


**MEMORANDUM**

**TO:** Mayor England  
Vice Mayor Kostka  
Commissioner George  
Commissioner Samora  
Commissioner Rumrell

**FROM:** Max Royle, City Manager 

**DATE:** November 25, 2020

**SUBJECT:** Evaluation

**INTRODUCTION**

At your January 14, 2020, continuation meeting, you directed that you be reminded in October 2020 to begin the 2020 reviews of the Police Chief and City Manager's work performance. That reminder was provided. Also, there was a follow up request to you about each of you scheduling a meeting with me for my evaluation. I suggested that there was no need to do one for Chief Hardwick because, now that he has been elected Sheriff of St. Johns County, he no longer is employed by the City.

As no individual meetings for my evaluation have been scheduled and as the agenda material for your December 7<sup>th</sup> meeting must be prepared early because of the Thanksgiving Day holiday, Mayor England suggested that I do a self-evaluation for you. You can use it as a guide at your December 7<sup>th</sup> meeting for your collective evaluation of my work performance.

For it, I have based my self-evaluation on five criteria:

1. Communication
2. Budgeting
3. Follow-Through on Commission Directives
4. Management of Staff
5. Adherence to Ethical Standards

Below I provide information about each criterion and what I have done during 2020 to meet the requirements of each.

**1. COMMUNICATION**

Besides ethical lapses, such as misuse of a city's credit card or romantic involvement with a subordinate employee, a city manager's failure to communicate is one of the main causes for dissatisfaction with a manager's performance. I have accordingly made it a top priority in both the past year as well as the many years I have worked for the City. This is shown by the following:

- The monthly report on the activities of the various departments and on major projects, so that the Commission is informed about them. The report is in the agenda book for each Commission meeting and available online for the public to read.

- The pending report on various matters, issues, projects, etc., that I prepare and update monthly that is also in each Commissioner's agenda book and available online for the public.
- The City Hall Update report and article that I write for City's monthly e-newsletter.
- The preparation of reports and memos for Commission meetings, so that the Commission can make decisions, move the City forward and accomplish the public's business. The reports and memos are also available for the public to read.
- The distribution of the agenda books to the Commission and the posting of the information in them for the public a week before every regular meeting.
- The coordination with department heads of the reports they prepare for Commission meetings for decisions by the Commission.
- The submission each month to the Commission of the Finance Director's report and my memo of explanation about the City's current budget.
- Answering emails and telephone calls from Commissioners, the public, other governmental agencies the same workday they are received.
- Forwarding complaints and concerns from residents about problems, issues, etc. to the appropriate department head for action and informing the residents what I have done.
- To see me in person, the proverbial "open door" is my policy, so that Commissioners, members of the public, and City employees can see me immediately without having to schedule an appointment.
- Attendance by Zoom or conference call meetings with other governmental officials. Otherwise, in-person meetings would be held as was done before the pandemic with Hunter Conrad, John Regan, and elected and appointed officials at the Northeast Florida League of Cities' monthly meetings.
- Having a department head meeting each month to discuss problems and issues of possible mutual concern.
- Supported in 2020 keeping the Communications and Events Coordinator's position because the employee is crucial for communication with the public and to provide transparency about the City's activities.
- Communicating and coordinating by daily, informal, one-on-one meetings with the City Clerk, Finance Director, and Building Official, to discuss what they are doing; meeting on an as-needed basis with the IT staff; and meeting several times a week in person or by telephone with the Public Works Director about projects and other matters.

REQUESTED COMMISSION ACTION: As a group discuss the quantity and quality of my communications in 2020 and if improvements are needed that you collectively decide what those improvements should be.

## 2. BUDGETING

How the City's money is handled and accounted for is critical for the City's operations. I have read an occasional "horror story" of managers in other cities who have not kept their elected board informed of the City's financial condition; or not taken steps to improve their city's financial condition by proposing additional revenue sources, if needed, or reducing expenditures, or both; or, worst of all, being so inattentive to their city's financial condition that a sudden gap in revenue appears, or a major expense that should have been seen foreseen suddenly appears, putting the city in a state of financial emergency. Fortunately, I have hired a very able and conscientious Finance Director who brings to my immediate attention any problems or concerns she has about the City's budget and who is pro-active about dealing with those problems or concerns before they become unmanageable and an emergency.

