

Mayor Johnston

City Attorney Performance Evaluation

Mayor Teri Johnston

March 11,

Date: (modified March 12)

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:

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.	___	___	___	X	___	___
B. Effectively reviews and interprets legal instruments, reports and documents prepared by departments.	___	___	___	X	___	___

Comments: We have had (1) closed session to discuss ongoing litigation with Ron in his first year as City Attorney. I believe that it would benefit the Commission to call a closed session quarterly to keep the entire Commission updated on legal challenges facing the city.

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.	___	___	___	X	___	___
B. Meeting and handling the public while recognizing ethical obligation to the City.	___	___	___	X	___	___

Comments: When I interviewed Ron a year ago for the position as City Attorney, I stressed that there is only CEO of the City of Key West and that is the City Manager. Ron's role is to provide the most effective legal advice and guidance to the Commission, City Manager, City Clerk and Senior Staff possible. The success of city hall will depend on creating and maintaining a good, open, transparent working relationship between Charter officials, the Commission, staff and the people we serve. I believe that Ron has known many of our long-term staff for years and has a good working relationship. He is active in our community and is present and supports many city sponsored events.

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.	___	___	___	X	___	___
B. Written communications (e.g.) contracts, resolutions, and other legal documents are clear, concise and accurate.	___	___	___	X	___	___

Comments: In his first year, Ron has presented concise reports at the City Commission meetings, opined where required and has kept the Commission and Charter members well informed as we moved through this legislative session.

Regarding oral communications, Ron will need to improve on keeping the Commission updated by providing the same information to each Commissioner and Mayor. On numerous occasions Ron has stated during a City Commission that he had reached out to "most of you" or "many of you." Communication with the Commission must be equitable, transparent and timely as the City Manager has done since joining the City of Key West. We each receive the same information at the same time.

5. <u>Quantity/Quality</u>	<u>NE</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
A. Amount of work performed.	X	—	—	—	—	—
B. Completion of work on time.	X	—	—	—	—	—
C. Accuracy.	—	—	—	X	—	—
D. Thoroughness.	—	—	—	X	—	—

Comments: The bulk of the daily legal workload is not evident to the Commission. Completion of work on time might better be evaluated by the other Charter officials and Senior Staff since they are the co-workers submitting items, contracts and leases for legal review and approval. The Commission does not work with Legistar so we do not see where the approval progress may be impeded by one department. Ron has been very responsive when I have requested clarification on issues or pending resolutions and ordinances. I was concerned however with the time that it took Ron to imbed specific goals and expectations into this years contract for our state lobbying firm Gray Robinson. This delay resulted in late payments for work completed by Gray Robinson.

6. <u>Personal Traits</u>	<u>NE</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
A. Initiative.	—	—	—	X	—	—
B. Judgement.	—	—	—	X	—	—
C. Fairness and Impartiality.	—	—	—	X	—	—
D. Analytical Ability.	—	—	—	X	—	—

Comments: Ron has led the initiative to rescind a charter amendment prohibiting the City from acquiring property without a public referendum. He has done the research, made the contacts and is moving forward to bring this back to the people in November. Good initiative that will benefit our affordable housing crisis. Regarding judgement, fairness and impartiality I have 2 comments. Ron must understand that the demographics of Key West have changed radically where the vast majority of our residents and taxpayers (whom we all serve) have moved to Key West from somewhere else and must be served equitably along with our multigenerational families. Also, I believe that Ron must be very attuned to any public perception of conflicts due to the fact that his brother is the City of Key West CBO.

7. <u>Litigation/Administrative Proceedings</u>	<u>NE</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
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: Ron is doing a good job of managing his legal budget per our Director of Finance. Expenses that we incurred with our outside legal fees to address the public cruise ship referendum and Pier B should not be re-occurring. I would anticipate possible expenses to negotiate the opening of Admirals Cut.

Ron has a full team with the hiring of Kendal Harden and the contractual arrangement with Larry Erskine. In a community like Key West with highly desirable land, it is imperative that we have substantial expertise in land use issues available to Ron.

I would expect Ron to work closely with the City Manager and Mayor/Commission for an equitable settlement with The Marker. This is one more long-term issue that Ron inherited that has not been resolved in legal.

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: Ron is in his first year as City Attorney after serving as Assistant City Attorney for almost 7 years and is tasked with major issues like the negotiations of the Park and Ride agreement with Keys Energy. I was surprised to see the last minute, crisis negotiations since contract renewal terms had been recommended and communicated to City Management by then Assistant City Attorney George Wallace as early as 2017. This failure to internally communicate and take proactive measures to protect city interests must change. Ron has an opportunity to transform this legal department into an effective team supporting the direction and initiatives of our City Manager, elected officials and departments through the City Manager without drama or confrontation. His legal guidance is valued and required as we embark on transformational changes in Key West City Government. and our service to our taxpayers, residents and business community.

III. Future Goals and Objectives

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

I have tasked the City Manager to take the lead on opening up Admirals Cut. This direction to legal from the City Commission has been in place for 15 years with no results. I would like Ron to review any agreement that is proposed to open up this waterfront access to assure that it is in the best interest of the community with no unintended consequences. There are many expansive projects in progress ie: Duval Street Revitalization, Mallory Square Revitalization, Bayview Park and the Martin Luther King Public Swimming pool that are going to require legal support, review and approval to move along in a timely fashion. As City Attorney, it is imperative that he maintain a supportive, collaborative working relationship with our City Manager as we move forward on so many major issues to improve and protect our Community. Goals and objectives for the City Attorney should be a collaborative effort by the entire Commission and reflect the focus of the City driven Strategic Plan.

Combined Score of All Commission Members

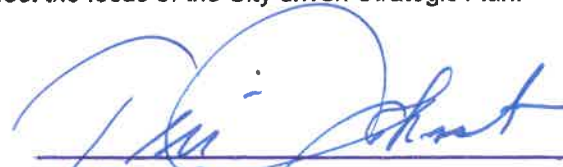
 3/12/2024

RONALD J. RAMSINGH, CITY ATTORNEY

ATTEST:



KERI O'BRIEN, CITY CLERK


TERI JOHNSTON - Mayor

Date: 03/11/24