LEGISLATIVE, FINANCE AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on September 23, 2013, at 6:05 p.m. with Chairman Lynn presiding. Members present were Mr. Hare, Mr. Slavin, Mr. Rushe, and Mr. Shevock. Members of Council present were Mr. Dixon, Mrs. Williams (arrived at 6:14 p.m.), Mr. Hutchison, and Council President Bonar (arrived at 6:15 p.m.). Mayor Carey was also present.

AGENDA ADDITIONS/DELETIONS

Mr. Hare moved for approval of the agenda, seconded by Mr. Shevock and unanimously carried.

Central Dover Planning Grant Donation Request

Mr. Scott Koenig, City Manager, advised members that staff recently received a request from Mr. Joe L. Myer to offer financial support through a $10,000 donation for a project to be known as the Central Dover Planning Initiative. He explained that this project was part of the Wells Fargo Regional Foundation Grant, which was awarded in the amount of $90,000. The overall total project cost was estimated to be $120,000. He indicated that the purpose of the project was to engage the community to address the challenges that many neighborhoods throughout Delaware and the nation were facing – homes that were deteriorating, declining homeownership rates, persistent crime, and limited access to services. This effort would provide opportunity for various stakeholders to work together to make necessary improvements, organize associations, and take a holistic approach to neighborhood building, affordable housing, economic development, and social service delivery.

Members were reminded that, in accordance with the current budget rules, the City Manager was not authorized to transfer funds from the 10 series of the budget without City Council approval. Mr. Koenig indicated that the request was to transfer unused salary from vacant positions to the regular operating budget in order to make the donation to the project. He explained that if Council did not authorize the transfer from the 10 series as requested, staff would need to identify another area of the budget for funding, as this was an important project for the central Dover area.

Staff recommended that City Council authorize the City Manager to transfer $10,000 from the 10 series of the Planning, Code Enforcement and Inspections budget to make the requested donation to the Central Dover Planning Initiative.

Mr. Hare moved to recommend approval of staff's recommendation, seconded by Mr. Rushe and unanimously carried.

Title V Grant Application - Hot Shots (Partnership with Aid in Dover)

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reminded members that since the fall of 2007, the City of Dover had partnered with Aid in Dover to secure funds through the Criminal Justice Council to provide programming to target at-risk youth. The first three (3) year cycle funded a program called Girls Circle, which provided after school programming for at-risk girls in middle school to help improve their self-esteem and reinforce positive life choices. The second three (3) year cycle funded a program call GAMES (Growing up And Meeting Each Success), which provided after school programming for boys and girls between the ages of 12 and 18 to help reinforce positive life choices. The current grant request was for a one (1) year grant that

consisted of a basketball program for children between the ages of 12 and 17. The program would meet one (1) evening per week for three (3) hours and offer two (2) tournaments during the course of the year.

Mrs. Townshend noted that Aid in Dover had provided two (2) potential grant applications for consideration, one (1) of which would include the cost of utilizing the John W. Pitts Center as in-kind match, and the other that included paying the cost of utilizing the John W. Pitts Center out of the grant request. She summarized the two (2) scenarios for each grant proposal, as follows: 1) Scenario A, in which the City would allow the cost of the John W. Pitts Center as part of the in-kind match and the program would provide three (3), 12-week sessions, reaching a total of 50 youth; and 2) Scenario B in which the grant funds would pay for the use of the John W. Pitts Center and the program would provide three (3), 10-week sessions, reaching a total of 30 youth.

Mrs. Townshend explained that the in-kind match provided by the City of Dover under the grant proposal would be as follows:

1) Finance staff hours for grant administration – 6 hours @ $37.38 per hour = $224;
2) Parks and Recreation hours for grant administration – 30 hours @ $28.75 per hour = $862; and
3) John W. Pitts Center Gym usage (Scenario A only) – 113 hours @ $75 per hour = $8,475

She indicated that staff had concerns about allowing use of the John W. Pitts Center without charge, since there were many community groups that regularly request use of the facility free of charge and there was no clear criteria for granting a fee waiver. As such, it was felt that this could create the impression of unequal or preferential treatment of one (1) group over another.

