



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Del D. Borgsdorf

SUBJECT: SENIOR STAFF HIRING

DATE: March 10, 2004

RECOMMENDATION

Accept report on various matters related to senior staff hiring under the City Manager's responsibility.

BACKGROUND

The Rules Committee, in its meeting of February 25, approved a memorandum from Councilmembers Dave Cortese and Ken Yeager. The Committee directed the City Manager to present a report at its meeting of March 17 on the following:

1. Current selection process for senior staff appointments, using the recent searches for the Police Chief and Fire Chief positions as case studies.
2. Examples of practices employed by other jurisdictions.
3. An analysis on the potential value of establishing a standing citizen based task force to perform post-selection evaluations on City Manager appointments.

ANALYSIS

Section 1 - Current Selection Process

The positions of Police Chief and Fire Chief are among the most complex and demanding jobs in the City's senior staff. The combined staff of more than 2,600 and the combined budget of more than \$300 million, coupled with the 24/7/365 decentralized operations of these departments require each Chief to bring extensive experience and qualifications to the position.

Because of this, the selection process began with the development of a position profile which delineated these qualifications. At every step of the process, community members and stakeholders were involved. More than 200 people participated.

This report provides information on the approach to the recruitment, and includes the names of the search firm selection panelists, stakeholder focus group participants, and interview panelists, all of which show our commitment to involving a diverse mix of people in terms of gender,

ethnicity, sexual orientation, religious background, age, income, education, geography, education, and profession. The key steps of the recruitment process are detailed below:

- **Council approval of Statement of Policy and Council Questions** – In accordance with the City Charter, at the beginning of the selection process for a department head position, the Council approves a Statement of Policy for the department. The Statement of Policy delineates the Council’s key priorities for the department, which are then used in the development of recruiting materials. The priorities listed in the Statements of Policy adopted for Police and Fire included timely and effective emergency response, building excellent relationships with the diverse community the departments serve, ensuring that capital projects are on time, on budget, and reflect the community’s needs, and ensuring that the departments are well-managed and make the best use of their budgeted resources. Council also adopts written questions to be answered by the City Manager’s recommended appointee in writing. These are included in the packet provided to Council for the Closed Session discussion of the Manager’s recommended candidate. One of the Council adopted questions asked how the candidate supports the “City’s tremendous diversity.”
- **Consultant selection** – The City Manager’s Office invited eight leading executive recruitment firms to make proposals on these recruitments, based on the City’s prior experience, a review of leading firms, and suggestions from the La Raza Roundtable. Five responses were received, and four firms were selected for interviews, based on their qualifications and price proposals. On August 7, 2003, a panel (listed below) interviewed the four firms.

Consultant Selection Panel	
Rick Callender (SCV Water Dist./NAACP)	Alex Gurza (CSJ Ofc. of Empl. Relations)
Mark Danaj (CSJ Employee Services Dept.)	Avo Makdessian (CSJ Mayor’s Office)
Akemi Flynn Do (The Cornerstone Project)	Kathy Thibodeaux (Tri-County Apartment Association)
Victor Garza (La Raza Roundtable)	Kay Winer (CSJ City Manager’s Office)

Based on the panel’s advice, Maximus was selected to provide assistance with the Police Chief search, and The Oldani Group was selected for the Fire Chief search.

- **Councilmember input** – The City Manager’s Office met with Councilmembers during September 2003 in order to review the process and elements of the profile of a successful Police Chief and Fire Chief. Input from these meetings was included in recruiting material and a profile document given to the interview panels to guide them in their discussions with the finalists. Some of the most important attributes discussed included leadership ability, strong management skills, excellent communication skills, appreciation and understanding of the value of diversity, ability to connect to the community, and experience building good relationships with labor. During these meetings, staff received suggestions on potential panelists to ensure a diverse interview panel that would understand the issues facing the City. Stakeholder suggestions were also received.
- **Stakeholder focus groups** – A list of key community leaders was compiled, and the leaders were invited to meetings to provide their input on the selection of the Police and Fire Chief.

In five facilitated sessions, attended by a total of 23 community leaders (listed below), the groups were asked (regarding both the Police Chief and Fire Chief positions):

- What are the most important issues that you would like the new Chief to address?
- What experience and track record should the new Chief have?
- What are the most important skills and characteristics the new Chief should have?

