ITEM 14A

REQUEST FOR PREPARATION OF POLICY, LEGISLATION OR ACTION

To:	Village Manager and Village Attorney	Date:	May 24, 2013
From:	Councilman Patrick Fiore	Re:	Inclusion under "Other Business" Council Meeting of 6/3/2013

PURPOSE:

Consider enforcement of the Village Charter.

MAJOR POINTS TO BE COVERED:

If someone is accused of a Charter violation, there is no recourse or ability to enforce many of the provisions of the Charter.

REASON:

The Village Charter is the Constitution of the Village of Palmetto Bay and there should be some type of mechanism to enforce the provisions of same.

DESIRED ACTION:

Direct the Village Attorney to investigate and consider what would be an appropriate enforcement mechanism to correct violations of the Village Charter.

REQUEST FOR PREPARATION OF POLICY, LEGISLATION OR ACTION

To:	Village Manager and Village Attorney	Date:	May 24, 2013
From:	Councilman Patrick Fiore	Re:	Inclusion under "Other Business" Council Meeting of 6/3/2013

PURPOSE:

To consider a review and possibly modify the variance process in order to better serve the residents and business owners.

MAJOR POINTS TO BE COVERED:

1. A comprehensive review of the variance process, and related codes, should be performed in order to simplify and clarify the process, particularly with respect to hardship variances.

2. Conduct a feasibility study to assess the prospect of a cost adjustment due to economic impact for applicants who apply for simple variances, such as setbacks, carports, and home expansions.

3. Draft an Affidavit that would be included as part of the Zoning Application wherein a resident would verify that they were not provided any guarantee from any staff person as to the outcome of the zoning application. Additionally, a statement should be included wherein the applicant verifies that they understand they are entitled to and may be represented by a land use attorney. As has occurred in the past, staff can recommend approval of an application, and the matter still be denied. Staff must be direct with the public in advising them that there is no way to predict the outcome of a quasi-judicial hearing.

REASON:

By definition, a variance is an exception to a zoning restriction and allows use of the land outside the requirements of the zoning for that area. The Council is unable to use its discretion to grant variances due to the strict language of our current Code. If a resident or business owner can present valid reasons for the variance and can also show that the variance will not lessen property values or interfere with use of current residents' or adjacent business owners' properties, then the Council should be able to grant a variance.

Many residents and business owners may need relief from the fees required in order to request a variance, which basically is a gamble. You are not guaranteed that the Council will believe that your reason for variance is valid; and, you may be paying thousands of dollars to hear a denial.

Residents and business owners need to know in a clear and direct manner that no one is guaranteed approval of a variance. In order to protect staff from allegations that an applicant was assured approval, an affidavit to be included in the zoning application is appropriate.

DESIRED ACTION:

Direct the Village Manager, Director of Planning & Zoning, and Village Attorney to:

1. Begin a comprehensive review of the variance process, and related codes, should be performed in order to simplify and clarify the process, particularly with respect to hardship variances. The findings of the review should be completed no later than the end of August in order for the Council to consider modifying the governing Ordinances, if necessary.

2. Conduct a feasibility study to assess the prospect of a cost adjustment due to economic impact for applicants who apply for simple variances, such as setbacks, carports, and home expansion. Again, the results of the study should be provided to the Council no later than the end of August.

3. Draft an Affidavit that would be included as part of the Zoning Application wherein a resident would verify that they were not provided any guarantee from any staff person as to the outcome of the zoning application. Additionally, applicants should be advised in writing that they may wish to consider the hiring of a land use attorney. This Affidavit and statement should be completed and incorporated into the zoning application documents immediately.

For use by staff: Date received _____

To be considered at _____ Council Meeting

ITEM 14C

REQUEST FOR PREPARATION OF POLICY, LEGISLATION OR ACTION

To:	Village Manager and Village Attorney	Date:	May 24, 2013
From:	Vice Mayor John DuBois	Re:	Inclusion under "Other Business" Council Meeting of 6/3/2013

PURPOSE:

To establish a process by which the Charter Officers are annually evaluated.

MAJOR POINTS TO BE COVERED:

As there was discussion in the Summer of last year concerning the appropriate evaluation process for the Village Manager and Village Clerk, which process was not concluded, it is appropriate to have a definitive process wherein all Charter employees are evaluated in writing by the Council.

REASON:

The employment agreements of the Village Manager and Village Clerk each contain a provision wherein an annual evaluation is performed, using criteria developed jointly by the Council and the employees. This is common practice in governmental agencies and most businesses; and, should be performed annually in Palmetto Bay. As the process began in July of 2012, I believe that July is an appropriate month in which to perform evaluations, which is also in conjunction with the budget process, as an evaluation may be used by Council, in its discretion, to provide for any appropriate salary adjustment.

While the Village Attorney is a contractual employee, those services should also be evaluated formally, in writing, on an annual basis.

DESIRED ACTION:

The Council should consider the attached forms, review same with the Charter Officers, and return at the June Committee of the Whole Workshop (June 19) with an evaluation form to be used by the Council in order to formally evaluate the Charter Officers in the month of July. In the event that the forms are not returned by the June 19th meeting, a form will be selected by the Manager for use by the Council.

