

ANNUAL PERFORMANCE EVALUATION

Mayor Johnston

1/30/20

CITY ATTORNEY

RATING SCALE DEFINITIONS (1-5)

- Unsatisfactory (1) The employee's work performance is inadequate and definitely inferior to the standards of performance required for the job. Performance at this level cannot be allowed to continue.
- Improvement (2)
Needed The employee's work performance does not consistently meet the standards of the position. Serious effort is needed to improve performance.
- Meets Job (3)
Standard The employee's work performance consistently meets the standards of the position.
- Exceeds Job (4)
Standard The employee's work performance is frequently or consistently above the level of a satisfactory employee.
- Outstanding (5) The employee's work performance is consistently excellent when compared to the standards of the job.
- Not Evaluated (NE) The employee's work performance was not observed during this Evaluation period.

I. PERFORMANCE EVALUATION AND ACHIEVEMENTS

1. City commission/Boards Relationships

- ③ a. Provides sound legal advice to the City Commission, Boards, Commissions and City Staff. Would like to make sure that the same information is provided to all members of the Commission.
- ④ b. Reporting to the City Commission, Boards, City staff is timely, clear, concise and thorough. Reporting is clear, concise and thorough. Some issues in the past have not been resolved in a timely manner.
- ③ c. Accepts direction/instructions in a positive manner. Need to see City Commission directives carried out in a timely manner with regular progress updates. A solution to Admirals Cut has been a directive from the Commission since 2009 with no resolution. I expect a resolution in March 2020 after a meeting with the Margaritaville ownership and City Management. It will also help that we now have the Commissions Executive Assistant documenting Commission directives at each meeting to improve the timely resolution for each Commission directive.
- ④ d. Keeps the City Commission, Boards and City staff informed of issues relevant to the requirements of the position. Regularly provides issue updates during City Attorney comments at every City Commission meeting. Has provided timely updates on the e-bicycle, e-scooter

legislation, single use plastic bag ban and has done a good job communicating on-going legislative updates that impact our local government and home rule. Shawn has been an important part of the coordination with our Tallahassee lobbying team and I expect improved results for Key West from the efforts of Gray Robinson this year.

- ③ e. Dedicates the time necessary to the responsibilities of the position and is readily available to Commissioners. Meets the needs of the Commission and has made himself available via phone or text at all hours. After spending the past 15 months in City Hall on a daily basis, I do believe it would benefit the City if Shawn would increase his time in City Hall.

COMMENTS: Provided by section.

2. Legal Research and Review

- ④ a. Effectively identifies legal issues and performs research and investigations. I believe that the Commission is pleased with the thorough research performed by the legal department with the exception of Admirals Cut and the 30% affordable housing requirement for re-development.

- ④ b. Effectively reviews and interprets legal instruments, reports and documents prepared by departments. Exceeds expectations.

COMMENTS:

3. Employee/Public Relations

- ③ a. Works well with other employees. Shawn works exceptionally well with the (7) Commission members however has been involved in some public confrontational working relationships. It is important that we all strive for effective working relationships to move the City forward without disruptive discourse at the Senior Management level. It is imperative as we move forward with our City wide Strategic Plan that all departments and department heads work together for the greater good of the Community.

- ④ b. Meeting and handling the public while recognizing ethical obligation to the City. I have been in a number of meetings with Shawn who has protected and represented the City effectively making sure that details are confirmed prior to any City commitment most recently during joint meetings with the County Administration and elected officials.

4. Communication

- ④ a. Oral communication is clear, concise and articulate. A strength of Shawns.
- ④ b. Written communications (e.g.) contracts, resolutions, and other legal documents are clear, concise and accurate. Exceeds expectations.

5. Quantity/Quality

- ③ a. Amount of work performed. Meets the expectations of the Commission. Always makes himself available to a Commissioner upon request. Would be helpful for Shawn to increase his time

physically in City Hall to interact with staff on the day to day issues that occur. While he has made himself available via telephone, some issues require face to face time with the City Attorney.

3 b. Completion of work on time. While the majority of legal issues are completed on time, the goal for legal to draft an ordinance for a 30% affordable housing requirement for redevelopment spanned over 9 years. With a greater sense of urgency we would have had the opportunity to add much needed affordable/workforce housing . Admirals Cut remains unresolved.

④ c. Accuracy. Exceeds expectations.

④ d. Thoroughness. Exceeds expectations.

COMMENTS:

6. Personal Traits

④ a. Initiative. Exceeds expectations.

④ b. Judgement. Exceeds expectations.

③ c. Fairness and Impartiality. Meets expectations.

⑤ d. Analytical Ability.: Exceptional legal mind which the City benefits greatly.

COMMENTS:

7. Litigation/Administrative Proceedings

⑤ a. Provides timely and effective representation of the City's interest in litigation. Over 90% of the litigation against the City is handled internally by Shawn's department. I do believe that Shawn's newest hire will add a new, desirable skillset and diversity to his department continuing to improve the departments performance.

⑤ b. Controls and monitors costs and performance of retained outside legal counsel. Has been a strength for Shawn evidenced most recently by the City's defense of our 300 building allocations granted by Governor Scott.

COMMENTS:

II. SUMMARY RATING

Overall Performance Rating – Considering the results obtained against established performance standards as well as overall job performance, the following rating is provided (choose one):

_____ Unsatisfactory

_____ Improvement Needed

_____ Meets Job Standards

X Exceeds Job Standards: I do believe that every one of us in City Hall including the Commission has room for improvement in the way that we respond to our Community needs. The development and implementation of our Strategic Plan will help unite and guide us in achieving Community based goals making us more responsive and effective as a City Hall and as a legal department.

_____ Outstanding:

COMMENTS:

III. Future Goals and Objectives

Shawn's goals and objectives will be determined by the full Commission. We will be discussing and finalizing Shawn's 2020 goals and objectives as a full Commission in February with agreed upon metrics of success. In the past (7) members of the Commission directed Shawn many times pulling him in different directions. These goals will be concise, consensual among the Commission and measurable. I believe that adoption of these goals will allow Shawn to be focused and more timely in goal achievement.

RATED BY: _____

DATE: _____