Stakeholder Focus Group Participants	
Jim Bower (Law Foundation of Silicon Vly.)	Olivia Mendiola (MACSA)
Andre Chapman (Unity Care Group)	Thuan Nguyen (Vietnamese C of C)
Oscar Dace (Bible Way Christian Center)	Mario Paz (Catholic Charities)
Elvira de la Vega (Filipino C of C)	Michael Pritchard (Pathway Society)
Gerry DeYoung (Ruth & Going)	Scott Render (American Red Cross)
Akemi Flynn Do (The Cornerstone Project)	Socorro Reyes-McCord (Human Rights Commission)
Tom Fulcher (ESO)	Fernando Romero (La Raza Roundtable)
David Ghilarducci (Santa Clara County Emergency Medical Services Agency)	Amor Santiago (formerly of AACI)
Bob Hines (Tri-County Apartment Assn.)	Wiggys Sivertsen (SJSU/BAYMEC)
Leslie Kelsay (San Jose Medical Center)	Steve Speno (Gibson Speno)
Bob Kieve (Empire Broadcasting)	Cora Tomalinas (community leader)
Kathleen Krenek (Next Door Solutions to Domestic Violence)	

- **Commission meeting** – City Manager’s Office staff also attended the October 16 meeting of the Human Rights Commission and received input from the Commission on the Police Chief and Fire Chief recruitment approach and candidate profile. Based on the Commission’s request, two Commissioners served on panels, one for the Police Chief process and one for the Fire Chief process.
- **Community meetings** – From September 26 through December 3, a series of eleven community meetings were held (listed below). More than 120 residents attended these meetings. Representatives from the City Manager’s Office and the Councilmember’s office in whose district the meeting was held attended each meeting. City staff facilitated the meeting, asking the same three questions used in the focus group sessions. Notes from the meetings were then used in compiling the profile of each position for the interview panels.

Community Meetings	
September 26	Moreland Community Center (District 1)
September 29	Southside Community/Senior Center (District 2)
October 6	Leininger Center (District 7)
October 6	Cambrian Community Council (District 9)
October 8	George Mayne Elementary School (District 4)
October 9	Almaden Winery (District 10)
October 15	Mexican Heritage Plaza (District 5)
October 20	Berryessa Community Center (District 4)
October 22	Monroe Middle School (District 6)
October 23	First United Methodist Church (District 3)
December 3	District 8 Community Round Table (District 8)

- **Web site survey** – A survey was posted on the City’s web site, asking respondents to provide input on the key issues for the two departments, and the most important experience, skills, and characteristics for the jobs. Seventeen responses were received.
- **Meetings with staff** – Seven meetings were held with staff from the two departments. These were attended by staff at all levels of the departments and from all divisions, both sworn and non-sworn. More than 80 employees attended these meetings. The same three questions used for the community meetings were used for staff meetings.
- **Profile development** – For both positions, a qualifications and characteristics profile was developed based on the input from Councilmembers, the stakeholder focus groups, community meetings, and meetings with staff and management. These profiles were distributed to interview panel members in advance, and were used as the key document in the evaluation discussion. Interview panelists were instructed to compare finalists to the profile, rather than to each other, and the debrief discussions focused on candidates’ assets and liabilities as compared to the profiles.
- **Recruitment** – The recruiting firms used various methods to attract candidates to apply for the positions. Among these methods were advertisements in various publications and web sites, including professional journals and job announcement publications and services. Listed below are the publications and web sites used in the searches:

Police Chief Search	Fire Chief Search
California Peace Officers Assn. web site	Asian Pacific Careers
Careers in Government (web site)	Black Careers
International Association of Police Chiefs Magazine & web site	Hispanic Hotline
Jobs Available	International City Managers’ Association Newsletter
Latin American Police Assn. web site	Jobs Available
Law Enforcement Jobs web site (also provides access to online job centers for: <ul style="list-style-type: none"> ▪ Hispanic American Police Command Officers Assn. ▪ Nat’l Organization of Black Law Enforcement Executives ▪ National Latino Peace Officers Assn. ▪ National Asian Peace Officers Assn. ▪ National Black Police Assn. ▪ Women in Federal Law Enforcement) 	On Scene (newsletter of the International Association of Fire Chiefs)
National Assn. of Women Law Enforcement Executives web site	Public Sector Job Bulletin & web site
The Police Executive web site	Western City
Police Exec. Research Forum web site	Women in the Fire Service newsletter
Public Sector Job Bulletin & web site	
Western City	

The search consultants also developed an announcement/brochure, which provided a detailed description of the city, the department, and the job, reflecting the profile. Both brochures

made numerous references to the importance of diversity to San José and to the positions. Such references were included in the description of the city, the description of the positions, and in the profile of the ideal candidate. The announcements were distributed to anyone who indicated interest in the position.

