



1.02 CITY ADMINISTRATOR PERFORMANCE REVIEW POLICY

CITY COUNCIL

Enabling Legislation: R2018-040

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PURPOSE

The purpose of the City Administrator Performance Review Process policy is to establish clear guidelines and procedures for the City Administrator's regular annual performance review and a mid-year check-in. The performance review process is intended to establish and communicate performance expectations, goals and objectives for the City Administrator, identify the City Administrator's strengths and areas for improvement in meeting these expectations, and foster the City Administrator's professional development.

The Annual City Administrator Performance Review will provide helpful, real-time feedback from the Mayor and City Council and direct reports. This process is an effective means to meet the objectives of a performance evaluation of establishing and communicating performance expectations, goals, and objectives and to provide recognition of accomplishments and to have a discussion regarding expectations and goals for the upcoming year. This process also identifies the City Administrator's strengths and areas for improvement in meeting these expectations and fosters the City Administrator's professional development. When used for professional development, the review offers a number of benefits, including increased self-awareness, identification of potential problem areas and gaps in perception of professional development.

The mid-year check-in is intended to provide the opportunity for more consistent and productive feedback from City Council to the Northfield City Administrator throughout the year and continue to strengthen the process for Annual Performance Review. A mid-year personal and professional development check-in is intended for the City Administrator to report progress on established goals during the previous Annual Performance Review. In contrast, the Annual Performance Review is intended to be a full year assessment of progress on strategic initiatives, opportunities for growth and development, and includes deeper assessments and feedback from the City Administrator, City Staff, and City Council. The Annual Performance Review also contemplates a salary increase while the mid-year check-in does not.

PROCESS

The Council Employment Policy Committee will work with the Communications and Human Resources Director to recommend to the City Council the City Administrator performance review timeline, review tool(s) to be used, and a professional and independent third party as retained by the City Council to assist with the review process. Each year, the performance review process and third-party consultant will be reviewed shortly after the evaluation is completed to finalize the process for the upcoming performance review year.

The following is a summary of the intended Annual Performance Review process:

1. Approximately four weeks prior to the City Administrator's hire date anniversary, a third-party, in collaboration with the Communications and Human Resources Director submits to City Council members and the City Administrator: (1) a copy of the previous year's Performance Review Summary; (2) a summary of the City Administrator's update on goals from the current review period; and (3) a Performance Evaluation Review form via an electronic evaluation tool.
2. Approximately four weeks prior to the City Administrator's hire date anniversary, a third-party, in collaboration with the Communications and Human Resources Director will send to all direct reports a Performance Evaluation Review form via an electronic evaluation tool.
3. City Council members, all direct reports, and City Administrator individually complete the Performance Evaluation Review forms.
 - a. Note that there will be one Performance Evaluation Review form for City Council members to complete, one for direct reports, and another form for the City Administrator to complete as a self-assessment.¹ All forms will solicit competency ratings, comments, and narrative feedback in specific areas relevant to the City Administrator's job duties and goals and provide specific instructions and guidelines for feedback.¹

- b. City Council members to consider the City Administrator's job description and goals in evaluating the performance of the City Administrator.
 - c. The identity of the individual City Council members completing the forms will be provided to the City Administrator but otherwise anonymous to others, including the City Council.
 - d. Direct reports will complete a performance review survey form and meet individually with third party consultant. The feedback of the direct reporting staff will be in aggregate form. If there is a need for addressing individual responses from direct reports by way of identifying such individual responses, the third party will determine, in their discretion, how to appropriately communicate such feedback to the City Administrator.
4. A third-party in collaboration with the Communications and Human Resources Director, drafts aggregate evaluation responses into one comprehensive report and an executive summary from all individual responses received and submits such to City Council, City Administrator, and appropriate administrative staff prior to the special meeting. The City Administrator will also be submitted individual evaluation responses concurrent with their aggregated results.
 5. City Administrator meets with a third-party to review City Administrator's review form (i.e., self-assessment) and goals for the current review period.
 6. On the date of the special meeting, the City Council will discuss with the City Administrator the aggregate review responses, their responses, their individual responses if they wish, City Administrator's comments, and/or any other comments City Council members have.

- a. The meeting will be closed and electronically recorded, unless the City Administrator requests that it be open under Minn. Stat. sec. 13d.05, subd. 3(a).

- b. The meeting can proceed as follows:
 - i. Communications & Human Resources Director presents compensation information as provided in the special meeting agenda packet, which includes compensation increase options and answers questions from City Council.

