two hours of the accident, but not after eight (8) hours for alcohol testing and thirty two (32) hours for drug testing. If a drug or alcohol test required by this section is not administered within the required time period following the accident, Lee County Transit shall prepare and maintain on file, a record stating the reasons the testing was not promptly administered.

Any safety-sensitive employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident or until the employee undergoes a post-accident alcohol test. Any safety-sensitive employee, who leaves the scene of the accident without a justifiable reason or explanation prior to the requirement for drug and alcohol testing, shall be considered to have refused the test; this action will result in immediate removal from safety sensitive duties and termination of employment. A referral to a Substance Abuse Professional will be provided as outlined in Section 20.0.

The post-accident testing requirements shall not delay necessary medical attention for injured persons, nor will they prohibit an employee who was performing a safety-sensitive function from leaving the scene of an accident to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

In the rare event that an employee is unable to submit to a post-accident test within the required time period (i.e., 8 hours for alcohol and 32 hours for drugs) due to circumstances beyond Lee County Transit's control, the results of a blood, urine or breath alcohol test conducted by a federal, state or local official having independent authority for the test, will be considered to meet the requirements for a post-accident test. The test must conform to the applicable federal, state, or local testing requirements and the results must be obtained by Lee County Government (Transit). As per 49 CFR Part 655.44

#### **15.4 Random Testing**

Employees in safety-sensitive positions shall be subject to random, unannounced testing. The minimum annual percentage rate for random alcohol testing shall be 10% of the average number of safety-sensitive employees. The minimum annual percentage rate for random controlled substances testing shall be 25% of the average number of safety-sensitive employees.

The dates for administering unannounced testing of randomly-selected covered employees shall be spread reasonably throughout the calendar year and throughout all times of day when safety-sensitive functions are performed. Each covered employee who is notified of selection for random alcohol or drug testing shall immediately proceed to the test site. Alcohol testing shall be conducted only while an employee is performing a safety-sensitive function, just before the employee is to perform a safety-sensitive function or just after the employee has performed a safety-sensitive function. A covered employee may be randomly tested for prohibited drug use anytime while on duty. The selection of employees for random alcohol and drug testing shall be made by a scientifically valid method.

The selection process shall provide each covered employee an equal chance of being tested each time selections are made. A computer based random number generator that is fair and equitable for the covered employees shall derive the list. If a supervisor is in the random selection pool and is responsible for generating or receiving the random list, or responsible for notifying employees selected by the random list, and the supervisor's name appears on the list, then the generated or received random list shall constitute as notification to the supervisor of random selection and that supervisor shall be readily available for testing and immediately proceed to the collection site for random testing.

#### **15.5 Return to Duty Testing**

***All safety-sensitive employees who refused to test, or who engaged in any prohibited conduct as described in this policy, or who previously tested positive on a drug or alcohol test, must undergo a return-to-duty test with a negative test result before returning to duty per 49 CFR Parts 40.67; 40.69. In addition, before returning to duty, the employee must be evaluated and released for duty by a Substance Abuse Professional (SAP). To be permitted to act as a SAP in a DOT drug and alcohol testing program requires one of the following credentials:***

- (1) Licensed physician (Doctor of Medicine or Osteopathy);***
- (2) Licensed or certified social worker;***
- (3) Licensed or certified psychologist;***
- (4) Licensed or certified employee assistance professional***

- (5) *State-licensed or certified marriage and family therapist;*
- (6) *Drug and alcohol counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC); or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC); or by the National Board of Certified Counselors, Inc. and Affiliates/Master Addictions Counselor (NBCC).*

*Safety-sensitive employees will remain in the random selection pool and be subject to unannounced random urine and breath alcohol testing during the period of their reentry contract.*

*Employees found to be under the influence of prohibited substances or found to be misusing alcohol by means of a confirmed positive drug or alcohol test shall be terminated.*

#### **15.6 Follow-Up Testing**

*Once allowed to return to duty, an employee shall be subject to unannounced follow-up testing per 49 CFR Parts 40.67; 40.69 for a minimum of twelve (12) months but not more than sixty (60) months.*

*The frequency and duration shall be determined by the Substance Abuse Professional with a minimum of six (6) tests performed during the first twelve (12) months after the employee has returned to duty.*

*Employees found to be under the influence of prohibited substances or found to be misusing alcohol by means of a confirmed positive drug test or a confirmed alcohol concentration of 0.04 or greater shall be terminated.*

#### **16.0 Refusing to Submit to Urine Drug Testing**

All safety-sensitive employees will be subject to urine drug testing and breath alcohol testing. The following actions constitute a "refusal to test" in accordance with 49 CFR Part 40.

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer. This includes the failure of an employee (including an owner-operator) to appear for at test when called by a C/TPA.
- (2) Fail to remain at the testing site until the testing process is complete; Provided, that an employee who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test.
- (3) Fail to provide a urine specimen for any drug test required by this part of DOT agency regulations; Provided, that an employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test.

- (4) In the case of a directly observed or monitored collection in a drug test, fail to permit the observation or monitoring of your provision of a specimen.
- (5) Fail to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.
- (6) Fail or decline to take an additional drug test that the employer or collector has directed you to take.
- (7) Fail to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER. In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment. If there was no contingent offer of employment, the MRO will cancel the test.
- (8) Fail to cooperate with any part of the testing process (e.g., refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, fail to wash hands after being directed to do so by the collector).
- (9) For an observed collection, failure to follow the observer's instructions results in a refusal to test.
- (10) Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
- (11) Admit to the collector or MRO that you adulterated or substituted the specimen
  - (a) As an employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.
  - (b) As an employee, if you refuse to take a drug test, you incur the consequences specified under DOT agency regulations for a violation of those DOT agency regulations.
  - (c) As a collector or an MRO, when an employee refuses to participate in the part of the testing process in which you are involved, you must terminate the portion of the testing process in which you are involved, document the refusal on the CCF (including, in the case of the collector, printing the employee's name on Copy 2 of the CCF), immediately notify the DER by any means (e.g., telephone or secure fax machine) that ensures that the refusal notification is immediately received. As a referral physician (e.g., physician evaluating a "shy bladder" condition or a claim of a legitimate medical explanation in a validity testing situation), you must notify the MRO, who in turn will notify the DER.
- (1) As the collector, you must note the refusal in the "Remarks" line (Step 2), and sign and date the CCF.

- (2) As the MRO, you must note the refusal by checking the "refused to test because" box (Step 6) on Copy 2 of the CCF, and add the reason on the "Remarks" line. You must then sign and date the CCF.
- (d) As an employee, when you refuse to take a non-DOT test or to sign a non-DOT form, you have not refused to take a DOT test. There are no consequences under DOT agency regulations for refusing to take a non-DOT test.

[65 FR 79526, Dec. 19, 2000, as amended at 66 FR 41953, Aug. 9, 2001; 68 FR 31626, May 28, 2003; 71 FR 49384, Aug. 23, 2006; 73 FR 35974, June 25, 2008]

***It is the policy of Lee County Transit that refusals to test as outlined above will result in termination of employment.*** A referral to a Substance Abuse Professional that has knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders, and who meets the qualifications outlined in 49 CFR Part 40.281 Subpart O will be provided upon termination.

### **17.0 Medical Review Officer's Role and Responsibilities**

The designated Medical Review Officer (MRO) shall be a licensed physician (doctor of medicine or osteopathy) with knowledge of drug disorders. Lee County Transit shall use the following MRO:

**Name of MRO:**           **Natalie Hartenbaum**

**Address:**               **100 Highpoint Drive, Suite 102**  
                                  **Chalfont, PA 18914**

**Phone Number:**   **1-800-732-3784 (215-396-5500)**

**Fax Number:**         **1-215-396-5610**

The role of the MRO is to review and interpret confirmed positive test results obtained through the employer's testing program. In carrying out this responsibility, the MRO shall examine alternate medical explanations for any positive test result. This action will include conducting a medical interview with the applicant/employee to determine the individual's medical history and any other relevant biomedical factors. The MRO shall review all medical records made available by the tested individual when a confirmed positive test could have resulted from legally prescribed medication. The MRO shall not, however, consider the results of urine samples that are not obtained or processed in accordance with DOT regulations.

The MRO cannot accept an assertion of consumption of a hemp food product as a basis for verifying a confirmed marijuana (THC) test result as a negative. Consumption of a hemp food product is not to be considered a legitimate medical explanation for a prohibited substance or metabolite in an individual's specimen. An employee shall be notified by the MRO of a laboratory confirmed positive test and a verification interview will be conducted by the MRO. The MRO will conduct the interview and result reporting process in accordance with 49 CFR Parts 40.121, through 40.167, as amended.

## **18.0 Non-negative Results**

### **18.1 Verified Positive Results**

Lee County Transit shall notify an employee of the results of random, reasonable suspicion and post-accident tests for controlled substances or alcohol conducted under this part if the test results are verified positive. Lee County Transit shall inform the individual which controlled substance or substances were verified as positive. ***Under Lee County Government (Transit) authority, the employment of any employee whose DOT required drug or alcohol test produces a positive result shall be terminated. The employment of any employee who refuses to comply with DOT required drug or alcohol testing as defined within this policy, shall be terminated.***

### **18.2 Dilute Test Results**

Lee County Transit shall, upon receipt of a negative-dilute result from the MRO, exercise the right to require that the employee/applicant submit to a secondary urine collection as outlined in 49 CFR Part 40.197. A verified positive-dilute specimen constitutes the same action as a verified positive non-dilute result, as described in Section 18.1.

### **18.3 Cancelled/Invalid Test Results**

A drug test that has been declared cancelled by the Medical Review Officer, because the specimen was invalid or for other reasons, shall be considered neither positive nor negative. Additionally, a specimen that has been rejected for testing by the laboratory is reported by the MRO as a cancelled test.

When a negative urine drug test result is required (as is the case with pre-employment, return to duty and follow up test types) the employer must conduct another drug test on the individual. For some categories of cancelled drug tests, the MRO will indicate that a re-collection of a specimen using direct observation specimen collection procedures is required, regardless of test type. Direct observation collection procedures will be in accordance with 49 CFR Part 40.67 as amended. The MRO may also direct an employee to undergo a medical evaluation to determine whether or not clinical evidence of drug use exists when there are documented medical explanations for an individual producing invalid specimens and a negative result is needed for a pre-employment, return to duty or follow-up test. For alcohol testing, a test that is deemed to be invalid per 49 CFR Part 40.267, shall be cancelled and therefore considered neither positive nor negative

### **18.4 Specimen Temperature Out of Range**

During the urine collection process, the urine specimen shall be examined to determine if the specimen may have been altered or substituted. Any urine specimen with a temperature outside of the range specified in 49 CFR Part 40 will result in a second collection, under direct observation. Direct observation collection procedures will be in accordance with 49 CFR Part 40.67 as amended.

## **19.0 Split Specimen Testing**

Split specimen collection procedures will be followed in obtaining specimens. An employee is entitled to request, within 72 hours of learning of a verified positive test result, that the split specimen be tested at a different DHHS certified laboratory than that which conducted the test of the primary specimen. If the test result of the split specimen fails to reconfirm the presence of the drug or drug metabolite, the test result shall be ruled "Canceled". The procedures for canceled tests, as outlined in 49 CFR Part 40.187, will be followed. If the test result of the split specimen is positive, the test results shall be deemed positive.

If the laboratory's test of the primary specimen is positive, adulterated or substituted and the split specimen is unavailable for testing, a recollection under direct observation is required. Direct observation collection procedures will be in accordance with 49 CFR Part 40 as amended.

If an employee has tested positive in a controlled substance test, and has made a request to the MRO for a test of the split specimen, within 72 hours of being notified of the positive test, Lee County Government (Transit) is required to ensure that the cost for the split specimen testing is covered, in order for a timely analysis of the sample. ***It is Lee County Government's (Transit) policy to seek reimbursement for the cost of the completed test, from the employee, should the results reconfirm the original positive finding.***

## **20.0 Treatment Requirements**

All employees are encouraged to make use of the available resources for treatment for alcohol and substance abuse problems. (See Section 22.0)

Employees who test positive or refuse a DOT required drug or alcohol test will be immediately removed from safety sensitive functions; a referral to a Substance Abuse Professional that has knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders, and who meets the qualifications outlined in 49 CFR Part 40.281 Subpart O will be provided to the violating employee. ***It is the policy of Lee County Transit to terminate the employment of any employee who violates this substance abuse policy by testing positive on any DOT required drug or alcohol test or behaving in a manner that constitutes a refusal to test as outlined in Section 16.0 of this policy.***

## **21.0 Retention of Records and Release of Information**

All dated records and notifications identified by individual will be maintained by the MRO for a minimum of five (5) years for verified positive controlled substance test results.

All dated records and notifications identified by individual will be maintained by the MRO for a minimum of one (1) year for negative controlled substance test results.

No person may obtain the individual controlled substance test results retained by Lee County Government or the MRO, and neither Lee County Government nor the MRO shall release the individual controlled substance test results of any employee to any person, except as provided in Section 9.0; Employee Protections.

Lee County Government shall maintain all dated records and notifications identified by individual, for a minimum of five (5) years for verified positive controlled substance test results.

Lee County Government shall maintain all dated records and notifications identified by individual, for a minimum of one (1) year for negative controlled substance test results and any canceled tests.

Lee County Government shall maintain all dated records pertaining to the collection process for two (2) years

Lee County Government shall maintain all dated records and notifications identified by individual, for a minimum of five (5) years for verified positive alcohol test results.



Lee County Government shall maintain all dated records and notifications identified by individual, for a minimum of one (1) year for negative alcohol test results and any canceled tests

No person may obtain the individual alcohol test results retained by Lee County Government and Lee County Government shall not release the individual alcohol test results of any employee to any person, except as provided in Section 9.0.

Lee County Transit will maintain copies of annual MIS reports submitted to FTA for a minimum of five (5) years.

Lee County Transit will maintain employee training records for a minimum of two (2) years.

Lee County Government will maintain records that are obtained from previous employer for new hires for a minimum of three (3) years from the date of the employee's first performance of safety-sensitive duties.

## **22.0 System Contacts**

Any employee with questions regarding this policy or any other aspect of Lee County Transit's drug-free and alcohol-free program should contact the following representative(s):

### **Drug and Alcohol Program Manager**

Name: Rachelle Bock

Address: 6035 Landing View Road, Fort Myers, FL 33907

Phone: 239-533-0338

E-mail: [bockra@leegov.com](mailto:bockra@leegov.com)

Fax: 239-931-6811

### **Alternate**

Name: Summer Henke

Address: 2115 Second Street, Fort Myers, FL 33901

Phone: 239-533-2067

E-mail: [shenke@leegov.com](mailto:shenke@leegov.com)

Fax: 239-485-2094

### **Substance Abuse Professional**

Name: David Cunningham, ComPsych Corporation

Address: NBC Tower – 13<sup>th</sup> Floor, 455 N. Cityfront Plaza Drive  
Chicago, IL 60611

Phone: 312-660-1038

Name: Margery Runyan, LCSW

Address: 10502 Stringfellow Road, Suite 5507-A  
Bokeelia, FL 33922

Phone: 239-839-8230

**National Hot-Line Numbers and Help Lines:**

National Cocaine Hotline 1-800-262-2463

The American Council on Alcoholism Help Line  
1-800-527-5344

The National Institute on Drug Abuse Hot Line  
1-800-662-4357

Alcoholics Anonymous 239-275-5111

**Note: Revisions to this policy will be initiated and adhered to when necessary. Board approval will occur annually if and when revisions have been made.**

**Employee Acknowledgement of Receipt  
Of Lee County Transit, Lee Tran's Substance Abuse Policy**

- I have received a legible copy of Lee County Transit, Lee Tran's Substance Abuse Policy.
- I understand that a copy of the DOT and FTA regulations (49 CFR Part 40 and 655) on which this policy is based, are available to me upon request.
- I understand that under the authority of Lee County Transit, my employment will be terminated following a positive result on any DOT required drug or alcohol test.
- I understand that under the authority of Lee County Transit, my employment will be terminated if my behavior constitutes a refusal to test as described in Section 16.0 of this policy.
- I understand that participation in the drug and alcohol testing program is required and considered a condition of my employment.

**Employee Name (Printed):** \_\_\_\_\_

**Employee Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_



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**The Premier Plan**  
**ADOPTION AGREEMENT**  
**for**  
**Lee County Board of County Commissioners**

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The undersigned Employer hereby adopts the Social Security Alternative 457 Master Retirement Plan and agrees to abide by the terms of the Social Security Alternative 457 Master Retirement Plan.

The Employer makes the following representations:

1. The Employer is a governmental organization described in Section 457(e)(1) of the Internal Revenue Code of 1986, as amended.
2. Information:
  - A. The name of the Employer is:  
Lee County Board of County Commissioners
  - B. The name of the Plan is:  
Lee County Board of County Commissioners Premier Plan
  - C. The Plan Year ends:  
September 30th
  - D. The Original Effective Date of the Plan is:  
June 1, 2000
  - E. If this is an amendment and restatement of an existing Plan, the effective date of this amended and restated Plan, except as otherwise stated in the Plan, is:  
October 1, 2012
  - F. Types of Contributions:
    - Participant Non-elective Contributions (specify rate ONLY if "Employer Contribution" is selected below; if none, the rate is 7.5%) \_\_\_\_\_.
    - Additional Elective Deferrals
    - Age 50 Plus Contributions

- Catch-up Deferrals (Section 457(b)(3) catch-up contributions)
- Employer Contribution (specify rate; total of this and Participant Non-elective Contribution rates may not be less than 7.5%) \_\_\_\_\_ to be contributed (indicate frequency) \_\_\_\_\_.

G. "Normal Retirement Age" for purposes of the section 457(b)(3) Catch-up Deferrals shall be \_\_\_\_\_. [See the rules for establishing this definition in section 1.2 of the basic plan document.]

H. Cash-out Amount (insert amount not in excess of \$1,000):\$ 1,000.00

The terms of the Social Security Alternative 457 Master Retirement Plan are incorporated herein by reference, and the Employer agrees that it shall be bound by such terms.

**Name of Employer:** Lee County Board of County Commissioners \_\_\_\_\_  
**Signature:** \_\_\_\_\_  
**Print Name:** \_\_\_\_\_  
**Title:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

**Name of Employer CONTACT:** \_\_\_\_\_  
**Title:** \_\_\_\_\_  
**E-Mail:** \_\_\_\_\_  
**Telephone Ext.:** \_\_\_\_\_  
**Fax:** \_\_\_\_\_

IRS Circular 230 Notice: We are required to advise you no person or entity may use any tax advice in this communication or any attachment to (i) avoid any penalty under federal tax law or (ii) promote, market or recommend any purchase, investment or other action.

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# The Premier Plan

## **SOCIAL SECURITY ALTERNATIVE 457 MASTER RETIREMENT PLAN**

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**MidAmerica**

Administrative & Retirement Solutions, Inc.

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## ARTICLE I

### Introduction and Definitions

- 1.1 **Establishment of the Plan.** The Employer has established and adopted this Plan pursuant to Code Section 457 for the purpose of providing retirement and other benefits for the eligible Employees of the Employer and their Beneficiaries. It is intended that this Plan shall be an "eligible deferred compensation plan" under Code Section 457(b). It is also intended that each eligible Employee of the Employer, through his or her participation in the Plan, shall be deemed to be a "member of a retirement system" of a State, political subdivision or instrumentality under Code Section 3121(b)(7)(F) and the regulations promulgated thereunder. Finally, it is intended that the Plan shall be a "governmental plan" under Code Section 414(d) and Section 3(32) of the Employee Retirement Income Security Act of 1974, as amended, and shall therefore be exempt from Title I of such Act.
- 1.2 **Definitions.** - As used herein, unless otherwise required by the context, the following words and phrases shall have the meanings indicated:

**Accumulation Account.** The bookkeeping account established for each Participant under this Plan. The current value of a Participant's Accumulation Account includes all contributions under the Plan, adjusted to reflect credited interest.

**Administrator.** The Employer or any person or committee to whom administrative duties are delegated pursuant to Section 7.2.

**Adoption Agreement.** The agreement entered into by the Employer adopting the provisions of this Master Retirement Plan. The terms of the Adoption Agreement are incorporated by reference herein and shall be considered a part of this Master Retirement Plan as if specifically set forth herein.

**Beneficiary.** Any person designated by a Participant under Section 2.3 to receive the value of the Participant's Accumulation Account after the death of such Participant.

**Code.** The Internal Revenue Code of 1986, as amended, and any regulations promulgated thereunder.

**Compensation.** For any Employee, his or her gross wages.

**Effective Date.** The effective date as identified in the Adoption Agreement.

**Eligible Employee.** An Employee whose participation herein is not precluded by Section 2.1.

Employee. Any person employed by the Employer who is either a Part-Time Employee, a Seasonal Employee or a Temporary Employee.

Employer. The employer identified in the Adoption Agreement.

Group Annuity Contract. The arrangement entered into by the Employer with the Insurer under which the assets of this Plan are held and from which distributions under this Plan are made. For purposes of satisfying Code Section 457(g), the Group Annuity Contract shall be treated as a qualified trust pursuant to Code Section 401(f).

Includible Compensation. For purposes of the limitation on deferrals for a particular taxable year, compensation from the Employer that is attributable to services performed for the Employer and that is includible in the Participant's gross income for the taxable year and shall also include elective contributions made during the Plan Year on behalf of a Participant to a plan described in Code Section 125, 132(f), 402(g), 403(b) or 457.

Insurer. The insurance company with which the Employer has entered into a Group Annuity Contract pursuant to the Plan. Such insurance company shall be qualified to do business in the state in which the Employer is incorporated or organized.

Master Retirement Plan. The Social Security Alternative 457 Master Retirement Plan, as contained herein.

Normal Retirement Age. Any age specified in the Adoption Agreement that is on or after the earlier of age 65 or the age at which Participants have the right to retire and receive, under the basic defined benefit pension or plan of the State (or a money purchase pension plan in which the Participant also participates if the Participant is not eligible to participate in a defined benefit plan), immediate retirement benefits without actuarial or similar reduction because of retirement before some later specified age, and that is not later than age 70½.

Participant. Any Employee who becomes a participant as provided in Article II.

Participant Nonelective Contributions. The contributions made under Section 3.1. It is intended that such amounts not be subject to federal and state income taxes until received as benefit payments, but the Employer does not represent or guarantee that any particular federal or state income, payroll or other tax consequences will occur by reason of any Employee's participation in the Plan.

Part-Time Employee. Any person employed by the Employer who normally works 20 hours or less per week. Notwithstanding the preceding sentence, a Part-Time Employee for purposes of this Plan shall not include a teacher employed by

a post-secondary educational institution if he or she normally has classroom hours of one-half or more of the classroom hours designated by the educational institution as constituting full-time employment.

Plan. This plan, as named in the Adoption Agreement.

Plan Year. The plan year identified in the Adoption Agreement.

Seasonal Employee. Any person employed by the Employer who normally works on a full-time basis less than five months in a year.

Severance from Employment. The Employee ceases to be employed by the Employer who maintains the Plan.

Social Security Taxable Wage Base. The maximum amount of earnings in any year which may be considered wages under Code Section 3121(a) for purposes of old-age, survivors and disability insurance.

Temporary Employee. Any person employed by the Employer who is performing services under a contractual arrangement with the Employer of two years or less duration, unless it is significantly likely that the contractual arrangement will be extended. Notwithstanding the preceding sentence, a person employed by the Employer who is covered by a collective bargaining agreement of two years or less duration shall not, for that reason alone, be considered a Temporary Employee for purposes of this Plan.

Valuation Date. The last day of each calendar month.

## ARTICLE II

### Participation

- 2.1 **Participation.** An Employee shall automatically become a Participant on the later of (a) the date he or she becomes an Employee, or (b) the Effective Date, except that if an Employee's Compensation is determined pursuant to a collective bargaining agreement, such Employee shall not be an Eligible Employee unless the collective bargaining agreement specifically provides that he or she may be an Eligible Employee, and, provided further, that no Employee shall be an Eligible Employee hereunder if his or her service is described in Code section 3121(b)(7)(F)(i) through (v). Participation in this Plan shall be deemed a condition of employment or continued employment except that a Participant shall not be required to make Additional Elective Deferral contributions as described in Section 3.3. A Participant shall remain a Participant as long as he or she is entitled to future benefits because of the maintenance of a balance in his or her Accumulation Account.
- 2.2 **Re-employment.** An Eligible Employee will be immediately eligible to participate upon his or her date of re-employment.
- 2.3 **Designation of Beneficiary.** Upon commencing participation, each Participant shall designate one or more Beneficiaries by filing a written form with the Administrator. In the absence of any valid designation of a Beneficiary, the Participant shall be deemed to have designated his or her estate as his or her Beneficiary. A Participant may, at any time, change his or her Beneficiary designation by filing a new form with the Administrator. Such change shall be effective as of the date the new form is delivered to the Administrator.

## ARTICLE III

### Contributions

- 3.1 **Participant Nonelective Contributions.** Once an Employee becomes a Participant and as long as he or she remains an Eligible Employee, the Employer shall automatically reduce the Compensation otherwise payable to him or her during each payroll period by 7.5% or such lower percentage as shall be designated in the Adoption Agreement of such Participant's Compensation up to the Social Security Taxable Wage Base and have such amount deferred under this Plan.

The Employer may change the percentage of Compensation to be contributed as Participant Nonelective Contributions to a greater or lesser percentage by amending the Plan in accordance with Article VIII. In addition, such percentage may be changed to comply with the terms of any collective bargaining agreement pursuant to which Employees participate in the Plan. Any percentage change in the amount of Participant Nonelective Contributions hereunder shall be effective only with respect to Compensation earned after the adoption date of the Plan amendment relating thereto or, if applicable and later, the ratification date of the collective bargaining agreement relating thereto. In no event shall combined Participant Nonelective Contributions and Employer Contributions (section 3.7) total less than 7.5 percent of a Participant's Compensation up to the Social Security Taxable Wage Base or exceed the maximum deferral allowed by the Code.

The Employer shall forward Participant Nonelective Contributions to the Plan's funding vehicle as soon as practicable after the date they otherwise would have been paid to the Participants, but in any event not later than the date specified in applicable Department of Labor regulations.

- 3.2 **Additional Employer Deferrals.** At its discretion and if so provided in the Adoption Agreement (but subject to the limitation set forth in Section 3.3), the Employer may elect to make deferrals in addition to those provided in Section 3.1 on behalf of each eligible Employee for a particular Plan Year. The Employer shall determine the amount of such additional deferrals which shall be expressed as a percentage of Compensation.
- 3.3 **Additional Elective Deferrals.** If permitted in the Adoption Agreement, an eligible Employee may elect to make Additional Elective Deferrals in addition to the Participant Nonelective Contribution on a salary reduction, tax-deferred basis. The Employer shall contribute the amount designated by the Employee in a salary reduction agreement as an additional deferral under this Plan.

An election to make Additional Elective Deferrals under this section may not be made retroactively and shall remain in effect until modified or terminated. A Participant may terminate his or her salary reduction agreement at any time. Subject to any reasonable rules established by the Employer, a Participant may modify his or her salary reduction agreement during a Plan Year by filing an appropriate form with the Employer. Such

rules may include the number and frequency of such modifications during any Plan Year, but a Participant shall be permitted to make a modification at least once each Plan Year. A Participant may enter into a separate Enrollment Agreement with respect to his or her accumulated sick, vacation, or back pay if such election is made consistent with the requirements set forth in Treasury Regulation section 1.457-4(d) and other applicable guidance.

The Employer shall forward Elective Deferrals to the Plan's funding vehicle as soon as practicable after the date they otherwise would have been paid to the Participants, but in any event not later than the date specified in Treas. Reg. §1.457-8(a)(2)(ii) or other applicable IRS guidance.

- 3.4 **Age 50 Plus Contributions.** If permitted in the Adoption Agreement and subject to Section 3.6(c), all Employees who are eligible to make Additional Elective Deferrals under this Plan and who have attained age fifty (50) before the close of the Plan Year shall be eligible to make Age 50 Plus Contributions in accordance with, and subject to the limitations of, Code Section 414(v). Such Age 50 Plus Contributions shall not be taken into account for purposes of the provisions of the Plan implementing the required limitations of IRC Sections 402(g) and 415. A Participant shall not be eligible to make Age 50 Plus Contributions for any taxable year for which a higher limitation applies under Section 3.5.
- 3.5 **Catch-up Deferrals.** If elected in the Adoption Agreement, in addition to the foregoing and subject to Section 3.6(c), in any of a Participant's last three calendar years ending before the Participant attains Normal Retirement Age, the Participant may defer an amount not exceeding the lesser of (i) two times the maximum deferral limit in section 3.6(a), or (ii) the sum of the maximum amount eligible to be deferred under section 3.6(a) for the calendar year plus so much of the maximum amount eligible to be deferred under limitations in the Code for prior years on account of compensation from any Employer that maintained a Plan described in Code Section 457 for any portion of the calendar year and that has not previously been used under section 3.6(a) or (b). A prior calendar year shall be taken into account for purposes of this section only if it begins after December 31, 1978, the Participant was eligible to participate in a plan during all or a portion of the prior year, and any compensation deferred under a plan during such prior year was limited to the applicable percentage of Includible Compensation during each year, less (ii) all amounts excluded from the Participant's Compensation from the Participating Employer under Code Section 401(k), 403(b) or 457 in years before 2002.
- 3.6 **Limits on Deferrals.**
- (a) **Plan Limits.** The total amount of Deferrals made on behalf of a Participant under the Plan in a taxable year of the Participant shall not exceed an amount equal to the lesser of (1) the applicable dollar amount as defined in Code Section 457(e)(15), or (2) 100% of the Participant's Includible Compensation for such taxable year. This limitation shall be applied in accordance with the provisions of Code Section 457 and the regulations promulgated thereunder.

- (b) **Individual Limits.** The maximum amount that may be deferred on behalf of any individual during any taxable year (taking into account Deferrals under this Plan, elective and non-elective contributions and deferrals excludable from income under Code Section 403(b), elective salary reduction contributions under a Code Section 401(k) plan excludable from income under Code Section 402(e)(3) and elective salary reduction contributions under a simplified employee pension plan excludable from income under Code Section 402(h)(1)(B)) shall not exceed the applicable dollar amount as adjusted pursuant to Code Section 457(e)(15).
- (c) The maximum amount of deferral in Sections 3.4 and 3.5 shall be reduced by any amount excluded from the Participant's gross income for the calendar year under Code Section 457 under any plan maintained by any employer. If during a calendar year an Employee has made contributions to the Plan that, when aggregated with any Elective Deferrals made on his or her behalf under other such plans for the same calendar year, exceed this limit, the Employee may request a corrective distribution from the Plan. Such corrective distribution (including income allocable to the excess contributions) shall be made as soon as practicable.
- (d) The Administrator shall not have responsibility for informing a Participant of the tax ramifications of contributions under this Plan and contributions under other plans which are in an amount in excess of the individual limit set forth in subsection (b). Furthermore, because the calculation of the individual limit set forth in section 3.6(b) may be based upon information outside the knowledge and control of the Administrator, the Administrator's sole responsibility in the calculation of such amount will be that of a good faith effort based on the facts presented. The Administrator shall not in any way guarantee or certify as to the accuracy of such calculation. Finally, any violation of the individual limit set forth in section 3.6(b) on the part of an individual shall in no way adversely affect the status of this Plan as an "eligible deferred compensation plan" under Code Section 457(b).

3.7 **Employer Contributions.** The Employer shall pay to Group Annuity Contract established under the Plan an Employer Contribution of the elected percentage of each Eligible Employee's Compensation. Payment of Employer Contributions shall be made at such time as is elected in the Adoption Agreement.

The Employer may change the percentage of Compensation to be contributed as Employer Contributions to a greater or lesser percentage, including zero percent, by amending the Plan in accordance with Article VIII. In addition, such percentage may be changed to comply with the terms of any collective bargaining agreement pursuant to which Employees participate in the Plan. In no event shall the combined Participant Nonelective Contributions and Employer Contributions total less than 7.5 percent of an Eligible Employee's Compensation up to the Social Security Taxable Wage Base or exceed the maximum deferral allowed by the Internal Revenue Code.



3.8 **Excess Contributions or Deferrals.**

Notwithstanding any provision of the Plan to the contrary, the Plan shall distribute any contributions or deferred compensation in excess of the limits described in this Article III in a manner consistent with Code section 457(b) and any Treasury Regulations or other authority promulgated thereunder.

## ARTICLE IV

### Distributions

- 4.1 **General.** Subject to Section 4.4(a), no distribution of benefits is permitted under this Plan prior to a Participant's retirement, death or severance from employment.
- 4.2 **Severance from Employment.**
- (a) After expiration of a consecutive period without active employment of sufficient length for the Administrator to reasonably conclude that the Participant has had a severance from employment, the Administrator shall notify the Participant of his or her right to receive a distribution. If the Participant elects within a reasonable period following such notification to receive a distribution, the Administrator shall direct the Insurer to distribute the value of the Participant's Accumulation Account, determined as of the Valuation Date coincident with or next following receipt of his or her election. Such benefit shall be payable as soon as administratively feasible following the applicable Valuation Date.
  - (b) Subject to Section 4.4, if a Participant fails to respond within a reasonable period to the notification of his or her right to receive a distribution, he or she shall be deemed to have made an irrevocable election to postpone payment of his or her Accumulation Account until the April 1 of the calendar year following the later of (1) the calendar year in which the Participant severs from employment, or (2) the calendar year in which the Participant attains age 70½. In such case, the Administrator shall direct the Insurer to distribute the value of the Participant's Accumulation Account, determined as of the last Valuation Date of the calendar year preceding such April 1, on or before such April 1.
  - (c) For purposes of this section, the determination of whether a Participant has had a severance from employment will be made within the meaning of Code Section 457 and regulations issued thereunder.
- 4.3 **Death.**
- (a) Upon the death of a Participant prior to payment of his or her benefit under this Plan, the Administrator shall direct the Insurer to distribute the value of the Participant's Accumulation Account, determined as of the Valuation Date coincident with or next following receipt on the part of the Administrator of notification of the Participant's death, to his or her Beneficiary as soon as administratively feasible following the applicable Valuation Date.
  - (b) The rules of this section shall be subject to the required distribution rules of Section 5.2.

#### 4.4 **Cash-out.**

- (a) Subject to section 4.4(c) and notwithstanding any other provision of this Article IV, a Participant may elect to receive (or, at the discretion of the Administrator, the Administrator may direct the Insurer to distribute without the consent of the Participant) the value of his or her Accumulation Account, but only if (a) no Participant Nonelective Contributions or Deferrals have been made under the Plan with respect to the Participant during the two-year period ending on the date of distribution, (b) the value of the Participant's Accumulation Account does not exceed \$5,000 (or such other amount in effect under Code Section 411(a)(11)(A)), and (c) there has been no prior distribution under this Section 4.4(a). Such benefit shall be payable as soon as administratively feasible following the applicable Valuation Date.
- (b) Notwithstanding Sections 4.2(b) and 4.3(b), a Participant who has been deemed to have made an irrevocable election to postpone payment of his or her Accumulation Account to age 70½ may nonetheless affirmatively elect to have the value of his or her Accumulation Account paid to him or her at an earlier date, but only if (a) at least two years have passed since the Participant severed from employment, and (b) the value of the Participant's Accumulation Account as of the Valuation Date coincident with or next following receipt of his or her election does not exceed \$5,000 (or such other amount in effect under Code Section 411(a)(11)(A)). Such benefit shall be payable as soon as administratively feasible following the applicable Valuation Date.
- (c) The Administrator shall make distributions of Accumulation Account balances of such amount as shall be specified in the Adoption Agreement (which shall not exceed \$1,000) or less without the consent of the Participant.

In the event a terminated Participant would otherwise receive a mandatory distribution of more than \$1,000 (or such lesser amount as shall be specified in the Adoption Agreement), and the Participant does not affirmatively elect within such number of days as may be established by the Plan Administrator to have such distribution paid as a lump sum distribution or transferred directly to an eligible retirement plan specified by the Participant in a direct rollover, then the Administrator shall pay the distribution in a direct rollover to such safe harbor individual retirement account ("safe harbor IRA") as may be designated by the Administrator. The custodian and initial investments of any safe harbor IRA shall be selected in a manner consistent with the requirements for the fiduciary safe harbor relief provided in Department of Labor Regulation section 29 CFR Section 2550.404a-2.

#### 4.5 **Transfer of Benefits.** In lieu of receiving a distribution of his or her benefits hereunder, a Participant may elect, by providing advance written notice to the Administrator, to

- (a) have his or her benefit transferred to an "eligible retirement plan," or

- (b) direct a trustee-to-trustee transfer to a defined benefit governmental plan (as defined in Code Section 414(d) if such transfer is
  - (i) for the purpose of permissive service credit (as defined in Code Section 415(n)(3)(A)) under such plan, or
  - (ii) a repayment to which Code Section 415 does not apply by reason of Code Section 415(k)(3) thereof.

For purposes of this section, an “eligible retirement plan” includes an individual retirement account described in Section 408(a) of the Code, an individual retirement annuity described in Section 408(b) of the Code (other than an endowment contract), a qualified trust, an annuity plan described in Section 403(a) of the Code, an eligible deferred compensation plan described in Section 457(b) of the Code which is maintained by an eligible employer described in Section 457(e)(1)(A) of the Code, or an annuity contract described in Section 403(b) of the Code.

#### 4.6 **Eligible Rollover Distributions.**

- (a) Notwithstanding any provision of the Plan to the contrary that would otherwise limit a distributee's election under this Section, a distributee may elect, at the time and in the manner prescribed by the Employer, to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a direct rollover.
- (b) Definitions:
  - (1) **Eligible Rollover Distribution:** An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of ten years or more; any distribution to the extent such distribution is required under Code sections 401(a)(9) and 457(d)(2); and any distribution made upon the hardship of the employee. For purposes of distributions from other eligible retirement plans rolled over into this Plan, the term eligible rollover distribution shall not include the portion of any distribution that is not includible in gross income (determined without regard to the exclusion for net unrealized appreciation with respect to employer securities). Effective January 1, 2008, amounts may be directly rolled over to a Roth IRA if such rollover complies with Code section 408A(c)(3)(B) and any applicable Treasury Regulations thereunder.
  - (2) **Eligible Retirement Plan:** An eligible retirement plan is an individual retirement account described in Code section 408(a), an individual

retirement annuity described in Code section 408(b), an annuity plan described in Code sections 403(a) or 403(b), a qualified trust described in Code section 401(a), or an eligible deferred compensation plan described in Code section 457(b) which is maintained by an eligible governmental employer described in Code section 457(e)(1)(A), that accepts the distributee's eligible rollover distribution.

- (3) **Distributee:** A distributee includes an employee or former employee. In addition, the employee's or former employee's surviving spouse and the employee's or former employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Code section 414(p), are distributees with regard to the interest of the spouse or former spouse.
  - (4) **Direct Rollover:** A direct rollover is a payment by the plan to the eligible retirement plan specified by the distributee.
- (c) Effective for Plan Years beginning after December 31, 2009, a Participant's non-spouse Beneficiary shall be treated as distributee and may elect to transfer a distribution that would be an eligible rollover distribution if it were made to a spousal beneficiary to an individual retirement account described in Code section 408(a) or an individual retirement annuity described in Code section 408(b), that will be treated as an inherited IRA within the meaning of Code section 408(d)(3)(C), pursuant to a direct rollover. A trust may be a designated beneficiary if it meets the requirements of Code section 401(a)(9)(E) and applicable Treasury Regulations thereunder. This provision shall be interpreted consistent with Code section 402(c)(11), applicable Treasury Regulations thereunder, and IRS Notice 2007-7 and other applicable guidance.

## ARTICLE V

### Form of Payment

- 5.1 **Form of Payment.** All benefits hereunder shall be paid in the form of a lump sum payment, and no optional forms of benefit shall be available.
- 5.2 **Compliance with Minimum Distribution Rules.** All distributions under this Plan shall be made in accordance with Code Section 401(a)(9) and the regulations thereunder. The provisions of this Section 5.2 shall override any distribution options in the Plan inconsistent with Code Section 401(a)(9).
- (a) The entire interest of each Participant will be distributed beginning no later than April 1 of the calendar year following the later of (a) the calendar year in which the Participant retires, or (b) the calendar year in which the Participant attains age 70½, over the life of the Participant or over the lives of the Participant and a designated Beneficiary. Distributions made beginning before the death of the Participant will be paid at times specified by the Secretary of the Treasury, which are not later than the time determined under Section 401(a)(9)(G) (relating to incidental death benefits). Amounts payable over a period of more than one year will be made in substantially non-increasing amounts (paid not less frequently than annually).
- (b) Upon the Participant's death, any remaining interest will be distributed at least as rapidly as under the method of distribution in effect at the time of the Participant's death. If the Participant dies prior to the time benefit payments begin, any portion of his or her interest payable to (or for the benefit of) a Beneficiary shall be paid no later than December 31 of the year in which occurs the fifth anniversary of the Participant's death.
- 5.3. **2009 RMD Waiver.** Participants and Beneficiaries who have a required beginning date under Code section 401(a)(9) prior to April 1, 2010 may continue receiving required minimum distributions as required by Code section 401(a)(9) prior to amendment by Code section 401(a)(9)(H) unless they affirmatively elect to suspend such distributions for the 2009 calendar year in a manner consistent with procedures established by the Employer. Notwithstanding any provision of the Plan to the contrary, the Plan shall be administered in a manner consistent with Code section 401(a)(9)(H), Notice IRS 2009-82 and any other applicable guidance.

## ARTICLE VI

### Participants' Rights to Deferred Amounts

- 6.1 **Exclusive Benefit.** All assets of the Plan, including all deferred amounts, property and rights purchased with deferred amounts, and all income attributable to such deferred amounts, property or rights, shall be held in the Group Annuity Contract for the exclusive benefit of Participants and their Beneficiaries in accordance with Code Section 457(g). The Employer shall have no rights or interest in any assets of the Plan, and no creditor of the Employer shall have any claim to such assets.
- 6.2 **Spendthrift Clause.** No benefits or other amounts payable under the Plan shall be subject in any manner to anticipation, sale, transfer, assignment, pledge, encumbrance, charge or alienation.
- 6.3 **Distributable Amount.** In no event shall the Employer's obligation to pay benefits to a Participant or Beneficiary exceed the value of the amount credited to the Participant's account. The Employer shall not be liable for losses arising from declines in the value of any investment acquired under the Plan.

## ARTICLE VII

### Administration

- 7.1 **General.** The Employer is the Administrator of this Plan and is responsible for performing the duties required for the operation of the Plan.
- 7.2 **Authority of the Employer.** The Employer has all the powers and authority expressly conferred upon it herein and further has the sole discretion to interpret and construe the Plan and to determine any disputes arising under it. In exercising these powers and authority, the Employer will at all times exercise good faith, apply standards of uniform application and refrain from arbitrary action. The Employer may employ attorneys, agents, and accountants as it finds necessary or advisable to assist it in carrying out its duties. The Employer may designate a person or a committee to carry out any of its administrative powers, authority, or responsibilities. Any delegation shall be set forth in writing.



## ARTICLE VIII

### Amendment and Termination of the Plan

- 8.1 **Amendment of the Plan.** The Employer shall have the right at any time by appropriate action of its governing official or officials to modify, alter or amend this Plan in whole or in part.
- 8.2 **Termination of the Plan.** The Employer expects to continue the Plan indefinitely, but continuance is not assumed as a contractual obligation, and the Employer reserves the right by appropriate action of its governing official or officials to terminate this Plan.


**ARTICLE IX**

**Miscellaneous**

- 9.1 **Governing Law.** The Plan shall be construed, regulated and administered according to the laws of the state in which the Employer is located, except in those areas preempted by the laws of the United States of America.
- 9.2 **Construction.** The headings and subheadings in the Plan have been inserted for convenience of reference only and shall not affect the construction of the provisions hereof. In any necessary construction, the masculine shall include the feminine and the singular the plural, and vice versa.
- 9.3 **Non-guarantee of Employment.** Nothing contained in this Plan shall be construed as a contract of employment between the Participant and the Employer or as a right of any Participant to be retained in the Employer's employ.
- 9.4 **USERRA.** Notwithstanding any provision of the Plan to the contrary, the Plan shall be administered in compliance with the requirements of Code section 414(u) and Code section 401(a)(37). Effective for deaths and disabilities occurring on or after January 1, 2007, a distribution may be made in accordance with the Heroes Earnings Assistance and Relief Tax Act of 2008, Code section 414(u)(12)(B), Notice 2010-15, and any other applicable guidance.

**IN WITNESS WHEREOF**, this Plan has been executed this 1 day of November, 2012, by **MidAmerica Administrative & Retirement Solutions, Inc.**

**MIDAMERICA ADMINISTRATIVE &  
RETIREMENT SOLUTIONS, INC.**

By:   
Its President

IRS Circular 230 Notice: We are required to advise you no person or entity may use any tax advice in this communication or any attachment to (i) avoid any penalty under federal tax law or (ii) promote, market or recommend any purchase, investment or other action.

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20121085**

**1. ACTION REQUESTED/PURPOSE:**

Pursuant to the County's interlocal agreement with the City of Fort Myers, approve monthly payments to the City up to the annual amount of \$6,296,000 for the cost of operating Central and South Wastewater Treatment Plants. In addition, approve a \$253,991.18 contribution toward the amortization of debt funded CIP projects at those plants.

**2. FUNDING SOURCE:**

These funds have been budgeted within the Utilities FY 2012/2013 operating budget.  
Fund: LCU Operating; Program – Wastewater Treatment Contract; Project – Other Contracted Services.

**3. WHAT ACTION ACCOMPLISHES:**

Authorizes Lee County Utilities to pay the City for the cost of wastewater treatment during FY 2012/2013 at two treatment plants up to \$6,296,000 based on estimated flows. Authorizes \$253,991.18 contribution toward the annual flat fee amortization of debt funded CIP improvements to the treatment plants.

**4. MANAGEMENT RECOMMENDATION:** Approval.

**5. Departmental Category:** C13A

**6. Meeting Date:** 1/15/2013

**7. Agenda:**

Consent

**8. Requirement/Purpose:** *(specify)*

Statute

Ordinance

Admin Code

Other Approval

**9. Request Initiated**

**Commissioner:** All

**Department:** UTILITIES

**Division:** No Divisions

**By:** Pam Keyes

**10. Background:**

The County and the City each own approximately 50% of the capacity of the Central and South Wastewater Treatment Plants located in the City of Fort Myers. In November 1983, the County entered into an Interlocal Wastewater Treatment Agreement with the City for the treatment of wastewater at the two plants. The agreement was subsequently amended twice in 1990 and 1996. Pursuant to the agreement, as amended, each year the City estimates the cost of treatment per 1,000 gallons based on anticipated flows and the City's adopted budget. The County then reimburses the City for the cost of treatment on a quarterly basis. At the end of each year, there is a reconciliation based on actual flows treated and the County either receives a credit or is invoiced for the balance.

Over the years, there have been capital improvements to the Central and South Wastewater Treatment plants including a clarifier at the Central Wastewater Treatment Plant and de-chlorinating projects at both the Central and South Treatment plants. The County contributes toward the flat fee amortization of those debt funded CIP projects.

The City's estimated cost for treating LCU wastewater during the FY 2012/13 is the same rate charged for the previous fiscal year. Based on this rate of \$3.7995 per 1,000 gallons, the annual wastewater treatment cost is estimated at \$6,296,000.

The County's contribution toward the flat fee amortization of debt funded CIP projects at the two plants is \$253,991.18.

Funds are available in account OD5360348700.503490 (LCU Operating / City FM Wastewater Treatment Contract/ Contracted Services)

Attachments: Amortization Schedule, City Fort Myers letter dated 11/20/12 on Estimated Costs for FY 12/13  
ORIGINAL (OUTSIDE SIGNATURE) DOCUMENTS TO FOLLOW: 0

**11. Required Review:**

<i>Pam Keyes</i>	<i>Donna Marie Collins</i>	<i>Reginald Kantor</i>	<i>David Harris</i>	<i>Pam Keyes</i>	
UTILITIES	County Attorney	Budget Analyst	Budget Services	Public Works Director	

**12. Commission Action:**

BS 20121085

( BS 20091139-UTL )

CITY OF FORT MYERS AMORTIZATION SCHEDULE

FY Year Ending	Total	Dechlorination SRF 66708P	Dechlorination SRF 66709L01	2006A Bonds
09/30				
2006	124,238.48	3,489.72	120,749.77	0.00
2007	212,482.22	4,907.06	192,458.09	15,117.07
2008	219,893.36	5,084.38	187,782.25	17,066.73
2009	226,313.29	5,226.76	203,212.61	17,873.92
2010	232,926.83	5,394.34	208,813.17	18,719.32
2011	239,740.05	5,567.28	214,568.08	19,804.69
2012	246,759.34	5,745.79	220,481.60	20,531.85
2013	253,891.18	5,930.02	228,558.10	21,503.06
2014	261,442.32	6,120.14	232,802.08	22,520.10
2015	269,119.71	6,316.35	239,218.14	23,585.22
2016	277,030.61	6,518.87	245,811.00	24,700.74
2017	285,182.54	6,727.89	252,585.60	25,869.05
2018	293,583.06	6,943.61	259,546.89	27,092.56
2019	302,240.22	7,166.21	266,700.02	28,373.99
2020	311,162.26	7,395.97	274,060.30	29,715.99
2021	320,357.76	7,633.10	281,503.18	31,121.48
2022	329,835.47	7,877.82	289,364.21	32,593.44
2023	339,604.54	8,130.42	297,339.10	34,135.02
2024	349,674.40	8,391.09	305,533.79	35,749.52
2025	360,054.86	8,660.13	313,954.35	37,440.38
2026	121,260.77	2,206.93	79,832.62	39,211.22
2027	41,065.78	0.00	0.00	41,065.78
2028	43,008.09	0.00	0.00	43,008.09
2029	45,042.25	0.00	0.00	45,042.25
2030	47,172.66	0.00	0.00	47,172.66
2031	49,403.78	0.00	0.00	49,403.78
2032	51,740.46	0.00	0.00	51,740.46
2033	54,187.66	0.00	0.00	54,187.66
2034	56,750.58	0.00	0.00	56,750.58
2035	59,434.72	0.00	0.00	59,434.72
2036	62,246.70	0.00	0.00	62,246.70
2037	0.00	0.00	0.00	0.00
Total	6,086,936.96	131,413.88	4,922,944.95	1,032,578.13
Outstanding	5,530,321.89	117,952.72	4,411,974.84	1,000,394.33



# City of Fort Myers, Florida

FINANCE DEPARTMENT  
ACCOUNTING DIVISION  
PO Drawer 2217  
Fort Myers, Florida  
33902-2217

(239) 321-7159  
Fax (239) 344-5930

November 20, 2012

Ms. Pamela S. Keyes, P.E.  
Director of Lee County Utilities  
1500 Monroe Street  
Fort Myers, FL 33901

Re: Estimation of Combined Operating and Capacity Costs for FY 2013

Dear Ms. Keyes:

I am writing to confirm the estimated FY 2013 combined operating and capacity costs for the Wastewater Interlocal agreement. The rate for the FY 2013 cost per gallons will remain at 3.7995, which was the rate for FY 2012.

The attached computation for FY 2013 reflects an estimated combined cost of 3.7900. Included in the computation are several significant capital projects, which carried forward from FY 2012. The amount expended on those projects during FY 2013 will determine whether the costs need to be amortized or included in the final 2013 computation. Therefore, the City will maintain the rate of 3.7995, and adjustments can be made with the billings next summer when we review the operating expenses and the status of capital projects.

Please note that significant budget changes for the City during the year, the status of capital projects, fluctuations in gallonage, and year end accruals may affect the final year end computation.

Please feel free to contact me directly at 321-7159 with any questions.

Respectfully,

CITY OF FORT MYERS, FLORIDA

Holly Simone  
Controller

**Lee County/City of Fort Myers  
Wastewater Interlocal Agreement  
Fiscal Year 12/13 Budget**

Prepared by: Fabian Bustos  
UB customer # 4-008429-00

11/20/2012 8:06

	Operating Costs	Capacity Costs	Total
Lee County Gallonage (FY 12 actual)	1,744,739,180	1,744,739,180	1,744,739,180
Costs per 1,000 Gallons (projected)	3.738144786	0.051855783	3.790000569
Total Reimbursement due to the City	6,522,087.67	90,474.82	\$ 6,612,562.48
Total Paid to Date by Lee County			0.00
<b>FY 09/10 amount due to City of Fort Myers (Lee County)</b>			<b>\$ 6,612,562.48</b>

(1) Billings/Collections:

Date Bill Sent	For:	Amount Billed	Amount Collected	Date Collected
	October-12			
	November-12			
	December-12			
	January-13			
	February-13			
	March-13			
	April-13			
	May-13			
	June-13			
	July-13			
	August-13			
	September-13			
Totals for FY 10-11		\$ -	\$ -	

**COMPUTATION OF ESTIMATED OPERATING COSTS FOR FY 12/13**

	Based upon Estimated Gallons
<b>OPERATING COSTS:</b>	
Sewer Plant Operating Expenses	\$ 8,089,500.00
Administrative Expenses <sup>(1)</sup>	3,733,106.84
Capitalized Expenses <sup>(2)</sup>	1,388,734.73
Total	<u>\$ 13,211,341.57</u>
Total Gallonage (11-12 Actual)	3,534,197,397
Operating Cost per 1,000 gallons	3.738144786
<b>CAPACITY COSTS:</b>	
Capacity costs related to debt service <sup>(3)</sup>	\$ 180,949.63
City of Fort Myers Capacity Allocation (50%)	90,474.82
City of Fort Myers Gallonage (11-12 Actual)	1,789,458,217
City of Fort Myers Capacity Cost per 1,000 Gallons	0.050559893
Lee County Capacity Allocation (50%)	90,474.82
Lee County Gallonage (11-12 Actual)	1,744,739,180
Lee County Capacity Cost per 1,000 Gallons	0.051855783
<b>COMBINED COSTS:</b>	
Fort Myers: Operating	3.738144786
Capacity	0.050559893
Total	<u>3.788704679</u>
Lee County: Operating	3.738144786
Capacity	0.051855783
Total	<u>3.790000569</u>

NOTES:

- <sup>(1)</sup> See calculation of administrative costs attached.
- <sup>(2)</sup> See schedule of capitalized expenses attached.
- <sup>(3)</sup> See calculation of capacity costs attached.

**Lee County/City of Fort Myers  
Wastewater Interlocal Agreement  
Fiscal Year 12/13 Budget**

**COMPUTATION OF ESTIMATED OPERATING COSTS FOR FY 12/13**

Calculation of Administrative Expense Allocable to Sewer Plant Operations:

Water Plant Operations (0908)	\$ 3,001,200.00
Water Distribution - Maintenance (0909)	1,990,500.00
Sewer Plant Operations - Central Plant (0911)	3,941,000.00
Sewer Plant Operations - South Plant (0912)	4,148,500.00
Sewer Maintenance - Lift Stations (0913)	1,152,900.00
Sewer Maintenance - Maintenance (0914)	1,526,000.00
<b>Total Water and Sewer Plant Operations</b>	<b>\$ 15,760,100.00</b>

Administration Expense - Total (0907 +2302) <sup>(1)</sup> \$ 7,272,900.00

Sewer Plant Operations:	
Central Plant (0911+ Reclaim Water Cost)	\$ 3,941,000.00
South Plant (0912)	4,148,500.00
<b>Total Sewer Plant Operations</b>	<b>\$ 8,089,500.00</b>

Prorated portion of Sewer Plant Operations to total Water and Sewer Operations: \$ 8,089,500.00 / \$ 15,760,100.00 = 51.3290%

Administrative Expense allocable to Sewer Plant Operations: \$ 7,272,900.00 x 51.3290% = \$ 3,733,106.84

<sup>(1)</sup> Administrative Expense total excludes transfers to other funds except for the General Fund administrative charge to Utility Fund for services provided by General Fund programs / departments.

Capitalized Expenses:

Influent Pump Replacement SWWTP (6102)	704,235.00
Nitrification Gearbox Rebuild / Replacement CWWTP (6296)	2,915.72
Influent Pump Replacement CWWTP (6103)	1,443,551.00
Reclaimed Water Production 100% CWWTP (7212)	2,000,000.00
Wastewater Interconnect SWWTP & CWWTP (7213)	958,481.24
Power Distribution System Rehab. CWWTP (7214)	1,000,000.00
Internal Recycle Pump Replacement SWWTP (6466)	1,170.00
Power Distribution System Rehab. SWWTP (7215)	1,000,000.00
Plantwide Structural Rehab. CWWTP (7217)	555,325.10
RAS Pump Upgrade SWWTP (7240)	90,000.00
Traveling Screen Rehabilitation SWWTP (7238)	140,000.00
Sludge Feed Pump Replacement SWWTP (7237)	180,000.00
Influent Line Rehabilitation SWWTP (7234)	500,000.00
Laboratory Analyzer SWWTP (7220)	59,287.93
Sludge Feed Pump Replacement CWWTP (7221)	12,255.00
Plant Mixer and Motor Replacement CWWTP (7224)	60,000.00
Plant Wide Structural Rehab SWWTP (6519)	321,265.14
Odor Control Equipment CWWTP (6535)	71,969.17
Odor Control Upgrade SWWTP (6538)	993,366.37
Plant Mixer/Motor Replacement SWWTP (6104)	51,650.00
<b>Total Capitalized Expense Budget</b>	<b>10,145,471.67</b>
Less Potential Deferral of Capital Expenses due to Total Cost of Project	
Influent Pump Replacement SWWTP (6102) (2011 Bond)	(704,235.00)
Influent Pump Replacement CWWTP (6103) (2011 Bond)	(1,443,551.00)
Odor Control Upgrade SWWTP (6538) (2011 Bond)	(993,366.37)
Reclaimed Water Production 100% CWWTP (7212) (2011 Bond)	(1,837,551.00)
Wastewater Interconnect SWWTP & CWWTP (7213) (2011 Bond & 2008A Rev Note)	(958,481.24)
<b>Final Capitalized Expense Budget</b>	<b>\$ 4,208,287.06</b>
Amount of capitalized expenses - 33%	\$ 1,388,734.73

**Lee County/City of Fort Myers  
Wastewater Interlocal Agreement  
Fiscal Year 12/13 Budget**

**COMPUTATION OF ESTIMATED OPERATING COSTS FOR FY 12/13**

Capacity Costs Related to Debt Service:

2011 Issue	Issued December 29, 2011 Refunded \$46,730,000 Series 2009A Bonds Debt Service allocation based on refunding of Series 1989A bond is 40.06% (2)	10/1/2012 Payment	
	10/01/12 = 955,000.00	x	40.0640499% 382,611.68
	TOTAL		\$ 382,611.69
	Pay Agent / Remarketing Fees		1,000.00
	Less Interest Income		0.00
	Total		\$ 383,611.69
	Allocation Percentage to Wastewater Plants		47.17%
	WASTEWATER DEBT SERVICE		\$ 180,949.63

(1) Allocation of Debt Service on City of Fort Myers  
Series 1993A Utility System Refunding Revenue Bonds:

	\$	%
Series 1989A Bonds Refunded	15,655,000.00	24.9856023%
Series 1989B Bonds Refunded	47,001,084.25	75.0143977%
	62,656,084.25	100.00%

(2) Allocation of Debt Service on City of Fort Myers  
Series 1999A Utility System Refunding Revenue Bonds:

	\$	%
Series 1989A Bonds Refunding	24,395,000.00	40.0640499%
Series 1999A Bonds Construction Funds (new funds)	36,495,000.00	59.9359501%
	60,890,000.00	100.00%



Lee County/City of Fort Myers  
Wastewater Interlocal Agreement  
Fiscal Year 12/13 Budget

COMPUTATION OF ESTIMATED OPERATING COSTS FOR FY 12/13

Schedule of Utilities Operating Expenses, Excluding Depreciation and Capital Outlay:

<u>Water and Sewer Plant Operations</u>	<u>Water</u> <u>(0908)</u>	<u>Sewer</u> <u>(0911 + 0912)</u>	<u>Total</u>
Salaries and wages	614,700.00	\$ 1,857,400.00	\$ 2,472,100.00
Employee benefits	386,100.00	1,158,800.00	1,544,900.00
OPEB Expense (estimated)	21,000.00	59,000.00	80,000.00
Telephone and utilities	912,200.00	2,006,600.00	2,918,800.00
Repairs and maintenance	140,500.00	329,800.00	470,300.00
Operating supplies	605,200.00	1,544,300.00	2,149,500.00
Contractual services	83,200.00	973,700.00	1,056,900.00
Fleet equipment rental	16,700.00	44,200.00	60,900.00
ITS Charges	49,900.00	58,200.00	108,100.00
Office and other expenses	150,700.00	57,500.00	208,200.00
<b>Total Water and Sewer Plant Operations</b>	<b>\$ 3,001,200.00</b>	<b>\$ 8,089,500.00</b>	<b>\$ 11,069,700.00</b>

<u>Distribution and Collection</u>	<u>(0909)</u>	<u>(0913 + 0914 + 0915)</u>	<u>Total</u>
Salaries and wages	816,900.00	\$ 964,600.00	\$ 1,781,500.00
Employee benefits	546,200.00	698,900.00	1,245,100.00
OPEB Expense (estimated)	22,000.00	23,000.00	45,000.00
Telephone and utilities	5,100.00	185,200.00	190,300.00
Repairs and maintenance	277,500.00	265,000.00	542,500.00
Operating supplies	61,500.00	86,900.00	148,400.00
Contractual services	8,500.00	30,200.00	38,700.00
Fleet equipment rental	168,100.00	338,400.00	506,500.00
ITS Charges	32,900.00	15,100.00	48,000.00
Office and other expenses	29,800.00	71,600.00	101,400.00
<b>Total Distribution and Collection</b>	<b>\$ 1,990,500.00</b>	<b>\$ 2,678,900.00</b>	<b>\$ 4,647,400.00</b>

**Total Operations plus Distribution and Collection**      **\$ 4,991,700.00    \$ 10,768,400.00    \$ 15,760,100.00**

<u>Administrative</u> (0905 + 0907 + 2302)	<u>Total</u>
Salaries and wages	\$ 1,243,900.00
Employee benefits	714,600.00
OPEB Expense (estimated)	37,700.00
Professional services	843,000.00
Office and other expenses	1,333,000.00
Insurance and bonds	585,300.00
General Fund - administrative charge	2,335,900.00
ITS Charges	174,100.00
Repairs and maintenance	5,400.00
<b>Total Administrative Expenses</b>	<b>\$ 7,272,900.00</b>

Prorated portion of Sewer Plant Operations to total Water and Sewer Operations:      \$ 8,089,500.00 / \$ 15,760,100.00      51.3290%

Total administrative expenses allocable to Sewer Plant Operations:      \$ 7,272,900.00 x 51.3290%      \$ 3,733,106.84

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20121093**

**1. ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset – Estero Court Waterline Extension (BS 20121093/24505, MMM/SDG): 1) Approve final acceptance, by Resolution, as donation of a water main extension with all related appurtenances known as ‘ESTERO COURT WATERLINE EXTENSION’; 2) authorize Chair, on behalf of the BOCC, to execute the Rebateable Agreement for the water main extension to be recorded in the Public Records of Lee County, Florida. This is a Developer contributed asset project located along the east side of S. Tamiami Trail approximately ¼ mile north of Corkscrew Road.

**2. FUNDING SOURCE:**

N/A

**3. WHAT ACTION ACCOMPLISHES:**

Provides adequate utility infrastructure to support redevelopment of the subject property and complies with the Lee County Utilities Design Manual.

**4. MANAGEMENT RECOMMENDATION:** Approval.

**5. Departmental Category:** C13B

**6. Meeting Date:** 1/15/2013

**7. Agenda:**

Consent

**8. Requirement/Purpose: (specify)**

Statute

Ordinance

Admin Code

Other Approval

**9. Request Initiated**

**Commissioner:** All

**Department:** UTILITIES

**Division:** No Divisions

**By:** Pam Keyes

**10. Background:**

The Board granted permission to construct on 10/16/12, Blue Sheet #20120854.

The installation has been inspected for conformance to the Lee County Utilities Design Manual.

Satisfactory pressure and bacteriological testing has been completed.

Record drawings have been received.

Engineer’s Certification of Completion has been provided—copy attached.

Project Location Map—copy attached.

Warranty has been provided—copy attached.

Waiver of Lien has been provided—copy attached.

Certification of Contributed Assets has been provided—copy attached.

100% of the connection fees have been paid.

Sanitary sewer service is currently provided by an on-site septic system.

Funds are available for recording fees in Account No. OD5360748700.504930.

SECTION 28 TOWNSHIP 46S RANGE 25E DISTRICT #3 COMMISSIONER KIKER  
ORIGINAL (OUTSIDE SIGNATURE) DOCUMENTS TO FOLLOW (1) - REBATEABLE AGREEMENT

**11. Required Review:**

<i>Pam Keyes</i>	<i>Reginald Kantor</i>	<i>David Harris</i>	<i>Susan M. Henderson</i>	<i>Pam Keyes</i>	
UTILITIES	Budget Analyst	Budget Services	County Attorney	Public Works Director	

**12. Commission Action:**

RESOLUTION NO.

RESOLUTION ESTABLISHING UTILITY ACCEPTANCE OF  
DEVELOPER CONTRIBUTED ASSETS  
IN LEE COUNTY, FLORIDA

WHEREAS, it is the desire of "JRC Estero, LLC" owner(s) of record, to make a contribution to Lee County Utilities of water facilities (a water main extension), serving the "ESTERO COURT WATERLINE EXTENSION" project; and,

WHEREAS, Lee County Utilities requires proof of a Release of Lien, a Warranty (one-year) on all labor and materials, an accurate value of contributed assets, and right-of-way and/or easement-indemnity granted for all systems being contributed to Lee County Utilities; and,

WHEREAS, all of the above information has been received and approved as complete by Lee County Utilities; and,

WHEREAS, Lee County Utilities has recommended to the Board of County Commissioners that the above-named system be accepted for ownership, operation, and maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that the above facilities, for a contributed value of **\$14,554.61** is hereby ACCEPTED and acknowledged as an addition to Lee County Utilities.

