

AGENDA ITEM SUMMARY

October 21, 2014

City Council

STAFF

Janet Miller, Human Resources Director

SUBJECT

Resolution 2014-096 Adopting an Updated Process for City Council Evaluation of the Performance of the City Manager, City Attorney and Municipal Judge.

EXECUTIVE SUMMARY

The purpose of this item is to modify the performance evaluation process for the City Manager, City Attorney and Municipal Judge (Employees) to allow for flexibility in the methods used to gather input from Councilmembers for the annual performance review and to remove the requirement for a separate meeting with the Mayor, Mayor Pro Tem and each Employee to discuss the Employee's compensation and benefits.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

Each year, Council conducts a formal performance evaluation of the City Manager, City Attorney and Municipal Judge (Employees). The current process is outlined in Resolution 2012-091 and requires that a "form" be developed and distributed to Councilmembers, that the "form" be returned to the Human Resources Director and summarized prior to the performance evaluation discussion with each Employee.

The proposed modification to the process used by the City Manager and City Attorney allows for a designated facilitator to interview each Councilmember, gather input and provide a summary report to all Councilmembers and to the City Manager and the City Attorney.

Additionally, it eliminates the requirement that the Mayor and Mayor Pro Tem hold a separate meeting to discuss compensation and benefits with the Employees prior to Council's discussion of these items.

Finally, this Resolution removes specific reference to the Human Resources "Director" as the individual who provides support throughout this process and changes this reference to the Human Resources "Department". This allows appropriate staff within the department to assist with this process.

RESOLUTION 2014-096
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ADOPTING AN UPDATED PROCESS FOR CITY COUNCIL
EVALUATION OF THE PERFORMANCE OF THE CITY MANAGER,
CITY ATTORNEY AND MUNICIPAL JUDGE

WHEREAS, the City Manager, City Attorney and Municipal Judge are appointed by the City Council under the provisions of the City Charter; and

WHEREAS, the Municipal Judge is appointed for a two-year term, and the City Manager and City Attorney serve terms of indefinite duration; and

WHEREAS, the City Council is responsible for supervising the performance of all three of these employees and fixing their compensation; and

WHEREAS, it is essential that these employees perform their duties with integrity, professionalism and effectiveness; and

WHEREAS, the City Council meets with these employees semi-annually in executive session to review their performance; and

WHEREAS, the more formal review of these employees' performance (the "Annual Review") takes place in November of each year; and

WHEREAS, the City Council has by resolution developed and approved a process for conducting the annual reviews, which Council has from time to time updated and revised; and

WHEREAS, the City Council wishes to supersede all prior resolutions establishing such review procedures, and adopt the procedures set forth below, which revise that process to allow the use of facilitation services to assist with the gathering and exchange of information related to the Annual Reviews.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the annual, formal evaluation of the City Manager, City Attorney and Municipal Judge shall be conducted in accordance with the following guidelines:

Section 1. The annual, formal evaluation of the City Manager and City Attorney (the "Employees") shall be conducted as follows:

- A. Each year, a form for evaluation of each Employee's performance, based on the Employee's job duties, shall be prepared by the Human Resources ~~Director~~ **Department** in consultation with the Mayor, Mayor Pro Tem and the Employees. That form shall be distributed to each Councilmember no less than twenty (20) days prior to the date of the Employee's annual review. **Alternatively, if the Employee has designated a facilitator to assist with the review process, the**

Employee shall work with the facilitator to prepare questions to be used as the basis for the facilitator's interview with each Councilmember, which questions shall be provided to each Councilmember no less than twenty (20) days prior to the date of the Employee's annual review.

- B. Not later than twenty (20) days prior to the annual review, the Employees shall provide their self-evaluations and additional information they may consider appropriate to the Council. ~~with their self evaluations, using the form that has been provided to Councilmembers, together with such additional information as they may consider appropriate, and~~ The Employees shall also provide their compensation requests for the ensuing year and any proposed contract revisions.
- C. No later than ten (10) days prior to the annual review, all Councilmembers shall submit completed evaluation forms to the Human Resources ~~Director~~Department. Alternatively, if the Employee has designated a facilitator to assist with the review process, the facilitator shall meet with each Councilmember individually to obtain evaluation input, to allow for completion of a summary report.
- D. Not later than five (5) days prior to the annual review, the Human Resources ~~Director~~Department or designated facilitator, if applicable, shall distribute to all Councilmembers and the appropriate Employee: (1) copies of each completed evaluation form; (2) a composite of all such forms; and (3) any additional information requested by a Councilmember or considered pertinent information regarding the total compensation paid to the persons holding comparable positions of employment in other comparable Colorado Front Range cities; and (4) any other information that may be considered pertinent by the Human Resources ~~Director~~Department, the designated facilitator ~~Council~~ or the Employees.
- E. ~~Prior to Council's discussion of the proposed compensation and benefits of the Employees, the Mayor and Mayor Pro Tem shall meet with each Employee to discuss the Employee's compensation request.~~
- F. — Any change in the compensation of the Employees for the ensuing calendar year shall be approved by the Council by ordinance. That ordinance shall be adopted by the Council in sufficient time for the change in compensation to take effect as of the first full pay period of the ensuing year. In the event that the Council and either Employee agree upon any revisions to the Employee's employment contract for the ensuing year, a resolution approving such revision(s) shall be adopted upon first or second reading of the ordinance.
- GF. All Councilmembers, irrespective of their evaluation of the Employees, are encouraged to meet individually with the Employees to discuss their performance.