Staff recommended approval of the grant application for "Scenario B," where grant funds would pay for the use of the John W. Pitts Center.

Mr. Hare moved to recommend approval of staff's recommendation, seconded by Mr. Rushe and unanimously carried.

Open Forum Speaker Rules - Affirmation of the Three (3) Minute Time Limit and Establishment of a Rule Against Ceding Time to Another Person

Chairman Lynn noted that it had been City Council's past practice to allow three (3) minutes for speakers during the Open Forum segment before each City Council meeting. Recently, several individuals had requested to cede time to other individuals, which could potentially allow an individual to speak for the entire 15-minute time allotment for the Open Forum, precluding other speakers. He suggested affirmation of the three (3) minute time limit and establishment of a rule against ceding time to another person.

Responding to Mr. Rushe, Mr. Lynn indicated that members would be permitted to suspend the rules to allow speakers additional time.

Mr. Slavin moved to recommend the affirmation of the three (3) minute time limit for speakers during the Open Forum segment of the Council meetings and at the committee level and the establishment of a rule against ceding time to another person at both the committee level and during Open Forum sessions. The motion was seconded by Mr. Shevock.

In response to concerns of Mrs. Williams, Mr. Lynn suggested that on those occasions when the rules were suspended to provide a speaker additional time, the Chair would gauge whether there were other individuals wishing to speak and, if so, members would craft a motion to suspend the rules in a way that would not preclude other individuals from having the opportunity to speak.

Mrs. Traci McDowell, City Clerk, reminded members that Council is not in official session during the Open Forum segment of the meeting; therefore, suspension of a time limit would be at the discretion of the Council President.

As an alternative, Mr. Shevock suggested that if a 15-minute period were allotted and there were six (6) individuals wishing to speak, an individual who wished to go beyond their three (3) minute period could be stopped after three (3) minutes. If time remained after all speakers, members could then allow that individual an additional opportunity to speak. Responding, Mr. Lynn felt that this suggestion would fall within the purview of the Council President during the Open Forum segment.

Mr. Eshed Alston, 406 Arnold Court, Dover, suggested that the time limit be increased to five (5) minutes, explaining that if several speakers were requesting additional time, this may be an indication that enough time was not initially provided to speakers. If five (5) minutes were provided, he felt that this time limit should not to be exceeded, no proxy use of time should be allowed, and if time remained at the conclusion of all speakers, an individual could then be provided additional time to speak.

The motion to recommend the affirmation of the three (3) minute time limit for speakers at the Open Forum segment of the Council Meetings and at the committee level and the establishment of a rule against ceding time to another person at both the committee level and Open Forum Sessions was unanimously carried.

Review of Proposed Staff Evaluation Form

During their Regular Meeting of October 10, 2011, City Council requested that staff research and design a new employee performance evaluation form which would better meet the needs of both the City and employees. As directed, staff conducted research and designed an Employee Performance Evaluation, which was provided to members for their review and recommendation.

Mr. Scott Koenig, City Manager, indicated that the proposed evaluation form would be utilized for all employees, with the exception of sworn police officers. An evaluation would be required for all employees and would be completed on the anniversary of the employee's hire date.

Mr. Koenig advised members that all department heads had reviewed the proposed evaluation form and felt that it was an improvement over what had been previously utilized.

Staff recommended approval of the proposed Employee Performance Evaluation Form.

Responding to Mrs. Williams, Mr. Koenig stated that the evaluation form had not been vetted through an attorney; however, to his knowledge, no evaluation form had been vetted. He stated that staff would forward the form to the City Solicitor's Office for review prior to the Committee's recommendation being considered by City Council.

In response to Mr. Perza, Mr. Koenig confirmed that no concerns were relayed by department heads regarding the use of the proposed evaluation form; however, he stated that there were concerns regarding the evaluation date requirement such as hire date, end of the budget year, beginning of the calendar year, etc. He stated that there were a few suggestions from staff and that the evaluation form was adjusted accordingly.

Council President Bonar relayed appreciation to staff for developing an evaluation form that provided unanimity among the City's evaluation procedures.

