

# AGENDA ITEM SUMMARY

December 1, 2020

City Council

## STAFF

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Teresa Roche, Chief Human Resources Officer  
Jenny Lopez Filkins, Legal

## SUBJECT

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Resolution 2020-111 Acknowledging Compliance with Established Performance Review, Goal Setting and Compensation Setting Process for the City Manager, City Attorney and Chief Judge.

## EXECUTIVE SUMMARY

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The purpose of this item is to acknowledge that Council conducted the performance reviews of Chief Judge, City Attorney and City Manager in an executive session on November 10, 2020. According to their individual contracts each Council-appointed employee salary is reviewed annually. Prior to the November 10 executive session, all three employees stated in light of the City's decision not to provide merit increases to the City employees due to budgetary constraints except for those in the collective bargaining unit, they did not want any consideration of a merit increase.

## STAFF RECOMMENDATION

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Staff recommends adoption of the Resolution.

## BACKGROUND / DISCUSSION

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Council is committed to compensating employees in a manner which is market based, competitive and based on performance. The goal as an employer is to attract, retain, engage, develop, and reward a diverse and competitive workforce to meet the needs of the community now and in the future. To accomplish this goal, the Council and each of the employees that report directly to the Council meet twice a year to discuss performance and, toward the end of the calendar year, set goals for the coming year.

Resolution 2019-099 establishes the process for evaluating the performance of the City Manager, City Attorney, and Chief Judge. It states that any change in compensation for these employees will be adopted by the Council by Ordinance. Because no compensation changes have been requested, no Ordinances are required this year.

RESOLUTION NO. 2020-111  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
ACKNOWLEDGING COMPLIANCE WITH ESTABLISHED PERFORMANCE REVIEW,  
GOAL SETTING AND COMPENSATION SETTING PROCESS FOR THE CITY  
MANAGER, CITY ATTORNEY AND CHIEF JUDGE

WHEREAS, pursuant to Article III, Section 1 of the City Charter, the City Council is responsible for fixing the compensation of the City Manager; and

WHEREAS, pursuant to Article VI, Section 1 of the City Charter, the City Council is responsible for fixing the compensation of the City Attorney; and

WHEREAS, pursuant to Article VII, Section 1 of the City Charter, the City Council is responsible for fixing the compensation of the Chief Judge of the municipal court; and

WHEREAS, the City Manager's employment agreement requires the City Council to review and evaluate the performance of the City Manager at least once annually and further requires the City Council and the City Manager to annually define goals and performance objectives and reduce them to writing; and

WHEREAS, the City Attorney's employment agreement does not discuss a performance review obligation; and

WHEREAS, the Chief Judge's employment agreement requires the City Council, in consultation with the Chief Judge, to fix any terms and conditions of employment as it may determine from time to time, relating to the performance of the Employee; and

WHEREAS, on October 1, 2019, the City Council considered and approved Resolution No. 2019-099 adopting an updated process for City Council evaluation of the performance of the City Manager, the City Attorney and the Chief Judge and establishing benchmark cities; and

WHEREAS, on November 10, 2020, the City Council met with the City Manager, the City Attorney and the Chief Judge to conduct a performance review and establish 2021 goals and performance objectives; and

WHEREAS, due to the significant economic downturn caused by the COVID-19 pandemic, City staff intends to submit a pay plan for classified employees that maintains employee pay at 2020 levels for the 2021 calendar year, except as otherwise required by existing agreements; and

WHEREAS, prior to November 2020, the City Manager, the City Attorney and the Chief Judge indicated that in light of the City staff's anticipated recommendation to City Council to maintain employee pay at 2020 levels for the 2021 calendar year, they are not interested in pay increases for 2021; and

WHEREAS, due to the significant economic downturn and City staff's intention to submit a pay plan that maintains employee pay at 2020 levels for the 2021 calendar year, the

City Council believes that the annual compensation of the City Manager, City Attorney and Chief Judge should not be adjusted for 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes any and all determinations and findings contained in the recitals set forth above.

Section 2. That the annual compensation of the City Manager, the City Attorney and the Chief Judge shall remain as set out in Fort Collins Municipal Code Section 2-596, Section 2-581, and Section 2-606.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 1st day of December, A.D. 2020.

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Mayor

ATTEST:

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City Clerk