



COLORADO • SINCE 1878

# ***City Council Legal Review Committee***

## ***Meeting Agenda***

**June 7, 2019  
City Hall, Spruce Room  
749 Main Street  
11:00 AM**

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Approval of Minutes April 26, 2019
- V. Public Comments on Items Not on the Agenda
- VI. Schedule for Annual Evaluations of Appointed Officials
- VII. Process for Filling Appointed Positions
- VIII. Discussion Items for Next Meeting
- IX. Adjourn

***City Council  
Legal Review Committee  
Meeting Minutes***

**April 26, 2019  
749 Main Street  
10:00 AM**

**Call to Order** – Councilmember Leh called the meeting to order at 10:02 am.

**Roll Call:** The following members were present:

***Committee Members: Chris Leh, City Council  
Sue Loo, City Council***

***Absent Bob Muckle, Mayor***

***Staff Present: Meredyth Muth, City Clerk  
Heather Balsler, City Manager  
Kathleen Kelly, City Attorney***

**APPROVAL OF AGENDA**

The agenda was approved as presented.

**APPROVAL OF MINUTES**

The minutes were approved as presented.

**PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

None.

**PROCESS/PROCEDURES FOR CONSIDERATION OF COMPLAINTS  
AGAINST EMPLOYEES APPOINTED DIRECTLY BY THE CITY COUNCIL**

Members reviewed the draft provided by the City Attorney.

Councilmember Leh suggested some changes to wording. Members discussed the language in the form and proposed and discussed exact language and format changes.

Members discussed the form format and details.

Councilmember Leh noted there should be language that sets expectations of how the complaint will be handled. He noted this is not an appeal process for a judicial ruling and nothing here would change the decision of the judge for a court case.

Councilmember Leh asked language be included to note the person submitting a complaint will not be retaliated against for doing so.

Staff will make the changes to the form and that version will be used for Council consideration.

Councilmember Leh moved the Committee recommend approval of this process and form. Loo agreed.

### **DISCUSSION ITEMS FOR NEXT MEETING: SUBDIVISION ENTRYWAY IMPROVEMENTS**

Councilmember Loo noted the complexity of this issue. She stated the LMC doesn't cover private individuals taking care of the right-of-way. The question for the Committee is do we want to entertain changing the LMC to require property owners to maintain the right-of-way.

Councilmember Leh suggested we should wait to see how the Parks Board addresses this issue first and then determine if the committee has a role to play.

Members set the next meeting for early June and the topic will be scheduling the evaluations for appointed officials.

### **ADJOURN**

The meeting was adjourned at 11:03 am.

**SUBJECT: SCHEDULE FOR ANNUAL EVALUATIONS OF APPOINTED OFFICIALS**

**DATE: JUNE 7, 2019**

**PRESENTED BY: MEREDYTH MUTH, CITY CLERK**

**SUMMARY:**

The City Council approved the evaluation process for the Judge, Prosecuting Attorney, City Attorney, and Water Attorney at their meeting on May 21. The Legal Committee will now have to complete the evaluations in time for a September reappointment recommendation to the City Council.

Staff is asking the Committee to review the evaluation processes and look at the June – August calendar to schedule each evaluation process.

Should any of the officials not be recommended for reappointment, staff and the committee will need time to complete an RFP process, conduct interviews, and make a recommendation to Council regarding a contract offer for 2020-2021. This will need to be complete by the end of December.

**RECOMMENDATION:**

Set schedule for evaluations of appointed officials.