I review carefully the monthly financial report prepared by the Finance Director and provide it to the Commission. Each workday the Finance Director and I discuss some aspect of the current budget, such as budget resolutions that may be needed, or a deadline for submission of a grant. The conversations are more intense and detailed during the time the Director prepares the budget for the upcoming fiscal year.

To meet the City's ongoing need for revenue, I proposed in 2020 a new non-ad valorem assessment for the collection of household waste, special waste, and recyclables. The Commission agreed with this proposal.

Also, in 2020, I proposed with the Public Works Director a stormwater utility fee to be dedicated to only improvements to the City's drainage facilities. You asked that this topic be brought back to you in the spring of 2021.

During the 31 years that I've worked for the City, it has never had a financial emergency due to either overspending or under estimating of revenues, and has not been subject to a criminal investigation because an employee stole money from the City or misused its other resources.

**REQUESTED COMMISSION ACTION:** It is that you discuss my handling of the City's budget, and if improvements are needed that you collectively provide directives you think I need to follow in 2021 to accomplish those improvements.

## 3. DIRECTIVES

Another way city managers sabotage themselves is by ignoring requests from their elected board that the managers attend to this or that problem or assignment. During each Commission meeting, I take notes about actions you want me or other staff members to take. The City Clerk does the same and provides a list to me the morning after your meeting. Some of the actions requested by your directives become part of the monthly pending report. Others are forwarded to the appropriate department head for action. This is a procedure that is consistently followed to ensure that there is follow up on matters about which you are concerned. The setting of directives is an important tool that gives me direction as to what you individually and collectively think needs attention.

**REQUESTED COMMISSION ACTION:** To decide whether I have met this standard during 2020. If not, then that you collectively approve directives for me to meet this standard in 2021.

#### 4. MANAGEMENT OF STAFF

Critical to the success of any organization with employees is how they are managed. Poor management of staff is shown when a manager does the following to employees: takes credit for ideas proposed by them and/or decisions they have made; is verbally abusive and criticizes employees publicly or by email; creates a hostile work environment by throwing temper tantrums and/or making unreasonable demands; is critical and finds fault; doesn't propose constructive solutions to problems that employees may have; plays the "gotcha" style of management, which focuses on surprising employees with criticism for something not being done, or for what the manager deems is being done incorrectly.

The most telling sign of mismanagement of employees is turnover: Employees leave to escape a manager who either creates a toxic, not a positive, work environment, or does not follow the best practices of employee management, or because of ego or other reasons treats employees poorly.

A best practice of personnel management is following the concept of servant leadership. In summary, the servant-as-leader website describes the concept as: "A servant-leader focuses primarily on the growth and well-being of people and the communities to which they belong. While traditional leadership generally involves the accumulation and exercise of power by one at the 'top of the pyramid,' servant leadership is different. The servant-leader shares power, puts the needs of others first and helps people develop and perform as highly as possible."

Thus, in servant leadership, the focus is on "We" and not on "I." The "We" are the employees, including the manager, who work for the organization and the customers, or in the public sector, the citizens, whom the organization serves. Under servant leadership, the job of the manager isn't to look good or win an award, but to make the employees look good and win the awards. Also, it's to facilitate and make easier the employees' work. Servant leadership is a concept I've followed since I was first appointed a city manager in 1977 in another city because it is constructive, emphasizes the positive, and I've seen many times that it brings out the best in employees.

My emphasis of the positive and servant leadership is shown by:

- My encouragement of employees to better themselves by seeking more training or higher education.
- Consistently crediting employees for their ideas and actions that have resulted in improvements to the organization and the services it provides.
- Setting consistent standards of service to the citizens and the Commission and help the employees meet those standards.
- Supporting new technology, new ways of doing things suggested by the employees that aren't "nice-to-have bells and whistles" but are suited for a small city, will genuinely improve the organization and are within the City's financial means to acquire and maintain.
- Setting of goals cooperatively with the employees rather than imposing goals on them.
- Not taking sides in disputes between employees.
- Using punishment as the last resort to resolve an issue with an employee.

- Not micromanaging a department head and how he/she carries out his/her responsibilities.
- Adhering to the chain of command and not undermining a department head by encouraging or accepting complaints by subordinate employees who try to circumvent the chain of command.

