

RESOLUTION NO. 2019-23

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING CONTRACTUAL EVALUATION OF THE VILLAGE MANAGER; PROVIDING FOR A PROCEDURE FOR ANNUAL EVALUATIONS OF THE VILLAGE MANAGER BY THE VILLAGE COUNCIL PURSUANT TO THE EMPLOYMENT CONTRACT; AND PROVIDING AN EFFECTIVE DATE.

(Sponsored by Mayor Karyn Cunningham)

WHEREAS, the employment contracts for each Village Manager employed by the Village since the incorporation have always provided that the Council may establish an annual evaluation procedure; and,

WHEREAS, the employment contract for the Manager provides that the Manager is deemed to have performed satisfactorily in the absence of any annual evaluation by the Council, and therefore receives the salary increase provided to Village employees; and,

WHEREAS, the Council has not established or utilized a formal annual evaluation procedure for the Manager; and,

WHEREAS, the contract for the Manager provides that evaluation by the Council, should the Council desire to conduct such evaluation, is to take place between the period which is from thirty-five (35) days prior to the contract anniversary date to thirty-five (35) days following the contract anniversary date; and,

WHEREAS, the anniversary date for the Manager’s contract is June 26th of each year, with an expiration date of June 26, 2020; and,

WHEREAS, the Council desires to establish, in cooperation with the Manager, an annual evaluation procedure for the Manager.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE OF PALMETTO BAY, FLORIDA, THAT:

Section 1. The Village Council hereby establishes the following annual evaluation procedure for the Village Manager:

1 **Evaluation Form.** The Human Resources Department and the
2 Manager shall develop a recommended annual evaluation form for the
3 Manager (“Annual Manager Evaluation Form”), which shall be submitted
4 to the Council for adoption or amendment no later than the first regular
5 Council meeting in April 2019.

6
7 **Completion of Evaluation Form by Council Members.** Council
8 Members shall be provided a copy of the Annual Manager Evaluation
9 Form on or about May 15th of each and every year. Council Members
10 shall return the completed forms to the Village Attorney no later than May
11 22nd.

12
13 **Evaluation on Council Agenda.** The Village Clerk shall
14 automatically place the item, “Annual Manager Evaluation”, on the
15 agenda for each and every first Council meeting in June.

16
17 **Review of Council-Completed Forms and Discussion.** Upon
18 receipt of all five Annual Manager Evaluation Forms (one from each
19 Council Member), the Village Attorney shall provide such forms to the
20 Village Clerk for inclusion with the agenda item listed on the Council
21 meeting agenda for the immediately subsequent June Council meeting.
22 The Council shall consider the issue of the evaluation of the Manager as
23 the Council sees fit, by adopting such evaluation finding and such pay
24 increase as it chooses, or by taking no action so as to cause the
25 contractual finding of satisfactory performance and associated pay
26 increase to prevail.

27
28 **Completion of Evaluation.** Evaluation by the Council may be
29 continued or deferred to any date preceding thirty-five (35) days following
30 the Managers contract evaluation date, but under all circumstances must
31 be completed by the end of the evaluation period stipulated in the
32 employment contract.

33
34 **Section 2.** This Resolution shall take effect immediately upon its
35 adoption.

36
37 **PASSED and ADOPTED** this 4th day of February 2019.

1 Attest:

2

3 DocuSigned by:

4 *Missy Arocha*

5 Missy Arocha
6 Village Clerk

DocuSigned by:

Karyn Cunningham

Karyn Cunningham
Mayor

7

8 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
9 AND RELIANCE OF THE VILLAGE OF PALMETTO BAY, FLORIDA
10 ONLY:

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13

14 DocuSigned by:

15 *Dexter W. Lehtinen*

16 Dexter W. Lehtinen
17 Village Attorney

18

19

20 **FINAL VOTE AT ADOPTION:**

21

22 Council Member Patrick Fiore YES

23

24 Council Member David Singer YES

25

26 Council Member Marsha Matson YES

27

28 Vice-Mayor John DuBois YES

29

30 Mayor Karyn Cunningham YES