Finally, and most importantly, each consultant contacted people currently in the field, using nationwide networks they have built. In this way, the job opportunity was presented to people who may have been happy in their current positions and would not otherwise have been looking for another job. The Police Chief consultant, Maximus, spoke directly with every non-white major city Police Chief in the country. The Fire Chief consulting firm, The Oldani Group, used its connections built through membership on the Corporate Advisory Council of the National Association for Black Public Administrators and involvement in the creation of the Hispanic Network, which have contributed to its record of placing approximately 50% women and minority candidates in its searches over 25 years of business.

Upon the closing date for the recruitment, the consultants evaluated the applications, making an initial cut based on qualifications. This “semi-finalist” list was reviewed with the City Manager, and the consultants then conducted initial interviews with the candidates, either in person, by phone, or by teleconference. Based on these interviews, the consultant recommended as finalists those candidates who best matched the profile.

- **Semifinalist pool** – The semifinalist pools for both positions were diverse. The Police Chief pool included female, African-American, Asian, and Latino candidates. There were African-American and Latino candidates for Fire Chief. Both positions had multiple non-white finalists.
- **Finalist interview process** – Police Chief interviews were held December 12 and 15. Two panels, a management panel and a community panel (members are listed below), each interviewed all six finalists. Suggested interview questions were provided, but the panelists were encouraged to develop their own questions, or to ask questions that occurred to them during the interviews based on candidates’ responses.

The management panel focused its questions on professional and technical knowledge and skills. The panel evaluated areas such as management experience and depth, leadership skills, labor/management relations experience, and ability to lead a large department.

The community panel focused primarily on community involvement, the ability to work effectively in a diverse community, and experience with diversifying the workforce. The panel looked very closely at each candidate’s understanding of and commitment to diversity. The broad diversity of the panel produced a variety of questions from many different viewpoints and values. The panel was particularly interested in the candidates’ beliefs, values, and actual track record regarding diversity.

At the conclusion of the interviews, the members of both panels reconvened, joined by the City Manager. Panelists were asked to review their assessment of the pros and cons of each candidate as compared to the profile, rather than ranking the candidates. Based on the discussion, four candidates were selected for follow-up interviews with the City Manager.

Police Chief Interview Panels	
Community Panel	Management Panel
Victor Arrañaga (SBC)	Ric Abeyta (SJSU Police Chief)
Mark Atlas (Senior active in Almaden area)	Don Demers (SJPOA)
Aurora Cepeda (MACSA)	Joe Guerra (Mayor's Office)
Bryan Do (Vietnamese community)	Sara Hensley (PRNS)
Paul Fong (Evergreen Community College)	Jerry Lance (ex-Long Beach Police Chief)
Tom Fulcher (ESO)	Jose Villarreal (S.C. Cty. Public Defender)
Josephine Hawkins (AACI)	Kay Winer (City Manager's Office)
Jim Holgersson (City Manager's Office)	Esperanza Zendejas (East Side UHSD)
Ashu Kalra (Human Rights Commission)	
Madison Nguyen (Vietnamese-Amer. Ctr.)	
Aaron Resendez (East Valley-680 NAC)	
Fernando Romero (La Raza Roundtable)	
Steve Speno (Gibson Speno)	
Timothy Tom (Youth Commission)	
George Trevino (Alviso community)	
Jim Weston (Office of Sen. Vasconcellos)	
Joel Wyrick (Silicon Valley/Santa Clara County Black C of C)	

At the conclusion of the first day of interviews, Marsha Noble of Maximus, the search consultant, said that the community panel was the best one she had ever seen, both in terms of its make-up and the way that it functioned.

Panel members have also praised the process. At a recent Human Rights Commission retreat, the two members who served on panels (one for Police Chief and one for Fire Chief), stated that they were impressed with the process, felt that their input was considered and valued, and suggested that it would be helpful for the community to know exactly how the process worked, in that it placed a particular emphasis on the candidates' commitment to our diverse community, rather than simply looking at candidates' ethnic backgrounds.