Palmetto Bay

Performance Evaluation of the Village Clerk

Process

The Council shall conduct an annual review and evaluation of the Clerk's work performance. The results of the evaluation shall commend areas of good performance and point out areas for improvement. The evaluation may also serve as a means of establishing goals for the coming year. It may also be the basis for compensation decisions.

1. Evaluation forms are distributed to all Council members.
2. The Clerk prepares a memorandum to the Council including her self-evaluation.
3. Each Council member completes the form, signs and dates and then returns to the Mayor.
4. The Mayor tabulates the results of the evaluation forms. The Mayor will summarize the results of the evaluations as submitted.
5. A composite evaluation form and the Clerk's self-evaluation are distributed to the Council prior to the meeting where the evaluation will be discussed.

Rating Scale (1-5)

Unsatisfactory Work (1) The Clerk's performance is inadequate and inferior to the acceptable standards of performance required for the job. Performance at this level cannot be allowed to continue.

Improvement Needed (2) The Clerk's work performance does not consistently meet the standards of the position. Serious effort is needed to improve.

Meets Job Standard (3) The Clerk's work performance consistently meets the standards of the position

Exceeds Job Standard (4) The Clerk's performance is frequently or consistently above the level of satisfactory but has not achieved an overall level of outstanding.

Outstanding (5) The Clerk's work performance is consistently excellent when compared to the standards of the job.

Council Support

1.	Preparing/distributing meeting agenda packet, facilitating room arrangement	1 2 3 4 5
2.	Advising Council within area of expertise to facilitate Council decisions	1 2 3 4 5
3.	Provides support to the council as a whole as well as individually with impartiality	1 2 3 4 5

Comments:

_____

_____

_____

Village Manager/Attorney

1. Works effectively with the Manager and Village Attorney in their roles as Charter Officers 1 2 3 4 5
2. Provides a positive link between the Manager and the Council in their role as policy makers 1 2 3 4 5

Comments:

_____

_____

_____

Elections

1. Is an effective municipal Election Officer and works well with the County in carrying out our coordinated elections 1 2 3 4 5
2. Has a working understanding of elections law, and is able to apply it appropriately 1 2 3 4 5
3. Communicates well with candidates, including information sharing, answering questions and financial reporting requirements 1 2 3 4 5

Comments:

_____

_____

_____

Records Management

1. Facilitates open access to public records. 1 2 3 4 5
2. Maintains records in accordance with approved retention schedule 1 2 3 4 5
3. Understands and implements applicable laws on this subject 1 2 3 4 5

Comments:

_____

_____

_____

Communication

1. Oral communication is clear, concise and articulate 1 2 3 4 5
2. Written communications are clear, concise and accurate 1 2 3 4 5
3. Effectively manages subordinates and works well with peers 1 2 3 4 5

Comments:

_____

_____

_____

Personal Traits

1.	Initiative	1 2 3 4 5
2.	Judgment	1 2 3 4 5
3.	Fairness and impartiality	1 2 3 4 5
4.	Creativity	1 2 3 4 5
5.	Problem solving	1 2 3 4 5
6.	Team Player	1 2 3 4 5

Comments:

_____

_____

_____

Summary Rating

Overall Performance Rating

Unsatisfactory _____

Improvement Needed _____

Meets Job Standards _____

Exceeds Job standards _____

Outstanding _____

Comments:

_____

_____

_____

Clerk's Comments regarding needs for the Department's Improvement

_____

_____

_____

Village Manager Performance Evaluation

Village of Palmetto Bay

Evaluation period: _____ to _____

Palmetto Bay Council

Each member of the governing body should complete this evaluation form, sign it in the space below, and return it to _____. The deadline for submitting this performance evaluation is _____. Evaluations will be summarized and included on the agenda for discussion at the work session on _____.

INSTRUCTIONS

This evaluation form contains ten categories of evaluation criteria. Each category contains a statement to describe a behavior standard in that category. For each statement, use the following scale to indicate your rating of the Village manager's performance.

5 = Excellent (almost always exceeds the performance standard)

4 = Above average (generally exceeds the performance standard)

3 = Average (generally meets the performance standard)

2 = Below average (usually does not meet the performance standard)

1 = Poor (rarely meets the performance standard)

Any item left blank will be interpreted as a score of "3 = Average"

This evaluation form also contains a provision for entering narrative comments, including an opportunity to enter responses to specific questions and an opportunity to list any comments you believe appropriate and pertinent to the rating period.

PERFORMANCE CATEGORY SCORING

1. INDIVIDUAL CHARACTERISTICS

_____ Diligent and thorough in the discharge of duties, "self-starter"

_____ Exercises good judgment

_____ Displays enthusiasm, cooperation, and will to adapt

_____ Mental and physical stamina appropriate for the position

_____ Exhibits composure, appearance and attitude appropriate for executive position

_____ Shows sensitivity to the concerns of others

_____ Open to new ideas and suggestions for change

Add the values from above and enter the subtotal _____ ÷ **5** = _____ score for this category

2. PROFESSIONAL SKILLS AND STATUS

_____ Maintains knowledge of current developments affecting the practice of local government management

_____ Demonstrates a capacity for innovation and creativity

_____ Anticipates and analyzes problems to develop effective approaches for solving them

_____ Willing to try new ideas proposed by governing body members and/or staff

_____ Sets a professional example by handling affairs of the public office in a fair and impartial manner

_____ Exhibits leadership skills that command respect from residents and Council while inspiring quality performance from staff