Section 2. The annual, formal evaluation of the Municipal Judge shall be conducted in accordance with the following guidelines:

- A. A form for evaluation of the Municipal Judge's performance shall be prepared by the Human Resources ~~Director~~ Department in consultation with the Mayor, Mayor Pro Tem and Municipal Judge and distributed to each Councilmember no less than twenty (20) calendar days prior to the Municipal Judge's annual review. The form shall address the Municipal Judge's judicial duties, administrative duties and Liquor Licensing Authority duties.
- B. On or before October 15 of each year in which the Municipal Judge is requesting reappointment, Municipal Court prosecutors, defense attorneys who have worked on Municipal Court cases, and attorneys who have appeared at Liquor Licensing Authority meetings shall be provided with copies of an evaluation form and asked to evaluate the performance of the Municipal Judge. The form shall be prepared by the Municipal Judge and the Human Resources ~~Director~~ Department in consultation with the Mayor and Mayor Pro Tem. The names of all persons submitting completed forms shall be provided to the Municipal Judge, together with a composite of the ratings and comments on the completed forms.
- C. Not later than twenty (20) days prior to the annual review, the Municipal Judge shall provide to the City Council a self-evaluation containing such information as he or she may consider appropriate, together with his or her compensation request for the ensuing year and any proposed contract revisions.
- D. Not later than ten (10) days prior to the annual review of the Municipal Judge, all completed evaluation forms and supplemental materials referenced in Section A and B above shall be submitted to the Human Resources ~~Director~~ Department for distribution to the Council and the Municipal Judge together with: (1) a composite of the forms completed by the Councilmembers; (2) pertinent information regarding the total compensation paid to the municipal judges of other comparable Colorado Front Range cities; and (3) any other information that may be considered pertinent by the Human Resources ~~Director~~ Department, the Council or the Municipal Judge.
- E. Throughout each year, "customer comment" forms shall also be made available, through means recommended by the Municipal Judge, to defendants, prosecution and defense witnesses, attorneys and other participants in the Municipal Court and liquor licensing processes. The forms for this purpose shall be prepared by the Municipal Judge in consultation with the Human Resources ~~Director~~ Department, Mayor and Mayor Pro Tem. All persons completing such forms shall be asked to sign their names if they wish to have their comments forwarded to the City Council for its use in reviewing the performance of the Municipal Judge. They shall also be told that the Human Resources ~~Director~~ Department and the members of the City Council will be provided with copies of their signed, completed forms, and that the Municipal Judge will receive a composite of all completed forms, together with the names of those persons submitting the forms. A copy of each signed, completed form shall be provided to the City Council on a quarterly basis. At the same time, the Municipal Judge shall receive a composite of the ratings

and comments contained in such forms, together with the names of the persons submitting the forms.

F. ~~Prior to Council's discussion of the proposed compensation and benefits of the Employees, the Mayor and Mayor Pro Tem shall meet with the Municipal Judge to discuss the Judge's compensation request.~~

G. — Any change in the compensation of the Municipal Judge for the ensuing calendar year shall be approved by the Council by ordinance. That ordinance shall be adopted by the Council in sufficient time for the change in compensation to take effect as of the first full pay period of the ensuing year. In the event that the Council and the Municipal Judge agree upon any revisions to the Municipal Judge's employment contract for the ensuing year, a resolution approving such revision(s) shall be adopted upon first or second reading of the ordinance.

HG. All Councilmembers, irrespective of their evaluation of the Municipal Judge, are encouraged to meet individually with the Municipal Judge to discuss the Municipal Judge's performance.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 21st day of October, A.D. 2014.

Mayor

ATTEST:

City Clerk