THE FOREGOING RESOLUTION was offered by Commissioner \_\_\_\_\_ who moved for its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and, upon being put to a vote, the vote was as follows:

- Commissioner John Manning: \_\_\_\_\_ (1)
- Commissioner Cecil Pendergrass: \_\_\_\_\_ (2)
- Commissioner Larry Kiker: \_\_\_\_\_ (3)
- Commissioner Tammara Hall: \_\_\_\_\_ (4)
- Commissioner Frank Mann: \_\_\_\_\_ (5)

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
DEPUTY CLERK

By: \_\_\_\_\_  
CHAIR

APPROVED AS TO FORM

\_\_\_\_\_  
OFFICE OF COUNTY ATTORNEY

**BS NO. 20121093-UTL**

**COPY**  
 **LEE COUNTY**  
SOUTHWEST FLORIDA

**LEE COUNTY UTILITIES  
DEVELOPER CONTRIBUTED ASSET PROJECT  
LETTER OF COMPLETION**

Date: 10/24/12

Lee County Utilities  
1500 Monroe Street  
Fort Myers, FL 33901

Gentlemen:

This is to certify that the water main system located at  
Estero Court for Cope Animal Clinic  
(Name of Development/Project)

was designed by me and has been constructed in conformance with:  
the approved plans and the approved specifications

Upon completion of the work, we observed the following successful tests of the facilities:  
Pressure Test(s) - Water Main Bacteriological Test Final Inspection

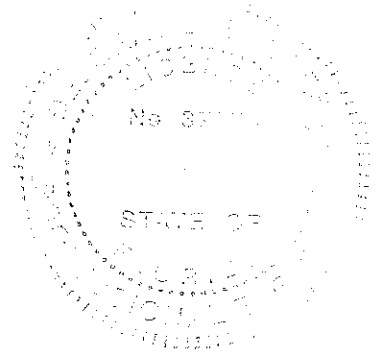
Very truly yours,

Progressive Engineering  
(Name of Engineering Firm)

  
(Engineer of Record's Signature)

Debora Allen Gress, P.E. #37276  
(Engineer of Record's Name and Title)

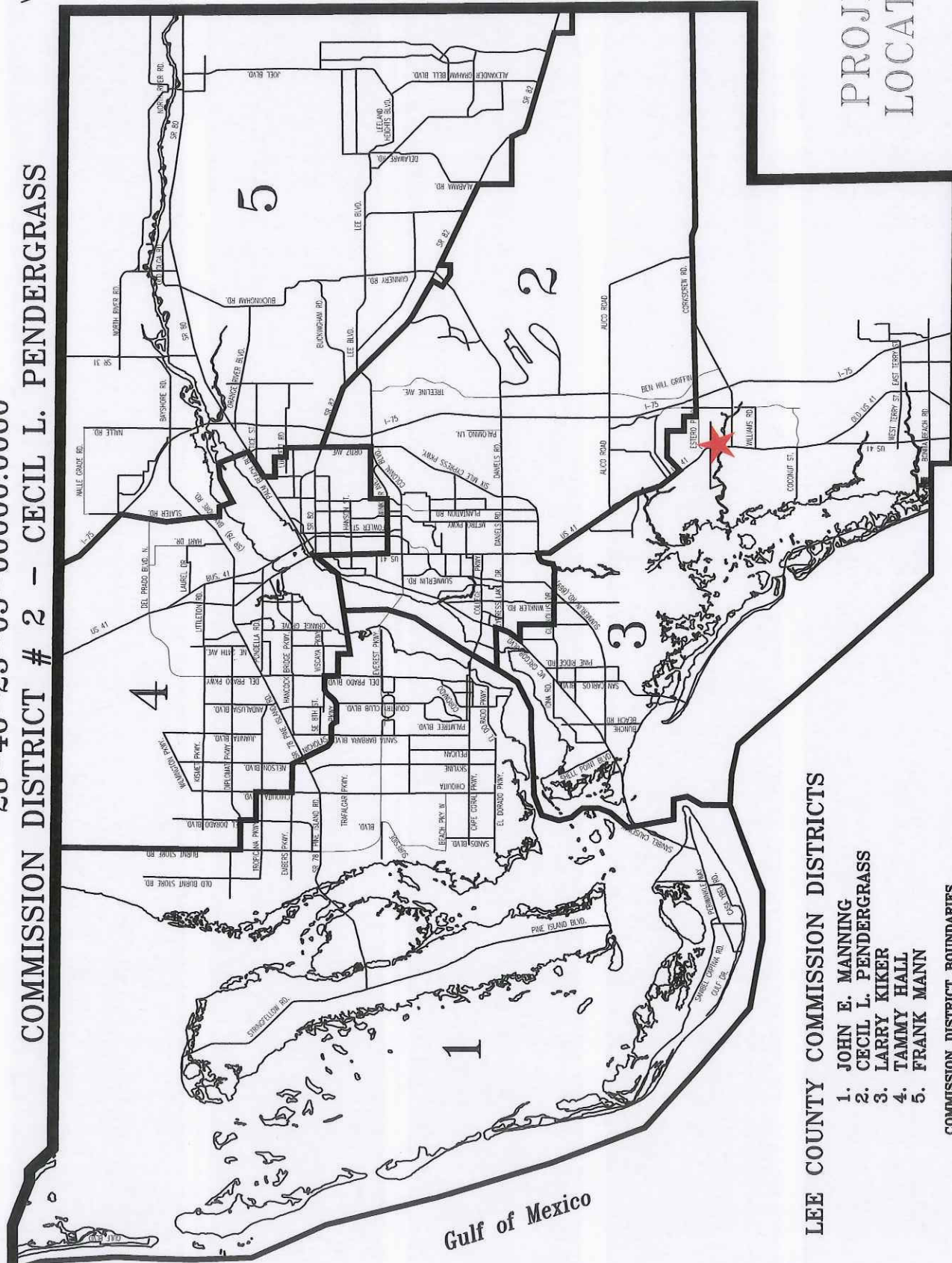
(Seal of Engineering of Record)



COPY

PROJECT  
LOCATION

ESTERO COURT WATERLINE EXTENSION  
28-46-25-05-00000.0060  
COMMISSION DISTRICT # 2 - CECIL L. PENDERGRASS



LEE COUNTY COMMISSION DISTRICTS

- 1. JOHN E. MANNING
- 2. CECIL L. PENDERGRASS
- 3. LARRY KIKER
- 4. TAMMY HALL
- 5. FRANK MANN

COMMISSION DISTRICT BOUNDARIES  
NOVEMBER 2011

Gulf of Mexico



 **COPY**  
**LEE COUNTY**  
SOUTHWEST FLORIDA

**LEE COUNTY UTILITIES**  
**DEVELOPER CONTRIBUTED ASSET PROJECT**  
**CONTRACTOR'S WAIVER AND RELEASE OF LIEN**  
**UPON FINAL PAYMENT**

The undersigned lienor, in consideration of the final payment in the amount of Fourteen Thousand Five Hundred Fifty Four and 61/100 Dollars(\$14,554.61) hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished to JRC Estero LLC on the job of Estero Court Waterline Ext to the following described property:

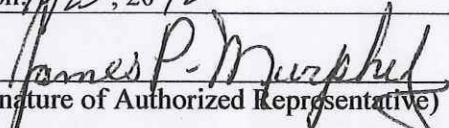
Estero Court Waterline Ext  
(Name of Development/Project)

For facilities constructed per the  
Certification of Contributory Asset(s)

20741 South Tamiami Trail, Estero, FL 33928  
(Location)

28-46-25-05-00000.0060  
(Strap # or Section, Township & Range)

Dated on: 10/25, 2012

By:   
(Signature of Authorized Representative)

J P Murphy, Inc  
(Name of Firm or Corporation)

By: James P. Murphy  
(Print Name of Authorized Representative)

16751 Old US 41  
(Address of Firm or Corporation)

Title: President


Ft Myers, FL 33912-  
(City, State & Zip Of Firm Or Corporation)

Phone #: (239)415-4001 Ext.

Fax#: (239)415-4006


STATE OF FL )  
) SS:  
COUNTY OF Lee )

The foregoing instrument was signed and acknowledged before me this 25<sup>th</sup> day of Oct, 2012 by \_\_\_\_\_ who is personally known to me -  , and who did not take an oath.

  
(Notary Public Signature)

(Notary Seal & Commission Number)

(Printed Name of Notary Public)

 KATHY LYNN PAWLOWSKI  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# DD0940255  
Expires 1/9/2014





I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Lee County and corresponds with the record drawings.

CERTIFYING:

X James P. Murphy  
(Signature of Certifying Agent)

James P Murphy, President  
(Name & Title of Certifying Agent)

J P Murphy, Inc.  
(Name of Firm or Corporation)

16751 Old US 41  
(Address of Firm or Corporation)

Ft Myers , FL 33912 -

STATE OF FL )  
                  ) SS:  
COUNTY OF Lee )

The foregoing instrument was signed and acknowledged before me this 13<sup>th</sup> day of Nov, 2012 by James Murphy who is personally known to me - , and who did not take an oath.

Kathy Lynn Pawlowski  
Notary Public Signature

Printed Name of Notary Public KATHY LYNN PAWLOWSKI  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# DD0940255  
Expires 1/9/2014

Notary Commission Number

(NOTARY SEAL)

**TO: RECORDERS OFFICE**

**PLEASE PUT MY NAME ON THE ATTENTION LINE  
AND RETURN DOCUMENT, TO:**

**Sue Gulledge**

**CHARGE TO: LEE COUNTY UTILITIES -  
AGENT REF. # LCU 500283**

**ACCOUNT NO. OD5360748700.504930**

**THANK YOU.**

**FOR UTILITIES USE ONLY:**

**BLUE SHEET NO. 20121093 - UTL**

**PROJECT NAME: ESTERO COURT WATERLINE  
EXTENSION**

**REBATEABLE  
AGREEMENT**

**NAME: JRC ESTERO, LLC**

**TYPING BY: Sue Gulledge**

This Instrument Prepared By:  
Lee County Utilities  
1500 Monroe Street - 3<sup>rd</sup> Floor  
Fort Myers, Florida 33901

(Project: Estero Court Waterline)

(THIS SPACE RESERVED FOR RECORDING) – LCU 500283

### REBATEABLE AGREEMENT

THIS AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2013 by and between **JRC ESTERO, LLC**, hereinafter referred to as "SPONSOR", whose address is: 7685 State Highway 53 N, Upper Sandusky, OH 43351, and **LEE COUNTY**, a political subdivision of the State of Florida, whose address is: P. O. Box 398, Fort Myers, FL 33902, hereinafter referred to as "COUNTY".

WHEREAS, SPONSOR is desirous of extending the County's water system as described in **Exhibit "A"** which is attached hereto and made a part hereof; and,

WHEREAS, SPONSOR has obtained a bona fide cost for the extension of said water system described in Exhibit "A" from J.P. MURPHY, INC., hereinafter called **Exhibit "B"**, attached hereto and made a part hereof by reference; and

WHEREAS, SPONSOR has received permits for said water system extension from all Federal, State and local agencies with permitting jurisdiction over said water system extension and construction, and,

WHEREAS, COUNTY is desirous of having their water system extended to serve the properties and areas described in Exhibit "A":

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the SPONSOR and the COUNTY agree as follows:

1. SPONSOR shall pay all costs associated with the approved water system extension described in Exhibit "A" including, but not limited to, engineering, construction, legal, permitting, inspection and administration.
2. COUNTY shall provide periodic inspection of construction for compliance with approved plans and specifications.
3. SPONSOR shall convey ownership of all facilities described in Exhibit "A" without encumbrances to the COUNTY after completion of construction in full accordance with the approved plans, specifications and permit conditions and acceptance of said facilities via resolution by the Board of County Commissioners.

4. SPONSOR shall provide "as-built" plans and specifications certified by a professional engineer registered in the State of Florida prior to acceptance by the COUNTY.

5. COUNTY shall accept ownership of said water system extension, located within a County right of way or dedicated easement expressly for the purpose of ownership and maintenance of said water system extension by the COUNTY, after a recommendation for acceptance by the Administrative Director of the Department of Lee County Utilities.

6. SPONSOR shall hold harmless the COUNTY of all liability related to the construction, operation or maintenance of any of the facilities described in Exhibit "A" until such time as said facilities are accepted by the COUNTY.

7. COUNTY shall collect a fee from each new customer or developer that proposes to connect directly to the water system extension for the purpose of obtaining potable water service. Such fee to said customer or developer shall reflect the pro rata cost of the water system extension according to the front footage of the parcel.

(FRONT FOOTAGE)

- (a) Determine the total front footage of all parcels of land that may be directly benefited by said water system extension. Parcel front footage shall be based on legal descriptions recorded in the Official Records of Lee County, Florida either in Official Record Books or approved subdivision plats;
- (b) Determine the cost of construction of water system as described above;
- (c) Divide the cost of the water system extension (b) by the total benefited or potentially benefited front footage (a) to determine the cost per front foot. The front footage of the SPONSOR'S parcel(s) shall then be subtracted from the total calculated front footage. The remaining front footage shall then be multiplied by the previously calculated dollars per front foot to determine the total amount to be rebated to SPONSOR;
- (d) SPONSOR's professional engineer shall prepare a certified drawing, to be approved by the COUNTY, either as a separate Exhibit to this Agreement or as part of the data contained in Exhibit "A" referenced above, showing all parcel front footage that may be directly benefited by said water system extension, including SPONSOR's parcel(s);
- (e) Calculations for dollars per front foot and total amount to be rebated are attached hereto as **Exhibit "C"** and made a part hereof.

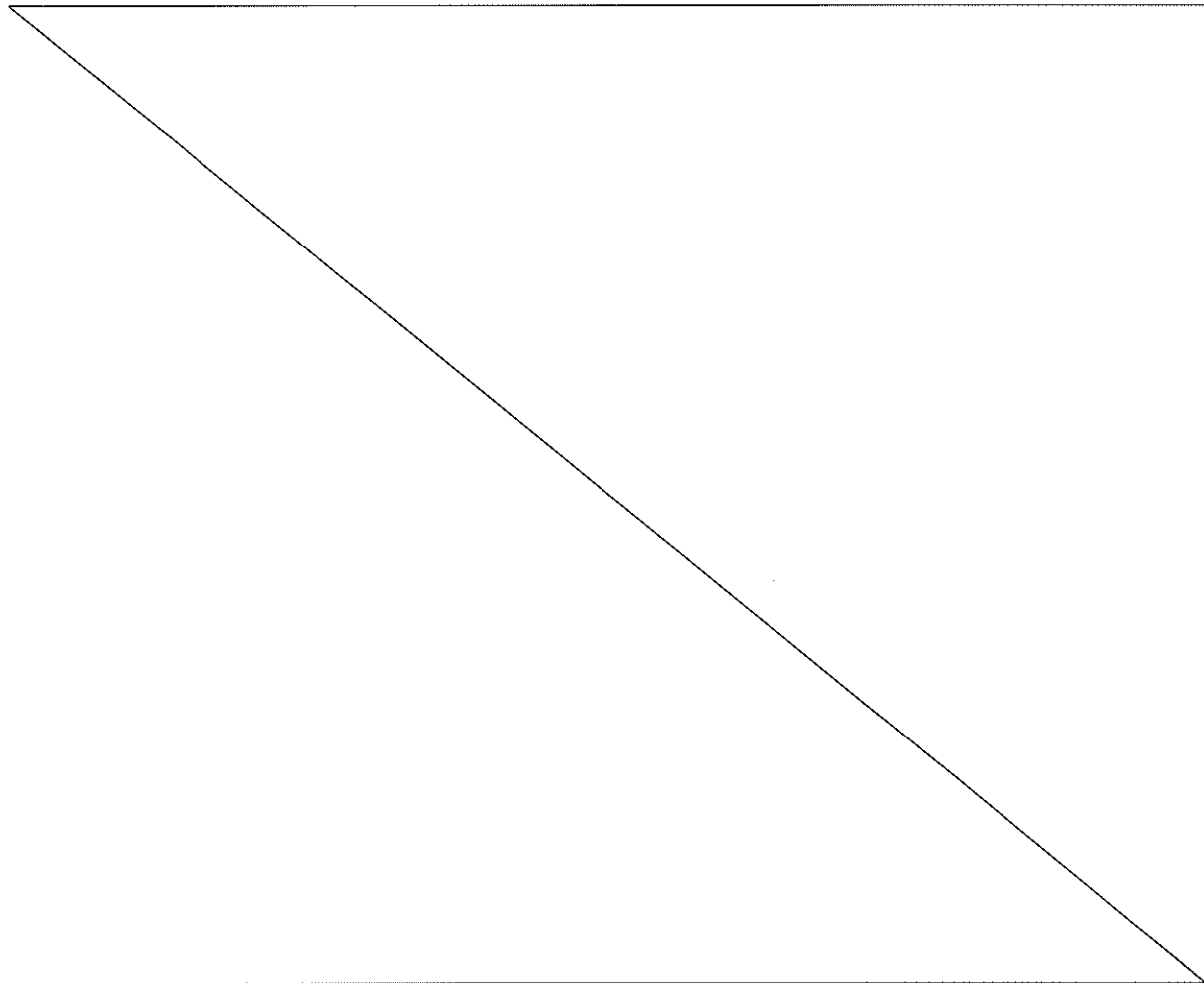
8. COUNTY and SPONSOR agree that the total amount to be rebated shall not exceed the cost of said water system extension as described herein less the SPONSOR's pro rata share.

9. COUNTY and SPONSOR agree that the terms of this Rebateable Agreement shall not exceed five (5) years from the date of acceptance by the Board of County Commissioners, after which time the COUNTY shall no longer collect fees or make rebates to SPONSOR.

10. COUNTY shall make a rebate to the SPONSOR of the amount of fee collected from each customer or developer who directly utilizes the line extension referenced herein for potable water service, less a fee in the amount of five percent (5%) of said rebate with a minimum of thirty dollars (\$30.00) per transaction. COUNTY shall make every practicable effort to collect rebate fee(s) as provided herein but shall only be liable for monies collected.

11. COUNTY and SPONSOR agree that these provisions shall not apply to a customer or developer who ties into said water system extension for the purpose of continuing the extension to serve a parcel or parcels not directly fronting on said water system extension described in Exhibit "A". Also, this Agreement shall not apply to anyone tying into said water system extension as described in Exhibit "A" for the sole purpose of fire protection. If potable water service is obtained through or from the fire line or its appurtenances, all of the provisions of this Agreement shall apply.

(Balance of Page Left Intentionally Blank)



IN WITNESS WHEREOF, the parties have set their hands and seal this 22 st day of Oct, 2012.

BY: JRC Estero, LLC  
SPONSOR: Dr Robert Cope  
(Name and Title) Pres.

X Dr. Robert E. Cope  
(Sponsor's signature)

WITNESSES AS TO SPONSOR:

#1: Leannette M Cope  
(Type or Print Witness's Name)

Leannette M Cope  
(Witness's signature)

#2: Juana Garcia  
(Type or Print Witness's Name)

Juana Garcia  
(Witness's signature)

Sponsor's Information

Sponsor's Contact: Dr. Robert Cope

Tel: (419)294-1619

Rebate To: JRC Estero LLC

Tel: (419)294-1619

Address: 7685 State Highway 53 N

City: Upper Sandusky

State: Oh

Zip: 43351-

STATE OF FLORIDA

COUNTY OF Lee

The foregoing instrument was signed and acknowledged before me this 22 day of Oct, 2012, by Dr. Robert Cope who is personally known by me, \_\_\_\_\_ and who did not take an oath.

[stamp or seal]



Joan E Middleton  
[Signature of Notary]

Joan Middleton  
239-948-5300

[Typed or Printed Name]

Approved and accepted for and on behalf of Lee County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

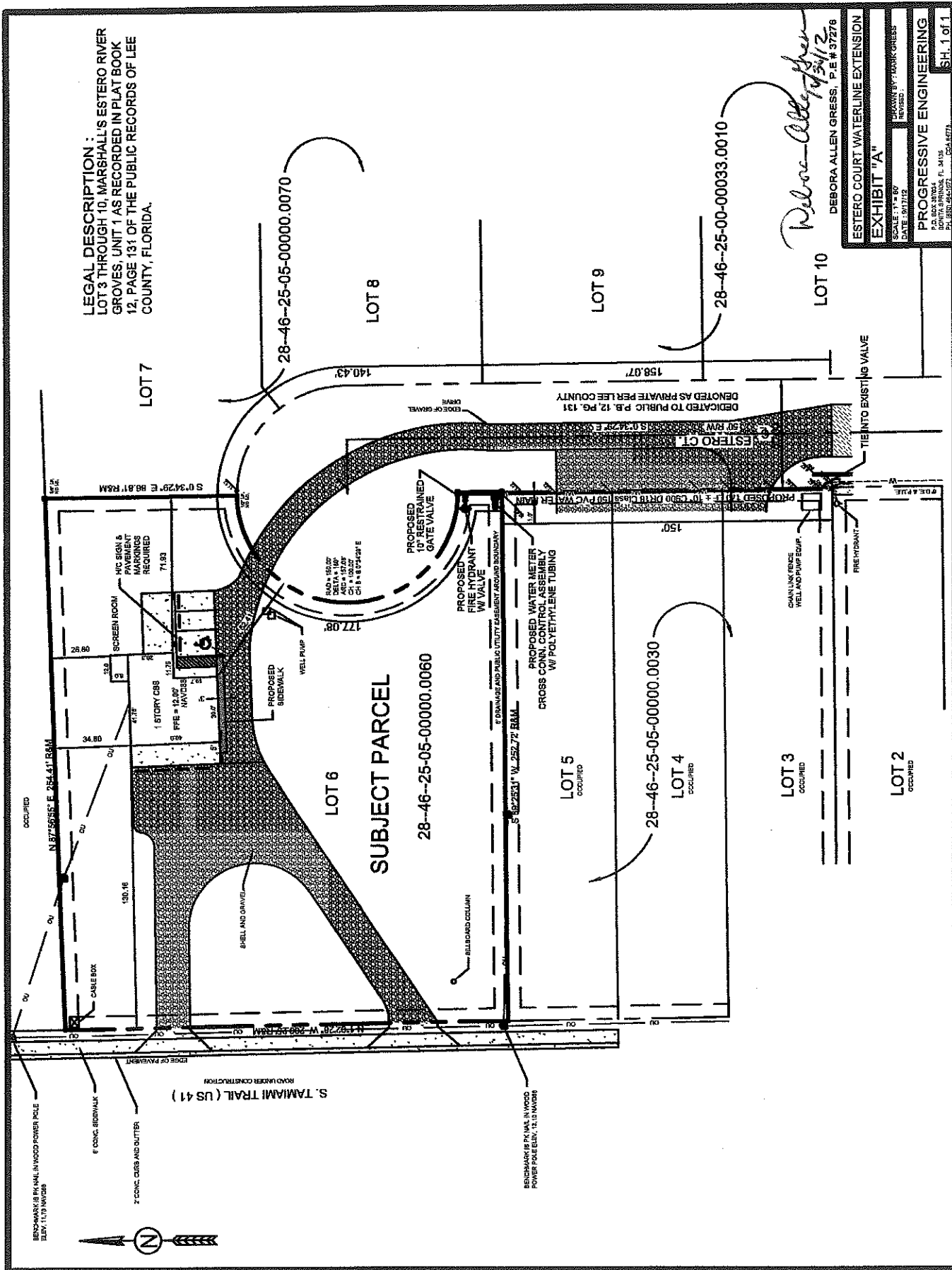
BY: \_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
Chair

Approved As To Form: \_\_\_\_\_  
Office of County Attorney

EXHIBIT A

LEGAL DESCRIPTION:  
 LOT 3 THROUGH 10, MARSHALL'S ESTERO RIVER  
 GROVES, UNIT 1 AS RECORDED IN PLAT BOOK  
 12, PAGE 131 OF THE PUBLIC RECORDS OF LEE  
 COUNTY, FLORIDA.



*Debra Allen Gress*  
 DEBRA ALLEN GRESS, P.E. # 37278

ESTERO COURT WATERLINE EXTENSION  
**EXHIBIT "A"**  
 SCALE: 1" = 60'  
 DATE: 8/12/12  
 DRAWN BY: HANIK GRESS  
 CHECKED BY: HANIK GRESS  
**PROGRESSIVE ENGINEERING**  
 P.O. BOX 30204  
 SOUTH BEND, IN. 46708  
 PH: 765-251-0771





EXHIBIT C

Estero Court Waterline Extension

Calculations for Contributory Rebate

Engineering & Surveying \$ 8,750.00  
 Application Fees \$ 4,467.60  
 Construction Cost \$14,554.61  
 Total Rebateable Cost \$27,772.21  
 Total Directly Benefitted Properties Frontage = 625.58 FT  
 Cost per Linear Foot of frontage = \$27,772.21/625.58' = \$44.39/ft  
 Credit for subject property(Sponsor Foot Frontage =177.08') = \$7,861.35  
 Maximum amount to rebate to sponsor (\$27,772.21 -\$7,861.35) = \$19,910.86

Rebates Due by Parcel

<u>Strap Number and Owner</u>	<u>Front Footage</u>	<u>Rebate Amount</u>
Sponsor		
28-46-25-05-00000.0060 JRC ESTERO LLC 7685 STATE HWY 53 N UPPER SANDUSKY, OH 43351	177.08 FT	\$7,861.35
28-46-25-05-00000.0030 PANIPINTO JAMES TR + 2221 KRAPE RD NAPLES FL 34120	150.00 FT	\$6,659.15
28-46-25-05-00000.0070 EMBARQ FLORIDA, INC. % MARY J. HAWKINS P.O. BOX 7909 OVERLAND PARK, KS 66207	140.43 FT	\$6,234.30
28-46-25-00-00033.0010 VILLAGE PARTNERS LLC 9130 CORSEA DEL FONTANA WAY NAPLES FL 34109	158.07 FT	\$7,017.41

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20121095**

**1. ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset – Arca de Salvacion (BS 20121095/24507, MMM/SDG): Approve final acceptance, by Resolution and recording of one (1) utility easement, as a donation of one 4” diameter fire line, to provide potable water service and fire protection to ‘ARCA de SALVACION’ a recently constructed place of worship. This is a Developer contributed asset project located the northwest corner of Michigan Avenue and Markland Avenue.

**2. FUNDING SOURCE:**

N/A

**3. WHAT ACTION ACCOMPLISHES:**

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Design Manual.

**4. MANAGEMENT RECOMMENDATION:** Approval.

**5. Departmental Category:** C13C

**6. Meeting Date:** 1/15/2013

**7. Agenda:**

Consent

**8. Requirement/Purpose: (specify)**

Statute

Ordinance

Admin Code

Other Approval

**9. Request Initiated**

**Commissioner:** All

**Department:** UTILITIES

**Division:** No Divisions

**By:** Pam Keyes

**10. Background:**

Water services, fire lines, and fire hydrants do not require permission to construct by the Board, therefore, no previous Blue Sheet number is provided.

The installation has been inspected for conformance to the Lee County Utilities Design Manual.

Satisfactory pressure and bacteriological testing has been completed.

Record drawings have been received.

Engineer’s Certification of Completion has been provided—copy attached.

Project Location Map—copy attached.

Warranty has been provided—copy attached.

Waiver of Lien has been provided—copy attached.

Certification of Contributed Assets has been provided—copy attached.

100% of the connection fees have been paid.

Sanitary sewer service is provided by Lee County Utilities via existing infrastructure located within the Catalina Street right-of-way.

Funds are available for recording fees in account number OD5360748700.504930.

SECTION 17 TOWNSHIP 44S RANGE 25E DISTRICT #4 COMMISSIONER HALL  
ORIGINAL (OUTSIDE SIGNATURE) DOCUMENTS TO FOLLOW (1) – EASEMENT

**11. Required Review:**

<i>Pam Keyes</i>	<i>Reginald Kantor</i>	<i>David Harris</i>	<i>Susan M. Henderson</i>	<i>Pam Keyes</i>	
UTILITIES	Budget Analyst	Budget Services	County Attorney	Public Works Director	

**12. Commission Action:**

RESOLUTION NO.

RESOLUTION ESTABLISHING UTILITY ACCEPTANCE OF  
DEVELOPER CONTRIBUTED ASSETS  
IN LEE COUNTY, FLORIDA

WHEREAS, it is the desire of "Iglesia Evangelica Menonita Arcas de Salvacion, Inc." owner(s) of record, to make a contribution to Lee County Utilities of water facilities (one 4" diameter fire line), serving the "ARCA DE SALVACION" project; and,

WHEREAS, Lee County Utilities requires proof of a Release of Lien, a Warranty (one-year) on all labor and materials, an accurate value of contributed assets, and right-of-way and/or easement-indemnity granted for all systems being contributed to Lee County Utilities; and,

WHEREAS, all of the above information has been received and approved as complete by Lee County Utilities; and,

WHEREAS, Lee County Utilities has recommended to the Board of County Commissioners that the above-named system be accepted for ownership, operation, and maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, that the above facilities, for a contributed value of **\$10,614.00** is hereby ACCEPTED and acknowledged as an addition to Lee County Utilities.

THE FOREGOING RESOLUTION was offered by Commissioner \_\_\_\_\_ who moved for its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and, upon being put to a vote, the vote was as follows:

- Commissioner John Manning: \_\_\_\_\_ (1)
- Commissioner Cecil Pendergrass: \_\_\_\_\_ (2)
- Commissioner Larry Kiker: \_\_\_\_\_ (3)
- Commissioner Tammara Hall: \_\_\_\_\_ (4)
- Commissioner Frank Mann: \_\_\_\_\_ (5)

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

By: \_\_\_\_\_  
DEPUTY CLERK

By: \_\_\_\_\_  
CHAIR

APPROVED AS TO FORM

\_\_\_\_\_  
OFFICE OF COUNTY ATTORNEY

**BS NO. 20121095-UTL**

# COPY

## LETTER OF COMPLETION

DATE: 6/1/2012

Department of Lee County Utilities  
Division of Engineering  
Post Office Box 398  
Fort Myers, FL 33902

Gentlemen:

This is to certify that the fire line up to and including 1st OS + Y valve(s), fire hydrant(s) and water service(s) located at  
Arca de Salvacion  
(Name of Development/Project)

was designed by me and has been constructed in conformance with:  
the approved plans and the approved specifications

Upon completion of the work, we observed the following successful tests of the facilities:  
Pressure Test(s) - Water Main and Final Inspection

Very truly yours,

Spectrum Engineering, Inc.  
(Owner or Name of Corporation/Firm)

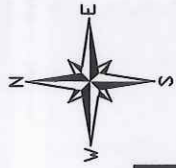
  
(Signature)

R. J. Ward, PE  
(Name and Title)

(Seal of Engineering Firm)



(Forms - Letter of Completion - Minor Revision May 2007)



COPY

PROJECT  
LOCATION

ARCA de SALVACION  
17-44-25-p1-0190g.0040  
COMMISSION DISTRICT # 4 - TAMMY HALL



LEE COUNTY COMMISSION DISTRICTS

- 1. JOHN E. MANNING
- 2. CECIL L. PENDERGRASS
- 3. LARRY KIKER
- 4. TAMMY HALL
- 5. FRANK MANN

COMMISSION DISTRICT BOUNDARIES  
NOVEMBER 2011

Gulf of Mexico









I do hereby certify that the quantities of material and services described above are a true and accurate representation of the as-installed cost of the system being contributed to Lee County and corresponds with the record drawings.

CERTIFYING:

X

(Signature of Certifying Agent)

Steve Goble

(Name & Title of Certifying Agent)

Gulf Coast Underground, Inc

(Name of Firm or Corporation)

3093 Hunter Street

(Address of Firm or Corporation)

Fort Myers , FL 33916 -

STATE OF FL )

) SS:

COUNTY OF LEE )

The foregoing instrument was signed and acknowledged before me this 10 th day of April, 2012 by Steve Goble who is personally known to me - \_\_\_\_\_, and who did not take an oath.

*[Handwritten Signature]*

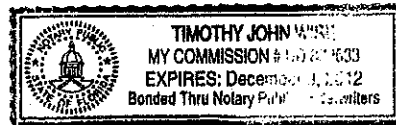
Notary Public Signature

Timothy J. Wise

Printed Name of Notary Public

DD 839633

Notary Commission Number



(NOTARY SEAL)

**TO: RECORDERS OFFICE**

**PLEASE PUT MY NAME ON THE ATTENTION LINE  
AND RETURN DOCUMENT, TO:**

**Sue Gulledge**

**CHARGE TO: LEE COUNTY UTILITIES -  
AGENT REF. # LCU 500283**

**ACCOUNT NO. OD5360748700.504930**

**THANK YOU.**

**FOR UTILITIES USE ONLY:**

**BLUE SHEET NO. 20121095 - UTL**

**PROJECT NAME: ARCA DE SALVACION**

**EASE. NAME: IGLESIA EVANGELICA MENONITA  
ARCAS DE SALVACION, INC.**

**TYPING BY: Sue Gulledge**

This Instrument Prepared By:  
Lee County Utilities  
1500 Monroe Street - 3<sup>rd</sup> Floor  
Fort Myers, Florida 33901

Strap Number(s):

**17-44-25-P1-0190G.0040**  
**(ARCA DE SALVACION)**

(THIS SPACE RESERVED FOR RECORDING)

**LCU 500283**

**GRANT OF PERPETUAL PUBLIC UTILITY EASEMENT**

THIS INDENTURE is made and entered into this \_\_\_ day of \_\_\_\_\_ 2013, by and between "IGLESIA EVANGELICA MENONITA ARCAS DE SALVACION, INC.", Owner(s), whose address is: "P. O. BOX 50058, FORT MYERS, FL 33994", hereinafter referred to as GRANTOR(S), and "LEE COUNTY", a political subdivision of the State of Florida, whose address is: P. O. Box 398, Fort Myers, FL 33902, hereinafter referred to as GRANTEE.

**WITNESSETH:**

1. For and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged and accepted, GRANTOR hereby grants, bargains, sells and transfers to the GRANTEE, its successors and assigns, a perpetual public utility easement situated in Lee County, Florida, located and described as set forth in **Exhibit "A"**, attached hereto and made a part hereof.

2. GRANTEE, its successors, appointees and assigns, are granted the right, privilege, and authority to construct, replace, renew, extend and maintain a wastewater collection and/or water distribution system, together with, but not limited to, all necessary service connections, manholes, valves, fire hydrants, lift stations and appurtenances, to be located on, under, across and through the easement which is located on the property described (Exhibit "A"), with the additional right, privilege and authority to remove, replace, repair and enlarge said system, and to trim and remove roots, trees, shrubs, bushes and plants, and remove fences or other improvements which may affect the operation of lines, mains and/or utility facilities.

**BS 20121095- UTL**



(Page 1 of 5)

3. The public utility easement will not be limited to any particular diameter size or type and/or number of connections to other water/sewer mains for providing water/sewer service to this and any adjacent properties. The total area of this public utility easement is reserved for utility lines, mains, or appurtenant facilities and for any landscaping (excluding trees), walkways, roadways, drainage ways, or similar uses. Houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures may not be constructed on or placed within this easement at anytime, present or future, by GRANTOR, or its heirs, successors or assigns.

4. Title to all utilities constructed and/or placed hereunder by the COUNTY or its agents will remain in the COUNTY, or its successors, appointees, and/or assigns.

5. Subject to any pre-existing easements for public highways or roads, railroads, laterals, ditches, pipelines and electrical transmission or distribution lines and telephone and cable television lines covering the land herein described, GRANTOR(S) covenant that they are lawfully seized and possessed of the described real property in attached Exhibit "A", have good and lawful right and power to sell and convey it, and that the property is free of liens and encumbrances, except as herein stated, and accordingly, GRANTOR(S) will forever defend the right, title and terms of this said easement and the quiet possession thereof by the COUNTY against all claims and demands of all other entities.

6. GRANTOR, its heirs, successors or assigns, agree to assume all liability for any consequential damages to any houses, fences, buildings, carports, garages, storage sheds, overhangs, or any other structures or portions of structures subsequently constructed by GRANTOR in violation of paragraph 3 within the above easement, which result from the required activities of the COUNTY for the construction, maintenance or repairs to the utilities located within the above-described easement.

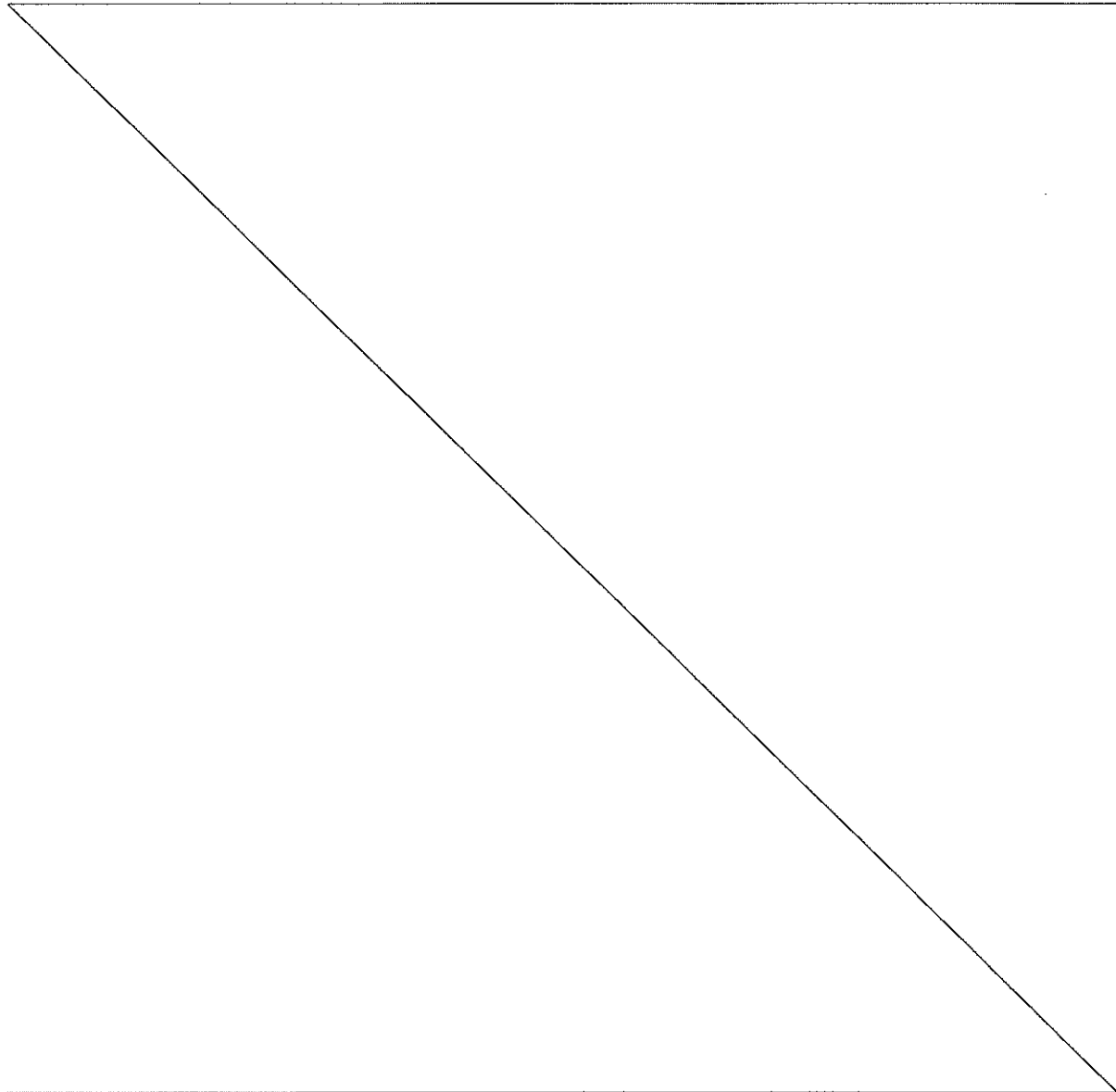
7. The COUNTY will be liable for money damages in tort for any injury to or loss of property, personal injury, or death caused by the negligent or wrongful act(s) or omission(s) of any official or employee of the COUNTY while acting within the scope of the official's or employee's office or employment under circumstances in which a private person would be found to be liable in accordance with the general laws of the State of Florida, and subject to the limitations as set out in Section 768.28, Florida Statutes, as it may be revised, amended or renumbered from time to time.

8. Where necessary, the COUNTY will have reasonable right of access across GRANTOR's property for the purposes of reaching the described easement in attached Exhibit "A" on either paved or unpaved surfaces. Any damage to GRANTOR's property or permitted improvements thereon as the result of such access to the described easement or the construction, maintenance, or repairs located within the described easement shall be restored by the COUNTY, to the condition in which it existed prior to the damage, as is reasonably practicable.

9. By acceptance of this easement, the COUNTY assumes no responsibility for ownership or maintenance of any associated roads. The easement is strictly for utility purposes.

10. This easement will be binding upon the parties hereto, their successors in interest and any assigns.

(Balance of Page Left Intentionally Blank)



IN WITNESS WHEREOF, the GRANTOR has caused this document to be signed on the date and year first above written.

[Signature]  
[1<sup>st</sup> Witness' Signature]

Luis Cartagena  
[Type or Print Name]

Tina Timper  
[2<sup>nd</sup> Witness' Signature]

Jane Dwyer  
[Type or Print Name]

BY: [Signature]  
[Signature Grantor's/Owner's]

DAVID MALDONADO  
[Type or Print Signatory's Name]

PRESIDENT  
[Signatory's Title]

Iglesia Evangelica Menonita Arcas de Salvacion, Inc.  
[Type or Print Company Name]

[If Applicable]

STATE OF FLORIDA

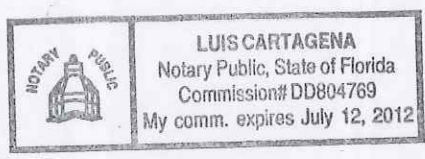
COUNTY OF LEE

The foregoing instrument was signed and acknowledged before me this 15 day of May 2012, by David Maldonado, Pres.

Iglesia Evangelica Menonita Arcas de Salvacion, Inc. who produced the following as identification FLDL

or is personally known to me, and who did not take an oath.

[stamp or seal]



[Signature]  
[Signature of Notary]

Luis Cartagena  
[Typed or Printed Name]

Approved and accepted for and on behalf of Lee County, Florida, this \_\_\_\_\_  
day of \_\_\_\_\_, 2013.

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: \_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
Chair

APPROVED AS TO FORM

BY: \_\_\_\_\_  
Office of the County Attorney



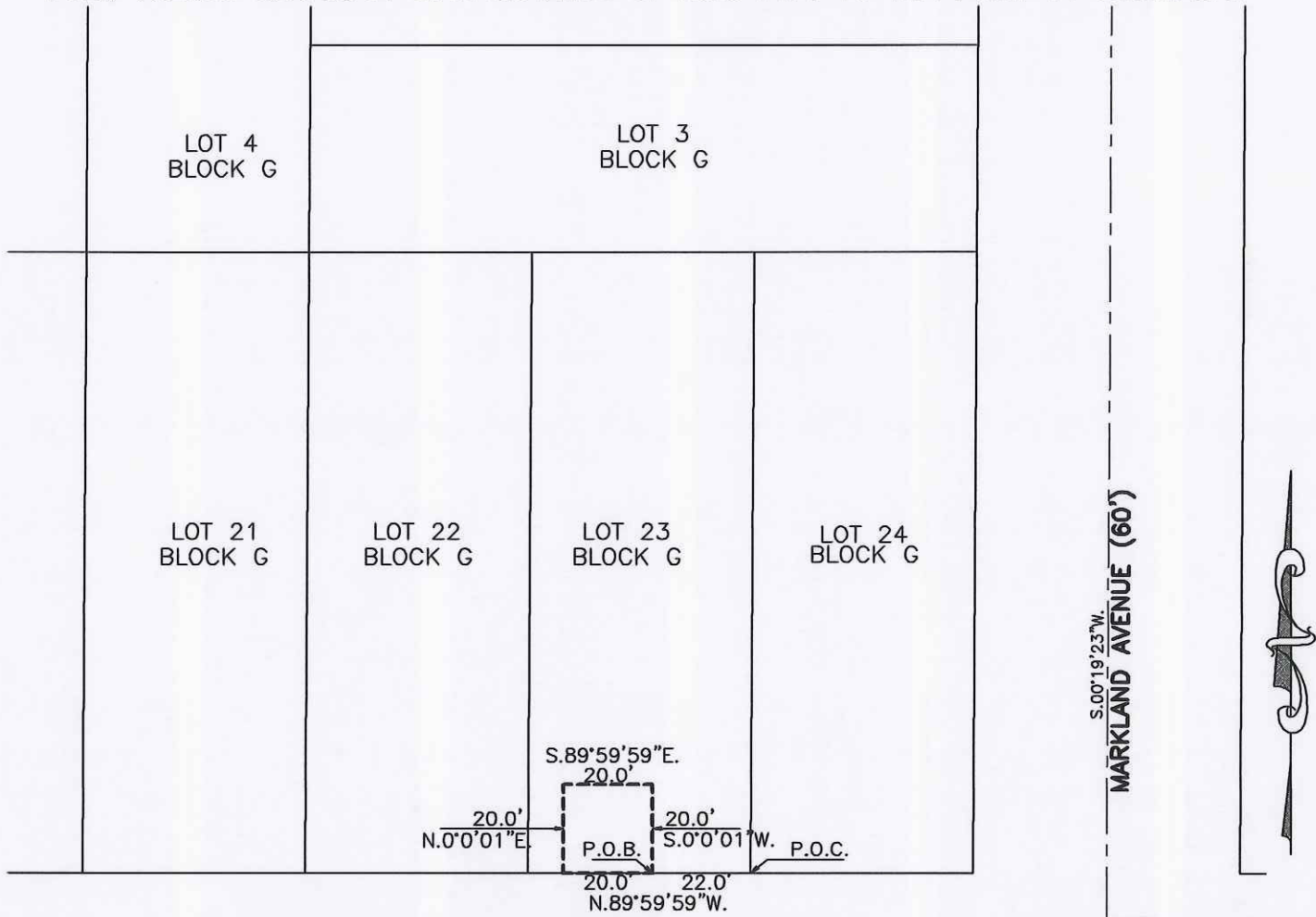
# EXHIBIT A

STRAP NO. 17-44-25-P1-0190G.0040

## AN EASEMENT

LYING IN SECTION 17, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, IN LOT 23, BLOCK G, SANTA ANNA PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 4, IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 23, RUN N.89°59'59"W., ALONG THE NORTH RIGHT-OF-WAY LINE OF MICHIGAN AVENUE, A DISTANCE OF 22.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°59'59"W. ALONG THE NORTH RIGHT-OF-WAY LINE OF MICHIGAN AVENUE A DISTANCE OF 20.0 FEET, THENCE N.00°00'01"E. A DISTANCE OF 20.0 FEET, THENCE S.89°59'59"E. A DISTANCE OF 20.0 FEET, THENCE S.00°00'01"W. A DISTANCE OF 20.0 FEET TO THE POINT OF BEGINNING.



PREPARED BY: **SPECTRUM ENGINEERING, INC.** EB4618  
1342 COLONIAL BLVD. #31 FT MYERS, FL 33907

*[Handwritten Signature]*  
R. J. WARD PE #34934  
6/1/12

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20121100**

**1. ACTION REQUESTED/PURPOSE:**

Developer Contributed Asset – Villa Palmeras (BS 20121100/24512, THO/SDG): Approve construction of water distribution and gravity collection systems serving ‘VILLA PALMERAS’, to provide potable water service, fire protection, and sanitary sewer service to this proposed residential community. This is a Developer contributed asset project located on the east side of Three Oaks Parkway approximately ¼ mile south of Corkscrew Road.

**2. FUNDING SOURCE:**

N/A

**3. WHAT ACTION ACCOMPLISHES:**

Provides adequate utility infrastructure to support development of the subject property and complies with the Lee County Utilities Design Manual.

**4. MANAGEMENT RECOMMENDATION:** Approval.

**5. Departmental Category:** C13D

**6. Meeting Date:** 1/15/2013

**7. Agenda:**

Consent

**8. Requirement/Purpose: (specify)**

Statute

Ordinance

Admin Code

Other Approval

**9. Request Initiated**

**Commissioner:** All

**Department:** UTILITIES

**Division:** No Divisions

**By:** Pam Keyes

**10. Background:**

The Letter of Intent has been received.

The review fee has been paid.

The plans have been reviewed for conformance to the Lee County Utilities Design Manual.

The project is to construct 3202’ +/- of 8” diameter water main; 332’ +/- of 10” diameter water main; 113 5/8” diameter water service; 5 fire hydrants; 2769’ +/- of 8” diameter gravity main; 14 manholes; 100’ +/- of 4” diameter force main; and 2 lift stations.

50% of the connection fees have been paid.

Project Location Map---copy attached.

No funds required.

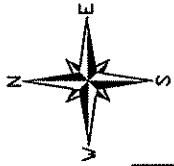
SECTION 35 TOWNSHIP 46S RANGE 25E DISTRICT #3 COMMISSIONER KIKER

ORIGINAL (OUTSIDE SIGNATURE) DOCUMENTS TO FOLLOW (0)

**11. Required Review:**

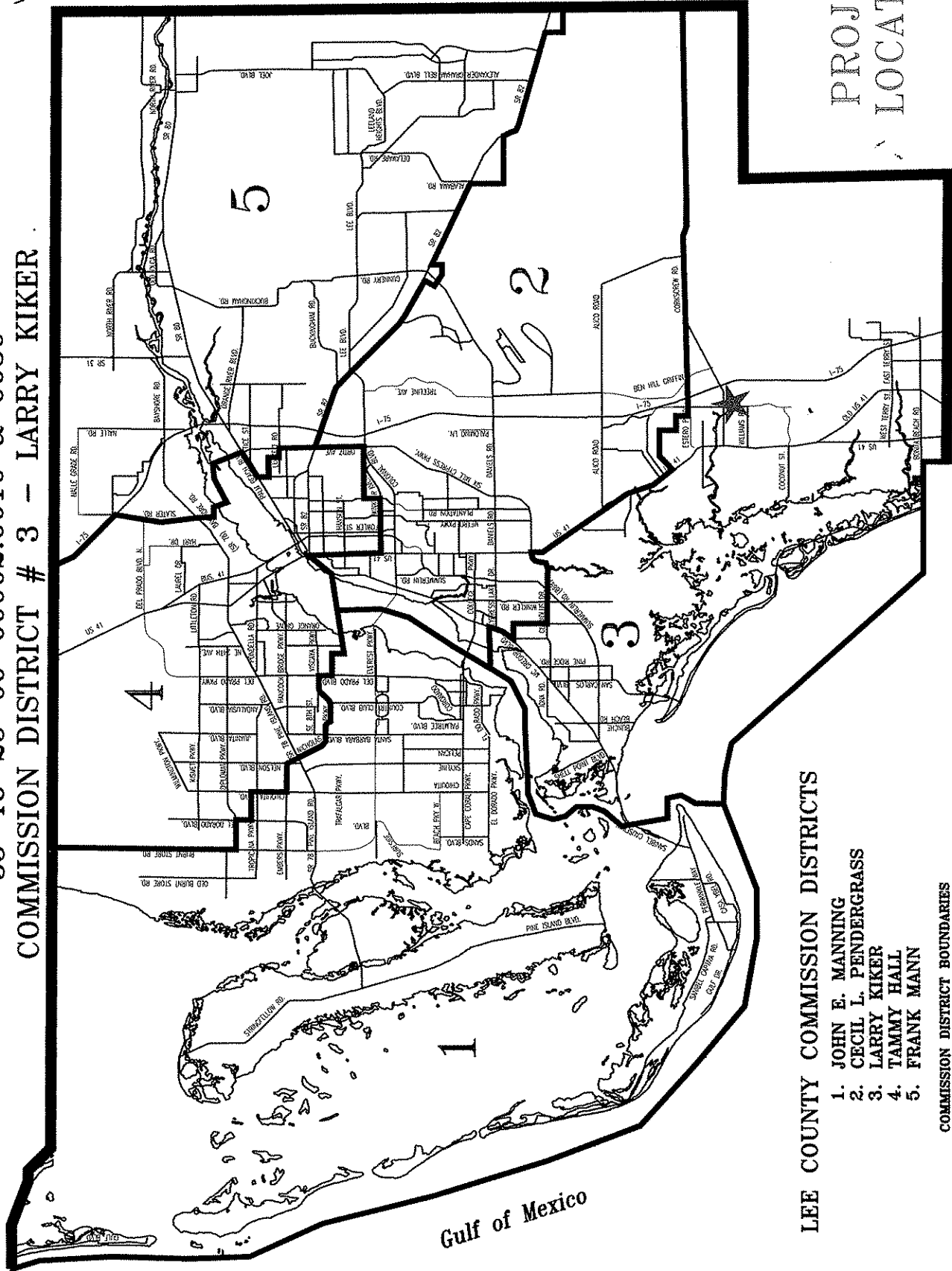
<i>Pam Keyes</i>	<i>Reginald Kantor</i>	<i>David Harris</i>	<i>Susan M. Henderson</i>	<i>Pam Keyes</i>	
UTILITIES	Budget Analyst	Budget Services	County Attorney	Public Works Director	

**12. Commission Action:**



PROJECT LOCATION

VILLA PALMERAS  
35-46-25-00-00002.0010 & 0030  
COMMISSION DISTRICT # 3 - LARRY KIKER



LEE COUNTY COMMISSION DISTRICTS

- 1. JOHN E. MANNING
- 2. CECIL L. PENDERGRASS
- 3. LARRY KIKER
- 4. TAMMY HALL
- 5. FRANK MANN

COMMISSION DISTRICT BOUNDARIES  
NOVEMBER 2011

Gulf of Mexico

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20121131**

**1. ACTION REQUESTED/PURPOSE:**

Consider, approve and authorize the Chair's execution of a "Letter of Agreement" by and between Lee County, the City of Bonita Springs and Bonita Springs Utilities (BSU) to amend Section 14 of the 2002 Tri-Party Bonita Springs Utilities Franchise Agreement.

**2. FUNDING SOURCE:**

No funds required.

**3. WHAT ACTION ACCOMPLISHES:**

Amends Section 14 of the Franchise Agreement to allow the City to use aid to new construction fee banking for economic development purposes.

**4. MANAGEMENT RECOMMENDATION:** Staff recommends approval and execution of the Letter of Agreement.

**5. Departmental Category:** C14A

**6. Meeting Date:** 1/15/2013

**7. Agenda:**

Consent

**8. Requirement/Purpose: (specify)**

- Statute
- Ordinance
- Admin Code
- Other            2002 Tri-Party Franchise Agreement

**9. Request Initiated**

**Commissioner:**  
**Department:** COUNTY ATTORNEY  
**Division:** No Divisions  
**By:** Gregory Hagen

**10. Background:**

In December 2002, the City of Bonita Springs and Lee County entered into and granted to BSU a Franchise Agreement for providing water and sewer services to all of the incorporated area of Bonita Springs and the remaining portion of unincorporated Lee County that was included in the original franchise from Lee County to BSU. At the City's request the Franchise Agreement includes Section 14 which authorizes the banking of aid to new construction fee credits for water use when facilities are physically removed and later relocated elsewhere within the City, Section 14 was originally intended to promote affordable housing. BSU and the City now agree to amend Section 14 to also promote economic development within the City boundaries and City Council has adopted an ordinance supporting the amendment.

The proposed amendment does not effect the unincorporated portions of the BSU Franchise Service Area and County staff therefore recommends approval of the proposed Letter of Agreement.

Attachments: Letter of Agreement  
 City of Bonita Springs Ordinance No. 12-12

**11. Required Review:**

<i>Michael D. Hunt</i>	<i>Tricia Jackson</i>	<i>David Harris</i>	<i>Holly Schwartz</i>		
COUNTY ATTORNEY	Budget Analyst	Budget Services	County Manager		

**12. Commission Action:**

Letter of Agreement  
Consent to Amendment to BSU Franchise  
Section 14

By signing below, each of the parties to this Agreement acknowledge and agree that the amendment to the Franchise Agreement by, between and among Bonita Springs Utilities, Inc., the City of Bonita Springs, Florida and Lee County, Florida, as reflected in City of Bonita Springs Ordinance No. 02-14 and Lee County Resolution No. 02-12-11 ("Agreement"), is binding to each party. The parties agree that the amendment to Section 14 permitting the City to use the aid to new construction fee banking to permit economic development uses is approved, as set forth in this Letter of Agreement and Ordinance No. 12-14. In all other respects, the Franchise Agreement shall remain unchanged and in full force and effect.

CITY OF BONITA SPRINGS

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM: \_\_\_\_\_

City Attorney

LEE COUNTY BOARD OF COUNTY COMMISSIONERS

Attest:

LEE COUNTY, FLORIDA

By: \_\_\_\_\_

Deputy Clerk

By: \_\_\_\_\_

Chairman or Vice-Chairman

APPROVED AS TO FORM  
AND LEGALITY

By: \_\_\_\_\_

Gregory S. Hagen  
Lee County Attorney's Office

BONITA SPRINGS UTILITIES, INC.

BONITA SPRINGS UTILITIES, INC.

Attest:

\_\_\_\_\_  
John B. Mathes, Secretary

By: \_\_\_\_\_

Robert Bachman, President

CITY OF BONITA SPRINGS  
ORDINANCE NO. 12-12

AN ORDINANCE OF THE CITY OF BONITA SPRINGS APPROVING THE PETITION OF BONITA SPRINGS UTILITIES, INC., MODIFYING ITS WASTEWATER TARIFF TO APPROVE A SPECIAL SERVICE CHARGE FOR THE VILLAGES IN IMPERIAL BONITA ESTATES COMMUNITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, BONITA SPRINGS UTILITIES, INC. ("BSU") provides water and wastewater service within and outside the City of Bonita Springs pursuant to that certain Franchise Agreement By, Between And Among Bonita Springs Utilities, Inc., The City of Bonita Springs, Florida, and Lee County, Florida ("Franchise"); and,

WHEREAS, on July 10, 2012 the City of Bonita Springs received the Petition from BSU to Amend its Tariff for a special service charge to be applied to the Villages in Imperial Bonita Estates community, which Petition was accepted by the City Council at its regular meeting of August 15, 2012; and,

WHEREAS, the City Council has set the said Petition for a public hearing on August 15, 2012, at 9:00 a.m., and caused due notice thereof to be published in the Fort Myers News-Press, a copies of which said notice are on file with the City Clerk; and,

WHEREAS, a public hearing was held on August 15, 2012 in the City Council Chambers, Bonita Springs, Florida, at which time BSU presented evidence and testimony in support of its Petition, and all interested parties were permitted to address the Board and to make a statement of record, and the Board, after being fully advised in the premises, makes the following determinations:

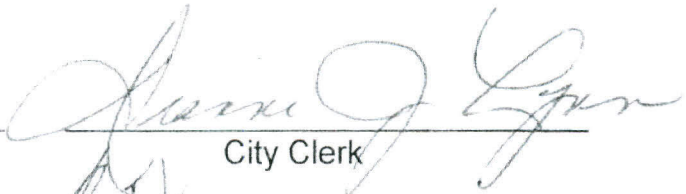
NOW THEREFORE, the City of Bonita Springs herby Ordains:

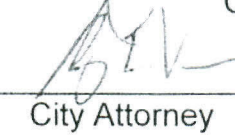
1. The revised Water and Wastewater Tariffs, to include a special service charge to be applied to the Villages in Imperial Bonita Estates community, as proposed by BSU in its Petition, is hereby approved and granted with the charge to be implemented by BSU upon closing on the purchase and transfer of the assets being acquired by BSU.
2. The provisions of this Ordinance shall take effect 30 days following its adoption by the City Council by official vote at the conclusion of the public hearing.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Florida this 15<sup>th</sup> day of August, 2012.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
City Attorney

APPROVED AS TO FORM:

Vote:

Nelson	Aye	Simmons	Aye
McIntosh	Aye	Simons	Aye
Martin	Aye	Lonkart	Aye
Slachta	Aye		

Date Filed With City Clerk: 8-16-12

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20130014**

**1. ACTION REQUESTED/PURPOSE:**

Approve disbursement of excess funds resulting from the sale of tax deed certificates to a claimant verified and certified under Florida Statutes 197.582.

**2. FUNDING SOURCE:**

Proceeds from a tax deed sale in excess of the taxes and/or liens owed are being held by the Board for disbursements in accord with Florida Statutes, Chapter 197.

**3. WHAT ACTION ACCOMPLISHES:**

Provides for disbursement of excess tax deed proceeds to an appropriate claimant in compliance with statutory rules and requirements.

**4. MANAGEMENT RECOMMENDATION:** Approve disbursement to identified claimant.

**5. Departmental Category:** C16A

**6. Meeting Date:** 1/15/2013

**7. Agenda:**

Consent

**8. Requirement/Purpose: (specify)**

- Statute                      197.582
- Ordinance
- Admin Code                12D-13
- Other

**9. Request Initiated**

**Commissioner:** All

**Department:** CONSTITUTIONAL OFFICERS

**Division:** Clerk of Courts

**By:** Christine Lardieri

**10. Background:**

F.S. Chapter 197 establishes the process for the sale of delinquent tax deed certificates and disbursement of the sale proceeds. Subsequent to the sale, the Clerk disbursed funds to pay the outstanding property taxes, costs of the sale and recorded governmental liens. A balance in excess of these liabilities remains and is being held by the County in compliance with F.S. 197.582.

In accord with F.S. 197.582, a verified claim has been filed by an appropriate beneficiary for the excess tax deed sale proceeds.

The claimant's entitlement to the identified funds has been verified by the Lee County Clerk and Lee County Attorney's Office and approval of the disbursement is recommended for the following claimant:

**11. Required Review:**

<i>Donna Harn</i>	<i>Michael Jacob</i>				
FINANCE	County Attorney				

**12. Commission Action:**



Lee County Board Of County Commissioners  
Agenda Item Summary

Blue Sheet No. 20130014

1. ACTION REQUESTED/PURPOSE: Approve disbursement of excess funds resulting from the sale of tax deeds, to a claimant verified and certified under Florida Statutes §197.582.

2. FUNDING SOURCE: Proceeds from a tax deed sale in excess of the taxes and/or liens owed are being held by the Board for disbursement in accord with Florida Statutes, Chapter 197.

3. WHAT ACTION ACCOMPLISHES: Provides for disbursement of excess tax deed proceeds to an appropriate claimant in compliance with statutory rules and requirements.

4. MANAGEMENT RECOMMENDATION: Approve disbursement to identified claimant.

5. Departmental Category: 06 CIGA

6. Meeting Date: 1-15-13

7. Agenda: <input checked="" type="checkbox"/> Consent Administrative  <input type="checkbox"/> Appeals  <input type="checkbox"/> Public <input type="checkbox"/> Walk-On	8. Requirement/Purpose: (specify)		9. Request Initiated:	
	<input checked="" type="checkbox"/> Statute	197.582	Commissioner	Clerk of Courts
	<input type="checkbox"/> Ordinance		Department	Finance/Records Dept.
	<input checked="" type="checkbox"/> FL Admin. Code	12D-13	Division	Tax Deed Sales Office
	<input type="checkbox"/> Other		By: Christine Lardieri, Mgr.	

10. Background:

F.S. Chapter 197 establishes the process for the sale of delinquent tax deed certificates and disbursement of the sale proceeds. Subsequent to the sale, the Clerk disbursed funds to pay the outstanding property taxes, costs of the sale and recorded governmental liens. A balance in excess of these liabilities remains and is being held by the County in compliance with F.S. §197.582.

In accord with F.S. §197.582, a verified claim has been filed by an appropriate beneficiary for the excess tax deed sale proceeds.

The claimant's entitlement to the identified funds has been verified by the Lee County Clerk and Lee County Attorney's Office and approval of the disbursement is recommended for the following claimant:

11. Review for Scheduling:

Dept. Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr	
djh				MJD					

12. Commission Action:

- Approved
- Deferred
- Denied
- Other



**10. Background:** Pursuant to Florida Statute Chapter 197; the Board is holding overbid funds from Delinquent Tax Sales. The Clerk has received a verified claim for these funds, within the two year period, and request that you release them for the following tax deed.

**Strap #:**  
09-46-25-03-00151.0380

**Tax Deed #:**  
2010000978

**Claimant:**  
Global Discoveries Ltd  
POA for Wells Fargo Bank, NA  
1120 13th. Street, Suite A  
Modesto, CA 95354

**Amount:**  
\$27,421.95

Dept. Director				County Attorney						
										

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20130015**

**1. ACTION REQUESTED/PURPOSE:**

Request Board approves disbursements. The check and wire registers can now be viewed on the Clerk's website, [www.leeclerk.org](http://www.leeclerk.org) by accessing the BoCC Minutes and Documents link.

**2. FUNDING SOURCE:**

N/A.

**3. WHAT ACTION ACCOMPLISHES:**

Florida Statute Chapter 136.06(1) requires that all County disbursements be recorded in the Minutes of the Board.

**4. MANAGEMENT RECOMMENDATION:** Compliance with the requirements of FS 136.06(1).

**5. Departmental Category: C16B**

**6. Meeting Date:** 1/15/2013

**7. Agenda:**

Consent

**8. Requirement/Purpose: (specify)**

- Statute 136.06(1)
- Ordinance
- Admin Code
- Other

**9. Request Initiated**

**Commissioner:** All  
**Department:** CONSTITUTIONAL OFFICERS  
**Division:** Clerk of Courts  
**By:** Terry Mallow

**10. Background:**

**11. Required Review:**

<i>Terry Mallow</i>					
FINANCE					

**12. Commission Action:**

**Lee County Board Of County Commissioners  
Agenda Item Summary**

Blue Sheet No. 20130015

**1. ACTION REQUESTED/PURPOSE:**

Request Board approves disbursements. The check and wire registers can now be viewed on the Clerk's website, [www.leeclerk.org](http://www.leeclerk.org) by accessing the BoCC Minutes and Documents link.

