



RESOLUTION No. 2016-3294

A RESOLUTION APPROVING THE ANNUAL EVALUATION OF THE CITY ATTORNEY, APPROVING A SALARY INCREASE FOR THE CITY ATTORNEY AND AUTHORIZING CHANGES TO THE CITY ATTORNEY'S EMPLOYMENT CONTRACT.

RECITALS:

1. In accordance with the Newberg City Charter, the City Attorney is the chief legal officer of the City of Newberg, reports directly to the Mayor and City Council, and is supervised by the governing body.
2. The City has a contract with the City Attorney and pursuant to that contract; the City Council will evaluate the City Attorney in executive session.
3. The Open Meetings Law of the State of Oregon allows the evaluation of the job performance of the chief legal officer to be conducted in executive session by the City Council and pursuant to such Standards, Evaluation Processes and Position Descriptions for Charter Position Employees, adopted by Resolution No. 2016-3265, dated April 4, 2016.
4. The Mayor, City Councilors, and the City Attorney met in executive session on May 23, 2016 to discuss the City Attorney's annual evaluation. At this time, the current Employment Contract with the City Attorney was reviewed, and elements of his compensation package were discussed.
5. The Council President has submitted the written evaluation which will be placed in the City Attorney's personnel file after being adopted by the City Council.

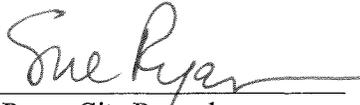
THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The written evaluation of the City Attorney is attached as Exhibit "A", which by this reference is hereby adopted.
2. The City Attorney shall be given a copy of the evaluation to sign and may make any written comments after which the written evaluation shall be placed in the City Attorney's personnel file.
3. The City Council also authorizes that the language in clauses 6. (A) Base Salary and 7. Sick Leave and Vacation (B) of the current Employment Agreement with the City Attorney be modified as follows: The City Attorney's current annual base salary shall be increased by 9.5% retroactively to October 7, 2015, based on the findings of a recent classification and compensation study; and, the City Attorney shall be allowed to cash-out up to forty (40) hours of vacation leave in a pay period during which he will exceed his maximum vacation leave accrual cap due to the operational needs of the City.

4. All other provisions of the current Employment Agreement between the City of Newberg and the City Attorney will remain unchanged.

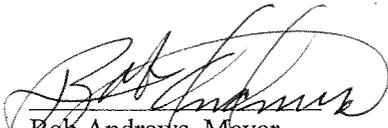
➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: June 7, 2016.

ADOPTED by the City Council of the City of Newberg, Oregon, this 6th day of June, 2016.



Sue Ryan, City Recorder

ATTESTED by Mayor this 8th day of June, 2016.



Bob Andrews, Mayor

**City Attorney (Truman Stone)
Annual Written Evaluation – 2015/2016
By Newberg City Council**

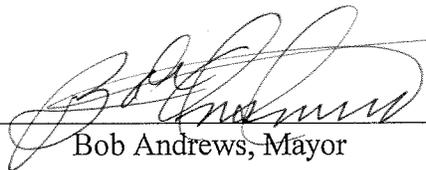
The City Council has received a written report from the City Attorney concerning his performance during his evaluation period. The respective Mayor and Councilors have met with the City Attorney in executive session on May 23, 2016, to discuss their evaluation of his performance from October 2015 to May, 2016.

The City Council has evaluated the performance of Truman Stone as the City Attorney of the City of Newberg. As part of the evaluation Council reviewed the report given them by the City Attorney indicating his self-evaluation during the evaluation period. The City Council assessed the attorney's performance in eight major categories:

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| 1. Management | 5. Community Relations |
| 2. Planning Goals | 6. Intergovernmental/Interagency Relations |
| 3. Communications | 7. Consultative Legal Services |
| 4. Fiscal Agent | 8. Legal Preparation |

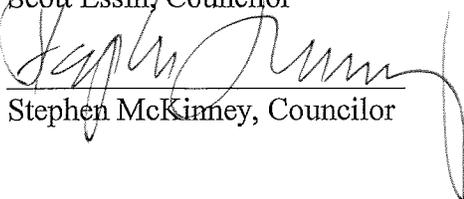
Overall the City Council found the City Attorney's performance fell between just slightly below "Fully Effective." The City Council felt the working relationship with the City Attorney is very good and will improve as time goes on. The Council expressed concern with the City Attorney's heavy workload and his inability to take time off due to operational needs of the organization. While a modification to his employment contract is being made to ensure that the City Attorney no longer faces loss of accrued vacation due to the organization's operational needs, the Council would like the City Attorney to prioritize his work in a manner that will allow him to enjoy some well-deserved time off during the next evaluation period.

DATED this 6th day of June, 2016.


Bob Andrews, Mayor

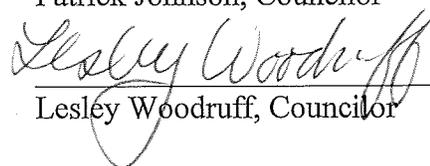

Denise Bacon, Council President


Scott Essin, Councilor


Stephen McKimney, Councilor


Mike Corey, Councilor


Patrick Johnson, Councilor


Lesley Woodruff, Councilor