**ATTACHMENT(S):**

1. Municipal Judge Evaluation Forms
2. Prosecuting Attorney Evaluation Forms
3. City Attorney Evaluation Forms
4. Water Attorney Evaluation Forms (as amended by Council)



## **Municipal Judge Annual Evaluation**

- **Legal Review Committee Evaluation**
- **Court Staff Evaluation**
- **Self-Evaluation**
- **Court Customer Surveys**
- **Legal Review Committee Recommendation**

# Municipal Judge Annual Evaluation

## Part 1 – Legal Review Committee Evaluation

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
The Judge treats all people with dignity and respect.	<input type="checkbox"/>				
The Judge is willing to make difficult or unpopular decisions.	<input type="checkbox"/>				
The Judge gives all people individual consideration.	<input type="checkbox"/>				
The Judge appears and acts neutrally on the bench.	<input type="checkbox"/>				
The Judge takes time to consider relevant facts and based decisions on those facts and statements presented	<input type="checkbox"/>				
The Judge treats parties with counsel the same as those without counsel.	<input type="checkbox"/>				
The Judge bases decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>				
The Judge keeps an open mind and considers all relevant evidence in making rulings, reserving a final decision until the parties have made final arguments.	<input type="checkbox"/>				
The Judge is courteous to all people.	<input type="checkbox"/>				
The Judge is attentive during proceedings.	<input type="checkbox"/>				
The Judge has an appropriate level of empathy with the parties involved in proceedings.	<input type="checkbox"/>				
The Judge is punctual and prepared for court.	<input type="checkbox"/>				
The Judge maintains control over the courtroom.	<input type="checkbox"/>				
The Judge acts to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>				
Cases are processed in an efficient manner and the Judge was prepared for each case on the docket.	<input type="checkbox"/>				
The Judge treats all parties equally regardless of race, sex, age, ethnicity, social status, or	<input type="checkbox"/>				

economic status, and all other categories protected by law.					
Comments:					

Name of Reviewer: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Municipal Judge Annual Evaluation

### *Part 2 – Court Staff Evaluation*

Court staff and Prosecuting Attorney to complete evaluation forms.

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
The Judge takes time to consider relevant facts and based decisions on those facts and statements presented.	<input type="checkbox"/>				
The Judge makes sure participants understand what is going on in the courtroom.	<input type="checkbox"/>				
The Judge treats all parties with dignity and respect.	<input type="checkbox"/>				
Parties are given the opportunity to speak and are made to feel they have been heard in the process.	<input type="checkbox"/>				
The Judge maintains appropriate courtroom control.	<input type="checkbox"/>				
The Judge treats all parties equally regardless of race, sex, age, ethnicity, social status, or economic status.	<input type="checkbox"/>				
The Judge acts neutrally on the bench.	<input type="checkbox"/>				
The Judge processes cases in an efficient manner and is prepared for each case on the docket.	<input type="checkbox"/>				
The Judge shows consistency in court proceedings.	<input type="checkbox"/>				
The Judge bases decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>				
The Judge communicates well with the Prosecuting Attorney and court staff.	<input type="checkbox"/>				
The Judge is prompt in making and rendering decisions.	<input type="checkbox"/>				
The Judge keeps current on local, state, and federal laws affecting the court.	<input type="checkbox"/>				
The Judge's communications are clear, concise, and accurate.	<input type="checkbox"/>				

The Judge has good working relationships with staff.	<input type="checkbox"/>				
The Judge acts to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>				

Please indicate what you believe the Judge's weaknesses are.	
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Please indicate what you believe the Judge's strengths are.	
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Comments, is there anything else you would like to share.	
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Name of Reviewer: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# Municipal Judge Annual Evaluation

## Part 3 – Self-Evaluation

Please complete the following questionnaire based on your perception about your job performance during the past year. Please answer Does Not Apply (“DNA”) for any items which do not pertain to your court assignment or activities during the past year.

