

City of Hercules  
Citizens Legal Issue Ad Hoc Committee  
MINUTES – May 18, 2011

Members Present: Jennifer Ways, Phil Simmons, Toni Leance, Bill Kelly, Beth Bartke, Vice Mayor Myrna deVera, Councilmember John Delgado, City Clerk Doreen Mathews

Also Present: Eric Williams, Dan Romero, Gerard Boulanger, Mike Bowermaster, Manuel deVera

The meeting convened at 7:00 p.m. with introductions.

1. Selection of Chair and Vice Chair

Jennifer Ways was elected Committee Chair and Toni Leance was elected Vice-Chair.

2. Selection of Secretary

Beth Bartke was elected Secretary.

3. Regular Meeting Schedule

The group agreed to meet every Wednesday evening with a possible change on the second Wednesdays when Beth has a Fire District Board meeting.

4. Desired City Attorney Attributes

The group was given a letter from current City Attorney Mick Cabral outlining his duties. The League of California Cities' publication, "Counsel and Council" was also distributed.

There was a discussion of the future City Attorney being a staff member or a contractor. It was decided that it would be better to work with a firm or individual attorney on a contract basis.

Although Mr. Cabral will be available until the end of June, it was decided to move forward as quickly as possible with getting a Request for Proposal and ads out. The "new" Council may not be certified until after July1, so a final decision on the selection would not be made until after that time.

It was noted that currently the City of Hercules uses several attorneys for different issues. Perhaps some of these could be combined into one law firm. At

present these attorney advise staff, but should be informing the City Attorney of their work.

There were several attributes and qualifications discussed as valuable for a candidate. These include:

- Availability for Council meetings
- Code enforcement issues
- Employee/employer relations
- Litigation experience
- Contracts review

It was decided that the Request for Proposal should be fairly broad in order to see who is available. The ads, however, will state that the individual or firm must have substantial municipal experience, i.e., at least ten years.

Members will look for websites or publications to advertise in and report back at the next meeting.

Also on the agenda for the next meeting:

- Finalizing the Request for Proposal
- Sites to place it on
- Timeline

The meeting was adjourned at 9:00 p.m. until the next meeting on Wednesday, May 25, at 7:00 pm.

Respectfully submitted,

Beth Bartke