Mr. Hare moved to recommend approval of staff's recommendation stipulating a favorable review by the City Solicitor's Office, seconded by Mr. Shevock and carried with Mr. Lynn voting no. *(City Clerk's Office Note: Subsequent to the legal review, Staff revised the Employee Performance Evaluation Form to include the City Solicitor's recommendations (**Attachment #1**).*

By unanimous consent, the meeting adjourned at 6:22 p.m.

Sean M. Lynn
Chairman

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Attachment
Attachment #1 - Revised Employee Performance Evaluation Form

Employee's Name:

Title:

Supervisor:

Review Period

Instructions for the Employee Performance Evaluation
September 2013

- Annual reviews are required for all employees and shall be completed on the anniversary of the employee's hire date.
- Before conducting a performance evaluation, a supervisor must give an employee a reasonable time to demonstrate performance.
- A supervisor shall arrange to meet with the employee to discuss the employee's evaluation no later than 30 days after the anniversary of the employee's hire date.

COMPLETING THE EMPLOYEE PERFORMANCE EVALUATION

PART 1: Core Competencies
This section is to include comments on the degree and qualities of the results achieved and note any extenuating circumstances affecting the results regarding the employee's performance. It is important to evaluate and discuss the employee's overall job performance and provide specific details and examples of exceptional performance as well as any areas needing improvement. It is necessary to provide a development plan to improve performance if deficiencies are noted. List any specific activities the employee can accomplish within the next year as part of their professional development plan.

This section of the evaluation is not scored.

PART 2: Performance Competencies
Each employee shall be evaluated on all the Performance Competencies in Part II with the exception of categories that do not pertain to that specific employee. That category would be scored as New/Not Applicable, (example: Question #11 will not pertain to all employees as it is directed towards a supervisor) and not count in the employee's overall scoring.

Total the scores awarded for each performance competencies. Divide the total by the number of performance competencies graded. Place the score in the Scoring Table for Part II.

Review with the Employee

The supervisor shall meet with the employee to discuss and review the evaluation. The supervisor shall provide a copy of the completed evaluation at a minimum of two days prior to the meeting to the employee. This will allow the employee an opportunity to review the evaluation prior to the meeting. During the review, the individual's performance, strengths, and developmental needs are to be discussed.

Signatures

The employee and the supervisor are required to sign the evaluation once it has been reviewed together. ***The employee may be subject to discipline for refusing to sign the performance evaluation.*** The employee and supervisor may attach an addendum. The evaluation shall be presented to the Department Head for review and signature. The Department Head shall then forward the evaluation to the Human Resources Director.

A copy of the evaluation is to be provided to the employee. The employee shall be informed that the evaluation will be placed in the employee's personnel file maintained in the Human Resources Department. Evaluations become a permanent record in the employee's file.

Employee Performance Evaluation

Part I Core Competencies

1. Evaluate and discuss the employee's overall job performance during the review period. Provide specific examples.

2. Provide any examples of exceptional performance.

3. For any areas needing improvement, provide examples and develop a plan to improve performance.

4. State and discuss the expectations and goals for the upcoming review period. Goals are to be S.M.A.R.T. (specific, measurable, attainable, realistically high, and target dated).

5. List specific activities the employee can accomplish within the upcoming review period as part of their professional development plan.

Employee Performance Evaluation

Part II Performance Competencies

(Depending on position, some competencies may be more relevant than others)