Add the values from above and enter the subtotal _____ **÷ 5 =** _____ score for this category

3. RELATIONS WITH ELECTED MEMBERS OF THE GOVERNING BODY

_____ Carries out directives of the body as a whole as opposed to those of any one member or minority group

_____ Sets meeting agendas that reflect the guidance of the governing body and avoids unnecessary involvement in administrative actions

_____ Disseminates complete and accurate information equally to all members in a timely manner

_____ Assists by facilitating decision making without usurping authority

_____ Responds well to requests, advice, and constructive criticism

_____ Anticipates and follows up promptly on requests for information or action without being reminded

_____ Anticipates, plans, and prioritizes future needs and programs recognizing the potential problems confronting the Village

_____ Advises the Council of relevant legislation and developments in the area of public policy affecting Palmetto Bay

Add the values from above and enter the subtotal _____ **÷ 5 =** _____ score for this category

4. POLICY EXECUTION

_____ Implements governing body actions in accordance with the intent of council

_____ Supports the actions of the governing body after a decision has been reached, both inside and outside the organization

_____ Understands, supports, and enforces local government's laws, policies, and ordinances

_____ Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness

_____ Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical

Add the values from above and enter the subtotal _____ **÷ 5 =** _____ score for this category

5. REPORTING

_____ Provides regular information and reports to the Council concerning matters of importance to the Village and residents

_____ Responds in a timely manner to requests from the Council for special reports

_____ Takes the initiative to provide information, advice, and recommendations to the Council on matters that are non-routine and not administrative in nature

_____ Reports produced by the manager are accurate, comprehensive, concise and written to their intended audience

_____ Produces and handles reports in a way to convey the message of transparency that affairs of the Village are available and open to the public

Add the values from above and enter the subtotal _____ **÷ 5 =** _____ score for this category

6. CITIZEN RELATIONS

_____ Handles disputes or complaints involving residents in an effective, equitable and timely manner with attention to detail to avoid errors or omissions

_____ Demonstrates a dedication to service to the community by making himself/herself available and approachable in an appropriate manner to deal with public concerns

_____ Maintains an open and honest approach in dealing with media to facilitate accurate information transmission and support transparency

_____ Willingly meets with and listens to members of the community to discuss their concerns and strives to understand their interests

_____ Gives an appropriate effort to maintain resident satisfaction with Village services

Add the values from above and enter the subtotal _____ **÷ 5 =** _____ score for this category

7. STAFFING

_____ Recruits and retains competent personnel for staff positions

_____ Applies an appropriate level of supervision to improve any areas of substandard performance

_____ Stays accurately informed and appropriately concerned about employee relations

_____ Professionally manages the compensation and benefits plan

_____ Communicates organizational values, directions, and expectations.

_____ Creates an environment for organizational and employee learning.

_____ Motivates personnel through leadership and training so that they are increasingly effective in the performance of their duties, in achieving common goals and objectives, and in nurturing an attitude of courtesy, helpfulness, and sensitivity to the public

_____ Promotes and supports the "public service role" for all Village employees emphasizing exemplary performance

_____ Creates an environment that fosters and requires legal and ethical behavior

Add the values from above and enter the subtotal _____ **÷ 5 =** _____ score for this category

8. SUPERVISION

_____ Encourages heads of departments to make decisions within their jurisdictions with minimal village manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff

_____ Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level

_____ Develops and maintains a friendly and informal relationship with the staff and work force in general, yet maintains the professional dignity of the Village manager's office

_____ Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback

_____ Encourages teamwork, innovation, and effective problem-solving among the staff members

Add the values from above and enter the subtotal _____ **÷ 5 =** _____ score for this category

9. FISCAL MANAGEMENT

_____ Prepares a balanced budget and provides services at a level directed by council

_____ Makes the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively

_____ Prepares a budget and budgetary recommendations in an intelligent and accessible format

_____ Ensures actions and decisions reflect an appropriate level of responsibility for financial planning and accountability

_____ Appropriately monitors and manages fiscal activities of the organization and responds appropriately and Timely to the affects of external influences

_____ Provides the Council with timely and sufficient reports on the financial status of the Village government

Add the values from above and enter the subtotal _____ **÷ 5 =** _____ score for this category

10. COMMUNITY

_____ Shares responsibility for addressing the difficult issues facing the Village

_____ Avoids unnecessary controversy through planning and consideration of community desires

_____ Cooperates with neighboring communities, and the county and keeps open channel of communications

_____ Helps the council address future needs and develop adequate plans to address long term trends

_____ Cooperates with other regional, state and federal government agencies

_____ Anticipates public concerns with current and future services, programs and operations and prepares for these concerns in a proactive manner

Add the values from above and enter the subtotal _____ **÷ 5 =** _____ score for this category

NARRATIVE EVALUATION

What would you identify as the manager's strength(s), expressed in terms of the principle results achieved during the rating period? _____

What performance area(s) would you identify as most critical targets for this year? _____ What constructive suggestions or assistance can you offer the manager to enhance performance?

_____

What other comments do you have for the manager; e.g., priorities, expectations, goals or objectives for the new rating period? _____

City Manager Performance Evaluation

City of _____

Evaluation period: _____ to _____

_____
Governing Body Member's Name

Each member of the governing body should complete this evaluation form, sign it in the space below, and return it to _____. The deadline for submitting this performance evaluation is _____. Evaluations will be summarized and included on the agenda for discussion at the work session on _____.