**2. FUNDING SOURCE: N/A**

**3. WHAT ACTION ACCOMPLISHES:**

Florida Statute Chapter 136.06(1) requires that all County disbursements be recorded in the Minutes of the Board

**4. MANAGEMENT RECOMMENDATION:**

Compliance with the requirements of FS 136.06(1)

**5. Departmental Category:**

C16 B

**6. Meeting Date: 01/15/2013**

**7. Agenda:**

- Consent**
- Administrative**
- Appeals**
- Public**
- Walk-On**

**8. Requirement/Purpose: (specify)**


- Statute** 136.06 (1)
- Ordinance** \_\_\_\_\_
- Admin. Code** \_\_\_\_\_
- Other** \_\_\_\_\_

**9. Request Initiated:**

- Commissioner:** All
- Department:** Constitutional Officers
- Division:** Clerk of Courts
- By:** Terry Mallow

**10. Background:**

**11. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
									

**12. Commission Action:**

- Approved**
- Deferred**
- Denied**
- Other**

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20121137**

**1. ACTION REQUESTED/PURPOSE:**

A) Authorize staff to take all necessary steps to file a local bill with the Lee County Legislative Delegation that provides for the composition of members of the Lee County Tourist Development Council (TDC) appointed pursuant to Section 125.0104, Florida Statutes.

B) Authorize the Chair, or his designee, to transmit the Board's local bill request and present same to the delegation at its January 29, 2013 public hearing.

C) Direct staff to publish a notice advertising intent to seek enactment of local legislation and describing the substance of the contemplated law as soon as practicable, but in any event at least thirty (30) days prior to the first day of the regular legislative session.

**2. FUNDING SOURCE:**

N/A

**3. WHAT ACTION ACCOMPLISHES:**

The proposed local bill would provide that Lee County's municipal TDC members consist of: 1) the municipality that generated the highest revenues from the tourist tax in the most recent fiscal year; and 2) another municipality serving a two (2) year term based on an established rotation.

**4. MANAGEMENT RECOMMENDATION:** Approve

**5. Departmental Category:** A1A

**6. Meeting Date:** 1/15/2013

**7. Agenda:**

Administrative

**8. Requirement/Purpose: (specify)**

- Statute
- Ordinance
- Admin Code
- Other

**9. Request Initiated**

**Commissioner:**

**Department:** COUNTY MANAGER

**Division:** No Divisions

**By:** *Glen Salyer*

**10. Background:**

Section 125.0104, Florida Statutes, specifies that two members of the TDC shall be elected municipal officials, at least one of whom shall be from the most populous municipality in the county; and that TDC members (including the municipal ones) serve for staggered terms of 4 years.

On February 9, 2012, the TDC expressed interest in requesting that Cape Coral move to a rotating seat in order to provide that the municipality collecting the largest portion of the bed tax hold a permanent seat. It further expressed interest in placing the other municipal seat on a two-year rotating term. Subsequently, on October 18, 2012, the TDC recommended pursuing an amendment to Florida law that would implement these changes in Lee County only.

On October 23, 2012, the Board unanimously decided to present to the local delegation a proposed general law amendment to Section 125.0104, F.S., relating to the Tourist Development Tax and the appointment of a Council's two municipal members.

**11. Required Review:**

<i>Holly Schwartz</i>	<i>Anne Henkel</i>	<i>David Harris</i>	<i>Andrea Fraser</i>	<i>Holly Schwartz</i>	
COUNTY MANAGER	Budget Analyst	Budget Services	County Attorney	County Manager	

**12. Commission Action:**

Because the proposed changes in TDC membership composition require an act of the Legislature but are designed to operate only in Lee County, a Local Bill (or “Special Act”) would be another appropriate legislative vehicle to accomplish the Board’s purpose.

Attachments: Proposed Local Bill  
Economic Impact Statement

## 2013 Legislature

1                   An act relating to Lee County, Florida;  
2                   providing for the composition of members of the Lee County  
3                   “Tourist Development Council” appointed pursuant to Section  
4                   125.0104, Florida Statutes, the “Local Option Tourist Development  
5                   Act”; providing that two (2) elected municipal officials shall be  
6                   appointed to the Council; providing one of the two (2) municipal  
7                   members shall be from the municipality that generated the highest  
8                   revenues from the tax in the most recent fiscal year; providing that  
9                   the second municipal member shall serve for terms of two (2)  
10                  years; providing an effective date.

11  
12                  Be It Enacted by the Legislature of the State of Florida:

13                  Section 1. Lee County Tourist Development Council; composition.  
14                  Notwithstanding the provisions of Section 125.0104(4)(e), Florida Statutes, the  
15                  Lee County Tourist Development Council as established by Lee County  
16                  ordinance pursuant to section 125.0104, Florida Statutes, the “Local Option  
17                  Tourist Development Act”, shall be composed of nine (9) members who shall be  
18                  appointed by the Lee County Board of County Commissioners. The Chair of the  
19                  Lee County Board of County Commissioners or any other member as designated  
20                  by the Chair shall serve on the Council. Two (2) members of the Council shall be  
21                  elected municipal officials; one of whom shall be from one of the two  
22                  municipalities that generated the highest revenues from the tourist tax in the prior  
23                  two (2) fiscal years. These two municipalities shall rotate every two (2) years.  
24                  The second municipal official shall be from one of the remaining municipalities.  
25                  The second municipal seat shall also rotate every two (2) years. Six (6)  
26                  members of the council shall be persons who are involved in the tourist industry  
27                  and who have demonstrated an interest in tourist development, of which  
28                  members, not less than three (3) nor more than four (4) shall be owners or  
29                  operators of motels, hotels, recreational vehicle parks, or other tourist

2013 Legislature

30 accommodations in the county and subject to the tax. All members of the  
31 Council shall be electors of the county. The changes in the composition of the  
32 membership of the Lee County Tourist Development Council mandated by this  
33 act are effective July 1, 2013. The changes in composition of the membership of  
34 the Lee County Tourist Development Council mandated by the act shall not  
35 cause the interruption of the current term of any person who is a member of the  
36 Lee County Tourist Development Council, except the two (2) municipal members  
37 upon the effective date. Except as specifically provided herein, the provisions of  
38 Section 125.0104(4)(e), Florida Statutes, shall apply to the Lee County Tourist  
39 Development Council.

40 Section 2. This act shall take effect upon becoming a law.



**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20130039**

**1. ACTION REQUESTED/PURPOSE:**

- A) Select and recommend; and authorize staff to negotiate and execute a service provider agreement with the recruitment firm(s) chosen to conduct the County Manager/County Attorney recruitment.
- B) Authorize Chair to execute service provider agreement on behalf of the Board.

**2. FUNDING SOURCE:**

Fund – General Fund; Program – Non-Departmental; Project County Manager/County Attorney Recruitment.

**3. WHAT ACTION ACCOMPLISHES:**

Allows the County Manager and County Attorney recruitment process to proceed with securing a recruitment firm.

**4. MANAGEMENT RECOMMENDATION:**

Select and recommend; and authorize staff to negotiate and execute a service provider agreement with Bob Murray & Associates to conduct the County Manager and County Attorney recruitments.

**5. Departmental Category: WO1**

**6. Meeting Date: 1/15/2013**

**7. Agenda:**

Walk-On

**8. Requirement/Purpose: (specify)**

- Statute  
 Ordinance  
 Admin Code  
 Other APPROVAL

**9. Request Initiated**

**Commissioner:**  
**Department:** HUMAN RESOURCES  
**Division:** No Divisions  
**By:** Christine Brady

**10. Background:**

On December 11, 2012, direction was given to research and obtain information on potential recruitment firms to conduct the County Manager recruitment. Upon execution of the Separation Agreement and General Release of the County Attorney, staff took initiative to include the position of County Attorney as part of County Manager recruitment process that had previously begun.

In addition to conducting a survey of eighteen counties of similar size and population within the state of Florida, the following organizations were contacted for executive recruitment firm recommendations: International City/County Management Association (ICMA), National Association of Counties (NACO), Florida City and County Management Association (FCCMA), Florida Association of Counties (FAC), and Florida League of Cities, Inc.

Recommendations were reviewed, and fourteen executive recruitment firms were contacted and asked to provide the following for consideration: background of firm including years of operation, key accomplishments including a list of similar recruitments within past 5 years, description of staff to be assigned, proposed schedule, and proposed fee schedule including discount options if selected to conduct both recruitments.

As our recommended recruitment firm, Bob Murray & Associates are highly regarded by both the ICMA and FCCMA, have a Florida-based office, possess extensive experience within our state, and offer a sizable discount if selected to conduct both recruitments concurrently.

Funds will be available in GC5190300100.504025.

- Attachments: 1. County Manager/County Attorney Recruitment Memo  
 2. Materials Submitted by All Responding Firms

**11. Required Review:**

<i>Christine Brady</i>	<i>Robert Franceschini</i>	<i>Andrea Fraser</i>	<i>Reginald Kantor</i>	<i>David Harris</i>	<i>Peter Winton</i>
HUMAN RESOURCES	Purchasing	County Attorney	Budget Analyst	Budget Services	County Manager

**12. Commission Action:**



January 10, 2013

Mr. Dylan Drake  
Human Resources Generalist  
Lee County Government  
2115 Second Street, 1<sup>st</sup> FL  
Ft. Myers, FL 33901

Submitted via email to: [draked@leegov.com](mailto:draked@leegov.com)

Dear Mr. Drake:

Thank you for the opportunity to provide Lee County with a quote to recruit candidates for the **County Manager** and **County Attorney** positions.

Bob Murray & Associates has an unmatched record of success in recruiting local government and special district professionals, with a results-oriented approach to ensure a quality pool of candidates.

We have placed more than 800 public sector professionals, including many **County/City Managers and County/City Attorneys**. We are currently contracted to recruit the **County Manager** for **Alachua County, Florida**, and we recently conducted the **County and City Attorney** searches for the **City of Gainesville, Florida (Reference Letter enclosed); City of Fort Lauderdale, FL; and Broward County, FL**. We also participated in the recruitment of the **Executive Director** for the **Florida Association of Counties (FAC)**.

Our recruiters have *many* years of experience conducting searches nationwide. Our recruitment process, combined with our extensive network of contacts and knowledge of outstanding candidates, will ensure that Lee County has a quality group of finalists from which to select the next County Manager and County Attorney.

We look forward to working with Lee County. Feel free to contact me for additional information, and thank you for your consideration.

Sincerely,

S. Renee Narloch, Vice President

## ABOUT OUR FIRM

Bob Murray & Associates was formed in May of 2000 and has highly-trained staff located in two offices—Tallahassee, Florida and Roseville (Sacramento), California. Prior to forming Bob Murray & Associates, our senior management team directed the executive recruitment practices for both David M. Griffith & Associates (DMG) and MAXIMUS. Mr. Bob Murray, President, oversees the operations of our Roseville office, and Ms. S. Renee Narloch, Vice President, has responsibility for our East Coast practice.

We have a good understanding of the challenges facing agencies and understand the importance of finding leadership who bring the necessary skills to meet those challenges. We also understand the need for the successful candidate to acclimate to and fit the organization and its culture to ensure the overall success of the recruitment.

Our initial meetings with the County will be the foundation to a successful search. We strive to learn as much as possible about the desires and expectations of the County regarding knowledge, skills and experience of the next County Manager and County Attorney. It is our attention to details during this phase of the recruitment that has enabled our success.

With an excellent reputation nationwide among candidates and clients alike, we are known for conducting quality searches that result in the placement of candidates ideally suited to meet our clients' needs. We pride ourselves on our responsiveness to clients and candidates and assure the County that you will receive the highest caliber of service throughout the recruitment process.

## THE ASSIGNED STAFF/EXPERIENCE

Ms. S. Renee Narloch will be the lead recruiter for the County Manager and County Attorney searches. Ms. Narloch has more than 20 years of experience in public sector executive recruitment, having recruited more than **400 public sector professionals**.

Bob Murray & Associates has recently contracted to conduct the **County Manager** search for **Alachua County, Florida**. We have conducted several searches on behalf of **Broward County, FL** (County Attorney, Port Director, Business Development Director and Assistant Economic Development Director); **Sumter County, FL** (Fire Chief, Public Works Director and Development Services Director); Executive Director for the **Florida Association of Counties (FAC)** (partial search); Executive Director for the **Florida Public Transportation Association (FPTA)**. Recent City Manager searches include the **City of Phoenix, AZ; City of Fort Lauderdale, FL; and City of Topeka, KS**.

Our experience conducting **County/City Attorney** recruitments include **Broward, County, FL (County Attorney); City of Fort Lauderdale, FL (City Attorney); and City of Gainesville, FL (City Attorney)**.

Ms. Narloch will be assisted as needed by Mr. Bob Murray, President and Ms. Rachel Hanselman, Consultant. Combined, they have over 40 years of experience recruiting public sector professionals. The recruitments will be conducted from our Tallahassee Office. Additional information about Ms. Narloch, Mr. Murray and Ms. Hanselman is included in the Staff Bios section.

## **THE RECRUITMENT PROCESS**

Bob Murray & Associates' unique, client-driven approach to executive search will ensure that Lee County has a pool of highly qualified candidates from which to select the new County Manager and County Attorney. Our proven recruitment process has been instrumental in our success in placing outstanding candidates.

### **STEP 1 – DEVELOPING THE CANDIDATE PROFILE**

Our understanding of the County's requirements will be the foundation to a successful search. We will work directly with the County to learn as much as possible about what the organization expects of a new County Manager and County Attorney. We can also meet with other key staff or community members to gather input. We want to learn about the values and culture of the organization, as well as to understand the current issues, challenges and opportunities that face Lee County. We also want to be fully acquainted with the County's expectations regarding the knowledge, skills and abilities sought in the ideal candidate, and we will work with your organization to identify expectations regarding education and experience. Additionally, we want to discuss expectations regarding compensation and other items necessary to complete the successful appointment of the ideal candidate. The profile that we develop together at this stage will guide our recruitment efforts.

### **STEP 2 – ADVERTISING CAMPAIGN AND RECRUITMENT BROCHURE**

After gaining an understanding of the County's needs, we will design an effective advertising campaign that is appropriate for the recruitment. We will focus on professional journals that are specifically suited to the County Manager and County Attorney searches, utilizing venues that will ensure a diverse pool of applicants including qualified minority and women candidates. We will also develop a professional recruitment brochure on the County's behalf that will discuss the community, organization, position and compensation. Once completed, we will mail the brochure to an extensive audience, making them aware of the exciting opportunity with Lee County. A sample brochure has been included for your review.

### **STEP 3 – RECRUITING CANDIDATES**

After cross-referencing the profile of the ideal candidate with our database of thousands of candidates and our contacts in the field, we will conduct an aggressive outreach effort that includes making personal calls to prospective applicants in order to identify and recruit outstanding candidates, including qualified minority and women candidates. We realize that the best candidate is often not looking for a new job, and this is the person that we actively pursue to become a candidate. Aggressively marketing the County Manager and County Attorney positions to prospective candidates will be essential to the success of the search.

### **STEP 4 – SCREENING CANDIDATES**

Following the closing date for each recruitment, we will screen all resumes using the criteria established in our initial meetings to narrow the field of candidates.

### **STEP 5 – PERSONAL INTERVIEWS**

We will conduct personal interviews with the top 10 to 12 candidates in order to determine which candidates have the greatest potential to succeed in your organization. During the interviews, we will explore each candidate's background and experience as it pertains to the position. In addition, we will discuss the candidate's motivation for applying for the position and make an assessment of

his/her knowledge, skills and abilities. We will devote specific attention to determining the likelihood of the candidate's acceptance of the position if an offer of employment is made.

#### **STEP 6 – PUBLIC RECORD SEARCH**

Following the interviews, we will conduct a review of published articles that reference each candidate. Various sources will be consulted, including Lexis-Nexis™, a newspaper/magazine search engine, Google, and local papers from the communities in which the candidates have worked. This brings to our attention any further detailed inquiries that we may need to make at this time.

#### **STEP 7 – RECOMMENDATIONS**

Based on the information gathered through meetings with your organization and personal interviews with candidates, we will typically recommend three to five candidates for your consideration. We will prepare a detailed report on each candidate that focuses on the results of our interviews and public record searches. We will make specific recommendations, but the final selection of those to be considered will be up to you.

#### **STEP 8 – FINAL INTERVIEWS**

Our years of experience will be invaluable as we help you to develop an interview process that objectively assesses the qualifications of each candidate. We will adopt an approach that fits your needs, whether it is a traditional interview, multiple interview panel or assessment center process. We will provide you with suggested interview questions and rating forms, and we will be present at the interviews to facilitate the process. Our expertise lies in facilitating the discussion that can bring about a consensus regarding the final candidates.

We will work closely with your staff to coordinate and schedule interviews and candidate travel. Our goal is to ensure that each candidate has a very positive experience, since the manner in which the entire process is conducted will have an effect on the candidates' perceptions of your organization.

#### **STEP 9 – BACKGROUND CHECKS/DETAILED REFERENCE CHECKS**

We will conduct credit, criminal, civil litigation and motor vehicle record checks for the top one to three candidates. In addition, those candidates will be the subjects of detailed, confidential reference checks. In order to gain an accurate and honest appraisal of the candidates' strengths and weaknesses, we will talk candidly with people who have direct knowledge of their work and management style. We will ask candidates to provide the names of their supervisors, subordinates and peers for the past several years. Additionally, we will make a point of speaking confidentially to individuals known to have insight into a candidate's abilities, but who may not be on his/her preferred list of contacts. At this stage in the recruitments, we will also verify candidates' educational backgrounds and any required certifications.

#### **STEP 10 – NEGOTIATIONS**

We recognize the critical importance of successful negotiations and can serve as your representative during this process. Our experience provides us with insight into current industry standards and expectations in negotiating contracts, and we will be available to advise you regarding current approaches to difficult issues such as housing and relocation. Working to secure the appointment of your chosen candidate, we will represent your interests and advise you regarding salary, benefits and employment agreements. We have the expertise to turn a very sensitive aspect of the recruitment into one that is viewed positively by both you and the candidates.

### **STEP 11 – COMPLETE ADMINISTRATIVE ASSISTANCE**

Throughout the recruitment, we will provide the County with updates on the status of the search. We will also take care of all administrative details on your behalf. Candidates will receive personal letters advising them of their status at each critical point during the recruitment. In addition, we will respond to inquiries about the status of their candidacy within 24 hours. Every administrative detail will receive our attention. Often, candidates judge our clients based upon how well these details are handled.

### **PROFESSIONAL FEES & EXPENSES**

The professional fee for conducting a single recruitment on behalf of Lee County is \$16,500, plus actual expenses. Services covered by the fee consist of all steps outlined in this proposal, including three (3) days of meetings on site. Expenses are estimated to not exceed \$7,500 and include items such as the cost of consultant travel, clerical support, placement of ads, credit, criminal and civil checks, education verification, as well as newspaper searches. In addition, postage, photocopying, and telephone charges are included and will be allocated. Expenses related to the use of audio/video conferencing equipment for interviews and candidates' travel for interviews are the responsibility of Lee County.

### **DISCOUNT FOR CONCURRENT SEARCHES**

Should the County select Bob Murray & Associates to conduct both the County Manager and the County Attorney recruitments **concurrently**, we will discount the professional fees to \$30,000 for both, with expenses not-to-exceed \$12,500.

### **TIMELINE**

In order to meet the County's anticipated schedule, we would like to begin the search as soon as possible. The following is the anticipated timeline for completing, **Steps 1-11**, outlined above:

<b><i>WEEK:</i></b>	<b><i>TASK:</i></b>
1	Conduct meeting with Board and others involved in the process
2	Develop recruitment brochure and advertisements
3	County reviews recruitment brochure and advertisements
4	Recruitment brochures printed and advertisements placed
5	Active recruitment of candidates begins
9	Closing date
10	Screen resumes
11-12	Recruiter interviews top candidates
12-13	Public records search
14	Review recommendations with Board and others involved in the process
15	Candidates interview with Board, follow-up interviews, and consultant reference/background checks
16	Candidate selected

## REFERENCES

Clients and candidates provide the best testament to our ability to conduct quality searches. Listed below are a few of our clients for whom Bob Murray & Associates' recruiters have conducted recent and/or relevant searches. We encourage you to contact the specific references listed below for a first-hand account of the quality of our services. A complete listing of clients is available upon request.

**CLIENT:** **Broward County, FL**  
**POSITION:** County Attorney/2011; several other positions  
**CONTACT:** Mr. Evan A. Lukic, County Auditor  
(954) 357-7590; elukic@broward.org or ngarrett@broward.org  
or Mr. Michael Chasin, Human Resources Manager  
(954) 954-357-6434; mchasin@broward.org

**CLIENT:** **City of Fort Lauderdale, FL**  
**POSITION:** City Manager/2011; City Attorney/2012  
**CONTACT:** Ms. Averill L. Dorsett, Director of Human Resources  
(954) 828-5307; ADorsett@fortlauderdale.gov

**CLIENT:** **City of Gainesville, FL**  
**(SEE ENCLOSED REFERENCE LETTER)**  
**POSITION:** City Attorney/2012  
**CONTACT:** Ms. Cheryl McBride, Human Resources Manager  
(352) 393-8704; mcbridecf@cityofgainesville.org

**CLIENT:** **City of Topeka, KS**  
**POSITION:** City Manager/2012  
**CONTACT:** Mr. Larry Wolgast, Deputy Mayor  
(785) 640-2463 or (785) 272-6896; lwolgast@cox.net

## STAFF BIOS

### **S. RENÉE NARLOCH, VICE PRESIDENT**

Ms. Narloch is the Vice President and Director of our East Coast Office, located in Tallahassee, Florida. She has extensive experience in public sector recruitments nationwide and is recognized as one of the nation's leading recruiters. She was formerly employed by DMG/MAXIMUS as a Senior Recruiter with sole responsibility for the firm's executive search practice in the Southeastern, Mid-Atlantic and Mid-Western states. Ms. Narloch has 20 years of experience in Executive Recruitment and has been involved in over 400 national searches. Prior to her recruitment career, she was Senior Consultant for DMG's Cost Plan and Revenue Enhancement divisions, serving public sector clients nationwide. She also worked for three Fortune 500 companies in their sales, marketing and financial accounting divisions. Ms. Narloch is responsible for all facets of recruitment which include serving as lead consultant with project management responsibilities, recruiting candidates, conducting both preliminary interviews and detailed reference inquiries, and assisting clients in final interviews and negotiations. Ms. Narloch received her Bachelors of Science degree in Information Studies, summa cum laude, from the Florida State University, Tallahassee, Florida.

### **BOB MURRAY, PRESIDENT**

Mr. Murray has over 25 years of experience as a recruiter and has conducted hundreds of searches for cities, counties, universities, and special districts. He has also conducted searches for some of the largest, most complex organizations in the country, as well as for many small agencies. Mr. Murray has conducted searches for chief executives, department heads, and professional and technical positions. Prior to creating Bob Murray & Associates, Mr. Murray directed the search practice for the largest consulting firm serving local governments in the country. Mr. Murray has worked in local government and benefits from the knowledge of having led an organization. Prior to his career in executive search, he held positions in law enforcement, served as an Assistant City Manager, and served as the City Manager for the City of Olympia, Washington. Mr. Murray received his Bachelor's degree in Criminology from the University of California at Berkeley, followed by graduate studies in Public Administration at California State University at Hayward.

### **RACHEL HANSELMAN, CONSULTANT**

As a consultant with Bob Murray & Associates, Ms. Hanselman is responsible for research, candidate recruitment, screening, reference checks and background verifications. She focuses on client communication and works closely with clients to coordinate candidate outreach and ensure a successful search. Ms. Hanselman has eight years of experience working as an office manager in the private sector. Ms. Hanselman received her Bachelor of Arts degree in Business Administration from Flagler College, Tallahassee, Florida.





# BROWARD COUNTY, FLORIDA

INVITES YOUR  
INTEREST IN  
THE POSITION OF

## COUNTY ATTORNEY



## THE COMMUNITY

Bordering Southeast Florida's Atlantic coastline, Broward County is the eighteenth largest county in the nation and the second largest in the State of Florida. Home to 1.8 million people, Broward County is located between Palm Beach and Miami-Dade counties, forming the center of South Florida's largest metropolitan area in which 5.6 million people reside. Within the County's 1,320 square miles are 31 municipalities, the largest of which is the county seat, Fort Lauderdale. Nearly two-thirds of the County is part of the undeveloped Everglades conservation area. Broward boasts more than 20 miles of pristine, Atlantic coastline, and its beaches attract both the local population, as well as tourists from around the world. With an average year-round temperature of 77 degrees, Broward County has a tropical climate and is a choice destination for over 10 million visitors every year.

Broward County's warm climate, ethnic and racial diversity, expanding economy, myriad of housing options, excellent schools, state-of-the-art healthcare, and advanced transportation system afford its residents an exceptional quality of life. Broward offers world-famous fine dining, theater, nightlife, and shopping venues, as well as an abundance of recreational activities like golf, deep sea fishing, boating and unlimited opportunities for fun on the beach. The State's second largest public school district is located in the County, providing not only excellent primary and secondary education, but also prestigious local and regional colleges and universities. The Fort Lauderdale-Hollywood International Airport is also located in the County, and most major cruise lines operate out of its Port Everglades facility. Among its abundant retail shopping options is Sawgrass Mills, one of Florida's largest shopping malls. For the sports enthusiast, Broward is home to the NHL's Florida Panthers, while other major sports teams, like the Miami Heat, the Florida Marlins, and the Miami Dolphins, are just a short drive away.

## THE ORGANIZATION

The Broward County government was established under Charter in 1974 as a home rule government. The County has a strong commission/manager form of government. The Board of Broward County Commissioners is composed of nine members, elected every two years for four-year staggered terms. Commissioners are voted to the position by their district in partisan elections. The Mayor and Vice-Mayor are Commission members annually elected by the Commission for one-year terms. The Commission appoints the County Administrator, the County Attorney, the County Auditor, and many other advisory and regulatory board members.

The County Administrator serves as the Chief Executive Officer and manages

Home to 1.8 million people, Broward County is located between Palm Beach and Miami-Dade counties, forming the center of South Florida's largest metropolitan area.

the County's seven operating departments: Aviation, Environmental Protection & Growth Management, Finance & Administrative Services, Human Services, Port Everglades, Public Works, and Transportation. The County has approximately 5,800 employees and eight organized bargaining units. The County's overall budget for FY11 is \$3.6 billion with a General Fund of \$934 million.

## THE COUNTY ATTORNEY'S OFFICE

The mission of the Office of the County Attorney is to protect the legal interests of Broward County in all legal matters; give quality legal advice and opinions when requested by the Board of County Commissioners, County Administration, and County Agencies; and ensure that all civil litigation brought by or against Broward County is processed in a professional and legal manner. The County Attorney's Office has a 2011 budget of \$6.8 million with 61 authorized staff, including 37 attorneys.

The County Attorney's Office provides a wide variety of legal services in the following areas:

### **Appellate, Constitutional, Employment and Public Law**

This section handles all state and federal appellate court proceedings in which Broward County is a party, and trial court proceedings raising significant constitutional challenges to County actions. Issues involving employment law, human rights, whistleblower complaints, elections, public ethics, gifts to public officials, and financial disclosure are also handled by this section.

### **Commercial and Administrative Law**

This section provides legal services to County departments on a wide range of issues related to public works, community services, and operational management.



Legal assistance is also provided in connection with road and building construction, parks and recreation, procurement, budget, consumer protection, open government, alcohol and substance abuse, HIV/AIDS programs, the medical examiner, library operations, child care licensing, disaster planning, and emergency management services. The section is responsible for coordinating with legal staff from the County's other constitutional offices and providing legal services to the Broward Center for the Performing Arts.

This section also reviews proposed state and federal legislation and drafts special bills, ordinances, and resolutions.

### **Finance and Transportation**

This section provides legal advice regarding the issuance of bonds and other financing arrangements, real property acquisition and management, and also provides general legal services to various County departments and offices. Attorneys within this section provide on-site legal services at Fort Lauderdale/Hollywood International Airport and Port Everglades Department in connection with general transactional matters, and specific matters involving aviation and maritime law issues.

### **Land Use and Environmental Law**

This section works with County agencies to maintain the quality of life of Broward residents and the County's natural resources in the face of significant demands resulting from continuous growth and development. The section works with County staff in developing, implementing, and enforcing land use and environmental regulations, negotiates development agreements, and handles comprehensive planning matters.

### **Litigation**

This section handles the vast majority of the County's jury and bench trials in federal and state courts. Cases handled by this section commonly involve commercial litigation, eminent domain, employment litigation, personal injury claims, workers' compensation, and discrimination claims. The section also represents the County in bankruptcy and the collection of liens, fines, taxes, and other monies owed to the County.

The Office of County Attorney also represents the WorkForce One Council of Elected Officials, the Broward WorkForce Development Board, and the administrative entity, WorkForce One. The Office provides legal services necessary to implement welfare and workforce programs funded by state and federal grants awarded to Broward County.



## **THE POSITION**

The County Attorney is the chief legal counsel to the County and directs and supervises the County Attorney's Office. The County Attorney represents the County, the County Commission, the County Administrator, the department heads, all departments and divisions of the County, all Boards, Committees, Agencies and Authorities in all legal matters affecting the County government.

Management responsibilities include:

- Establishing and maintaining appropriate administrative policies, services, controls and reporting systems in the effective and efficient performance of Office functions;
- Maintaining close liaison with the Board of County Commissioners regarding all legal matters relating to or affecting Board policies;
- Establishing and maintaining goals, objective and plans for carrying out the functions of the Office, consistent with Board policy and determinations;
- Organizing, coordinating, supervising and directing the activities of the Office of the County Attorney;
- Appointing, training, supervising, evaluating and directing subordinates and professional, administrative and clerical staff;
- Coordinating Office activities with other agencies and appropriate community organizations;
- Appointing, training, supervising, evaluating and directing subordinates and professional, administrative and clerical staff;
- Recommending the annual Office budget to the County Administrator and participating in its presentation to the Board of County Commissioners; and

The ideal candidate will possess a comprehensive knowledge of principles of civil, constitutional and administrative law as it relates to county government and other public agency law.

- Directing maintenance of Office fiscal and personnel records, and performing related work.

Legal responsibilities include:

- Defending or prosecuting, as legally required, all civil actions and proceedings in which the County or any of its offices are involved, except those matters in which the County is insured;
- Providing legal leadership, subject to policy direction of the Board of County Commissioners, to County government;
- Advising County boards, commissions and departments through oral or written opinions, and drafting legal documents and ordinances;
- Performing other professional legal services as mandated by law; and
- Studying, interpreting and applying constitutions, statutes, ordinances, court decisions and legal opinions in connection with legal advice, suits, trials, hearing, appeals and similar legal proceedings; and making decisions, subject to Board of County Commissioners' policies, to prosecute, compromise or dismiss civil litigation.

The County Attorney position is open due to the five-year incumbent having accepted a position with another agency.

## THE IDEAL CANDIDATE

The ideal candidate will possess a comprehensive knowledge of principles of civil, constitutional and administrative law as it relates to county government and other public agency law. Candidates should have a thorough understanding of the responsibilities, powers and statutory limitations of the Office of the County Attorney, as well as judicial proceedings at the administrative, trial and appellate levels, and Rules of Evidence. Management techniques and skills applicable to a significant sized professional law office are needed. A consummate professional with strong analytical and negotiating abilities, as well as knowledge of current laws, who can provide sound legal advice to the Board and others is desired. The successful candidate must be decisive, direct, and remain apolitical. Excellent communication and interpersonal skills are necessary, as well as diplomacy and an ability to work well with the County Administrator. A law degree from an accredited college and a license to practice law in the State of Florida is required. Substantial public law experience with an emphasis on local government law, as well as administrative management of a similarly sized legal practice is desired.



## COMPENSATION

The salary range is open and dependent upon qualifications. The starting salary will be based upon the knowledge and experience of the individual selected. The County offers an excellent benefits package. For additional information on benefits, please visit: [www.broward.org/benefits](http://www.broward.org/benefits). The State of Florida does not have a state income tax.

## TO APPLY

If interested in this outstanding opportunity, please visit our website at:

**[www.bobmurrayassoc.com](http://www.bobmurrayassoc.com)**

and follow the prompt to apply online by creating an applicant profile.

**First review of applicants will take place on January 6, 2011; position is open until filled.**

Resumes will be screened according to the qualifications outlined above. Screening interviews with the most qualified applicants will be conducted by Bob Murray and Associates in order to determine a select group of finalist candidates who will be asked to provide references; references will be contacted only following candidate consent. Final interviews will be held in Broward County with the nine Commissioners. Candidates will be advised of the status of the recruitment following the selection of the County Attorney.

Questions regarding this recruitment may be directed to Ms. Renee Narloch, Vice President, Bob Murray & Associates at [renee@bobmurrayassoc.com](mailto:renee@bobmurrayassoc.com) or call 850-391-0000.

*Broward County is an equal opportunity/ADA employer.*

**PURSUANT TO FLORIDA OPEN RECORDS LAW, APPLICATIONS AND RESUMES ARE SUBJECT TO DISCLOSURE.**



**Human Resources/Organizational Development**

P.O. Box 490, Station #20  
Gainesville, FL 32602-0490  
(352) 334-5077 Phone  
(352) 334-2055 Fax  
[www.cityofgainesville.org](http://www.cityofgainesville.org)  
[www.gru.com](http://www.gru.com)

August 23, 2012

To Whom It May Concern:

I am pleased to write a letter of recommendation for Bob Murray & Associates, who provided executive recruitment services for us in filling our City Attorney position. The lead consultant on our search was Renee Narloch.


Ms. Narloch was a pleasure to work with and did an excellent job in leading a successful recruitment process from inception to conclusion, meeting both time and budgetary requirements. She recruited a highly qualified group of candidates for our City Commission to select from, and worked very effectively with our Mayor and the Commission throughout the selection process.

We had a very tight timeline for this search, and found it necessary to make changes several times during the recruitment process. Ms. Narloch was extremely professional and flexible in accommodating our changing needs.

Ms. Narloch worked very well with our Human Resources staff. She communicated with us regularly throughout the recruitment process and responded to our calls and questions quickly.

I would be pleased to have Bob Murray & Associates provide executive recruitment services for us in the future, and would request Ms. Narloch as our consultant. If you would like to speak with me personally, please don't hesitate to call.

Sincerely,



Cheryl F. McBride, PHR  
Human Resources Manager

## Drake, Dylan

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**From:** WD Higginbotham Jr [wdhiggin@bellsouth.net]  
**Sent:** Wednesday, January 09, 2013 10:32 AM  
**To:** Drake, Dylan  
**Cc:** James L. Mercer  
**Subject:** RE: Lee County - Executive Recruitment  
**Attachments:** Lee County Search Examples.docx

Mr. Drake,

As you requested, I offer the following **“brief response”** to the five items you listed:

1. Background of firm including years of operation - The Mercer Group, Inc. has been in operation for over twenty years with our corporate headquarters in Atlanta and branch offices in Arizona, California, Colorado, Florida, Georgia, Illinois, Louisiana, Michigan, New Mexico, North Carolina, Oklahoma, Texas and Virginia. The Mercer Group has the resources and time currently available to conduct this search(s) and avoid untimely delays in the process. I encourage you to visit our website at [www.mercergroupinc.com](http://www.mercergroupinc.com)
2. Key accomplishments including a list of similar recruitments within past 5 years – Refer to the attached Word Document. As an aside, the list beyond five years is voluminous.
3. Description of staff to be assigned - The Principal Project Manager for this recruitment(s) would be W. D. Higginbotham, Jr. (the undersigned) in our Seminole, Florida office. Mr. Higginbotham has over 30 years of public sector Manager experience, 23 of which is in Florida. The recruitment and search will be assisted and abetted by Mr. James L. Mercer. Mr. Mercer has conducted or assisted in the conduct of more than 2000 successful executive searches in recent years.
4. Proposed schedule – We anticipate the recruitment will take approximately 90 days following the contract approval.
5. Proposed fee schedule.....and would there be any type of discount if your firm were selected to conduct both searches – Our fee for our professional services would be a **FLAT FEE** of \$18,750. This amount **includes** our professional fee and **ALL OF OUR EXPENSES**. If our firm is contracted to handle both recruitments and searches simultaneously, the second search would be discounted \$5,000. As such, both simultaneous recruitments and searches will be completed for a total of \$32,500. There will be **NO ADDITIONAL AMOUNT OR COST** paid to The Mercer Group.

I welcome the opportunity to present you and the Board of County Commissioners with a complete proposal of the Executive Search Services The Mercer Group, Inc. is prepared to offer Lee County.

I look forward to hearing from you.

W. D. Higginbotham, Jr.  
The Mercer Group, Inc.  
9123 Cherry Trace  
Seminole, FL 33777  
Cell: 727-214-8673  
[wdhiggin@bellsouth.net](mailto:wdhiggin@bellsouth.net)  
[www.mercergroupinc.com](http://www.mercergroupinc.com)

# THE MERCER GROUP, INC.

W. D. Higginbotham, Jr.  
Senior Vice President  
wdhiggin@bellsouth.net

These are examples of our City and County Manager recruiting experience during the **most recent five years**. Following the list of City and County Managers is a list of Attorney recruitments and placements:

## City Managers/Administrators

Alamogordo, New Mexico - City Manager - 2009  
Aztec, New Mexico - City Manager - 2009  
Bangor, Maine - City Manager - 2010  
Birmingham, Michigan - City Manager - 2010  
Bloomfield, New Mexico - City Manager - 2010  
Boulder, Colorado - City Manager - 2008  
Bridgeport, Texas - City Administrator - 2010  
Charlotte, North Carolina - City Manager - 2008  
Cleburne, Texas - City Manager - 2011  
College Park, Georgia - City Manager - 2008  
Columbia, South Carolina - City Manager - 2009  
Decatur, Illinois - City Manager - 2008  
Dublin, Ohio - City Manager - 2008  
Durham, North Carolina - City Manager - 2008  
Erie, Colorado - Town Administrator - 2011  
Fairfield, Iowa - City Administrator - 2010  
Florence, South Carolina - City Manager - 2011  
Fort Smith, Arkansas - City Administrator - 2008  
Fountain Hills, Arizona - Town Manager - 2011  
Glendale, Arizona - Assistant City Manager - 2010  
Glendale, Arizona - Deputy City Manager - 2010  
Goldsboro, North Carolina - City Manager - 2011  
Hampton, Virginia - City Manager - 2009  
Holland, Michigan - City Manager - 2011  
Hyattsville, Maryland - City Administrator - 2010  
Indian Trail, North Carolina - Town Manager - 2009  
Jacksonville, North Carolina - City Manager - 2010  
Lake Worth, Florida - City Manager - 2009  
Las Vegas, New Mexico - City Manager - 2009  
League City, Texas - City Administrator - 2009  
League City, Texas - Assistant City Manager for Public Works - 2009  
Lee=s Summit, Missouri - City Manager - 2008  
Littleton, Colorado - City Manager - 2011

Macon, Georgia - Chief Administrative Officer - 2008  
Midland, Texas - City Manager - 2008  
 Mooresville, North Carolina - Town Manager - 2008  
Muscatine, Iowa - City Administrator - 2009  
Newburgh, New York - City Manager - 2010  
North Myrtle Beach, South Carolina - City Manager - 2010  
North Myrtle Beach, South Carolina - Assistant City Manager - 2008  
Oak Ridge, Tennessee - City Manager - 2010  
Overland Park, Kansas - City Manager - 2010  
Paducah, Kentucky - City Manager - 2010  
Petoskey, Michigan - City Manager - 2009  
Pompano Beach, Florida - City Manager - 2009  
Port Arthur, Texas - City Manager - 2011  
Village of Questa, New Mexico - Village Administrator - 2011  
Raton, New Mexico - City Manager - 2011  
Richmond, Virginia - Chief Administrative Officer - 2009  
Rockport, Texas - City Manager - 2011  
Sheridan, Colorado - City Manager - 2011  
Snellville, Georgia - City Manager - 2008  
South Miami, Florida - City Manager - 2010  
Talladega, Alabama - City Manager - 2008  
Timnath, Colorado - Town Manager - 2011  
Trophy Club, Texas - Town Manager - 2010  
Villa Park, Illinois - Village Manager - 2011  
Winchester, Virginia - City Manager - 2011  
Woodstock, Georgia - City Manager - 2008

### **County Managers/Administrators**

Bernalillo County, New Mexico - County Manager - 2011  
Butler County, Ohio - County Administrator - 2011  
Charleston County, South Carolina - County Administrator - 2008  
Horry County, South Carolina - County Administrator - 2009  
Long County, Georgia - County Administrator - 2008  
Mesa County, Colorado - County Administrator - 2011  
Oconee County, South Carolina - County Administrator - 2010  
Orange County, North Carolina - County Manager - 2009  
Park County, Colorado - County Administrator - 2011  
Sarasota County, Florida - County Administrator - 2011  
Sumter County, Georgia - County Administrator - 2011  
Union County, North Carolina - County Manager - 2008



## **Attorneys/Legal**

Ann Arbor, Michigan - City Attorney (Limited Scope Search) - 1995  
Boulder, Colorado - City Attorney - 2003  
Broomfield City and County, Colorado - City Attorney - 2004  
Cuyahoga Metropolitan Housing Authority - General Counsel (Limited Scope Search) - 1998  
Cuyahoga Metropolitan Housing Authority - Labor/Management Attorney (Limited Scope Search) - 1998  
Glendale, Arizona - City Attorney (Limited Scope Search) - 2000  
Glendale, Arizona - City Attorney - 2004  
Greensboro, North Carolina - City Attorney - 2011  
Lee's Summit, Missouri - City Attorney - 2008  
Littleton, Colorado - City Attorney - 2008  
Livermore, California - Assistant City Attorney - 2001  
Livermore, California - Deputy City Attorney - 2000  
Longmont, Colorado - City Attorney - 2008  
Monroe, North Carolina - City Attorney - 2001  
Newport News, Virginia - City Attorney - 1995  
Orange County, North Carolina - County Attorney - 2008  
Pinetop-Lakeside, Arizona - Town Attorney - 2007  
Thornton, Colorado - City Attorney - 1990  
Thornton, Colorado - City Attorney - 1987  
Tucson, Arizona - City Attorney - 2004  
Virginia Beach, Virginia - City Attorney - 1989  
York, Pennsylvania - Business Administrator & Assistant Solicitor - 2000



January 10, 2013

Dylan Drake  
Department of Human Resources  
Lee County, FL

Dear Mr. Drake:

Thank you for your invitation to provide information on our approach to the executive recruitments for County Manager and County Attorney.

**CORPORATE HISTORY** - Our firm was founded in 1988 under the name of The Waters Consulting Group, Inc. Since that time we have evolved into a nationwide HR Consulting firm as one of the largest privately-held organizations with a focus on city and county organizations. In addition to executive recruitment, we offer services related to compensation/classification studies, performance assessments, and organizational development.

**RELEVANT EXECUTIVE RECRUITMENTS** - The attached list provides our recruitments for city/county management and attorney recruitments during the last five years.

**CONSULTING STAFF** - If selected for these important assignments, the bios for the recruitment team are attached.

**PROPOSED SCHEDULE** - Attached is a sample Timeline. An important note of emphasis is that we can commit to deliver a list of highly-qualified candidates (semi-finalists) to the Board within 50 days from the commencement of the recruitment project. From this list the Board will be able to select finalists for on-site interviews.

**PROPOSED FEE** - The all-inclusive professional fee for one recruitment would be **\$23,500**. This fee includes all services and expenses, including professional services, administrative support services, advertising, recruitment brochure production/distribution, travel expense of the Lead Consultants, printing.

If selected for both recruitments, the second recruitment would be offered at a 20% discount or an all-inclusive professional fee of **\$18,800**.

Please let me know if you need additional information. We would consider it to be a professional privilege to provide these services to the Board.

Sincerely,

Charles S. Anderson  
Chief Executive Officer  
Executive Recruitment Division

Relevant Recruitments

ORGANIZATION	POSITION
Alexandria, VA	Assistant City Manager
Arlington, TX	Deputy City Manager
Baytown, TX	City Manager
Bee Cave, TX	City Administrator
Bend, OR	City Manager
Brookings, SD	City Manager
Buda, TX	City Manager
Bullhead, AZ	City Manager
Canton, TX	City Manager
Charlotte, NC (current project)	City Manager
College Station, TX	Assistant City Manager
Commerce, CO	City Manager
Corpus Christi, TX	Assistant City Manager of Development Services
Denton, TX	Assistant City Manager
El Paso, TX	Deputy City Manager
Emporia, KS	City Manager
Farmers Branch, TX	City Manager
Fate, TX	City Manager
Fayetteville, NC	Assistant City Manager
Forney, TX	City Manager
Fort Myers, FL	Assistant City Manager
Fort Worth, TX	Assistant City Manager (x3)
Fort Worth, TX	City Manager
Fountain, CO	City Manager
Friendswood, TX	City Manager

Gatesville, TX	City Manager
Granbury, TX	City Manager
Grand Rapids, MI	City Manager
Great Falls, MT	City Manager
Greenwich, CT	Town Administrator
Highland Park, TX	Town Administrator
Hobbs, NM	City Manager
Horseshoe Bay, TX	City Manager
Kerrville, TX	City Manager
Killeen, TX	Assistant City Manager
Kingsville, TX	City Manager
La Grande, OR	City Manager
Lancaster, CA	Assistant City Manager
LaPorte, TX	City Manager
Loudoun, County of (VA)	County Administrator
Maple Valley, WA	City Manager
Marana, AZ	Deputy Town Manager
Maricopa, AZ	City Manager
McKinney, TX	City Manager
Mercer Island, WA	Deputy City Manager
Missouri City, TX	Assistant City Manager
Mount Pleasant, TX	City Manager
Nederland, TX	City Manager
New Braunfels, TX	Assistant City Manager
North Richland Hills, TX	Assistant City Manager
Pflugerville, TX	City Manager
Pinellas County, FL	County Administrator
Pittsburg, TX	City Manager

Ramsey, MN	City Administrator
Richardson, TX	Assistant City Manager
Roanoke, VA	Assistant City Manager
Sachse, TX	City Manager
Sanford, FL	City Manager
Sanger, TX	City Manager
Sealy, TX	City Manager
Soldotna, AK	City Manager
The Colony, TX	City Manager
Tomball, TX	City Manager
Troy, MI	City Manager
Vestavia Hills, AL	City Manager
Virginia Beach, VA	Assistant City Manager
Watauga, TX	City Manager
Abilene, City of (TX)	City Attorney
Arlington, City of (TX)	City Manager
Collier, County of (FL)	County Attorney
Lee's Summit, City of (MO)	City Attorney
Missouri City, City of (TX)	City Attorney
New Braunfels, City of (TX)	City Attorney
San Marcos, City of (TX)	City Attorney
TMRS	City Attorney
Jefferson County, AL	County Manager
Fredericksburg, TX	City Manager
Abilene, Texas	City Manager City Attorney

Ann Arbor, Michigan	City Attorney City Manager
Arlington, Texas	City Attorney Deputy City Manager
Beaumont, Texas	Assistant City Manager City Manager (2)
Bellevue, Washington	City Attorney (2) City Manager (3)
Blaine, Minnesota	City Manager
Bothell, Washington	Assistant City Manager City Manager
Boulder, Colorado	City Manager
Brooklyn Park, Minnesota	City Manager
Brownsville, Texas	City Manager
Brownwood, Texas	City Manager
Cameron, Texas	City Manager
Canton, Texas	City Manager
Carrollton, Texas	City Manager
Casa Grande, Arizona	City Manager
Chandler, Arizona	Assistant City Manager
Chehalis, Washington	City Manager
Coalinga, California	City Manager
Commerce City, Colorado	City Manager
Corpus Christi, Texas	City Attorney City Manager
Corvallis, Oregon	City Manager
Covington, Washington	City Manager
Davis, California	City Manager

Denton, Texas	City Manager
Dubuque, Iowa	City Manager
Elmwood Park, Illinois	Village Manager
Emporia, Kansas	City Manager
Englewood, Colorado	City Manager
Evanston, Illinois	City Manager
Farmers Branch, Texas	City Manager
Federal Way, Washington	City Manager
Ferguson, Missouri	City Manager (2)
Forney, Texas	City Manager
Fort Collins, Colorado	City Manager Deputy City Manager
Fort Worth, Texas	City Attorney
Fountain, Colorado	City Manager
Fresno, California	Assistant City Manager
Friendswood, Texas	City Manager
Glendale, Arizona	Deputy City Manager
Greenville, South Carolina	Assistant City Manager City Manager
Gresham, Oregon	City Manager
Hobbs, New Mexico	City Manager
Huntsville, Texas	City Manager
Iowa City, Iowa	City Manager
Irving, Texas	City Manager (2)
Jasper, Texas	City Manager
Juneau, Alaska	City Manager

Kerrville, Texas	City Manager
Kilgore, Texas	City Manager
Kirkland, Washington	Assistant City Manager City Manager
La Grande, Oregon	City Manager
La Porte, Texas	City Manager
Lake Oswego, Oregon	City Manager
Lee's Summit, Missouri	City Attorney
Little Rock, Arkansas	City Manager
Longmont, Colorado	City Manager
Longview, Washington	City Manager
Loveland, Colorado	City Manager (2)
Lubbock, Texas	City Manager
Mercer Island, Washington	City Attorney City Manager
Midland, Texas	City Manager
Midlothian, Texas	City Manager
Mill Creek, Washington	City Manager
Missouri City, Texas	City Manager Assistant City Manager
Modesto, California	Deputy City Manager
Mount Prospect, Illinois	Village Manager
Mt. Pleasant, Texas	City Manager
Murphy, Texas	City Manager
New Braunfels, Texas	City Attorney
Newcastle, Washington	City Manager
Norfolk, Virginia	Assistant City Manager



Norman, Oklahoma	City Manager
North Richland Hills, Texas	Assistant City Manager
Odessa, Texas	City Manager
Oregon City, Oregon	City Manager (2)
Paris, Texas	City Manager
Pearland, Texas	City Manager
Plano, Texas	Assistant City Manager (3) City Manager (2)
Port Arthur, Texas	City Manager
Puyallup, Washington	City Manager
Ramsey, Minnesota	City Manager
Roanoke, Virginia	Assistant City Manager
Roseville, Minnesota	City Manager
Saint Louis Park, Minnesota	City Manager (2)
San Angelo, Texas	City Manager
San Benito County, California	County Counselor/County Attorney
San Diego, California	Deputy City Manager
San Marcos, Texas	City Attorney
Sanger, Texas	City Manager
Snyder, Texas	City Manager
Sugar Land, Texas	Assistant City Manager (2)
Sachse, Texas	City Manager
San Jose, California	Assistant City Manager
Seatac, Washington	City Manager
Springfield, Ohio	City Manager
Sugar Land, Texas	City Attorney

Sunnyvale, California	Assistant to the City Manager Deputy City Manager – Organizational Effectiveness
Terrell, Texas	City Manager
Thornton, Colorado	City Attorney
Tomball, Texas	City Manager
Virginia Beach, VA	Assistant City Manager/CFO
Waco, Texas	City Manager
Walla Walla, Washington	City Manager
Weatherford, Texas	City Manager
West Des Moines, Iowa	City Manager
West St. Paul, Minnesota	City Manager
Wrangell, Alaska	City Manager
Loveland, Colorado	City Manager (2)
Lubbock, Texas	City Manager
Mercer Island, Washington	City Attorney City Manager
Midland, Texas	City Manager
Midlothian, Texas	City Manager

## **CHARLES (CHUCK) S. ANDERSON | Chief Executive Officer**

Charles (Chuck) S. Anderson is the Chief Executive Officer for the Recruitment Division within the Waters Consulting Group (WCG). In this role he also is a senior consultant within the HR Consulting Division for projects related to organizational design and development, strategic planning, and leadership/management development.

Prior to joining the WCG, Chuck worked for local governments and public education, including City Manager for Dallas, Texas; Executive Director for the Dallas Area Rapid Transit (DART); and Executive Director for the Michigan Education Association.

Chuck also served as Director for Local Government Reform for the International City/County Association (ICMA), managing a U.S. government contract for the planning and delivery of technical assistance to local governments in Central and Eastern Europe. His last assignment in this role with ICMA was to recruit and supervise a team of technical consultants to assist in re-building local governments in Bosnia following agreement on the Dayton Accords.

During his service with the Michigan Education Association, Chuck also served as Senior Consultant for Urban  
i eme t i i St te cyand Social Research Institute u i

### **Areas of Expertise**

- Executive Recruitment
- Leadership/Management Development
- Organizational Design
- Organizational Development

### **Professional Accomplishments and Education**

Chuck received a Bachelor of Arts degree in political science and human resources management and a Masters of Public Administration degree from the University of Kansas. He received the prestigious L.P. Cookingham Award for Development of Young Professionals from the International City/County Management Association (ICMA) and the Minority and Women Advancement Award from the American Public Transit Association (APTA). He was also recognized as Public Administrator of the Year by the American Society of Public Administration (ASPA) and Outstanding Management Innovator (Honorable Mention) by ICMA. Chuck was recognized in 2007 with the Lifetime Achievement Award from his Public Administration Alumni Association at the University of Kansas.

## **JAMES NILS HOLGERSSON | Co-Lead Consultant**

### **Director of Business Development/Senior Consultant**

James (Jim) Nils Holgersson is a seasoned City Manager with more than 35 years experience in the Public Sector. His record as a key executive in six very diverse communities, across five states provides Jim with invaluable insights into the management challenges modern municipalities face and how to resolve them. Jim's extensive resume includes: Senior City Manager of Davenport, Iowa where he worked in personnel, budget and operations including labor negotiations; City Administrator of Germantown, Tennessee, a quickly growing community east of Memphis where he focused his attention on long-term planning and development, fiscal impact analysis and organizational development; City Manager of Kalamazoo, Michigan where he focused on economic development, redevelopment, and neighborhood development; City Manager of Waco, Texas where in addition to overall management responsibilities his special attention was on economic development and redevelopment, neighborhood organizing, long-term finance and organizational development including the implementation of a skill based pay plan; Executive Director of the Rapoport Foundation, a Texas based non-profit that seeks innovative solutions to intractable and persistent problems and strives to cultivate emerging talents and promising models, where he worked to connect and leverage community resources; Deputy City Manager of San Jose, California where his primary responsibility was the development of neighborhood centric city service delivery, overseeing the operating departments that provide services to the neighborhoods; and finally, City Manager of Arlington Texas where Jim oversaw the development of Cowboy Stadium and guided the organization through the 2008 fiscal crisis.

Jim joined the Waters Consulting Group Inc. in 2012.

#### **Areas of Expertise**

- Organizational Development
- Executive Recruitment
- Human Resource Management
- Labor Relations
- Performance Management
- Workforce Development
- Financial Management
- Long-Term Planning and Strategic Implementation

#### **Professional Accomplishments and Education**

M.P.A., University of Arkansas 1978; B.A., Augustana College 1973

- International City Management Association, Texas City Management Association, Past President
- Tennessee City Management Association, Michigan City Management Association, Iowa City Management Association, Past Chairman ICMA Center for Performance management
- Board Member of The Alliance For Innovation
- Past Chair of the ICMA Committee on Diversity

## ANDREA BATTLE SIMS | Co-Lead Consultant/Senior Consultant

Andrea Battle Sims has been working in executive recruitment for over eleven years, managing all phases of the recruitment process for public sector executives, including: County/City and Assistant County/City Managers, Human Resources Directors, Police Chiefs, Chief Information Officers, Library Directors, City/County Attorneys, Parks & Recreation Directors, Finance Directors and Workforce Development Executive Directors.

Andrea is an experienced professional with over twenty years of prior experience in Information Technology, IT Audit and Management experience in both the public and private sector. Her local government leadership roles include serving as the IT Director at Cleveland Public Schools with a staff of 50; Deputy Director of IT at Cuyahoga County with a staff of 70. In addition, her county experience includes creating a start-up venture to sell public computer access to the legal community. Ms. Sims has held management positions at AT&T, Progressive Insurance, and National City Bank managing IT projects as well as IT professionals, along with serving as an internal consultant/auditor.

### Areas of Expertise

- Executive Recruitment
- Recruitment and Retention Training
- Diversity-based Recruitment and Retention
- Information Technology Leadership
- Organizational Assessment
- Strategic Planning and Implementation
- Project Management
- Process Improvement
- Change Management

### Professional Accomplishments and Education

Andrea Battle Sims holds a Bachelor of Science in Business Administration from the University of Georgia and a Master of Science in Operations Research from The Wharton School at the University of Pennsylvania, Philadelphia, Pennsylvania. In addition, her post-graduate education includes numerous executive development seminars and certification from the Leadership Academy at Cleveland State University, the Anderson School at UCLA and the Gartner Group. Ms. Sims is currently a member of the Board of Trustees at the Gathering Place; American Cancer Society, Cuyahoga Unit; Junior League of Cleveland, along with leadership positions with the Links, Inc., the Spelman Alumnae Association, and Delta Sigma Theta, Inc.

**LEE COUNTY, FL  
EXECUTIVE RECRUITMENTS  
SAMPLE TIMELINE**

The following Timeline represents a preliminary schedule for your executive recruitments based on a commencement date of February 1, 2013. Actual target dates will be developed together with and approved by the Board for Lee County.

<b>Activity</b>	<b>Target Date</b>
<ul style="list-style-type: none"> <li>The Waters Consulting Group (WCG) Completes On-Site Interviews to Develop Candidate Profile and Recruitment Brochure; Lee County (County) Approves Ad Placement Schedule and Timeline.</li> </ul>	February 1, 2013
<ul style="list-style-type: none"> <li>WCG Sends Draft Recruitment Brochure to County.</li> </ul>	February 8, 2013
<ul style="list-style-type: none"> <li>District Returns Draft Recruitment Brochure (with edits) to WCG.</li> </ul>	February 15, 2013
<ul style="list-style-type: none"> <li>WCG Commences Executive Recruitment Advertising and Marketing.</li> </ul>	February 18, 2013
<ul style="list-style-type: none"> <li>WCG Commences Formal Review of Applications and Sends Most Promising Applicants a Candidate Questionnaire to Provide Additional Information about Background and Experience.</li> </ul>	March 4, 2013
<ul style="list-style-type: none"> <li>WCG Completes Formal Review of Applications and Sends Selected Resumes and Questionnaire Responses to the County for Review.</li> </ul>	March 18, 2013
<ul style="list-style-type: none"> <li>WCG Meets with County and Recommends Semi-Finalists; County Selects Finalists for On-Site Interviews.</li> </ul>	March 22, 2013
<ul style="list-style-type: none"> <li>WCG Completes Reference Checks/Background Checks/Academic Verification for Finalists.</li> </ul>	March 29, 2013
<ul style="list-style-type: none"> <li>WCG Sends Documentation for Finalists to County.</li> </ul>	April 4, 2013
<ul style="list-style-type: none"> <li>County Conducts On-Site Interviews with Finalists.</li> </ul>	Week of April 8, 2013
<ul style="list-style-type: none"> <li>County Extends Employment Offer to Finalist.</li> </ul>	Week of April 8, 2013

# **Lee County – Executive Recruitment Responses**

## **Background of firm including years of operation**

Affion Public is the result of a merger of Arcus Public, a nationally recognized executive search firm and Affinity Technology Consultants, an experienced technology advisory and consulting services company.

We are deeply rooted in the public sector, providing technology consulting and human resources consulting and strategies for state and local government, education and non-profit organizations since 2000.

Affion Public brings extensive experience and expertise to every assignment by providing comprehensive human resource and technology consulting strategies. Whether it's finding the perfect candidate for a key position, providing classification and compensation or assembling a seasoned team of technology operations people to tackle a tough problem, Affion Public has the solution.

Our Executive Search Division specializes in identifying the nation's best and brightest executives, and delivering those individuals to our Public Sector Clients. Our Partners are typically state, county, city, and government organizations as well as non-profits. Recognized as a leader in public sector executive searches, Affion has attained "preferred" vendor status or an exclusive relationship with the majority of its client partners.

Affion's corporate headquarters is located in the heart of downtown Harrisburg, PA.

## **Key accomplishments including a list of similar recruitments within past 5 years**

### **City Manager Recruitment History:**

- City of Ann Arbor, MI (2011)
- City of Austin, TX (2008)
- City of Broken Arrow, OK (2009, 2012)
- City of Columbia, MO (2011)
- City of Corpus Christi, TX (2008)
- City of Galveston, TX (2011)
- City of Hollywood, FL (2011)
- City of Huntsville, TX (2008)
- City of Irving, TX (2006)
- City of Leander, TX (2011)
- City of McKinney, TX (2008)
- City of Morgantown, WV (2010)
- City of North Richland Hills, TX (2009)
- City of Plano, TX (2011)
- City of Round Rock, TX (2011)
- City of San Antonio, TX (2006)
- City of San Marcos, TX (2008)
- City of Savannah, GA (2010)
- City of Springfield, MO (2008)

### **City Attorney Recruitment History:**

- City of Irving, TX (2007)

### **Description of staff to be assigned**

#### **Scott Reilly, CEO, Affion Public**

Scott will be responsible for Quality Assurance during the length of your project. During the engagement, he will be responsible for ensuring the success of the process.

Scott, previously the Vice President of Arcus Public, has more than 20 years experience in Sales, Executive Recruiting and Technology. His depth of knowledge and experience placing top executives and technology professionals enables him to lead the talented group of professionals at Affion Public. Throughout his tenure in the public sector, he has been responsible for leading the engagement process and successfully placing more than 100 professionals in key roles. He's worked in the trenches performing the searches, as well as in leadership roles guiding his team and building relationships with clients while at the helm. He truly understands and appreciates the intricacies of the market, and as CEO for Affion Public, he is responsible for the strategic direction and approach of each of the firm's key service areas.

Scott has been a speaker/presenter on various topics nationally working with leading government officials; to help identify opportunities for technology research and share best practices as well as executive search forums. He was named a founding Honorary Alumni to the Harrisburg University of Science and Technology first graduating class. He currently serves as the vice-chairman of the Derry Township Municipal Authority and has been an active member on the Hershey Country Club Board of Governors. Scott was also recognized by the Central Penn Business Journal as one of the region's Top 40 Under 40.

Scott has been directly involved with all Executive level searches through Arcus Public and Affion Public since 2003.

#### **Gina Sprowls, Recruiting Manager**

Gina will be dedicated to your project. During the engagement, she will provide the direction and coordination for the recruitment efforts to ensure that the profile of the ideal candidate is adhered to so that the best candidate is hired for the job.

Gina will be responsible for identifying, profiling, and the initial screening of candidates. She will assist in coordinating interviews, soliciting feedback, and conducting professional reference checks. Additionally, her role will include qualifying potential candidates, conducting interviews of candidates and may be involved in the presentation of the final candidates to the stakeholders for consideration.

Gina brings over ten years of diverse experience in recruitment, sales and management. She offers a strong background in Human Resources with an emphasis on executive level recruitment and training. Her recruitment career has crossed over several industries including the Public Sector, Technology, Finance, Healthcare, Sales and Education. She has worked on multiple executive level searches for clients across the nation and is known for building and maintaining excellent relationships with her candidates.

Throughout her career, she has focused her professional development towards recruitment and training. In recruitment, she has learned to appreciate the relationships she forms with her candidates, the structured interview process and the attention to detail required to be a successful recruiter. In training, Gina has helped write and create competency-based job descriptions, employee handbooks and training manuals. She has taught training classes ranging from traditional classroom style to assisting in E-Learning programs with an emphasis on professional and leadership development.

Gina has been directly involved with all Executive level searches through Arcus Public and Affion Public since January, 2008.



**Proposed schedule**

<b>Timeframe</b>	<b>Activity</b>
Day 1	<ul style="list-style-type: none"> <li>• Affion to negotiate and finalize contract</li> </ul>
Day 10	<ul style="list-style-type: none"> <li>• Facilitate a meeting to discuss timelines, recruitment process and plan for completing the Position and Candidate Profiles</li> <li>• Affion to meet with identified stakeholders to begin the due diligence process</li> <li>• Conduct Public Forums if needed</li> <li>• Simultaneous industry research taking place</li> </ul>
Day 15	<ul style="list-style-type: none"> <li>• Affion presents draft of Profile</li> </ul>
Day 20	<ul style="list-style-type: none"> <li>• Finalize Profile</li> </ul>
Day 20	<ul style="list-style-type: none"> <li>• Search Firm conducts recruitment to include:               <ul style="list-style-type: none"> <li>○ Journals, personal contacts, Websites, etc.</li> <li>○ Place advertisements</li> <li>○ Review resumes</li> </ul> </li> </ul>
Conducted on a weekly basis	<ul style="list-style-type: none"> <li>• Progress Report—check for quality and diversity of applicants. Determine need to target any specific group or area.</li> </ul>
Day 45	<ul style="list-style-type: none"> <li>• Review and qualify all potential candidates</li> </ul>
Day 65	<ul style="list-style-type: none"> <li>• Affion concludes the recruitment campaign</li> </ul>
Day 70	<ul style="list-style-type: none"> <li>• Review and finalize candidate selection to be presented</li> </ul>
	<ul style="list-style-type: none"> <li>• References for finalists are contacted</li> <li>• Background checks completed</li> <li>• Internet and media searches conducted on finalists</li> </ul>
Day 75	<ul style="list-style-type: none"> <li>• Presentation of 6-8 candidates to the Selection Panel</li> <li>• Affion will facilitate a review of the final candidates</li> </ul>
Day 85	<ul style="list-style-type: none"> <li>• Conduct first round of candidate interviews with the Search Committee and key stakeholders</li> </ul>
	<ul style="list-style-type: none"> <li>• Finalize decision on the candidate of choice and negotiate employment agreement with the candidate</li> </ul>
Day 90	<ul style="list-style-type: none"> <li>• Successful Candidate accepts offer of employment</li> </ul>

**Proposed fee schedule.....and would there be any type of discount if your firm were selected to conduct both searches**

**Full Executive Search:**

Affion executive searches are full-service searches conducted by senior executives within our firm. The fee we have outlined herein is all inclusive of all phases of the search including stakeholder meetings, profile development, job postings, sourcing, recruitment, interviewing, reference checking, and candidate offer negotiation.

- Individual Fee for County Manager: \$18,000
- Individual Fee for County Attorney: \$18,000
- Total expenses for individual searches will not exceed: \$5,000
  
- Combined Fee for both County Manager and County Attorney positions: \$30,000
- Total expenses for both searches will not exceed: \$7,000

Expenses will be billed at actual cost and include all Affion personnel travel, job postings, candidate background checks, internet and media searches and community meetings and video conferencing as required.

Additional expenses, which are not included in the overall fee but are expected to be reimbursed by the City of Lee, include all candidate travel expenses for the purpose of interviews with the City of Lee. This will vary depending on the location of the finalist selected.