		Distinguished Contributor	Performance Improver	Valued Contributor	Improving Contributor	Non-Contributor
Distinguished Contributor:	**Effects measurable and lasting improvements in organizational performance.**					
Performance Improver:	**Contributes more than effective performance of essential functions and enhances the performance self and others requirements.**					
Valued Contributor:	**Performs essential functions of the job Effectively.**					
Improving Contributor:	**Learning the essential functions of the job, or improving toward effective performance of all essential.**					
Non-Contributor:	**Not able or willing to perform the essential functions of the job.**					
New/Not Applicable:	**Not applicable or new would be a new employee or a specific task that does not apply to a particular person.**					
Example: Displays fairness toward all subordinates.		*NA*				
Example: Displays fairness toward all subordinates.		*5*				
1.	**Skill and proficiency in carrying out duties and assignments** *Comments:*					
2.	**Possesses skills and knowledge to perform the job competently** *Comments:*					
3.	**Skill at planning, organizing and prioritizing workload (For self and direct reports, if applicable)** *Comments:*					
4.	**Holds self accountable for assigned responsibilities, sees tasks through to completion in a timely manner** *Comments:*					
5.	**Proficiency at improving work methods and procedures as a means toward greater efficiency** *Comments:*					
6.	**Communicates effectively with supervisor, coworkers, and staff** *Comments:*					
7.	**Ability to work independently** *Comments:*					
8.	**Willingness to take on additional responsibilities** *Comments:*					
9.	**Reliability (attendance, punctuality, meeting deadlines)** *Comments:*					

Employee Performance Evaluation

		Distinguished Contributor	Performance Improver	Valued Contributor	Improving Contributor	Non-Contributor
Distinguished Contributor:	**Effects measurable and lasting improvements in organizational performance.**					
Performance Improver:	**Contributes more than effective performance of essential functions and enhances the performance self and others requirements.**					
Valued Contributor:	**Performs all essential functions of the job Effectively.**					
Improving Contributor:	**Learning the essential functions of the job, or improving toward effective performance of all essential.**					
Non-Contributor:	**Not able or willing to perform the essential functions of the job.**					
New/Not Applicable:	**Not applicable or new would be a new employee or a specific task that does not apply to a particular person.**					
10.	**Proficiency at analyzing facts, problem solving, decision-making, and demonstrating good judgment** *Comments:*					
11.	**Displays fairness towards all subordinates** *Comments:*					
12.	**Assists employees with skills development or enhancement** *Comments:*					
13.	**Delegates responsibility where appropriate** *Comments:*					
14.	**Takes timely and appropriate corrective/disciplinary action with employees** *Comments:*					
15.	**Observes proper workplace and job site safety rules and ensures employees follow proper safety guidelines** *Comments:*					
16.	**Takes specific steps to create and develop the workforce and promote a team based environment** *Comments:*					
17.	**Displays a positive attitude toward career** *Comments:*					
18.	**Exercises common sense and discretion when required** *Comments:*					
19.	**Can be trusted with sensitive information** *Comments:*					
20.	**Uses critical thinking in stressful situations** *Comments:*					

Employee Performance Evaluation

Scoring Table	
Core Competencies (Part I) are not rated. Total the points earned for questions in Part II and place scores in the appropriate column and multiply by the total number of applicable items scored.	
Factors Scored	Total Score Per Section
Part I Core Competencies, Questions 1- 5	Not Scored
Part II Questions 1 - 20	
Total Score in Part II/ Number of Scored Performance Competencies	

Performance Rating Definitions		
5	Distinguished Contributor	Effects measurable and lasting improvements in organizational performance.
4	Performance Improver	Contributes more than effective performance of essential functions and enhances the performance of self and others.
3	Valued Contributor	Performs all essential functions of the job effectively.
2	Improving Contributor	Learning the essential functions of the job, or improving toward effective performance of all essential functions.
1	Non-contributor	Not able or willing to perform the essential functions of the job & unacceptable.

Employee Performance Evaluation

Signatures

The employee and the evaluator are required to sign in the space below after they have reviewed the evaluation. The employee's signature does not necessarily indicate agreement with the evaluation. Any written comments made by the employee must be attached. The Performance Evaluation will be placed in the employee's official personnel file. A copy is to be provided to the employee.

Employee: I have had this evaluation explained to me.

- ☐ I agree with this evaluation.
- ☐ I do not agree with this evaluation.
- ☐ I wish to appeal this evaluation.
- ☐ I have attached an addendum to this evaluation.

_____ _____

Signature of Employee Date

Evaluator: I have explained this evaluation to the employee and attest that the information contained herein represents my best judgment of the employee's performance.

- ☐ I have attached an addendum to this evaluation.

_____ _____

Signature of Evaluator Date

_____ _____

Signature of Department Head Date