



City Attorney Evaluation

Please rate the City Attorney using the following scale:

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|-----|------------------|---|
| 5 | Exceptional | Performance is consistently superior and significantly exceeds expectations. |
| 4 | Highly Effective | Performance frequently exceeds expectations. |
| 3 | Proficient | Performance consistently meets expectations. |
| 2 | Inconsistent | Performance meets some, but not all expectations. |
| 1 | Unsatisfactory | Performance consistently fails to meet minimum expectations; employee lacks skills required or fails to utilize necessary skills. |
| N/A | Not Applicable | Employee has not been in position long enough to have demonstrated the essential elements of the position and will be reviewed at a later agreed upon date. |

Please rate each category below. Bullet points are provided within each category to assist as you evaluate the category. The bullet points are not meant to be all inclusive.

Please return your evaluation form to the City Attorney.

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| 1. Technical Competency |
| <ul style="list-style-type: none"> • Scope of legal expertise necessary to meet the City’s needs on issues that arise • Proactive identification of potential issues upon becoming aware of them • Accuracy and technical correctness of legal advice • Efficient and effective knowledge of City codes, regulations, Florida Statutes, and case law regarding municipal government |
| <p>COMMENTS:</p> <p>Since joining the City in April 2016 with 16+ years of Texas experience, I have worked diligently to attain expertise in Florida’s statutes, common law, and administrative procedures. I have consistently stayed abreast of new legislation and developing trends in the law by attending conferences and seminars, conducting my own research, and networking with other local government lawyers. This has enabled me to proactively identify potential issues facing the City.</p> <p>Effective August 1, 2022, I achieved distinction as a Board Certified City, County, and Local Government Lawyer by the Florida Bar. Only 311 out of the state’s 107,000+ licensed attorneys bear this distinction for city, county, and local government law. According to the Florida Bar, board certified lawyers are “evaluated for professionalism and tested for expertise.”</p> |

The certification process includes: (1) a requisite amount of experience; (2) extensive education in local government law; (3) peer review of numerous lawyers who verify the applicant’s character, ethics, and reputation for professionalism; and (4) a full day of written testing in numerous subjects, including home rule, taxation, constitutional law, deprivation of civil rights, employment law, sovereign immunity, procurement, bonds and public finance, eminent domain, land use, ethics, professional responsibility, Sunshine Law, and public records. Maintaining this certification requires a high level of ongoing continuing legal education in this area of law, as well as additional peer review every five years.

- 5-Exceptional
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2. Legal Representation

- Representation of the City in a professional and ethical manner
- Impartiality and objectiveness in performing duties and responsibilities
- Ability to maintain the City Commission’s and staff’s confidence while informing them of the different legal risks that proposed actions might generate
- Effectiveness in achieving the best possible legal outcomes for the City

COMMENTS:

As the legal team, it is our job to present the legal analysis, including potential risks, so that the policymakers can determine how to proceed. Professional ethics and standards are maintained at all times, and unbiased legal advice is delivered, regardless of who is requesting it. Impartiality and objectiveness are key in providing effective legal representation to the City. I ensure that my team and I provide legal services consistent with these standards.

The City Attorney’s Office is committed to achieving the best possible legal outcomes for the City. This work is often done in the background and in advance of any active claim or litigation. A commitment to best practices in drafting clean code language, drafting comprehensive and comprehensible contracts, and issue spotting for potential legal pitfalls.

This year, the office has worked on four ordinances related to impact fees, some of which are still ongoing: (1) an impact fee increase; (2) adoption of a new mobility impact fee; (2) an impact fee deferral program; and (4) economic development incentives related to impact fees. The City Attorney’s Office has partnered with administrative staff for each of these projects, including reviewing timelines, discussing procedures, consulting with outside counsel on areas of specific expertise, considering practical parameters, and drafting ordinances and advertisements. This collaborative approach helps build confidence with the clients and results in a higher quality of deliverable for the City.

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| 3. Interaction with City Manager |
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| <ul style="list-style-type: none"> • Spirit of cooperation without compromising objectivity • Integration of strategic planning initiatives • Responsiveness and timeliness in responding to requests • Maintenance of good working relationships while serving as an effective member of the management team |
| <p>COMMENTS:</p> <p>Effective October 1, 2021, the City Commission appointed Jerome Fletcher to serve as City Manager. City Manager Fletcher and I have developed a highly collaborative relationship that began with onboarding of key legal issues even prior to his first official day on the job. We meet twice weekly and confer as needed between meetings. All communications are respectful, professional, and productive. City Manager Fletcher is open to hearing all aspects of legal analysis and I do not hesitate to provide candid analyses and recommendations. This positive and productive working relationship serves the City's best interests and enables the City Manager to have a complete perspective on issues as he makes administrative decisions and recommendations.</p> |