Fire Chief interviews were held January 16. Again, we had a management panel and a community panel (members are listed below), and there were five finalists interviewed. The process was the same as was used for the Police Chief. In this case, however, in order to gather more information about the finalists, additional work was done. A delegation from the City (Jim Holgersson, Randy Sekany, and Michael Smith) visited the home city of one of the finalists, and Jim Holgersson visited the city of another finalist. These visits included meetings with a wide variety of city and community leaders who had contact with the candidate in their positions in those cities, in order to learn more about the candidates and their fit against the profile.

Fire Chief Interview Panels	
Community Panel	Management Panel
Tahir Anwar (South Bay Islamic Assn.)	Adonna Amoroso (Police Department)
Victor Arrañaga (SBC)	Rebecca Dishotsky (Mayor's Office)
Andre Chapman (Unity Care Group)	Kevin Duggan (Mountain View City Mgr.)
Autumn Gutierrez (Washington NAC/InnVision)	David Ghilarducci (Santa Clara County Emergency Medical Services Agency)
Jim Holgersson (City Manager's Office)	Randy Sekany (IAFF Local 230)
Olivia Mendiola (MACSA)	Michael Smith (Fairfield Fire Chief)
Fernando Romero (La Raza Roundtable)	Kay Winer (City Manager's Office)
Jagmohan Sahni (Sikh business owner)	
Wiggys Sivertsen (SJSU/BAYMEC)	
Quinn Tran (Vietnamese-American Council)	
George Trevino (Alviso community)	

- Recommended candidate selected** – Input from all of these efforts was carefully weighed, and the City Manager ultimately made recommendations to the Council of the candidate for each position who best matched the profile, and could best do the job for San José. As the Council knows, these candidates were then reviewed and interviewed in Closed Session, and the Council agreed with the recommendation to appoint them to the positions.

Section 2 - Examples of Practices Employed by Other Jurisdictions

We researched the practices of other jurisdictions for filling senior staff positions. Five of the eleven largest cities in the country have Council-Manager forms of government, including San José, so we felt it would be useful to learn the practices of the other four. These are summarized in the table below:

Senior Staff Hiring Practices	
Dallas	<p>Department head appointments are made by the City Manager, without a requirement for Council review. The city regularly advertises in publications aimed at minority job seekers, and all recruitments have the goal of developing as diverse a pool as possible.</p> <p>Police and Fire Chief recruitments include community meetings to gather input on the candidate profile, and also have a community panel as part of the interview process. Other department head processes involve stakeholders appropriate to the services of the department.</p> <p>Although the city has a commitment to diversity and is intentionally inclusive in selecting providers for any executive programs it presents, budget considerations have prevented it from offering any specific diversity initiatives over the last few years.</p>

Senior Staff Hiring Practices	
Phoenix	<p>Department head appointments are made by the City Manager, without a requirement for Council review. The city puts a strong emphasis on developing diverse candidate pools, which is accomplished through targeted advertising and recruitment. This was described as the key method the city uses to ensure diverse department head appointments.</p> <p>Recruitments for positions with heavy neighborhood contact (like Police, Fire, Neighborhood Services, Planning, etc.) typically involve community panels. In rare cases, the community is involved in helping develop candidate profiles. In other department head recruitments, stakeholders related to the department's services are included in interview panels.</p> <p>The city does not have a formal training program for internal staff to develop them for department head positions, but many departments have rotation programs for mid-managers and deputy directors, with the goal of broadening their experience base and preparing them for different types of higher management positions.</p>
San Antonio	<p>Department head appointments are made by the City Manager, without a requirement for Council review. Efforts to develop diverse candidate pools are done through recruitment processes, which are sometimes conducted through consultants and sometimes handled by City staff.</p> <p>The city generally has not included community meetings as part of its hiring processes, nor does it typically include community members in interview panels.</p> <p>The city does not have any specific diversity programs in place, but is committed to promoting diversity in its workforce.</p>
San Diego	<p>Department head appointments are made by the City Manager, subject to confirmation by the City Council. The City's commitment to diversity is communicated to search consultants, who are expected to recruit broadly and develop diverse candidate pools.</p> <p>Community meetings are used for Police Chief and Fire Chief to gather input for candidate profiles. Interviews either have a separate community panel or significant community representation on a combined panel. For other department head recruitments, the extent of community involvement depends on the nature of the position.</p> <p>The City includes diversity as an element of employee orientations, and is in the midst of developing a Leadership Development Program, which will be aimed at helping managers gain hands-on experience in areas to which they may not have been exposed as a way to round out their skills.</p>

Research on other cities was consistent with the four listed above. We found that, particularly for Police and Fire Chief recruitments, most cities use a process similar to ours, wherein initial input is gathered through community meetings and other means, community members are involved in the interview process, and provide advice to the appointing authority.

