

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
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C.	Accepts direction/instructions in a positive manner.	_____	_____	_____	_____	_____	_____
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D.	Keeps the City Commission informed of current legal matters and activities of City Attorney’s Office, legislation, governmental practices and regulations, etc.	_____	_____	_____	_____	_____	_____
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E.	Provides the City Commission with information on anticipated issues that could come before the City Commission.	_____	_____	_____	_____	_____	_____
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F.	Effectively prepares ordinances, resolutions contracts, bonds, leases and other legal instruments for the City.	_____	_____	_____	_____	_____	_____
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Comments: _____

2.	Public Relations	1	2	3	4	5	N/O
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A.	Projects a positive public image.	_____	_____	_____	_____	_____	_____
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B.	Is courteous to the public at all times.	_____	_____	_____	_____	_____	_____
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C.	Maintains effective relations with media representatives.	_____	_____	_____	_____	_____	_____
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Comments: _____

3.	Effective Leadership of Staff	1	2	3	4	5	N/O
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A.	Delegates appropriate responsibilities.	_____	_____	_____	_____	_____	_____
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Comments: _____

4.	Communication	1	2	3	4	5	N/O
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A.	Oral communication is clear, concise and articulate.	—	—	—	—	—	—
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B.	Written communications are clear, concise and accurate.	—	—	—	—	—	—
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Comments: _____

5.	Personal Traits	1	2	3	4	5	N/O
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A.	Initiative.	—	—	—	—	—	—
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B.	Judgment.	—	—	—	—	—	—
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C.	Fairness and Impartiality.	—	—	—	—	—	—
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D.	Creativity.	—	—	—	—	—	—
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Comments: _____

6.	Intergovernmental Affairs	1	2	3	4	5	N/O
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A.	Maintains effective communication with local, regional, state, and federal government agencies.	—	—	—	—	—	—
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B.	Contributions to good government through regular participation in local, regional and state committees and organizations.	—	—	—	—	—	—
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Comments: _____

II. ACHIEVEMENTS RELATIVE TO OBJECTIVE FOR THIS EVALUATION PERIOD

Please see attached supplemental list of Mr. Berman's major achievements.

III. SUMMARY RATING

Overall Performance Rating – Considering the results obtained against established performance standards as well as overall job performance, the following rating is provided:

Unsatisfactory ____ Improvement ____ Meets Job ____ Exceeds Job ____ Outstanding ____
Needed Standards Standards

Comments: _____

IV. FUTURE GOALS AND OBJECTIVES

Share goals and objectives to be achieved in the next evaluation period. (Any item(s) you wish to have the City Attorney focus on) _____

V. REQUEST FOR PERSONAL MEETING

[illegible]MAYOR/COMMISSIONER
DISTRICT _____

Mark E. Berman
CITY ATTORNEY

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:

- Assisted and Coordinated efforts relating to the Covid-19 emergency which included drafting numerous Emergency Orders from the City; attending conferences with County and State officials to provide City officials with relevant updates; maintained 24/7 accessibility for inquiries from staff and officials related to Covid-19 enforcement and other matters.
- Continue to assisted and coordinated efforts with outside counsel to address the legal ramifications resulting from the sewer spill
- Assisting outside counsel with the Opioid litigation
- Assisted outside counsel with pending firearms litigation
- Assisted with the modifications to Chapter 155 of the Zoning Code to ease certain development restrictions
- Authored the fifth Code Compliance contract with Calvin Giordano
- Assisted in responding to several Appeals to the Circuit Court via Writs of Certiorari, relating to Zoning regulations which the Court ultimately found in favor of the CITY
- Relevant Ordinances which address the public health, safety and welfare of our citizens were drafted by my office and include:
 - o Revisions to the Chapter 100 relating to Street Solicitation and Right-of-Ways

In addition to the above highlighted Ordinances, my office prepared 334 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. 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.