

Memorandum

To: Mayor Carroll and Board of Trustees

From: Malcolm Fleming, Town Administrator *MAF*

Date: February 6, 2020

Re: Town Administrator's Annual Review



It's hard to believe it has been over a year since you appointed me to serve as Town Administrator in January 2019; time flies when you are having fun! As you know, my Employment Agreement contains provisions requiring performance evaluations on a quarterly basis during the first year of employment, and thereafter, at least twice every 12 months. We discussed my performance in executive sessions on June 4th and October 22nd. Due to crowded agendas, and presumably because the Board did not feel the need, the Board did not ask for additional executive sessions to discuss my performance. Since a year has gone by, and because I want to make sure I am continuing to serve you well, and because I want you to consider increasing my compensation, I have scheduled an executive session to discuss my performance.

To inform this discussion, I have attached the following documents:

1. Shift Positive 360 Assessment & Personal Development Plan (developed from interviews Carol Pfeiffer conducted with the Mayor and 3 Trustees, and 7 staff (4 direct reports and 3 others), all of whom responded to the invitation sent to the entire Board and Senior Staff to participate in my evaluation.
2. 2019 Work Plan Status Summary
3. Town Administrator Specific Performance Goals Status Summary
4. Compensation comparison
5. Current contract

In addition to the significant things we have accomplished that are documented in the 2019 Work Plan Status Summary, and the strengths identified in the 360 assessment and development plan, I ask that you also consider these additional team accomplishments not directly noted in the Work Plan:

1. **2019 Work Plan.** During my first week I worked with you to organize a Board retreat during which we developed the 2019 Work Plan. With staff's help we developed detailed descriptions and objectives for all 46 Work Plan issues. That plan is an effective tool to make sure Town staff and I are focused on the Board's top priorities.

2. **Erie/Lafayette/TOEURA IGA and Nine Mile Development.** In my second week the Board and URA considered a proposed IGA that was developed before I started. While the framework for that URA was good, the URA identified concerns and asked for additional information. Based on that direction, I worked with legal counsel and staff and negotiated with Lafayette staff to identify options, evaluate the pros, cons and implications of all options, and to finalize the IGA the Board adopted on June 4th, 2019. The IGA resolved a previously intractable dispute in a way that allows Erie and Lafayette to now work together as partners to foster commercial development on both sides SH 287 and to equally benefit from the tax revenue generated by new businesses there. Following approval of the IGA, the Town's development partner, Evergreen Devco Inc., secured a commitment from Lowe's to locate at the site. Construction has begun and Evergreen is targeting a Winter 2020/Spring 2021 opening.
3. **Other Economic Development.** I've worked closely with Ben to recruit new restaurants to Erie, complete the Downtown Parking and Traffic study, developed and secured Board approval of the plan to resolve issues undermining the performance of Erie Commons, and helped coordinate a successful ICSC/RECon presence, including meetings with Evergreen/Lowes, Tebo, McWhinney, Hines, and others. I have met with all major project developers in Erie.
4. **Town Center Master Plan.** I helped secure the ULI/DRCOG grant for a Technical Advisory Panel review of the Four Corners, and then building on that work, which the Town hosted in July, guided the Board's selection of DPZ CoDesign to conduct a detailed market analysis and help the Town conduct a week-long exercise involving hundreds of Town residents and five developers/property owners to create the Town Center Master Plan. The Board approved the Plan "in principle" during its last meeting of 2019, and now staff is working with DPZ to prepare the regulations to implement the Plan. The Master Plan generated strong support from those who participated in developing it, and now is generating significant interest among developers wanting to execute the Plan.
5. **Erie Commons Metro District.** The Board approved multiple actions that make the Erie Commons site much more competitive with other development sites and address longstanding barriers to properly developing and maintaining commercial property in Erie Commons. Among other things, this action will facilitate a significant reduction in the mill levy applicable to commercial development in Erie Commons, and at the same time generate tax increment financing (TIF) revenue to help support significant public infrastructure improvements in Old Town Erie.
6. **Downtown Parking and Traffic Study.** The Town completed a parking inventory, utilization and traffic study for Old Town that provides a customized strategy to ensure there is adequate parking to support business development, improve parking for significant events, and making Old Town even more pedestrian friendly and walkable.
7. **Community Outreach.** I have enjoyed getting to know and love Erie, having attended community events including FRLF Community meeting, Arbor Day Celebration, National

Night Out, Biscuit Day, several Farmer's Market days, Senior lunch, Bike to Work, and Holiday Parade of Lights. I've eaten in every restaurant in Town, some over a dozen times, I've visited most parks, enjoyed the Erie Single Track trails, and I drove most Town streets during the Thanksgiving snow event to make sure I experienced first hand the conditions affecting residents and businesses. I missed Town Fair because my daughter's college graduation was at the same time, and July 3rd because my niece's wedding was that weekend, but I look forward to enjoying those events this year.