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
<b>Section 1 Integrity and Impartiality</b>					
a. I treat all people with dignity and respect.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
b. I am willing to make and have made difficult or unpopular decisions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
c. I act fairly by giving people individual consideration.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
d. I appear and act neutrally on the bench.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
e. I treat parties with counsel the same as those without counsel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
f. I base decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
g. I keep an open mind and consider all relevant evidence in making rulings, reserving a final decision until the parties have made final arguments.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
h. Please provide examples.					
<b>Section 2 Professionalism &amp; Temperament</b>					
a. I act in a dignified manner in performing my duties, both on and off the bench.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK

b. I am courteous with all people.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
c. I am attentive to proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
d. I act with patience and self-control throughout the day.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
e. I have appropriate levels of empathy with the parties involved in proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
f. Please provide examples.					
<b>Section 3 Administrative Capacity</b>					
a. I am punctual and prepared for court.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
b. I maintain control over the courtroom.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
c. I appropriately enforce court rules, orders, and deadlines.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
d. I make decisions and rulings in a prompt and timely manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
e. I act to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
f. Please provide examples.					

<p>What have you done to improve the administrative functioning of the court system?</p>	
<p>Is there anything you need from the City Council to help you be successful?</p>	
<p>Please provide any additional comments, clarifications, or details of your performance or the court generally that you would like us to know.</p>	
<p>What do you see as the most important role of the Municipal Judge?</p>	
<p>What goals have you set for yourself? Detail progress in accomplishing these goals.</p>	

What are your most significant accomplishments this year?	
What obstacles or setbacks did you encounter during the year and how did you handle them?	
Are there any other issues or comments you wish to share?	

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **Municipal Judge Annual Evaluation**

### *Part 4 – Customer Surveys*

Customer surveys are given to all customers at Court. Those surveys that are turned in are recorded and copies will be given to the Committee members.

## **Municipal Judge Annual Evaluation**

### *Part 5 – Recommendation from Legal Review Committee*

Committee members will review all survey forms and the surveys from Court customers.

If it is a reappointment year for the Municipal Judge the Committee will make a recommendation to City Council (to reappoint the Judge, ask for a new appointment process for a judge, or another option).

If it is the first year of two-year appointment, the chair of the Committee will meet with the Judge to review the results of the evaluation.



## **Prosecuting Attorney Annual Evaluation**

- **Legal Review Committee Evaluation**
- **Court Staff Evaluation**
- **City Staff Evaluation**
- **Self-Evaluation**
- **Court Customer Surveys**
- **Legal Review Committee Recommendation**

## Prosecuting Attorney Annual Evaluation

### *Part 1 – Legal Review Committee Evaluation*

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
The Prosecutor treats all people with dignity and respect.	<input type="checkbox"/>				
The Prosecutor makes sure participants understand what is going on in the courtroom.	<input type="checkbox"/>				
The Prosecutor bases prosecutorial decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>				
The Prosecutor gives all people individual consideration.	<input type="checkbox"/>				
The Prosecutor treats parties with counsel the same as those without counsel.	<input type="checkbox"/>				
The Prosecutor is courteous to all people.	<input type="checkbox"/>				
The Prosecutor is attentive during proceedings.	<input type="checkbox"/>				
The Prosecutor has an appropriate level of empathy with the parties involved in proceedings.	<input type="checkbox"/>				
The Prosecutor is punctual and prepared for court.	<input type="checkbox"/>				
The Prosecutor makes offers in a prompt and timely.	<input type="checkbox"/>				
The Prosecutor acts to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>				
Cases are processed in an efficient manner and the Prosecutor was prepared.	<input type="checkbox"/>				
The Prosecutor treats all parties equally regardless of race, sex, age, ethnicity, social status, or economic status, and all other categories protected by law.	<input type="checkbox"/>				
Comments:					

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Name of Reviewer: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Prosecuting Attorney Annual Evaluation

### Part 2 – Court Staff Evaluation

Court staff and Municipal Judge complete evaluation forms.

