

City Attorney Performance Evaluation

December 2013

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.	___	___	___	___	___	<u>X</u>
B. Reporting to the City Commission, Boards, and City staff is timely, clear, concise and thorough.	___	___	___	___	___	<u>X</u>
C. Accepts direction/instructions in a positive manner.	___	___	___	___	___	<u>X</u>
D. Keeps the City Commission, Boards, and City staff informed of issues relevant to the requirements of the position.	___	___	___	___	___	<u>X</u>
E. Dedicates the time necessary to the responsibilities of the position and is readily available to Commissioners.	___	___	___	___	___	<u>X</u>

Comments: _____

<u>2. 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.	—	—	—	—	—	X
B. Effectively reviews and interprets legal instruments, reports and documents prepared by departments.	—	—	—	—	—	X

Comments: _____

<u>3. 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.	—	—	—	—	X	—
B. Meeting and handling the public while recognizing ethical obligation to the City.	—	—	—	—	—	X

Comments: ONLY REASON FOR THIS MARK IS DUE TO SOME CONFLICTS THAT I HAVE OBSERVED ARLIN WITH CA. ADVISORS WITH INFO EMPLOYER DISAGREES WITH. TO BE ACCURATE, LOWER MARK IS NECESSARY... BUT ISSUE IS NOT NECESSARILY CITY ATTORNEY'S FAULT.

<u>4. 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.	—	—	—	—	—	X
B. Written communications (e.g.) contracts, resolutions, and other legal documents are clear, concise and accurate.	—	—	—	—	—	X

Comments: A: EXCEPT WHEN HE STARTS TALKING "LEGAL USE" SERIOUSLY, TAKES TIME TO EXPLAIN LEGAL TERMINOLOGY + COMMUNICATING IN PLAIN LANGUAGE.

5. Quantity/Quality

NE 1 2 3 4 5 5+

A. Amount of work performed.

— — — — — — X

B. Completion of work on time.

— — — — — X

C. Accuracy.

— — — — — X

D. Thoroughness.

— — — — — X

Comments:

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: I HAVE NEVER BROUGHT AN ISSUE TO CA THAT I HAVE NOT GOT TO SEE THE BEST AVAILABLE ADVICE. - EVEN WHEN I HAVE DISAGREED OR DID NOT WANT TO HEAR WHAT THAT ADVICE IS.

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: EXCEPT FOR THE YEAR IN WHICH WE SETTLED "PACIFIC" I THINK THIS HAS BEEN OUR BEST YEAR AT LEAST IN LEGAL DEPARTMENT.

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 (circle one):

Unsatisfactory Improvement Needed Meets Job Standards Exceeds Job Standards Outstanding

Comments: THIS WILL BE REDUNDANT TO EVERY EVALUATION EVER GIVEN SINCE THIS CITY ATTORNEY BEGAN... I FEEL STRONGLY THAT SINCE I HAVE BEEN ON THIS COMMISSION, MR SMITH IS ONE OF OUR BEST DECISIONS. THERE IS/WAS NO REASON TO COMMENT ON EACH SECTION. TO UNDERSTAND THIS COMMENT AND MY COMMENT REGARDING FUTURE GOALS+OBJECTIVES, PLEASE REVIEW MY LAST PERFORMANCE EVAL ON CA.

III. Future Goals and Objectives

Specific goals and objectives to be achieved in the next evaluation period: HOPING THAT WITH THE ADDITION OF NEW ASSISTANT SA, THAT WE CAN MAKE A LITTLE MORE EFFECTIVELY THROUGH BACKLOG & OVERLOAD IMPOSED ON THIS DEPARTMENT. ALL OF THIS DEPARTMENT'S STAFF PERFORMS FAR ABOVE EXPECTATIONS. MAINTAINING THAT LEVEL OF PROFICIENCY, EFFECTIVENESS AND SUCCESS SHOULD CONTINUE TO BE THE GOAL...


COMMISSIONER CLAYTON LOPEZ


SHAWN D. SMITH, CITY ATTORNEY

ATTEST:


CHERYL SMITH, CITY CLERK

Dated

1-22-14