_____
Mayor's Signature

_____
Date

_____
Governing Body Member's Signature

_____
Date Submitted

INSTRUCTIONS

This evaluation form contains ten categories of evaluation criteria. Each category contains a statement to describe a behavior standard in that category. For each statement, use the following scale to indicate your rating of the city manager's performance.

5 = Excellent (almost always exceeds the performance standard)
4 = Above average (generally exceeds the performance standard)
3 = Average (generally meets the performance standard)
2 = Below average (usually does not meet the performance standard)
1 = Poor (rarely meets the performance standard)

Any item left blank will be interpreted as a score of "3 = Average"

This evaluation form also contains a provision for entering narrative comments, including an opportunity to enter responses to specific questions and an opportunity to list any comments you believe appropriate and pertinent to the rating period. Please write legibly.

Leave all pages of this evaluation form attached. Initial each page. Sign and date the cover page. On the date space of the cover page, enter the date the evaluation form was submitted. All evaluations presented prior to the deadline identified on the cover page will be summarized into a performance evaluation to be presented by the governing body to the city manager as part of the agenda for the meeting indicated on the cover page.

PERFORMANCE CATEGORY SCORING

1. INDIVIDUAL CHARACTERISTICS

_____ Diligent and thorough in the discharge of duties, "self-starter"

_____ Exercises good judgment

_____ Displays enthusiasm, cooperation, and will to adapt

_____ Mental and physical stamina appropriate for the position

_____ Exhibits composure, appearance and attitude appropriate for executive position

Add the values from above and enter the subtotal _____ **÷ 5 =** _____ score for this category

2. PROFESSIONAL SKILLS AND STATUS

_____ Maintains knowledge of current developments affecting the practice of local government management

_____ Demonstrates a capacity for innovation and creativity

_____ Anticipates and analyzes problems to develop effective approaches for solving them

_____ Willing to try new ideas proposed by governing body members and/or staff

_____ Sets a professional example by handling affairs of the public office in a fair and impartial manner

Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category

3. RELATIONS WITH ELECTED MEMBERS OF THE GOVERNING BODY

_____ Carries out directives of the body as a whole as opposed to those of any one member or minority group

_____ Sets meeting agendas that reflect the guidance of the governing body and avoids unnecessary involvement in administrative actions

_____ Disseminates complete and accurate information equally to all members in a timely manner

_____ Assists by facilitating decision making without usurping authority

_____ Responds well to requests, advice, and constructive criticism

Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category

4. POLICY EXECUTION

_____ Implements governing body actions in accordance with the intent of council

_____ Supports the actions of the governing body after a decision has been reached, both inside and outside the organization

_____ Understands, supports, and enforces local government's laws, policies, and ordinances

_____ Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness

_____ Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical

Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category

5. REPORTING

_____ Provides regular information and reports to the governing body concerning matters of importance to the local government, using the city charter as guide

_____ Responds in a timely manner to requests from the governing body for special reports

_____ Takes the initiative to provide information, advice, and recommendations to the governing body on matters that are non-routine and not administrative in nature

_____ Reports produced by the manager are accurate, comprehensive, concise and written to their intended audience

_____ Produces and handles reports in a way to convey the message that affairs of the organization are open to public scrutiny

Add the values from above and enter the subtotal _____ **÷ 5 =** _____ score for this category

6. CITIZEN RELATIONS

_____ Responsive to requests from citizens

_____ Demonstrates a dedication to service to the community and its citizens

_____ Maintains a nonpartisan approach in dealing with the news media

_____ Meets with and listens to members of the community to discuss their concerns and strives to understand their interests

_____ Gives an appropriate effort to maintain citizen satisfaction with city services

Add the values from above and enter the subtotal _____ **÷ 5 =** _____ score for this category

7. STAFFING

_____ Recruits and retains competent personnel for staff positions

_____ Applies an appropriate level of supervision to improve any areas of substandard performance

_____ Stays accurately informed and appropriately concerned about employee relations

_____ Professionally manages the compensation and benefits plan

_____ Promotes training and development opportunities for employees at all levels of the organization

Add the values from above and enter the subtotal _____ **÷ 5 =** _____ score for this category

8. SUPERVISION

_____ Encourages heads of departments to make decisions within their jurisdictions with minimal city manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff

_____ Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level

_____ Develops and maintains a friendly and informal relationship with the staff and work force in general, yet maintains the professional dignity of the city manager's office

_____ Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback

_____ Encourages teamwork, innovation, and effective problem-solving among the staff members

Add the values from above and enter the subtotal _____ **÷ 5 =** _____ score for this category

9. FISCAL MANAGEMENT

_____ Prepares a balanced budget to provide services at a level directed by council

_____ Makes the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively

_____ Prepares a budget and budgetary recommendations in an intelligent and accessible format

_____ Ensures actions and decisions reflect an appropriate level of responsibility for financial planning and accountability

_____ Appropriately monitors and manages fiscal activities of the organization

Add the values from above and enter the subtotal _____ **÷ 5 =** _____ score for this category