While invoice procedures can be adjusted, our typical billing practice is to spread the fee payment over three equal installments. (One-third to be billed when the contract is signed, one-third to be billed upon presentation of the Final Candidates, and the last one-third to be billed upon the hiring of the desired Candidate.) Adjustments to our payment and billing processes are negotiable in order to best accommodate our Clients' needs. With regards to expenses, the actual, approved expenses will be billed upon completion of the search services. These expenses typically include all Affion travel, hotel, advertisements and brochures proposed for the executive search.

**Guarantee:**

As with all of our executive searches, we are prepared to offer our standard professional service guarantee. If the hired candidate is asked to leave for reasons of non-performance, or leaves of his/her own volition in the first 24 months of employment, we will re-launch a search for a new candidate, under the original position specifications. In such a case, we will do so for no additional professional fee, though charging expenses as provided for in the original agreement. It is our commitment to partner with you from the initial signing of the contract until the candidate accepts and offer and begins employment.

Executive Recruitment Search

# COUNTY MANAGER

Lee County, FL



# COUNTY MANAGER

Lee County, FL

January 9, 2013

VIA ELECTRONIC MAIL

Mr. Dylan Drake  
Lee County Government  
Human Resources Generalist  
2115 Second St.  
Fort Myers, FL 33901

Dear Mr. Drake:

Alliance Resource Consulting is pleased to submit this proposal to assist Lee County in its efforts to recruit and screen candidates for the position of County Manager. Enclosed is our proposal which outlines how we would partner with your organization to recruit the best individuals. We will describe our proposed approach and the steps we will take to accomplish the recruitment within your desired timeframe. If you desire some modification of our work program, we would be pleased to discuss this with you.

Alliance Resource Consulting's corporate motto is "The Power of Partnership." We take this seriously and have built our reputation on providing services of the highest quality. Alliance Resource Consulting was formed in 2004 when our executive search consultants acquired the highly regarded executive search practice of one of the largest public sector consulting/government services companies in the United States. With the innovative use of technology and a commitment to forming enduring partnerships with our clients, Alliance Resource Consulting is committed to setting a new standard for the industry.

We do not have any potential conflicts of interest from past recruitments or relationships. We will be happy to answer any additional questions you may have. We look forward with great interest to working with you on this very important assignment.

Sincerely,



Sherrill Uyeda  
Founding Partner

**SOUTHERN CALIFORNIA OFFICE**  
400 OCEANGATE, SUITE 510  
LONG BEACH, CA 90802  
TEL: (562) 901-0769 • FAX: (562) 901-3082

**NORTHERN CALIFORNIA OFFICE**  
228 HAMILTON AVENUE, 3<sup>RD</sup> FLOOR  
PALO ALTO, CALIFORNIA 94301  
TEL: (650) 296-1032 • FAX: (650) 521-0024

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# COUNTY MANAGER

Lee County, FL

## 1 – OUR UNDERSTANDING

It is our understanding that Lee County wishes to engage an executive search firm to assist in the County Manager recruitment.

The County Manager is appointed by and reports to the Lee County Commissioners. The County Manager implements the policies and programs of the Board and provides general management of county government.

Alliance Resource Consulting prides itself on its commitment to customer service to both the client and the candidates.

## 2 – FIRM QUALIFICATIONS



### 2.1 Project Team

In 2004, Alliance Resource Consulting acquired the national executive recruiting practice of MAXIMUS. We are committed to providing our clients with the highest caliber of service in the industry. Our team of dedicated professionals utilizes custom-built state-of-the-art technology in conducting a search.

We are based out of Long Beach, California and are the only firm in California to provide unlimited on-site visits to in-state clients. We also have an office in Palo Alto, California and Tampa Bay, Florida.

Our current staffing is:

- Sherrill Uyeda** – Founding Partner
- David McDonald** – Regional Director
- Syldy Tom** – Manager
- Cindy Krebs** - Senior Consultant
- Richard Kaplan** – Research Consultant
- Geoff Gambling** – Research Consultant
- Linda Kann** – Special Projects and Graphics Manager

Sherrill Uyeda, David McDonald and Syldy Tom will work on this recruitment. Biographies can be found in Appendix C and references can be found in Appendix D.

### 2.2 Our Experience

We believe we are exceptionally well qualified to assist you. We have extensive nationwide experience recruiting chief executives for local government ranging from small to large organizations.

We recently completed the chief executive recruitments for the City of Compton (CA), City of Bellflower (CA), City of Tigard (OR), City of Norwalk (CA), City of Hillsboro (OR), City of Seal Beach (CA), City of El Segundo (CA), City of Moreno Valley (CA) and the City of Sanger (CA).

In addition, we have completed the following recruitments:

- City Manager – City of Stockton, CA
- City Manager – City of Santa Monica, CA
- City Manager – City of Pacific Grove, CA
- City Manager – City of Anaheim, CA
- City Manager – City of Sanger, CA
- Chief Administrative Officer – Butte County, CA
- City Manager – City of Carlsbad, CA
- City Manager – City of Compton, CA
- Assistant City Manager – City of Concord, CA
- Assistant City Manager – City of Dallas, TX
- City Manager – City of Gaithersburg, MD
- City Manager – City of Hesperia, CA
- City Manager – City of Inglewood, CA
- Assistant City Manager – City of Irvine, CA
- City Manager – City of La Palma, CA
- Assistant City Manager – City of Lancaster, CA
- City Manager – City of Monterey Park, CA
- Chief Administrative Officer – Los Angeles County, CA
- City Manager – City of Long Beach, CA
- City Administrator – City of Placentia, CA
- City Manager – City of San Bernardino, CA
- City Manager – City of San José, CA
- City Manager – City of Yorba Linda, CA

Our ability to carry out the work required is heavily dependent on our past experience in providing similar services to others, and we expect to continue such work in the future. It should be noted that all of these recruitments were completed on time and within budget.

We will preserve the confidential nature of any information received from you or developed during the work in accordance with our established professional standards.

We assure you that we will devote our best efforts to carrying out the work required. The results obtained, our recommendations and any written material we provide will be our best judgment based on the information available to us and our liability, if any shall not be greater than the amount paid to us for the services rendered.

## *2.3 Advantages of Our Firm*

Relative to your present search requirements, we believe the principal advantages in using our firm and what may differentiate us from the others are:

- Our track record of success in placing superior senior level executives in particularly sensitive and highly responsible/accountable positions.
- Our specialization in public sector executive search on a nationwide basis.
- Our extensive experience recruiting chief executives in local government.
- Our PROACTIVE recruitment of candidates who may not be seeking new employment and would not normally respond to routine advertising or who may come from non-traditional sources.

# COUNTY MANAGER

Lee County, FL



- Our ability to develop and meet a recruitment timeline to fit your needs.
- The quality of our work and the fact that most of our clients have retained our services on more than one engagement.
- Our proven ability to identify and recommend qualified female and minority candidates.
- Our reputation among clients and candidates for timely communication and documentation (e.g., acknowledgement of receipt of candidate application, client status reports, candidate interviews, client meetings and candidate feedback).
- The thoroughness of our documented reference, internet and background checks. We request very specific references from candidates and supplement our reports with information gathered from available information sources such as Lexis- Nexis, Google web, images and blog searches, and newspapers.
- Our ability to conduct a recruitment at the cost proposed. We have never charged a client more than our proposed amount.

## 3 – RECRUITMENT METHODOLOGY & APPROACH

Alliance Resource Consulting believes that we are an extension of your organization. As such, we work within your expectations and guidelines. Our objective is to find the best qualified candidates. While notices in professional journals may be helpful, many of the best candidates must be sought out and their interest encouraged. Our general familiarity with the County, knowledge of the field and our relationships with professional organizations make us well qualified to assist you.

Our clients have found that we are able to:

- Develop the appropriate specifications for a position.
- Encourage the interest of top-level people who would otherwise be reluctant to respond to an advertisement.
- Preserve the confidentiality of inquiries, consistent with State public disclosure and open meeting laws.
- Save a considerable amount of time for client staff in developing and responding to candidates.
- Protect the confidentiality of the information discussed with or received from the client.
- Build consensus among those involved in the hiring process.
- Independently and objectively assess the qualifications and suitability of candidates for the particular position for which we are recruiting.
- Adhere to client's budget expectations.

If you desire to retain us for a full and thorough recruitment process, we will do the following for your recruitment:

### *3.1 Strategy Development*

We will interview members of the Search Committee and other client contacts to obtain a detailed understanding of the position, key goals and challenges, and organizational culture. We will also discuss expectations regarding desirable training, experience and personal characteristics of candidates. In addition, should you request it, we will conduct/facilitate community outreach meetings and focus group discussions.

We also have experience creating and managing community surveys, should the County want input from its constituents. We will also gather/review relevant information about the County, such as budgets, organization and/or department goals, organization charts, etc.

Once our findings have been summarized, we will submit a Recruitment Profile with the desired qualifications and characteristics for your approval. The Recruitment Profile that will be sent to potential candidates will include information about the County, the job and the criteria established by you.



## *3.2 Active Recruitment*

Once you have approved the Recruitment Profile, we will actively seek out individuals who meet the client's expectations. To achieve the best response, we will take a three-prong approach to attracting candidates:

1. **Direct Contact** – We will mail invitations and recruitment profiles to targeted individuals in comparable organizations at the appropriate level. These invitations will be followed up with direct phone calls to potential candidates to gauge interest.
2. **Internal “Job Alert”** – Over the past eight years, we have developed an active database of over 18,000 candidates who are active in various public sector positions. We will send a new “job alert” to all our registered users in the Alliance Resource Consulting candidate application program. Prospective candidates will be contacted via email with a link to the PDF version of the Recruitment Profile.
3. **Advertisements** – We will place job advertisements in the appropriate professional journals and on-line sites.

As a matter of corporate policy, we do not discriminate against any applicant for employment on the basis of race, religion, creed, age, color, marital status, sex, sexual preference, disabilities, medical condition, veteran status or national origin. A substantial percentage of the placements made by our firm have been minority or female candidates.

Frequent communication with our clients is a hallmark of our firm. While consultants will provide regular updates on the progress of your search, you will also be able to access up-to-date ‘real time’ information regarding your search from our secure website.

## *3.3 Candidate Evaluation*

We will review, acknowledge and evaluate all resumes received. Candidate evaluation will begin with an analysis based upon criteria contained in the Recruitment Profile, information contained in the resumes submitted to us, and our knowledge of the people and organizations in which they work.

The next phase in candidate evaluation will be based upon additional information we receive from the qualified group of candidates. We will utilize various resources and tools of the firm such as written supplemental information questionnaires. Telephone interviews will be conducted with the most promising candidates to gain a better understanding of their backgrounds.

## *3.4 Progress Report Meeting*

After the resume deadline, we will assemble and submit a progress report of the leading candidates to you. This report will include summary resumes, supplemental information, and the original resumes of those candidates we believe to be best qualified for the position. Supplemental information on a candidate typically includes: the size of the organization for which the person works, reporting relationships, budget responsibility, the number of people supervised, related experience and reasons for interest in the position. Any other specific information will be dictated by the criteria set forth in the Recruitment Profile.

The purpose of our progress report is two-fold. It allows you an opportunity to review the candidates prior to the conclusion of the search and allows us to receive feedback on the caliber of the candidates recruited. In this way, you will not be surprised by the candidates, as you will have seen their qualifications prior to the final interviews. In addition, at

this point we will have conducted a news article/periodical records check and internet check on each of the presented candidates. Of course, we are flexible and may consider other individuals as final candidates who are subsequently identified and were not included in the progress report.

### *3.5 Preliminary Interviews*

We will interview (either in person or via video-conference) those candidates identified by you to be the leading candidates. We will conduct a preliminary interview with questions that focus on the selection criteria. Additionally, we will verify degrees and certifications continue to monitor newspaper articles and internet mentions using Lexis-Nexis and the internet.

As part of our process in evaluating candidates, we make telephone reference checks. In conducting these references, it is our practice to speak directly with individuals who are, or have been, in a position to evaluate the candidate's performance on the job. These references and our evaluations provide you with a frank, objective appraisal of the candidates. We will conduct preliminary references on candidates to be interviewed, and will finalize these for the top one or two candidates.

### *3.6 Client Interviews & Interview Books*

We will assist you in scheduling final candidates for interview with your organization, and will send the candidates packets of information which we obtain from you should you request it (e.g., information about the organization and the geographic area, budgets, etc.).

We will prepare final Interview Books for the selection panel. These books will include interviewing/selection tips, suggested interview questions, and rating forms for your use. Candidates will not be ranked, for we believe it will then be a matter of chemistry between you and the candidates.

We will also be on-site for the interview day(s). We will brief the interview panel at the start of the interviews and will facilitate the process throughout the day. After the last candidate interview, we will assist you in a "debriefing" immediately following the interviews. Once we finalize references on the top one or two candidates, and conduct credit/criminal/civil litigation/motor vehicle record checks through an outside service, we will provide you with a detailed, Candidate Evaluation Report Summary written report.

### *3.7 Special Assistance*

Our efforts do not conclude with presentation of the final report. We are committed to you until a successful placement is made. Services that are routinely provided include:

- Arranging the schedule of interviews and the associated logistics for final candidates.
- Advising on starting salary, fringe benefits, relocation trends and employment packages.
- Acting as a liaison between client and candidate in discussing offers and counter offers.
- Conducting a final round of reference checking with current employers (if not previously done for reasons of confidentiality).
- Notifying unsuccessful candidates, who were not recommended for interview, of the decision.
- Following up with the client and the selected candidate once he/she has joined the organization to ensure a smooth transition.



# COUNTY MANAGER

Lee County, FL

## 4 – OUR CLIENT’S ROLE

The client has a very important role in the recruitment process. While we may identify and recommend qualified candidates, it is the client who must make the decision about which candidate to hire.

In order to insure that the best candidates are available from which to choose, our clients should be willing to do the following:

- Clearly inform us about matters relevant to the search that you wish to keep confidential (e.g., salary, personnel issues, and other privileged information).
- Supply us with the names of people you have previously interviewed/ considered for this position.
- Forward to us copies of the resumes you receive, to avoid duplication of effort.
- Provide feedback to Alliance Resource Consulting regarding the information and recommendations provided by us;
- Promptly decide upon and follow up in scheduling interviews with the most promising candidates.
- Assist in providing information to candidates that will enable them to make their career decisions.
- Uphold confidentiality (while respecting relevant state laws about open disclosure) to protect the integrity of the recruitment process, as well as the candidate’s involvement.

By doing the above, we will maximize the likelihood of mutual success.

Finally, please be reminded that the United States Immigration Reform and Control Act of 1986 requires that all employers verify an employee’s eligibility to work in the United States. Since Alliance Resource Consulting cannot serve as your agent in this matter, your hiring process should include this verification procedure.

## 5 – PROJECTED TIMELINE

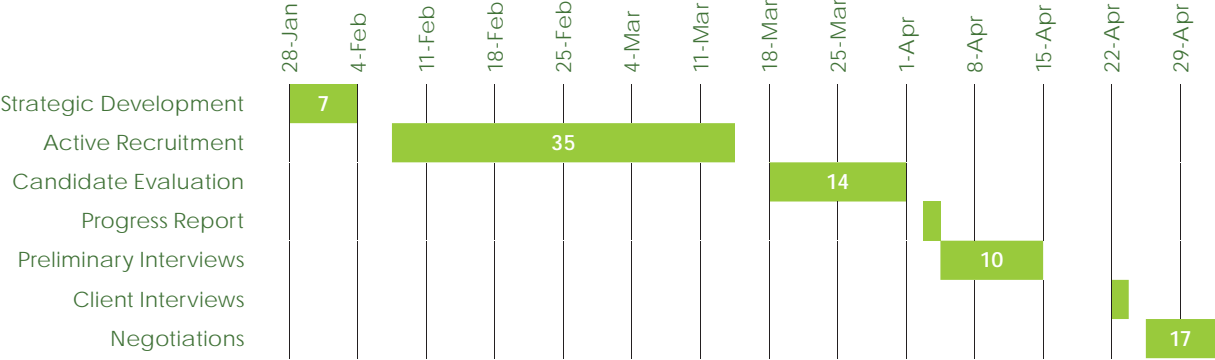
The following is a typical schedule to conduct a thorough recruitment. However, we would be pleased to modify this to meet your needs:

1st Week	Meet with the appropriate individuals to gather background information.
2nd - 3rd Week	Develop and obtain approval for the Recruitment Profile. Develop a list of potential candidates to target. Prepare and place advertisements, if desired.
4th - 9th Week	Active recruitment--solicit, receive and acknowledge resumes.
10th Week	Evaluate resumes and gather supplemental information. Submit progress report and meet with you to review leading candidates.
11th Week	Verify degrees and certifications, conduct preliminary references and interview the best qualified candidates.
12th - 14th Week	Submit final report and initiate the interview process with you.
Following Interviews	Finalize references, conduct credit/criminal/civil litigation/ motor vehicle record checks, and assist with negotiations.



# COUNTY MANAGER

Lee County, FL



## 6 – ALLIANCE ADVANTAGES

### 6.1 Technology

Alliance Resource Consulting is the only firm to utilize a custom-built “online” client/candidate management system. This custom system allows candidates to input their resumes and cover letters on our website. (For candidates who wish to email or mail us a hard copy of their resume, we will input the information for them.) One of the benefits of our system is that our consultants are able to access this information regardless of where they are staffed. In addition, our client contact is assigned a username and password and is able to check the latest applicant list in real-time.

One of our strengths is our use of social media to best market the recruitment. We have active accounts on Twitter and Facebook. The use of social media allows us to contact our network and “followers” to alert them to our recruitment announcements, informational updates and reminders. It allows us to stay one step ahead of our competitors.

Alliance Resource Consulting is always searching for new ways technology can help us save our client’s money. One way we do this is our use of Skype. Should we have to videoconference a candidate, we are able to use a webcam and videoconference our candidates for free. Our innovative ways have set us apart from our more traditional competitors.

### 6.2 Diversity Outreach

Striving for diversity in our recruitments is a hallmark of our firm. We use a variety of sources for outreach to various minority communities to ensure the desired diversity of our candidate pool. In addition to our personal contacts in various minority communities, we advertise our positions in publications that target minorities in government and further publicize the position through minority organizations such as Blacks in Government and the International Hispanic Network. To ensure a diverse pool, we also create a recruiting list of qualified candidates from communities that have a comparable level of diversity as our client’s community.

We have created lists for comparable diversity during recruitments for the City Manager for the City of Compton (CA), the City of Tigard (OR), the Assistant City Manager/Chief Operating Officer for the City of Ventura (CA), and the Assistant City Manager for the City of Irvine, CA. The final pool for the City of Irvine included three women among the six finalists. We also collect Equal Employment Opportunity (EEO) information on our candidate pool. This information is accessible to our clients in real time on our company website.



# COUNTY MANAGER

Lee County, FL

### 6.3 Stakeholder Outreach

Our firm has used several methods, including stakeholder meetings, community forums and surveys, for stakeholder outreach in a number of previous recruitments. For example, for the City of San José’s City Manager recruitment, our consultants facilitated 13 community outreach meetings where citizens were invited to attend and express their opinions about what they were looking for in city manager candidates. For the recruitment of the City Manager for the City of Alexandria (VA), we also met with special interest groups such as business leaders, Chamber of Commerce members and historic preservation groups.

During the recruitment of the City Administrator for the City of Huntington Beach (CA), the consultants met with each councilperson, each department head, conducted an open citizen forum and a forum for a group of stakeholders comprised of two citizens recommended by each councilperson. For the City Manager recruitment conducted for the City of Moreno Valley (CA), the consultants conducted a community panel as well. Our previous experience in stakeholder outreach makes our firm very qualified to conduct the meetings with the Mayor’s Office and City Council Members as well as facilitate multiple stakeholder outreach forums throughout the City that your request for proposal outlined.

Lastly, our firm has significant experience in creating community surveys should you wish to provide this option to your community. We have utilized surveys for many of our recruitments. Last year, for the first time, we provided a survey to our client’s citizens in three different languages. The surveys can be accessed on-line, or at our office and our client’s office.

## 7 – RECRUITMENT COSTS

We provide local clients with unlimited on-site client meetings. The three major client meetings will be: one to develop the Recruitment Profile, one to present our Progress Report, and one to attend interviews of final candidates. We propose a professional fee of \$17,000 for the work outlined above. In addition, we are reimbursed for expenses such as for advertising, travel, interviewing, sourcing, support services, background checks and other related items, as well as allocated costs such as telephone, postage and photocopying. These expenses will not exceed \$7,500. Please note that this amount does not include reimbursement of candidates who travel to be interviewed by you. Unless you notify us to the contrary, we will assume that you will handle these reimbursements directly.

Our fee will be split between four invoices. The first invoice is an “engagement fee” of \$2,000 and will be due once the professional services agreement has been signed. After that, we will submit three equal monthly invoices for the remaining fees, plus an amount for expenses, due and payable upon receipt. We do NOT base our fees on a percentage of the County Manager’s salary.

Our billing schedule on a retained professional fee (and based not on an hourly rate) is as follows:

<b>1st Billing</b>	Due upon signing of the contract	Engagement Fee	\$2,000
<b>2nd Billing</b>	Due upon our submittal of a draft recruitment profile	First third of work completed	\$5,000
<b>3rd Billing</b>	Due after we meet and submit our Progress Report to you	Second third of work completed	\$5,000
<b>4th Billing</b>	Due after the County conducts interviews with finalists	Last third of work completed	\$5,000

Please note that this is a standard billing schedule and can be modified as requested.

# COUNTY MANAGER

Lee County, FL



You may discontinue this assignment at any time by written notification. In the unlikely event that this occurs, you will be billed for all expenses incurred to the date of the cancellation, and for professional fees based upon the time elapsed from the commencement of the assignment to the date of cancellation. If a cancellation occurs within the first 30 days of the assignment, following either verbal or written authorization to proceed, one-third of the professional fee will be due. If a cancellation occurs thereafter, the fee beyond the first one-third will be prorated based upon the number of calendar days which have elapsed. If a cancellation occurs after 90 days, all professional fees will be due in full.

## Guarantee

We are committed to working with you until a placement is made, however, if the selected candidate (if recommended by us for hire, and other than an internal candidate) should be terminated within one year from the date of hire, we will redo the search for no additional professional fee. Naturally, we would expect to be reimbursed for any expenses that might be incurred.

## 8 – ALLIANCE SUMMARY

Thank you for reviewing our proposal. Should you decide to retain Alliance Resource Consulting for your executive search needs, we will do the following:

- Partner with you and act as an extension of your organization;
- Define a recruitment strategy and timeline, develop a recruitment profile and attract/research prospective candidates;
- Conduct a multi-layered candidate screening analysis on the applicants;
- Communicate frequently and on-time with both the client and candidates;
- Allow client contacts to access the recruitment database in real time from remote sites;
- Interview and screen leading finalists;
- Facilitate the client interview process; and
- Complete the candidate selection and closure of recruitment.

Our firm's motto is "the Power of Partnership" and we are committed to adding value to your organization's goals and mission. We bring an ethical, transparent and well-documented recruitment process to all our clients.

## 9 – CONTACT INFORMATION

**Sherrill Uyeda**           Office: (562) 901-0769 x331  
                                  Fax: (562) 901-3082  
Cell Phone: (310) 592-8847  
E-mail: [suyeda@alliancerc.com](mailto:suyeda@alliancerc.com)  
Skype: sherrill.uyeda.marquardt

**David McDonald**       Office: (562) 901-0769 x335  
                                  Fax: (562) 901-3082  
Cell Phone: (941) 650-7297  
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**Syldy Tom**               Office: (562) 901-0769 x334  
                                  Fax: (562) 901-3082  
Cell Phone: (310) 357-4776  
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Skype: syldytom

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Long Beach, CA 90802

### NORTHERN CALIFORNIA

228 Hamilton Avenue, 3rd Floor  
Palo Alto, CA 94301

### TAMPA BAY REGIONAL OFFICE

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Bradenton, FL 34209

[www.allianceRC.com](http://www.allianceRC.com)

 [twitter.com/AllianceRC](https://twitter.com/AllianceRC)

 Alliance Resource Consulting, LLC



# COUNTY MANAGER

Lee County, FL

## APPENDIX-A

Chief Executive Searches for General Purpose Local Governments Clients of Alliance Resource Consulting\*

### ARIZONA, STATE OF

Coconino County	County Manager
Glendale, City of	City Manager
Maricopa County	County Administrative Officer
Mesa, City of	City Manager
Scottsdale, City of	City Manager
Tucson, City of	City Manager

### CALIFORNIA, STATE OF

Albany, City of	City Administrator
Anaheim, City of	City Manager
Baldwin Park, City of	City Manager
Buellton, City of	City Manager
Butte County	County Administrative Officer
Campbell, City of	City Manager
Carson, City of	City Administrator
Cathedral City, City of	City Manager
Chino Hills, City of	City Manager
Citrus Heights, City of	City Manager
Coachella, City of	City Manager
Concord, City of	City Manager
Contra Costa County	County Administrator
Corona, City of	City Manager
Culver City, City of	Chief Administrative Officer
Cypress, City of	City Manager
Dana Point, City of	City Manager
Del Mar, City of	City Manager
Desert Hot Springs, City of	City Manager
Diamond Bar, City of	City Manager
East Palo Alto, City of	City Manager
El Cajon, City of	City Manager
El Dorado County	Chief Administrative Officer
El Segundo, City of	City Manager
Encinitas, City of	City Manager
Fairfield, City of	City Manager
Fontana, City of	City Manager
Fresno, City of	City Manager
Fresno County	County Administrative Officer
Glendora, City of	City Manager
Grover Beach, City of	City Administrator





# COUNTY MANAGER

Lee County, FL

Hanford, City of	City Manager
Hawthorne, City of	City Manager
Hemet, City of	City Manager
Hercules, City of	City Manager
Hesperia, City of	City Manager
Hidden Hills, City of	City Manager
Humboldt County	Chief Administrative Officer
Huntington Beach, City of	City Administrator
Indio, City of	City Manager
Inglewood, City of	Administrative Officer
Irwindale, City of	City Manager
King City, City of	City Manager
La Quinta, City of	City Manager
Laguna Hills, City of	City Manager
Laguna Niguel, City of	City Manager
Lathrop, City of	City Manager
Lawndale, City of	City Manager
Lincoln, City of	City Administrator
Livermore, City of	City Manager
Lomita, City of	City Administrator
Long Beach, City of	City Manager
Los Alamitos, City of	City Manager
Los Altos Hills, Town of	City Manager
Los Angeles County	Chief Administrative Officer
Malibu, City of	City Manager
Mammoth Lakes, Town of	Town Manager
Marin County	County Administrator
Marina, City of	City Manager
Mariposa County	County Administrative Officer
Martinez, City of	City Manager
Marysville, City of	City Administrator
Menlo Park, City of	City Manager
Milpitas, City of	City Manager
Modesto, City of	City Manager
Monrovia, City of	City Manager
Monterey County	County Administrator
Monterey Park, City of	City Manager
Moreno Valley, City of	City Manager
Morgan Hill, City of	City Manager
Orange, City of	City Manager
Orinda, City of	City Manager
Oxnard, City of	City Manager
Palm Springs, City of	City Manager
Pleasanton, City of	City Manager

# COUNTY MANAGER

Lee County, FL

Pomona, City of	City Manager
Redding, City of	City Manager
Redlands, City of	City Manager
Riverside, City of	City Manager
Riverside County	County Administrative Officer
Sacramento County	County Executive
San Clemente, City of	City Manager
San Gabriel, City of	City Manager
San Jacinto, City of	City Manager
San Joaquin County	County Administrator
San Jose, City of	City Manager
San Luis Obispo County	County Administrative Officer
San Mateo County	County Manager
Santa Ana, City of	City Manager
Santa Clarita, City of	City Manager
Santa Monica, City of	City Manager
Selma, City of	City Manager
Shasta County	County Administrative Officer
Signal Hill, City of	City Manager
Solvang, City of	City Administrative Officer
South Lake Tahoe, City of	City Manager
South Pasadena, City of	City Manager
South San Francisco, City of	City Manager
Stanton, City of	City Manager
Stockton, City of	City Manager
Sunnyvale, City of	City Manager
Truckee, City of	City Manager
Tulare, City of	City Manager
Tulare County	County Executive
Turlock, City of	City Manager
Vallejo, City of	City Manager
Ventura County	Chief Administrative Officer
Visalia, City of	City Manager
Vista, City of	City Manager
Walnut, City of	City Manager
Walnut Creek, City of	City Manager
West Covina, City of	City Manager
West Hollywood, City of	City Manager
Westminster, City of	City Manager
Whittier, City of	City Manager
Woodland, City of	City Manager
Yorba Linda, City of	City Manager
Yucaipa, City of	City Manager

# COUNTY MANAGER

Lee County, FL

## COLUMBIA, DISTRICT OF

District of Columbia  
District of Columbia  
Responsibility & Management  
Assistance Authority

City Administrator/Deputy Mayor for Operations

Financial Chief Management Officer

## FLORIDA, STATE OF

Alachua County  
Bay County  
Boynton Beach, City of  
Clearwater, City of  
Fort Lauderdale, City of  
Gainesville, City of  
Hillsborough County  
Jupiter, Town of  
Key Biscayne, Village of  
Lee County  
Marion County  
Miami, City of  
Miami Beach, City of  
Miami—Dade County  
Naples, City of  
Ocala, City of  
Palm Beach, Town of  
Pensacola, City of  
Riviera Beach, City of  
Safety Harbor, City of  
Sarasota, City of  
Sarasota County  
St. Petersburg, City of

County Manager  
County Administrator  
City Manager  
City Manager  
City Manager\*\*  
City Manager  
County Administrator  
Town Manager  
Village Manager  
County Administrator  
County Administrator  
City Manager  
City Manager  
County Manager  
City Manager  
City Manager  
Town Manager  
City Manager  
City Manager  
City Manager  
City Manager  
City Manager  
County Administrator  
City Manager

## KANSAS, STATE OF

Emporia, City of  
Sedgwick County  
Wichita, City of

City Manager  
County Administrator  
City Manager

## MARYLAND, STATE OF

Columbia Association, The  
Prince George's County  
Rockville, City of

President/Chief Executive Officer  
Chief Administrative Officer  
City Manager (1985)

# COUNTY MANAGER

Lee County, FL

## MICHIGAN, STATE OF

Ann Arbor, City of	City Administrator (1979)
Bay City, City of	City Manager
Berkley, City of	City Manager
Branch County	County Manager
Essexville, City of	City Manager
Grand Rapids, City of	City Manager
Kalamazoo, City of	City Manager
Kalamazoo County	County Administrator
Saginaw, City of	City Manager
Sandstone, City of	City Manager
St. Joseph, City of	City Manager
Washtenaw County	County Administrator
Ypsilanti, City of	City Manager

## OREGON, STATE OF

Eugene, City of	City Manager
Grants Pass, City of	City Manager
Hillsboro, City of	City Manager
Lake Oswego, City of	City Manager
Medford, City of	City Manager
Milwaukie City of	City Manager
Ontario, City of	City Manager
Pendleton, City of	City Manager
Redmond, City of	City Manager
Roseburg, City of	City Manager
Salem, City of	City Manager
Tigard, City of	City Manager

## TEXAS, STATE OF

Brownsville, City of	City Manager
Bryan, City of	City Manager
Carrollton, City of	City Manager
Cedar Park, City of	City Manager
El Paso, City of	Chief Administrative Officer
Gaston County	County Manager
Georgetown, City of	City Manager
Grapevine, City of	City Manager
Longview, City of	City Manager
Orange, City of	City Manager
San Antonio, City of	City Manager
West University Place, City of	City Manager
Woodlands Community Service	President/Chief Executive



# COUNTY MANAGER

Lee County, FL

## VIRGINIA, STATE OF

Alexandria, City of	City Manager (2004)
Arlington County	County Manager
Chesapeake, City of	City Manager (1980) & (1984)
Chesterfield County	County Administrator (1981)
Fairfax County	County Executive
Richmond, City of	City Manager
Virginia Beach, City of	City Manager

## WASHINGTON, STATE OF

Bellevue, City of	City Manager
Kirkland, City of	City Manager
Normandy Park, City of	City Manager
Vancouver, City of	City Manager

\*Some searches were conducted by Alliance Resource Consulting when it was known as MAXIMUS Executive Search.

\*\*Searches in which we assisted with the recruitment process.

## APPENDIX-B

EAST COAST (US) CLIENTS OF ALLIANCE RESOURCE CONSULTING\*

### District of Columbia

- District of Columbia
- District of Columbia Financial Responsibility and Management Assistance Authority
- District of Columbia Water and Sewer Authority
- George Washington University
- National Association of Housing & Redevelopment Officials
- U.S. Communities
- Washington Suburban Sanitary Commission

### Florida

- Alachua County
- Bay County
- Bay County Tourist Development Council
- Boynton Beach, City of
- Broward County
- Clearwater, City of
- Fort Lauderdale, City of
- Gainesville, City of
- Hillsborough County
- Indian River, City of
- Indian River County
- Jacksonville Transportation Authority
- Jupiter, Town of
- Key Biscayne, Village of
- Lakeland, City of
- Lee County
- Marion County
- Miami, City of
- Miami Beach, City of
- Miami-Dade County
- Minority/Women Business Enterprise Alliance
- Naples, City of
- North Miami Beach, City of
- Ocala, City of
- Orange County
- Palm Beach County
- Palm Beach County Healthcare District
- Palm Beach, Town of
- Panama City, City of
- Pensacola, City of

# COUNTY MANAGER

Lee County, FL



Riviera Beach, City of  
Safety Harbor, City of  
Sarasota Bradenton Airport  
Sarasota, City of  
Sarasota County  
South Florida Water Management District  
Southwest Florida Water Management District  
St. Petersburg, City of  
Sunrise, City of  
Tallahassee, City of  
Tallahassee/Leon County

## Georgia

Albany, City of  
Alpharetta, City of  
Fulton County  
Lowndes County  
Shelby County  
Valdosta, City of  
Valdosta-Lowndes County Conference Center & Tourism Authority

## Maryland

Baltimore, City of  
Columbia Association, The  
Prince George's County  
Rockville, City of

## Massachusetts

Boston, City of

## North Carolina

Charlotte, City of  
Durham, City of  
Gaston County  
Greensboro, City of  
Greensboro Housing Authority  
Mecklenburg County  
Metropolitan Sewerage District of Buncombe County  
Orange Water and Sewer Authority  
Winston-Salem, City of  
Winston-Salem City/County Planning Board

# COUNTY MANAGER

Lee County, FL



## South Carolina

Greenville, City of  
Myrtle Beach, City of

## Virginia

Alexandria, City of  
Arlington County  
Charlottesville, City of  
Charlottesville/Albemarle Airport Authority  
Chesapeake, City of  
Chesterfield County  
Fairfax County  
Lynchburg, City of  
National Institute of Governmental Purchasing, Inc.  
Newport News, City of  
Norfolk, City of  
Norfolk-Portsmouth Empowerment Board  
Richmond, City of  
US Airways  
Virginia Beach, City of

\*Some were clients of Alliance Resource Consulting when it was known as MAXIMUS Executive Search.



## APPENDIX–C BIOGRAPHIES

### Sherrill A. Uyeda – Founding Partner

Sherrill Uyeda began her career in executive search in 1998 with Norman Roberts & Associates, Inc., which was acquired by MAXIMUS in 1999. She is currently a founding partner of Alliance Resource Consulting LLC. Ms. Uyeda has over thirteen years of public sector executive search experience and has completed over 500 recruitments. Ms. Uyeda's professional recruitment background covers all areas of public sector executive search, including city, state, and regional government with a successful track record of executive placements. She is experienced in recruiting in the fields of public utilities, public works, planning, medical, redevelopment, library, recreation, finance, human and social services, airports and port authorities. Past nationwide clients have included the Metropolitan Water District, District of Columbia Water and Sewer Authority, San Antonio Water System, Bay Area Rapid Transit District, Los Angeles World Airports, New Orleans International Airport, Nashville International Airport and Broward County, FL Department of Aviation.

Prior to her executive search experience, Ms. Uyeda worked for Burson-Marsteller. While at Burson-Marsteller, she worked within the Corporate Practice which focused on global perception management. She specialized in corporate communications and strategic positioning for companies such as Sony Pictures Entertainment and Gulfstream Netjets.

Ms. Uyeda graduated from the University of Southern California, with both a Bachelor of Arts degree in Communication Arts and Sciences and a Master of Public Administration degree.

### David L. McDonald – Regional Director

David L. McDonald has over 36 years of experience of continuous experience in the Maritime Industry. Mr. McDonald served as the Executive Director for Port Manatee, Florida. During his tenure, Mr. McDonald administered a \$250 million dollar port expansion project while limiting local investment to approximately \$20 million. The expansion included the addition of 2,200 linear feet of heavy duty deepwater docks requiring 6 million cubic yards of dredging. Over 700,000 square feet of dry and cold storage was created. Completion of the project resulted in a 50% increase in cargo moving capacity. Through January 2012, Mr. McDonald directed the ongoing \$750 million "North Pole" expansion at Port Manatee. Mr. McDonald administered the most successful seagrass transplant and mitigation effort in Florida's history and implemented a 3,500 acre inland port "Encouragement Zone" (EZ) to encourage public/private partnerships.

Mr. McDonald has worked with the state legislature and Congress on Maritime matters of state and national significance and has served an elected seven member Port Authority. Mr. McDonald served as a chairman for Florida Ports Council, board of director for American Association of Port Authorities, chairman for Florida Ocean Alliance, and chairman for Florida Ports Environmental Committee.

Mr. McDonald has a Professional Port Manager certificate from American Association of Port Authorities, a Master of Business Administration from the University of South Florida and a Bachelor of Arts Degree from Florida International University.

**COUNTY MANAGER**

Lee County, FL

**Syldy L. Tom – Manager**

Syldy Tom joined Alliance Resource Consulting in 2008. Previously, Ms. Tom worked for STAR Marquez, a nonprofit educational organization which provides enrichment programs to kindergarten aged children in public schools. During her time at STAR, Ms. Tom managed multiple enrichment programs. Ms. Tom also was the Citibank Summer Research Intern for United Way of Greater Los Angeles. She was responsible for researching the unbanked and underbanked population in Los Angeles for Citibank.

Since joining Alliance Resource Consulting, Ms. Tom has focused on administration, operations, maintenance and utility service recruitments. She also oversees the City of Los Angeles intern recruitment program for the Firm.

Ms. Tom has a Master of Public Administration from the University of Southern California, and a Bachelor of Arts Degree in Art History from the University of California at Los Angeles. At USC, she was the Marketing and Fundraising Co-Chair for the Graduate Policy and Administration Community (GPAC). In addition, Ms. Tom is a member of the UCLA Prytanean Alumnae Association, serving as the Benefit Chair, the Scholarship Chair, and is presently the Second Vice President of Membership for Prytanean. Ms. Tom's volunteer interests include fundraising and marketing.

## APPENDIX-D REFERENCES

### Broward County, FL

Name: Michael Chasin

Title: Staffing Manager, Human Resources Division

Phone #: (954) 357-6434

### Seminole County, FL

Name: Jim Hartmann

Title: County Manager

Phone #: (407) 665-7211

### Contra Costa County, CA

Name: Ted Cwiek

Title: Assistant County Administrator/Human Resources Director

Phone #: (925) 335-1754

### City of Alexandria, VA

Name: Steve Mason

Title: Assitant Director of Human Resources

Phone #: (703) 746-3772

Executive Recruitment Search

# COUNTY ATTORNEY

Lee County, FL



January 9, 2013

VIA ELECTRONIC MAIL

Mr. Dylan Drake  
Lee County Government  
Human Resources Generalist  
2115 Second St.  
Fort Myers, FL 33901

Dear Mr. Drake:

Alliance Resource Consulting is pleased to submit this proposal to assist Lee County in its efforts to recruit and screen candidates for the position of County Attorney. Enclosed is our proposal which outlines how we would partner with your organization to recruit the best individuals. We will describe our proposed approach and the steps we will take to accomplish the recruitment within your desired timeframe. If you desire some modification of our work program, we would be pleased to discuss this with you.

Alliance Resource Consulting's corporate motto is "The Power of Partnership." We take this seriously and have built our reputation on providing services of the highest quality. Alliance Resource Consulting was formed in 2004 when our executive search consultants acquired the highly regarded executive search practice of one of the largest public sector consulting/government services companies in the United States. With the innovative use of technology and a commitment to forming enduring partnerships with our clients, Alliance Resource Consulting is committed to setting a new standard for the industry.

We do not have any potential conflicts of interest from past recruitments or relationships. We will be happy to answer any additional questions you may have. We look forward with great interest to working with you on this very important assignment.

Sincerely,



Sherrill Uyeda  
Founding Partner

**SOUTHERN CALIFORNIA OFFICE**  
400 OCEANGATE, SUITE 510  
LONG BEACH, CA 90802  
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## 1 – OUR UNDERSTANDING

It is our understanding that Lee County wishes to engage an executive search firm to assist in the County Attorney recruitment.

The County Attorney's Office provides legal counsel and representation to the Board of County Commissioners, Port Authority, County Administration, and various boards and committees created by the Board of County Commissioners on such matters as the regulation, use and development of land; contracts, bidding and purchasing requirements; personnel compliance with State and Federal regulations; utility and general administrative issues; Government in the Sunshine, public records, public officials and employee ethics issues, and litigation.

Alliance Resource Consulting prides itself on its commitment to customer service to both the client and the candidates.

## 2 – FIRM QUALIFICATIONS



### 2.1 Project Team

In 2004, Alliance Resource Consulting acquired the national executive recruiting practice of MAXIMUS. We are committed to providing our clients with the highest caliber of service in the industry. Our team of dedicated professionals utilizes custom-built state-of-the-art technology in conducting a search.

We are based out of Long Beach, California and are the only firm in California to provide unlimited on-site visits to in-state clients. We also have an office in Palo Alto, California and Tampa Bay, Florida.

Our current staffing is:

**Sherrill Uyeda** – Founding Partner  
**David McDonald** – Regional Director  
**Syldy Tom** – Manager  
**Cindy Krebs** – Senior Consultant  
**Richard Kaplan** – Research Consultant  
**Geoff Gambling** – Research Consultant  
**Linda Kann** – Special Projects and Graphics Manager

Sherrill Uyeda, David McDonald and Syldy Tom will work on this recruitment. Biographies can be found in Appendix C and references can be found in Appendix D.

### 2.2 Our Experience

We believe we are exceptionally well qualified to assist you. We have extensive nationwide experience recruiting attorneys for governments ranging from small to large organizations. We recently completed the recruitments for the County Counsel for Los Angeles County (CA), County Counsel for Contra Costa County (CA) and General Counsel for Metrolink (CA).

In the last three years, we have completed the following recruitments:

- Public Defender – Contra Costa County, CA
- City Attorney – City of Anaheim, CA
- City Attorney – City of Alexandria, VA
- Deputy District Attorney – Imperial County, CA

Our ability to carry out the work required is heavily dependent on our past experience in providing similar services to others, and we expect to continue such work in the future. It should be noted that all of these recruitments were completed on time and within budget.

We will preserve the confidential nature of any information received from you or developed during the work in accordance with our established professional standards.

We assure you that we will devote our best efforts to carrying out the work required. The results obtained, our recommendations and any written material we provide will be our best judgment based on the information available to us and our liability, if any shall not be greater than the amount paid to us for the services rendered.

## *2.3 Advantages of Our Firm*

Relative to your present search requirements, we believe the principal advantages in using our firm and what may differentiate us from the others are:

- Our track record of success in placing superior senior level executives in particularly sensitive and highly responsible/accountable positions.
- Our specialization in public sector executive search on a nationwide basis.
- Our extensive experience recruiting attorneys in local government.
- Our PROACTIVE recruitment of candidates who may not be seeking new employment and would not normally respond to routine advertising or who may come from non-traditional sources.
- Our ability to develop and meet a recruitment timeline to fit your needs.
- The quality of our work and the fact that most of our clients have retained our services on more than one engagement.
- Our proven ability to identify and recommend qualified female and minority candidates.
- Our reputation among clients and candidates for timely communication and documentation (e.g., acknowledgement of receipt of candidate application, client status reports, candidate interviews, client meetings and candidate feedback).
- The thoroughness of our documented reference, internet and background checks. We request very specific references from candidates and supplement our reports with information gathered from available information sources such as Lexis- Nexis, Google web, images and blog searches, and newspapers.
- Our close proximity to you with a regional office in Tampa Bay.
- Our ability to conduct a recruitment at the cost proposed. We have never charged a client more than our proposed amount.

## **3 – RECRUITMENT METHODOLOGY & APPROACH**

Alliance Resource Consulting believes that we are an extension of your organization. As such, we work within your expectations and guidelines. Our objective is to find the best qualified candidates. While notices in professional journals may be helpful, many of the best candidates must be sought out and their interest encouraged. Our general familiarity with the County, knowledge of the field and our relationships with professional organizations make us well qualified to assist you.



Our clients have found that we are able to:

- Develop the appropriate specifications for a position.
- Encourage the interest of top-level people who would otherwise be reluctant to respond to an advertisement.
- Preserve the confidentiality of inquiries, consistent with State public disclosure and open meeting laws.
- Save a considerable amount of time for client staff in developing and responding to candidates.
- Protect the confidentiality of the information discussed with or received from the client.
- Build consensus among those involved in the hiring process.
- Independently and objectively assess the qualifications and suitability of candidates for the particular position for which we are recruiting.
- Adhere to client's budget expectations.

If you desire to retain us for a full and thorough recruitment process, we will do the following for your recruitment:

### *3.1 Strategy Development*

We will interview members of the Search Committee and other client contacts to obtain a detailed understanding of the position, key goals and challenges, and organizational culture. We will also discuss expectations regarding desirable training, experience and personal characteristics of candidates. In addition, should you request it, we will conduct/facilitate community outreach meetings and focus group discussions.

We also have experience creating and managing community surveys, should the County want input from its constituents. We will also gather/review relevant information about the County, such as budgets, organization and/or department goals, organization charts, etc.

Once our findings have been summarized, we will submit a Recruitment Profile with the desired qualifications and characteristics for your approval. The Recruitment Profile that will be sent to potential candidates will include information about the County, the job and the criteria established by you.

### *3.2 Active Recruitment*

Once you have approved the Recruitment Profile, we will actively seek out individuals who meet the client's expectations. To achieve the best response, we will take a three-prong approach to attracting candidates:

1. **Direct Contact** – We will mail invitations and recruitment profiles to targeted individuals in comparable organizations at the appropriate level. These invitations will be followed up with direct phone calls to potential candidates to gauge interest.
2. **Internal “Job Alert”** – Over the past eight years, we have developed an active database of over 18,000 candidates who are active in various public sector positions. We will send a new “job alert” to all our registered users in the Alliance Resource Consulting candidate application program. Prospective candidates will be contacted via email with a link to the PDF version of the Recruitment Profile.
3. **Advertisements** – We will place job advertisements in the appropriate professional journals and on-line sites.

As a matter of corporate policy, we do not discriminate against any applicant for employment on the basis of race, religion, creed, age, color, marital status, sex, sexual preference, disabilities, medical condition, veteran status or national origin. A substantial percentage of the placements made by our firm have been minority or female candidates.

Frequent communication with our clients is a hallmark of our firm. While consultants will provide regular updates on the progress of your search, you will also be able to access up-to-date 'real time' information regarding your search from our secure website.

### *3.3 Candidate Evaluation*

We will review, acknowledge and evaluate all resumes received. Candidate evaluation will begin with an analysis based upon criteria contained in the Recruitment Profile, information contained in the resumes submitted to us, and our knowledge of the people and organizations in which they work.

The next phase in candidate evaluation will be based upon additional information we receive from the qualified group of candidates. We will utilize various resources and tools of the firm such as written supplemental information questionnaires. Telephone interviews will be conducted with the most promising candidates to gain a better understanding of their backgrounds.

### *3.4 Progress Report Meeting*

After the resume deadline, we will assemble and submit a progress report of the leading candidates to you. This report will include summary resumes, supplemental information, and the original resumes of those candidates we believe to be best qualified for the position. Supplemental information on a candidate typically includes: the size of the organization for which the person works, reporting relationships, budget responsibility, the number of people supervised, related experience and reasons for interest in the position. Any other specific information will be dictated by the criteria set forth in the Recruitment Profile.

The purpose of our progress report is two-fold. It allows you an opportunity to review the candidates prior to the conclusion of the search and allows us to receive feedback on the caliber of the candidates recruited. In this way, you will not be surprised by the candidates, as you will have seen their qualifications prior to the final interviews. In addition, at this point we will have conducted a news article/periodical records check and internet check on each of the presented candidates. Of course, we are flexible and may consider other individuals as final candidates who are subsequently identified and were not included in the progress report.

### *3.5 Preliminary Interviews*

We will interview (either in person or via video-conference) those candidates identified by you to be the leading candidates. We will conduct a preliminary interview with questions that focus on the selection criteria. Additionally, we will verify degrees and certifications continue to monitor newspaper articles and internet mentions using Lexis-Nexis and the internet.

As part of our process in evaluating candidates, we make telephone reference checks. In conducting these references, it is our practice to speak directly with individuals who are, or have been, in a position to evaluate the candidate's performance on the job. These references and our evaluations provide you with a frank, objective appraisal of the candidates. We will conduct preliminary references on candidates to be interviewed, and will finalize these for the top one or two candidates.

### *3.6 Client Interviews & Interview Books*

We will assist you in scheduling final candidates for interview with your organization, and will send the candidates packets of information which we obtain from you should you request it (e.g., information about the organization and the geographic area, budgets, etc.).

We will prepare final Interview Books for the selection panel. These books will include interviewing/selection tips, suggested interview questions, and rating forms for your use. Candidates will not be ranked, for we believe it will then be a matter of chemistry between you and the candidates.

We will also be on-site for the interview day(s). We will brief the interview panel at the start of the interviews and will facilitate the process throughout the day. After the last candidate interview, we will assist you in a “debriefing” immediately following the interviews. Once we finalize references on the top one or two candidates, and conduct credit/criminal/civil litigation/motor vehicle record checks through an outside service, we will provide you with a detailed, Candidate Evaluation Report Summary written report.

### *3.7 Special Assistance*

Our efforts do not conclude with presentation of the final report. We are committed to you until a successful placement is made. Services that are routinely provided include:

- Arranging the schedule of interviews and the associated logistics for final candidates.
- Advising on starting salary, fringe benefits, relocation trends and employment packages.
- Acting as a liaison between client and candidate in discussing offers and counter offers.
- Conducting a final round of reference checking with current employers (if not previously done for reasons of confidentiality).
- Notifying unsuccessful candidates, who were not recommended for interview, of the decision.
- Following up with the client and the selected candidate once he/she has joined the organization to ensure a smooth transition.

## 4 – OUR CLIENT’S ROLE

The client has a very important role in the recruitment process. While we may identify and recommend qualified candidates, it is the client who must make the decision about which candidate to hire.

In order to insure that the best candidates are available from which to choose, our clients should be willing to do the following:

- Clearly inform us about matters relevant to the search that you wish to keep confidential (e.g., salary, personnel issues, and other privileged information).
- Supply us with the names of people you have previously interviewed/ considered for this position.
- Forward to us copies of the resumes you receive, to avoid duplication of effort.
- Provide feedback to Alliance Resource Consulting regarding the information and recommendations provided by us;
- Promptly decide upon and follow up in scheduling interviews with the most promising candidates.
- Assist in providing information to candidates that will enable them to make their career decisions.
- Uphold confidentiality (while respecting relevant state laws about open disclosure) to protect the integrity of the recruitment process, as well as the candidate’s involvement.

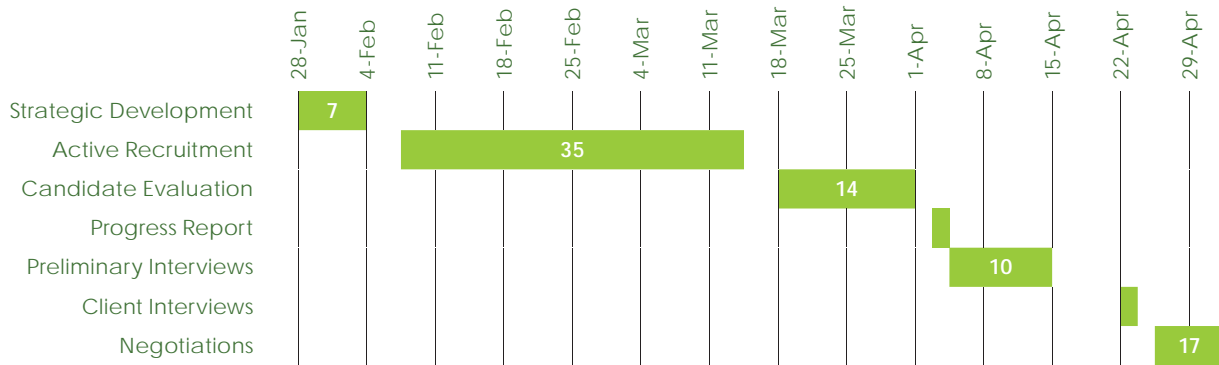
By doing the above, we will maximize the likelihood of mutual success.

Finally, please be reminded that the United States Immigration Reform and Control Act of 1986 requires that all employers verify an employee’s eligibility to work in the United States. Since Alliance Resource Consulting cannot serve as your agent in this matter, your hiring process should include this verification procedure.

## 5 – PROJECTED TIMELINE

The following is a typical schedule to conduct a thorough recruitment. However, we would be pleased to modify this to meet your needs:

<b>1st Week</b>	Meet with the appropriate individuals to gather background information.
<b>2nd - 3rd Week</b>	Develop and obtain approval for the Recruitment Profile. Develop a list of potential candidates to target. Prepare and place advertisements, if desired.
<b>4th - 9th Week</b>	Active recruitment--solicit, receive and acknowledge resumes.
<b>10th Week</b>	Evaluate resumes and gather supplemental information. Submit progress report and meet with you to review leading candidates.
<b>11th Week</b>	Verify degrees and certifications, conduct preliminary references and interview the best qualified candidates.
<b>12th - 14th Week</b>	Submit final report and initiate the interview process with you.
<b>Following Interviews</b>	Finalize references, conduct credit/criminal/civil litigation/motor vehicle record checks, and assist with negotiations.



## 6 – ALLIANCE ADVANTAGES

### 6.1 Technology

Alliance Resource Consulting is the only firm to utilize a custom-built “online” client/candidate management system. This custom system allows candidates to input their resumes and cover letters on our website. (For candidates who wish to email or mail us a hard copy of their resume, we will input the information for them.) One of the benefits of our system is that our consultants are able to access this information regardless of where they are staffed. In addition, our client contact is assigned a username and password and is able to check the latest applicant list in real-time.

One of our strengths is our use of social media to best market the recruitment. We have active accounts on Twitter and Facebook. The use of social media allows us to contact our network and “followers” to alert them to our recruitment announcements, informational updates and reminders. It allows us to stay one step ahead of our competitors.

Alliance Resource Consulting is always searching for new ways technology can help us save our client's money. One way we do this is our use of Skype. Should we have to videoconference a candidate, we are able to use a webcam and videoconference our candidates for free. Our innovative ways have set us apart from our more traditional competitors.

## *6.2 Diversity Outreach*

Striving for diversity in our recruitments is a hallmark of our firm. We use a variety of sources for outreach to various minority communities to ensure the desired diversity of our candidate pool. In addition to our personal contacts in various minority communities, we advertise our positions in publications that target minorities in government and further publicize the position through minority organizations such as Blacks in Government and the International Hispanic Network. To ensure a diverse pool, we also create a recruiting list of qualified candidates from communities that have a comparable level of diversity as our client's community.

We have created lists for comparable diversity during recruitments for the City Manager for the City of Compton (CA), the City of Tigard (OR), the Assistant City Manager/Chief Operating Officer for the City of Ventura (CA), and the Assistant City Manager for the City of Irvine, CA. The final pool for the City of Irvine included three women among the six finalists. We also collect Equal Employment Opportunity (EEO) information on our candidate pool. This information is accessible to our clients in real time on our company website.

## *6.3 Stakeholder Outreach*

Our firm has used several methods, including stakeholder meetings, community forums and surveys, for stakeholder outreach in a number of previous recruitments. For example, for the City of San José's City Manager recruitment, our consultants facilitated 13 community outreach meetings where citizens were invited to attend and express their opinions about what they were looking for in city manager candidates. For the recruitment of the City Manager for the City of Alexandria (VA), we also met with special interest groups such as business leaders, Chamber of Commerce members and historic preservation groups.

During the recruitment of the City Administrator for the City of Huntington Beach (CA), the consultants met with each councilperson, each department head, conducted an open citizen forum and a forum for a group of stakeholders comprised of two citizens recommended by each councilperson. For the City Manager recruitment conducted for the City of Moreno Valley (CA), the consultants conducted a community panel as well. Our previous experience in stakeholder outreach makes our firm very qualified to conduct the meetings with the Mayor's Office and City Council Members as well as facilitate multiple stakeholder outreach forums throughout the City that your request for proposal outlined.

Lastly, our firm has significant experience in creating community surveys should you wish to provide this option to your community. We have utilized surveys for many of our recruitments. Last year, for the first time, we provided a survey to our client's citizens in three different languages. The surveys can be accessed on-line, or at our office and our client's office.

## 7 – RECRUITMENT COSTS

We provide local clients with unlimited on-site client meetings. The three major client meetings will be: one to develop the Recruitment Profile, one to present our Progress Report, and one to attend interviews of final candidates. We propose a professional fee of \$17,000 for the work outlined above. In addition, we are reimbursed for expenses such as for advertising, travel, interviewing, sourcing, support services, background checks and other related items, as well as allocated costs such as telephone, postage and photocopying. These expenses will not exceed \$7,500. Please note that this amount does not include reimbursement of candidates who travel to be interviewed by you. Unless you notify us to the contrary, we will assume that you will handle these reimbursements directly.

Our fee will be split between four invoices. The first invoice is an “engagement fee” of \$2,000 and will be due once the professional services agreement has been signed. After that, we will submit three equal monthly invoices for the remaining fees, plus an amount for expenses, due and payable upon receipt. We do NOT base our fees on a percentage of the County Attorney’s salary.

Our billing schedule on a retained professional fee (and based not on an hourly rate) is as follows:

<b>1st Billing</b>	Due upon signing of the contract	Engagement Fee	\$2,000
<b>2nd Billing</b>	Due upon our submittal of a draft recruitment profile	First third of work completed	\$5,000
<b>3rd Billing</b>	Due after we meet and submit our Progress Report to you	Second third of work completed	\$5,000
<b>4th Billing</b>	Due after the County conducts interviews with finalists	Last third of work completed	\$5,000

*Please note that this is a standard billing schedule and can be modified as requested.*

You may discontinue this assignment at any time by written notification. In the unlikely event that this occurs, you will be billed for all expenses incurred to the date of the cancellation, and for professional fees based upon the time elapsed from the commencement of the assignment to the date of cancellation. If a cancellation occurs within the first 30 days of the assignment, following either verbal or written authorization to proceed, one-third of the professional fee will be due. If a cancellation occurs thereafter, the fee beyond the first one-third will be prorated based upon the number of calendar days which have elapsed. If a cancellation occurs after 90 days, all professional fees will be due in full.

### Guarantee

We are committed to working with you until a placement is made, however, if the selected candidate (if recommended by us for hire, and other than an internal candidate) should be terminated within one year from the date of hire, we will redo the search for no additional professional fee. Naturally, we would expect to be reimbursed for any expenses that might be incurred.

## 8 – ALLIANCE SUMMARY

Thank you for reviewing our proposal. Should you decide to retain Alliance Resource Consulting for your executive search needs, we will do the following:

- Partner with you and act as an extension of your organization;
- Define a recruitment strategy and timeline, develop a recruitment profile and attract/research prospective candidates;
- Conduct a multi-layered candidate screening analysis on the applicants;
- Communicate frequently and on-time with both the client and candidates;
- Allow client contacts to access the recruitment database in real time from remote sites;
- Interview and screen leading finalists;
- Facilitate the client interview process; and
- Complete the candidate selection and closure of recruitment.

Our firm's motto is "the Power of Partnership" and we are committed to adding value to your organization's goals and mission. We bring an ethical, transparent and well-documented recruitment process to all our clients.

## 9 – CONTACT INFORMATION

**Sherrill Uyeda**            Office: (562) 901-0769 x331  
                                    Fax: (562) 901-3082  
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Skype: sherrill.uyeda.marquardt

**David McDonald**        Office: (562) 901-0769 x335  
                                    Fax: (562) 901-3082  
Cell Phone: (941) 650-7297  
E-mail: [dmcDonald@alliancerc.com](mailto:dmcDonald@alliancerc.com)

**Syldy Tom**                Office: (562) 901-0769 x334  
                                    Fax: (562) 901-3082  
Cell Phone: (310) 357-4776  
E-mail: [stom@alliancerc.com](mailto:stom@alliancerc.com)  
Skype: syldytom



# COUNTY ATTORNEY

Lee County, FL

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**HEADQUARTERS**

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**NORTHERN CALIFORNIA**

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Palo Alto, CA 94301

**TAMPA BAY REGIONAL OFFICE**

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Bradenton, FL 34209

[www.allianceRC.com](http://www.allianceRC.com)

 [twitter.com/AllianceRC](https://twitter.com/AllianceRC)

 Alliance Resource Consulting, LLC



## APPENDIX-A

Legal Counsel, Correction and Court Clients of Alliance Resource Consulting\*

### LEGAL COUNSEL

Alameda-Contra Costa Transit District, CA	General Counsel
Arcadia, CA, City of	City Attorney
Arlington County, VA	County Attorney
Bakersfield, CA, City of	City Attorney
Beverly Hills, CA, City of	City Attorney
Broward County, FL	County Attorney
Burbank, CA, City of	City Attorney
Chula Vista, CA, City of	City Attorney**
Concord, CA, City of	City Attorney
Contra Costa County, CA	County Counsel
Culver City, CA, City of	City Attorney
Dayton, OH, City of	Chief Prosecutor
East Palo Alto, CA, City of	City Attorney
Fremont, CA, City of	City Attorney
Fresno, CA, City of	City Attorney
Gardena, CA, City of	City Attorney
Lake County, FL	County Counsel
Los Alamos County, NM	County Attorney
Los Angeles County, CA	County Attorney
Los Angeles County Metropolitan Transportation Authority, CA	General Counsel
Los Angeles County Transportation Commission, CA	Director of Contracts (Attorney)
Los Angeles County Transportation Commission, CA	Senior Manager of Contracts (Attorney)
Los Angeles County Transportation Commission, CA	Manager of Contracts (Attorney)
Monterey County, CA	County Counsel
Morgan Hill, CA, City of	City Attorney
Mountain View, CA, City of	City Attorney
Orange County Water District, CA	General Counsel
Otay Water District, CA	General Counsel
Palo Alto, CA, City of	City Attorney
Palo Alto, CA, City of	Senior Assistant City Attorney
Pasadena, CA, City of	City Attorney
Pleasanton, CA, City of	Assistant City Attorney
Redding, CA, City of	Assistant City Attorney
Sacramento, CA, City of	City Attorney
Sacramento Regional Transit, CA	Chief Legal Counsel
Salinas, CA, City of	City Attorney



# COUNTY ATTORNEY

Lee County, FL

San Buenaventura, CA, City of  
 San Diego County Water Authority, CA  
 San Jose, CA, City of  
 San Juan Capistrano, CA, City of  
 San Luis Obispo, CA, City of  
 Santa Barbara, CA, City of  
 Santa Clara County, CA  
 Santa Clara County Transportation Agency, CA  
 Silverthorn, CO, City of  
 South Lake Tahoe, CA, City of  
 South San Francisco, CA, City of  
 Stockton, CA, City of  
 Sunnyvale, CA, City of  
 Torrance, CA, City of  
 Torrance, CA, City of  
 Tracy, CA, City of  
 Tucson, AZ, City of

City Attorney  
 General Counsel  
 Independent Performance Auditor (Attorney)  
 City Attorney  
 City Attorney  
 City Attorney  
 County Counsel  
 General Counsel  
 City Attorney  
 City Attorney  
 City Attorney  
 City Attorney  
 City Attorney  
 City Attorney  
 City Attorney  
 Assistant City Attorney  
 City Attorney  
 City Attorney

## CORRECTIONS/COURTS

Alameda County, CA  
 Alameda County, CA  
 Contra Costa County, CA  
 District of Columbia  
 Los Angeles County, CA  
 Los Angeles County Superior Court, CA  
 Riverside County Consolidated Courts, CA  
 San Diego Superior Court, CA  
 Santa Clara County, CA  
 Summit County, OH

Chief Probation Officer  
 Assistant Chief Probation Officer  
 County Probation Officer  
 Director of Corrections  
 Chief Probation Officer  
 Executive Officer/Clerk of the Court  
 Chief Probation Officer  
 Executive Officer  
 Chief of Correction  
 Director of Offender Services

\*Some searches were conducted by Alliance Resource Consulting when it was known as MAXIMUS Executive Search.  
 \*\*Searches in which we assisted with the recruitment process.