There are five employees who report directly to me: City Clerk, Finance Director, Public Works Director, IT Manager, and Building Official. For my evaluation, I suggest the key questions concerning my management of them are:

1. Have any resigned during the past year?
2. Is the Commission aware of any actions by me during the past year involving those five employees that have resulted in complaints about how I have treated any of them or how they have managed their respective departments?
3. From your interactions with those five, do you believe that their morale is high? If not, is the cause any actions or decisions that I have made?

REQUESTED COMMISSION ACTION: That you discuss my management during 2020 of the five employees who report directly to me, whether you are aware of any areas where I need to improve my management of them, and, if you deem that improvements are needed, that you collectively agree on what those improvements are.

## 5. ADHERENCE TO ETHICAL STANDARDS

As I noted above, city managers get into ethical trouble for such actions as misusing city credit cards or being romantically involved with a subordinate employee. There are also in the public record instances of other common ethical lapses, such as managers accepting gifts above a certain value, using city employees to work on the manager's home, doing favors for certain citizens or even for one of the elected officials of the city that employs the manager. In broad terms, actions that may raise questions about a manager's ethical conduct are always those that concern "I," the manager, and not "We," the employees, the citizens and the elected board that represents them. However, an action that is not an ethical lapse by a manager is accepting cookies or a cake, or something else of minimal value from someone with whom the City has a business relationship or may have one in the future, or from employees who may buy a cake to celebrate the manager's birthday in the office. If a cake is enough of an enticement to cause a manager to commit an ethical lapse, then he or she has a sweet tooth as well as a lack of judgment/ethics problem.

In 2020, I have:

1. Not accepted any gifts of any value or even of no value from persons with whom the City does business or may in the future do business with.
2. Done any actions, made any decisions, that could be construed as doing a favor for someone with or even without the expectation of getting something in return from them for my personal benefit or the benefit of a friend, family member or an associate.
3. Done any actions, made any decisions, that gave anyone, such as a member of the public, a City Commissioner, or an employee an advantage or right that's not available to anyone else.

4. Attended virtually the four-hour ethics/open records training provided yearly by the Florida League of Cities.

Also important in terms of ethics is a city manager not assuming policy making authority that he/she doesn't have. The manager is to respect the legislative and policy making role of the elected board and to carry out the policies approved by it, and has only the degree of authority and decision making allowed by a city's charter, state law, and/or the policies of the elected board that employs the manager. I believe that a manager isn't behaving ethically if he/she acts as a policy maker independent of the elected board that represents the citizens and their interests.

Ethics in the public sector is a complex topic and I could go on for paragraphs about it here. But before we get too far into the weeds, let's focus on my performance evaluation. I suggest that there are several questions for you to consider:

1. Have you in 2020 observed me behaving unethically, or have you been told by reliable sources of specific instances when I have behaved unethically?
2. Have I in 2020 made decisions that you consider are unethical?
3. Do you believe that in 2020 I have assumed the City Commission's policy making authority, and, if so, what are the policies I have assumed without your authorization?
4. Are you aware of any conflicts of interest that I have had and whether those conflicts have caused me to behave in ways and/or make decisions that are not in the City's best interests?

REQUESTED COMMISSION ACTION: It is that you discuss whether you believe I have failed to perform my work ethically as a public official, and, if so, the specific instances of unethical behavior and what directives you collectively want me to follow in 2021 to improve my adherence to ethical standards.

### CONCLUSION

If you find helpful the five criteria for evaluating my work performance this past year, I suggest you allow them to be used for your 2021 evaluation of my performance.

For evaluating the Police Chief in 2021 you could ask Chief Carswell to get police chief evaluations from other cities and from them customize one for our City, or you could ask him to do a self-evaluation similar in format to the one I have provided here.

### SUGGESTION

It is that you consider the following:

- Whether waiting an entire year to discuss actions that the Police Chief and City Manager should do to improve their performance is productive.
- Whether it would be more productive to do away with the one-year-formal evaluation of the Police Chief and the City Manager and for individual Commissioners to meet one-on-one with these employees at various times during the year when the Commissioners have concerns or see potential problems, to discuss the Chief and Manager's respective work performance. Whether such meetings are needed would be up to each Commissioner to decide.