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
The Prosecutor takes time to consider relevant facts and based decisions on those facts and statements presented.	<input type="checkbox"/>				
The Prosecutor makes sure participants understand what is going on in the courtroom.	<input type="checkbox"/>				
The Prosecutor treats all parties with dignity and respect.	<input type="checkbox"/>				
Parties are made to feel they have been heard in the process.	<input type="checkbox"/>				
The Prosecutor treats all parties equally regardless of race, sex, age, ethnicity, social status, or economic status.	<input type="checkbox"/>				
The Prosecutor makes offers in a prompt and timely manner.	<input type="checkbox"/>				
The Prosecutor is prepared for each case on the docket.	<input type="checkbox"/>				
The Prosecutor communicates well with the judge and court staff.	<input type="checkbox"/>				
The Prosecutor's communications are clear, concise, and accurate.	<input type="checkbox"/>				
The Prosecutor has good working relationships with staff.	<input type="checkbox"/>				
The Prosecutor acts to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>				
Please indicate what you believe the Prosecutor's weaknesses are.					

Please indicate what you believe the Prosecutor's strengths are.	
Comments, is there anything else you would like to share.	

Name of Reviewer: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Prosecuting Attorney Annual Evaluation

### *Part 3 – City Staff Evaluation*

Department Directors who work with the Prosecuting Attorney to complete an evaluation form

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
The Prosecutor fully reviews and understands all citations before deciding to proceed or dismiss.	<input type="checkbox"/>				
The Prosecutor treats all types of infractions equally (code enforcement, traffic, sales tax) and gives them proper review	<input type="checkbox"/>				
The Prosecutor gives clear feedback to police officers or staff if she dismisses a citation.	<input type="checkbox"/>				
The Prosecutor gives feedback on enforceability on new ordinances.	<input type="checkbox"/>				
The Prosecutor works well with police officers and staff members to advance tickets through the court process.	<input type="checkbox"/>				
The Prosecutor treats staff and police officers with respect.	<input type="checkbox"/>				
Comments, is there anything else you would like to share.					

Name of Reviewer: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# Prosecuting Attorney Annual Evaluation

## Part 4 – Self-Evaluation

Please complete the following questionnaire based on your perception about your job performance during the past year. Please answer Does Not Apply (“DNA”) for any items which do not pertain to your court assignment or activities during the past year.

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Do Not Know
<b>Section 1 Integrity and Impartiality</b>					
a. I treat all people with dignity and respect.	<input type="checkbox"/>				
b. I am willing to make and have made difficult or unpopular decisions.	<input type="checkbox"/>				
c. I act fairly by giving people individual consideration.	<input type="checkbox"/>				
d. I base prosecutorial decisions on the law and facts without regard to the identity of the parties or counsel.	<input type="checkbox"/>				
e. Please provide examples.					
<b>Section 2 Professionalism &amp; Temperament</b>					
a. I act in a dignified manner in performing my duties, both in and out of court.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
b. I am courteous with all people.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
c. I am attentive to proceedings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
d. I act with patience and self-control throughout the day.					
e. I have appropriate levels of empathy with the parties involved in proceeding.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK

f. Please provide examples.					
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**Section 3 Administrative Capacity**

a. I am punctual and prepared for court.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
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b. I make offers in a prompt and timely manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
-------------------------------------------------	--------------------------	--------------------------	--------------------------	--------------------------	-----

c. I act to ensure disabilities and linguistic and cultural differences do not limit access to the justice system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DNK
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d. Please provide examples.					
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What have you done to improve the administrative functioning of the court system?					
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Is there anything you need from the City Council to help you be successful?					
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<p>Please provide any additional comments, clarifications, or details of your performance or the court generally that you would like us to know.</p>	
<p>What do you see as the most important role of the Prosecuting Attorney?</p>	
<p>What goals have you set for yourself? Detail progress in accomplishing these goals.</p>	
<p>What are your most significant accomplishments this year?</p>	

<p>What obstacles or setbacks did you encounter during the year and how did you handle them?</p>	
<p>Are there any other issues or comments you wish to share?</p>	

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **Prosecuting Attorney Annual Evaluation**

### *Part 5 – Customer Surveys*

Customer surveys are given to all customers at Court. Those surveys that are turned in are recorded and copies will be given to the Committee members.