## APPENDIX-B

EAST COAST (US) CLIENTS OF ALLIANCE RESOURCE CONSULTING\*

### District of Columbia

District of Columbia  
District of Columbia Financial Responsibility and Management Assistance Authority  
District of Columbia Water and Sewer Authority  
George Washington University  
National Association of Housing & Redevelopment Officials  
U.S. Communities  
Washington Suburban Sanitary Commission

### Florida

Alachua County  
Bay County  
Bay County Tourist Development Council  
Boynton Beach, City of  
Broward County  
Clearwater, City of  
Fort Lauderdale, City of  
Gainesville, City of  
Hillsborough County  
Indian River, City of  
Indian River County  
Jacksonville Transportation Authority  
Jupiter, Town of  
Key Biscayne, Village of  
Lakeland, City of  
Lee County  
Marion County  
Miami, City of  
Miami Beach, City of  
Miami-Dade County  
Minority/Women Business Enterprise Alliance  
Naples, City of  
North Miami Beach, City of  
Ocala, City of  
Orange County  
Palm Beach County  
Palm Beach County Healthcare District  
Palm Beach, Town of  
Panama City, City of  
Pensacola, City of



# COUNTY ATTORNEY

Lee County, FL

Riviera Beach, City of  
Safety Harbor, City of  
Sarasota Bradenton Airport  
Sarasota, City of  
Sarasota County  
South Florida Water Management District  
Southwest Florida Water Management District  
St. Petersburg, City of  
Sunrise, City of  
Tallahassee, City of  
Tallahassee/Leon County

## Georgia

Albany, City of  
Alpharetta, City of  
Fulton County  
Lowndes County  
Shelby County  
Valdosta, City of  
Valdosta-Lowndes County Conference Center & Tourism Authority

## Maryland

Baltimore, City of  
Columbia Association, The  
Prince George's County  
Rockville, City of

## Massachusetts

Boston, City of

## North Carolina

Charlotte, City of  
Durham, City of  
Gaston County  
Greensboro, City of  
Greensboro Housing Authority  
Mecklenburg County  
Metropolitan Sewerage District of Buncombe County  
Orange Water and Sewer Authority  
Winston-Salem, City of  
Winston-Salem City/County Planning Board



# COUNTY ATTORNEY

Lee County, FL

## South Carolina

Greenville, City of  
Myrtle Beach, City of

## Virginia

Alexandria, City of  
Arlington County  
Charlottesville, City of  
Charlottesville/Albemarle Airport Authority  
Chesapeake, City of  
Chesterfield County  
Fairfax County  
Lynchburg, City of  
National Institute of Governmental Purchasing, Inc.  
Newport News, City of  
Norfolk, City of  
Norfolk-Portsmouth Empowerment Board  
Richmond, City of  
US Airways  
Virginia Beach, City of

\*Some were clients of Alliance Resource Consulting when it was known as MAXIMUS Executive Search.

## APPENDIX–C BIOGRAPHIES

### Sherrill A. Uyeda – Founding Partner

Sherrill Uyeda began her career in executive search in 1998 with Norman Roberts & Associates, Inc., which was acquired by MAXIMUS in 1999. She is currently a founding partner of Alliance Resource Consulting LLC. Ms. Uyeda has over thirteen years of public sector executive search experience and has completed over 500 recruitments. Ms. Uyeda's professional recruitment background covers all areas of public sector executive search, including city, state, and regional government with a successful track record of executive placements. She is experienced in recruiting in the fields of public utilities, public works, planning, medical, redevelopment, library, recreation, finance, human and social services, airports and port authorities. Past nationwide clients have included the Metropolitan Water District, District of Columbia Water and Sewer Authority, San Antonio Water System, Bay Area Rapid Transit District, Los Angeles World Airports, New Orleans International Airport, Nashville International Airport and Broward County, FL Department of Aviation.

Prior to her executive search experience, Ms. Uyeda worked for Burson-Marsteller. While at Burson-Marsteller, she worked within the Corporate Practice which focused on global perception management. She specialized in corporate communications and strategic positioning for companies such as Sony Pictures Entertainment and Gulfstream Netjets.

Ms. Uyeda graduated from the University of Southern California, with both a Bachelor of Arts degree in Communication Arts and Sciences and a Master of Public Administration degree.

### David L. McDonald – Regional Director

David L. McDonald has over 36 years of experience of continuous experience in the Maritime Industry. Mr. McDonald served as the Executive Director for Port Manatee, Florida. During his tenure, Mr. McDonald administered a \$250 million dollar port expansion project while limiting local investment to approximately \$20 million. The expansion included the addition of 2,200 linear feet of heavy duty deepwater docks requiring 6 million cubic yards of dredging. Over 700,000 square feet of dry and cold storage was created. Completion of the project resulted in a 50% increase in cargo moving capacity. Through January 2012, Mr. McDonald directed the ongoing \$750 million "North Pole" expansion at Port Manatee. Mr. McDonald administered the most successful seagrass transplant and mitigation effort in Florida's history and implemented a 3,500 acre inland port "Encouragement Zone" (EZ) to encourage public/private partnerships.

Mr. McDonald has worked with the state legislature and Congress on Maritime matters of state and national significance and has served an elected seven member Port Authority. Mr. McDonald served as a chairman for Florida Ports Council, board of director for American Association of Port Authorities, chairman for Florida Ocean Alliance, and chairman for Florida Ports Environmental Committee.

Mr. McDonald has a Professional Port Manager certificate from American Association of Port Authorities, a Master of Business Administration from the University of South Florida and a Bachelor of Arts Degree from Florida International University.



# COUNTY ATTORNEY

Lee County, FL

## Syldy L. Tom – Manager

Syldy Tom joined Alliance Resource Consulting in 2008. Previously, Ms. Tom worked for STAR Marquez, a nonprofit educational organization which provides enrichment programs to kindergarten aged children in public schools. During her time at STAR, Ms. Tom managed multiple enrichment programs. Ms. Tom also was the Citibank Summer Research Intern for United Way of Greater Los Angeles. She was responsible for researching the unbanked and underbanked population in Los Angeles for Citibank.

Since joining Alliance Resource Consulting, Ms. Tom has focused on administration, operations, maintenance and utility service recruitments. She also oversees the City of Los Angeles intern recruitment program for the Firm.

Ms. Tom has a Master of Public Administration from the University of Southern California, and a Bachelor of Arts Degree in Art History from the University of California at Los Angeles. At USC, she was the Marketing and Fundraising Co-Chair for the Graduate Policy and Administration Community (GPAC). In addition, Ms. Tom is a member of the UCLA Prytanean Alumnae Association, serving as the Benefit Chair, the Scholarship Chair, and is presently the Second Vice President of Membership for Prytanean. Ms. Tom's volunteer interests include fundraising and marketing.

## **APPENDIX-D** **REFERENCES**

### **City of Alexandria, VA**

Name: Steve Mason

Title: Assitant Director of Human Resources

Phone #: (703) 746-3772

### **Contra Costa County, CA**

Name: Ted Cwiek

Title: Assistant County Administrator/Human Resources Director

Phone #: (925) 335-1754

### **Metrolink, CA**

Name: Olga Yero

Title: Chief of Staff

Phone #: (213) 452-0200

### **Alameda-Contra Costa Transit District, CA**

Name: Linda Nemeroff

Title: District Secretary

Phone #: (510) 891-7284



# COUNTY COUNSEL

County of Los Angeles, CA





## THE COUNTY

With a population of more than 10 million people, the County of Los Angeles (County) has more residents than any county in the nation, and within its boundaries are 88 cities. It is rich in cultural diversity and home to world-renowned museums, theaters, the nation's motion picture industry, major universities, and numerous five-star restaurants. The mountains, deserts, and the beautiful Pacific Ocean, along with some of the world's finest urban recreational attractions, are freeway close.

The County is governed by a five-member Board of Supervisors who are elected on a non-partisan basis and serve four-year terms. As the governing body, the Board of Supervisors (Board) serves as both the executive and legislative authority of the largest and most complex county government in the United States. There are seven appointed positions (Auditor-Controller, Chief Executive Officer, Chief Probation Officer, County Counsel, Director of Children and Family Services, Executive Officer of the Board of Supervisors, and Fire Chief) that report directly to the Board. The remaining 26 department heads report to the Chief Executive Officer. There are also three elected officials (Assessor, District Attorney, and Sheriff), for a total of thirty-six (36) major administrative units or departments that currently serve the needs of the County's residents.

In fiscal year 2011-12, the County has an annual budget in excess of \$24 billion and funding for over 100,000 positions to serve its diverse population.

## OFFICE OF THE COUNTY COUNSEL

The Office of the County Counsel (the Office) acts as the legal advisor to the Board of Supervisors (the Board), County officers and departments, special districts, and certain other public agencies, such as the Metropolitan Transportation Authority.

The Office provides a broad range of legal services directed at furthering the public service objectives of the County, while protecting the County from loss and risk. Legal services include advising on the law as it applies to County operations; drafting legal documents; representing the County in civil actions, workers' compensation matters, and dependency court cases; and serving as issuer's counsel on funding issues. County Counsel also assists in presenting the County's position in the State Legislature and before State and federal regulatory agencies and administrative hearing boards.

The Office's current operating budget is \$91.6 million and includes funding for approximately 548 positions.

## THE POSITION

The position of the County Counsel serves as the chief legal advisor to the Board of Supervisors. In addition, the County Counsel also provides legal services through subordinate deputy counsel for County and District Officers, the Metropolitan Transportation Authority, and a number of special districts; and has full responsibility for planning and directing all operations of the Office of the County Counsel, which has exclusive charge and control of all civil actions in which the County or any County officer or employee is a party.

Key competencies of the position include:

- *Credibility* – providing competent and sound legal advice, based on a thorough review of the law and a command of the relevant issues at hand.
- *Objectivity* – providing advice and counsel in the best interest of the County and the Board based on law, fact, data, and information instead of personal agenda, public opinion, or political perspective.
- *Client Orientation* – placing a top priority on the needs, interests, and objective of the Board and its members; responding to their needs, requests, and concerns; being willing to take appropriate risks on their behalf.
- *Confidence and Presence* – being willing to take a stand when necessary, to share opinions and insights, to defend perspectives and recommendations, to hold others' accountable, and to solicit and listen to others' ideas and concerns without becoming defensive or frustrated.
- *Open Mindedness* – considering alternative interpretations and perspectives without bias or prejudice; modifying recommendations, approaches, and/or plans to reflect the Board's/ County's priorities.

# COUNTY COUNSEL

County of Los Angeles, CA

- *Persuasiveness* – presenting perspectives and recommendations effectively, rationally, and accurately by identifying common goals and objectives and/or using logic and expertise to influence others, build consensus and support for County initiatives, and/or negotiate contracts in the best interests of the County.
- *Leadership* – serving as a change agent for the culture of the Office of the County Counsel; creating a long-term vision and mission for the Office; setting high performance standards; and holding others accountable.
- *Political Savvy* – being able to maneuver through complex political situations effectively and without being drawn into the political debate; understanding how the Board and relevant organizations function in a political and public environment; effectively coping with ambiguity and change; being comfortable handling uncertainty; viewing corporate politics as a central component of the work environment and adjusting to that reality.
- *Strategic Thinking* – having the ability to develop an effective and cohesive management team, set out a vision, develop staff to achieve mission critical goals and develop a succession plan to ensure department success and renewal.
- *Transparency* – understanding that the actions of the legal department must be open to public scrutiny and that staff must be accessible and responsive to the public as well as the elected officials.

The position is open due to upcoming retirement of the incumbent.

## GOALS/PRIORITIES

The newly appointed County Counsel will represent the largest county in the nation at the direction of the Board. In addition to working with a diverse range of departments, projects and issues, the County Counsel will:

- Represent the Board's interests and serve as the Board's advocate on legal issues and concerns.
- Provide sound, thorough, and objective legal counsel and advice to the Board on the legality of issues before them.
- Retain and manage outside counsel to ensure required, specialized input and expertise is obtained and that outside advice and counsel is relevant to the County context and Board's needs.
- Lead the Office to a more proactive approach in preventative law and risk management.
- Be an effective communicator and create a relationship of open and ongoing dialogue with the Board.
- Manage the Office of County Counsel to ensure top quality legal counsel is available in-house and as required to best serve the needs of the County.
- Create a cohesive, transparent, and team-like environment, as well as develop, mentor and train the staff.
- Recruit talented senior level attorneys with a proven track record of using best practices in organizations.

## THE CANDIDATE

### Education, Certifications and Experience

Minimum requirements are:

- Demonstrated knowledge, skills, and abilities required in managing a legal department of a city or county, a legal department of a state or federal agency, or a law firm or corporate law office involved in civil litigation. Such management includes responsibility for the preparation for and trying of civil suits; the provision of legal advice to officials; the management of litigation in a cost effective manner; the technical and administrative direction of attorneys; and the preparation of budgets and other administrative duties necessary to the conduct of the Department's, firm's, or office's affairs.
- Admission to practice law in all courts of California.
- A valid California Class "C" Driver License or the ability to utilize an alternative method of transportation when needed to carry out job-related essential functions.
- U.S. citizenship is required for appointment to this position.

Candidates should have experience working for a county or a similar public agency. They should also have experience reporting to a board. Additional areas of expertise include: personnel management, public records, Brown Act, municipal litigation, preventative law and risk management.

### Management Style and Personal Traits

The County of Los Angeles has a dynamic, challenging and rewarding professional environment. The Board of Supervisors is seeking candidates with strong leadership skills, outstanding communication and interpersonal skills, and an established track record of high performance in similarly complex organizations.

The ideal candidate will be a strong, hands on and experienced manager who takes a balanced, collaborative and strategic approach. He or she will stay on top of the issues and details. He or she will be someone who holds staff accountable, yet is respected and admired by staff. This person will have good judgment, be fiscally prudent, and able to be a change agent. He or she will be solution-oriented and a creative problem solver.

The selected candidate will be energetic, forward-thinking and knowledgeable of litigation trends and topics. He or she will be proactive, politically savvy and astute, polished and confident. This person will be creative, intelligent, direct and honest.

Lastly, the selected candidate will be committed to working with the County and embrace the opportunity to make a difference for the community.

## COMPENSATION

Compensation is open to negotiation. Starting salary will be dependent on qualifications, salary history, and career accomplishments. Specific salary placement will be based upon the Board's evaluation of a candidate's overall ability to provide exemplary leadership to the County. This position is subject to the provisions of the County's Management Appraisal and Performance Plan (MAPP).

**Benefits:** The County of Los Angeles provides an excellent benefits package that allows employees to choose benefits that meet their specific needs as detailed below.

- Retirement Plan - The successful candidate may choose either a contributory or non-contributory defined benefit plan. It should be noted that County employees DO NOT pay into Social Security, but do pay the Medicare Hospital Insurance Tax (HIT) portion of Social Security at a rate of 1.45%. The Los Angeles County Employees Retirement Association (LACERA) has reciprocal agreements with several public retirement systems in California.
- Cafeteria Benefit Plan - The MegaFlex Benefits Plan is a cafeteria plan through which benefits may be purchased using a tax-free County contribution of an additional 19% of the employee's monthly salary. Any portion of the County contribution not used to purchase benefits is paid to the employee as taxable income. Benefits available within the MegaFlex Benefits Plan include medical, dental, disability, and life and AD&D insurance. (NOTE: Not applicable to County employees who are currently in Flex.)
- Flexible Spending Accounts - Employees may contribute up to \$400 per month tax-free to Health Care and Dependent Care Spending Accounts. The County contributes \$75 per month to the Dependent Care Spending Account.
- Savings Plan (401k) - Optional tax-deferred income plan that may include a County matching contribution up to 4% of employee's salary.
- Deferred Compensation Plan (457) - Optional tax-deferred income plan that may include a County matching contribution up to 4% of employee's salary.
- Holidays - 11 paid days per year.
- Transportation Allowance - The monthly transportation allowance is \$620.
- Split Dollar Insurance - Level life insurance death benefit of \$50,000 to \$250,000 depending on age at entry into the Plan.

## HOW TO APPLY

The process for this recruitment is highly confidential and will be handled accordingly through its recruitment and evaluation phases. References will not be contacted until mutual interest has been established. Resumes, including cover letter and record of accomplishments, will be reviewed and evaluated as received. Only the most highly qualified candidates, as determined by an initial screening process, will be invited to participate in the selection process.

The names of the most highly qualified candidates will be submitted to the Board of Supervisors for consideration and appointment.

Candidates should be aware that an extensive background investigation will be completed on the candidates invited to participate in the final selection process.

Please apply **on-line immediately** at [www.allianceRC.com](http://www.allianceRC.com). For questions, inquiries or candidate recommendations please contact:

Sherrill A. Uyeda, *Founding Partner* and  
Cindy Krebs, *Senior Consultant*

**ALLIANCE RESOURCE CONSULTING LLC**  
400 Oceangate, Suite 510  
Long Beach, CA 90802

Telephone: (562) 901-0769

E-mail: [info@alliancerc.com](mailto:info@alliancerc.com)



<http://twitter.com/Alliancerc>



Alliance Resource Consulting, LLC

Additional information may be found at [www.allianceRC.com](http://www.allianceRC.com).

**RESUMES RECEIVED BY 5:00 P.M., FRIDAY, SEPTEMBER 14, 2012, WILL RECEIVE FIRST CONSIDERATION**

*The County of Los Angeles is an Active Equal Opportunity Employer*

**Pursuant to state and federal requirements, we are requesting that you voluntarily provide the following information: (1) your race/ethnicity and (2) your gender. This information should be on a separate piece of paper (without your name) attached to your resume. This page will be removed from your resume when it is received and kept confidential and utilized solely for required statistical purposes.**



# CONTRA COSTA COUNTY, CA

## County Counsel



  
**ALLIANCE**  
RESOURCE CONSULTING LLC

Salary Range  
\$167,259 - \$203,305

THE POWER OF PARTNERSHIP



# Contra Costa County

## The County

Contra Costa County was incorporated in 1850 as one of the original 27 counties of the State of California. It is one of nine counties in the San Francisco-Oakland Bay Area, and covers approximately 733 square miles extending from the northeastern shore of San Francisco Bay easterly about 50 miles to San Joaquin County. The County is bordered in the south and west by Alameda County and on the north by Suisun and San Pablo Bays.

Contra Costa County had recently been one of the fastest growing work forces among Bay Area counties, with growth in its employment base being driven primarily by the need to provide services to an increasing local population and the presence of relatively high-wage skilled jobs. In addition, the County has one of the State's most heterogeneous populations, rich in ethnic, cultural and socioeconomic diversity. With a current population slightly in excess of 1,000,000, Contra Costa County is the ninth most populous county in California. The City of Martinez is the County seat of Contra Costa County and the location of the County's administrative offices.

Contra Costa County includes varied suburban, industrial, agricultural and port areas and contains 19 incorporated cities. A large part of the County is served by the San Francisco Bay Area Rapid Transit District (BART) which has helped to enable significant residential and commercial development. Prestigious public and private academic institutions, including Stanford University, University of California at Berkeley, University of San Francisco, University of the Pacific, and various California State University campuses, are within driving distance from the County seat of Martinez. Recreation within the County varies from fishing, boating and water skiing in the Sacramento-San Joaquin Rivers to hiking, horseback riding and camping in Mt. Diablo State Park. Recreational areas, including the wine country of Napa and Sonoma Counties, the picturesque seaside communities of Carmel and Monterey, and the Sierra Lake Tahoe mountain region, are also within driving distance of the County.

Contra Costa County provides a full range of services through 32 County Departments divided into service areas such as: Public Protection, General Government, Health and Human Services, Growth Management, Special Districts and Authorities. There are also a number of Affiliated Organizations. The County has a

FY 2009-2010 budget of approximately \$1.2 billion, and countywide staff of approximately 7,700. The County's diverse economy provides many opportunities for future business and job generation, and the communities provide a wide range of recreational, cultural, and entertainment activities.

## Office of the County Counsel

The Office of the County Counsel provides legal services to the County, including the Board of Supervisors and County officers, departments, boards, and certain special districts. The Office has a staff of approximately 50 full-time employees and a FY 2009-2010 budget of approximately \$5.5 million. The Department is organized into three divisions that provide a full range of legal services to County Departments, employees, and the public. These divisions are responsible for the following activities:

The **General Law Division** provides legal services to County departments, officers and boards, and outside public clients, other than those services provided by the Civil Litigation and Juvenile Dependency/Conservatorship Divisions. Representative clients and services include: Core County Departments; Health, Social Services, and Quality of Life; Public Protection, Probate, and County Clerk; and miscellaneous County and outside clients.

The **Civil Litigation Division** represents the County in tort, employment, and civil rights actions, in state and federal courts.

The **Juvenile Dependency/Conservatorship Division** represents the Children and Family Services Bureau of the Employment and Human Services Department in all Juvenile Court dependency and child welfare proceedings and related matters. This division also represents the Public Guardian's Office of the Health Services Department in Lanterman – Petris – Short (LPS) and other conservatorship proceedings.

## The County Counsel

Under administrative and statutory direction, the County Counsel performs highly professional and administrative work serving as legal advisor to the Board of Supervisors, special districts and county departments. The department head is responsible for the operation of the Office of



# , CA: County Counsel

County Counsel and the work of its staff engaged in giving legal advice to the county, its departments, and special districts. The County Counsel also performs all civil legal work required by them, including representing these jurisdictions and agencies in all matters of litigation and business. Work is performed within statutory limitations and in accordance with policies determined by the Board of Supervisors. The County Counsel is appointed by the Board of Supervisors for a four year term in accordance with government code sections 27640 and 27641.

Typical responsibilities include:

- Selects, directs and supervises professional and clerical subordinates involved in providing the full range of legal advice, direction and services to the Board of Supervisors, various fire, flood control, sanitary, cemetery and other districts within the county; acts as attorney for the County and special districts in any civil action instituted by or brought against them.
- Submits opinions, when requested, to all county or district officers on matters relating to their respective offices.
- As requested, attends meetings of boards or commissions to give legal counsel and advice.
- Reviews and prepares proposed state legislation relating to county government.
- May represent the County on state legislative matters.
- Studies, interprets, and applies statutes, ordinances, court decisions, and legal opinions in the preparation of opinions, briefs and cases.
- Prepares pleadings and other papers in connection with suits, trials, hearings and similar legal proceedings.
- Provides advice and direction concerning advisability to prosecute, modify, settle, or dismiss civil litigation.
- Supervises and participates in a wide variety of legal research.
- Supervises and participates in the work of subordinate attorneys and a clerical staff engaged in collecting moneys due the County and preparing opinions, bond election papers, tax rate increase election papers, and other legal documents.
- Prepares a departmental budget and administers departmental programs in accordance with approved allocations.

- Dictates correspondence and prepares reports.
- Performs related work as necessary.

The position is open due to the retirement of the current County Counsel.

## Opportunities & Goals

- Provide cross-training and enhance mentoring of junior attorneys by senior attorneys and Assistants.
- Continue to achieve responsiveness goals on standard legal forms review and requests for legal opinions.
- Develop increased revenue by seeking to recover legal costs from clients who are at least partially funded from outside sources.
- Evaluate client needs and realign priorities as needed.

## Candidate Qualifications

### *Education and Experience*

- Active membership in the State Bar of California, and admission to practice before all State and Northern District Federal Courts in California.
- Eight years of full-time experience as an attorney practicing civil law with, or directly for, a public sector agency. Four years experience in the Office of a California County Counsel or California City Attorney as a division head or higher supervising the work of subordinate attorneys is preferred.

### *Knowledge, Skills and Abilities*

The successful candidate should have strong management skills and the ability to work and communicate effectively both internally and externally. This person should also have knowledge/skills in:

- The principles of civil, constitutional, and administrative law.
- The responsibilities, powers and statutory limitations of the County Counsel's function.
- Judicial procedures and the rules of evidence.
- The principles, methods, materials and practices of legal research.



In addition, he/she should be able to:

- Analyze, appraise and organize facts, evidence, and precedents and to present such material orally or in writing in clear and logical form.
- Analyze and appraise a variety of legal documents and instruments.
- Draft legal instruments such as ordinances, resolutions, board orders and contracts.
- Establish and maintain effective working relationships with County and court officials and the general public.
- Manage, supervise and coordinate the work of professional and clerical subordinates engaged in work of a legal nature.

### *Management Style*

The ideal candidate will be a trusted legal advisor with the professional demeanor and confidence to advise the Board of Supervisors on a broad range of subject matters. This person shall be proactive in bringing issues to the Board's attention, be creative, have good judgment, and be able to multi-task and function effectively in a dynamic environment with shifting priorities. He/She will have excellent interpersonal skills with the ability to project confidence and credibility to the public, an ability to relate to a broad variety of individuals, and to emanate the highest level of professional deportment at all times.

The County Counsel will have excellent verbal and written skills and be capable of providing strong procedural advice in a clear and concise manner, and will be timely in the presentation of information. This person should also be appropriately assertive; able to persuade, influence, and provide their best professional judgment and opinion; and not be afraid to admit when they do not know the answer. The selected candidate will be responsive and accessible to Department Heads, energetic, able to organize and prioritize work, and be solution-oriented. He/She should feel comfortable being in the spotlight; be able to problem solve under pressure and defend their position; and not be afraid to say no. He/She must have strong leadership skills, set the tone for the Office, and hold staff accountable.

### **Compensation**

The total compensation for this position is within an established range of \$167,259 to \$203,305 per year, with placement dependent upon the qualifications and experience of the selected candidate. In addition to a competitive salary, benefits currently provided include:

#### *Retirement*

- The County Retirement Program under the 1937 County Employee Retirement Act.
- The County pays 50% of the employee's contribution.
- Reciprocity with California Public Retirement System (CALPERS) is available.

### *Annual Leave Program*

- 3 weeks paid vacation leave.
- 12 days of paid sick leave.
- 10 paid holidays (plus 24 hours of floating holiday time).
- 70 hours of paid administrative leave.

### *Insurance*

- Options include Kaiser Permanente, Health Net HMO, Health Net PPO, and Contra Costa Health Plan Options A & B.
- Dental options include Delta Dental and PMI Dental Care.
- Long-term disability.
- Term life insurance of \$10,000.
- Management term life insurance of \$60,000. Includes AD&D.

### *Additional Benefits*

- Vacation buy-back.
- 2.5% management longevity differential after 10 and 15 years of service.
- Deferred Compensation Plan (457), including County contribution.
- Professional development allowance of \$925 every two years.

### **How to Apply**

Please submit resumes in confidence by **September 25, 2009** to:

Eric Middleton or Nicholas Mesic  
ALLIANCE RESOURCE CONSULTING LLC  
400 Oceangate, Suite 510  
Long Beach, CA 90802

Telephone: (562) 901-0769  
E-mail: [emiddleton@alliancerc.com](mailto:emiddleton@alliancerc.com)

Additional information about this position may be found by visiting our web site at [www.alliancercresourceconsulting.com](http://www.alliancercresourceconsulting.com)

*An Equal Opportunity/ADA Employer*



January 9, 2013

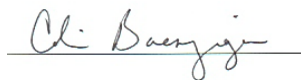
The Honorable Chairman Cecil L. Pendergrass, Vice Chairman Larry Kiker and Commissioners  
Tammara Tammy Hall, Frank B. Mann and John E. Manning  
**ATTENTION: Mr. Dylan Drake, Human Resources Generalist**  
Lee County Board of County Commissioners  
2115 Second Street  
Fort Myers, FL 33901

Dear Chairman Pendergrass, Vice Chairman Kiker and Commissioners Hall, Mann and Manning:

We at Colin Baenziger & Associates (CB&A) would like to thank you for the opportunity to submit the following information in response to your questions regarding the County Manager and County Attorney searches. Our answers contained in the attachment to this letter.

We do hope to work with you again. If you have any further questions, please do not hesitate to ask.

Sincerely,



Colin Baenziger  
Principal / Owner

*... Serving Our Clients with a Personal Touch*

### ***Background Information for Colin Baenziger & Associates***

Established in 1997, Colin Baenziger & Associates (CB&A) is a nationally recognized executive recruiting firm owned and operated by Colin Baenziger. We are a sole proprietorship qualified to do business in Florida and have operated under our current name and been headquartered at our current address in Palm Beach County, FL, since our founding. We also have offices in Monterey, CA, Duluth, GA, Rhinelander, WI, and Richland, WA. As a sole proprietorship, we are not registered with any states as a corporation, foreign or otherwise. Nor are we affiliated with any other business entity. Although our primary focus is executive search, we are often involved in operational reviews of governmental operations. Our consultants live in other areas of the country and coordinate the entire process from the client's perspective. We develop an operational plan prior to arrival, and our team of experts quickly studies the issues, identifies problems and opportunities, performs the necessary analysis, develops solutions, prepares reports and action plans, and completes the assignment. The client receives prompt, professional service, and its needs are addressed. We are available for follow-up work, but our goal is to provide the client with solutions that it can implement without additional outside assistance.

Colin Baenziger & Associates' outstanding reputation is derived from our timeliness and quality. Our work is not done until you are satisfied. That means we go the extra mile and, at times, expend more effort and energy than originally anticipated in our fee or in our action plan. We do not, however, ask the client for additional fees. Rather we accept these situations as part of our cost of doing business. We simply believe that once a contract is signed, we have an obligation to fulfill its requirements with excellence and within the budgeted amount.

Since 2002, we have focused on executive search for local governments. During that period we have conducted searches and/or other work for clients in nineteen states. Since beginning its search practice in 1998, the staff at CB&A has performed over 125 City / County / Special District Manager searches and approximately 200 local government searches overall.

### ***Key Accomplishments over the Past Five Years***

- We have conducted more City and County Manager Searches for Florida governments than all the other local government recruiting firms combined. In fact, since May 2005, we have been selected to perform 78 of the 107 City and County Managers where Florida governments have used a recruiting firm.
- We have never asked a search client for additional fees, even when we were entitled to do so.
- We conduct the most thorough and complete background/reference checks in the industry and we do so before we present the finalists – unlike some firms who wait to do the background check after the City/County has made a selection.
- We have never missed a significant project milestone.
- In every case CB&A has been selected to perform a City or County Manager search, the search has been completed and the client has selected from one of our recommended candidates. Further, we have never been fired before a search was completed.
- We are widely recognized for its ability to find and attract women and minorities for the positions we recruit for. For example, from the beginning of 2009 through the end of 2011, 43% for the individuals whom we placed as City and County Managers have been minorities and/or women.
- Colin Baenziger & Associates has never been involved in any litigation, except to testify as an expert witness on behalf of one of the parties. Our performance has never been questioned nor have we or any of our clients been involved in any legal action as a result of our work.
- Our directly relevant local governmental searches over the last five years include:

#### **City Manager**

City Manager, Albany, GA (population 75,600) in 2011  
City Manager, Cape Canaveral, FL (population 10,200) in 2010  
City Manager, Cape Coral, FL (population 154,300) in 2012  
City Manager, Cocoa Beach, FL (population 11,200) in 2012  
Town Manager, Dundee, FL (population 3,000) in 2009  
City Manager, Cape Coral, FL (population 157,500) in 2012  
City Manager, Chamblee, GA (population 17,000) in 2011  
City Manager, Cooper City, FL (population 32,000) in 2008  
City Manager, Coral Gables (population 43,000) in 2009  
City Manager, Dania Beach, FL (population 28,000) in 2009  
City Manager, Deltona, FL (population 83,000) in 2008  
City Manager, Destin, FL (population 12,000) in 2011  
City Manager, Fayetteville, NC (population 208,000) in 2012  
City Manager, Fife, WA (population 8,700) in 2010  
Town Manager, Fort Myers Beach, FL (population 6,900) in 2008  
City Manager, Fort Pierce, FL (population 41,900) in 2012

City Manager, Greensboro, NC (population 259,000) in 2009  
City Manager, Hallandale Beach, FL (population 39,000) in 2010 and 2012  
City Manager, Holly Hill, FL (population 13,000) in 2008 (partial search)  
City Manager, Homestead, FL (population 62,000) in 2010  
Village Manager, Key Biscayne, FL (population 11,000) in 2011  
City Manager, Key West, FL (population 24,600) in 2012  
City Manager, Madeira Beach, FL (population 12,300) in 2011  
City Manager, Melbourne, FL (population 72,500) in 2002 and 2012  
City Manager, New Smyrna Beach, FL, FL (population 23,000) in 2009  
Village Manager, North Palm Beach, FL (population 12,500) in 2012  
City Manager, North Port, FL (population 55,800) in 2011  
City Manager, Ocala, FL (population 52,000) in 2008  
City Manager, Orange City, FL (population 10,000) in 2010  
City Manager, Orange Park, FL (population 9,100) in 2010  
City Manager, Oviedo, FL (population 33,000) in 2008  
City Manager, Panama City Beach, FL (population 12,018) in 2012  
City Manager, Pompano Beach, FL (population 101,000) in 2007  
City Manager, Portland, ME (population 65,000) in 2011  
City Manager, Riviera Beach, FL (population 37,000) in 2009  
City Manager, Roanoke, VA (population 96,000) in 2009  
City Manager, Sarasota, FL (population 55,000) in 2012  
City Manager, Sunny Isles Beach, FL (population 17,000) in 2011  
City Manager, Sunrise, FL (population 84,400) in 2012  
City Manager, Tacoma, WA (population 198,400) in 2011  
City Manager, West Melbourne, FL (population 15,000) in 2009  
City Manager, West Park, FL (population 12,000) in 2010  
City Manager, Woodstock, GA (population 21,000) in 2008  
City Manager, Yakima, WA (population 91,000) in 2011 and 2012

### **County Manager Searches**

County Manager, Brevard County, FL (population 536,000) in 2009  
County Administrator, Clay County, FL (population 160,000) in 2011  
County Administrator, Hernando County, FL (population 172,800) in 2012  
County Administrator, Highlands County, FL (population 98,000) in 2008  
County Manager, Lee County, FL (population 631,000) – In-house/Interim County  
Manager hired prior to the completion of our search in 2009  
Borough Manager, Matanuska-Susitna Borough, AK (population 85,000) in 2011  
County Administrator, Okeechobee County, (population 39,000) in 2008  
County Administrator, Polk County, IA (population 400,000) in 2011  
County Manager, Union County, NC (population 198,600) in 2010

**Governmental Attorneys**

City Attorney, Roanoke, VA (population 96,000) in 2012

City Attorney, West Melbourne, FL (population 15,000) in 2008

County Attorney, Manatee County, FL (population 327,000) in 2012 (Background and reference checks only)

## ***Project Staff***

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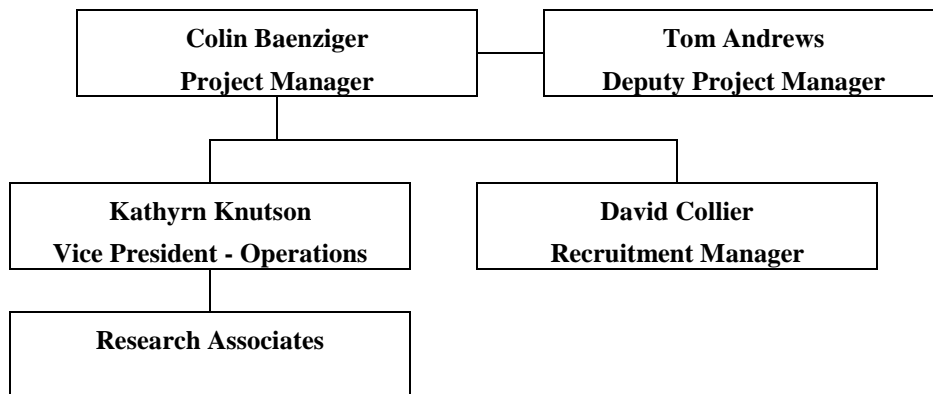
### ***Project Team and Involvement*** (Resumes for key staff follow)

CB&A is an experienced recruiting firm and strongly believes that the majority of the search work should be conducted by one knowledgeable person with a strong back-up. Colin Baenziger will be the lead person, and he will serve as project manager. He will conduct the interviews with the elected officials, search for strong candidates, discuss the position with those candidates, recruit them, conduct the interviews with the candidates, conduct the background investigations, oversee the interview process, and assist with the contract negotiations. Mr. Baenziger holds a Bachelor's degree from the University of Maryland and a Master's degree from the University of Southern California. He has been a Project Manager for 100 city and county manager searches.

Tom Andrews, senior vice president, will be the Deputy Project Manager and support for Mr. Baenziger. Mr. Andrews will assist in virtually every aspect of the search effort but will focus on the search for strong candidates and candidate evaluation. Before joining the firm, Mr. Andrews served as County Administrator for Fulton County, Georgia, and in high level county and state positions in Maryland.

David Collier, senior vice president, will serve as the recruitment manager and assist with the identification and screening of candidates. He has over 30 years of experience as a senior level local government manager in several states including Maryland. He earned his Bachelor of Arts University in Washington, D.C. He is a past president of the Maryland City Managers Association and the Florida Association of County Administrators.

Kathryn Knutson, Vice President for Operations, will be responsible for coordinating the advertising and production of the materials we will present to you as described in the Recruitment Approach.



## *Staff to Be Assigned*

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### *Colin Baenziger, M.P.A.*

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**Principal**

Colin Baenziger is a student of local government and responsible for the executive recruitment functions at Colin Baenziger & Associates. Over the years, he has worked with a number of cities on recruitments, and on management, operational, and organizational issues. As a former manager and someone who actively consults with governments, he understands what it takes to



because he is active in a number of professional associations, he

- Some of Mr. Baenziger's several governments include:
- County Manager, Brevard County, FL (population 536,000) in 2009
  - County Administrator, Clay County, FL (population 160,000) in 2011
  - City Manager, Fayetteville, NC (population 208,000),
  - County Manager, Hernando County, FL (population 172,800)
  - Village Manager, Key Biscayne, FL (population 11,000),
  - Economic Development Director, Loudoun County, VA (population 290,000)
  - Community Development Director, Miami, FL (population 373,000)
  - Borough Manager, Matanuska-Susitna Borough, Alaska (population 88,000),
  - City Manager, Miami Gardens, FL (population 103,000),
  - City Manager, Orange City, FL (population 10,000),
  - City Manager, Palm Coast, FL (population 51,000),
  - City Manager, Portland, ME (population 65,000),
  - City Attorney and Manager, Roanoke, VA (population 93,000),
  - County Manager, St. Johns County, FL (population 162,000)
  - General Manager, Tampa Bay Water Authority (serving a population of 2.4 million), and
  - County Manager, Union County, NC (population 290,000)

Other recent efforts include a strategic planning session for the Florida Association of Special Districts, an operational review of Tamarac's water utility, a business practices review for a division of Martin County government, an operational reconciliation for Palm Beach County Water, development of an automated system to pay royalties to featured recording artists for the Recording Industry Association of America, and a review of financial procedures for a division of the Marriott Corporation.

Mr. Baenziger has a Master's Degree with Distinction in Public Administration from Cornell University's Graduate School of Management, and a Bachelor of Arts degree from Carleton College. He is also active in the International City Management Association and the Florida City and County Management Association. He has also been called upon frequently to speak at

## *Staff to Be Assigned*

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### *Tom Andrews, M.S.*

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#### **Senior Vice President**

Tom Andrews is a man of many talents. With his management experience in federal, state and local governments, he has been there, done that. With his no-nonsense approach to problem solving and his keen ability to recognize management talent and leadership potential, he is an asset to any client. His talent for mentoring has resulted in former employees occupying senior local government positions from Maryland to Florida.

In addition to his comprehensive and successful experience as a generalist, Tom possesses technical expertise in water resources management, environmental regulation, and public health.

Some of the top leadership positions that Tom has held include County Manager of Fulton County, GA, Chief Administrative Officer for Anne Arundel County, MD, County Health Director for Anne Arundel County, MD, Deputy Secretary, Maryland Department of the Environment, Assistant Secretary, Maryland Department of Natural Resources, Director, Maryland Water Resources Administration and Chief of Staff for Maryland Acting Governor Blair Lee III.



Some of the recruitments Tom has been involved in for CB&A are:

- Director, Watershed Management, DeKalb County, GA,
- Executive Director, Environment and Infrastructure, Pinellas County, FL,
- City Manager, Fayetteville, NC,
- City Manager, Greensboro, NC,
- City Manager and City Attorney, Roanoke, VA,
- County Manager, Brevard County, FL,
- Deputy City Manager, Durham, NC
- Budget Director, St. Petersburg, FL, and
- Director of Economic Development for Loudoun County, VA.

In addition, Tom has conducted numerous leadership seminars for state and local government mid-level managers. He is also presently an adjunct professor at Georgia Southern University teaching the occasional graduate level public administration course.

Tom earned his Bachelor of Science in Biology from Miami University in Oxford, Ohio, and his Masters in Natural Resources Administration from the Institute of Public Administration of the University of Michigan. He has been a member of the Georgia County-City Managers Association, the Association County Commissioners of Georgia, and the National Association of Counties. Tom has also served as President of the Maryland Association of County Health Officers, Member of the Anne Arundel County YMCA Board of Directors and President of the Providence Center Board of Directors, a non-profit agency serving the developmentally disabled.





### **III. Project Staff** *(continued)*

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#### ***Kathryn Knutson***

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#### **Vice President for Operations**

Ms. Knutson is a skilled professional with a wealth of public and private sector experience. Her particular expertise is in special projects, compensation surveys and background checks for our executive search candidates. She feels that each client must be properly served, and that can only be done by devoting her utmost attention to their particular concerns and by finding creative ways to solve their problems. In her book, the client comes first.



Since beginning her working relationship as a subcontractor with Colin Baenziger & Associates, Ms. Knutson has been involved in virtually every executive search the firm has conducted. Some of the more notable ones include:

- Public Works Director, Chandler, AZ (population 250,000),
- City Manager, Town of Bay Harbor Islands (population 5,200),
- City Manager, Coral Gables, FL (population 42,000),
- City Manager, Cottonwood Heights, UT (population 34,000),
- City Manager, Cutler Bay, FL (population 35,000),
- City Manager, Fife, WA (population 8,200)
- City Manager, Greensboro, NC (population 259,000),
- City Manager, Homestead, FL (population 59,800)
- Village Manager, Key Biscayne, FL (population 11,000),
- City Manager, City of Marathon, FL (population 11,500)
- Village Manager, Village of Palmetto Bay, FL (population 24,000)
- City Manager, Portland, ME (65,000)
- City Manager, Roanoke, VA (population 101,000), and
- City Manager, City of West Melbourne, FL (population 15,000).

As noted, a major part of Ms. Knutson's work has been on special projects. For example, she is responsible for the firm's annual City Manager compensation survey and also has worked with  
m e o u t t e r t i t i e s r e i e i o r t i o o i t s i i  
concern was possible under-billing, and our work involved a review of billing records for  
reasonableness o s i s t e , s e s e t e s i e o r i t e i e  
work, the Utility recovered our fee several times over.

Ms. Knutson's prior employment includes stints with Palm Beach County's Department of Building, Planning, and Zoning, and with the County Health and Rehabilitative Services. She has also worked with the State of Florida's Department of Corrections and with the State's Department of Employment Services. She has also been involved with a number of private and non-profit concerns, such as the Visiting Nurses Association and Oakwood Mental Health Center  
o t e m e e s M s u t s o s s o i t e ' s e r e e i u s i e s s  
Georgia College in Carrollton, Georgia. Kathryn currently resides in Oneida County, WI.

## ***Suggested Project Schedule***

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The following is the schedule we would suggest and assumes CB&A is selected to perform the search by January 15<sup>th</sup>. Of course, the ultimate schedule is subject to the County Manager's wishes. For the sake of simplicity, we have referred to the County Manager in the schedule that follows. If we were asked to do the County Attorney, we would follow the same schedule outlined below. If we were asked to conduct both the County Manager and the County Attorney, we would do them simultaneously and also follow the schedule below.

### ***Phase I: Needs Assessment / Information Gathering***

- January 16<sup>th</sup>: CB&A begins discussions with the Commission Members and any other suggested stake holders to understand the job and its challenges. Specifically, the purposes of these interviews will be to: 1) get to know the elected officials, 2) understand the issues the next County Administrator will face, 3) understand the elements of the job, 4) develop a description of the ideal candidate, 5) determine the desired compensation and 6) finalize the project schedule.
- Colin Baenziger begins drafting the recruitment profile for publications and prospective candidates.
- January 21<sup>st</sup>: Colin Baenziger submits the draft of the full recruitment profile to the County for its review. Comments will be due back by January 24<sup>th</sup>.

### ***Phase II: Recruiting***

- January 21<sup>st</sup>: CB&A posts the full recruitment profile on its website and submits it to the appropriate publications. It is also e-mailed to over 7,000 local government professionals.
- February 15<sup>th</sup>: Closing date for submission of applications.
- February 20<sup>th</sup>: CB&A reports the results of the recruitment effort.

### ***Phase III: Screening, Reference Checks and Credential Verification***

- February 16<sup>th</sup>: CB&A begins screening the candidates
- March 18<sup>th</sup>: CB&A forwards its candidate report and materials to the County Attorney. These materials include the results of our interviews with the candidates, the results of our background and reference checks, and Internet/newspaper archives results.
- March 25<sup>th</sup>: The County Attorney reviews the materials and provides feedback to the County Manager.

## ***Suggested Project Schedule***

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### ***Phase IV: Interview Process Coordination and County Selection***

- April 4<sup>th</sup>: County holds reception for the finalists.
- April 5<sup>th</sup>: Commission Members interview candidates one-on-one and as a group.
- April 8<sup>th</sup>: County selects its next Manager.

### ***Phase V: Negotiation, Warranty & Continuing Assistance***

Post Selection: If requested by the County, CB&A works with County officials on an employment agreement. Typically this process takes a week before a contract is ready to be ratified.

o i e i er i so st i tou to e sure t e e e  
relationship with the new County Administrator is a strong one.

## V. Fee and Warranty

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### Fee

CB&A does not bid its work based on a fee plus expenses. Instead, we offer an alternative which is a firm, fixed fee as outlined below. The advantage to the County is it knows exactly what it will pay. The advantage to CB&A is that we do not have to keep track of minor expenses.

It should be noted that the firm, fixed fee *includes all our expenses and costs*. In other words, the only thing the County will pay CB&A is the agreed upon fee. The only other costs the County will be responsible for (retroactive to the date it was invited) travel, accommodations and meals for the interview process.

We will bill the fee as the phases are completed and according to the following schedule:

Activity	1 <sup>st</sup> Search	2 <sup>nd</sup> Search
Phase I: Needs Analysis / Information Gathering	\$ 3,000	\$ 500
Phase II: Recruiting	7,000	7,000
Phase III: Screening and Warranty	8,000	8,000
Phase IV: Interview Process Coordination and Selection	1,750	1,000
Phase V: Negotiation and Continuing Assistance	1,750	1,750
<b>Total</b>	<b>\$ 21,500</b>	<b>\$ 18,250</b>
<b>Total If We Conduct Both Searches: \$39,750</b>		

In other words, if we were asked to conduct both searches, we would give a discount of \$3,250 for the second search.

### Warranty

Colin Baenziger & Associates offers the best warranty in the industry. We can offer it because we have confidence in our work. Provided the County instructs us with conducting a full search and assuming it selects from among the candidates we recommend, we warrant the following:

- 1) We will not approach the selected candidate for any other position as long as the individual is employed by the County.
- 2) If the selected individual leaves for any reason other than an Act of God (such as total incapacitation or death) within first year, CB&A will repeat the search at no charge for our services. If he/she departs during the next year for any reason other than an Act of God, we will repeat the search for the reimbursement of our expenses only.
- 3) If you are not satisfied with any of the candidates we present, CB&A will repeat the search until you are satisfied.
- 4) Our price is guaranteed and will not be exceeded for any reason, even if conditions change after the contract is executed.

January 8, 2013

Lee County Government  
Dylan Drake, Human Resources Generalist  
2115 Second Street  
Fort Myers, FL 33901

Sent via e-mail to: [draked@leegov.com](mailto:draked@leegov.com)

Dear Mr. Drake:

We greatly appreciate the opportunity to provide you with some information regarding our Executive Recruitment expertise. CPS HR Consulting (CPS HR) offers a broad spectrum of human resource services, while delivering personalized, results-oriented service, utilizing best practice methods of recruitment and selection strategies from our team of recruitment experts. We would be delighted to assist Lee County in the recruitment of a County Manager and County Attorney.

On the following pages, we have provided our responses to the items as you requested. Should you need further information, or require a formal proposal, please do not hesitate to contact me at 916-471-3470, or by email at [lkegerreis@cps.ca.gov](mailto:lkegerreis@cps.ca.gov). We look forward to hearing from you.

Sincerely,



Linda Kegerreis  
Chief Workforce Officer

## Background of Firm

CPS HR Consulting (CPS HR) is an innovative, client-centered human resources and management consulting firm specializing in solving the unique problems and challenges faced by government and non-profit agencies. As a self-supporting public agency, we understand the needs of public sector clients and have served as a trusted advisor to our clients for more than 25 years. The distinctive mission of CPS HR is to transform human resource management in the public sector.

As a network of thought leaders in HR Systems, CPS HR delivers breakthrough solutions that dramatically transform public sector organizations to positively impact the communities they serve. We provide your organization with the latest knowledge and the expertise and put that knowledge into action. With offices in Sacramento, CA, Bethesda, MD, and Atlanta, GA, and partners throughout the country, our clients draw experience from a powerful national network. CPS HR serves public sector and non-profit clients across the United States and Canada.



CPS HR offers clients a comprehensive range of competitively priced services, all of which are designed to support and develop strategic organizational leadership and human resource management in the public sector. We offer expertise in the areas of recruitment and selection, organizational strategy, classification, compensation, training and development, performance and workforce management.

## Key Accomplishments

As it relates to executive recruitment, we have extensive experience in the recruitment of all types of local and state government executive and professional staff, including council/board appointed executives such as county executives, city managers and county/city attorneys, public safety, department directors, and key professional and management positions. Within the past 11 years, we have successfully completed approximately 1,700 recruitments for more than 600 public agencies. Although our client list covers a broad range, each recruitment we conduct is uniquely designed to fit the needs of the individual client and is calculated to provide a strong, competitive pool of candidates.

We have provided a list below of similar recruitments completed within the last five years.

CLIENT	POSITION	CONTACT
Merced County, CA	County Executive Officer (2009)	Larry Combs County Executive Officer 209 385-7637 <a href="mailto:lcombs@co.merced.ca.us">lcombs@co.merced.ca.us</a> or Deidre Kelsey Board Chair 209 385-7366 <a href="mailto:District4@co.merced.ca.us">District4@co.merced.ca.us</a> or Robert Morris Human Resources Director 209 385-7682 <a href="mailto:rmorris@co.merced.ca.us">rmorris@co.merced.ca.us</a>
Pinal County, AZ	County Manager (2010)	Pete Rios Board Chair 520 866-7830 <a href="mailto:Pete.rios@pinalcountyz.gov">Pete.rios@pinalcountyz.gov</a>
Chandler, AZ, City of	City Manager (2011)	Jay Tibshraeny Mayor 480 782-2200 <a href="mailto:jay.tibshraeny@chandleraz.gov">jay.tibshraeny@chandleraz.gov</a> or Debra Stapleton Human Resources Director 480 782-2350 <a href="mailto:Debra.stapleton@chandleraz.gov">Debra.stapleton@chandleraz.gov</a>
Elk Grove, CA, City of	City Manager (2008)	Laura Gill City Manager 916 683-7111 <a href="mailto:lgill@elkgrovecity.org">lgill@elkgrovecity.org</a> or Jim Cooper Former Mayor 916 683-7111 <a href="mailto:jcooper@elkgrovecity.org">jcooper@elkgrovecity.org</a>



CLIENT	POSITION	CONTACT
Gilbert, AZ, Town of	Town Manager (2011)	Mark Boynton Employment Coordinator 480 503-6823 Or John Lewis Mayor 480 503-6860 <a href="mailto:John.Lewis@gilbertaz.gov">John.Lewis@gilbertaz.gov</a>
Glendale, AZ, City of	Deputy City Manager – Community Development (2008)	Pam Kavanaugh Assistant City Manager 623 930-2870 <a href="mailto:pam@glendaleaz.com">pam@glendaleaz.com</a>
Modesto, CA, City of	City Manager (2008)	Jim Ridenour Mayor 209 571-5597 <a href="mailto:mayor@modestogov.com">mayor@modestogov.com</a>
Sebastopol, CA, City of	City Manager (2009)	Sarah Glade Gurney Mayor 707 823-1153 <a href="mailto:sarahcouncil@yahoo.com">sarahcouncil@yahoo.com</a>
Sacramento, City of	City Manager (2011)	Geri Hamby Human Resources Director (916) 808-7173 <a href="mailto:ghamby@cityofsacramento.org">ghamby@cityofsacramento.org</a> or John Shirey City Manager (916) 808-7213 <a href="mailto:jshirey@cityofsacramento.org">jshirey@cityofsacramento.org</a>
Sebastopol, CA, City of	City Manager (2009)	Sarah Glade Gurney Mayor 707 823-1153 <a href="mailto:sarahcouncil@yahoo.com">sarahcouncil@yahoo.com</a>
Surprise, AZ, City of	City Manager (2008)	April Reynolds Human Resources Manager 623 222-3522 <a href="mailto:april.reynolds@surpriseaz.com">april.reynolds@surpriseaz.com</a>

CLIENT	POSITION	CONTACT
Berkeley, CA, City of	City Attorney (2009)	Christine Daniel Deputy City Manager 510 981-7002 <a href="mailto:cdaniel@ci.berkeley.ca.us">cdaniel@ci.berkeley.ca.us</a>
Brentwood, CA, City of	Assistant City Attorney (2012)	Karen Chew Assistant City Manager 925 516-5191 <a href="mailto:kchew@brentwoodca.gov">kchew@brentwoodca.gov</a> or Damien Brower City Attorney 925 516-5440 <a href="mailto:dbrower@brentwoodca.gov">dbrower@brentwoodca.gov</a>
California Health Benefit Exchange	Chief Counsel (2012)	Peter Lee Executive Officer <a href="mailto:peter.lee@hbex.ca.gov">peter.lee@hbex.ca.gov</a>
Elk Grove, CA, City of	City Attorney (2007)	Jim Cooper Former Mayor 916 600-1964 <a href="mailto:jcooper@elkgrovecity.org">jcooper@elkgrovecity.org</a> or Susan Cochran City Attorney 916 478-3626 <a href="mailto:scochran@elkgrovecity.org">scochran@elkgrovecity.org</a>
Las Vegas, City of	Municipal Court Administrator (2011)	Vince Zamora Human Resources Administrator 702 229-6670 <a href="mailto:vzamora@lasvegasnevada.gov">vzamora@lasvegasnevada.gov</a>
Orange County Superior Court	General Counsel (2011)	Denise Leat Chief Human Resources Officer 657-622-7727 <a href="mailto:dleat@occourts.org">dleat@occourts.org</a>
SHRA (Sacramento Housing & Redevelopment Agency)	General Counsel (2009)	Jim Shields Director of Administration 916 440-1308 <a href="mailto:jshields@shra.org">jshields@shra.org</a>

CLIENT	POSITION	CONTACT
State Bar of California	Chief Trial Counsel (2010) General Counsel (2010)	Bob Hawley Deputy Executive Director 415 538-2777 <a href="mailto:Robert.hawley@calbar.ca.gov">Robert.hawley@calbar.ca.gov</a>
me u t Retirement Association	Chief Executive Officer (2011)	HR Director Victoria Arruda <a href="mailto:varruda@acera.org">varruda@acera.org</a>
Association of California Water Agencies	Executive Director (2007)	Randy Fiorini Board President 209 668-1634 or Jan Jennings Director of Administration 916 441-4545 <a href="mailto:janj@acwa.com">janj@acwa.com</a>
California Board of Equalization	Executive Director (2012)	Liz Houser Deputy Director of Administration 916 445-4272 <a href="mailto:Liz.houser@boe.ca.gov">Liz.houser@boe.ca.gov</a>
California Board of Registered Nursing	Executive Officer (2010)	Heidi Goodman Assistant Executive Officer <a href="mailto:Heidi.Goodman@dca.ca.gov">Heidi.Goodman@dca.ca.gov</a>
California Health Benefit Exchange	Executive Director (2011)	Joe Munso Acting Administrative Director 916-919-7250 <a href="mailto:jmunso@chhs.ca.gov">jmunso@chhs.ca.gov</a>
California High-Speed Rail Authority	Chief Executive Officer (2012)	Wendy Boykins <a href="mailto:wboykins@hsr.ca.gov">wboykins@hsr.ca.gov</a> or Thomas Fellenz <a href="mailto:tfellenz@hs.ca.gov">tfellenz@hs.ca.gov</a>
CALCASA	Executive Director (2010)	Ellen Yin-Wycoff Interim Executive Director <a href="mailto:ellen@calcasa.org">ellen@calcasa.org</a>

CLIENT	POSITION	CONTACT
CalPERS	CEO (2008)	Laurie Menchaca CalPERS, Room 3260 Lincoln Plaza No., 400 Q St. Sacramento, CA 95811 916 795-1431 <a href="mailto:Laurie_menchaca@calpers.ca.gov">Laurie_menchaca@calpers.ca.gov</a>
Rivers & Mountains Conservancy	Executive Officer (2011)	Frank Colonna Board Chair <a href="mailto:frank.colonna@hotmail.com">frank.colonna@hotmail.com</a>
San Bernardino Superior Court	Executive Officer (2011)	Tressa Kenter Court Executive Officer <a href="mailto:TKenter@sb-court.org">TKenter@sb-court.org</a> (retired)
Southern Nevada Regional Housing Authority	Executive Director (2010)	Dora LaGrande, SNRHA Commissioner Chair, <a href="mailto:DoraL@cdpcn.com">DoraL@cdpcn.com</a>

## Description of Staff to be Assigned

CPS HR has uniquely qualified executive recruiters to assist the County. Our staff members possess extensive recruiting experience and a direct, in-depth understanding of local government. Each of our recruiters routinely serves as project manager and personally handles every aspect of the executive search process. Either Ms. Pamela Derby or Mr. Stuart Satow will be assigned as the Lead Executive Recruiter for this engagement, and will be assisted by Ms. Niki Polk. Ms. Polk resides in Atlanta, GA, and has extensive experience with public safety assessment and selection. Ms. Polk has worked with numerous public agencies throughout the state of Florida. The consultant's résumés are presented below.

### Pamela H. Derby

#### Profile

Since joining CPS HR Consulting in 2003, Pam Derby has conducted a wide range of recruitments for county, city, special district and association executives including city attorney, executive director, general manager, city manager, assistant and deputy city manager, police chief, community and economic development director, human services director, human resource director, finance director, medical director, public works

director, registrar of voters, library director, and director of information technology in addition to specialized support positions. Ms. Derby is currently conducting the General Manager search for the East Palo Alto Sanitary District and has just completed three

Prior to joining CPS HR, Ms. Derby served as the Aide to the Yuba County Board of Supervisors' liaison to the community and the media. This experience provided her with a unique perspective into the special circumstances that exist in a Board/Council-Manager relationship and a keen awareness of the inner workings of local government. She is sensitive to balance the wants of the community with the needs of the County so as to tailor a recruitment process that reaches out to the most appropriate candidates and ensures a diverse group of individuals from which to make a selection. She has successfully employed these techniques in jurisdictions ranging from under 10,000 to 10 million. Moreover, she employs a firmly-held personal philosophy that candidates must be treated with the same respect and careful consideration as her client. Previous to her local government service, Ms. Derby served in the private sector and with several non-profit lobbying associations where she was responsible for the management of several large consumer groups.

### **Employment History**

- Senior Professional Management Consultant, CPS HR Consulting
- Professional Management Consultant, CPS HR Consulting
- Administrative Technician, CPS HR Consulting
- Aide to the Board of Supervisors, Yuba County, CA
- Special Cases Manager, Consumer Relations, The Money Store, CA
- Supervisor, Trailing Documents, The Money Store, CA
- Executive Assistant, Randlett Associates, CA

### **Professional Experience**

- Project manager for local government, special district and non-profit executive recruitments. Responsible for all facets of process including proposal interviews, all client meetings, creating marketing and advertising materials, conducting candidate screening interviews and developing finalist candidate interview processes.
- Assisted executive recruiting team in the recruitment of local government and public agency executives.
- Managed staff responsible for addressing escalated customer complaints. Negotiated and mediated pre-litigation settlements with attorneys, state regulators, and other state agencies, involving home improvement loans. Served as department fraud coordinator.
- Provided administrative support to SVP, including drafting correspondence, report writing and special projects as assigned. Supervised department

receptionist, responsible for interfacing with vendors and facilities management.

- Provided administrative and research support for private professional lobbying firm. Researched legislative bills, corresponded with professional association members regarding legislative proposals.

**Education**

- California State University, Chico, major course emphasis – Physical Education/English

## Stuart Satow

### Profile

Since joining CPS HR Consulting in 2002, Stuart Satow has conducted over 150 successful recruitments covering all areas of public sector executive search including city, county, state, special district, and regional governments. Mr. Satow has extensive experience in conducting high-level recruitments for council/board appointed positions, including City Manager recruitments for the California cities of American Canyon, Brentwood, Elk Grove, Modesto, Napa, and Sacramento, and the Arizona cities of Chandler, Gilbert, Paradise Valley and Surprise. Mr. Satow has conducted numerous recruitments for Department Head level positions in city/county government and special districts in the areas of Planning/Community Development, Finance, Human Resources, Legal, Parks and Recreation, Communications, Information Technology, and Public Works/Engineering.

With a BA degree in Communication Studies from California State University, Sacramento and 27 years of experience in the communications industry, Mr. Satow is an experienced writer and interviewer who has excellent people skills and a positive track record in staff and project management.

### Employment History

- Executive Recruiter, CPS HR Consulting
- Sports Director, KXTV-10, Sacramento, CA
- Sports Reporter / Weekend Sports Anchor, KXTV-10, Sacramento, CA
- Sports Reporter / Weekend Sports Anchor, KNTV Channel 11, San Jose, CA
- Sports Reporter / News/Sports Photographer, KTXL, Channel 40, Sacramento, CA

### Professional Experience

- Conducting public sector recruitments for executive level positions (includes upper- and mid-management, department directors, and council/board appointed positions).
- Managing entire recruitment process: develop and submit responses to proposals, meet with clients to understand their recruitment needs and develop a project plan, develop marketing brochures for recruitments, place advertisements, and research and identify potential candidates. Proactively contact potential candidates; market the position to them. Conduct screening interviews. Facilitate the entire interview process. Perform thorough reference checks and oversee extensive background checks on candidates. Negotiate employment agreements.
- Coordinating activities of the Sports Department for local television news station

- Reporting on local sports events/teams of interest including high school, college and professional sports (and others)
- Liaison to local and regional sports contacts (including local and bay area professional teams, universities/colleges, high school athletic directors/coaches, and other key sports contacts)
- Experienced writer and interviewer with excellent people skills and a positive track record in staff and project management.

**Education**

- Bachelor of Arts degree, Communication Studies (with honors), California State University, Sacramento



## Niki Polk

### Profile

Ms. Polk has over ten years of experience analyzing jobs and designing competency-based selection systems in both the public and private sectors. She specializes in data collection, job analysis, and developing assessment tools for professional, supervisory, and management positions. Ms. Polk has spent a significant amount of her time with CPS HR coordinating and directing assessment activities site it work S 's with the U.S. Department of Homeland Security. She s ste 's e ee i Industrial/Organizational Psychology and is a certified Project Management Professional (PMP). She has provided consulting services for multiple clients within the State of Florida, including Seminole County, Orange County, Broward County, City of Ft. Lauderdale, City of Kissimmee, City of Davie, City of Boca Raton, City of Ft. Pierce, and City of Ft. Myers.

### Employment History

- Principal Consultant and Project Manager, CPS HR Consulting
- Senior Consultant and Project Manager, CPS HR Consulting
- Consultant, Barger, Cowart & Kenney
- I/O Psychology Practitioner, Corporate Psychology Resources

### Professional Experience

- Acts as a co-Team Lead for the Recruitment and Selection Products and Services Division of CPS HR. Acts as a project manager for the development and administration of valid, legally-defensible assessment processes used for selection and promotion within public safety agencies. Assists in conducting public safety executive recruitments. Conducts job analyses, develops written examinations, and develops behaviorally-based exercises. Writes technical reports documenting the validity work performed.
- Facilitates meetings with subject matter expert (SME) panels to obtain department/position-specific information for use in the development of assessment center exercises, written test plans, and job analysis data.
- Develops project pricing and manages and oversees project budgets/costs, scope, schedule, communications, quality, and resources.
- Develops and administers 360° feedback assessments.
- Develops and administers leadership development programs.
- Develops competency models to align organizational goals with employee performance goals.
- Acted as a project manager/site director by managing a mobile assessment team (of up to 35 individuals, including subcontractors) that provided testing to candidates applying for Federal jobs within the Transportation Security Administration (TSA), as the new agency brought on its first 50,000 screening personnel in response to the attacks of 9/11. Communicated all processes and

- procedures to assessment center staff and was responsible for all planning and coordination of the assessment center. Oversaw all on-site activities and maintained the responsibility of handling all on-site challenges. Managed costs, quality, and communications associated with individual assessment centers.
- Developed training materials and programs in order to successfully implement proper training procedures.
  - Developed performance appraisals and assessment centers for performance management, training, and succession planning. Developed attitude/climate surveys to measure job satisfaction within companies. Developed and/or conducted behavioral event interviews (BEIs) and job descriptions to aid in data collection and selection. Statistically analyzed all incoming data to address (1) employee performance, (2) employee satisfaction, (3) training needs, (4) validity of competency models, and (5) predictive and content validity of assessment centers.
  - Assisted in the development of an assessment center for a global Fortune 500 company. Assisted in the application of predictive validity measures to evaluate selection instruments.

#### **Education**

- M.A., Industrial/Organizational Psychology, University of West Florida
- B.A., Psychology, University of South Alabama

#### **Certifications**

- Project Management Professional (PMP)
- Six Sigma Green Belt Professional

#### **Professional Affiliations**

- American Psychological Association (APA)
- International Association of Chiefs of Police (IACP)
- International Association of Fire Chiefs (IAFC)
- Society for Industrial and Organizational Psychology (SIOP)
- Florida i e i e s' s s i t i
- Gamma Beta Phi Honor Society, Alumni
- International Public Management Association for Human Resources (IPMA-HR)
- International Personnel Assessment Council (IPAC)
- Project Management Institute (PMI)

#### **Technical Reports (Abridged)**

Bigone, A. & Polk, N. (2012). A technical report describing the development and content validation of an examination process. Tennessee Department of Safety and Homeland Security 2012 Trooper Examination Process.

Polk, N. & Bigone, A. (2012). A technical report describing the development and content validation of a promotional process. Tennessee Department of Safety and Homeland Security 2012 Lieutenant Promotional Process.

Polk, N. & Bigone, A. (2012). A technical report describing the development and content validation of a promotional process. Tennessee Department of Safety and Homeland Security 2012 Sergeant Promotional Process.

Polk, N. & Quintero Brashear, V. (2011). A technical report describing the development and content validation of promotional processes e u t S e i 's Sergeant and Lieutenant Promotional Processes.

Polk, N. (2009). A technical report describing the development and content validation of an assessment center. Cobb County Police Department Police Sergeant and Police Lieutenant Promotional Processes.