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| 4. Problem Solving/Decision Making |
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| <ul style="list-style-type: none"> • Level of analysis and identification of alternatives • Degree of timeliness and appropriateness of decisions • Proactive and professional acceptance of responsibility for decisions |
| <p>COMMENTS:</p> <p>The City Attorney's Office provides counsel that is well-studied, thought out, and creative, yet compliant. This year, when the City faced a computer network incident, the office was challenged with unchartered legal territory and significant legal roadblocks to addressing the situation effectively. The City Attorney's Office took an all-hands-on-deck approach and through research and collaboration, nimbly devised solutions with desirable results.</p> <p>The City Attorney's Office has continued to provide timely responses to legal requests. In November, the office launched a template library that now includes 75+ templates and continues to grow. These templates ensure consistency among City documents, increase efficiency for staff when drafting documents, and reduce the amount of the time it takes to conduct legal review.</p> <p>As City Attorney, I bear ultimate responsibility for the City's legal work. I credit my team for their individual and collective contributions, but I hold myself accountable for errors and any need for improvements.</p> |

- 5-Exceptional 4-Highly Effective 3-Proficient 2-Inconsistent 1-Unsatisfactory
 N/A-Not Applicable

| 5. Relationship with City Commission |
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| <ul style="list-style-type: none"> • Prompt and proper response to requests • Timely and informative updates on current issues • Review agenda items to ensure legal compliance • Completing directives of the City Commission as a whole as opposed to those of any one member or minority • Willingness to meet with Commissioners to deal with individual problems and issues |
| <p>COMMENTS:</p> <p>I promptly respond to Commissioner inquiries on the same day of receipt, including after hours. Likewise, I complete Commission directives timely.</p> <p>Just over a year ago, I instituted one-on-one meetings with each Commissioner. These have proven successful in relationship development, which is critical for establishing an attorney's credibility with clients. Further, while Commissioners have access to me at all times during and outside of business hours, these meetings provide a set time to discuss pressing topics and pending questions.</p> <p>I take my direction from the Commission as a body and do not perform directives of any individual Commissioner.</p> |

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| 6. Communications |
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| <ul style="list-style-type: none"> • Effectiveness of verbal and written communications with the City Commission, staff, and the community • Timely, forthright, open, and concise communication (avoids jargon) • Represents the City in a professional, articulate manner when attending/presenting at community events, neighborhood meetings or social gatherings |
| <p>COMMENTS:</p> <p>At all times, I conduct myself as a representative of the City, both in public and in a personal capacity. My representation of the City has been recognized this year as evidenced by my second appointment to the Executive Council of the City, County and Local Government Law Section of the Florida Bar, as well as being named for a second consecutive year to the peer-nominated Florida Trend's Florida Legal Elite (July 2022).</p> <p>I routinely keep the City Commission apprised of key developments as they happen in the most important legal matters affecting the City.</p> |

This year, I continued my recurring meetings with representatives of Wellen Park and the West Villages Improvement District, to anticipate upcoming legal issues and address questions and concerns. Those were replaced several months ago with a monthly meeting of key City staff from the City’s Manager Office and other departments, a developer’s representative, an Assistant City Attorney, and myself. This communication on this large-scale development is key to completion of City requirements and timely project delivery. Examples of successful projects include the conveyance of infrastructure from West Villages Improvement District and Wellen Park developers, namely a public safety building, a water treatment plant, and wastewater facilities.

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| 7. Management of the City Attorney’s Office |
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| <ul style="list-style-type: none"> • Planning and organization of work that carries out policies adopted by the City Commission • Planning and organization of responses to public inquiries, complaints, and concerns raised by the City Commission |
| <p>COMMENTS:</p> <p>Each member of the City Attorney’s Office is a distinguished professional and each brings a team mindset to work each day. Together, the team works effectively to provide the City the best possible legal representation.</p> <p>In managing the City Attorney’s Office, I focus on developing the office and strategizing for the City’s future legal needs. Through building the office’s reputation and utilizing targeted recruitment efforts for skill and diversity, I have attracted and engaged an outstanding team that brings talent, expertise, and commitment to the office every day. The team grew this year with the addition of an experienced Assistant City Attorney whose representation focuses in large part on the North Port Police Department. The structure of the office is morphing with the reclassification of one Assistant City Attorney to a Deputy City Attorney. This will change the reporting structure in the office, provide for better management of the office overall, assist with succession planning, and allow the City Attorney more availability to focus on higher-level management and legal issues.</p> <p>Process improvement and automation efforts continue. This year, the office implemented digital intake for legal requests, converting an outdated paper process that required a total of four signatures and transmission through the City Manager’s Office, to a quick, web-based digital form that automatically syncs a request and its attachments directly into the City Attorney’s Office’s case management system. Additionally, all public-facing reports have been automated, including the monthly departmental report posted to the City’s website and the monthly Commission reports attached to Commission meeting agendas.</p> |

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 N/A-Not Applicable

OVERALL RATING

Score – 4.29

(EMPLOYEE’S COMMENT)

It continues to be an honor to serve the City of North Port and its residents. I am excited to be a part of the City’s growth and am proud to have developed the City Attorney’s Office to its current state. Thank you for another great year!

CITY ATTORNEY SIGNATURE / DATE:

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| (INSERT SIGNATURE) | (INSERT DATE) |
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