10. COMMUNITY

_____ Shares responsibility for addressing the difficult issues facing the city

_____ Avoids unnecessary controversy

_____ Cooperates with neighboring communities and the county

_____ Helps the council address future needs and develop adequate plans to address long term trends

_____ Cooperates with other regional, state and federal government agencies

Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category

NARRATIVE EVALUATION

What would you identify as the manager's strength(s), expressed in terms of the principle results achieved during the rating period? _____

_____

_____

_____

_____

_____

_____

_____

What performance area(s) would you identify as most critical for improvement? _____

_____

_____

_____

_____

_____

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_____

What constructive suggestions or assistance can you offer the manager to enhance performance? _____

What other comments do you have for the manager; e.g., priorities, expectations, goals or objectives for the new rating period? _____

Town of Cutler Bay
Town Clerk Performance Evaluation Form

This form provides twelve (12) rating categories for evaluating the town clerk's performance for the review period with an associated rating scale to be tabulated utilizing a straight-line weighting approach.

Town Clerk _____ Mayor/Council _____

Evaluation Period _____ Date _____

EVALUATION SCALE

3	Exceeds Expectations	Performance which exceeds the level normally expected.
2	Meets Expectations	Generally meets expectations on performance criteria.
1	Below Expectations	Performance falling short of that normally expected.
0	N/O	No Opinion

Rating Categories

	I. TOWN COUNCIL SUPPORT	**Rating**
A.	Town clerk understands the intentions and needs of the town council.	
B.	Town clerk treats the mayor and each councilmember in a fair and impartial manner.	
C.	Town clerk promptly handles all requests made to her by the town council.	
D.	Town clerk keeps the town council informed on a timely basis.	
E.	Town clerk provides information to members of the town council which may be of interest to them.	
F.	Town clerk follows through with established procedures following council meetings.	
G.	Town clerk coordinates appointments made by the council to all advisory boards and prepares necessary appointment(s) documentation.	

Comments: _____

_____

_____

	II. COMMUNICATIONS	Rating
A.	Town clerk works with the town council as a body and individually as a body.	
B.	Town clerk maintains effective working relationships with other charter officers.	
C.	Town clerk maintains effective working relationships with other town department directors and staff	
D.	Town clerk maintains a continuing interest in and working knowledge of town policies and programs so that inquiries can be readily answered.	

Comments: _____

_____

_____

	III. PUBLIC RECORDS	Rating
A.	Town clerk ensures open access to town public records.	
B.	Town clerk makes certain that public records requests are handled appropriately.	
C.	Town clerk understands and implements applicable laws town-wide.	
D.	Town clerk provides training to town staff when applicable.	

Comments: _____

_____

_____

	IV. RECORDS MANAGEMENT	Rating
A.	Town clerk is familiar with *Florida Statutes* in terms of records management procedures.	
B.	Town clerk provides town staff with training on records management as applicable.	
C.	Town clerk works with information services on technological processes so that the town's records management program proceeds accordingly.	
D.	Town clerk makes sure that any available technology to access and retrieve town documents is available.	

Comments: _____

_____

_____

	V. ELECTIONS	Rating
A.	The town clerk is a competent municipal elections official.	
B.	The town clerk has a working understanding of Florida Statutes, Miami-Dade County's Charter, and the town's charter as it relates to elections.	
C.	The town clerk assists appropriately from first contact with candidates until the end of the election cycle.	

Comments: _____

_____

_____

	VI. CITY COMMISSION AGENDA/MINUTES	Rating
A.	Town clerk completes the town manager's agenda posting process in accordance with town council policy (if other department staff has provided their work products on time to the office of the town clerk).	
B.	Town clerk posts notices for the town council as applicable.	
C.	Town council minutes are provided to the town council for approval within a reasonable time period.	
D.	Town clerk provides accurate minutes to the town council.	

Comments: _____

_____

_____

	VII. FISCAL MANAGEMENT	Rating
A.	Town clerk works within the parameters of her approved budget.	
B.	Town clerk is effective in conserving budgetary resources.	

Comments: _____

_____

_____

	VIII. BOARDS/COMMITTEES	Rating
A.	Boards/committees are staffed appropriately and all related business is handled in a timely manner.	
B.	Board and committee agendas are provided to the applicable boards and committees within five to ten days of an applicable meeting (if other departmental liaisons have provided their work products in time to the Office of the Town Clerk).	
C.	Board and committee minutes are provided to the applicable advisory board and committees for approval within a reasonable time period and to the Office of the Town Clerk for preservation.	

Comments: _____

_____

_____

	IX. MANAGEMENT OF EMPLOYEES	Rating
A.	Town clerk ensures that her staff exhibits excellent customer service skills.	
B.	Town clerk provides opportunities for professional training and development of skills.	
C.	Town clerk offers appreciation to staff when warranted.	

Comments: _____

_____

_____

	X. COMMUNITY RELATIONS	Rating
A.	Town clerk assists the public when applicable and listens to concerns and needs, responding in a positive manner.	
B.	Town clerk provides excellent customer service to the general public.	

Comments: _____

_____

_____

	XI. PROFESSIONAL SKILLS	Rating
A.	Town clerk exhibits professional demeanor.	
B.	Town clerk represents her department well.	
C.	Town clerk maintains a Certified Municipal Clerk Certification.	

Comments: _____

_____

_____

	XII. PERSONAL TRAITS	Rating
A.	Fair and impartial.	
B.	Detailed-oriented.	
C.	Strives for excellence.	
D.	Responsive.	
E.	Has a can-do attitude.	
F.	Dedicated.	