Polk, N. (2008). Three technical reports describing the development and content validation of written promotional examinations for the ranks of Sergeant, Lieutenant, and Captain. Louisiana State Police Commission Development of the 2008 Sergeant Written Promotional Examination, Louisiana State Police Commission Development of the 2008 Lieutenant Written Promotional Examination, and Louisiana State Police Commission Development of the 2008 Captain Written Promotional Examination.

### Proposed Schedule

CPS HR Consulting can complete all outreach and screening activities in approximately 60-90 days, with an anticipated appointment timeframe of 14-16 weeks. The precise schedule will depend on the placement of advertising in the appropriate professional journals/websites, and the ability to schedule the initial meeting with the County. A proposed schedule is presented below.

Task	Month 1				Month 2				Month 3				Month 4			
Weeks	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Initial Meeting/Candidate Profile																
Draft Brochure																
Brochure Approved/Printed Place Ads																
Aggressive Recruiting																

Task	Month 1				Month 2				Month 3				Month 4			
Final Filing Date																
Preliminary Screening																
Present Leading Candidates to County / County Selects Finalists																
County Interviews																
Background / Reference Checks																
Appointment																
Weeks	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

**Proposed Fee Schedule**

**Professional Fees**

The base professional fee for our executive recruitment service as outlined is \$60,000 for both recruitments. This reflects a 16% discount. Our professional fee covers all CPS HR services associated with the recruitment process, including the necessary field visits (up to three) to develop the candidate profile and recruitment strategy, assist the County in finalist selection, and facilitate candidate interviews with the County.

**Reimbursable Expenses**

Actual out-of-pocket expenses for such items as consultant travel, advertising, marketing, long distance telephone, printing/copying, and postage/delivery charges are reimbursable at cost. Travel expenses for candidates who are invited forward in the interview process are not included under our reimbursable range. There is no mark-up on expenses and we will work proactively with the County to ensure that the dollars being spent e e ses ei ee i it t e . u t 'se e t ti s

**Estimated Range..... \$6,000 - \$7,500 per recruitment\***

Approximate costs include:

- Advertising (\$2,500)
- Brochure design/printing (\$1,500)
- Mailings (\$200)

- Consultant Travel (\$1,500)\*
- Background check ( one candidate) (\$400)
- Other expenses (supplies, shipping etc.) (approx. \$200)

\*some cost efficiencies may be achieved if the County is open to virtual meetings, thus saving costs on consultant travel for site visits (initial client meeting and delivery of recommended candidates)

Professional fees and reimbursable expenses would be billed and paid monthly.

**CPS HR Consulting  
One-Year Guarantee**

If the candidate selected and appointed by the County, as a result of a full executive recruitment, terminates employment for any reason before the completion of the first year of service, CPS HR will provide the County with whatever professional services are required to appoint a replacement. Professional consulting services will be provided at no cost. The County would be responsible only for reimbursable expenses. The same applies if the initial recruitment efforts do not result in a successful appointment.



5800 Stanford Ranch Road  
Suite 410  
Rocklin, California 95765  
916.630.4900

January 9, 2013

Cecil L. Pendergrass, Chair  
and Members of the Board of County Commissioners  
Lee County Government  
2115 Second Street  
Fort Myers, Florida 33901

Dear Chairperson Pendergrass and Members of the Board of County Commissioners:

Ralph Andersen & Associates is pleased to submit our proposal to provide executive search services to Lee County for the positions of County Manager and County Attorney. Thank you for the opportunity to present our qualifications and we look forward to, once again, working with Lee County Government.

Although based in California, we have previously worked for Lee County Government on recruitment assignments. Additionally, we have also consulted with other Florida municipalities on high level executive positions. As a national recruiting firm, we believe we have served our clients well in this region of the country and will continue to do so for future years. For this reason, we believe we would be the right choice for Lee County at this time to help market the County and the commitment to hire one of the best – if not the best – executive search firm focused on public sector search.

The executive recruitment techniques used by Ralph Andersen & Associates have been developed and used successfully with hundreds of clients for more than 41 years. With the reputation of Ralph Andersen & Associates you will have the opportunity to consider candidates located throughout the State of Florida, the East Coast, Midwest as well as from across the United States.

The firm has conducted a number of County Manager and County Attorney searches including large urban centers, rural areas, and resort communities. Sample recruitment brochures for County of Santa Barbara (County Executive Officer), County of Placer (County Executive Officer), Fairfax County, Virginia (County Executive), and Hillsborough County (County Attorney) are attached for your reference. The firm has also conducted numerous Florida searches and is currently conducting a number of searches for Broward County.

Should you need any clarification or wish to arrange an introductory meeting, please feel free to contact me directly. Our team of experienced recruiters is prepared to undertake this very important assignment. Thank you very much for your consideration of this proposal. We are excited about this opportunity to serve Lee County Government.

Respectfully Submitted,

Heather Renschler  
President/CEO

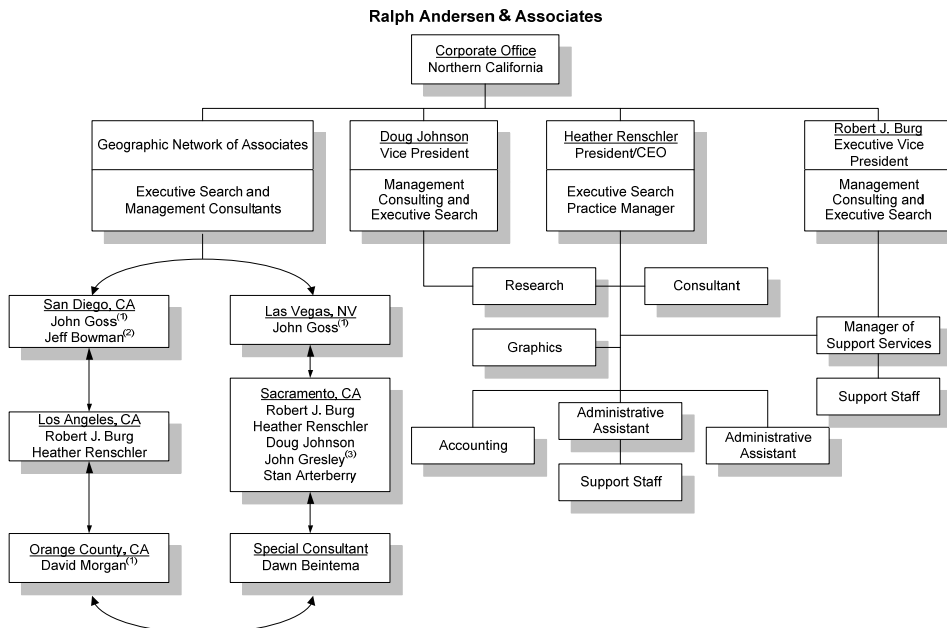
# Qualifications and Experience

## Organization Background

Ralph Andersen & Associates has been providing practical, responsive executive search and management consulting services to the local public sector and related industries since 1972. With each new assignment, we earn our reputation as the nation's premier local government consulting organization.

Ralph Andersen & Associates is a California Corporation and is not a subsidiary nor does it have any subsidiaries. The firm serves a nationwide clientele through its Corporate Office in the Sacramento Area. The corporate office is located at 5800 Stanford Ranch Road, Suite 410, Rocklin, California 95765.

A multi-disciplined, full-service local government consulting organization, Ralph Andersen & Associates is dedicated to helping our clients improve operating efficiency and organizational effectiveness. Our staff of professionals and support staff include acknowledged leaders in their respective fields. Supplementing their extensive consulting backgrounds, our executive staff have personal, hands-on executive experience in the operation of public agencies and/or private businesses.



<sup>(1)</sup>Experienced City Manager  
<sup>(2)</sup>Former Fire Chief  
<sup>(3)</sup>Former Housing Executive

## Range of Services Offered

Ralph Andersen & Associates specializes in the following primary service areas: management consulting, human resources consulting, public safety, and executive search.

- **Management Consulting** – Ralph Andersen & Associates helps organizations improve their performance potential with a range of management consulting services. The types of services provided by the firm include management and performance audits, organizational analyses, productivity improvement analyses, agency and service consolidation assessment, specialized financial management including debt restructuring and organizational problem solving. In addition to providing these services to entire organizations, the firm often conducts management consulting engagements that are focused in a specific service area such as public safety, city management, finance, public works, community development and other major service areas. Ralph Andersen & Associates treats every management consulting engagement as unique. This approach means we will assemble a consulting team comprised of consultants with the specific talents and experiences needed to successfully achieve the client's objectives. Our team of experienced consultants perform complex analyses and recommend solutions that are practical and most importantly, are capable of being implemented by our clients.
- **Human Resources Consulting** – The firm provides a full range of contemporary human resources consulting including classification studies, compensation studies, benefits analysis, pay plan development, executive pay, and pay for performance. Key staff have proven successful in working with labor groups and elected officials in identifying solutions and solving challenging problems. Services also include expert witness services for mediation and arbitration hearings. Our approach to consulting services is characterized by proven methods, extensive data collection, accurate analysis, and effective communication and messaging.
- **Public Safety** – Working closely with our clients to implement innovative emergency management solutions, Ralph Andersen & Associates helps organizations plan, protect and serve people better than ever before. We bring together practical solutions, plans, and processes that are operationally deployable to help our clients achieve their critical objectives. The firm's consultants have extensive, hands-on experience in planning and disaster preparedness training for private and public institutions including healthcare, public health, human services, and local, state and federal government agencies.
- **Executive Search** – At Ralph Andersen & Associates, there's always an entire team behind every recruitment assignment that we undertake. Our multi-disciplinary approach takes the best ideas in executive recruiting and creates innovative ways to get the right candidates for clients. When you retain Ralph Andersen & Associates, you actually get an entire team's worth of support and expertise working together to achieve your organization's objectives. The firm has conducted executive searches for large and small organizations throughout the nation. In addition to conducting searches for city manager and other chief executive officer positions, Ralph Andersen & Associates has successfully completed searches in every area of municipal service. Ralph Andersen & Associates believes the most important element of a successful executive search is to listen carefully to what our clients are looking for in terms of candidate experience and qualifications. Using these client-focused guidelines, candidate identification is undertaken through marketing and personal outreach.



## Statement of Qualifications

The successful search process relies heavily on person-to-person contact to identify outstanding potential candidates and, in the evaluation phase, to gain a complete understanding of the background, experience, and management style of the top candidates. The executive recruitment techniques used by Ralph Andersen & Associates have been developed and used successfully with hundreds of clients for more than 41 years. With the reputation of Ralph Andersen & Associates you will have the opportunity to consider candidates located throughout the State of Florida and the Eastern Region as well as from across the United States.

We are proud of how we market and represent our clients; all of the development, graphics, and printing of our marketing material are done in-house so we can control the quality and production timing. Sample recruitment brochures for the County of Santa Barbara (County Executive Officer), the County of Placer (County Executive Officer), Fairfax County, Virginia (County Executive), and Hillsborough County (County Attorney) have been attached for your reference.

To see additional samples of our recruitment brochures please visit the Career Opportunities page of our website at [www.ralphandersen.com](http://www.ralphandersen.com).

## Related Recruitment Experience and Clients

Ralph Andersen & Associates conducts a wide array of searches in the public sector, including key executives in local government – the County Manager and County Attorney. Our experience spans populations of all sizes, from the largest in the country to small and mid-size municipalities.

Ralph Andersen & Associates is very familiar with Lee County having conducted the following recruitments:

- Human Resources Manager
- Library Director

County management searches conducted by Ralph Andersen & Associates since 2005 include:

- Alpine County, CA – County Administrative Officer
- Calaveras County, CA – County Administrative Officer
- Fairfax County, VA – County Executive (*Sample Attached*)
- Los Angeles County, CA – Chief Executive Officer
- Mendocino County, CA – Chief Executive Officer
- Placer County, CA – County Executive Officer (*Sample Attached*)
- Plumas County, CA – County Administrative Officer
- Santa Barbara County, CA – County Executive Officer (*Sample Attached*)
- Sutter County, CA – Assistant County Administrator

- Sutter County, CA – County Administrator

Attorney related recruitments for both counties and cities conducted by Ralph Andersen & Associates since 2005 include:

- Flagstaff, AZ
  - City Attorney (2010)
- Folsom, CA
  - City Attorney (2005)
- Hillsborough County, FL
  - County Attorney (2012) (*Sample Attached*)
- Los Angeles County, CA
  - Public Defender (2010)
- Los Angeles County Employees Retirement Association (LACERA)
  - Chief Legal Counsel (2008)
- Los Angeles County Office of Education (LACOE)
  - General Counsel (2008)
- Metropolitan Transportation Commission
  - General Counsel (2010)
  - Senior Counsel (*Current Search*)
- Plumas County, CA
  - County Counsel (2010)
- Redwood City, CA
  - City Attorney (2010)
- Simi Valley, CA
  - City Attorney (2008 & 2012)
- Turlock, CA
  - City Attorney (2008)

Ralph Andersen & Associates was one of the first firms in the nation to provide executive search services in the Southeast and Eastern Regions as well as across the nation.

## References

At Ralph Andersen & Associates, we feel strongly that our past client relationships will attest to the professionalism of our services. We would be pleased to provide references upon the County's request.

# Ability of Consultant's Professional Personnel

Only senior members of Ralph Andersen & Associates are assigned to lead search assignments, ensuring that their broad experience and knowledge of the industry is brought to bear on our clients' behalf. *The Project Director will be Ms. Heather Renschler, President/CEO of Ralph Andersen & Associates.* The firm is prepared to dedicate all of its resources to ensure the successful and timely completion of this recruitment for the positions of County Manager and County Attorney.

Ms. Heather Renschler will be the primary contact with the County and can be reached at (916) 630-4900, on her cell as (916) 804-2885, or via email at [heather@ralphandersen.com](mailto:heather@ralphandersen.com). Ms. Renschler will be assisted by Mr. Robert Burg. Mr. Burg is also available to be the lead on this search should that prove to be more timely for the County or as a backup to Ms. Renschler.

## Ms. Heather Renschler, Project Director

Ms. Renschler has been with Ralph Andersen & Associates for more than 28 years and is the firm's Chief Executive Officer. Ms. Renschler has overseen the recruitment practice of Ralph Andersen & Associates for the last 16 years and, as a result, is often involved with recruitments on a national scale and those of a highly sensitive and critical nature. She is experienced at working with city councils, boards, staff members, and selection committees in the recruitment and selection process. Her network of contacts and potential candidates is extensive not only within the Eastern Region but also on a national scale. Prior to joining Ralph Andersen & Associates, Ms. Renschler had private sector experience working with firms in the areas of construction management, health care, and public accounting. Ms. Renschler attended the University of Toledo and majored in Accounting and Journalism. She obtained her Bachelor's degree in Public Administration from the University of San Francisco.



## Robert Burg, Executive Vice President

Mr. Burg is the Executive Vice President of Ralph Andersen & Associates and joined the firm to co-lead the national recruitment practice and as a stockholder in the firm. As a senior executive, his area of concentration is on executive search and management consulting. His client base, as a retained consultant and high-level advisor, is focused on all facets of government, non-profit and private enterprise. Mr. Burg has a total of 34 years of experience in the area of government. Mr. Burg has successfully completed some of the most challenging, complex recruitments in the United States. Mr. Burg has extensive leadership and consulting experience in both the public and private sectors. He has held senior administrative positions in organizations ranging in size from less than 100 employees to over 1,000. Mr. Burg has a Bachelor of Arts degree in Economics and a Masters of Business Administration with a specialty in Healthcare both from the University of Miami, Coral Gables, Florida. He has taught business management courses and lectured at several prestigious organizations.



## Paraprofessional and Support Staff

Paraprofessional, graphics, and support staff will provide administrative support to consultant team on recruitment assignments. These include: Ms. Brianna Ham, Ms. Teresa Heple, Ms. Diana Hausmann, Ms. Tiffany Taylor, and Mr. Jeff McMurdo.

# Project Understanding and Approach

Attracting top talent has never been more complex and Ralph Andersen & Associates is highly qualified to assist Lee County with recruiting its new County Manager and County Attorney. Since 1972 we have conducted more successful executive recruitments than any other firm. From helping you to create a competency-based interviewing framework for your new County Manager and County Attorney to assessing candidates and attracting top human capital, our search professionals offer an unparalleled depth of experience, national reach, and industry knowledge.

The County has requested our proposal to assist in the identification and recruitment of a highly qualified group of candidates for the new County Manager and County Attorney. In particular, Lee County is seeking a firm with the national reach and professional experience to clearly assess your organizational needs and formulate a strategy to *deliver results*.

At Ralph Andersen & Associates, we believe that gaining a complete understanding of our client's specific objectives and priorities is essential prior to launching any search assignment. This process includes the identification and incorporation of a variety of important details such as the candidate's desired skills and experience as well as the critical "soft skills" related to temperament, personality, management philosophy, and other factors that will ultimately determine the candidate's "fit" with the organization.

We, therefore, begin each search by working closely with your leadership, stakeholders, staff, and when appropriate, your community to ensure a complete picture of the desired candidate pool is developed. Our team-oriented approach matched with this 360 degree perspective means we ensure that a complete understanding of the organization's mission and culture translates into those specific traits and characteristics necessary to ensure the selected candidate is successful in the position.

We understand that the County expects aggressive, personalized outreach to identify a diverse and highly qualified applicant pool and a selection process that includes comprehensive candidate reports based on thorough reference and background checks. We will begin with fully detailed profiles of the desired candidate's characteristics and build a recruitment strategy that is tailored to meet the County's specific needs. The resulting outreach and advertising campaign will incorporate the extensive use of personal outreach to recruit a diverse and highly qualified group of candidates.

## Search Work Plan

This section describes the usual steps in the search for a new County Manager and County Attorney for Lee County.

### Task 1 – Review Project Management Approach

The Project Director on this assignment will be Ms. Heather Renschler. The Project Director will meet with the Board of County Commissioners, management staff, and others as appropriate to discuss the project management for the search. The discussion will include a review of the work plan, confirmation of timing, and communication methods.

## Task 2 – Develop Position Profile and Recruitment Brochure

The position profiles for the County Manager and County Attorney are the guides for the entire search process. The development of the profiles includes the collection of technical information and recruitment criteria.

### Technical Information

The Project Director will meet with the Board of County Commissioners, management staff, and others as necessary. The purpose of these meetings is to gain an understanding of the experience and professional background requirements desired in the new County Manager and County Attorney. These meetings will also help the search consultant gain an understanding of the work environment and the issues facing the County.

### Recruitment Criteria

The recruitment criteria are those personal and professional characteristics and experiences desired in the new County Manager and County Attorney. The criteria should reflect the goals and priorities of the County.

The County may desire obtaining input from the Community on the qualities they would like to see in the new County Manager. To facilitate Community input, the Search Team will conduct one public meeting as well as offering the ability to submit comments through an on-line survey instrument. Additionally, our process will allow for email comments to Ralph Andersen & Associates relative to the desired qualities in the next County Manager.

Subsequent to the development and adoption of the candidate profiles, the technical information and recruitment criteria will be documented in information or recruitment brochures.

## Task 3 – Outreach and Recruiting

This task is among the most important of the entire search. It is the focus of the activities of the search consultant and includes specific outreach and recruiting activities briefly described below.

### Outreach

An outreach and advertising campaign will be developed. It will include the placement of ads in appropriate professional publications and Internet sites such as the National Association of Counties (NACo), the Florida Association of Counties, the Florida City/County Management Association, the International City/County Management Association (ICMA), Florida Bar Association, and the Florida Bar News. Specific Internet sites related to government will be used, including *Careers in Government*, as a method of extending the specific outreach in a short period of time.

Additionally, the advertisements and the full text of the position profile (the recruitment brochure) will be placed on Ralph Andersen & Associates' home page, which is accessed by a large number of qualified candidates. This method of outreach to potential applicants provides a confidential source that is monitored by many key level executives on an on-going basis.

For the County Attorney recruitment, Ralph Andersen & Associates will conduct personal outreach to current County Attorneys and other legal professionals in Florida due to the specific need for current membership in the Florida Bar. Attorneys with prior Florida experience will also be pursued if their license is current or able to be re-activated.

## Candidate Identification

Ralph Andersen & Associates will use their extensive contacts to focus the recruiting effort. In making these contacts, the search consultant will target those individuals who meet the criteria set by the County. Each of the candidates identified through the recruiting efforts will be sent an information brochure. Candidates will also be contacted directly to discuss the position and to solicit their interest in being considered.

Both the outreach and recruiting activities will result in applications and resumes from interested candidates. As they are received, resumes will be acknowledged and candidates will be advised of the general timing of the search process. The following tasks involve the actual selection process, once all resumes have been received.

## Task 4 – Candidate Evaluation

This task will be conducted following the application closing date. It includes the following specific activities:

### Screening

All of the applications will be carefully reviewed. Those that meet the recruitment criteria and minimum qualifications will be identified and subject to a more detailed evaluation. This evaluation will include consideration of such factors as professional experience, and size and complexity of the candidate's current organization as compared to the candidate profile.

### Preliminary Reference Review

The search consultant will conduct preliminary reference reviews for those candidates identified as the most qualified as a result of the screening process. Direct contact will be made with references to learn more about the candidates' experience, past performance, and management style.

### Preliminary Interviews via Skype or Cisco WebEx

The Project Director will conduct preliminary interviews with the top group of candidates identified through the screening and preliminary reference review processes. The interviews are extensive and designed to gain additional information about the candidates' experience, management style, and "fit" with the recruitment criteria. Interviews will be conducted using Skype, Cisco WebEx technology, or via telephone. No consultant travel for preliminary in-person interviews has been included in this proposal.

The screening portion of the candidate evaluation process typically reduces a field of applicants to approximately five (5) to eight (8) individuals. Those individuals will be reviewed with the County prior to proceeding with the individual interviews.

## Task 5 – Search Report

After completing Task 4, the search consultant will meet with the County to review the search report on the five (5) to eight (8) top candidates. The report divides all of the candidates into three groups including 1) Highly Qualified; 2) Qualified; and 3) No Further Interest. The search report will include resumes for candidates in both the highly qualified and qualified groups. The results of reference reviews and interviews will be provided in writing. From this meeting will come a confirmed group of finalist candidates (typically 6).



## Task 6 – Selection

The final selection process will vary depending upon the desires of the County. The typical services provided by Ralph Andersen & Associates in the selection process are described briefly below. The search consultant will coordinate the selection process for the finalist group of candidates. This includes handling the logistical matters with candidates and with the County.

The search consultant will prepare an interview booklet that includes the executive candidate summary, resume, and candidate report (with interview comments, reference checks, and other relevant information) for each candidate. In addition, the booklet will contain suggested questions and areas for discussion based upon the recruitment criteria. Copies of the interview booklet will be provided in advance of the candidate interviews.

The search consultant will attend the interviews to assist the Board of County Commissioners through the selection process. This assistance will include an initial orientation, candidate introductions, and facilitation of discussion of candidates after all interviews have been completed.

Additionally verifications will be made on the top two (2) candidates and will include education verifications, Department of Motor Vehicle check, wants and warrants, civil and criminal litigation search, and credit check. Additionally, Ralph Andersen & Associates will verify any stated certifications that candidates may have to verify they are currently in good standing and review any notations on their licenses in the form of any public complaints against the individual. The results of these verifications will be discussed with the Board of County Commissioners at the appropriate time.

The search consultant is available to provide assistance to the County in the final selection as may be desired. This assistance may include providing or obtaining any additional information desired to assist in making the final selection decision.

## Task 7 – Negotiation

If desired, the search consultant is available to assist the County in negotiating a compensation package with the selected candidate. This may include recommendations on setting compensation levels.

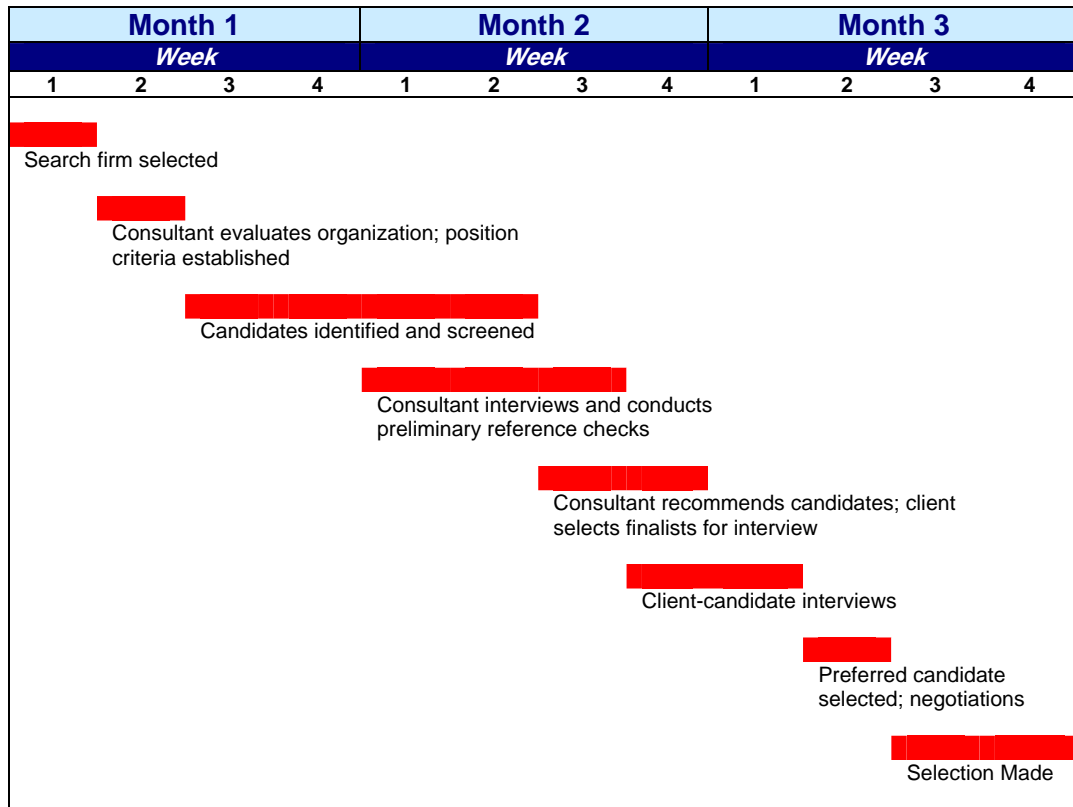
## Task 8 – Close Out

After the County has reached agreement with the individual selected for the position, the search consultant will close out the search. These activities will include advising all of the final candidates of the status of the search by telephone.

## Project Timeline

Typically, a search will be conducted within a 75 – 90 day period of time from the execution of the agreement between the County and Ralph Andersen & Associates. Following selection, negotiation with the top candidate will take an additional week or two after finalist interviews.

A brief overview of the recruitment schedule is presented on the following page (schedule does not include transition time by Selected Candidate to join the County).



# Project Cost

The search effort for a new County Manager will be national in scope with a focus on candidates in Florida and the Eastern Region. For the County Attorney recruitment, Ralph Andersen & Associates will conduct personal outreach to current County Attorneys and other legal professionals in Florida due to the need for current membership in the Florida Bar.

**The professional services fee to perform the County Manager search will be a fee of \$28,750 for professional services and expenses.** Expenses include such items as advertisements, consultant travel (includes three (3) trips to the County), clerical, research, graphic design, printing and binding, postage and delivery, verifications and Internet and Lexis/Nexis searches on the top two (2) candidates, and long-distance telephone charges. Expenses will be billed based on actual incurred costs.

Should the County choose to engage Ralph Andersen & Associates to assist with **both** the County Manager and County Attorney recruitments, the second search will be the fixed fee of **\$25,000**. The combined total for both recruitments would be **\$53,750**.

Ralph Andersen & Associates will bill the County monthly. Progress payments for professional services and expense reimbursement will be due upon receipt.

The County will be responsible for all costs associated with candidate travel to and from the finalist on-site interviews and for consultant travel for in-person screening interviews (if desired) for selected finalist candidates. Any consultant travel outside the scope of the contract will be billed to the County for actual expenses only.

## Ralph Andersen & Associates' Guarantee

Ralph Andersen & Associates offers the industry-standard guarantee on our search services. If within a **one-year period** after appointment the County Manager or County Attorney resigns or is dismissed for cause, we will conduct another search free of all charges for professional services. The County would be expected to pay for the reimbursement of all incurred costs.



*Recruitment Brochure*

*County Executive Officer*



*Discover Placer County*

*Feel the Beauty*

*Experience the Adventure*

*Apply by March 16, 2012*





## *The Opportunity*

This is an extraordinary career opportunity to join a creative and innovative county located in scenic Northern California. This progressive and award-winning organization has been able to accomplish so much and earn the reputation as one of the best managed municipalities in the Western United States. The Board of Supervisors is looking for an individual who will make a long term commitment to this distinguished organization. Selection by the Board of Supervisors is anticipated to take place in early April 2012.

## *A Rich History*

Placer County's 150-year history began with the discovery of gold in 1848. In fact, the County took its name from the Spanish word for sand or gravel deposits that contain gold. Gold was discovered on the American River in 1848 by James W. Marshall at Sutter's Mill in Coloma. Others capitalized on Marshall's success and panned for gold nuggets from a stream at the Auburn Ravine. This discovery warranted the establishment of a new mining settlement, which was named Auburn in 1849. By April 25, 1851, the County of Placer was formed, and Auburn was designated as the County seat.



The railroad has also been a major part of Placer County's history. Between 1864 and 1865, Central Pacific Railroad laid track from Sacramento to reach various parts of Placer County, including Roseville, Rocklin, Newcastle, Auburn, and Colfax. The towns and communities within Placer County have all contributed to the County's rich history. Many towns had their beginnings in mining and evolved over the years into ranching, farming, and timber communities and recreation destinations.

Placer County's strong growth and development in more recent times can, in large part, be attributed to the relocation of high tech firms to the region in the beginning of the 1980s. The interest shown by new, expanding, and relocating companies to Placer County developed into a demand for substantial expansion of the available commercial and residential space.



## *Placer County Today*

Today, Placer County represents a rapidly growing and prosperous community characterized by a healthy and mature economy, attractive business environment, and residents who benefit from a developed educational, safety, and healthcare infrastructure, in addition to abundant recreational opportunities. Additionally, the County has benefited financially by the development agreement with the United Auburn Indian Community to build and subsequently expand the Thunder Valley Casino, located in Lincoln off Highway 65. Also, William Jessup University, a four-year institution, and Sierra College, a two-year institution, are both located in Placer County.

Outdoor recreation activities in Placer County are abundant all year long from hiking and biking, to horseback riding, to rafting on rivers, to snowshoeing and skiing – adding to a focus on an array of resort and supporting industries.

Placer County encompasses 1,506 square miles (including 82 square miles of water) or 964,140 acres (including 52,780 acres of water) and is located 80 miles northeast of San Francisco, California. Total population is approximately 352,000 in both the unincorporated and incorporated (Auburn, Colfax, Lincoln, Loomis, Rocklin, and Roseville) areas of the County. It is bordered by Nevada County to the north, the State of Nevada to the east, El Dorado and Sacramento Counties to the south, and Sutter and Yuba Counties to the west.

Placer County is part of the Sacramento Region, which also includes the Counties of El Dorado, Sacramento, Sutter, Yolo, and Yuba. The government center of Placer County (located in Auburn) is well positioned 30 miles northeast of Sacramento, the State capital.

## *County Governance and Organization Structure*

The County is governed by a five-member Board of Supervisors who are elected to four-year terms by voters within their respective districts. The responsibilities of the County Executive Officer (CEO) are defined in County Charter. This governing structure has nearly all non-elected Department Heads reporting to the CEO. The six elected officials (Assessor, Auditor-Controller, County Clerk-Recorder-Registrar of Voters, District Attorney, Treasurer-Tax Collector, and Sheriff-Coroner-Marshall) report to the Board on budgetary and operational issues, however, as elected officials, are not directly accountable to the Board in the same manner as non-elected Department Heads.

The County's Budget for Fiscal Year 2011/12 is \$764 million with staff of approximately 2,200.



## Opportunities and Challenges

Placer County is extremely stable financially due to fiscally prudent decision-making and effective policy setting over the past few decades. As a result of this, the future CEO will be expected to ensure that the organization continues to be accessible, responsible, and accountable, and that all services provided are reflective of superior customer service, while administering sound fiscal management of resources and assets.

In addition to day-to-day operations, the Board of Supervisors has identified the following areas of importance for the CEO:

- Collaborating with various departments, Board of Supervisors, other elected officials, and stakeholders to develop greater efficiencies in programs ensuring that County departments provide programs and services that meet the needs of residents;
- Identifying and implementing successful strategies to address alternative service delivery methods including any restructuring of internal operations;
- Effectively negotiating with employee labor unions and effectively utilizing staff and resources;
- Aggressively seeking additional funding at all levels, State and Federal, for expanded programs; and
- Developing and managing a strategic fiscal plan for the next three to five years that addresses any adverse effects of legislative changes in California (i.e., loss of redevelopment agencies and the related funding that will impact local municipalities).

The new CEO will also be involved with the following broad areas important to the Board of Supervisors on behalf of the general public:

- **Financial Challenges** – The County has survived the most severe economic downturn in history – while maintaining a strong bond rating and the quality of life Placer County residents expect. Because the Board of Supervisors are cautiously optimistic that the economy will slowly recover, it has based its future plans on anticipated short-falls and measured improvement in the local economy.
- **Maintaining a Healthy Economy** – Placer County has a well-earned reputation as a business-friendly community. The County vigorously pursues economic development and revitalization opportunities in support of the communities. The County is sensitive and responsive to the needs of its corporate neighbors in the areas of workforce development and availability, affordable housing, regulation, and taxation.

- **Maintaining Safe and Caring Communities** – As Placer County continues to grow, it will do so in ways that address environmental and mobility challenges. The County will encourage housing that is affordable to its residents and members of the workforce. The County provides compassionate and efficient services to members of the community who are in need through its exceptional, expansive, and award winning Health & Human Services Department.
- **Practicing Environmental Stewardship** – Placer County protects its drinking water, air quality, streams, lakes, foothills/valleys, and other distinct geography/terrain through responsible environmental regulations and practices. The County will continue to take a lead in initiatives to address energy efficiency and sustainability, and to preserve and protect open space for residents to enjoy.

## Responsibilities of the CEO

The CEO is an at-will position that reports to the five-member Board of Supervisors. The CEO is responsible for making recommendations to the Board that result in cost-effective programs that better serve the public. The County Executive Officer is accountable for providing strong leadership while modeling core values and guiding principles of integrity, pride, trust, and respect within this highly ethical organization.

The CEO acts as the principal administrative advisor to the Placer County Board of Supervisors. Operational responsibilities include coordinating, directing, planning, and overseeing the administrative and financial affairs of the County pursuant to policies determined by the Board.

Specifically, the CEO has executive leadership responsibilities for:

- Advancing County-wide initiatives through leadership;
- Promoting effective and efficient delivery of County-wide programs and services through the application of strategic management tools;
- Ensuring the overall fiscal health of Placer County through resource management and revenue enhancement;
- Leading County-wide efforts of strategic planning and performance measurements; and
- Creating a culture of effective communication through all levels of the organization as well as throughout the County-wide area.



## *The Ideal Candidate*

The ideal candidate will be a confident, “hands-on,” creative, and innovative leader who is comfortable operating in a robust and dynamic environment. The ideal candidate will also be intuitive, perceptive, and know when to lead and when to be supportive. The candidate must also be results-oriented and committed to serving the community with the ability to provide the vision on an array of complex and interesting topics impacting the citizens of Placer County.

The next CEO will also need to be energetic, self-confident, and have an open and approachable personal style. He/She must also be able to provide “**collaborative leadership**” that will inspire, motivate, and empower key staff and Department Heads to achieve established goals. The position requires someone who is politically astute with superior interpersonal and communication skills, with a comfort and desire for interacting with a variety of individuals and diverse stakeholders.

This executive will also utilize continuous improvement methods and best practices; promote a cooperative environment; demonstrate integrity that aligns with County values and which provides effective and responsible decision-making.

The candidate should have a strong track record of success and leadership in:

- Financial operations including fiscal management and budgetary control;
- Service-delivery, improvements, and efficiency;
- Revenue-generating activities;
- Labor relations and negotiations; and
- Environmental compliance and implementation of California law.

In addition, the candidate should have the ability to:

- Collaborate with the Executive Management Team and both appointed and elected Department Heads to achieve the County’s mission, as established by the Board of Supervisors;
- Direct an organization engaged in a large number of diverse programs;
- Monitor and advise on legislative activity (local, State, and Federal levels); and
- Establish, develop, and maintain strong working relationships with local communities, other governmental organizations, Federal and State legislatures, private agencies, community groups, the media, and the public.

## *Qualifying Experience and Education*

**Experience** – This position requires significant executive level experience with a county or city government or as the administrator of a mid-to-large public agency or department. Preference may be given to executives with current or recent California public sector experience. Individuals with other executive level experience are encouraged to apply. Candidates with other relative executive-level experience are also encouraged to consider this opportunity and present their career history for consideration if they can demonstrate career involvement with public agencies and the transferability of leadership skills.

**Education** – A Bachelor’s degree is required. An advanced degree may be a plus.

## *Compensation and Benefits*

This is a well-compensated executive level position and starting salary will be dependent on qualifications, salary history, and career accomplishments. Specific salary placement will be based upon the Board’s evaluation of a candidate’s overall ability to provide exemplary leadership to the County. The County will consider relocation and moving allowance for the selected candidate, consistent with prudent public sector guidelines, in order to attract a broad field of highly qualified candidates.

## *To Be Considered*

***This is a highly confidential process throughout the recruitment and evaluation stage. References will not be contacted until mutual interest has been established, and confidentiality will be maintained until the final candidate is selected.***

Resumes, including cover letter and record of accomplishments, will be reviewed and evaluated as received. **Apply by Friday, March 16, 2012.** Interested candidates are encouraged to immediately submit materials to [apply@ralphandersen.com](mailto:apply@ralphandersen.com). **Electronic submittals are required.** Only a select few – the most highly qualified candidates – will be invited to interview with the Board of Supervisors.

*Confidential inquiries are welcomed to:*

**Ralph Andersen & Associates**  
Executive Search Consultants  
(916) 630-4900  
Heather Renschler  
[heather@ralphandersen.com](mailto:heather@ralphandersen.com)

***Placer County is an active equal opportunity employer.***



An Outstanding Career Opportunity with

# Fairfax County

## County Executive



*The core purpose of Fairfax County Government is to protect and enrich the quality of life for the people, neighborhoods, and diverse communities of Fairfax County.*

recruitment services provided by Ralph Andersen & Associates





## The Opportunity

This extraordinary career opportunity to join one of the most creative and innovative counties in America is the result of the pending retirement of the current County Executive, Tony Griffin. He has provided exceptional leadership and guidance to Fairfax County over the past twenty-two years, serving as its top administrator for the last twelve. It is under the leadership of Mr. Griffin, key executives, and highly capable staff, that the award-winning county has been able to accomplish so much and earn the reputation as one of the best managed municipalities in the United States. The next County Executive will assume the leadership of a forward-thinking organization dedicated to providing the highest quality of customer service to this diverse and dynamic community. The Board is looking for a candidate who will make a long term commitment to this distinguished organization.

## The County

Fairfax County is located in Northern Virginia and is bordered by the District of Columbia (Potomac River), Arlington County, and the independent cities of Alexandria and Falls Church to the east. It is bounded on the west by Loudoun County and on the south by Prince William County. With a land area of 395 square miles and population of slightly over one million, Fairfax County is the most populous jurisdiction in the Commonwealth of Virginia, with 13.5% of Virginia's population.

Fairfax County is one of the premier centers of commerce and technology in the United States, providing businesses the vibrant environment needed to compete in the 21st century. Judged by household median income, the county is among the highest-income counties in the country, and contains some of its most desirable residential communities.

Business taxes generated by commercial development help to fund some of the finest public services in the country. Fairfax County Public Schools are consistently rated among the best in the nation, with many special academic programs, excellent test scores, and high graduation rates. The county is also a leader in higher education. The campuses of five major colleges and universities, and the largest community college in Virginia, are located in the county. The Fairfax County Public Library system is the largest in Virginia, with total circulation topping 13 million items a year.



Fairfax County offers its residents a broad range of historical and entertainment options, including the National Air and Space Museum's Udvar-Hazy Center, and George Washington's Mount Vernon Estate. Fairfax County residents also take advantage of nearby cultural and recreational outlets. To the east there is the Chesapeake Bay; Atlantic Ocean beaches; and all the monuments, museums, and night-life abundant in Washington, D.C. To the west are the famed Blue Ridge Mountains. To the south are the Civil War battlefields surrounding Manassas, Fredericksburg, and Richmond.

The county has a lot to offer – a dynamic global business community, a range of housing options, and an abundance of recreational, cultural, educational, healthcare, and financial opportunities. The county is a great place to work, live, and raise a family, and has a stable economy positioned for future growth.

## The Governance Structure

Fairfax County has an elected Board of Supervisors consisting of nine members elected by district, plus a chairman elected at-large. The law requires that districts be of approximately equal population, that the supervisors (other than the chairman) be residents and qualified voters of their district, and be elected only by voters living in those districts. Since there are no term limits, members can be elected to an unlimited number of four-year terms. The Chair presides at all meetings, and has all of the powers as a member, including one vote. The Vice Chair is elected amongst the members annually at the first meeting of the year in January.

The Board is responsible for setting local tax policy, approving land use plans, and appointing officials to various county-wide positions, including the County Executive who prepares the annual budget and carries out laws enacted by the Board. The Board of Supervisors acts within the limits set forth by the Virginia General Assembly. The Board usually meets two Tuesdays each month.

The Board of Supervisors has been in existence since the 1890s. The current form of the Board has been in existence since 1968, when an at-large chair position was added.

## Commitment to Education

Education is one of Fairfax County's highest priorities. Because of the excellent schools, businesses are eager to locate here. A well-educated constituency is best able to give back to its community. Fairfax County Public Schools are governed by an independently elected, twelve-member School Board that, in turn, selects a School Superintendent. The School Board has no taxing or bonding authority, therefore the county's operating budget and capital program provides almost all school funding, except for limited federal and state support. Slightly more than \$1.6 billion, or approximately 53% of the Fairfax County General Fund Budget, is allocated to the Fairfax County Public Schools.

## Position and Responsibilities of the County Executive

The County Executive is an at-will position that reports to the ten-member County Board of Supervisors, and serves as the highest appointed administrative position in Fairfax County Government. The County Executive is accountable for providing strong leadership while modeling core values and guiding principles of integrity, pride, trust, and respect within this highly ethical organization.

Through a very skilled leadership team, the County Executive oversees a values-based organization that implements Board-prioritized short- and long-

term strategies to accomplish the county's mission and vision. The County Executive is responsible for making recommendations to the Board that result in cost-effective programs that better serve the public, the Board, and county departments. The County Executive is also the director of emergency management for Fairfax County.

The County Executive is responsible for a wide-range of activities, including managing and directing budget and operations, facilities and asset management, inter-governmental relations, employee relations, compensation and classification, risk management, and strategic planning. The Office of the County Executive oversees the operations of the county's 50-plus departments and agencies, and is responsible for a \$6.1 billion budget and over 12,000 full-time employees. Fairfax is one of only 23 counties in the nation with an AAA rating from all three bond rating agencies (Standard & Poor's, Moody's, and Fitch Investors Service).

Key responsibilities of the County Executive include:

- » Working with the Board of Supervisors, ensuring that the diverse needs and priorities of their districts are considered and addressed;
- » Advancing county-wide initiatives through leadership;
- » Ensuring the overall fiscal health of Fairfax County through resource management and revenue enhancement;
- » Promoting effective and efficient delivery of county-wide programs and services through the application of strategic management tools;
- » Sustaining a culture of effective communication;
- » Supporting the mission of Fairfax County through staff training and development;
- » Using technology to address operational needs within the organization;
- » Promoting and embracing diversity of thought throughout the work force;
- » Continuing the commitment to value positive employee relations;
- » Leading the organization with a commitment to the pre-established performance metrics and upholding the constructive culture present throughout the organization;
- » Continuing to build on and enhance development and implementation of initiatives for service and quality improvement, including customer satisfaction enhancement; and a strong commitment to Homeland Security initiatives;
- » Advising and counseling the Board regarding policy issues, including short- and long-range plans to address county business, multi-modal transportation challenges, economic development, and operational and administrative objectives.

In summary, top candidates will excel in providing leadership and guidance to this dynamic, complex, and well-run organization.

## Challenges and Opportunities

Fairfax County is a dynamic, growing, and diverse community. The County Executive will play a key leadership role to ensure the county government is accessible, responsible, and accountable, and that all services provided are responsive and reflective of superior customer service, while administering sound fiscal management of county resources and assets. In addition to day-to-day operations, other issues of importance include:

- » **Financial Challenges** –The county has survived the most severe economic downturn in history – while maintaining its AAA bond rating, and the quality of life Fairfax County residents expect. Because the Board is cautiously optimistic that the economy will slowly recover, it has based its future plans on anticipated short-falls and measured improvement in the local economy.

- » **Efficient Transportation Network** – A wide variety of transportation issues are on the Board's agenda; from pursuing a county-wide multi-modal transit plan and funding and supporting the Dulles Metrorail project, to short-term and longer term plans to facilitate mobility in the I-66 corridor and the area impacted by the Base Realignment and Closure process.

- » **Maintaining Healthy Economies** – Fairfax County has a well-earned reputation as a business-friendly community. The major redevelopment initiative is the transformation to a county with multiple urban centers. The county vigorously pursues economic development and revitalization opportunities in support of the community. The county is sensitive and responsive to the needs of its corporate neighbors in the areas of workforce development and availability, affordable housing, regulation, and taxation.

- » **Maintaining Safe and Caring Communities** –As Fairfax County continues to grow, it will do so in ways that address environmental and mobility challenges. The county will encourage housing that is affordable to its residents and members of the workforce. The county provides compassionate and efficient services to members of the community who are in need, and will continue to protect and support lower density neighborhoods. It encourages and supports participation in community organizations and other activities that address community needs and opportunities.

- » **Practicing Environmental Stewardship** – Fairfax County protects its drinking water, air quality, streams, valleys, and tree canopy through responsible environmental regulations and practices. The county will continue to take a lead in initiatives to address energy efficiency and sustainability, and to preserve and protect open space for residents to enjoy.

## The Ideal Candidate

The Board of Supervisors is seeking a new **County Executive who will preserve the legacy of excellence that currently exists in the Fairfax County governmental organization.** The Board desires a visionary County Executive with significant and relevant experience managing a county or city government with similar scope and complexities. The new County Executive will possess the leadership presence, capacity, and prior experience to enhance the broad organizational and regional system through cooperative planning and action.

The ideal candidate will have a verifiable and highly successful career with a record of demonstrated leadership in guiding an organization that embraces best practices while providing a constructive culture to effectively and efficiently deliver its mission. The successful candidate will be a confident, "hands-on," creative, and innovative leader who is comfortable operating in a robust and dynamic environment. The next County Executive will also be intuitive, perceptive, and know when to lead and when to be supportive. The successful candidate must also be results-oriented and committed to serving the community, with the ability to provide vision on an array of complex and interesting topics impacting the residents of Fairfax County.



The next County Executive will also need to be energetic, self-confident, and have an open and approachable personal style. He or She must also be able to provide leadership that will inspire, motivate, and empower key staff and Department Heads to achieve established goals. The position requires someone who is politically astute with superior interpersonal and communication skills, with a comfort and desire for interacting with a variety of individuals and diverse stakeholders.

This top executive will also utilize continuous improvement methods and best practices; promote a cooperative environment; demonstrate superior integrity and unquestionable ethics that align with county values; and provide effective and responsible decision-making.



The ideal candidate should have a strong track record of success and leadership in:

- » Financial operations, including large-scale fiscal management and budgetary control;
- » Service-delivery, improvements, and efficiency;
- » Revenue-generating activities; and
- » Employee relations.

In addition, the candidate should have the ability to:

- » Collaborate with the Senior Management Team and the workforce to achieve the county's mission, as established by the Board of Supervisors, within budget limitations;
- » Communicate and engage effectively with community groups and residents;
- » Promote economic development to include growing the tax base and encouraging public-private partnerships;
- » Direct an organization engaged in a large number of diverse programs;
- » Monitor and advise on legislative activity at the local, state, and federal levels; and
- » Establish, develop, and maintain good working relationships with other public governmental organizations, Federal and State legislatures, private agencies, and the media.

## Qualifying Experience and Education

**Experience** – This position requires ten (10) years of progressively responsible management experience with county or city government, or as the administrator of a large public agency; or private sector experience if the candidate can demonstrate (a) involvement or interaction with public agencies and/or (b) transferability of skills to the leadership of Fairfax County.

**Education** – Graduation from an accredited college or university with a Master's degree in public or business administration, political science, economics, finance, or a related field is preferred.

The Board of Supervisors reserves the right to select any combination of experience, education, and career history that will uphold the ideals and values of this organization and continue to provide the highest level of service to the Board of Supervisors, organization, and the community.

**Residency** – The successful candidate will be required to live in Fairfax County, Virginia. Further details regarding housing options are available through Ralph Andersen & Associates.

All candidates will be responsible to appropriately portray career history, accomplishments, and overall match with this executive level position through submitted materials.

## To Be Considered

This is a **confidential recruitment** and will be handled accordingly throughout the various stages of the process. Candidates should be aware that references **will not** be contacted until mutual interest has been established. Candidates are encouraged to **apply immediately. Review of resumes will be ongoing, until the closing date of March 12, 2012.** This recruitment is considered open until filled or until the county's needs are met. **Electronic submittals are strongly preferred and should be submitted to Ralph Andersen & Associates at [apply@ralphandersen.com](mailto:apply@ralphandersen.com).** Submissions should include the following:

- Compelling cover letter;
- Comprehensive résumé;
- Salary history; and
- Professional references.

Ralph Andersen & Associates will work directly with the Board of Supervisors to conduct the initial evaluation of submitted materials to determine the best overall match with the established criteria as outlined in this recruitment profile. Only the top tier of candidates will be invited to interview with the Board of Supervisors in April 2012. It is anticipated that the newly-selected County Executive will join Fairfax County in May 2012, or a mutually agreeable date. The Board of Supervisors desires a smooth transition with the new County Executive and every effort will be made to accommodate an orderly transfer of leadership.

Confidential inquiries are welcomed by Robert Burg or Heather Renschler, Ralph Andersen & Associates, at (916) 630-4900. Candidates are encouraged to further research Fairfax County's website at [www.fairfaxcounty.gov](http://www.fairfaxcounty.gov).

Robert J. Burg  
[robert@ralphandersen.com](mailto:robert@ralphandersen.com)

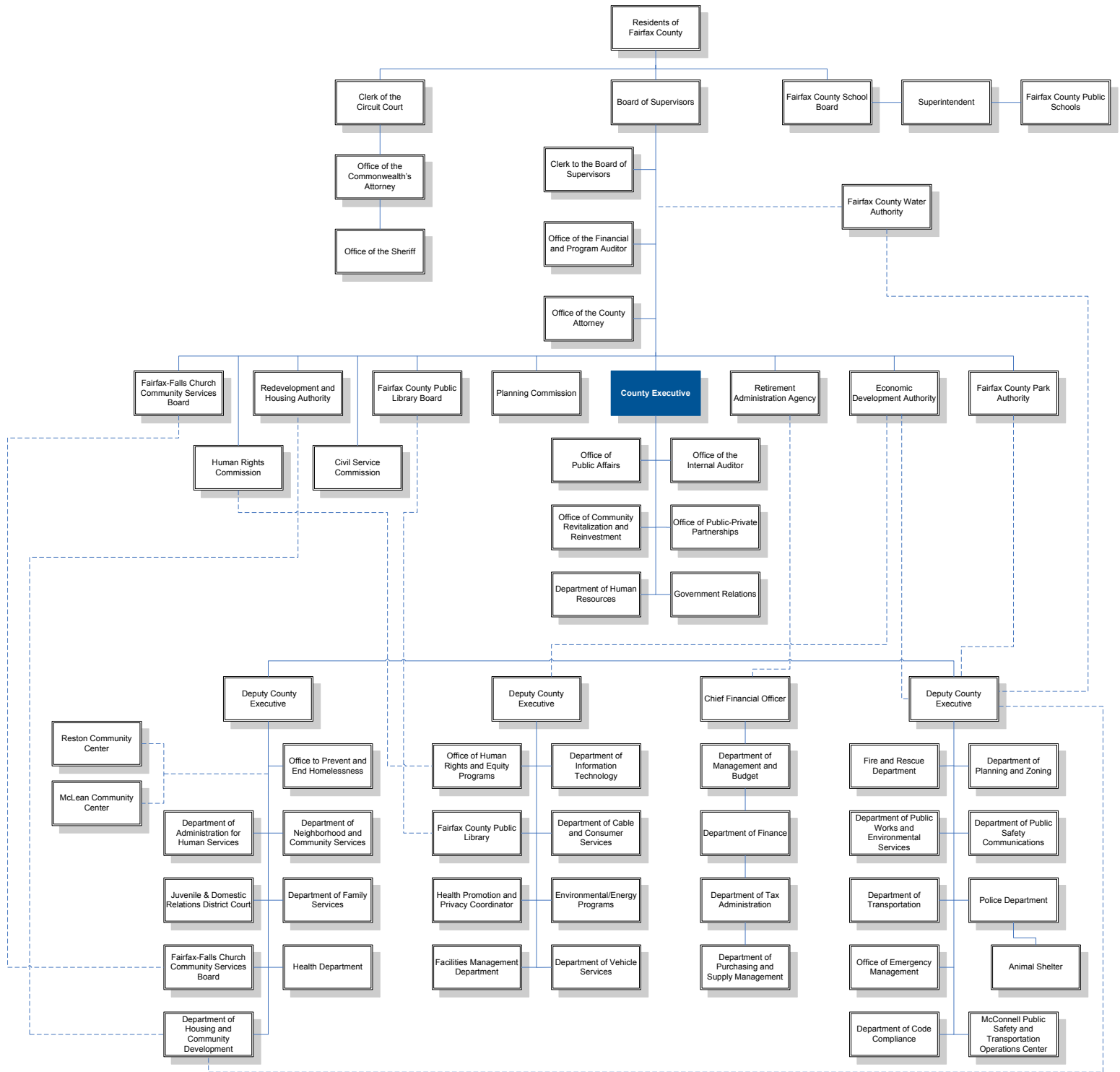
Heather Renschler  
[heather@ralphandersen.com](mailto:heather@ralphandersen.com)

**Fairfax County is an active equal opportunity employer.**





# Fairfax County Organizational Chart





## Compensation and Benefits

This is a well-compensated executive level position that will result in a mutually agreeable and negotiated employment agreement to include a competitive salary and benefits package for the newly selected County Executive. Starting salary will be dependent on qualifications, salary history, and career accomplishments. Specific salary and benefits package will be based upon the Board's evaluation of a candidate's overall ability to provide exemplary leadership to the County.

- » Sick Leave – 13 days per year
- » Vacation – 26 days per year
- » Holidays – 12.5 days per year
- » Retirement – Defined benefit plan through the Fairfax County Employees' Retirement System.
- » Health Insurance – Individual, two party, and family coverage available. County pays 85 percent of cost for individual coverage, and 75 percent of cost for two-party or family coverage for employees.
- » Dental Insurance – The County currently offers Delta Dental DPPO in addition to the limited dental coverage available with two of the health plans. Individual, two party, and family coverage is offered. The County pays 50% of the premium for employees.
- » Vision Plan – The Davis Vision Plan is provided at no cost to employees covered by County health insurance. It offers low cost eye exams and discounts for eyeglasses and contact lenses with both in-network and out-of-network benefits. Discounts are also available for laser vision correction services.
- » Group Life Insurance – All benefit eligible employees receive County-paid term life insurance coverage equal to their annual salary (rounded to the next higher thousand). Employees have the option of an additional one, two, three, or four times annual salary, rounded up to the next higher thousand, at age-banded rates.
- » Flexible Spending Programs (Dependent Care and Medical).
- » Long-Term Disability Insurance – The plan pays a benefit of up to 60% of employee's monthly basic earnings up to \$4,000. Premiums are based on age and monthly salary.
- » Long-Term Care Plan – The long-term care plan provides a benefit when the employee is unable to perform at least two of six activities of daily living: bathing, dressing, eating, transferring, toileting, and continence or when the employee has a severe cognitive impairment such as Alzheimer's disease. Employee can choose from three core plans or can customize their own plan. Benefits begin after a single 90-day waiting period.
- » Employees' Child Care Center – Located at the Government Center complex, the Child Care Center serves children from six weeks until kindergarten age. All county employees working 20 or more hours per week are eligible to enroll their age-eligible children, space permitting.

# SANTA BARBARA COUNTY



invites applications for the position of

## COUNTY EXECUTIVE OFFICER



Apply by July 2, 2010

Recruitment Services Provided by Ralph Andersen & Associates



*With more than 122 miles of scenic coastline and beautiful valleys, and rugged peaks cresting to 6,800 feet, Santa Barbara County spans a spectacular 2,774 square miles. The County offers a paradise-like setting for tourists, vacationers, and more than 429,000 residents. The overall population has grown by 16.63% in the last decade with an estimated 142,000 residents living in unincorporated areas. Of the eight municipalities in the County, the cities of Santa Barbara and Santa Maria have the largest populations. The highest growth areas over the past ten years have been in Santa Maria and Buellton.*



The County of Santa Barbara boasts a strong economic base in both technology and agriculture, including a rapidly expanding vineyard industry that produces some of the world's finest wines. Santa Barbara's mild climate allows a wide variety of crops to be grown throughout the area, and agriculture has become the County's major industry. Agricultural areas surround the cities of Lompoc, Santa Maria, Guadalupe, Buellton, as well as the Danish-influenced City of Solvang. From this splendid and rich agricultural setting, a vibrant flower industry has developed. Orchids grown in Santa Barbara County now rival those from the Pacific Rim. Last year agricultural production totaled 722,076 acres. Agricultural production in 2009 was valued at nearly \$1.14 billion with a local impact calculated at approximately \$2.2 billion. Also adding to the economic base of the region are more than fifty-three commodities now produced in Santa Barbara County.

Santa Barbara also boasts the beautiful coastal communities of Summerland, Goleta, and Carpinteria, as well as the adjacent communities

**The citizens of Santa Barbara County value cultural and ethnic diversity as well as the region's rich heritage. These same core values are also embraced and promoted by County Leadership.**

of Montecito and Isla Vista. With the County's rich ethnic, historic, and cultural diversity, residents and tourists alike enjoy museums, galleries, theater, opera, and notable events such as the Santa Barbara International Film Festival, the International Marathon, and the world-renowned orchid show. Opportunities to visit local wineries, the zoo, California missions, and other sites of historical interest abound. In the more rural areas, western rodeos and equestrian events are popular. Other important County features include the Los Padres National Forest, substantial open space, the Vandenberg Air Force Base, and an array of educational institutions including private schools, community colleges, and the University of California, Santa Barbara.

The County seat and the main administrative office are located in the City of Santa Barbara, conveniently located 92 miles northwest of Los Angeles and 332 miles south of San Francisco. The City of Santa Barbara offers a vibrant downtown area with pedestrians, bicycles, and electric shuttles bringing life to outdoor cafes, shopping, and beautifully landscaped paseos.

## GOVERNING AND LEGISLATIVE BODY

The County of Santa Barbara is a general law county governed by a five-member Board of Supervisors which appoints the County Executive Officer (CEO). Other elected positions include: the Sheriff, District Attorney, Auditor-Controller, Treasurer/Tax Collector, and Clerk Recorder. The County is divided into five Supervisorial Districts based on population. Members of the Board of Supervisors are elected from each district, by the voters of that district, to serve staggered four-year terms. The Chair of the Board is elected by the other members of the Board.

**Santa Barbara County government is a service-oriented organization with a \$790 million budget. The County has 23 departments and a workforce of approximately 4,000 employees.**

☛ **The First District** is a diverse area that includes the communities of Carpinteria, Summerland, Montecito, and Mission Canyon as well as the Riviera, Eastside, Westside, and Downtown neighborhoods in the City of Santa Barbara. **Salud Carbajal, First District Supervisor**

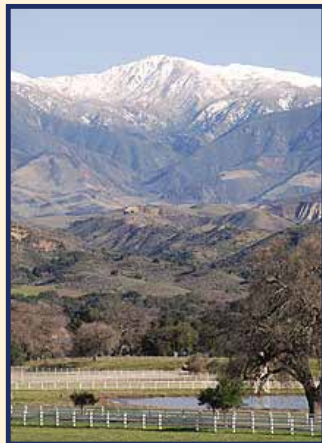
☛ **The Second District** includes portions of western Santa Barbara, the eastern Goleta Valley, as well as neighborhoods from the top



of San Marcos Pass to the beautiful More Mesa and Goleta Beach. **Janet Wolf, Second District Supervisor and Chair of the Board of Supervisors**

☛ **The Third District** covers Santa Ynez, Goleta, and Isla Vista and is the most diverse district in the County, with agriculture, high-tech industry, tourism, and a world-class University. The area is made up of beautiful open spaces, coastline, historic small town centers, and neighborhoods. **Doreen Farr, Third District Supervisor**

☛ **The Fourth District** includes oil, farming, vineyards, the space and missile industry, as well as the communities of Lompoc (known as the “Valley of the Flowers”), Guadalupe (near the famous Guadalupe-Nipomo Dunes), and Orcutt. **Joni Gray, Fourth District Supervisor and Vice Chair of the Board of Supervisors**



☛ **The Fifth District** encompasses the beautiful rural areas of Garey, Sisquoc, Tepusquet, New Cuyama, Cuyama, and Ventucopa as well as the City of Santa Maria. The area is known for its agricultural and oil industries. **Joseph Centeno, Fifth District Supervisor**

The Board of Supervisors is responsible for the efficient and effective management of the County. The Board has ultimate authority and control over County policy, budgetary matters, and strategic direction. The Board, working through the County Executive Officer, has overall oversight of County operations and officers as required by California law.

## THE POSITION AND RESPONSIBILITIES OF CEO

The CEO is an at-will executive level position that reports to the five-member County Board of Supervisors. The upcoming vacancy is the result of a pending retirement. As stated in the County Ordinance, updated in 2009, the CEO has the following key duties, responsibilities, and authority in the management of the County:

- ☛ Serve as the primary advisor to the Board of Supervisors on all matters relating to the efficient and effective administration of County government.
- ☛ Responsibility for both the operating and capital budget planning processes and compatibility with approved County policies and long-range plans. The CEO also directs the preparation and evaluation of budget requests for all departments including actual and estimated expenditures, revenues, reserves, and designations.
- ☛ Management of all County functions and operations except those duties assigned to elected or appointed officers of the County, assuring the Board of Supervisors that all administrative policies, regulations, and operating programs are implemented.
- ☛ Oversight of all appointed Department Directors and respective agencies including conducting annual performance evaluations for submittal and review by the Board of Supervisors. With final approval by the Board of Supervisors **and** as stated by County Ordinance, the CEO selects, appoints, suspends, removes, and retains Department Directors. The Board of Supervisors has an active and involved role in approving the appointment or removal of appointed Department Directors.
- ☛ Provide executive leadership and guidance to the Board of Supervisors in the development and implementation of the County’s strategic plan, goals and priorities, and assigning responsibility for their implementation.
- ☛ Serve as executive agent of the Board of Supervisors in the County’s intergovernmental relationships, with responsibility for the implementation of authorized projects and programs and ensuring appropriate coordination of departmental operations including resolving problems and disputes.
- ☛ Conduct research and authorize studies, investigations, and recommendations that result in greater economy, efficiency, and effectiveness in County operations including comprehensive management reviews of programs. Additionally, the CEO recommends to the Board of Supervisors the creation, dissolution, merger, or modification of organizational elements, departments, or work programs as necessary.
- ☛ Review and prepare recommendations on agenda items, staff presentations, and ensure that agenda items are complete for Board decision-making.

**The ideal candidate will be results-oriented and enjoy working with an active and involved Board.**

## THE IDEAL CANDIDATE

The Board of Supervisors is seeking a CEO that will inspire, motivate, and empower key staff and Department Directors – critically important leadership traits during these challenging economic times. Additionally, the ideal candidate will have strong public finance and budgetary expertise combined with the ability to continue to right-size the organization while optimizing services to the community. The new CEO will be a dedicated





public servant who supports and implements the policies of the Board of Supervisors. He or she will possess superior interpersonal and communication skills and a proven track record as a confident and innovative leader who is comfortable operating in a dynamic environment. This executive will provide options and solutions on an array of complex topics, always acting in the best interests of all the Santa Barbara communities. To successfully lead the organization, the individual selected will:

- Possess a **strong business sense** and **financial acumen**;
- Lead with **integrity and unquestionable ethics** supported by a strong and successful public sector career history;
- Promote **access, openness, and responsiveness**, personally setting the example throughout the organization and community;
- Demonstrate **strategic** and **forward thinking**, blending **innovation** and **creativity** with an **entrepreneurial style**;
- **Inspire** others to provide **excellent public service**;
- Consistently use **superior communication skills** and **welcome dialogue and debate**;
- **Passionately promote the organization** as a strong contributor to economic and community development while dealing with and balancing quality-of-life, business, commerce, and tourism issues; and
- Demonstrating a **solution-orientation** and providing **sound, fair, and unbiased advice** to the Board of Supervisors.

## COMPENSATION

This is a well-compensated executive-level position. The total compensation package will be established by a mutually-agreeable and negotiated employment agreement between the County and the selected candidate. The salary range is \$232,000 to \$240,000 depending on qualifications, with an excellent benefit package. The County may provide reimbursement for reasonable relocation expenses up to \$20,000 (governed by Board policy). This hiring incentive will provide

flexible relocation assistance, housing, cash incentives, and/or vacation and sick leave pre-accruals, in order to facilitate the new CEO's move and transition into Santa Barbara County within a generous radius of the County's Administrative Office located in the City of Santa Barbara. Further details on the benefit package are available through Ralph Andersen & Associates.

## TO BE CONSIDERED

This is a **confidential recruitment** and will be handled accordingly throughout the various stages of the process. Candidates should be aware that references **will not** be contacted until mutual interest has been established. Candidates are encouraged to **apply immediately, with the first review of résumés to begin following the closing date of July 2, 2010**. This recruitment is considered open until filled or until the County's needs are met. **Electronic submittals are strongly preferred and should be submitted to Ralph Andersen & Associates at [apply@ralphandersen.com](mailto:apply@ralphandersen.com)**. Submissions should include the following:

- Compelling cover letter;
- Comprehensive résumé;
- Salary history; and
- Professional references.

