



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: JUNE 14, 2022**

FROM: MAYOR PRO TEM CONDER **WARDS: ALL**

SUBJECT: WAIVE THE SUNSHINE ORDINANCE PURSUANT TO RIVERSIDE MUNICIPAL CODE SECTION 4.05.050(D)(1)(A) TO CONSIDER A PROFESSIONAL CONSULTANT SERVICES AGREEMENT WITH RALPH ANDERSEN & ASSOCIATES FOR THE CITY MANAGER RECRUITMENT

ISSUE:

Waiver of the Sunshine Ordinance pursuant to Riverside Municipal Code Section 4.05.050(D)(1)(a) to consider a Professional Consultant Services Agreement with executive search firm Ralph Andersen & Associates for the City Manager Recruitment.

RECOMMENDATION:

That the City Council waive the Sunshine Ordinance by a two-thirds vote pursuant to Riverside Municipal Code Section 4.05.050 (D)(1)(a) to consider a Professional Consultant Services Agreement with executive search firm Ralph Andersen & Associates for the City Manager Recruitment.

BACKGROUND:

As a result of the former City Manager's resignation effective June 3, 2022, the City Council directed the Human Resources Department to solicit executive search firms interested in conducting a nationwide executive recruitment search and selection of a new City Manager.

DISCUSSION:

During a special closed session meeting on June 2, 2022, the City Council was presented with and interviewed the top three (3) executive search firms. At the end of the meeting, City Council made a unanimous decision to award Ralph Andersen & Associates the contract to conduct the City Manager recruitment.

The City Council seeks to ratify the process, selection, and approval of the executive search firm to conduct the City Manager recruitment.

SUNSHINE ORDINANCE WAIVER REQUEST:

To begin the recruitment process for the vacant City Manager position, staff is requesting a waiver of the Sunshine Ordinance to consider a Professional Consultant Services Agreement with the executive search firm Ralph Andersen & Associates.

Riverside Municipal Code Sections 4.05.050 provides that the Sunshine Notice Requirement may be excused if the minimum notice requirements of the City Charter and the Brown Act have been met and one of the excuses set forth in that section applies. Section 4.05.050(D)(1) provides for the excuse of the Sunshine Notice Requirements if the following applies:

- 1) The local body, by a two-thirds of those members present, adopts a motion determining that, upon consideration of the facts and circumstances, it was not reasonably possible to meet the additional notice requirements under this section and any one of the following exists:
 - a. The need to take immediate action on the item is required to avoid a substantial impact that would occur if the action were deferred to a subsequent special or regular meeting; or,
 - b. There is a need to take immediate action which relates to federal, state, county or other governmental agency legislation or action or the local body's eligibility for any grant or gift; or,
 - c. The item relates to a purely ceremonial or commendatory action.

Delaying this report would result in a delay in the recruitment of a vital position. The City Manager position is a Charter Officer that plays a critical role in ensuring effective and efficient citywide operations. Due to importance of conducting a timely and thorough recruitment process, it is of upmost importance and urgency to begin the nationwide recruitment process immediately. Ralph Andersen & Associates possesses vast experience and qualifications necessary to conduct this important recruitment process for the City of Riverside.

The Sunshine Ordinance provides that the City Council, by a two-thirds vote of those members present, may excuse compliance with the Sunshine Ordinance requirements if it adopts a motion determining that, upon consideration of the facts and circumstances, it was not reasonably possible to meet the additional notice requirements for the following reason: The need to take immediate action on the item is required to avoid a substantial impact that would occur if the action were deferred to a subsequent special or regular meeting.

FISCAL IMPACT:

There is no fiscal impact associated with this report.

Prepared by:

A handwritten signature in black ink that reads "Chuck Conder". The signature is written in a cursive, flowing style. Below the signature, the name "CHUCK CONDER" is printed in a bold, sans-serif font, followed by "Mayor Pro Tem" in a smaller, regular sans-serif font.

CHUCK CONDER
Mayor Pro Tem

Certified as to
available funds:

Edward Enriquez, Acting City Manager/CFO/City Treasurer

Approved as to form:

Phaedra A. Norton, City Attorney