

RESOLUTION NO. 2026-43

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE EMPLOYMENT AGREEMENT OF THE CITY MANAGER TO REMOVE ANY AUTOMATIC RENEWAL PROVISION; REQUIRING AN ANNUAL PERFORMANCE EVALUATION AND ANNUAL REVIEW OF THE EMPLOYMENT AGREEMENT BY THE CITY COMMISSION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission is responsible for the appointment, oversight, supervision, and evaluation of the City Manager pursuant to the Charter and laws of the State of Florida; and

WHEREAS, the City Commission finds that automatic renewal provisions in employment agreements may reduce direct annual oversight and accountability by the governing body; and

WHEREAS, the City Commission desires to ensure that the City Manager's employment agreement is reviewed annually in conjunction with a formal performance evaluation process; and

WHEREAS, the City Commission finds that requiring annual review and affirmative Commission action regarding the City Manager's contract is in the best interests of the citizens of Flagler Beach and promotes transparency, accountability, and sound municipal governance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. RECITALS.

The foregoing recitals are hereby ratified and incorporated herein as findings of the City Commission.

SECTION 2. REMOVAL OF AUTOMATIC RENEWAL PROVISION.

The City Commission, pursuant to the existing Agreement with the City Manager gives notice of its intent to not have the Agreement automatically renew and the end of the initial terms and, hereby directs the City Attorney to prepare an amendment to the City Manager Employment Agreement removing any provision providing for automatic renewal or automatic extension of the agreement.

SECTION 3. ANNUAL PERFORMANCE EVALUATION AND CONTRACT REVIEW.

The City Manager shall undergo an annual performance evaluation conducted by the City Commission at a publicly noticed meeting in accordance with applicable Florida law.

Following completion of the annual evaluation and prior to the next renewal period after such performance review, the City Commission shall review the terms of the employment agreement and determine whether any renewal, extension, amendment, compensation adjustment, or modification is warranted upon expiration of the applicable term of the Agreement.

Any renewal or extension of the agreement shall require affirmative approval by the City Commission through official action taken at a duly noticed public meeting.

SECTION 4. IMPLEMENTATION.

The City Attorney and City Administration are authorized and directed to take all actions necessary to implement this Resolution and prepare any required contract amendments consistent with the intent of the City Commission.

SECTION 5. EFFECTIVE DATE.

This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Commission of the City of Flagler Beach, Florida, this ____ day of _____, 2026.

CITY OF FLAGLER BEACH, FLORIDA

By: _____
Patti King, Mayor

ATTEST:

By: _____
Penny Overstreet City Clerk

Approved as to form and legality:

D. Andrew Smith, III City Attorney