



## RESOLUTION 2017-069

### ADOPTING CRITERIA TO BE USED IN THE ANNUAL PERFORMANCE EVALUATION OF THE CITY ATTORNEY AND REPEALING RESOLUTION 2016-045

**WHEREAS**, the Sherwood City Council wishes to adopt a set of criteria to assist it and the City Attorney in evaluating the City Attorney's job performance;

**WHEREAS**, the Sherwood City Council adopted Resolution 2016-045 in July of 2016 regarding evaluating the City Attorney's job performance;

**WHEREAS**, City Council met work session on August 29, 2017 and recommended some minor changes to the evaluation process and criteria;

**WHEREAS**, Exhibit "A" attached to this Resolution is a document which contains the criteria the Council wishes to use in performing its evaluation; and

**WHEREAS**, Council believes it necessary and appropriate for review and evaluation of the City Attorney to obtain input from senior staff concerning their perceptions of the City Attorney's performance.


### NOW THEREFORE THE CITY OF SHERWOOD HEREBY RESOLVES AS FOLLOWS:

**Section 1.** The Sherwood City Council does hereby repeal Resolution 2016-045.

**Section 2.** Exhibit "A" is hereby established as the City's evaluative device for assessing the City Attorney's job performance. The Mayor and Council President may, if they choose, delegate their duties described in Exhibit "A" to the Human Resources Department.

**Section 3.** The terms of this resolution shall be and are effective as of the date of the adoption of this resolution by City Council.

Duly passed by the City Council this 19<sup>th</sup> day of September, 2017

  
Krisanna Clark-Endicott, Mayor

Attest:

  
Sylvia Murphy, MMC, City Recorder



**CITY OF SHERWOOD  
PERFORMANCE EVALUATION  
CITY ATTORNEY**

**PURPOSE**

The purpose of the City Attorney's employee performance evaluation is to ensure communication between the City Council and City Attorney concerning the City Attorney's performance relative to his/her assigned duties and responsibilities as well as establishment of specific work-related goals and objectives.

**PROCESS**

The Sherwood City Council will conduct a review and evaluation of the City Attorney's work performance at least annually.

1. The City Attorney prepares a memorandum to Council including his/her self-evaluation using the same performance evaluation form given to Council
2. A confidential copy of the memorandum and self-evaluation will be distributed to Council members.
3. Electronic Evaluation forms will be distributed to Senior Leadership by Human Resources.
4. Senior Leadership will complete evaluation forms. The results will be distributed to Council by Human Resources.
5. Electronic Evaluation forms to be used by Council members will be distributed by Human Resources.
6. Each Council member will complete the online or paper form, if requested, and return it to the Mayor and Council President. The Mayor and Council President will tabulate and summarize the results of the evaluation forms as submitted and create a compiled evaluation. The Mayor and Council President can elect to have the Human Resources department complete this task.
7. Prior to the executive session the composite evaluation, memorandum and self-evaluation will be distributed to Council in confidential documents.
8. The Mayor and Council members will meet in executive session with the City Attorney to discuss his/her compiled evaluation.
9. After the City Attorney is dismissed the Mayor and Council will discuss the performance of the City Attorney in executive session.
10. The City Council will meet with the City Attorney in executive session to review the evaluation and performance, unless the City Attorney requests an open meeting.
11. The Mayor will schedule a City Council meeting to adopt a resolution approving final performance evaluation.
12. The Mayor will schedule a work session or Council agenda item if compensation or contract changes are desired by Council.

## **INSTRUCTIONS**

Review the Attorney's work performance for the entire period under review; refrain from basing the evaluation solely on recent events or isolated incidents. Disregard your general impressions concentrating instead on each factor, one at a time. Evaluate based on standards you expect to be met for the position giving due consideration for the length of time he/she has held it. Check the number which most accurately reflects the level of performance for the factor being appraised using the rating scale described below. If you did not have an opportunity to observe a factor during the evaluation period, indicate so in the N/O column next to the factor.

## **CITY ATTORNEY PERFORMANCE EVALUATION**

**DATE:** \_\_\_\_\_

### **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 Needed (2)**

The employee's work performance does not consistently meet the standards of the position. Serious effort is needed to improve performance.