Comments: _____

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_____

Additional comments: _____

_____

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_____

CITY ATTORNEY PERFORMANCE REVIEW
RATING SHEET

Rate each item from 1 (low) to 5 (high) based on your opinion of the City Attorney's performance. Mark N/A if you do not have enough information to rate.

I. LEGAL CONSULTATION

_____ A. Has legal advice provided by the City Attorney proven to be accurate and technically correct?

_____ B. Does the City Attorney provide his best and honest recommendations given all existing legal issues and ramifications?

_____ C. Does the City Attorney possess and provide an efficient and effective knowledge of the City's Municipal Code and regulations?

_____ D. Does the City Attorney possess and provide an efficient and effective knowledge of other government regulations and case law regarding municipal government and issues facing the City?

_____ E. Does advice provided by the City Attorney regularly take into account and balance the overall goals and objectives of the City?

_____ F. Does the City Attorney regularly provide the scope of legal expertise necessary to meet the City's needs on issues that arise, either from himself, within his firm or other available resources?

_____ G. Does the City Attorney proactively identify potential issues when he is aware of them to avoid problems from occurring?

_____ H. Are alternatives and innovative solutions provided rather than just raising problems?

_____ I. Is the City Attorney able to maintain the City Council's and staff's confidence while informing them of the different legal risks that proposed actions might generate?

II. LEGAL REPRESENTATION

_____ A. Does the City Attorney aggressively represent the interests of the City as directed by the City Council?

_____ B. Is the City Attorney's approach effective in achieving the best possible legal outcomes for the City's interests given the issues that arise?

_____ C. Does the City Attorney represent the City in a professional and ethical manner?

_____ D. Is the City Attorney impartial and objective in his duties and responsibilities?

_____ E. Are the City Attorney's estimates of legal impacts reasonably accurate on a regular basis?

III. STAFF WORK

_____ A. Does the City Attorney prepare ordinances, resolutions, contracts and other legal work accurately and consistent with the direction and objectives communicated by the City Council, City Manager and/or department directors?

_____ B. Does the City Attorney maintain good working relationships and serve as an effective member of the management team?

_____ C. Does the City Attorney accurately identify and address all legal issues within documents and items that he reviews?

_____ D. Are staff and the City Council advised of key changes in municipal law as it pertains to the City's activities?

_____ E. Does the City Attorney display a positive attitude in carrying out his responsibilities and responding to requests?

_____ F. Has the City Attorney been successful in accomplishing objectives previously established?

IV. COST/FISCAL ACCOUNTABILITY AND CONTROL

_____ A. Are regular legal activities achieved within budgetary goals and limits?

_____ B. Has the City Attorney been effective in minimizing legal costs by limiting tasks to those regarding legal issues and utilizing City in-house staff when possible to perform administrative and other functions?

_____ C. Are standard forms developed and used where possible to minimize preparation of legal documentation?

_____ D. Are legal tasks performed with appropriate authorization according to established procedures and contract requirements?

_____ E. Do invoices accurately identify tasks and expenses in sufficient detail to provide accountability and cost control?

_____ F. Does the City Attorney display the ability and knowledge to research issues in a minimum amount of time?

_____ G. Have legal costs been effectively managed and controlled given the issues, assignments and requests made to the City Attorney?

V. RESPONSIVENESS/TIMELINESS OF ACTIONS

_____ A. Are requested legal work and assignments completed in a timely manner within established time frames?

_____ B. Is the City Attorney accessible when needed to respond to requests for legal information and assistance?

_____ C. Are legal review and requests for information completed in time to avoid delays to City projects, programs and other tasks?

_____ D. Does the City Attorney follow-up effectively to requests that are made?

_____ E. Does the City Attorney accurately interpret and clarify City Council and City Manager direction?

VI. COMMUNICATIONS

_____ A. Does the City Attorney communicate effectively with the City Council, staff and the community?

_____ B. Are answers provided in a timely and in an understandable manner?

_____ C. Are timelines for follow-up to requests clearly communicated?

_____ D. Does the City Attorney maintain confidentiality with regard to all matters discussed with the Mayor, City Council Members and/or City Manager and staff?

_____ E. Does the City Attorney effectively report to the City Council and/or City Manager communications by project attorneys of a substantive nature regarding significant or sensitive matters?

General Comments and Rating Regarding City Attorney's Performance:

Future Goals, Objectives and Areas for Improvement:

Palmetto Bay

Performance Evaluation of the Village Clerk

Process

The Council shall conduct an annual review and evaluation of the Clerk's work performance. The results of the evaluation shall commend areas of good performance and point out areas for improvement. The evaluation may also serve as a means of establishing goals for the coming year. It may also be the basis for compensation decisions.

1. Evaluation forms are distributed to all Council members.
2. The Clerk prepares a memorandum to the Council including her self-evaluation.
3. Each Council member completes the form, signs and dates and then returns to the Mayor.
4. The Mayor tabulates the results of the evaluation forms. The Mayor will summarize the results of the evaluations as submitted.
5. A composite evaluation form and the Clerk's self-evaluation are distributed to the Council prior to the meeting where the evaluation will be discussed.

Rating Scale (1-5)

Unsatisfactory Work (1) The Clerk's performance is inadequate and inferior to the acceptable standards of performance required for the job. Performance at this level cannot be allowed to continue.