Ralph Andersen & Associates will work directly with the Board of Supervisors to conduct the initial evaluation of submitted materials to determine the best overall match with the established criteria as outlined in this recruitment profile. Only the top tier of candidates will be invited to interview with the Board of Supervisors during August 2010. It is anticipated that the newly-selected County Executive Officer will join the County of Santa Barbara in October 2010, or based on a mutually agreeable date. The Board of Supervisors desires a smooth transition with the new CEO and every effort will be made to accommodate an orderly transfer of leadership.

Confidential inquiries are welcomed by Heather Renschler or Robert Burg, Ralph Andersen & Associates, at (916) 630-4900. Candidates are encouraged to further research the County of Santa Barbara's website at [www.CountyofSB.org](http://www.CountyofSB.org).

*The County of Santa Barbara is an equal opportunity employer with an affirmative action plan. Women, members of minority groups, persons with disabilities, and veterans are encouraged to apply; requests for accommodation by people with disabilities will be given thorough consideration.*



# Hillsborough County

*invites your interest  
in the position of*

## County Attorney





## The Opportunity

Hillsborough County, Florida is seeking a dynamic, highly qualified, and technically competent legal professional to serve as County Attorney. This position is appointed by and reports directly to the Board of Commissioners. The County Attorney advises and represents the County Commission, as well as the County Administrator and County departments. This office also prosecutes and defends legal actions by and against the County as approved or directed by the Board and County Administrator. The officers created under Section (d) of Article VIII of the Florida Constitution, Clerk of the Circuit Court, Property Appraiser, Tax Collector, Sheriff, and Supervisor of Elections, also may use the legal services of this office.

## Hillsborough County

The fourth largest county in the state of Florida, Hillsborough County has a population of 1,204,770 residents. The County encompasses three incorporated cities, including Tampa, and a number of unincorporated Census Designated Places. Located midway along the west coast of Florida, the County has 1,048 square miles of land and 24 square miles of inland water area for a total of 1,072 square miles. The unincorporated area encompasses 909 square miles, or more than 84 percent of the total County area. Municipalities account for 163 square miles.

Hillsborough County is a truly remarkable place to live, work, play, and raise a family. It boasts of mild winter climates, tropical summers, spectacular sunsets, and nearby beautiful beaches. The Hillsborough area offers such a rich variety of activities, at times it can seem that the most difficult decision to make is determining what to do and see among the region's cultural and recreational offerings.

Education is a major component of life in Hillsborough County. The County is home to the University of South Florida, the University of Tampa, and Hillsborough County Community College. Hillsborough County's schools are tops in mathematics among Florida's top two school districts in the number of Florida Academic Scholars for the past 15 years.

Hillsborough County boasts 340 days of sunshine with average temperatures in January of 60 degrees and 82 degrees in August. Average annual rainfall is 47 inches, 30 of which come in the form of summer thunderstorms.

Professional sports teams in the area abound. The Stanley Cup-winning Tampa Bay Lightning thrill hockey fans at the St. Pete Times Forum. The 2003 Super Bowl Champion Tampa Bay Buccaneers draw sellout crowds at Raymond James Stadium, and Arena Football's four-time world champion Tampa Bay Storm score big at the St. Pete Times Forum.

Tropicana Field is home to the Tampa Bay Rays. Legends Field is the training home for the New York Yankees. The area has played host to Super Bowls in 1984, 1991, 2001, 2009, and is looking forward to hosting again in the future.

For those seeking a great way of life, it doesn't get better than Hillsborough County. It offers a cost of living lower than other major southern cities, including Atlanta, Orlando, Charlotte, and Charleston.

## County Organization

The Board of County Commissioners is comprised of seven elected officials serving as the chief legislative body of the County, responsible for providing services to protect the health, safety, welfare, and quality of life of the citizens of Hillsborough County. Four are elected from single-member districts, and three are elected county-wide. The Board approves the County's operating and capital budgets and the County's capital improvement program. It may take action on any programs for the improvement of the County and the welfare of its residents.

Under a Charter Ordinance that went into effect May 1985, County Commissioners are directed to perform legislative functions of government by developing policy for the management of Hillsborough County. The County Administrator, a professional appointed by the Board, and the administrative staff are responsible for the implementation of these policies.

Hillsborough County has 9,600 employees and a \$3 billion budget.

## The Position

The County Attorney is responsible for providing dynamic leadership, direction, supervision, oversight, and on-going development of the County Attorney's Office (CAO) as a high-caliber public law practice. The County Attorney oversees a staff of approximately 50, with a budget of \$6.95 million for FY 2012. This Office functions as an independent office responsible directly to the Board of County Commissioners, handling a diverse mixture of legal matters on behalf of the County. This includes local, state, and federal law, personnel matters, intergovernmental agreements, public utilities and services, finance, transportation, land use, environmental law, code and policy compliance issues, consumer protection, open government, alcohol and substance abuse, HIV/AIDS programs, the medical examiner, library operations, business licensing, disaster planning, illegal immigration, and emergency management services.



The County Attorney is responsible for effective and efficient administration of the CAO. Other responsibilities of the County Attorney are to:

- Serve as the chief legal advisor on civil matters to all County Commissioners, as well as the County Administrator and County departments; prosecute and defend legal actions by and against the County as approved or directed by the Board;
- Provide proactive leadership to staff;
- Develop and manage a staff, including oversight of the hiring, supervising, education, training, discipline, and termination of all CAO personnel and contractors;
- Prepare, justify, and present Departmental budget expenditures;
- Work directly with the Board, County Administrator, and other top management staff in development of County programs and policies;
- Plan, organize, and direct the staff and operations of the County's civil legal department; develop departmental goals and objectives; communicate expectations to staff and follow their progress;
- Represent the County, its officers, and employees, in the defense and prosecution of all civil litigation, excluding personal injury, other large damage actions, and workers' compensation cases;
- Resolve disputes; negotiate contracts, leases, sales agreements, and other actions on behalf of the County;
- Draft and/or review for legal sufficiency all contracts, leases, ordinances, and resolutions before adoption;
- Provide statutory interpretations and issue legal opinions in response to requests from the County and other clients, including addressing public information requests;
- Be proactive with identifying important legal issues, conducting research, and addressing items in a timely manner with appropriate action;
- Direct the conduct of civil litigation, including the preparation for trials and administrative hearings; prepare a wide variety of legal documents; prepare legal appeals of lower court decisions by analyzing trial court proceedings and conducting research to determine appropriateness for appeals;
- Identify new developments concerning civil law, pending legislation, and judicial developments, with a strategic focus on the County's mission.
- Participate on boards, committees, and professional groups and activities; and
- Maintain the human relations philosophy and standards of Hillsborough County.

## The Ideal Candidate

The ideal candidate for this high profile County Attorney position is a highly organized, "hands-on," decisive, and innovative leader with superb management and interpersonal skills, judgment, and integrity. Top candidates will be intuitive, inclusive, perceptive, and know when to lead and when to be supportive.

The successful candidate for County Attorney will be a well-rounded and experienced municipal attorney with strong generalist skills complemented by a passion for public service. With outstanding interpersonal skills and a reputation for decisive legal leadership, the ideal candidate will serve the County's legal interests by providing expert assistance and counsel while establishing highly effective working relationships with the Board of Commissioners, the County Administrator, and other key staff.

The County Attorney should have unquestioned personal integrity and honesty, maintain confidentiality, and demonstrate a willingness to make difficult decisions and stand by those decisions. With a strong work ethic and an ability to lead by example, the County Attorney will be proactive in identifying issues for the Board of Commissioners and providing alternative courses of action. Working closely with the Board and County Administrator, the County Attorney will set the strategic legal direction on a wide array of topics, many dealing with land use and planning issues in this community.

Ideally, the County Attorney will have a strong litigation background, complemented by excellent writing and public speaking skills, and the ability to address legal issues with a problem solving approach rather than a regulatory manner.

Above all, the ideal candidate will establish instant credibility and command the respect of those in the CAO and County's legal community as an authority on the civil and administrative legal affairs of Hillsborough County, and all aspects of municipal law.

In summary, the County Attorney will bring a dynamic mix of analytical and strategic thinking skills, effective interpersonal communications, and a solid background in the broad spectrum of municipal affairs.

### Important attributes for the next County Attorney include:

- Skill and experience working with elected officials;
- Relevant expertise with land use and planning, including code enforcement and environmental issues;
- Experience with employee and labor relations; and
- Strong interpersonal skills with a focus on fair and equitable treatment in the conduct of municipal affairs.



## Qualifying Education and Experience

This position requires a Juris Doctorate degree or equivalent from an American Bar Association accredited law school, and current membership in good standing with the State Bar of Florida. In addition, the successful individual will have practiced law for a minimum of seven (7) to ten (10) years with senior management/legal experience, preferably in a municipal, county, or state law office. Experience at a senior management level in a large private practice will be viewed favorably, but must be accompanied by extensive knowledge of land use and development law, development and interpretation of codes and ordinances, legislative processes, and constitutional and employment law.

Superior litigation skills and the ability to guide other attorneys must be demonstrated. The preferred candidate will possess at least five (5) years of experience in the practice of civil law in the public sector within the State of Florida (municipal, state, or county), preferably in a community of similar size to Hillsborough County. The County Attorney will be required to provide accurate and correct legal opinions in a public and highly visible environment and must have a reputation for objectivity and success as a manager.

## Compensation and Benefits

Hillsborough County provides a highly competitive compensation package and salary commensurate with experience and qualifications. Includes use of vehicle and excellent benefits package:

- Medical, Dental, and Vision Insurance
- Retirement
- Deferred Compensation
- Life Insurance

- Flexible Spending Account
- Vacation: 10 days, 1-4 years; 12 days, 5-9 years; 15 days, 10-14 years; 20 days, 15 or more years
- Holidays: 12 paid holidays per year
- Paid Sick Leave: prorated and accrues at the rate of 8 days per year
- Paid Personal Management Leave
- Educational Incentive/Tuition Reimbursement

## The Selection Process

This position is open until filled; the first review of resumes is currently underway. For optimal consideration, apply by September 14, 2012. To be considered, candidates must submit a compelling cover letter, resume, and salary history. Interested candidates are encouraged to submit materials immediately via email to [apply@ralphandersen.com](mailto:apply@ralphandersen.com). **Electronic submissions are required.** Candidates should note that under Florida Statutes, all applications received are public records and as such must be made available upon request. References will not be contacted and education and employment history will not be verified until mutual interest has been established.

*Confidential inquiries are welcomed to:*

**Ralph Andersen & Associates**  
Executive Search Consultants  
(916) 630-4900

Robert J. Burg  
[robert@ralphandersen.com](mailto:robert@ralphandersen.com)

**Hillsborough County is an Equal Opportunity Employer /  
Drug Free Workplace.**



**LEE COUNTY, FLORIDA**  
**Executive Search Proposal**  
**for**  
**County Manager and County Attorney**

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*Prepared by Robert E. Slavin on January 9, 2013*





January 9, 2013

Mr. Dylan Drake  
Human Resources Generalist  
Lee County  
PO Box 398  
Fort Myers, FL 33901

E-mail: [draked@leegov.com](mailto:draked@leegov.com)

Re: Executive Recruitment Services for County Manager and County Attorney

Dear Mr. Drake:

Slavin Management Consultants (SMC) is pleased to submit this proposal to conduct an executive search for Lee County's next County Manager. The purpose of this project is to help the Lee County Board of Commissioners (Board) to develop and agree to a comprehensive position profiles for County Manager and County Attorney then to identify, recruit and present outstanding candidates who meet these criteria. Once the profiles have been developed and approved by the County, we will have no difficulty identifying quality prospective candidates and becoming immediately productive. It is normal for these types type of projects to take between sixty and ninety days to complete.

As a high quality, independent management consulting firm, Slavin Management Consultants operates one of the most experienced and most respected national local government executive search practices in the nation. SMC is incorporated in Georgia and qualified to do business in Florida. We serve the country from a network of offices comprised of our home office near Atlanta and our affiliate offices in Arizona, California, Connecticut, Florida, Michigan, Ohio and Texas. We have been in business as Slavin Management Consultants since 1991. SMC is capable and most interested in providing this critical service to Lee County. SMC does not offer out placement or career counseling services. Mr. Slavin assisted in drafting the International City/County Management Association's Code of Ethics for public sector executive search firms and SMC strongly adheres to that code. SMC has no prior or pending litigation of any kind either as defendant or plaintiff.

SMC has completed several comparable recruitments in the recent past. Local government manager and related experience is clearly illustrated in this proposal and exhibits. On the attorney side, we have placed county attorneys in Charlotte County; Lake County, FL; Lee County, FL; Polk County, FL and Seminole County, FL. We have placed city attorneys in Beverly Hills, CA; Bryan, TX; Dallas, TX; Palo Alto, CA; San Clemente, CA and Virginia Beach, VA.

A cost proposal is contained in this proposal. It illustrates the per search costs for the proposed work. Should the County chose SMC to handle both searches and they run simultaneously we will be able to reduce the amount of professional effort required to complete the work and we will save travel expenses. In this event, the proposed professional fee for the second search will be \$10,500 rather than \$13,865. The County will also save expenses. Our proposed expense budget covers our administrative costs and out-of-pocket expenses. It is capped at 55% of the professional fee and would be adjusted downward accordingly for the second search.

This proposal commits the highest level of our firm's resources. As the owner and president of SMC and as director of our executive search practice, I will manage and serve as the primary consultant for this critical project. I will be assisted by an outstanding recruitment team consisting of Ms. Randi Frank, Mr. David Krings and Mr. Paul Wenbert. All of us are highly experienced local government executives and human resources consultants. This team includes some of the most experienced recruiters of governmental managers in the nation. We have a strong and proven commitment to providing exceptional recruitment services to public agencies and have received many accolades supporting our work.

SMC has been privileged over the years to have recruited many executives for Florida public agencies, including many counties. We are familiar with Florida's open records laws. We are able to recruit well-qualified candidates for our Florida clients who would otherwise not have applied for fear of premature publicity. We also comply with both the letter and intent of Florida's laws.

Thank you for the opportunity to submit this proposal. We look forward to working with Lee County on this highly challenging and very important assignment. If you have questions concerning this proposal, please contact me at (770) 449-4656.

Very truly yours,

**SLAVIN MANAGEMENT CONSULTANTS**

A handwritten signature in cursive script that reads "Robert E. Slavin".

Robert E. Slavin, President

RES/jf



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## **PROJECT UNDERSTANDING AND APPROACH**

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### *About Lee County, Florida*

Lee County, Florida is seated in Fort Myers and located on Florida's beautiful Gulf Coast. It has been designated by "Money Magazine" as among the top best places to live in America. It is also one of the fastest growing counties in the U.S. The region's ideal year round climate, its excellent neighborhoods and its full array of first rate amenities draw new residents and visitors from around the world. Although there are several municipalities within Lee County, most County residents live in unincorporated Lee County and are provided municipal services directly by the County.

Lee County is governed by a five -member Board of County Commissioners (BCC). The commissioners are elected at large but represent districts. The BCC selects its own Chair and appoints the County Attorney and the County Manager, both of whom serve at the BCC's pleasure.

### *About Slavin Management Consultants*

Slavin Management Consultants (SMC) is a high quality, independent management consulting firm which operates one of the most experienced and most respected national local government executive search practices in the nation. SMC is incorporated in Georgia and qualified to do business in Florida. We serve the country from a network of offices comprised of our home office near Atlanta and our affiliate offices in Arizona, California, Connecticut, Florida, Michigan, Ohio and Texas. We have been in business as Slavin Management Consultants since 1991. SMC is capable and most interested in providing this critical service to Lee County. SMC does not offer out placement or career counseling services. The firm is not a member of the Association of Executive Search Consultant. Mr. Slavin assisted in drafting the International City/County Management Association's Code of Ethics for public sector executive search firms and SMC strongly adheres to that code. SMC has no prior or pending litigation of any kind either as defendant or plaintiff.

Slavin Management Consultants (SMC) has completed many city/county executive searches over the years. We have significant local government recruitment experience in all regions of the United States. We have extensive experience working for Florida local governments.

We use a "critical path" search process which allows our clients to focus attention on the selection process rather than on identifying, recruiting, screening and evaluating candidates. We understand that each client's need for key executives is different and that there is no "best" person for all situations. The best prospects are typically happily employed and not responding to advertisements. These people need to be found and encouraged to become candidates. They are understandably reluctant to apply for jobs when their interest could become a matter of public information prior to being assured that Lee County is interested in their candidacy. Our approach to this assignment will reflect the unique qualities of Lee County. It will honor the interests of candidates to the extent possible under Florida law.

This proposal provides an indexed and easily usable document for the County to assess the qualifications of Slavin Management Consultants to handle this critical work. It contains the following sections: a Letter of Interest, Table of Contents, Project Understanding and Approach, Consultant's Qualifications and Experience, Ability of Consultants Professional Staff, Statement of Work, Project Schedule, Guarantees, Fee Structure, and an Agreement for Services. We constructed the Fee Structure to illustrate the professional time and cost of each major phase of the project. Exhibits include the required County Forms, a sample recruitment profile, a sample invoice, a client list, our EEO/AA statement and a listing of women and minorities who we have helped place.

In considering our proposal we point out several factors about our firm and our approach that will be of significant benefit to the County:

- ▶ We are results oriented. Once the recruitment profile is approved, we lock into the criteria established and carefully identify, recruit and evaluate candidates who meet **your criteria**. We do not simply bring forward candidates whom we may already know.

- ▶ Our key staff members have extensive experience in conducting executive searches for the public sector throughout the nation.
- ▶ We are committed to complete client satisfaction. Our successful placement-oriented approach will ensure that the project work is practical, realistic, timely and that it has the full commitment and support of the County so that a successful placement will be facilitated.
- ▶ We use discount airfares and leverage trips between clients whenever possible to reduce expenses to our clients.
- ▶ We are leaders in the field of executive search in the public sector and our methodologies are state-of-the-art. We can address all aspects of your assignment.
- ▶ Every search that we have conducted has resulted in a selection from our recommended group of candidates. Our experience includes large and small organizations, and chief executives and subordinate level positions. More than 95% of our placements have remained in our client's positions for more than five years.
- ▶ Our style is interactive. That is, we strive to build a partnership with our clients.
- ▶ We are experts in EEO/AA recruitment. Approximately 25% of our placements are women and/or minorities.

## CONSULTANTS QUALIFICATIONS AND EXPERIENCE

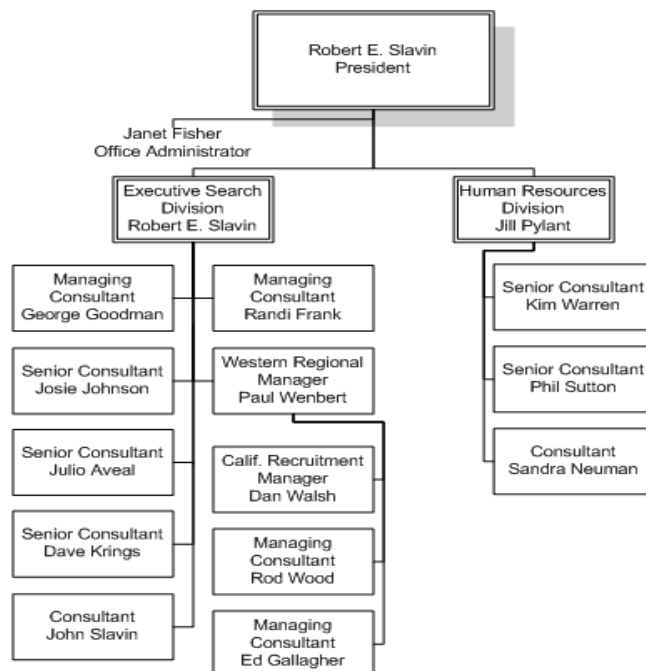
This section presents our qualifications to conduct projects of this type.

Slavin Management Consultants is a high quality, independent management consulting firm. SMC, originally organized in 1991, operates one of the most experienced and most respected national local government executive search practices in the nation. Approximately eighty-five percent (85%) of the firm's total business is comprised of local government executive recruitment. We serve the country from a network of offices comprised of our home office near Atlanta and our affiliate offices in Arizona, California, Connecticut, Florida, Michigan, Ohio and Texas. We are capable and most interested in providing this critical service to Lee County

The company provides exceptionally high-quality consulting services to state and local governments, health care providers, transit authorities, utilities, special districts, and private sector clients. Specialty practice areas include executive recruitment, pay and classification, performance appraisal systems, and organization development and training. Our key consultants have conducted successful assignments for hundreds of public sector organizations nationally and offer many references as testimony of our work.

This important engagement will be personally conducted by Mr. Robert E. Slavin. Mr. Slavin has conducted or assisted in the conduct of more than 750 successful executive searches throughout his career. Members of the proposed search team have conducted executive searches for Slavin Management Consultants as well as for others before joining the firm. All are professional public human resources practitioners with significant direct management experience. All are long-term, active members of a variety of professional organizations and stay abreast of new and changing laws, developments and trends by regularly attending specialized workshops, seminars and annual conferences.

## Slavin Management Consultants



As indicated, this proposal commits the highest level of our firm's resources. As the owner and president of SMC and as director of our executive search practice, Robert Slavin will manage and serve as the primary consultant for these critical projects. Mr. Slavin is located in SMC's Norcross, GA headquarters office. He will be assisted by an outstanding recruitment team consisting of Ms. Randi Frank, Mr. David Krings and Mr. Paul Wenbert. All team members are highly experienced local government executives and human resources consultants. This team includes some of the most experienced recruiters of

governmental managers in the nation. We have a strong and proven commitment to providing exceptional recruitment services to public agencies and have received many accolades supporting our work.

We know Florida. We have been privileged over the years to have recruited many executives for Florida public agencies.

If selected to provide these services, we are prepared to begin the work within 14 days. With our knowledge of the fields and our experience, once the County has developed and approved the recruitment profiles, we can become immediately productive.

We use a "critical path" search process which allows our clients to focus attention on the selection process rather than on identifying, recruiting, screening and evaluating candidates. We understand that each client's need for key executives is different and that there is no "best" person for all situations. The best prospects are typically happily employed and not responding to advertisements. These people need to be found and encouraged to become candidates. They are understandably reluctant to apply for positions when their interest could become a matter of public information prior to being assured that the County is interested in their candidacy. Our approach to this work will reflect the unique qualities of Lee County. It will honor the interests of candidates to the extent possible under Florida law.

In considering our proposal we point out several factors about our firm and our approach that will be of significant benefit to the City:

- We are results oriented. Once a recruitment profile is approved, we "lock" into the criteria established and carefully identify, recruit and evaluate candidates who meet **your criteria**. We do not simply bring forward candidates whom we may already know.
- Our key staff members have extensive experience in conducting executive searches for the public sector throughout the nation.
- We are committed to complete client satisfaction. Our successful placement-oriented approach will ensure that the project work is practical, realistic, timely and that it has the full commitment and support of the County so that a successful placement will be facilitated.
- We use discount airfares and leverage trips between clients whenever possible to reduce expenses to our clients.
- We are leaders in the field of executive search in the public sector and our methodologies are state-of-the-art. We can address all aspects of your assignment.
- Every search that we have conducted has resulted in a selection from our recommended group of candidates. Our experience includes large and small organizations, and chief executives and subordinate level positions. More than 95% of our placements have remained in our client's positions for more than five years.
- Our style is interactive. That is, we strive to build a partnership with our clients.
- We are experts in EEO/AA recruitment. Approximately 25% of our placements are women and/or minorities.

## Recent Chief Executive Searches

CLIENT	POPULATION	YEAR	SEARCH	STILL EMPLOYED ?	Contact Information
Alleghany County, VA	13,000	2007	County Administrator	Yes	Mr. John R. Strutner (540) 863-6600 <a href="mailto:jstrutner@co.alleghany.va.us">jstrutner@co.alleghany.va.us</a>
Archuleta County, CA	13,000	2008	County Administrator	Yes	Mr. Gregory (Greg) J. Schulte (970) 264-8300 <a href="mailto:gschulte@archuletacounty.org">gschulte@archuletacounty.org</a>
Aurora, CO	314,000	2010	City Manager	Yes	Mr. Kin Shuman (303) 739-7225 <a href="mailto:Kshuman@auroragov.org">Kshuman@auroragov.org</a>
Branson, MO	6,000	2008	City Administrator	Yes	Mr. Dean Kruihof (417) 337-8548 <a href="mailto:Dkruihof@bransonmo.gov">Dkruihof@bransonmo.gov</a>
Corpus Christi, TX	285,000	2011	City Manager	Yes	Mayor Joe Adame (361) 826-3100 <a href="mailto:joea@cctexas.com">joea@cctexas.com</a>
Cary, NC	95,000	2009	Town Manager	Yes	Ms. Valiria Willis (919) 469-4072 <a href="mailto:valiria.willis@townofcary.org">valiria.willis@townofcary.org</a>
Cass County, MI	50,500	2009	County Administrator	Yes	Mr. David Taylor (269) 699 -5544 <a href="mailto:gigi708@aol.com">gigi708@aol.com</a>
Dunedin, FL	36,000	2007	City Manager	Yes	Mayor Dave Eggers (727) 298-3001 <a href="mailto:deggers@dunedinfl.net">deggers@dunedinfl.net</a>
Dunwoody, GA	40,000	2008	City Manager	Yes	Mayor Ken Wright (678) 382-6700 <a href="mailto:ken.wrgh@t@dunwoodyga.gov">ken.wrgh@t@dunwoodyga.gov</a>
East Point, GA	40,000	2009	City Manager	No	Ms. Nina Hickson (404) 270-7152 <a href="mailto:nhickson@eastpointcity.org">nhickson@eastpointcity.org</a>
Escambia County, FL	300,000	2008	County Administrator	No, left in 2010	Ms. Barbara Keyser (850) 595-1479 <a href="mailto:barbara_murphy@co.escambia.fl.us">barbara_murphy@co.escambia.fl.us</a>
Fort Myers, FL	48,000	2007	City Manager	Yes	Mr. Billy Mitchell (239) 332-6309 <a href="mailto:wmitchell@cityftmyers.com">wmitchell@cityftmyers.com</a>
Franklin, TN	59,000	2008	City Administrator	Yes	Mayor John Schroer (615) 791-3217 <a href="mailto:john.schroer@franklintn.gov">john.schroer@franklintn.gov</a>
Glynn County, GA	78,000	2010	County Administrator	Yes	Mr. Charles Stewart (912) 554-7401 <a href="mailto:cstewart@glynncountyga.gov">cstewart@glynncountyga.gov</a>

CLIENT	POPULATION	YEAR	SEARCH	STILL EMPLOYED ?	Contact Information
Greenwood Village, CA	11,000	2006	City Manager	Yes	Mayor Nancy Sharpe (303) 486-5741 <a href="mailto:nsharpe@greenwoodvillage.com">nsharpe@greenwoodvillage.com</a>
Greenville, NC	84,500	Active	City Manager		Mayor Allen Thomas (252) 329-4419 <a href="mailto:amthomas@greenvillenc.gov">amthomas@greenvillenc.gov</a>
Gulf Shores, AL	9,000	2008	City Administrator	Yes	Mr. Steve Garman (251) 968-2205 <a href="mailto:sgarman@gulfshoresal.gov">sgarman@gulfshoresal.gov</a>
Hardeeville, SC	5,000	2012	City Manager	Yes	Ms. Lori Pomarico, City Clerk Phone: 843-784-2231
Independence, KS	9,800	2010	City Manager	Yes	Ms. Kelly Passauer (620) 332-2506 <a href="mailto:citymgr@comgen.com">citymgr@comgen.com</a>
Iowa City, IA	63,000	2010	City Manager	Yes	Ms. Marian Karr (319) 356-5041 <a href="mailto:marian-karr@iowa-city.org">marian-karr@iowa-city.org</a>
La Plata, MD	7,000	2007	Town Manager	Yes	Ms. Paddy Mudd (301) 934-4804 <a href="mailto:pmudd@townoflaplata.org">pmudd@townoflaplata.org</a>
Longmont, CO	87,500	2012	City Manager	Yes	Mr. Bobby King, HR Dir (303) 651-8605 <a href="mailto:bobby.king@cilongmont.co.us">bobby.king@cilongmont.co.us</a>
Mansfield, MA	23,500	2010	Town Manager	Yes	Mr. Kevin Moran (508) 261-7372 <a href="mailto:selectmen@mansfieldma.com">selectmen@mansfieldma.com</a>
Missouri Municipal League	N/A	2010	Executive Director	Yes	Ms. Gerry Welsh (314) 963-5307 <a href="mailto:citycouncil@webstergroves.org">citycouncil@webstergroves.org</a>
Newark, DE	29,000	Active	City Manager		Mayor Vance Funk (302) 368-2561 x12 <a href="mailto:vance3@funklawoffices.com">vance3@funklawoffices.com</a>
Norwich, CT	36,000	2008	City Manager	Yes	Mr. Alan Bergren (860) 823-3751 <a href="mailto:ahbboss@yahoo.com">ahbboss@yahoo.com</a>
Novi, MI	53,000	2006	City Manager	Yes	Mr. Clay Pearson (248) 347-0420 <a href="mailto:cpearson@cityofnovi.org">cpearson@cityofnovi.org</a>
Peoria County, IL	182,800	2011	County Administrator	Yes	Chair Tom O'Neill (309) 494-8886 <a href="mailto:toneill@peoriacounty.org">toneill@peoriacounty.org</a>
Prince William County, VA	293,000	2010	County Executive	Yes	Mr. Cleil Fitzwater (703) 792-6644 <a href="mailto:cfitzwater@pwcgov.org">cfitzwater@pwcgov.org</a>
Rock Hill, SC	67,400	2010	City Manager	Yes	Mr. Doug Echols (803) 329-7011 <a href="mailto:cbell@ci.rock-hill.sc.us">cbell@ci.rock-hill.sc.us</a>

CLIENT	POPULATION	YEAR	SEARCH	STILL EMPLOYED ?	Contact Information
Seminole County, FL	425,000	2011	County Manager & County Attorney	Yes	Commissioner Bob Dallari Phone: (407) 665-7215 <a href="mailto:fmacdonald@seminolecountyfl.gov">fmacdonald@seminolecountyfl.gov</a>
Snellville, GA	18,200	Active	City Manager		Mayor Kelly Kautz (770) 985-3500 <a href="mailto:kkautz@snellville.org">kkautz@snellville.org</a>
Saint Joseph, MO	76,107	2011	City Manager	Yes	Mayor Bill Falkner (816) 271-4640 <a href="mailto:bfalkner@ci.st-joseph.mo.us">bfalkner@ci.st-joseph.mo.us</a>
Statesboro, GA	26,000	2008	City Manager	Yes	Mayor Joe Brannen (912) 764-5468 <a href="mailto:cityhall@statesboroga.net">cityhall@statesboroga.net</a>
Suwanee, GA	15,000	2008	City Manager	Yes	Ms. Elvira Rogers (770) 945-8996 <a href="mailto:erogers@suwanee.com">erogers@suwanee.com</a>
Tazewell County, IL	135,000	2012	County Administrator	Yes	Chair David Zimmerman (309) 477-2272 <a href="mailto:dzimmerman@tazewell.com">dzimmerman@tazewell.com</a>
Topeka, KS	124,000	2006	City Manager	No	Mayor Bill Buntten (785) 368-3895 <a href="mailto:bbuntten@topeka.org">bbuntten@topeka.org</a>
Urbandale, IA	38,000	2009	City Manager	Yes	Mayor Bob Andeweg (515) 283-3100 <a href="mailto:bandeweg@urbandale.org">bandeweg@urbandale.org</a>
Venice, FL	21,500	2012	City Manager	Yes	Alan Bullock Adm Serv Dir (941) 486-2626 <a href="mailto:abulloc@ci.venice.fl.us">abulloc@ci.venice.fl.us</a>
Volusia County, FL	443,000	2006	County Manager	Yes	Chairman Frank Bruno (386) 626-6582 <a href="mailto:fbruno@co.volusia.fl.us">fbruno@co.volusia.fl.us</a>
Wichita, KS	360,000	2008	City Manager	Yes	Mayor Carl Brewer (316) 268-4331 <a href="mailto:Cbrewer@wichita.gov">Cbrewer@wichita.gov</a>
Windham, CT	24,000	2009	Town Manager	Yes	Mayor Ernest Eldridge (860) 465-3000 <a href="mailto:eldridge@windham.com">eldridge@windham.com</a>
Winston-Salem, NC	186,000	2006	City Manager	Yes	Mayor Allen Joines (336) 727-2058 <a href="mailto:allenj@cityofws.org">allenj@cityofws.org</a>



## **ABILITY OF CONSULTANTS'S PROFESSIONAL PERSONNEL**

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### **Robert E. Slavin, President and Director of Executive Recruitment**

Mr. Slavin is one of the pioneers in public sector and nonprofit executive search. He is among the best known and respected professional recruiters in the business. He has completed more than 650 searches for governmental and not-for-profit executives in all regions of the United States. Mr. Slavin is a frequent speaker before professional groups and he has written many articles for professional journals concerning governmental management. By special invitation, Mr. Slavin assisted the United States Office of Personnel Management to define and set up the Senior Executive Service for the Federal Government.

Mr. Slavin began his local government career in 1967. His experience includes twelve years working directly for local governments and it includes seven years as a principal consultant with the government search practice of Korn/Ferry International, the largest private sector search firm in the world. He headed the local government search practices for Mercer/Slavin, Incorporated, Mercer, Slavin & Nevins and Slavin, Nevins and Associates, Inc. Mr. Slavin now heads the executive search practice for Slavin Management Consultants, Incorporated. Clients include state and local governments, nonprofit and private sector businesses all over the United States. His experience includes search assignments for the 1984 Los Angeles Olympic's Organizing Committee.

Mr. Slavin's experience and qualifications include organizational analysis, classification and compensation studies and assessment centers and human resource's systems studies.

Before being invited to join Korn/Ferry International, Mr. Slavin served as Assistant City Manager/Director of Human Resources for the City of Beverly Hills, California.

While at Beverly Hills, Mr. Slavin conducted many executive level recruitment assignments involving nationwide search and placement. Before joining the City of Beverly Hills, Mr. Slavin was the Assistant Personnel Director for the City of San Leandro, California.

Before San Leandro, Mr. Slavin was on the personnel staff of Santa Clara County, California. His assignments included recruitment, classification and selection for the County's Health Department, Medical Center, Transportation Agency, Sheriff's Office, Superintendent of Schools, Fire Marshall, Assessor's Office, Library System and County Recorder's Office.

Mr. Slavin received his Bachelor of Science degree in Political Science from the University of Santa Clara, and has completed the graduate course work for a Master's degree in Public Administration at California State University at Hayward.

### **Organizations (Current and Past)**

- American Society for Public Administration
- Bay Area Salary Survey Committee
- Certified Professional Consultant to Management
- Government Finance Officer's Association
- International City/County Management Association
- International Personnel Management Association (IPMA)
- IPMA - Human Relations Commission
- IPMA - Professional Publications Committee
- National Forum for Black Public Administrators
- Society for Human Resources Management
- Southern California Public Labor Relations Council
- Southern California Municipal Assistants

### **Randi Frank, SMC Managing Consultant**

Ms. Randi Frank is an independent local government human resources management consultant based in Wallingford, Connecticut. She is also a Managing Consultant for Slavin Management Consultants. Her varied background includes more than twenty-two years of experience working with and for governments.

This includes federal, county, and municipal experience. She has experience working as an Assistant Manager, Assistant to the Manager, Budget Analyst, Research Associate and Consultant to governments located in the Northeast, Mid-Atlantic and the Western regions of the United States. She holds a Master's degree in Public Administration from the University of Southern California and a Bachelor's degree in Urban Affairs from the University of Rhode Island. Ms. Frank is certified as a professional risk manager by the Insurance Institute of America.

From her diverse background, Ms. Frank's has gained first hand experience and in-depth knowledge in a wide-variety of fields and expertise in several areas. These include Human Resources , Risk Management, Grantsmanship, Recycling, General Management and Purchasing.

Ms. Frank's areas of expertise include:

- Recruitment
- Compensation and Classification
- Collective Bargaining
- AA/EEO, Sexual Harassment, Workplace Violence
- Employee Wellness Programs
- Drug free Work Place Programs
- ADA
- Human Resources Policies
- Grantsmanship
- Safety and Training
- Purchasing
- Risk Management
- Workers' Compensation
- Budgeting
- Recycling

### **Organizations**

- International City Management Association - Conference Fellow
- Connecticut Town & City Manager's Association - Board Member
- International Personnel Management Association
- CONPELRA
- PRIMA - President, Past-President, Secretary-Treasurer

### **David Krings, ICMA-CM, SMC Managing Consultant**

Mr. Krings has 35 years experience at the top levels of state, county, and municipal governments. He is internationally recognized as a state and local government management practitioner and consultant. Mr. Krings has been on the professional staff of governors in both Wisconsin and Arkansas. He served as the County Administrator in Peoria County, (Peoria) Illinois and Hamilton County, (Cincinnati) Ohio. Both Hamilton County and Peoria County received national recognition for innovative, quality management during Mr. Krings' tenure. Mr. Krings also served as the Assistant Executive Director for Ramsey County (St. Paul) Minnesota.

Mr. Krings has a M.A. in Public Policy and Administration from the University of Wisconsin-Madison and a BA from Carroll College (Waukesha, Wisconsin). He has also studied at schools in Denmark and Mexico. In 2005 Mr. Krings began his encore career, still in public service, but in a much broader capacity than in prior years. He is the part-time Administrator of Lockland, Ohio. He served as the part-time Advisor to the Mayor in Newtown, Ohio. He has had scores of consulting engagements with local jurisdictions and not-for-profits (largely through TechSolve, a not-for-profit consulting firm). He has been certified as a local government expert in litigation involving local governments. He has been on an advisory board of a company providing inmate telephone services (DC Telesystems). In 2009 he associated with the firm Good Energy to consult with local governments in the provision of cost saving electricity purchasing. He is also a managing consultant for Slavin Management Consultants.

Highlights from Mr. Krings' 13 years as Hamilton County Administrator include:

- Responsible for \$2.3 billion budget;
- Oversaw more than \$1 billion in development of Cincinnati riverfront including construction of a new NFL football stadium and a MLB baseball park;
- Developed small, minority, and female business development program;
- Governing Magazine and Syracuse University gave Hamilton County fourth highest grade among America's large urban counties for overall management;
- Gold Seal for Good E-Governance from National Academy of Public Administration;
- Top rated web site from National Association of Counties;
- Numerous Government Finance Officers Association of United States and Canada awards for Distinguished Budget Presentation; and
- ICMA Center for Performance Measurement Certificate of Distinction;

### ***Organizations***

- ICMA—Past President and Board Member
- National Association of County Administrators (NACA)—Past President and Board Member
- First person to be President of both ICMA and NACA
- Recipient of American Society for Public Administration chapter Good Government Award
- Adjunct professor for University of Cincinnati and faculty member of University of Illinois, Community Information and Education Service

### **Paul Wenbert, SMC Western Regional Manager**

Mr. Wenbert has more than thirty years of professional local government experience including twenty-four years of executive level experience with thirteen of those years as a city manager. Mr. Wenbert joined Slavin Management Consultants in 2007 as Western Regional Manager. He is headquartered in Mesa, Arizona. Most recently, Mr. Wenbert completed seven years of service as Deputy City Manager of Mesa. His career highlights include nine years as City Administrator for Newton, Iowa; four years as Village Manager for Villa Park, Illinois and four years as Assistant City Manager for Ames, Iowa. Early in his career Mr. Wenbert served as an administrative intern for Fort Wayne, Indiana and as an administrative assistant for Mesa, Arizona and Marion, Indiana.

Mr. Wenbert earned his Masters in Public Administration degree from Arizona State University and his Bachelor of Science degree from Indiana University. He is also an ICMA Credentialed Manager.

His career highlights include:

- Chaired ***Keep Maytag In Newton Task Force*** which facilitated retention of more than 2,000 jobs and addition of 440 jobs and \$41 million of investment
- Instituted Productivity Improvement Programs in Newton, Iowa and Villa Park, Illinois resulting in more than \$3 million of savings
- Negotiated revised 28E agreement with twelve local governments for regional landfill operated by City of Newton and involved in many other intergovernmental relations activities in Newton, Villa Park and Mesa, Arizona
- Supervised city departments with \$470 million budget and 1,100 employees in Mesa, Arizona.
- Directed \$80 million five-year Capital Improvements Program budget in Ames
- Served as chief negotiator on collective bargaining team for police, fire and blue collar union negotiations in Ames
- Worked for the City of Mesa during the time period when it was the fastest growing community in the United States and was involved with many growth issues such as infrastructure planning and financing, freeway interchange decisions and allocating resources equitably to newly developed and existing areas of the community

- Designed and administered first personnel and wage classification system for City of Marion, Indiana
- In all positions enhanced citizen connection to city government through various methods including citizen-based strategic planning, citizen focus groups, regular community attitude surveys, citizen academies and providing highlights of items on Council agenda
- In all positions improved staff team-building through city-wide staff development and training and city-wide committee work assignments
- Served as Vice-President of International City/County Management Association
- Served as President of Iowa City/County Management Association
- Received ICMA Program Excellence Award for Collaborative Children and Youth Initiatives
- Received Greater Newton Area Chamber of Commerce Key Award for Chairing ***Keep Maytag In Newton Task Force***

***Organizations***

- ▶ ICMA (Past Executive Board Member and Chair of the three ICMA Committees)
- ▶ Iowa City/County Management Association (Past President)

## **STATEMENT OF WORK**

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We recommend a five-step process as follows:

- Define job qualifications and requirements for the position -- the "recruitment profile."
- Identify and recruit qualified candidates.
- Evaluate prospective candidates.
- Make recommendations, help in selection and facilitate employment.
- Establish evaluation criteria and follow-up.

Each step of this process is described below.

### **A. Define Position Profile**

We will meet with the Board and others of her choosing, including Board of Supervisor members and executive staff to learn the County's needs, focus and requirements such as experience, education and training as well as preferred management style and personal traits. In developing the recruitment profile, we will spend a considerable amount of time at the beginning of the process in Fort Myers to gather additional information about the County and to ascertain, the unique challenges of the County Manager job and the general environment within which it functions.

Once we have gained the necessary information, we will prepare a draft recruitment profile and review it with the County to arrive at a general agreement regarding the specifications for the position. The final profile will include information about the region, Lee County, the County government, major issues to be faced, the position and the selection criteria established.

### **B. Identify Qualified Candidates**

We will first review our database to find those candidates whom we may already know and/or already have on file who may meet your specifications. Although the above process is valuable, we will rely most heavily on our own contacts in related fields and on our own experience. In other words, through "networking," we will conduct professional searches for the best-qualified candidates and invite them to apply for the position. In this effort, we utilize appropriate professional organizations, our established contacts, and our knowledge of quality jurisdictions and their employees.

We will prepare and place advertisements in professional publications. We will acknowledge all resumes received and thoroughly screen all potential candidates.

### **C. Evaluate Prospective Candidates**

#### **Preliminary Screening and Progress Report**

Criteria for the preliminary screening will be contained in the approved recruitment profiles. They may include such items as education, technical knowledge, experience, accomplishments, management style, personal traits, etc. Screening of candidates against those criteria will be based on data contained in the resume and other data provided by the candidates and on our knowledge of the organizations in which they work. At this stage, each must meet the minimum qualifications specified in the recruitment profile.

We request that candidates provide us substantial written information about their accomplishments and their management style and philosophy. This information is verified and, at the County's option, may be further tested by having the finalists respond to a supplemental questionnaire and/or complete management and leadership style inventories. We interpret these instruments for the County as well.

We will provide a progress reports to the Board on a number of semifinalist candidates. These individuals will be top prospects who clearly meet the County's specifications for each position. With guidance from the County, we will narrow the semifinalist candidate groups on the basis of refined criteria. During this

meeting (s) we will determine County's expectations relative to interview questions that we will write as well as the candidate rating and scoring processes which will be included in our final reports.

#### **D. Selection and Employment**

##### ***In-depth Screening and Final Report***

At this point, we will interview those semifinalist candidates whom the Board has the greatest interest in. Proper fit is as important as technical ability. We assess both. In order to better assess the candidates' management style and interpersonal characteristics, we personally interview each in his or her present work environment. We will closely examine each candidate's experience, qualifications, achievements, management style and interpersonal skills in view of the selection criteria and our professional expertise in evaluating the quality of such qualifications, skills and achievements.

We conduct in-depth background checks on those individuals who continue to demonstrate their overall suitability for the respective position. Included are detailed and extensive reference checks which cover a minimum period of ten years. In conducting these, it is our practice to speak directly to individuals who are now or have been in positions to evaluate the candidate's job performance. We ask each candidate to provide us with a large number of references. We then network these references to other persons who know the candidate. In this way, we thoroughly evaluate each candidate. These references and evaluations are combined to provide frank and objective appraisals of the top candidates.

As part of our evaluation process we conduct credit checks and verify undergraduate and graduate college degrees. We also conduct criminal history, civil court records and driving record checks. At the County's option, we can arrange for assessment centers and/or psychological (or similar) testing of the candidates. (These optional items will result in extra cost.)

We will then meet with the Board to present finalist groups of well-qualified finalist candidates for interviews in Fort Myers. These final candidates will not be ranked because, at this point, they will all be qualified and it will then be a matter of chemistry between the candidates and the Board that should produce the final selection decisions.

Our final reports will be presented in person. These written reports are comprehensive. They will contain our candidate recommendations, details about the search, interview tips, interview questions, candidate evaluation forms and information about legal vs. illegal inquiries. The reports will also include the candidate interview schedule as well as our recommendations relative to timing, sequencing, location, setting, format, and conduct of interviews. The reports will contain comprehensive information about each recommended candidate. This includes educational and experience information, an evaluation of the candidate's experience relative to the criteria established by the County, a summary of reference comments and a statement of accomplishments and management style prepared by the candidate. Present compensation is also provided for each recommended candidate.

We will provide information about trends in employment, employment contracts and agreements, relocation expenses, perquisites, appropriate roles for spouses, receptions, etc. We arrange schedules for top candidate interviews with the County and we will coordinate the entire process.

We will properly handle any and all media relations. Unless otherwise directed, it is our standard practice to tell all media that we are working on behalf of Lee County and that any public statement should come from the County directly. Under no conditions will we release information to the media unless specifically directed by the County to do so.

We will notify all unsuccessful candidates of the final decisions reached. Finally, will continue to work for the County until suitable candidates are recruited and hired by the County.

SMC is an equal opportunity employer and recruiter, and will not discriminate against any employee or applicant for employment because of race, religion, creed, color, sex, disability or national origin.

#### **E. Establish Evaluation Criteria**

Once the new employees have been on board for 30 days or so, we will conduct a session with the Board and the new employees to establish mutual performance criteria and goals.

#### **F. Follow-up**

We will follow-up with the Board and the new employees the first year and assist in making any adjustments that may be necessary.

#### **G. Reporting**

We will keep the County informed, involved in decisions and involved in the search processes. We will provide frequent (at least bi-weekly) progress reports to the County.

#### **H. Deliverables**

Deliverables include the recruitment profiles (draft and final), the advertisements (draft and final), the progress reports (presented in person), the final reports with interview tips, interview schedule, interview questions, candidate resumes, candidate evaluations, candidate writing samples, rating sheets, ranking forms, tabulation forms and appropriate/inappropriate question list and, if appropriate, negotiated employment agreements between the County and the selected candidates.

## TIME TABLE

The search processes normally takes between sixty (60) and ninety (90) days to complete and typically follows the following pattern:

STEPS	DAYS			
	1-30	30-45	45-60	60-360
1. DEVELOP SEARCH PROCESS, RECRUITMENT PROFILE AND ADVERTISING PROGRAM FOR COUNTY APPROVAL	✓			
2. IDENTIFY QUALIFIED CANDIDATES, REVIEW DATA BASE, NETWORK, RECEIVE AND REVIEW RESUMES	✓	✓		
3. SCREEN & EVALUATE PROSPECTIVE CANDIDATES		✓		
4. PROGRESS MEETING AND REPORT		✓		
5. INTERVIEW AND EVALUATE PROSPECTIVE CANDIDATES		✓	✓	
6. SUBMIT FINAL REPORT AND RECOMMENDATIONS, ASSIST IN SELECTION, FACILITATE EMPLOYMENT			✓	
7. ESTABLISH EVALUATION CRITERIA AND FOLLOW-UP				✓

Approximately twelve semifinalist candidates are presented to the County at the progress meetings. Generally, about five finalist candidates are presented for interviews with the County.



## RECENT SEARCHES — SLAVIN MANAGEMENT CONSULTANTS

CLIENT	POSITION	RESULT	YEAR
Albany, GA	City Manager	Position filled	2005
	Assistant City Manager	Position filled	2006
	Police Chief	Position filled	2006
	Human Resources Director	Position filled	2007
	Downtown Development Director	Position filled	2007
Amberley Village, OH	Village Manager	Position filled	2011
Alleghany County, VA	County Administrator	Position filled	2007
Asheville, NC	City Manager	Position filled	2005
Auburn Hills, MI	City Manager	Position filled	2005
Aurora, CO	City Manager	Position filled	2010
Austin, TX	Police Chief	Position filled	2007
	Director of Water Utility	Position filled	2007
Bethlehem Township, PA	Township Manager	Position filled	2003
Boise, ID	Chief Financial Officer	Position filled	2009
Branson, MO	City Administrator	Position filled	2008
	Finance Director	Position filled	2008
	Economic Development Director	Position filled	2009
	Director of Planning & CD	Position filled	2009
	Utilities Director	Position filled	2010
Bridgeport, CT	Police Chief	Position filled	2010
Broken Arrow, OK	Public Works Director	Position filled	2008
Broward County, FL	Equal Employment Opportunity Director	Position filled	2003
	Inspector General	Position filled	2011
	Assistant to the County Administrator	Active search	2011
Bryan, TX	City Manager	Position filled	2002
Cary, NC	City Manager	Position filled	2009
Creedmoor, NC	Finance Director	Position filled	2006
	Police Chief	Position filled	2007
Columbia, MO	Police Chief	Position filled	2009
Corpus Christi, TX	City Manager	Position filled	2011
Dallas, TX	Police Chief	Position filled	2004
Davie, FL	Town Manager	Position filled	2007
Decatur, GA	Police Chief	Position filled	2003
Denton, TX	Police Chief	Position filled	2003
Dunedin, FL	City Manager	Position filled	2007
Dunwoody, GA	City Manager	Position filled	2008
Durham, NC	Director of General Services	Position filled	2009
District of Columbia	Alcoholic Beverage Control Director	Position filled	2002
Elgin, IL	City Manager	Position filled	2003
East Point, GA	City Manager	Position filled	2009
Evanston, IL	City Manager	Position filled	2004
	Finance Director	Position filled	2008

CLIENT	POSITION	RESULT	YEAR
Escambia County, FL	Planning Director	Position filled	2005
	Assistant County Administrator	Position filled	2006
	County Administrator	Position filled	2008
Fayetteville, AR	Human Resources Director	Position filled	2007
Fort Collins, CO	City Manager	Position filled	2005
	Police Chief	Position filled	2011
Fort Lauderdale, FL	City Auditor	Position filled	2006
Fort Myers, FL	City Manager	Position filled	2007
	Chief of Police	Position filled	2008
Fort Worth, TX	City Auditor	Position filled	2007
	Police Chief	Position filled	2008
	Director of Transportation & Public Works	Position filled	2009
Franklin, TN	City Administrator	Position filled	2008
Fulton County, GA	Purchasing Director	Position filled	2009
	General Services Director	Position filled	2009
Gainesville, FL	EEO Director	Position filled	2004
Gaithersburg, MD	Assistant City Manager	Active search	2011
Glastonbury, CT	Human Resources Director	Position filled	2002
Gulf Shores, AL	City Administrator	Position filled	2008
Greensboro, NC	Assistant City Manager (2 positions)	Positions filled	2002
	City Manager	Position filled	2006
Greenwood Village, CO	City Manager	Position filled	2006
Gwinnett County, GA	Fire Chief	Position filled	2001
	Human Resources Director	Position filled	2005
Independence, KS	City Manager	Position filled	2009
Independence, MO	Parks and Recreation Director	Position filled	2005
	Director of Public Works	Position filled	2008
Iowa City, IA	City Manager	Position filled	2010
Iowa League of Cities	Executive Director	Position filled	2008
Hall County, GA	Community Development Director	Position filled	2003
Hardeeville, SC	City Manager	Position filled	2011
Hyattsville, MD	Public Works Director	Position filled	2010
Kalamazoo County, MI	Deputy County Administrator	Position filled	2008
	Director of Finance & Administration	Position filled	2008
Kalamazoo County Transportation Authority	Executive Director	Active search	2011
Kansas City, MO	Water Services Director	Position filled	2009
	Fleet Manager	Position filled	2009
	Utilities Engineering Manager	Active search	2010
	Deputy Water Services Director	Active search	2010
Kent County, MI	Human Resources Director	Position filled	2003
Lake County, IL	Human Resources Director	Position filled	2004
	Assistant County Administrator	Position filled	2006
	IT Director	Position filled	2006
	Emergency Management Director	Position filled	2007
			2009

<b>CLIENT</b>	<b>POSITION</b>	<b>RESULT</b>	<b>YEAR</b>
Lake County Partners (IL)	President	Position filled	2010
Lake Worth, FL	Utilities Customer Services Manager	Position filled	2009
La Plata, MD	City Manager	Position filled	2007
Lee County, FL	Visitors and Convention Bureau Executive Director	Position filled	2007
Liberty, MO	Police Chief	Position filled	2001
Longmont, CO	City Manager	Active search	2011
Mansfield, MA	Town Manager	Position filled	2009
Matteson, IL	Community Development Director	Position filled	2008
	Human Resources Director	Position filled	2008
Metropolitan Sewer District of Greater Cincinnati	Operations Superintendent	Position filled	2003
	Business Manager	Position filled	2007
Miami, FL	Capital Improvement Program Director	Position filled	2002
	City Budget Director	Position filled	2002
Missouri Municipal League	Executive Director	Position filled	2010
Montgomery County, MD	Director of Corrections and Rehabilitation	Position filled	2001
	Controller	Position filled	2008
Mt. Lebanon, PA	Municipal Manager	Position filled	2002
Nashville, TN	Arts Commission Director	Position filled	2004
	911 Director	Position filled	2008
Neptune Beach, FL	City Manager	Position filled	2004
New Castle County, DE	Police Chief	Position filled	2005
	Director of Land Use Planning	Position filled	2008
New Kent County, VA	County Administrator	Position filled	2002
Newark, DE	City Manager	Position filled	2008
Northglenn, CO	City Manager	Position filled	2006
North Miami Beach, FL	Utility Finance Manager	Position filled	2003
Norwich, CT	City Manager	Position filled	2008
Olathe, KS	Assistant City Manager	Position filled	2000
Orange County, FL	Director of Environmental Management	Position filled	2003
	Director of Corrections	Position filled	2007
	Director of Parks and Recreation	Position filled	2001
Ormond Beach, FL	City Manager	Position filled	2002
	Budget Director	Position filled	2005
Overland Park, KS	Public Works Director	Position filled	2005
Paducah, KY	Police Chief	Position filled	2009
Panama City, FL	Assistant City Manager	Position filled	2004
Peoria County, FL	County Administrator	Position filled	2011
Phoenix, AZ	Police Chief	Active search	2011
Prince William County, VA	County Executive	Position filled	2010
	Chief Information Officer	Position filled	2010
Portage, MI	Assistant City Manager	Position filled	2003
	Deputy Police Chief	Position filled	2004
Roanoke, VA	Director of Technology	Position filled	2003

<b>CLIENT</b>	<b>POSITION</b>	<b>RESULT</b>	<b>YEAR</b>
	Director of Human Services	Position filled	2003
	Director of Parks and Recreation	Position filled	2002
	Director of Libraries	Position filled	2002
Rock Hill, SC	City Manager	Position filled	2010
Rockville, MD	Police Chief	Position filled	2002
	Assistant City Manager	Position filled	2001
	City Manager	Position filled	2004
Sarasota, FL	Human Resources Director	Position filled	2000
Selma, AL	Police Chief	Position filled	2008
Seminole County, FL	County Manager	Position filled	2011
	County Attorney	Position filled	2011
Skiff Medical Center (IA)	Chief Executive Officer	Position filled	2009
South Florida Water Management District	Inspector General	Position filled	2011
	Executive Director	Position filled	2002
SW Florida Regional Planning Council			
Spotsylvania County, VA	Planning Director	Position filled	2003
Statesboro, GA	City Manager	Position filled	2008
Stratford, CT	Town Manager	Position filled	2002
	Human Resources Director	Position filled	2002
Storm Lake, IA	City Manager	Position filled	2009
Takoma Park, MD	Finance Director	Position filled	2005
	City Engineer	Position filled	2004
	Director of Public Works	Position filled	2002
	Director of Parks and Recreation	Position filled	2002
	Director of Public Planning	Position filled	2002
Topeka, KS	City Manager	Position filled	2006
	Police Chief	Position filled	2007
	Human Resources Director	Position filled	2008
Triangle Transit Authority (NC)	Deputy Executive Director	Position filled	2002
Urbandale, IA	City Administrator	Position filled	2009
Valdosta, GA	Assistant Public Works Director	Position filled	2007
	Utilities Director	Position filled	2008
Venice, FL	Police Chief	Position filled	2005
	City Manager	Position filled	2009
Virginia Key Beach park Trust (Miami, FL)	Executive Director	Position filled	2003
	Museum Director	Position filled	2007
Volusia County, FL	County Manager	Position filled	2005
	Human Resources Director	Position filled	2007
	Director of Growth Management	Position filled	2008
	Director of Management and Budget	Position filled	2008
	Convention Center Director	Position filled	2009
Wake County, NC	Director of Human Services	Position filled	2007
West Des Moines, IA	City Manager	Position filled	2010
West Palm Beach, FL	Assistant City Administrator	Position filled	2005
	Fire Chief	Position filled	2002

<b>CLIENT</b>	<b>POSITION</b>	<b>RESULT</b>	<b>YEAR</b>
SW Florida Regional Planning Council	Executive Director	Position filled	2002
Whitfield County, GA	County Administrator	Position filled	2007
Wichita, KS	Century II Center Executive Director	Position filled	2002
	Fleet Maintenance Manager	Position filled	2002
	Traffic Engineer	Position filled	2001
	City Manager	Position filled	2004
	IT Director	Position filled	2006
Windham, CT	City Manager	Position filled	2009
	City Manager	Position filled	2009

All of the above searches were completed within 90 days unless delayed by the client.

## **GUARANTEES**

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We provide a comprehensive set of assurances and guarantees to our executive recruitment clients that include:

- We are committed to excellence. We guarantee the highest quality of work and its success in your environment. To accomplish this, we will continue to work with the County until you are satisfied with the candidates and satisfactory candidates are selected and accept employment.
- We guarantee our work and will redo a search if the position is vacated, for any reason, within two years of the employment date of a candidate recommended by SMC and selected by the County.
- We will never actively recruit any *candidate who we have placed* **nor** will we actively recruit any *employee* from a client organization for at least two years from the completion date of an assignment.

## REFERENCES

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### **Mr. James Dinneen**

County Manager  
County of Volusia  
Thomas C. Kelly  
Administration Center  
123 W. Indiana Ave.  
DeLand, FL 32720  
(386) 736-5920  
Transit Director - Greater Dayton Regional Transit Authority (2005)  
Human Resources Director - Volusia County (2007)  
Budget Director - Volusia County (2008)  
Convention Center Search (2009)  
[jdinneen@co.volusia.fl.us](mailto:jdinneen@co.volusia.fl.us)

### **Mr. Lief Ahnell**

City Manager  
City of Boca Raton  
201 West Palmetto Park Road  
Boca Raton, Florida 33432-3730  
(561) 393-7703  
Police Chief Search (2006)  
Fire Chief Search (2006)  
Assistant City Manager Search - Human Resources Focus (2000)  
[BocaCM@ci.Boca-Raton.fl.us](mailto:BocaCM@ci.Boca-Raton.fl.us)

### **Mr. Barry Burton**

County Administrator  
Lake County  
18 N County Street  
Waukegan, IL 60085-4350  
(847)377-2250  
Chief Information Officer Search (2005)  
Assistant County Administrator Search (2005)  
Human Resources Director Search (2004)  
Lake County Partners - President Search (2009)  
Assistant County Administrator Search (2010)  
[Burton@lakecountyil.gov](mailto:Burton@lakecountyil.gov)

### **Mr. Dean Kruithof**

City Administrator  
City of Branson  
110 W. Maddux Ave.  
Branson, MO 65616  
(417) 337-8548  
Finance Director Search (2007)  
Economic Development Director Search (2009)  
Community Development Director Search (2009)  
Public Works Director Search (2009)  
Utilities director Search (2010)  
[Dkruithof@bransonmo.gov](mailto:Dkruithof@bransonmo.gov)

### **Mayor Carl Brewer**

City of Wichita  
455 N. Main Street  
Wichita, KS 67202  
(316) 268-4331  
City Manager Search (2008)  
[Cbrewer@wichita.gov](mailto:Cbrewer@wichita.gov)

### **Mayor Gerry Welsh**

City of Webster Groves, MO  
4 East Lockwood Street  
Webster Groves, MO 63119  
(314) 963-5300  
Missouri Municipal League President  
Executive Director Search (2010)  
[citycouncil@webstergroves.org](mailto:citycouncil@webstergroves.org)

### **Mayor Doug Echols**

City of Rock Hill  
155 Johnston Street  
Rock Hills, SC 29731-1706  
(803) 329-7011  
City Manager Search (2010)  
[dechols@cityofrockhill.com](mailto:dechols@cityofrockhill.com)

## COST PROPOSAL

### Professional Fees (per search)

Our fees are based on a rate schedule that reflects the experience of the individual assigned. We use a flat fee rate schedule. Therefore, there are no project limitations based on annual salary. For this assignment we are proposing to use only consultants who have specific experience on similar assignments for other clients. We will use senior consultants where appropriate and to reduce the overall cost. We will use staff consultants when feasible. The following tables show the level of involvement by project step and cost.

<b>PROJECT COSTS</b>					
<b>STEPS</b>	<b>ASSIGNED HOURS (Approximate)</b>			<b>RATE (Hr)</b>	<b>FEES</b>
	<b>Project Manager</b>	<b>Consultant</b>	<b>Total</b>		
<b>1. Project Planning/Develop Position Profile/ Prepare and Place Advertising</b>	32		32	75	<b>\$2,400</b>
<b>2. Identify &amp; Recruit Candidate/Acknowledge Resumes</b>	30		30	75	<b>\$2,250</b>
		35	35	35	<b>\$1,225</b>
<b>3. Preliminary Candidate Screening</b>	12		12	75	<b>\$900</b>
		4	4	35	<b>\$140</b>
<b>4. Progress Report to the County/Reduce Candidate Pool</b>	8		8	75	<b>\$600</b>
		8	8	35	<b>\$280</b>
<b>5. In-depth Candidate Evaluation (Includes on-site consultant interviews with semi-finalist candidates)</b>	38		38	75	<b>\$2,850</b>
		16	16	35	<b>\$560</b>
<b>6. Arrange for &amp; Schedule Final Interviews</b>	4		4	75	<b>\$300</b>
<b>7. Prepare Final Report with Interview Questions and Selection Criteria</b>	8		8	75	<b>\$600</b>
		16	16	35	<b>\$560</b>
<b>8. Present Final Report and Attend Interviews</b>	10		10	75	<b>\$750</b>
<b>9. Assist in Employee Selection</b>	2		2	75	<b>\$150</b>
<b>10. Negotiate Employment Agreement</b>	4		4	75	<b>\$300</b>
<b>11. Establish Performance Goals</b>	6		6	No Charge	<b>\$0</b>
<b>12. Follow-up</b>	4		4	No Charge	<b>\$0</b>
<b>TOTAL HOURS</b>	158	79	237		
<b>TOTAL PROFESSIONAL FEES</b>					<b>\$13,865</b>

### Expenses (per search)

**Consultant Travel Costs:** The client pays direct cost for all necessary consultant travel using coach or, when available, lower air rates, corporate hotel rates at moderately priced properties (Holiday Inn or equivalent), rental cars, using the corporate discount and normal meals. Client controls these costs in the following ways: (1) when appropriate, consultants will accomplish multiple purposes when traveling and will allocate costs to multiple clients and (2) the client pre-approves all work plans including all consultant (and candidate) travel.



**Office Costs Include:** Telephone (\$350 flat fee, billed in two installments), FAX, postage, messenger, copier, and clerical costs.

**Average Advertising Costs:** Normally about \$2,500. Client controls these costs because the advertising program will be approved by the County prior to implementation.

Expenses for the executive search project described in this proposal **will not exceed 55%** of the professional fee (**\$7,625.75**). Therefore, the total cost for this project **will not exceed \$21,490.75**. The cost for final candidates to travel to Fort Myers for interviews is not covered by this proposal. Such costs are typically paid by the County on a reimbursement basis, directly to the candidates, and controlled through the County's prior approval of the finalist candidates. These costs vary depending on candidate location, espousal involvement, time required for candidates to be in Fort Myers, etc. For budgeting purposes, an average cost of between \$450.00 and \$650.00 per candidate would be appropriate. About five candidates are normally recommended for interviews.

Should the County's needs result in additional project scope that significantly increases consultant travel and/or advertising costs, it may be necessary to increase the expense budget for the project

Your liability to Slavin Management Consultants for services rendered under this agreement will not exceed the agreed upon price unless an increase is authorized by you in writing.

We will submit monthly invoices for fees and expenses. It is our practice to bill 30% at the start of the searches, 30% at the end of thirty days, 30% at the end of sixty days, and the remaining 10% shortly after the time the new Executive Director accepts employment with the County. Each invoice will be payable upon receipt for professional services.

Expenses will be billed in addition and shown as a separate figure. Attached is a pro-forma invoice showing the level of accounting detail we will provide.

We will comply with all applicable laws, rules, and regulations of federal, State, and local government entities.

