

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Mayor and Council

AGENDA DATE: May 26, 2020

CONTACT PERSON NAME AND PHONE NUMBER: Representative Cassandra Hernandez 212.0003

DISTRICT(S) AFFECTED:

STRATEGIC GOAL:

Goal - Set the Standard for sound governance

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what?
Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Discussion regarding the process for City Attorney and City Manager employment contract evaluations.
Discussion regarding general questions related to employment contracts for City Attorney and City Manager
Discussion regarding City Council to determine outside counsel regarding evaluation process and overall general questions related to employment contracts.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Discussion regarding the process for City Attorney and City Manager employment contract evaluations.
Discussion regarding general questions related to employment contracts for City Attorney and City Manager
Discussion regarding City Council to determine outside counsel regarding evaluation process and overall general questions related to employment contracts.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

June 2019

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)



CASSANDRA HERNANDEZ
City Council Representative - District 3

Backup Documentation

Review of Employment Contract requirements for evaluation process

V. PERFORMANCE EVALUATION FOR CITY MANAGER

5.1 Evaluation Process. The Mayor and Council shall review the Manager's job performance at least once annually. The first annual review shall take place during the month of June 2015, and subsequent annual reviews will occur during the month of June each year thereafter in order to complete the evaluation prior to the adoption of the City's annual operating budget. The Mayor shall be responsible for completing the performance evaluation recommendation and submitting it to City Council for approval. The Council shall provide the Manager a reasonable and adequate opportunity to discuss with the Council and/or respond to the Manager's evaluation.

13. PERFORMANCE EVALUATION FOR CITY ATTORNEY

A. The Mayor and City Council shall review the Employee's job performance annually during the month of June in order to complete the evaluation prior to the adoption of the City's annual operating budget. The Mayor shall be responsible for preparing a draft of the performance evaluation recommendation and submitting it to City Council for discussion, potential revision and approval. The Council shall provide the Employee a reasonable and adequate opportunity to discuss with the Council and/or respond to the Employee's evaluation. The annual performance reviews and evaluations shall be reasonably related to the Employee's written job description and shall be based on goals for the Employee's performance that are jointly developed and established by the City Council and the Employee. Within 90 days of the effective date of this agreement, the Employer will begin the process of developing the Employee's goals and objectives that will cover both the 2019 partial evaluation period and the 2020 evaluation period and finalize both with her, subject to further revision of the 2020 evaluation goals at the time of the 2019 evaluation. At the time of the evaluation, the Council will annually develop the Employee's goals and objectives for the next evaluation period and discuss and finalize them with her. The Mayor may put such goals and objectives in writing and provide them to the Employee.

- Discussion on historical evaluation process and content of evaluations.
- Discussion to set Council input for evaluation process in accordance with employment contract.
- Discussion to have adequate time to review evaluations before council meetings, to give input and revisions if necessary.
- Discussion on expectations for June 9, 2020 Council meeting regarding employment contracts.



CASSANDRA HERNANDEZ
City Council Representative - District 3

City Charter references

Section 5.1 - APPOINTMENT; QUALIFICATIONS; COMPENSATION.

The City Council by a majority vote of its total membership shall appoint a City Manager and fix the Manager's compensation. The City Manager shall be appointed solely on the basis of executive and administrative qualifications. The Manager need not be a resident of the City at the time of appointment but shall establish residence in the City within sixty days after the date of appointment.

Article III: The City Council

Appointments: 3.7 A

- A. Appointment and Removal of the City Attorney. The City Council by a majority vote of its total membership shall appoint a City Attorney and fix the City Attorney's compensation. The City Attorney shall be appointed solely on the basis of legal experience and qualifications. The City Attorney may be removed by a resolution approved by a majority vote of the total membership of the City Council. Assistant City Attorneys shall be appointed by, and will report to and work at the direction and under the supervision of the City Attorney.
- B. Boards and Commissions. Except where otherwise provided in this Charter, or by the laws of Texas, or of the United States, appointments to and removals from standing or special public boards, commissions or committees of the City shall be made by the Council. The Council is required to ensure that appointments are distributed uniformly among Representatives.

Sincerely,

A handwritten signature in blue ink that reads "Cassandra Hernandez". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Cassandra Hernandez
City Council Representative
District 3