Improvement Needed (2) The Clerk's work performance does not consistently meet the standards of the position. Serious effort is needed to improve.

Meets Job Standard (3) The Clerk's work performance consistently meets the standards of the position

Exceeds Job Standard (4) The Clerk's performance is frequently or consistently above the level of satisfactory but has not achieved an overall level of outstanding.

Outstanding (5) The Clerk's work performance is consistently excellent when compared to the standards of the job.

Council Support

1. Preparing/distributing meeting agenda packet, facilitating room arrangement	1 2 3 4 5
2. Advising Council within area of expertise to facilitate Council decisions	1 2 3 4 5
3. Provides support to the council as a whole as well as individually with impartiality	1 2 3 4 5

Comments:

_____

_____

_____

Village Manager/Attorney

1. Works effectively with the Manager and Village Attorney in their roles as Charter Officers 1 2 3 4 5
2. Provides a positive link between the Manager and the Council in their role as policy makers 1 2 3 4 5

Comments:

_____

_____

_____

Elections

1. Is an effective municipal Election Officer and works well with the County in carrying out our coordinated elections 1 2 3 4 5
2. Has a working understanding of elections law, and is able to apply it appropriately 1 2 3 4 5
3. Communicates well with candidates, including information sharing, answering questions and financial reporting requirements 1 2 3 4 5

Comments:

_____

_____

_____

Records Management

1. Facilitates open access to public records. 1 2 3 4 5
2. Maintains records in accordance with approved retention schedule 1 2 3 4 5
3. Understands and implements applicable laws on this subject 1 2 3 4 5

Comments:

_____

_____

_____

Communication

1. Oral communication is clear, concise and articulate 1 2 3 4 5
2. Written communications are clear, concise and accurate 1 2 3 4 5
3. Effectively manages subordinates and works well with peers 1 2 3 4 5

Comments:

_____

_____

_____

Personal Traits

1.	Initiative	1 2 3 4 5
2.	Judgment	1 2 3 4 5
3.	Fairness and impartiality	1 2 3 4 5
4.	Creativity	1 2 3 4 5
5.	Problem solving	1 2 3 4 5
6.	Team Player	1 2 3 4 5

Comments:

_____

_____

_____

Summary Rating

Overall Performance Rating

Unsatisfactory _____

Improvement Needed _____

Meets Job Standards _____

Exceeds Job standards _____

Outstanding _____

Comments:

_____

_____

_____

Clerk's Comments regarding needs for the Department's Improvement

_____

_____

_____

Village of Palmetto Bay
Performance Evaluation
Fiscal Year:_____
Village Manager

Purpose: The purpose of this annual Performance Evaluation is to increase communication between the Village Manager and the Council with regard to his performance of the duties prescribed by Article. III, Sec. 3.3 of the Charter, by State Law, and as directed by the Council. The Village Manager reports to and is accountable to the Council. The Village Manager works in conjunction with the Village Attorney and Village Clerk to fulfill the direction of the Village Council.

Process: As noted in the 2009 Employment Agreement between the Village Council and the Village Manager, Paragraph 9.1 *Annual Evaluation*:

1. Shall be conducted using specific criteria developed jointly by the Council and the Manager.
2. The evaluations shall be done individually by the Council members. The members shall provide the Manager with their comments and ultimate evaluation.
3. At the end of the evaluation, the Mayor shall provide the Manager with an update summary written statement of the findings of the Council and provide an adequate opportunity for the Manager to discuss the evaluation with the Council members.
4. Based upon the results of the evaluation, the Council may, in its sole discretion, grant an additional merit salary increase, COLA, and, or grant other benefits to the Manager.
5. The Council agrees to review the annual salary or other benefits of the Manager at the time of evaluation of performance and make adjustments in such amounts and to such extent as the Council may determine that it is desirable to do so. The Council members shall meet individually with the Manager and provide him with their individual comments and evaluation. Subsequently, the Council shall use their evaluations to determine the Village Manager's salary for the following year.

Criteria to be considered in evaluated the Village Manager:

Rating Scale Definitions:

(1) Unsatisfactory	The Manager's work performance is inadequate and definitely inferior to the standards of performance required for the job. Performance at this level cannot be allowed to continue.
(2) Improvement Needed	The Manager's work performance does not consistently meet the standards of the position. Serious effort is needed to improve performance.
(3) Meets Job Standard	The Manager's work performance consistently meets the standards of the position.
(4) Exceeds Job Standard	The Manager's work performance is frequently or consistently above the level of a satisfactory employee, but has not achieved an overall level of outstanding performance.
(5) Outstanding	The Manager's work performance is consistently excellent when compared to the standards of the job.

