

**CITY ATTORNEY
PERFORMANCE EVALUATION**

SUGGESTED INSTRUCTIONS

Evaluate the City Attorney on the basis of standards you expect to be met for the job, considering the length of time in the job. Check the number which most accurately reflects the level of performance for the factor appraised using the rating scale described below. If you did not have an opportunity to observe a factor during this evaluation period, please indicate so in the “N/O” column next to the factor.

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 can not 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 Standard (3) The employee’s work performance consistently meets the standards of the position.

Exceeds Job Standard (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.

I. PERFORMANCE EVALUATION AND ACHIEVEMENTS

1. City Commission Relationships	1	2	3	4	5	N/O
A. Effectively implements policies and programs approved by the City Commission.	___	___	___	___	___	___
B. Reporting to the City Commission is timely, clear, concise and thorough.	___	___	___	___	___	___

1. City Commission Relationships–cont. 1 2 3 4 5 N/O

C. Accepts direction/instructions in a positive manner. _____

D. Keeps the City Commission informed of current legal matters and activities of City Attorney’s Office, legislation, governmental practices and regulations, etc. _____

E. Provides the City Commission with information on anticipated issues that could come before the City Commission. _____

F. Effectively prepares ordinances, resolutions contracts, bonds, leases and other legal instruments for the City. _____

Comments: _____

2. Public Relations 1 2 3 4 5 N/O

A. Projects a positive public image. _____

B. Is courteous to the public at all times. _____

C. Maintains effective relations with media representatives. _____

Comments: _____

3. Effective Leadership of Staff 1 2 3 4 5 N/O

A. Delegates appropriate responsibilities. _____

Comments: _____

Supplemental List of Mr. Berman's Major Achievements

II. ACHIEVEMENTS RELATIVE TO OBJECTIVE FOR THIS EVALUATION PERIOD

During the last fiscal year, under my direction, my office has continuously strived to provide the utmost professional legal services to our elected officials and City Departments. As your City Attorney, I have sought to provide advice on all legal issues in a timely, efficient manner. I believe that while it is of the utmost importance to provide such effective services, it is equally important to do so while remaining fiscally responsible.

To that end, below are certain highlights which were handled by the office for the benefit of the City:

- Creation of the City's first Community Court to assist with the prosecution of minor offenses while further attempting to address the homeless crisis throughout the City
- Continue to assisted and coordinated efforts with outside counsel to address the legal with the Opioid litigation
- Assisted with the modifications to Chapter 155 of the Zoning Code to ease certain development restrictions

- Relevant Ordinances which address the public health, safety and welfare of our citizens were drafted by my office and include:
 - o Revisions to Chapter 155 relating to Commercial Vehicle Parking Restrictions
 - o Revisions to the Chronic Nuisance Abatement Ordinance
 - o Revisions to Chapter 155 relating to revocations of Zoning Use Certificates for Nuisance Activity

In addition to the above highlighted Ordinances, my office prepared 291 Ordinances and Resolutions throughout the last year addressing all municipal business.

Finally, I have been cognizant of maintaining a professionally staffed office while keeping costs at an effective rate. Therefore, my office has continued to keep the majority of litigation matters in-house which has effectively kept outside counsel fees to a minimum. In addition, many litigation matters have been resolved through successful motion practice. For certain matters, this office has negotiated settlements which resulted in minimum sums paid for resolutions of liability actions. My office is also responsible for prosecuting all municipal ordinance and code violations before the Special Magistrate and Judges in the County Court which also reduces the need for outside counsel.