## **Prosecuting Attorney Annual Evaluation**

### *Part 6 – Recommendation from Legal Review Committee*

Committee members will review all survey forms and the surveys from Court customers.

If it is a reappointment year for the Prosecuting Attorney the Committee will make a recommendation to City Council (to reappoint the Prosecuting Attorney, to go out to bid for attorney services, or another option).

If it is the first year of two-year appointment, the chair of the Committee will meet with the Prosecuting Attorney to review the results of the evaluation.



## **City Attorney Annual Evaluation**

- **City Council Evaluation**
- **Staff Evaluation**
- **Self-Evaluation**
- **Legal Review Committee Recommendation**
- **Rating Scale**

## City Attorney Annual Evaluation

### *Part 1 – City Council Evaluation*

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Questions relate to all staff of Kelly, PC, including Kathleen Kelly, Melinda Culley, Dianne Criswell, and Nick Cotton-Baez.

Please answer all questions.

	Outstanding	Exceeds Expectations	Meeting Expectations	Below Expectations	Fails to Meet Expectations	No Opinion or No Observation	Do Not Know
Do you feel the City Council is getting value for its legal fees?	5	4	3	2	1	N/O	DNK
Does the City Attorney provide honest recommendations given all legal issues and ramifications?	5	4	3	2	1	N/O	DNK
Does the City Attorney possess an efficient and effective knowledge of the Municipal Code and City Charter?	5	4	3	2	1	N/O	DNK
Does the City Attorney possess an efficient and effective knowledge of government regulations and case law regarding issues facing the City?	5	4	3	2	1	N/O	DNK
Does the City Attorney proactively identify potential issues to avoid future problems?	5	4	3	2	1	N/O	DNK
Is the City Attorney's approach effective in achieving the best possible legal outcomes for the City?	5	4	3	2	1	N/O	DNK
Does the City Attorney represent the City in a professional and ethical manner?	5	4	3	2	1	N/O	DNK

Is the City Attorney impartial and objective in her duties and responsibilities?	5	4	3	2	1	N/O	DNK
Does the City Attorney communicate effectively with the City Council and staff?	5	4	3	2	1	N/O	DNK
Are the City Attorney's communications complete and understandable, and do they answer Council's questions?	5	4	3	2	1	N/O	DNK
Does the City Attorney maintain effective and open communications with the City Council?	5	4	3	2	1	N/O	DNK
Comments: Is there anything else you would like to share?							

Name of Reviewer: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## City Attorney Annual Evaluation

### *Part 2 – City Staff Evaluation*

City Manager, Department Directors, and a sampling of others who work closely with the City Attorney’s Office will complete the form.

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Questions relate to all staff of Kelly, PC, including Kathleen Kelly, Melinda Culley, Dianne Criswell, and Nick Cotton-Baez.

Please answer all questions.

	Outstanding	Exceeds Expectations	Meeting Expectations	Below Expectations	Fails to Meet Expectations	No Opinion or No Observation	Do Not Know
Does the City Attorney prepare ordinances, resolutions, and contracts accurately and consistent with the direction from City Council, City Manager, directors?	5	4	3	2	1	N/O	DNK
Does the City Attorney maintain good working relationships with staff?	5	4	3	2	1	N/O	DNK
Are regular legal activities achieved within a sufficient timeframe?	5	4	3	2	1	N/O	DNK
Are standard forms developed and used where possible to minimize the preparation of legal documentation?	5	4	3	2	1	N/O	DNK
Do invoices accurately identify tasks and expenses in sufficient detail to provide accountability and cost control?	5	4	3	2	1	N/O	DNK
Is requested legal work completed in a timely manner within established time frames?	5	4	3	2	1	N/O	DNK
Is the City Attorney accessible when needed?	5	4	3	2	1	N/O	DNK

Does the City Attorney follow-up effectively to requests?	5	4	3	2	1	N/O	DNK
Are the City Attorney's communications complete and understandable, and do they answers staff's questions?	5	4	3	2	1	N/O	DNK
Does the City Attorney maintain effective and open communications with the City Manager and staff?	5	4	3	2	1	N/O	DNK

Please indicate what you believe the City Attorney's weaknesses are.	
Please indicate what you believe the City Attorney's strengths are.	
Comments: Is there anything else you would like to share?	