Several cities have instituted programs to support diversity. Phoenix is a representative example, although particular elements of the program may not apply to San José, since state law differs. A Diversity Task Force, composed of City staff from throughout the organization, went through a process of meetings with department staff, a review of current city programs, and identification of barriers and issues. Their recommendations, which have since been implemented, included enhancing outreach, ensuring that interview panels are diverse, emphasizing career development, and making valuing diversity a part of performance evaluations.

The common theme in our research was the importance of sending a clear message to the organization and the city's residents that the city administration believes that maintaining and improving the diversity of its workforce at all levels is one of its most important goals.

Section 3 - Analysis of a Standing Citizen Based Task Force to Perform Post-Selection Evaluations

While the appointment of a standing citizen based task force to perform post-selection evaluations offers some potential benefits, it presents some significant disadvantages. It is recommended that an alternative approach be used that could still offer many of the benefits of such an approach without its disadvantages.

Key considerations of establishing a citizen based task force for post-selection evaluations include:

- The nature of the work of such a task force would be retrospective. Its work could inform future processes, but would not offer an opportunity to immediately implement a program that would proactively influence hiring processes for particular positions before they begin, or while they are in process.
- The work of the task force could compromise the confidentiality of our hiring processes, which is very important to candidates from other cities who may be happy in their positions, but decided to explore an opportunity in San José. The knowledge that their participation in our process could be disclosed might discourage well-qualified candidates from applying. A procedure to provide candidate anonymity could be developed.
- Proposition 209, according to the City Attorney, does not prohibit race- or gender-based analysis after hiring decisions are made. However, the City Attorney said that it "may be problematic" if the results of that analysis could produce "any preferential treatment on the basis of race or ethnicity including targeted recruitment efforts."

Focusing our efforts on ensuring that our processes emphasize the importance of diversity and on providing excellent career development support for our existing workforce is an approach that can produce both short-term and long-term benefits for the City. These kinds of efforts will continue to produce strong, well-qualified candidate pools, and will create a sustainable model for producing well-prepared department heads who both reflect and value San José's rich diversity.

Hiring Processes

As documented in Section 1 of this memo, the city's department head hiring process places a strong emphasis on the city's commitment to diversity and the expectations for department heads' support of its value. In order to further strengthen future processes, we plan to reconvene the members of the Police Chief and Fire Chief interview panels in a brainstorming session to discuss ways for us to ensure that our processes continue to include extensive efforts to attract the most diverse candidate pool possible, and continue to offer an environment that is absolutely fair to all candidates. Secondly, we plan to create an in-house employee task force to look internally at our structure to help us identify any barriers that might be removed or restructured to improve access to management positions.

Career Development

One of the best ways for us to create a better opportunity to appoint department heads who reflect the diversity of the city is by nurturing our existing staff, which is already remarkably diverse. We are already in the planning stages of launching an initiative that begins by making the "business case" for diversity. The key elements of the business case include:

- Diversity enables the City to better keep pace with the social and demographic changes of the community we serve
- A diverse workforce is better equipped to serve our diverse residents, neighborhoods, and businesses
- A workforce with different backgrounds and perspectives is more creative and productive, because of the synergy of different ideas and solutions
- A diverse employee base will create a stronger pool of candidates for future promotional opportunities
- The workforce becomes more flexible, as people adapt to new situations and learn from people who are different from them
- Diversity helps create an inclusive environment that stresses collaboration over organizational silos, and supports the vision for City government to speak with one voice

Several initiatives are planned to further this effort. They include:

- Incorporating the business case and other diversity topics into the curriculum of employee orientations, the leadership and supervision academy, and a new planned graduate public management course in conjunction with San José State University aimed at preparing employees to become department heads
- Making diversity a central topic in at least one citywide monthly management meeting per year, and including a diversity column in *CityLine*, the on-line employee newsletter
- Including diversity management measures in the annual performance plan and evaluations for managers

As part of this program, it would be useful to create a citizen-based advisory panel to review the City's efforts, suggest improvements, and provide a liaison with the community.

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COORDINATION

This memorandum was coordinated with the City Attorney's Office.

Del D. Borgsdorf
City Manager