8. **Weekly Update.** I worked with the Marketing and Communications Coordinator to initiate this communications piece to keep the Board, community and staff informed of key issues.
9. **Communications.** I present issues to the Board in an open, unbiased and helpful manner, including options and analysis of pros and cons, to enable the Board to make informed decisions. I developed the Community Engagement Policy and I help manage challenging communications issues, including the pedestrian crossing at Arapahoe/HawkrIDGE, landfill issues, seismic testing, community center rental policy, financial fraud and others in a proactive way.
10. **Intergovernmental Relations.** I have met with, established and maintain good working relationships with the following agencies/organizations:
 - a. Adjacent cities and towns
 - b. CDOT (including staff several levels)
 - c. Erie Economic Development Lead Group
 - d. Xcel Energy
 - e. United Power
 - f. St. Vrain Valley School District
 - g. Boulder Valley School District
 - h. Mountain View Fire & Rescue District
 - i. North Area Transportation Alliance
 - j. Commuting Solutions
 - k. Northern Colorado Managers/Administrators and Metro City/County/Town Managers/Administrators
 - l. Colorado City/County Management Association
 - m. Metro Denver Economic Development Corporation
 - n. Colorado Municipal League
 - o. Denver Regional Council of Governments
 - p. Regional Transportation District
 - q. Rocky Mountain Rail
 - r. Weld County (good working relationships at the staff level anyway)
 - s. Boulder County
 - t. Highway 52 Coalition
 - u. Erie Sustainability Advisory Board
 - v. Front Range Landfill
 - w. Boulder Valley Velodrome
 - x. CDPHE

- y. COGCC
- z. Garfield County staff who coordinate the annual Energy and Environment Symposium

11. **Connection with Employees.** I meet with each department (including the individual shifts of the Police Department) on a quarterly basis for an informal “site visit” and two way Q&A to develop rapport and be more aware of front line conditions.
12. **Oil and Gas.** I am well versed in basic O&G issues, including the Town UDC provisions, new SB 181 provisions, forced pooling, and other aspects. I attended the Energy and Environment Symposium last year and will do so again this year, and am becoming more skilled in navigating the COGCC website.
13. **Municipal Court Judge.** I facilitated an orderly transition from retiring Judge Hardesty, to the new presiding Judge and two associate judges.
14. **Daily Operations.** I manage operations in a way that staff feel recognized and appreciated, and as a team we handle issues (like two bomb cyclone storms) successfully.
15. **Fast and Effective Response When Opportunity Strikes.** Working with a strong team (including Water Attorney) we respond to opportunities (like the Wise Farm Open Space and the Project Z water wells) and execute innovations to secure Erie’s future.
16. **Erie Parkway Bridge.** Construction began in early January, and was completed in late fall. The 87-foot wide by 270-foot long bridge connects the east and west sides of Town and serves 12,000 vehicles a day.
17. **North Water Reclamation Facility.** In March, Public Works finalized the 20-year wastewater plant master plan and conceptual design for plant expansion. In April, the Board of Trustees adopted the North Water Reclamation Facility Master Plan which lays the road map for the facility for the next 20 years.
18. **Sustainability Master Plan Actions.** Consistent with the Town’s community survey results, the Board approved funding to pursue the Town’s first-ever Sustainability Master Plan and adopted that Plan on December 10, 2019.
19. **Town Employee Survey.** The Town engaged an independent firm to conduct a survey of all Town employees because it’s important to (1) Listen to and learn from staff throughout the organization, (2) Measure problems and progress, (3) Identify specific areas on which to focus, (4) Identify things to celebrate, and (5) Make the Town an even better place to work! According to the Employers Council, any score above 3.75 reflects a very positive work environment. The Town’s score was 3.95. Wow! Based on the survey responses, we have taken several actions to improve benefits and the working environment to make things even better.

20. Serene Park Grand Opening. The Town celebrated the grand opening of Serene Park in the Colliers Hill neighborhood. The park includes more than 7 acres with shelters, BBQ grills, walking paths, fitness equipment and more!

Given all these accomplishments, of course through and with the support of a great team, I believe I have demonstrated my value to the Town. Accordingly, I ask you to consider increasing my compensation, and make any increase retroactive to my anniversary date, as is done with all other Town employees. The attached summary compiled by the HR Department indicates my current salary is \$28,000 below the median of the jurisdictions surveyed, and \$38,000 below the average. I encourage you to ask Alicia how the jurisdictions surveyed compare with those used for other Town employees and any other questions you may have about compensation and benefits and the Town's approach to compensation comparisons for other Town employees.

As I said in my earlier evaluations, I find performance evaluations very helpful in clarifying and helping me understand your expectations, ensuring I'm focused on the Board's highest priorities, providing a regular formal opportunity to hear from you ways I can improve, and helping me deliver successfully on your expectations and priorities. Accordingly, I look forward to your review and any suggestions you may have on how I can improve my performance.

I really love Erie, I am thoroughly enjoying working with all of you, and I look forward to hearing how we can work even more effectively together. I also feel I am surrounded and supported by a fantastic team who are all a pleasure to work with. Thank you!