Name of Reviewer: \_\_\_\_\_

\_\_\_\_\_

Signature

Date

## City Attorney Annual Evaluation

### *Part 3 – Self-Evaluation*

1. What do you see as the most important role of the City Attorney?
2. What goals have you set for yourself? Detail progress in accomplishing these goals.
3. What are your most significant accomplishments this year?
4. What obstacles or setbacks did you encounter during the year and how did you handle them?
5. What suggestions do you have for improving the communication and relationship generally between you and the Council?
6. What suggestions do you have for improving the effectiveness between you and the Council?
7. What do you see as your major goals for this next evaluation period?
8. What can the City Council do to help you accomplish these goals?

9. Are there any other issues or comments you wish to share?

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City Attorney Signature

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Date

## **City Attorney Annual Evaluation**

### *Part 4 – Recommendation from Legal Review Committee*

Committee members will review all survey forms, KPIs, and budget information.

If it is a reappointment year for the City Attorney the Committee will make a recommendation to City Council (to reappoint the City Attorney, to go out to bid for attorney services, or another option).

If it is the first year of two-year appointment, the chair of the Committee will meet with the City Attorney to review the results of the evaluation.

## **Evaluation Rating Scale For City Attorney and Water Attorney**

1. **Fails to Meet Expectations**  
Consistently fails to meet expectations in the significant/essential requirements and improvement is needed
2. **Below Expectations**  
Periodically fails to meet expectations in the significant/essential requirements and improvement is needed.
3. **Meeting expectations**  
Consistently fulfills performance expectations and periodically may exceed them.
4. **Exceeding expectations**  
Always achieves performance expectations and frequently exceeds them.
5. **Outstanding**  
Far exceeds performance expectations on a consistent and uniform basis.

**N/O** represents “no opinion” or “no observation” of performance.

**DNK** represents “do not know.”



## **Water Attorney Annual Evaluation**

- **Staff Evaluation**
- **Utility Committee Evaluation**
- **Self-Evaluation**
- **Legal Review Committee Recommendation**
- **Rating Scale**

## Water Attorney Annual Evaluation

### *Part 1 – City Staff Evaluation*

Public Works Director and Water Resources Engineer will complete the form.

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Outstanding	Distinctive Performance	Fully Satisfactory	Marginal	Unsatisfactory	No Opinion or No Observation	Do Not Know
Does the Water Attorney maintain good working relationships with staff?	5	4	3	2	1	N/O	DNK
Are standard forms developed and used where possible to minimize the preparation of legal documentation?	5	4	3	2	1	N/O	DNK
Do invoices accurately identify tasks and expenses in sufficient detail to provide accountability and cost control?	5	4	3	2	1	N/O	DNK
Is requested legal work completed in a timely manner within established time frames?	5	4	3	2	1	N/O	DNK
Is the Water Attorney accessible when needed to respond to requests?	5	4	3	2	1	N/O	DNK
Does the Water Attorney follow-up effectively to requests?	5	4	3	2	1	N/O	DNK
Does the Water Attorney accurately interpret and clarify City Council and City Manager direction?	5	4	3	2	1	N/O	DNK
Are the Water Attorney's communications complete and understandable, and do they answers staff's questions?	5	4	3	2	1	N/O	DNK

Does the Water Attorney maintain effective and open communications with staff?	5	4	3	2	1	N/O	DNK
Please indicate what you believe the Water Attorney's weaknesses are.							
Please indicate what you believe the Water Attorney's strengths are.							
Comments: Is there anything else you would like to share?							

Name of Reviewer: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Water Attorney Annual Evaluation

### *Part 2 – Utility Committee Evaluation*

Evaluation forms will be anonymous and kept confidential through the process, however the final assessment is public record.

