

March 4, 2020

To: Mayor and City Council, City of Ann Arbor
From: Amy Cell
Re: City Attorney Evaluation Summary

The 2019 360 degree performance review for the City Attorney generated an overall response rate of 97%. Overall ratings on a five point scale include:

- Council: 4.1/5
- Direct Reports: 4.7/5
- Service Area Administrators: 4.6/5

In the prior year the Council provided an overall rating of 3.8/5 and the Direct Report rating stayed the same. The prior year Service Area Administrator rating was done on a different scale, and thus a comparison is not available.

Council

Key themes from the Council indicate that Mr. Postema oversees a legal function that is hard working, provides high quality advice, is effective, fiscally responsible, organized, and provides advice that is understandable. Mr. Postema is credited for building and supporting a strong group of legal professionals that is challenging given the labor market and resource constraints.

Many council members appreciate Mr. Postema's commitment to the city, experience, professionalism, dedication, availability, ability to recruit highly experienced and competent team members, regular updates on litigation, patience, leadership, mentoring ability, proactive and timely communications, analytical abilities, judgement & ethical compass. There was a sense of improvement in timeliness from the last review period.

Concerns were raised regarding the cost of legal services, the desire to have multiple options/pathways presented, and a perception that Mr. Postema favors certain Council members. There are differences of opinion on the approach to litigation, priorities, budget, and timing and level of council involvement.

For the coming year, Council would appreciate more information about FOIA and OMA, a focus on environmental regulations, providing cost/benefit calculations for potential litigation matters, providing multiple options for issues, and a continued emphasis on improving the timeliness of requests.

Staff

Staff members provided Mr. Postema with very high scores and comments that reflect his leadership, legal knowledge, mentoring, encouragement of training and development, availability, kindness, openness to improvements and support of his team.

Staff members noted that this was a very stressful and busy time for his office due to a variety of factors including litigation and Council matters. Staff members are concerned with the workload, available resources and conflicts with Council. These issues are affecting morale and could lead to staff turnover.

In the coming year, staff would appreciate more of Mr. Postema's time to be spent on managing internal issues and in keeping the office fully staffed. There is a desire to improve efficiencies and increase staff, and/or to better manage expectations.

Service Area Administrators

Service Area Administrators (SAAs) were pleased with the quality of advice from the legal office, but have concerns on the timeliness of the information and support. There is a recognition that the cause is generally due to the high workload of the office.

SAAs appreciated the excellent staff, integrity, availability, professionalism, judgement in terms of bringing in outside counsel, advice that includes pros/cons of various options.

In the coming year, SAAs would appreciate more legal capacity, or efficiency enhancements, to improve timeliness.