



**Date:** April 10, 2020  
**To:** Vice Mayor  
**Copy:**  
**From:** Ken Cassel, City Manager  
**Subject:** Evaluation Process

## Memorandum

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Vice-Mayor, in response to your request I reached out to the city managers within the county regarding their evaluation processes for their position as well as their city attorney. The following provides information regarding evaluations of key personnel for municipalities. To ensure evaluations are fair and equitable, to both the organization and the individual, it is critical to establish quantifiable parameters. We know evaluations are at best a difficult process and should be carefully crafted and administered.

As we all know, the City of Westlake is not your typical City since all positions are contracted. None of the entities providing services are considered employees of the City. In accordance with the City Charter, the two positions that report to the Council are the Charter Officers. The Charter Officers (City Manager and City Attorney) are contract-based services.

In order to establish a proper performance review, it is necessary to set quantifiable standards by which the individuals are being evaluated. To that end, it is recommended the evaluation process be established during this year's budget process and contain the goals and the vision of the council for the next year. The evaluation process should occur annually during the budget process as the goals and objectives for the City are established. The evaluation process will measure how the individual is meeting the goals and objectives defined by the Council during the previous year's budgeting process. As we establish the first round of evaluations and the parameters of the evaluation, it is recommended that each Council Member meet individually with each Charter Officer to discuss the Council Member's current concerns and vision for the City.

Except for Wellington, all the other municipalities that responded to my request regarding evaluations of the city attorney stated they do not as the individual attorney is part of a firm that has been contracted with for legal services. It is my understanding the municipalities evaluate the performance of the legal firms based on the contract parameters and responsiveness to the council. The same responding municipalities, responding to my request, do have evaluations and contracts with individuals as their city manager with benefits to that individual as a direct employee. Our Charter provides

for a contract with an individual or firm for the positions of City Manager and City Attorney and neither is considered an employee of the City.

The recommended process for establishing an effective and fair evaluation system is as follows:

1. Review the City Charter regarding the duties of the two positions.
2. Determine how to quantifiably measure the performance of those duties.
3. Review the contracts for the two positions to determine the scope of services contracted for and how they align with the duties listed in the charter.
4. Craft directions for the City Council and provide evaluation questions that accurately collect the appropriate quantifiable measures so that each council member could individually evaluate each position based upon the questions contained in the evaluation form.

Other recommended performance evaluation steps are as follows:

1. Each Council Member will meet with each Charter Officer one on one during their evaluation of the individual.
2. Upon completion the results of the evaluation will be placed on the next Official Agenda of the City Council.
3. Each Charter Officer will receive a copy of all the individual evaluations of the City Council for their records.

The performance evaluation process shall not be construed as, or is intended to be, a re-opening or modification to the contracts of either Charter Officer.

Based on the uniqueness of our Charter and contract relationships between the City and both Charter Officers, as well as review of the evaluations sent from the municipalities, it is recommended we utilize the Wellington evaluation templates for both positions as a basis to establish appropriate parameters by which to discuss annual performance.

I have attached a copy of the Charter, contracts for the City Manager and City Attorney, as well as Wellington's and the other respondent's performance reviews. I trust this information and the outlined process is sufficient to begin the discussion and establishment of appropriate evaluation parameters.