#### **Meets Job Standards (3)**

The employee's work performance consistently meets the standards of the position.

#### **Exceeds Job Standards (4)**

The employee's work performance is frequently or consistently above the level of a satisfactory employee, but has not achieved an overall level of outstanding performance.

#### **Outstanding (5)**

The employee's work performance is consistently excellent when compared to the standards of the job.

#### **N/O**

No Opinion.

# I. PERFORMANCE EVALUATION AND ACHIEVEMENTS

## 1. City Council Boards/Comm. Relationships

- A. Provides sound legal advice to the City Council, Boards, Commissions, and City staff. 1  2  3  4  5  N/O
- B. Reporting to City Council, Boards, Commissions, and City staff is timely, clear, concise and thorough. 1  2  3  4  5  N/O
- C. Accepts direction/instructions in a positive manner. 1  2  3  4  5  N/O
- D. Keeps City Council, Boards, Commissions, and City staff informed of current legal trends and new developments in case law and legislation, etc. 1  2  3  4  5  N/O
- E. Participates in Council discussions and makes recommendations where appropriate, but allows the Council to make policy decisions without exerting undue pressure. 1  2  3  4  5  N/O

Comments:

## 2. Legal Research and Review

- A. Effectively identifies legal issues and performs research and investigation. 1  2  3  4  5  N/O
- B. Effectively reviews and interprets legal instruments, reports and documents prepared by departments. 1  2  3  4  5  N/O
- C. Provides effective and efficient legal assistance to City Council, Boards and Commissions. 1  2  3  4  5  N/O
- D. Review of ordinances and contracts is accurate and timely. 1  2  3  4  5  N/O
- E. Attempts to obtain all facts prior to making a decision. 1  2  3  4  5  N/O

Comments:

### 3. Employee/Public Relations

- A. Provides clear concise and thorough advice and reports to City Staff and employees on legal matters. 1  2  3  4  5  N/O
- B. Works well with other employees. 1  2  3  4  5  N/O
- C. Represents the City with a positive outlook. 1  2  3  4  5  N/O
- D. Keeps commitments to the public. 1  2  3  4  5  N/O
- E. Resolves citizen complaints consistent with Council policy in a timely manner. 1  2  3  4  5  N/O

Comments:

### 4. Communication

- A. Responds to inquiries from Council and/or Council members in a timely and understandable manner. 1  2  3  4  5  N/O
- B. Oral Communication is clear, concise and articulate. 1  2  3  4  5  N/O
- C. Written communications (e.g.) contracts, deeds, and other legal documents are clear, concise and accurate. 1  2  3  4  5  N/O
- D. Staff reports are thorough and timely. 1  2  3  4  5  N/O
- E. Notifies all affected parties prior to implementing decisions. 1  2  3  4  5  N/O

Comments:

## 5. Quantity/Quality

- A. Amount of work performed. 1  2  3  4  5  N/O
- B. Completion of work on time. 1  2  3  4  5  N/O
- C. Accuracy. 1  2  3  4  5  N/O
- D. Thoroughness. 1  2  3  4  5  N/O

Comments:

## 6. Personal Traits

- A. Controls emotions effectively in difficult situations. 1  2  3  4  5  N/O
- B. Exercises good judgement and common sense. 1  2  3  4  5  N/O
- C. Demonstrates personal honesty and frankness in day-to-day relationships. 1  2  3  4  5  N/O
- D. Is creative in developing practical solutions to problems faced in the course of work. 1  2  3  4  5  N/O

Comments:

## 7. Litigation/Administrative Proceedings

- A. Provides timely and effective representation of the City's interest in litigation. 1  2  3  4  5  N/O
- B. Provides timely and effective representation of the City's interest in administrative hearings. 1  2  3  4  5  N/O
- C. Avoids unnecessary litigation through tactful and professional handling of potential claims against the City. 1  2  3  4  5  N/O

Comments:

**I. Achievements relative to objectives for this evaluation period:**

**II. What have been the finest accomplishments of the City Attorney this past year?**

**III. What areas need the most improvement? Why? What constructive, positive ideas can you offer the City Attorney to improve these areas?**

**IV. FUTURE GOALS AND OBJECTIVES**

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