



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Human Resources Department



DATE: March 5, 2012
BOARD MEETING DATE: March 13, 2012
SPECIAL NOTICE/HEARING: None
VOTE REQUIRED: Majority

TO: Honorable Board of Supervisors

FROM: Donna Vaillancourt, Director, Human Resources
John C. Beiers, County Counsel

SUBJECT: Process to Fill Office of the Controller Vacancy

RECOMMENDATION:

Approve a process to fill the vacancy caused by the resignation of Tom Huening from the office of County Controller.

BACKGROUND:

On February 10, 2012, Controller Tom Huening submitted his letter of resignation to the Board effective March 31, 2012. At its February 28, 2012, meeting, the Board discussed the methods by which it could fill the Controller vacancy and expressed a desire to discuss the matter more fully at its March 13th meeting upon receipt of more detailed information regarding a potential appointment process from Human Resources.

DISCUSSION:

The County Charter provides the Board with authority to determine whether to fill the Controller vacancy by appointment or election. By way of summary, the Board's options include: 1) appointing a replacement with or without a formal selection process; 2) calling for an election on a general election date (*i.e.*, the November 6, 2012, Presidential General Election); or 3) calling for an election on a special election date to occur not less than 102 days and not more than 131 days from the order calling such election. Pursuant to the Charter, the Board must either make such appointment or call for an election within 30 days of the effective date of the vacancy (*i.e.*, by April 30, 2012).

Pursuant to Government Code § 26945, any replacement, whether appointed or elected, must satisfy at least one of the following criteria: 1) be a certified CPA; 2) hold a baccalaureate degree in accounting or its equivalent and not less than three years experience within the last five years in a senior management position in a public agency, private firm, or nonprofit organization; 3) be a designated professional internal auditor with at least sixteen college semester units in accounting, auditing, or finance; or 4) have at least three years of continuous service as a county auditor, chief deputy county auditor, or chief assistant county auditor.

To the extent the Board decides to appoint an individual to fill the vacant Controller position, the Board may decide to utilize a formal selection process. An overview of a recommended process utilized by Human Resources in the past is as follows:

- (1) Developing an application made available to the public;
- (2) Receiving application forms as well as complete Forms 700 from potential appointees;
- (3) Receiving an opinion from the Elections Officer regarding the residency eligibility of the candidates;
- (4) Convening a special Board meeting at which each candidate will be asked to respond to a set of questions; and
- (5) Making a selection from among the eligible candidates.

Additional details regarding this formal selection process are set forth on Attachment A hereto. If a replacement is appointed prior to the effective date of the resignation, he or she will take office upon the effective date of Mr. Huening's resignation. Such appointee would then hold the office for the remainder of Mr. Huening's term, and if he or she thereafter decides to run for the office, would do so as the incumbent.

Filling the vacancy of the Office of the Controller contributes to Shared Vision 2025 of Collaborative Community by ensuring the continuity of County operations.

FISCAL IMPACT:

If the Board appoints a replacement, there will be no fiscal impact regardless of whether the Board utilizes a formal public process similar to that described above.

If the Board calls for an election on a special election date, a special all-mail ballot election is estimated to cost approximately \$800,000 and a special traditional (polls) election is estimated to cost \$1,700,000.

If the Board calls for an election to be held in conjunction with the November 6, 2012, Presidential General Election, the estimated fiscal impact is \$40,000, which constitutes the incremental costs of adding such item to the ballot.

Attachment A

Selection Process for Appointment to the Vacant Controller Position

To insure a timely, seamless and transparent appointment, the Human Resources Department is recommending the following selection steps and timeline:

Prior to March 14, 2012	<p>The Human Resources Department, in conjunction with key stakeholders, develops a job announcement of the “Opportunity for Appointment”, requesting applications for consideration for appointment as the Controller. The announcement will include:</p> <ol style="list-style-type: none">1. A description of the position and required qualifications2. Characteristics of the ideal candidate3. Possible challenges and potential opportunities
March 14, 2012	<p>The announcement of “Opportunity for Appointment” will be advertised on the County website and relevant industry websites and a newspaper or general circulation.</p>
March 14 – April 2, 2012	<p>The Human Resources Department will serve as recipient of the Applications for Appointment, which will include Form 700 as well as a demonstration of the qualifications for the position.</p>
April 2, 2012	<p>Application closing date.</p>
April 3 - 6	<p>The Elections Officer will review the Applications for Appointment to determine the residency eligibility of the candidates.</p>
Week of April 9	<p>Members of the Board of Supervisors will be provided with the Applications for Appointment for review.</p>
Week of April 16	<p>At the specially convened Board Meeting during the week of April 16, the Applicants will be invited to give a presentation to the Board of Supervisors and respond to pre-determined questions that by way of example could include:</p> <ol style="list-style-type: none">1. Describe your qualifications for the Office of San Mateo County Controller and discuss your executive leadership experience, budget and financial management and personnel effectiveness.2. Discuss the biggest challenge facing the counties in California today. What would you do as the Controller to help San Mateo County successfully deal with the challenge?3. Tell us what interests you about the Office of the Controller and the three reasons you believe you are the most qualified candidate.
April 24, 2012	<p>At the regularly scheduled Board Meeting, the Board of Supervisors will discuss the strengths of the Applicants and either: 1) make their selection for appointment to the vacant Office of the Controller effective April 30, 2012; or 2) call for an election to fill the vacancy.</p>