Please answer all questions.

	Outstanding	Exceeds Expectations	Meeting Expectations	Below Expectations	Fails to Meet Expectations	No Opinion or No Observation	Do Not Know
Do you feel the Utility Committee is getting value for its legal fees?	5	4	3	2	1	N/O	DNK
Does the Water Attorney provide honest recommendations given all legal issues and ramifications?	5	4	3	2	1	N/O	DNK
Does the Water Attorney possess an efficient and effective knowledge of water law?	5	4	3	2	1	N/O	DNK
Does the Water Attorney possess an efficient and effective knowledge of government regulations and case law regarding issues facing the City?	5	4	3	2	1	N/O	DNK
Does the Water Attorney proactively identify potential issues to avoid future problems?	5	4	3	2	1	N/O	DNK
Is the Water Attorney's approach effective in achieving the best possible legal outcomes for the City?	5	4	3	2	1	N/O	DNK
Does the Water Attorney represent the City in a professional and ethical manner?	5	4	3	2	1	N/O	DNK
Is the Water Attorney impartial and objective in his duties and responsibilities?	5	4	3	2	1	N/O	DNK

Does the Water Attorney communicate effectively with the City Council and staff?	5	4	3	2	1	N/O	DNK
Are the Water Attorney's communications complete and understandable, and do they answer Council's questions?	5	4	3	2	1	N/O	DNK
Does the Water Attorney maintain effective and open communications with the Utility Committee?	5	4	3	2	1	N/O	DNK
Comments: Is there anything else you would like to share?							

Name of Reviewer: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Water Attorney Annual Evaluation

### *Part 3 – Self-Evaluation*

1. What do you see as the most important role of the Water Attorney?
2. What goals have you set for yourself? Detail progress in accomplishing these goals.
3. What are your most significant accomplishments this year?
4. What obstacles or setbacks did you encounter during the year and how did you handle them?
5. What suggestions do you have for improving the communication and relationship generally between you and the Council?
6. What suggestions do you have for improving the effectiveness between you and the Council?
7. What do you see as your major goals for this next evaluation period?
8. What can the City Council do to help you accomplish these goals?

9. Are there any other issues or comments you wish to share?

\_\_\_\_\_  
Water Attorney Signature

\_\_\_\_\_  
Date

## **Water Attorney Annual Evaluation**

### *Part 4 – Recommendation from Legal Review Committee*

Legal Review Committee members will review all survey forms, KPIs, and budget information and make a recommendation regarding reappointment to City Council.

If it is a reappointment year for the City Attorney the Committee will make a recommendation to City Council (to reappoint the City Attorney, to go out to bid for attorney services, or another option).

If it is the first year of two-year appointment, the chair of the Committee will meet with the Water Attorney to review the results of the evaluation.

## **Evaluation Rating Scale For City Attorney and Water Attorney**

1. **Fails to Meet Expectations**  
Consistently fails to meet expectations in the significant/essential requirements and improvement is needed
2. **Below Expectations**  
Periodically fails to meet expectations in the significant/essential requirements and improvement is needed.
3. **Meeting expectations**  
Consistently fulfills performance expectations and periodically may exceed them.
4. **Exceeding expectations**  
Always achieves performance expectations and frequently exceeds them.
5. **Outstanding**  
Far exceeds performance expectations on a consistent and uniform basis.

**N/O** represents “no opinion” or “no observation” of performance.

**DNK** represents “do not know.”

**SUBJECT:           PROCESS FOR FILLING APPOINTED POSITIONS**

**DATE:               JUNE 7, 2019**

**PRESENTED BY:   MEREDYTH MUTH, CITY CLERK**

**SUMMARY:**

Staff would like the Committee to have a short conversation about how to handle any vacancies that might come up mid-contract for any of the appointed officials should it be needed.

**RECOMMENDATION:**

Discussion

**ATTACHMENT(S):**

None