A. Appropriately appointing, hiring, promoting, supervising, and removing of all Village employees:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

_____

B. Directing and supervising the administration of all Departments and offices:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

C. Attending all Village Council Meetings and participating in the discussion:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

D. Ensuring that all laws, provisions of the Charter, and directives of the Council, subject to enforcement and/or administration by him or by employees subject to his direction and supervision, are faithfully executed:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

E. Preparing and submitting to the Council a proposed annual budget and capital program:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

F. Submitting to the Council and making available to the public an annual report on the finances and administrative activities of the Village as of the end of each fiscal year:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

G. Providing to the Council and making available to the public a quarterly report showing the actual expenditures for the quarter just ended versus one quarter of the proposed annual expenditures, reflecting the same cumulative information for whatever portion of the fiscal year that has elapsed:

(3) Unsatisfactory	(4) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

H. Preparing and submitting reports as the Council may require concerning the operations of Village departments, offices, boards, and agencies:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

I. Keeping the Council fully advised as to the financial condition and future needs of the Village and making recommendations to the Council as he deems to be in the best interests of the Village:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

J. Executing contracts and other documents on behalf of the Village as authorized by the Council:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

K. Serving as the Chief Procurement Officer, insuring that all procurement efforts of the Village are performed in accordance with State, County, and Village laws:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

L. Pursuing the collection of all allowable fees and taxes and maximizing financial reserves as is necessary to sustain the Village and the service levels requested by the citizenry. Periodically comparing fee structures to similarly sized municipalities to ensure fair and appropriate pricing:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

Additional comments, direction or suggestions: (Attach additional sheet, if necessary)

Overall Evaluation: _____

_____	_____	_____	_____
Village Manager	Date	Member of the Village Council	Date

The Manager is requested to sign this sheet, not to necessarily indicate approval, but to show that he has read, discussed and received a copy of this document and any attachments. This document shall be filed promptly with the Personnel Department, including any such statements or explanations that he may desire to add. Refusal of the Village Manager to sign this document will in no way invalidate the evaluation.

Village of Palmetto Bay
Performance Evaluation
Fiscal Year:_____
Village Clerk

Purpose: The purpose of this annual Performance Evaluation is to increase communication between the Village Clerk and the Council with regard to her performance of the duties prescribed by Article. III, Sec. 3.6 of the Charter, by State Law, and as directed by the Council. The Village Clerk reports and is accountable to the Village Council. The Village Clerk works in conjunction with the Village Manager and Village Attorney to fulfill the direction of the Village Council.

Process: As noted in the 2009 Employment Agreement between the Village Council and the Village Clerk, Paragraph 9.1 *Annual Evaluation*:

1. Shall be conducted using specific criteria developed jointly by the Council and the Clerk.
2. The evaluations shall be done individually by the Council members. The members shall provide the Clerk with their comments and ultimate evaluation.
3. At the end of the evaluation, the Mayor shall provide the Clerk with an update summary written statement of the findings of the Council and provide adequate opportunity for the Clerk to discuss the evaluation with the Council members.
4. Based upon the results of the evaluation, the Council may, in its sole discretion, grant an additional merit salary increase, COLA, and, or grant other benefits to the Clerk.
5. The Council agrees to review the annual salary and, or other benefits of the Clerk at the time of evaluation of performance and make adjustments in such amounts and to such extent as the Council may determine that it is desirable to do so. The Council members shall meet individually with the Clerk and provide her with their individual comments and evaluation. Subsequently, the Council shall use the evaluations to determine the Village Clerk's salary for the following year.

Criteria to be considered in evaluating the Village Clerk:

Rating Scale Definitions:

(1) Unsatisfactory	The Clerk's work performance is inadequate and definitely inferior to the standards of performance required for the job. Performance at this level cannot be allowed to continue.
(2) Improvement Needed	The Clerk's work performance does not consistently meet the standards of the position. Serious effort is needed to improve performance.
(3) Meets Job Standard	The Clerk's work performance consistently meets the standards of the position.
(4) Exceeds Job Standard	The Clerk's work performance is frequently or consistently above the level of a satisfactory employee, but has not achieved an overall level of outstanding performance.
(5) Outstanding	The Clerk's work performance is consistently excellent when compared to the standards of the job.

A. Acting as Liaison between the public and the Council:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

B. Drafting and presenting all Minutes to the Council for approval and permanent retention:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

C. Responding to all public records requests in an appropriate manner in accordance with Village policy and Chapter 119, Florida Statutes:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

D. Accurately publishing all Village publications and meeting associated mandated deadlines for public and procurement notices:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

E. Conducting agenda review meetings with Manager and Directors and preparing and publishing all Council Agendas:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

F. Providing updates to the website:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

G. Indexing all legislation of the Village for ease in review/research:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

H. Supervising all election activities of the Village and acting as liaison with Miami-Dade County, keeping current with Florida election laws, and insuring that candidates are treated fairly and that the public is well-informed:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

I. Drafting proclamations and assisting with elected official speech preparation:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

J. Preparing the Clerk's budget for each fiscal year and monitoring same:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

K. Clearly explaining aspects of the Sunshine Laws to advisory boards and addressing any concerns of the advisory boards:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

L. Acting as the executive administrative assistant to the Mayor and Council:

(1) Unsatisfactory	(2) Improvement Needed	(3) Meets Job Standard	(4) Exceeds Job Standard	(5) Outstanding

Comments:_____

Additional comments, direction or suggestions: (Attach additional sheet, if necessary)

Overall Evaluation: _____

_____	_____	_____	_____
Village Clerk	Date	Member of the Village Council	Date

The Clerk is requested to sign this sheet, not to necessarily indicate approval, but to show that she has read, discussed, and received a copy of this document and any attachments, and shall file this document promptly with the Personnel Department and add any such statements or explanations that she may desire to add. Refusal of the Village Clerk to sign this document will in no way invalidate the evaluation.