Our ability to carry out the work required will be heavily dependent upon our experience in providing similar services to others, and we expect to continue such work in the future. We will, to the degree possible, preserve the confidential nature of any information received from you or developed during the work in accordance with our professional standards.

We assure you that we will devote our best efforts to carrying out the engagements. The results obtained, our recommendations, and any written material provided by us will represent our best judgment based on the information available to us. Our liability, if any, will not be greater than the amount paid to us for the services rendered.

This proposal constitutes the agreement between us. It cannot be modified except in writing by both parties. Our agreement will be interpreted according to the laws of the State of Florida.

**AGREEMENT FOR SERVICES**

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This proposal is presented for Slavin Management Consultants by:

SIGNATURE: Robert E. Slavin

NAME: Robert E. Slavin

TITLE: President

DATE: January 9, 2013

This proposal is accepted for Lee County, Florida by:

SIGNATURE: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

# ***SMC EXHIBITS***

**PRO FORMA INVOICE**

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INVOICE DATE: \_\_\_\_\_

CLIENT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE: \_\_\_\_\_

Progress billing for professional services  
rendered in connection with our agreement:

(Invoice \_\_ of \_\_) \$XXXX.XX

Reimbursable expenses at cost:

Airfare	\$ XXX.XX
Hotel	XX.XX
Ground Transportation	XX.XX
Meals	XX.XX
Tips	XX.XX
Telephone	XXX.XX
Clerical Support	XXX.XX
FAX	XX.XX
Messenger Service	XX.XX
Copies	XX.XX
Postage	XX.XX
Misc. Direct Costs	XX.XX
 Total Expenses	 \$XXXX.XX

**TOTAL INVOICE**

**\$XXXX.XX**

## **CLIENT LIST BY CATEGORY**

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The following list of clients represent organizations for which our principal Consultants performed significant project work. This client list spans thirty years of experience of SMC consultants. Please contact SMC if you desire to speak with the individuals who were project contacts.

### **MUNICIPALITIES**

Aiken, South Carolina	Davenport, Iowa
Albany, Georgia	Davie, Florida
Alpharetta, Georgia	Decatur, Georgia
Anaheim, California	Decatur, Illinois
Ann Arbor, Michigan	Delray Beach, Florida
Arlington, Texas	Del Rio, Texas
Arlington Heights, Illinois	Denton, Texas
Arvada, Colorado	Destin, Florida
Atlanta, Georgia	Dothan, Alabama
Atlantic Beach, Florida	Dubuque, Iowa
Asheville, North Carolina	Duluth, Georgia
Auburn, Maine	Dunedin, Florida
Aurora, Colorado	Durham, North Carolina
Austin, Texas	Eagle Pass, Texas
Bartlesville, Oklahoma	East Brunswick Township, New Jersey
Bentonville, Arkansas	Edmond, Oklahoma
Bergenfield, New Jersey	Elgin, Illinois
Berkeley, California	Enfield, Connecticut
Beverly Hills, California	Escondido, California
Birmingham, Alabama	Evanston, Illinois
Bisbee, Arizona	Fort Collins, Colorado
Blacksburg, Virginia	Fort Lauderdale, Florida
Bloomington, Illinois	Fort Worth, Texas
Boynton Beach, Florida	Franklin, Tennessee
Branson, Missouri	Frisco, Colorado
Brea, California	Gainesville, Florida
Bridgeport, Connecticut	Gainesville, Georgia
Broken Arrow, Oklahoma	Galesburg, Illinois
Brownsville, Texas	Garden City, New York
Bryan, Texas	Glastonbury, Connecticut
Burbank, California	Glendale, Arizona
Camarillo, California	Glen Ellyn, Illinois
Carson, California	Grand Rapids, Michigan
Cary, North Carolina	Greensboro, North Carolina
Casper, Wyoming	Gulfport, Florida
Chapel Hill, North Carolina	Hardeeville, SC
Charlotte, North Carolina	Hemet, California
Chesapeake, Virginia	Hercules, California
Clearwater, Florida	Highland Park, Illinois
Cleveland, OH	Hollywood, Florida
Columbia, Missouri	Homestead, Florida
Columbus, Georgia	Huntington Beach, California
Concord, New Hampshire	Independence, Missouri
Coral Springs, Florida	Independence, Kansas
Corpus Christi, Texas	Iowa City, Iowa
Corta Madera, California	Jacksonville Beach, Florida
Creedmoor, North Carolina	Jupiter, Florida
Culver City, California	Kalamazoo, Michigan
Dallas, Texas	Kansas City, Missouri

Lake Worth, Florida  
Lakewood, Colorado  
Lapeer, Michigan  
Laramie, Wyoming  
Laredo, Texas  
Lenexa, Kansas  
Liberty, Missouri  
Lillburn, Georgia  
Little Rock, Arkansas  
Long Beach, California  
Longmont, CO  
Manassas, Virginia  
Mansfield, Massachusetts  
Miami Beach, Florida  
Milwaukie, Oregon  
Minneapolis, Minnesota  
Miramar, Florida  
Modesto, California  
Muscatine, Iowa  
Neptune Beach, Florida  
Newark, Delaware  
New Smyrna Beach, Florida  
Norfolk, Virginia  
Norman, Oklahoma  
North Las Vegas, Nevada  
North Miami Beach, Florida  
Northglenn, Colorado  
North Port, Florida  
Norwich, Connecticut  
Oberlin, Ohio  
Ocean City, Maryland  
Oceanside, California  
Olathe, Kansas  
Oklahoma City, Oklahoma  
Oxnard, California  
Palm Bay, Florida  
Palm Beach Gardens, Florida  
Palo Alto, California  
Panama City, Florida  
Park Ridge, Illinois  
Pasadena, California  
Peoria, Illinois  
Phoenix, Arizona  
Pittsburg, Kansas  
Pompano Beach, Florida  
Portage, Michigan  
Pueblo, Colorado  
Richmond, California  
Richmond, Virginia  
Riverside, California  
Riverview, Michigan

Roanoke, Virginia  
Rock Hill, South Carolina  
Rockville, Maryland  
Sacramento, California  
St. Louis Park, Minnesota  
Salem, Oregon  
San Diego, California  
San Fernando, California  
San Francisco, California  
San Jose, California  
San Juan Capistrano, California  
Sandersville, Georgia  
Santa Ana, California  
Santa Monica, California  
Sarasota, Florida  
Shaker Heights, Ohio  
Simi Valley, California  
Sioux City, Iowa  
Snellville, Georgia  
South Brunswick Township, New Jersey  
Springfield, Missouri  
Stratford, Connecticut  
Storm Lake, Iowa  
Sunnyvale, California  
Sunrise, Florida  
Takoma Park, Maryland  
Topeka, Kansas  
Titusville, Florida  
Thornton, Colorado  
Traverse City, Michigan  
Topeka, Kansas  
Turlock, California  
Upper Arlington, Ohio  
Urbandale, Iowa  
Valdez, Alaska  
Venice, FL  
Virginia Beach, Virginia  
Waco, Texas  
Warrensburg, Missouri  
Washington, Illinois  
West Des Moines, Iowa  
West Hartford, Connecticut  
West Hollywood, California  
West Palm Beach, Florida  
Wichita, Kansas  
Windham, Connecticut  
Winston-Salem, North Carolina  
Winter Park, Florida  
Worthington, Minnesota  
Ypsilanti, Michigan

## COUNTIES

Alameda County, California  
Albemarle County, Virginia  
Arapahoe County, Colorado  
Beaufort County, South Carolina  
Broward County, Florida

Brown County, Wisconsin  
Buffalo County, Nebraska  
Chaffee County, Colorado  
Cass County, Michigan  
Chesterfield County, Virginia

Clark County, Nevada  
Cobb County, Georgia  
Dade County, Florida  
Eagle County, Colorado  
Escambia County, Florida  
Fairfax County, Virginia  
Forsyth County, Georgia  
Fremont County, Colorado  
Fresno County, California  
Fulton County, Georgia  
Glynn County, Georgia  
Gunnison County, Colorado  
Hall County, Georgia  
Hamilton County, Ohio  
Ketchikan-Gateway Borough, Alaska  
Lake County, Florida  
Lake County, Illinois  
La Plata County, Colorado  
Leon County, Florida  
Lincoln County, North Carolina  
Livingston County, Illinois  
Los Angeles County, California  
Martin County, Florida  
McHenry County, Illinois  
Mecklenburg County, North Carolina  
Mendocino County, California  
Mesa County, Colorado  
Moffat County, Colorado  
Monterey County, California

Muscatine County, Iowa  
New Kent County, Virginia  
Orange County, New York  
Orange County, North Carolina  
Oklahoma  
Palm Beach County, Florida  
Peoria County, Illinois  
Pinellas County, Florida  
Polk County, Florida  
Prince William County, Virginia  
Ramsey County, Minnesota  
St. Louis County, Minnesota  
Saline County, Kansas  
San Diego County, California  
San Luis Obispo County, California  
San Mateo County, California  
Sarasota County, Florida  
Sedgwick County, Kansas  
Seminole County, Florida  
Sonoma County, California  
Springettsbury Township, Pennsylvania  
Spotsylvania County, Virginia  
Tazewell County, IL  
Volusia County, Florida  
Wake County, North Carolina  
Washtenaw County, Michigan  
Whiteside County, Illinois  
Whitfield County, Georgia  
Yolo County, California

## OTHER ORGANIZATIONS

### Development Groups

Arrowhead Regional Development, Duluth, Minnesota  
Columbia Development Corporation, South Carolina  
Fresno Economic Development Commission, California  
Fresno Redevelopment Authority, California  
GoTopeka, Inc., Kansas  
Lincoln Road Development Corporation, Miami Beach, FL  
Los Angeles, California, Community Redevelopment Agency  
Mid-American Regional Council, Kansas City, Missouri  
West Palm Beach Downtown Development Authority, Florida

### Housing Authorities

California Housing Finance Agency  
Jefferson County Housing Authority, Alabama  
Las Vegas Housing Authority  
Memphis Housing Authority, Tennessee  
Ocala Housing Authority, Florida

Peoria Housing Authority, Illinois

### Libraries

Birmingham, Alabama Public Library  
Central Arkansas Library System  
Lexington, Kentucky Library System  
Metropolitan Library System of Oklahoma  
Moline Public Library

### Non-Profits and Other Governmental Jurisdictions

California State Government  
CDC Federal Credit Union, Atlanta, Georgia  
District of Columbia  
Fresno Employment and Training Commission, California  
Jefferson County Personnel Board, Alabama  
Local Government Insurance Trust, Maryland  
Los Angeles, California Department of Community Public Health  
Los Angeles, California Music Center Operating Company  
Los Angeles Olympics Organizing Committee  
Metropolitan Nashville, Tennessee Arts

Commission  
Parkland Hospital, Texas  
Southwest Florida Regional Planning Council

### **Professional Associations**

American Public Works Association  
Association of County Commissioners, Georgia  
Georgia Municipal Association  
International City/County Management  
Association  
Iowa League of Cities  
Missouri Municipal League

### **School Districts**

Adams County School District #14, Commerce  
City, Colorado  
Lake Sumpter Community College, Florida  
Dallas Independent School District, Texas

### **Transportation Agencies**

Alameda-Contra Costa Transit District, Oakland,  
California  
Bay Area Rapid Transit District, Oakland,  
California  
Dallas Area Rapid Transit District, Dallas, Texas

Greater Dayton Regional Transportation  
Authority  
Kalamazoo County Transportation Authority  
Lee County Port Authority, Florida  
Metra (Chicago Commuter Rail System)  
Port Everglades Authority, Fort Lauderdale,  
Florida  
Orlando - Orange County Expressway Authority  
Port of Sacramento, California  
Riverside Transit Agency, California  
San Francisco Bay Area Rapid Transit District,  
California  
Sarasota/Manatee Airport Authority, Florida  
Southern California Rapid Transit District

### **Utility Districts**

Columbus Water Works, Georgia  
Metropolitan Sewer District of Greater Cincinnati,  
Ohio  
Public Works Commission of Fayetteville, North  
Carolina  
Rivanna Solid Waste Authority, Virginia  
Rivanna Water and Sewer Authority, Virginia  
Sacramento Municipal Utility District, California  
South Florida Water Management District  
Spartanburg Utility District, South Carolina



## ***EEO STATEMENT***

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Slavin Management Consultants (SMC) is committed to building a diverse workforce which reflects the face of the community we serve, honors and respects the differences and abilities of all our employees and residents, and provides employees with the necessary opportunities, tools, and support to achieve their maximum potential.

Equitably managing a diverse workforce is at the heart of equal opportunity. Valuing diversity is the basis for a policy of inclusion. Diversity recognizes and respects the multitude of differences which employees bring to the workplace. Diversity complements organizational values that stress teamwork, leadership, empowerment, and quality service. Diversity means striving to maintain an environment in which managers value the differences in their employees and take steps to ensure that all employees know they are welcome.

To achieve workplace equity and inclusion, SMC will observe the practices outlined below:

- We will ensure that we do not discriminate in employment on the basis of race, color, religion, national origin, sex, age, disability, marital status, sexual orientation, creed, ancestry, medical condition, or political ideology.
- Our recruiting efforts will ensure that applicant pools are both capable and diverse.
- We will make employment decisions based on job-related criteria and will provide opportunities for entry and promotion into non-traditional jobs.
- We will ensure a workplace free of all forms of harassment.
- We will develop a procedure for prompt, thorough and impartial investigations of discrimination or harassment complaints and will act on appropriate measures to provide remedy or relief to individuals who have been victims of illegal discrimination or harassment.

Measures to ensure accountability for managing diversity will be incorporated into the performance management system for supervisors and managers. The chief executive officer will evaluate the effectiveness of our diversity policies and programs.

By creating a workplace where everyone can work towards their maximum potential, SMC will retain quality, productive employees who will provide excellent services to our clients.

## **MINORITY AND WOMEN PLACEMENTS**

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<b>CLIENT</b>	<b>POSITION</b>	<b>AFRICAN AMERICAN</b>	<b>WOMAN</b>	<b>LATINO</b>
<b>ALACHUA COUNTY, FL</b>	County Administrator			X
<b>ALBANY, GA</b>	City Manager	X		
	Police Chief	X		
	Assistant City Manager	X		
	Human Resources Director	X		
<b>ASPEN, CO</b>	City Manager		X	
<b>AUSTIN, TX</b>	City Auditor		X	
	City Manager		X	
	Police Chief			X
<b>BERKELEY, CA</b>	City Manager	X		
	Public Works Director			X
<b>BEVERLY HILLS, CA</b>	Sanitation Director	X		
	Library Director		X	
<b>BOCA RATON, FL</b>	City Manager		X	
	Asst. City Manager		X	
<b>BOISE, ID</b>	Chief Financial Officer	X		
<b>BROWARD COUNTY, FL</b>	Assistant Director of Equal Employment	X	X	
<b>BOISE, ID</b>	Chief Financial Officer		S	
<b>BRYAN, TX</b>	Municipal Court Judge		X	
	City Manager		X	
<b>CAMARILLO, CA</b>	City Clerk		X	
<b>CARSON, CA</b>	Planning Director		X	
<b>CHAPEL HILL, NC</b>	Transportation Director		X	
	Human Resources Director		X	
<b>CHARLOTTE COUNTY, FL</b>	County Attorney		X	
<b>CENTRAL CITY ASSN. OF THE CITY OF LOS ANGELES (CA)</b>	Director of Security	X		
<b>CHARLOTTE, NC</b>	Neighborhood Services Director	X		
<b>COLUMBIA, MO</b>	Police Chief	X		
<b>CULVER CITY, CA</b>	Finance Director			X
<b>DALLAS INDEPENDENT SCHOOL DISTRICT (TX)</b>	Chief Financial Officer	X	X	
<b>DALLAS, TX</b>	City Attorney		X	
<b>DECATUR, GA</b>	Chief of Police	X		
<b>DISTRICT OF COLUMBIA</b>	Executive Director Alcoholic Beverage Regulations Commission		X	

CLIENT	POSITION	AFRICAN AMERICAN	WOMAN	LATINO
<b>DURHAM, NC</b>	City Manager	X		
	City Manager	X	X	
	Police Chief		X	
	Public Works Director	X	X	
<b>ESCAMBIA COUNTY, FL</b>	Assistant County Administrator	X		
<b>ESCONDIDO, CA</b>	Civic Center Construction Mgr		X	
<b>EVANSTON, IL</b>	City Manager		X	
<b>FRESNO, CA (PIC)</b>	Executive Director	X		
<b>FORT LAUDERDALE, FL</b>	Fire Chief	X		
<b>FORT MYERS, FL</b>	City Manager	X		
<b>FRESNO, CA (PIC)</b>	Executive Director	X		
<b>GAINESVILLE, FL</b>	Equal Employment Director	X		
<b>GLASTONBURY, CT</b>	Human Resources Director	X	X	
<b>GREENBELT HOMES, INC. (MARYLAND)</b>	Executive Director		X	
<b>GREENSBORO, NC</b>	Assistant City Manager	X		
<b>GREENVILLE, NC</b>	City Manager	X	X	
<b>HAMILTON COUNTY, OH</b>	Jobs and Family Services Director		X	
<b>HILLSBOROUGH COUNTY (FL) CHILDREN'S BOARD</b>	Executive Director		X	
<b>HOLLYWOOD, FL</b>	City Manager	X		
<b>JUPITER, FL</b>	Assistant to the City Manager		X	
	Public Works Director			X
<b>KALAMAZOO, MI</b>	City Manager		X	
	Assistant City Manager		X	
<b>LAKE COUNTY, FL</b>	County Attorney		X	
<b>LAKE COUNTY, IL</b>	Purchasing Director		X	
	Human Resources Director	X		
	Assistant County Administrator		X	
<b>LAKE COUNTY, IL HEALTH DEPARTMENT</b>	Executive Director		X	
<b>LAKE WORTH, FL</b>	Utilities Customer Services Manager	X		
<b>LA PLATA COUNTY, CO</b>	Human Services Director		X	
<b>LEE COUNTY, FL</b>	County Administrator		X	
	Human Resources Director	X		
<b>LINCOLN ROAD DEVELOPMENT CORP.</b>	Executive Director		X	
<b>LONG BEACH, CA</b>	Police Chief	X		
<b>LONG BEACH, CA</b>	Executive Director, Civil Service Commission		X	

CLIENT	POSITION	AFRICAN AMERICAN	WOMAN	LATINO
<b>LONGMONT, CO</b>	City Manager			X
<b>LOS ANGELES, COMMUNITY REDEVELOPMENT AGENCY</b>	Sr. Project Manager	X		X
	Project Manager	X		
	Project Manager			X
<b>LOS ANGELES COUNTY (CA) HEALTH SYSTEMS AGENCY</b>	Executive Director	X	X	
	Deputy Exec. Dir.			X
<b>LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH</b>	Public Health Director	X		
<b>LOS ANGELES OLYMPICS ORGANIZING COMMITTEE</b>	Human Resources Director	X	X	
	Director of Venues		X	
<b>METROZOO (MIAMI FL)</b>	Director of Marketing		X	
<b>MEMPHIS (TN) HOUSING AUTHORITY</b>	Executive Director	X		
<b>MIAMI (FL) OFF-STREET PARKING SYSTEM</b>	Finance Director			X
<b>MIAMI VALLEY REGIONAL TRANSIT AUTH. (DAYTON, OH)</b>	Executive Director	X	X	
<b>MIRAMAR, FL</b>	City Manager		X	
<b>MONTEREY COUNTY, CA</b>	Hospital Administrator	X		
<b>NOAH DEVELOPMENT CORPORATION</b>	Executive Director	X		
<b>NORFOLK, VA</b>	Human Resources Director	X		
	Senior Engineer		X	
<b>NORFOLK, VA</b>	Social Services Director	X		
<b>OCALA (FL) PUBLIC HOUSING AUTHORITY</b>	Executive Director	X		
<b>OBERLIN, OH</b>	City Manager		X	
<b>ORMOND BEACH, FL</b>	City Manager	X		
<b>OKLAHOMA CITY, OK</b>	City Manager	X		
<b>PALM BAY, FL</b>	Human Resources Director		X	
<b>PALM BEACH COUNTY, FL</b>	Assistant County Administrator		X	
<b>PALM BEACH COUNTY (FL) CHILDREN'S SERVICES BOARD</b>	Executive Director		X	
<b>PALM BEACH COUNTY (FL) HEALTH CARE DISTRICT</b>	Executive Director		X	
<b>PALM BEACH GARDENS, FL</b>	City Manager (1992)		X	
	City Manager (1999)			X
<b>PALO ALTO, CA</b>	City Attorney		X	

CLIENT	POSITION	AFRICAN AMERICAN	WOMAN	LATINO
<b>PEORIA (IL) PUBLIC HOUSING AUTHORITY</b>	Executive Director	X		
<b>PHOENIX, AZ</b>	Chief of Police		X	
<b>PRINCE WILLIAM COUNTY, VA</b>	County Executive		X	
	Human Resources Director	X	X	
	Fire Chief	X	X	
<b>RICHMOND, CA</b>	City Manager	X		
<b>RICHMOND, VA</b>	Director of Public Health	X		
<b>ROANOKE, VA</b>	Police Chief	X		
	Economic Development Director		X	
	Assistant City Manager	X	X	
	Director of Human Services		X	
<b>ROCKVILLE, MD</b>	Assistant City Manager		X	
<b>SACRAMENTO, CA</b>	Human Resources Director	X	X	
<b>SAGINAW, MI</b>	Police Chief			X
<b>SAN DIEGO, CA</b>	City Manager	X		
<b>SAN FRANCISCO, CA</b>	Assistant City Administrator		X	
<b>SAN JOSE, CA</b>	Police Chief	X		
<b>SANTA MONICA, CA</b>	Deputy City Manager		X	
<b>SARASOTA, FL</b>	Human Resources Director	X		
<b>SARASOTA COUNTY, FL</b>	Deputy County Administrator	X		
<b>SELMA, AL</b>	Chief of Police	X		
<b>SHAKER HEIGHTS, OH</b>	City Administrator		X	
<b>SUNNYVALE, CA</b>	Public Information Officer		X	
	City Clerk		X	
<b>STRATFORD, CT</b>	Human Resources Director		X	
<b>TAKOMA PARK, MD</b>	City Manager		X	
	Recreation Director	X	X	
	Housing and Community Development Director		X	
	Public Works Director	X		
<b>THORNTON, CO</b>	Public Information Officer		X	
<b>TOPEKA, KS</b>	City Manager	X		
	Police Chief	X		
<b>VENICE, FL</b>	Police Chief		X	
<b>VIRGINIA BEACH, VA</b>	Human Resources Director	X		
<b>VIRGINIA BEACH PARK TRUST (FL)</b>	Executive Director	X		
<b>VOLUSIA COUNTY, FL</b>	County Manager	X	X	
	Budget Director	X		

<b>CLIENT</b>	<b>POSITION</b>	<b>AFRICAN AMERICAN</b>	<b>WOMAN</b>	<b>LATINO</b>
<b>WACO, TX</b>	Deputy City Manager		X	
	Exec. Dir. - Support Services			X
	Assistant City Manager	X		
	Director of Facilities			X
<b>WAKE COUNTY, NC</b>	Human Services Director			X
<b>THE WEINGART CENTER (LOS ANGELES)</b>	Executive Director		X	
<b>WEST COVINA, CA</b>	Planning Director	X	X	
<b>WEST MIFFLIN, PA</b>	Town Administrator		X	
<b>WEST PALM BEACH, FL</b>	Assistant City Administrator	X	X	
<b>WICHITA, KS</b>	Human Resources Dir	X	X	
	Community Services Dir	X	X	
	Communications Director		X	
	Director of Libraries		X	
	Housing and Development Director	X	X	
	City Manager	X		
<b>YPSILANTI, MI</b>	City Manager	X		
<b>ZOOLOGICAL SOCIETY OF FLORIDA (DADE COUNTY)</b>	Executive Director			X



Springsted Incorporated  
380 Jackson Street, Suite 300  
Saint Paul, MN 55101-2887

Tel: 651-223-3000  
Fax: 651-223-3002  
[www.springsted.com](http://www.springsted.com)

## LETTER OF TRANSMITTAL

January 9, 2013

Mr. Dylan Drake, Human Resources Generalist  
Lee County  
2115 Second St  
Fort Myers, Florida 33901

Re: **Qualifications to Provide Executive Recruitment Services**

Dear Mr. Drake,


We appreciate your invitation to submit information about our company and our executive search services. Springsted has over 25 years of experience conducting searches for a wide range of local government professionals. Our executive search services are led by three highly respected consultants who have over 70 years of combined local government experience. We are proud of our role in assisting a variety of counties and cities in recruiting and selecting new chief administrative officers and department heads whose skills and management style are compatible with community needs.


Our model and business strategy is to provide you with a strong search process while remaining flexible to adapt to the County's needs and desires. We approach each search by establishing positive and effective communication and trust with everyone. We will work hard to understand the County's issues, challenges and future goals and to use this information to develop and administer effective strategies to recruit and evaluate County Manager candidates.

We welcome the opportunity to provide you with more information about our services and to develop a detailed proposal explaining the approach we would take to assist you in the recruitment of a County Manager and County Attorney.

Please feel free to contact Mr. John Anzivino at [janzivino@springsted.com](mailto:janzivino@springsted.com) or 804-726-9750 or Ms. Sharon Klumpp at [sklumpp@springsted.com](mailto:sklumpp@springsted.com) or 651-223-3053 if you need additional information.

Respectfully submitted,

  
John A. Anzivino, Senior Vice President  
*Client Representative*

  
Sharon G. Klumpp, Senior Vice President  
*Consultant*

kmd

# Lee County, Florida Qualifications to Provide Executive Recruitment Services

## 1. Background of Firm

### Background of the Firm

Springsted is one of the largest and most established independent public sector advisory firms in the United States. For more than 50 years, we have continually grown in the range of our client relationships, the comprehensiveness of our services and our prominence within the industry. Our managed growth is focused on providing clients with a balance of national perspective and local expertise.

Our headquarters are located in Saint Paul, Minnesota, with regional offices in Milwaukee, Wisconsin; Des Moines, Iowa; Kansas City, Missouri; Richmond, Virginia; and Denver, Colorado.

### Executive Search Philosophy

Our executive search philosophy begins with a clear partnership objective, which is:

*To administer a participatory and interactive process that results in the best candidate for the County Manager and County Attorney positions. We will earn your trust from our initial meetings through the end of the search.*

## 2. Key Accomplishments

Springsted has a distinguished history of working with county governments. **Appendix I** provides a listing of county searches that we have conducted since 2006, ranging from managers and administrators to county attorneys, public works directors and finance directors. Taken as a whole, these searches give us a broad understanding of county government as well as an appreciation for how county government differs by state.

We are currently conducting a county manager search for Guilford County, North Carolina and a county administrator search for Hennepin County, Minnesota, with respective populations of 495,279 and 1,070,709. Notable searches for county managers and administrators include the Counties of Arlington, Chesterfield and Stafford in Virginia; Ramsey County, Minnesota; and Jackson County, Michigan. We have conducted several searches for county attorneys for the Counties of Spotsylvania and Stafford in Virginia and assisted the City of Wilmington, North Carolina with hiring a city attorney.

Finally, we have cultivated excellent working relationships with county associations in several states, including Virginia, North Carolina, Georgia and Minnesota, performing various services for these organizations and their members, including organizational studies and classification and compensation studies. In Minnesota, we were entrusted with the search for the association's executive director.



### 3. Description of Staff to be Assigned

#### **John A. Anzivino**

*Senior Vice President and Client Representative*

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Mr. John Anzivino has over 25 years of experience in state, county and town management. Mr. Anzivino applies this considerable insight in assisting local governments find solutions to a wide range of human resource, financial and programmatic problems and challenges facing them. He holds a master's degree in public administration from the University of Georgia.

#### **Sharon G. Klumpp**

*Senior Vice President and Consultant*

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Ms. Sharon Klumpp specializes in executive search and organizational and management consulting for public agencies. Ms. Klumpp has extensive government experience, having served as an Executive Director of the Metropolitan Council – the seven-county regional planning agency for the Twin Cities metropolitan area of Minnesota, as the Associate Executive Director for the League of Minnesota Cities, as a City Administrator and as an Assistant City Manager. Her private sector experience includes serving as the chief administrative officer for the Minneapolis office of a major global engineering and design firm. Ms. Klumpp also served as an adjunct instructor at Walden University, where she taught public administration and organizational change in the University's School of Management. She holds a master's in public administration from the University of Kansas and a bachelor's degree in political science from Miami University of Ohio.

#### **David J. "Dave" Unmacht**

*Senior Vice President and Director of Organizational Management & HR*

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Mr. Dave Unmacht is director of Springsted's Organizational Management/Human Resources group. Mr. Unmacht brings more than one decade of county administration experience, having worked for Scott and Dakota counties, Minnesota. He has also worked as City Manager in Prior Lake and City Administrator in Belle Plaine, Minnesota. He guides clients in budget and resource planning, organizational and leadership development, staff/elected official relations, human resources, intergovernmental collaborations, comprehensive planning and growth management, communication strategies, facilitation services and strategic planning. He has a master's in Public Administration from Drake University in Iowa and a bachelor's degree in Business Administration and Political Science from Wartburg College in Iowa.

## 4. Proposed Schedule

### Timeline

The timetable below provides an *illustration* of the potential schedule for filling the County Manager position. Please note that the position profile and recruitment for the County Manager and County Attorney positions can be completed concurrently. Specific dates and details will be modified to match the actual commencement of the search. In general, an executive search process takes between three and four months to complete. The specific elements within each project milestone will be discussed during initial meetings with County officials.

Project Milestone	Deliverables	Proposed Date
Notice to proceed		January 29, 2013
Position review and analysis	<ul style="list-style-type: none"> <li>On-site individual meetings with Commissioners</li> <li>On-site individual and group meetings with members of the County management team</li> <li>Focus group meetings with key community leaders, if requested</li> <li>Compensation survey of comparable communities and recent placements, as needed</li> </ul>	February 4 – 22, 2013
County Board approval of the position profile and job announcement	<ul style="list-style-type: none"> <li>Position and community profile</li> <li>Job announcement</li> </ul>	Week of February 25, 2013
Recruitment and candidate outreach	<ul style="list-style-type: none"> <li>Placement of job announcement</li> <li>Contact with prospective candidates</li> <li>Acceptance/acknowledgement of applications</li> <li>Status reports to the Board</li> </ul>	February 27 – March 29, 2013
Applicant screening / questionnaire administered to semi-finalists/ telephone screening interviews / preliminary references begin	<ul style="list-style-type: none"> <li>Status reports to the Board</li> </ul>	April 1 – 19, 2013
Candidate presentation / selection	<ul style="list-style-type: none"> <li>Candidate profiles and resumes</li> <li>On-site meeting with Board of Commissioners</li> <li>Selection of candidates to be interviewed</li> <li>Notification to applicants not advancing in the selection process</li> </ul>	Week of April 22, 2013

Project Milestone	Deliverables	Proposed Date
Comprehensive written background and reference report completed for finalist	<ul style="list-style-type: none"> <li>• Candidate background report</li> </ul>	April 25 – May 10, 2013
Interview process	<ul style="list-style-type: none"> <li>• Interview design, questions, schedule and candidate appraisal instrument</li> <li>• Consultant attendance at interviews</li> <li>• Determine candidates who advance to second interview</li> </ul>	Week of May 13, 2013
Second Interview	<ul style="list-style-type: none"> <li>• Interview design and schedule</li> <li>• Consultant attendance at interviews</li> </ul>	Week of May 20, 2013
Offer made / accepted, special County Board meeting	<ul style="list-style-type: none"> <li>• Draft employment offer and agreement</li> <li>• Thank you letter to candidates not selected</li> </ul>	Week of June 3, 2013

## 5. Proposed Fee Schedule

Springsted establishes a flat professional fee to provide an executive search, typically ranging from \$18,000 – \$22,000, depending on the exact scope of services requested. Out-of-pocket expenses are charged back to the County at actual cost for such things as advertising, consultant travel and background records checks. Out-of-pocket costs generally run from \$4,000 – \$6,000 depending on the extent of advertising desired by the County and the number of candidates who are approved for a background records check. Springsted is definitely interested in negotiating a discount if we are selected to conduct both searches.

**APPENDIX I**  
**List of County Searches Since 2006**

## List of Springsted Executive Searches by Entity Type of Entity

Year	Client	Type of Entity	Type of Executive Search	Population
2011	Pierce County, WI	County	Administrative Coordinator	36,804
2007	Orange County, VA	County	Assistant County Administrator	25,881
2011	Arlington County, VA	County	Benefits Manager	189,453
2011	Northampton County, VA	County	Building Official	12,377
2010	Dakota County, MN	County	Community Services Director	402,006
2006	Greene County, VA	County	County Administrator	15,244
2007	Amelia County, VA	County	County Administrator	11,400
2007	Chesterfield County, VA	County	County Administrator	259,903
2007	Stafford County, VA	County	County Administrator	132,133
2008	Crow Wing County, MN	County	County Administrator	62,500
2008	Dodge County, WI	County	County Administrator	85,897
2008	Gloucester County, VA	County	County Administrator	34,780
2008	King George County, VA	County	County Administrator	16,803
2008	Roanoke County, VA	County	County Administrator	85,778
2008	Stafford County, VA	County	County Administrator	132,133
2009	Dodge County, MN	County	County Administrator	20,087
2009	Goochland County, VA	County	County Administrator	16,863
2009	Ogle County, IL	County	County Administrator	53,497
2009	Winona County, MN	County	County Administrator	49,985
2010	Fluvanna County, VA	County	County Administrator	20,047
2010	James City County, VA	County	County Administrator	48,102
2010	Lunenburg County, VA	County	County Administrator	13,146
2010	Prince George County, VA	County	County Administrator	33,047
2010	Russell County, VA	County	County Administrator	30,308
2010	Shenandoah County, VA	County	County Administrator	35,075
2011	Lunenburg County, VA	County	County Administrator	13,146
2011	Madison County, VA	County	County Administrator	12,520
2011	Steele County, MN	County	County Administrator	36,576
2011	Washington County, MN	County	County Administrator	238,136
2012	Becker County, MN	County	County Administrator	30,646
2012	Bedford County, VA	County	County Administrator	67,154
2012	Beltrami County, MN	County	County Administrator	42,271
2012	Botetourt County, VA	County	County Administrator	30,495
2012	Hennepin County, MN	County	County Administrator	1,070,709
2012	Kittson County, MN	County	County Administrator	4,552
2012	Nobles County, MN	County	County Administrator	21,397
2012	Polk County, MN	County	County Administrator	31,369
2012	Powhatan County, VA	County	County Administrator	27,964
2012	Rockbridge County, VA	County	County Administrator	20,808
2012	Sibley County, MN	County	County Administrator	15,169
2012	Swift County, MN	County	County Administrator	9,783
2013	Yellow Medicine County, MN	County	County Administrator	
2011	Jackson County, MI	County	County Administrator/Controller	160,248
2006	Spotsylvania County, VA	County	County Attorney	90,395
2008	Gloucester County, VA	County	County Attorney	34,780
2009	Goochland County, VA	County	County Attorney	16,863

## List of Springsted Executive Searches by Entity Type of Entity

Year	Client	Type of Entity	Type of Executive Search	Population
2010	Powhatan County, VA	County	County Attorney	27,964
2010	Stafford County, VA	County	County Attorney	132,133
2012	Orange County, VA	County	County Attorney	25,881
2008	Ramsey County, MN	County	County Manager	508,640
2009	Arlington County, VA	County	County Manager	189,453
2012	Guilford County, NC	County	County Manager	495,279
2006	Prince George County, VA	County	Deputy County Administrator	33,047
2006	Stafford County, VA	County	Deputy County Administrator	132,133
2011	Chesterfield County, VA	County	Deputy County Administrator	259,903
2011	Chesterfield County, VA	County	Deputy County Administrator	259,903
2012	Stafford County, VA	County	Deputy Director of Econ Dev	132,133
2011	Accomack County, VA	County	Deputy Director of InfoTechnology	33,164
2007	Orange County, VA	County	Director of Comm Dev	25,881
2012	Northampton County, VA	County	Director of Development	12,377
2011	Arlington County, VA	County	Director of Environmental Services	189,453
2008	Montgomery County, NC	County	Director of Finance	11,771
2007	Orange County, VA	County	Director of Information Technology	25,881
2012	Stafford County, VA	County	Director of Parks & Recreation	132,133
2012	Accomack County, VA	County	Director of Public Safety	33,164
2008	Caroline County, VA	County	Director of Public Utilities	22,121
2007	Orange County, VA	County	Director of Public Works	25,881
2012	Fauquier County, VA	County	Economic Development Director	68,010
2012	Goochland County, VA	County	Economic Development Director	16,863
2013	Craven County	County	Economic Development Director	
2011	St. Louis County, MN	County	Employee Relations Director	200,266
2007	King George County, VA	County	Finance Director	16,803
2007	Orange County, VA	County	Finance Director	25,881
2007	Orange County, VA	County	Finance Director	25,881
2008	Caroline County, VA	County	Finance Director	22,121
2009	Nobles County, MN	County	Finance Director	21,397
2011	Northampton County, VA	County	Finance Director	12,377
2012	Northampton County, VA	County	Finance Director	12,377
2012	Douglas County, WI	County	Health Officer	
2012	Stafford County, VA	County	Human Resource Manager	132,133
2010	Steele County, MN	County	Human Services Director	36,576
2006	Westmoreland County, VA	County	Planning Director	17,686
2007	Spotsylvania County, VA	County	Planning Director	90,395
2012	Roanoke County, VA	County	Police Chief	85,778
2011	Thomas Jefferson Partnership for Economic Development, VA	County	President	25,881
2008	Stafford County, VA	County	Public Utilities Director	132,133
2010	Arlington County, VA	County	Wtr, Sewer & Streets Bureau Chief	189,453
2011	Stafford County, VA	County	Zoning Administrator	132,133



Offices in:  
Arizona  
Delaware  
Illinois  
Wisconsin

January 8, 2013

Mr. Dylan Drake  
Human Resources Department  
Lee County  
2115 Second Street  
Fort Myers, FL 33901

Dear Mr. Drake:

Thank you for the opportunity to provide you with information regarding recruitment and selection process. We understand Lee County will be recruiting for a County Manager and County Attorney. Voorhees Associates prides itself on a tailored, personal approach to executive recruitment and selection, able to adapt to your specific requirements for the positions.

**QUALIFICATIONS AND EXPERIENCE**

Voorhees Associates is a public management consulting firm serving municipal clients and other public sector entities on a national basis. We work exclusively in the public sector, offering customized executive recruitment services, as well as providing other management studies and services for communities. Voorhees Associates has been certified as an FBE (Female Business Enterprise) in the State of Illinois.

Voorhees Associates, LLC was established in 2009 with headquarters in Deerfield, Illinois. Heidi Voorhees, President, previously spent 8 years with the nationally recognized public sector consulting firm, The PAR Group and was President of The PAR Group from 2006 - 2009. Ms. Voorhees has conducted more than 130 recruitments in her management consulting career, with many of her clients repeat clients, attesting to the high quality of work performed for them. In addition to her 12 years of executive recruitment and management consulting experience, Ms. Voorhees has 19 years of local government leadership and management service with the Villages of Wilmette and Schaumburg, Illinois, as well as the City of Kansas City, Missouri.

The firm has a total of seventeen consultants, both generalists and specialists (public safety, finance, parks, etc.), who are based in Arizona, Delaware, Illinois, and Wisconsin, as well as four reference specialists and four support staff.

**Experience**

Voorhees Associates has completed 102 recruitments since its establishment in 2009. We have 16 current recruitments in various stages of completion. Although the firm is relatively young, our consultants are experienced executive recruiters who have conducted over 350 recruitments, working with cities, counties, special districts and other governmental entities of all sizes throughout the country. In addition,

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## References

The following references can speak to the quality of service provided by Voorhees Associates:

### County Administrator recruitment

DeKalb County, Illinois  
Jeffery L. Metzger, Sr., Board Chair  
200 N. Main  
Sycamore, IL 60178  
815-895-7189  
[jmetzger@dekalbcounty.org](mailto:jmetzger@dekalbcounty.org)

### CIO recruitment

Lake County, Illinois  
(pop 703,500)  
Barry Burton, County Administrator  
18 N. County Street  
Waukegan, IL 60085  
847-377-2250  
[bburton@lakecountyil.gov](mailto:bburton@lakecountyil.gov)

### Assistant Director of Parks and Recreation recruitment

### Chief Animal Services Officer recruitment

### Director of Health and Human Services recruitment

City of Austin, Texas  
Edna Santos, Human Resources Consultant  
[Edna.santos@ci.austin.tx.us](mailto:Edna.santos@ci.austin.tx.us)  
PO Box 1088  
Austin TX 78767  
TEL: 512/974-2000  
Roberta Byram, Employment Services Manager  
[Roberta.byram@ci.austin.tx.us](mailto:Roberta.byram@ci.austin.tx.us)  
[TEL:512/974-3423](tel:5129743423)

### CIO recruitment

### Development Services Director recruitment

### Assistant City Manager recruitment (current)

City of Fayetteville, North Carolina  
John Kuhls, HR Director  
433 Hay St.  
Fayetteville, NC 28301  
910-433-1643  
[jkuhls@ci.fay.nc.us](mailto:jkuhls@ci.fay.nc.us)



## Consultant Assigned

Mr. Mark Morien will be responsible for your recruitment and selection process.

### **Mark J. Morien** ***Vice President - Midwest Region***

Mr. Morien, Vice-President, joined Voorhees Associates in 2009, following a three year engagement with The PAR Group, where he specialized in Executive Recruitment, Pay and Classification Studies and Strategic Planning. Mr. Morien has 25 years of experience in local government administration, including service with the municipalities of Northfield, Downers Grove, Glencoe and Glenview, Illinois. From 1991 to 2006, Mr. Morien served as Village Manager for Northfield, Illinois, a residential suburb located along its business community. Northfield is noted for its high level of municipal service to residents, as well as to Sessions, led the creation of job descriptions, fostered the development of a personnel manual, and established a pay and classification system for the organization. Prior to Northfield, Mr. Morien served as Deputy Village Manager for four years in Downers Grove, Illinois, a fast developing/growing community in DuPage County. As Deputy Village Manager, he was in charge of day-to-day operations for the organization.

Mr. Morien earned his undergraduate degree in Political Science from Oshkosh, Wisconsin. In addition, he attended the Kennedy School for Government at Harvard University and the Senior Executive Institute at the University of Virginia. Mr. Morien has served on various State boards and committees in Illinois, as well as on committees for the International City/County Management Association - including being a national conference speaker. In 2002, Mr. Morien was recognized as IAMMA Supervisor of the Year in Illinois. In 2004, he was named Village Manager of the Year by Northern Illinois University. Mr. Morien took a leave of absence from The PAR Group in mid 2007 to early 2008 to serve as the Interim City Administrator in Burlington, Wisconsin. Located in Racine County, Burlington is a growing full-service community of 10,000.

## SCOPE OF WORK

A typical recruitment and selection process can take 175 hours to conduct. At least 50 hours of this time diligence on candidates. These tasks may take longer if someone is performing them for the first time. We believe our experience and ability to professionally administer your recruitment will provide you with the best possible outcome. Voorhees Associates clients are kept informed of the progress of a recruitment throughout the recruitment process. Consultants are always available to provide information and answer questions, and details of the process such as placement of advertising and applications received are discussed in regular updates via either telephone or email.

Voorhees Associates suggests the following approach to your recruitment, subject to your requests for modification:

### **Phase I – Position Assessment, Job Announcement and Brochure Development**

Phase I will include the following steps:

**Interviews** with appropriate elected and appointed officials, and the senior staff as well as any other individuals you deem appropriate to best understand the responsibilities, challenges, and culture of the County.

At least eight (8) hours of one-on-one interviews will be conducted with elected officials, staff and the public in order to develop our Recruitment Brochures. These important documents outline the expectations that the County has for its next County Manager and County Attorney, providing us with the information we need to target our recruitments. During this process we will assist you with establishing the salary for the positions by conducting a salary survey of comparable counties, if so desired.

Development of a **Job Announcement** for each position.

Development of a detailed **Recruitment Brochures** for your review and approval.

Agreement on a detailed **Recruitment Timetable** for each recruitment.

**Phase II – Advertising, Candidate Recruitment and Outreach**

Phase II will include the following steps:

Placement of the Job Announcements in appropriate professional publications, both in print and on line. In addition to public sector publications and web sites, outreach will include LinkedIn and other private sector resources. We can provide the County with placement recommendations, if so desired.

The development of a database of potential candidates unique to each position and to Lee County, focusing on the leadership and management skills identified in Phase I as well as size of organization, and experience in addressing challenges and opportunities also outlined in Phase I.

Outreach will be done through e-mail, telephone contacts, and U.S. mail as appropriate. Voorhees Associates consultants have extensive knowledge of the municipal government industry and will personally identify and contact potential candidates. With more than 600 collective years of municipal and consulting experience among our Consultants, we often have inside knowledge about candidates.

**Phase III – Candidate Evaluation and Screening**

Phase III will include the following steps:

Development of Recruitment Brochures.

We will develop a matrix which identifies key traits (taken from the Recruitment Brochure) such as education, experience, and the specific skills needed for each position. We will then use these filters to screen the candidates into a group of 15 to 20 semi-finalists.

Candidates will be interviewed by telephone or Skype to fully grasp their qualifications and experience as well as their interpersonal skills.

We personally contact all the semi-finalists and conduct about an hour long telephone interview, asking specific questions about their experience and skill set. This allows us to ask follow up questions and probe specific areas. It also provides us with an assessment of their verbal skills and their level of energy for and interest in the position.

Formal and informal references (two per candidate) abilities, work ethic, management and leadership skills, analytical skills, interpersonal skills, ability to interact with the media, and any areas identified for improvement.

All résumés will be acknowledged and contacts and inquiries from candidates will be personally handled by Voorhees Associates, ensuring process is professional and well regarded by all who participate.

**Phase IV – Presentation of Recommended Candidates**

Phase IV will include the following steps:

Voorhees Associates will prepare a **Recruitment Report** for each recruitment that presents the credentials of those candidates most qualified for the position. You will advise us of the number of reports you will need for the individuals involved in this phase of the recruitment and selection process.

Voorhees Associates will provide you with a log of all candidates who applied for the positions. You may also review all of the résumés should you so desire.

Voorhees Associates will meet with you to review the Recruitment Reports and expand upon the information provided. The report will arrive two to three days in advance of the meeting, giving you the opportunity to fully review it. In addition to the written report, we will spend 2 to 3 hours

excerpts from two (2) references we will have done on the individual.

**Phase V –Interviewing Process**

Phase V will include the following steps:

At the Recommendation meeting, the Interviewing Process will be finalized including the discussion of any specific components you deem appropriate, such as a writing sample.

Voorhees Associates will develop the first and second round interview questions for your review. Voorhees Associates will provide you with interview books that include the credentials each interviewer to make notes, and an evaluation sheet to assist interviewers in assessing each

Voorhees Associates will work with you to develop an interview schedule for the candidates, coordinating travel and accommodations. The schedule will incorporate a tour of Lee County facilities and interviews with Department Heads and elected officials.

interact and get to know the candidates in an informal setting. At this "Meet and Greet," candidates would give a brief overview of themselves and answer questions from the audience.

Once candidates for interview are selected, additional references will be contacted along with a media and internet search, verification of educational credentials, criminal court, credit, and motor vehicle and records checks. Employment verification can also be provided if so desired. Voorhees Associates recommends a two-step interviewing process with (typically) five candidates interviewed in the first round. Following this round, we strongly suggest that two or three

candidates are selected for second round interviews. Again, we will prepare a second round of

Voorhees Associates consultants will be present for all of the interviews, serving as a resource and facilitator.

**Phase VI – Appointment of Candidate**

Voorhees Associates will assist you as much as you request with the salary and benefit negotiations and drafting of employment agreement, if appropriate.

Voorhees Associates will notify all applicants of the final appointment action by the County Board, including professional background information on the successful candidate.

Voorhees Associates will provide no-fee telephone follow-up and counsel to the County Board and appointed County Manager and County Attorney for six months following conclusion of the recruitment.

**Optional Assessment Center**

If desired, Voorhees Associates will perform an Assessment Center for candidates selected for interview as part of the selection process. An Assessment Center is a very useful tool for evaluating the strengths, weaknesses and skills and abilities of candidates.

Voorhees Associates Consultants will prepare all the related documents and scoring sheets for a Prewritten Exercise (done prior to the Assessment Center and evaluated by the Assessors) and a choice of three (3) of the following exercises to be completed on the Assessment Center day:

**-Basket Exercise**

r r r  
d r r r  
r r d r  
d r  
r r

**Optional 360° Evaluation**

As a service to Lee County, we offer the option to provide you with a proposal for a 360° performance evaluation for the new appointed County Manager and County Attorney at about six months into his or her employment. This evaluation will include seeking feedback from both Elected Officials and Department Directors, along with any other constituent the County feels would be relevant and beneficial. This input will be obtained on a confidential basis with comments known only to the consultant. If you are interested in this option, Voorhees Associates will prepare a proposal for this service.

**Recruitment Schedule**

A detailed recruitment schedule will be provided in Phase I. The recruitment and selection process typically takes 90 days from the time the contract is signed until the candidate is appointed. We can work with you on a shorter process, should you so desire.

Our typical recruitment process includes the following milestones and deliverables:

On-site interviews of Lee County officials and staff, development and approval of recruitment brochures Deliverable: recruitment brochures	weeks 1-2
Placement of professional announcements; candidate identification, screening, interview and evaluation by consultant	weeks 3-8
Consultant recommendation to Board of qualified Candidates Deliverable: recruitment report	week 9
Selection of Candidate finalists by Board; additional background and reference checks, report preparation and presentation Deliverable: interview reports including suggested questions and evaluation sheets	week 10
Interviews of selected finalist Candidates; Board selection of final Candidate; negotiation, offer, acceptance and appointment	weeks 11-12

### Summary of Costs

Recruitment Fee each recruitment	\$13,000
Recruitment Expenses: (not to exceed)	\$5,500
Expenses include consultant travel, postage/shipping, telephone, support services, copying etc. Also includes candidate due diligence efforts.	
Advertising costs	1,500*
Recruitment Brochure printing Assumes full color	900
<b>Total Fees:</b>	<b>\$20,900**</b>

\*Advertising costs over \$1,500 will be placed only with Client approval. If less than \$1,500, Client is billed only for actual cost.

\*\*This fee does not include travel and accommodations for candidates interviewed. Should the two recruitments be conducted concurrently, our professional fee would be reduced by 10% for one of the recruitments and expenses would be reduced as well, reflecting economies in consultant time and travel.

The above cost proposal is predicated upon three Consultant visits to Lee County; the first for the recruitment brochure interview process; the second to present recommended candidates; and the third for the candidate interview process. Any additional Consultant visits requested by Lee County may result in an increase in the travel expenses and those expenses will be billed to the client.

### Payment for Fees and Services

Professional fees and expenses will be invoiced as follows: Recruitment expenses and the costs for the Recruitment Brochure printing will be itemized with sufficient detail and invoiced as incurred. In addition, the Recruitment Fee will be invoiced in three (3) equal payments, billed during the course of the

recruitment. The first invoice for the Recruitment Fee will be sent upon acceptance of our proposal. The second invoice will be sent following the recommendation of Candidates and will include any expenses incurred to date. The final invoice will be sent upon completion of the recruitment assignment and will include all remaining expenses. Upon receipt of each invoice the Board will approve payment in accordance with its claims procedures within thirty (30) days of receipt.

**Voorhees Associates Guarantee**

It is the policy of Voorhees Associates to assist our Clients until an acceptable Candidate is appointed to the position. Therefore, no additional professional fee would be incurred should the County Board not make a selection from the initial group of recommended Candidates and request additional Candidates be developed for interview consideration. Additional reimbursable expenses may be incurred should the situation require Consultant travel to Lee County beyond the normal three visits.

Upon appointment of a Candidate, Voorhees Associates provides the following guarantee: should the selected and appointed candidate at the request of Lee County leave the employ of Lee County within the first 24 months of appointment, we will, if desired, conduct another search for the cost of expenses and announcements only.

In addition, in accordance with the policy of our firm as well as established ethics in the executive search industry, we will not actively recruit the placed employee for a period of five years.

We look forward to working with you on this recruitment and selection process!

Sincerely,



Heidi J. Voorhees  
President  
Voorhees Associates, LLC



**MEMORANDUM FROM  
COUNTY ADMINISTRATION**

**TO:** District 1, Commissioner Manning  
District 2, Commissioner Pendergrass  
District 3, Commissioner Kiker  
District 4, Commissioner Hall  
District 5, Commissioner Mann

**DATE:** January 10, 2013

**RE:** County Manager/County Attorney Recruitments

**FROM:** Christine J. Brady, Human Resources &  
Public Resources Director

At the Board meeting of January 15, 2013, we will provide you with an update of the recruitment firm selection process for the positions of County Manager and County Attorney.

To secure executive recruitment firm recommendations, Human Resources contacted the following organizations in addition to conducting a survey consisting of eighteen counties of similar size and population within the state of Florida:

- International City/County Management Association (ICMA)
- National Association of Counties (NACO)
- Florida City and County Management Association (FCCMA)
- Florida Association of Counties (FAC)
- Florida League of Cities, Inc.

Once the county-based recommendations and those submitted by the ICMA and FCCMA were reviewed, fourteen executive recruitment firms were contacted and asked to provide the following for consideration:

- Background of firm including years of operation
- Key accomplishments including a list of similar recruitments within past 5 years
- Description of staff to be assigned
- Proposed schedule
- Proposed fee schedule including discount options if selected to conduct both County Manager and County Attorney searches

Attached, please find a summary of the eleven responding firms (three firms did not respond).

After thorough review and analysis of the submitted responses, Human Resources is recommending the following three recruitment firms listed in order of preference:

1. **Bob Murray & Associates**
2. **The Mercer Group**
3. **The Waters Consulting Group**

As a result of your review of the attached, and the subsequent discussion at the pending commission meeting, it is our objective to obtain the Board's direction with regard to the following:

- Selection of a recruiter or recruiters.
- The Boards' preference with regard to both recruitments occurring simultaneously or through a phased approach.
- During the meeting of December 11, 2012, we were given direction to create a mechanism for individuals to submit interview questions they would like to see asked and issues they would like to see explored. This process would exist in lieu of a commission appointed advisory panel or committee to assist in the screening of candidates. We are also seeking the Board's preference on this matter in regards to the County Attorney recruitment.

At your request, we will provide any additional information you may seek prior to Tuesday's meeting.

Attachments: 1.) Summary of Executive Recruitment Firms



**Firm:** BOB MURRAY & ASSOCIATES

**Contact:** Renee Narloch, Vice President – Eastern Region

(P: 850-391-0006, E: reneen@bobmurrayassoc.com)

**Recommendations:** ICMA, FCCMA, Alachua County

**Background:** Senior management team directed the executive recruitment practices for both David M. Griffith & Associates and MAXIMUS prior to forming Bob Murray & Associates. Located in two offices – Tallahassee, Florida and Roseville, California.

**Years of Operation:** 13

**Similar Recruitments (Last 5 Years):** Alachua County (County Manager), City of Phoenix, AZ (City Manager), City of Topeka, KS (City Manager), Broward County (County Attorney), City of Gainesville (City Attorney), City of Fort Lauderdale (City Manager and City Attorney), Florida Association of Counties (Executive Director)

**Assigned Staff:** Renee Narloch (Vice President), Bob Murray (President), Rachel Hanselman (Consultant)

**Proposed Schedule:** 110 days

**Proposed Fee:** \$16,500 + additional expenses not to exceed \$7,500 per recruitment

**Discount Options:** \$30,000 + additional expenses not to exceed \$12,500 if selected for both

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**Firm:** THE MERCER GROUP

**Contact:** W.D. Higginbotham, Jr., Senior Vice President

(P: 727-214-8673, E: wdhiggin@bellsouth.net)

**Recommendations:** ICMA, FCCMA, Alachua County, Seminole County, Pasco County

**Background:** Corporate headquarters in Atlanta and branch offices in Arizona, California, Colorado, Florida, Georgia, Illinois, Louisiana, Michigan, New Mexico, North Carolina, Oklahoma, Texas and Virginia

**Years of Operation:** 20

**Similar Recruitments (Last 5 Years):** Sarasota County (County Administrator), Lake Worth (City Manager), Pompano Beach (City Manager), South Miami (City Manager), Sumter County, GA (County Administrator), Orange County, NC (County Attorney), Boulder, CO (City Attorney) Glendale, AZ (City Attorney)

**Assigned Staff:** W.D. Higginbotham (Senior Vice President), James L. Mercer (Founder)

**Proposed Schedule:** 90 days

**Proposed Fee:** \$18,750 flat fee per recruitment

**Discount Options:** \$32,500 flat fee if selected for both

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**Firm:** THE WATERS CONSULTING GROUP

**Contact:** Chuck S. Anderson, Chief Executive Officer – Executive Recruitment Division

(P: 817-965-3911, E: canderson@watersconsulting.com)

**Recommendations:** ICMA, FCCMA, Alachua County, Orange County

**Background:** Headquartered in Dallas, Texas with offices located in Ohio, Colorado, and Austin, Texas

**Years of Operation:** 25

**Similar Recruitments (Last 5 Years):** Pinellas County (County Administrator), City of Sanford (City Manager), City of Fort Myers (Assistant City Manager), Collier County (County Attorney)

**Assigned Staff:** Chuck S. Anderson (Chief Executive Officer), James Nils Holgersson (Director of Business Development/Senior Consultant), Andrea Battle Sims (Senior Consultant)

**Proposed Schedule:** 50 – 60 days

**Proposed Fee:** \$23,500 flat fee per recruitment

**Discount Options:** \$43,300 flat fee if selected for both

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**Firm:** ALLIANCE RESOURCE CONSULTING

**Contact:** Sherrill Uyeda, Founding Partner

(P: 562-901-0769 x331, E: suyeda@alliancerc.com)

**Recommendations:** ICMA

**Background:** Acquired the national executive recruiting practice of MAXIMUS. Based out of Long Beach, California with offices in Palo Alto, California and Bradenton, Florida.

**Years of Operation:** 9



Board of County Commissioners  
Department of Human Resources

**County Manager Recruitment**  
Summary of Executive Recruitment Firms

**Similar Recruitments (Last 5 Years):** Alachua County (County Manager), Bay County (County Administrator), Hillsborough County (County Administrator), Marion County (County Administrator), Miami-Dade County (County Manager), Sarasota County (County Administrator), Broward County (County Attorney), Lake County (County Counsel)

**Assigned Staff:** Sherrill Uyeda (Founding Partner), David McDonald (Regional Director), Syldy Tom (Manager)

**Proposed Schedule:** 90 days

**Proposed Fee:** \$17,000 + Additional expenses not to exceed \$7,500 per recruitment

**Discount Options:** None

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**Firm:** AFFION PUBLIC

**Contact:** Scott Reilly, CEO

(P: 717-576-9847, E: reilly@affionpublic.com)

**Recommendations:** ICMA

**Background:** Headquartered in Harrisburg, PA, Affion Public is the result of a merger of Arcus Public, a nationally recognized executive search firm and Affinity Technology Consultants, an experienced technology advisory and consulting services company.

**Years of Operation:** 13

**Similar Recruitments (Last 5 Years):** City of Hollywood, FL (City Manager), City of Savannah, GA (City Manager), City of Ann Arbor, MI (City Manager), City of Austin, TX (City Manager), City of San Antonio, TX (City Manager), City of Irving, TX (City Attorney)

**Assigned Staff:** Scott Reilly (CEO), Gina Sprowls (Recruiting Manager)

**Proposed Schedule:** 90 days

**Proposed Fee:** \$18,000 + additional expenses not to exceed \$5,000 per recruitment

**Discount Options:** \$30,000 + additional expenses not to exceed \$7,000 if selected for both

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**Firm:** COLIN BAENZIGER & ASSOCIATES

**Contact:** Colin Baenziger, Principal/Owner

(P: 561-707-3537, E: colin@cb-asso.com)

**Recommendations:** ICMA, FCCMA, City of Melbourne, Clay County, Collier County, Hernando County, St. Johns County, Palm Bay County, Nassau County, Brevard County, Alachua County, Orange County, Seminole County, Pasco County

**Background:** Headquartered in Palm Beach County, FL with offices in Monterey, CA, Duluth, GA, Rhinelander, WI, and Richland, WA. Since May 2005, have been selected to perform 78 of the 107 City and County Managers where Florida governments have used a recruiting firm.

**Years of Operation:** 16

**Similar Recruitments (Last 5 Years):** Brevard County (County Manager), Clay County (County Administrator), Hernando County (County Administrator), Highlands County (County Administrator), Okeechobee County (County Administrator), City of Cape Coral (City Manager), City of Fort Myers Beach (Town Manager), Manatee County (County Attorney), City of West Melbourne (City Attorney)

**Assigned Staff:** Colin Baenziger (Principal/Owner), Tom Andrews (Senior Vice President), Dave Collier (Senior Vice President), Kathryn Knutson (Vice President for Operations)

**Proposed Schedule:** 110 days

**Proposed Fee:** \$21,500 flat fee per recruitment

**Discount Options:** \$39,750 flat fee if selected for both

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**Firm:** CPS HR CONSULTING

**Contact:** Linda Kegerreis, Chief Workforce Officer

(P: 916-471-3470, E: lkegerreis@cps.ca.gov)

**Recommendations:** ICMA

**Background:** Serves public sector and non-profit clients across the United States and Canada with offices in Sacramento, CA, Bethesda, MD, and Atlanta, GA.

**Years of Operation:** 25

**Similar Recruitments (Last 5 Years):** Merced County, CA (County Executive Officer), Pinal County, AZ (County Manager), City of Sacramento, CA (City Manager), City of Berkeley, CA (City Attorney), City of Elk

Grove, CA (City Attorney)

**Assigned Staff:** Pamela Derby (Senior Professional Management Consultant) or Stuart Satow (Executive Recruiter), Niki Polk (Principal Consultant and Project Manager)

**Proposed Schedule:** 60 - 90 days

**Proposed Fee:** \$60,000 + additional expenses of \$6,000 - \$7,500 for both recruitments

**Discount Options:** The figures above reflects a 16% discount

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**Firm:** RALPH ANDERSEN & ASSOCIATES

**Contact:** Heather Renschler, President/CEO

(P: 916-804-2885, E: heather@ralphandersen.com)

**Recommendations:** ICMA, Alachua County, Orange County

**Background:** Corporate office located in Rocklin, California, conducted a successful recruitment for our current Library Director

**Years of Operation:** 41

**Similar Recruitments (Last 5 Years):** Santa Barbara County, CA (County Executive Officer), Los Angeles County, CA (Chief Executive Officer), Fairfax County, VA (County Executive), Hillsborough County (County Attorney), Flagstaff, AZ (City Attorney), Fulsom, CA (City Attorney)

**Assigned Staff:** Heather Renschler (President/CEO), Robert Burg (Executive Vice President)

**Proposed Schedule:** 75 – 90 days

**Proposed Fee:** \$28,750 flat fee per recruitment

**Discount Options:** \$53,750 flat fee if selected for both

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**Firm:** SLAVIN MANAGEMENT CONSULTANTS

**Contact:** Robert E. Slavin, President and Director of Executive Recruitment

(P: 770-449-4656, E: slavin@bellsouth.net)

**Recommendations:** ICMA, Alachua County, Orange County, Seminole County

**Background:** Incorporated in Georgia with a network of offices comprised of our home office near Atlanta and our affiliate offices in Arizona, California, Connecticut, Florida, Michigan, Ohio and Texas.

**Years of Operation:** 22

**Similar Recruitments (Last 5 Years):** Seminole County (County Manager and County Attorney), Volusia County (County Manager), Escambia County (County Administrator), City of Fort Myers (City Manager), City of Dunedin (City Manager), City of Venice (City Manager), Charlotte County (County Attorney), Lake County (County Attorney), Polk County (County Attorney)

**Assigned Staff:** Robert E. Slavin (President and Director of Executive Recruitment), Randi Frank (Managing Consultant), David Krings (Managing Consultant), Paul Wenbert (Western Regional Manager)

**Proposed Schedule:** 60 - 90 days

**Proposed Fee:** \$13,865 + additional expenses not to exceed \$7,625 per recruitment

**Discount Options:** \$24,365 + additional expenses not to exceed \$13,400 if selected for both

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**Firm:** SPRINGSTED INCORPORATED

**Contact:** John A. Anzivino, Senior Vice President and Client Representative

(P: 804-726-9750, E: [janzivino@springsted.com](mailto:janzivino@springsted.com))

**Recommendations:** ICMA

**Background:** Headquartered in Saint Paul, Minnesota, with regional offices in Milwaukee, Wisconsin; Des Moines, Iowa; Kansas City, Missouri; Richmond, Virginia; and Denver, Colorado.

**Years of Operation:** 25

**Similar Recruitments (Last 5 Years):** Guilford County, NC (County Manager), Hennepin County, MN (County Administrator), Arlington County, VA (County Manager), Jackson County, MI (County Administrator), Stafford County, VA (County Attorney)

**Assigned Staff:** John A. Anzivino (Senior Vice President and Client Representative), Sharon G. Klumpp (Senior Vice President and Consultant), David J. Unmacht (Senior Vice President and Director of Organizational Management & HR)

**Proposed Schedule:** 120 days

**Proposed Fee:** \$18,000 - \$22,000 + additional expenses of \$4,000 - \$6,000 per recruitment

**Discount Options:** Negotiable

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**Firm:** VOORHEES ASSOCIATES

**Contact:** Heidi Voorhees, President

(P: 847-902-4110, E: hvoorhees@varesume.com)

**Recommendations:** ICMA

**Background:** Headquartered in Deerfield, Illinois with offices located in Arizona, Delaware, and Wisconsin

**Years of Operation:** 4

**Similar Recruitments (Last 5 Years):** DeKalb County, IL (County Administrator), City of Fayetteville, NC (Assistant City Manager)

**Assigned Staff:** Mark Morien (Vice President)

**Proposed Schedule:** 90 days

**Proposed Fee:** \$15,400 + additional expenses not to exceed \$5,500 per recruitment

**Discount Options:** \$29,260 + additional expenses not to exceed \$10,450 if selected for both