 - ii. The third-party consultant and City Council discuss performance evaluation provided in executive summary, review recommended goals, and third-party consultant answer questions from City council without City Administrator in attendance, or at minimum, not participating.

 - iii. The Mayor, or in their absence the meeting chairperson, solicits feedback on the summary of conclusions provided by the third-party consultant in the executive summary. The Mayor, or in their absence the meeting chairperson, asks each member to state their concurrence or not with such conclusions. If there are changes to the summary of conclusions, the third-party consultant modifies the summary as directed by the City Council.

 - iv. Communications & Human Resources Director leaves the meeting. City Administrator is invited into the meeting to discuss the performance review with the City Council.

 - v. With City Administrator in attendance, the Mayor or in their absence, the meeting chairperson, simply reference or summarize the executive summary and then allow each City Council member to state anything they wish about their evaluation of City Administrator.

- vi. City Administrator comment as they wish on statements on the review responses and statements from City Council Members.

- c. Evaluation of the City Administrator generally includes the intertwined issue of ratings and comments on specific area of the City Administrator’s job, goals, application of the employment agreement, and salary change.
 - i. Though the City Council can reference and discuss a potential salary change or adjustment as part of the performance evaluation (e.g., City Council is discussing the adequacy of performance in order to receive a salary increase), it should not negotiate such a change or otherwise make any decision on such a change outside an open meeting based on Minnesota Department of Administration, Data Practices Office, Advisory Opinion 15-002 stating:

The Open Meeting Law does not contain a provision allowing public bodies to close meetings for general personnel reasons; meetings can only be closed in the specific circumstances described in section 13D.05 or by other statutes. As discussed in Issue 1, a performance evaluation may naturally include references to “compensation and prospective extension of [an] employment agreement.” However, once a public body has determined that the employee will remain employed with a possible change in pay based on their performance, and the discussion logically turns to the specifics about the employment agreement, the City Council is no longer evaluating the performance of an individual per section 13D.05, subdivision 3(a). In these circumstances, contract negotiations must be done in an open meeting.

- 7. At the next open meeting following the closed session, the City Council:

a. Summarizes its conclusions regarding the evaluation under Minn. Stat. sec. 13D.05, subd. 3(a) and take action on any salary change.

- i. The Mayor, or in their absence, the meeting chairperson reads a statement summarizing the conclusions from the meeting.
- ii. The Minnesota Department of Administration Data Practices Office opined in Advisory Opinion 02-021 as follows related to the summary:

Clearly, the language of the Open Meeting Law indicates that the City Council ought to summarize each salient point of the evaluation so that the public is given the opportunity to get the best possible sense of the performance - good, bad, or indifferent - of the public employee.

b. Take a motion and vote for any salary increase. The Communications and Human Resources Director will prepare resolutions for consideration of compensation of the City Administrator in the open meeting. The following options *may* be included in the resolutions for consideration:

- i. No change (0%) to salary if performance did not meet expectations. In this circumstance, similar to other employees, the City Administrator would continue to receive Council approved cost of living adjustments to the City's Base Pay Schedule at the current pay grade.
- ii. One step increase upon anniversary date if performance meets or exceeds expectations.
- iii. Other option - more than one step increase (such as a two-step increase or more) upon anniversary date if performance meets or exceeds expectations. If the City Council action directs another salary change concept, the Communications and Human Resources Director will add the appropriate language in

the resolution(s) as directed by Council with the salary change that was proposed.

The City Council will also conduct a mid-year check-in with the City Administrator prior to the Annual Performance Review to be performed 6 months before the City Administrator's hire anniversary date, as follows:

1. City Council holds a closed meeting pursuant to Minn. Stat. sec. 13D.05, subd. 3(a).
 - a. The meeting will be closed and electronically recorded, unless the City Administrator requests that it be open under Minn. Stat. sec. 13D.05, subd. 3(a).
 - b. City Administrator to inform the City Council about progress on current personal and professional growth and goals from the current review period. The City Council may then have an open dialogue with the City Administrator, providing feedback, but without conducting any formal evaluation.

2. At the next open meeting following the closed session, the City Council:
 - a. Summarizes its conclusions regarding the mid-year check-in under Minn. Stat. sec. 13D.05, subd. 3(a) on whether the City Administrator fulfilled the expectation to present on goals per 1.b. above of this City Administrator Performance Review Policy.
 - b. The City Council will not take any motion and vote on a salary increase.