

City Attorney Performance Evaluation

November 1, 2022

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

<u>1. City Commission/ Boards Relationships</u>	<u>NE</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
A. Provides sound legal advice to the City Commission, Boards, Commissions and City staff.	___	___	___	___	___	_X_
B. Reporting to the City Commission, Boards, and City staff is timely, clear, concise and thorough.	___	___	___	___	___	_X_
C. Accepts direction/instructions in a positive manner.	___	___	___	___	_X_	___
D. Keeps the City Commission, Boards, and City staff informed of issues relevant to the requirements of the position.	___	___	___	___	___	_X_
E. Dedicates the time necessary to the responsibilities of the position and is readily available to Commissioners.	___	___	___	___	___	_X_

Comments: Shawn will not tell you what they want to hear, but frequently, what we need to hear. In the course of disseminating his sage advice, there is appropriate debate as to protocol... all of which I welcome to my edification.

2. <u>Legal Research and Review</u>	<u>NE</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
A. Effectively identifies legal issues and performs research and investigations.	___	___	___	___	___	<u>X</u>
B. Effectively reviews and interprets legal instruments, reports and documents prepared by departments.	___	___	___	___	___	<u>X</u>

Comments: I was coincidentally reminded about this evaluation after calling for a legal opinion.

3. <u>Employee/Public Relations</u>	<u>NE</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
A. Works well with other employees.	___	___	___	___	<u>X</u>	___
B. Meeting and handling the public while recognizing ethical obligation to the City.	___	___	___	___	___	<u>X</u>

Comments: The lower score here is by no means an attempt to assess blame on any one individual or any one department. However, interdepartmental communication across the board, needs improvement, with an aggressive Commission agenda.

4. <u>Communication</u>	<u>NE</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
A. Oral communication is clear, concise and articulate.	___	___	___	___	___	<u>X</u>
B. Written communications (e.g.) contracts, resolutions, and other legal documents are clear, concise and accurate.	___	___	___	___	___	<u>X</u>

Comments: _____

5. Quantity/Quality

NE 1 2 3 4 5

- A. Amount of work performed. ___ ___ ___ ___ ___ X
- B. Completion of work on time. ___ ___ ___ ___ X ___
- C. Accuracy. ___ ___ ___ ___ ___ X
- D. Thoroughness. ___ ___ ___ ___ ___ X

Comments: Again, the notation on the timely completion is only to recognize the fact that very often legal issues cannot be completed in the desired time due to other circumstances such as waiting for responses from higher government levels, courts and litigants either with or opposing. Therefore it is a reasonable expectation to NOT receive sought-after results when desired. We've had at least 3 cases this year, where that has been true. I have never questioned the quality coming out the legal department. In fact have been impressed for some time, at the volume of work performed.

6. Personal Traits

NE 1 2 3 4 5

- A. Initiative. ___ ___ ___ ___ ___ X
- B. Judgement. ___ ___ ___ ___ ___ X
- C. Fairness and Impartiality. ___ ___ ___ ___ ___ X
- D. Analytical Ability. ___ ___ ___ ___ ___ X

Comments: _____

7. Litigation/Administrative Proceedings

NE 1 2 3 4 5

- A. Provides timely and effective representation of the City's interest in litigation. ___ ___ ___ ___ ___ X
- B. Controls and monitors costs and performance of retained outside legal counsel. ___ ___ ___ ___ ___ X

Comments: _____

Summary Rating

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

Unsatisfactory Improvement Needed Meets Job Standards Exceeds Job Standards Outstanding

Comments:

II. Future Goals and Objectives

Specific goals and objectives to be achieved in the next evaluation period:

Before anything else can be addressed or approached, we (all of us in this city’s leadership) should work harder at improving our intercommunication (in all directions... back and forth, up and down chain) before we can utilize the gifts that each of us bring to the table. THEN, I will list specific goals not already being worked on.

COMMISSIONER CLAYTON LOPEZ



SHAWN D. SMITH, CITY ATTORNEY

ATTEST:

CHERYL SMITH, CITY CLERK

Dated _____