



# Oregon

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October 30, 2013

TO: Land Conservation and Development Commission

FROM: Teddy Leland, Administrative Services Division Manager

SUBJECT: **Agenda Item 3, November 14-15, 2013, LCDC Meeting**

## **BEST PRACTICES: KEY PERFORMANCE MEASURE 19**

### **I. AGENDA ITEM SUMMARY & RECOMMENDATION**

This item includes commission deliberation and individual completion of the legislatively required Best Practices Assessment Scorecard in Attachment A. The department recommends the scorecard be completed by each commissioner before the November 14, 2013, Land Conservation and Development Commission (commission) meeting and that commissioners bring the completed scorecard to the meeting.

The department also recommends the commission: (1) deliberate on any outstanding questions; (2) record any revisions to the individually completed scorecard; and (3) submit the forms for compilation to the administrative manager to meet requirements for the 2013 Annual Performance Progress Report Key Performance Measure #19.

The commission has previously determined its criteria for determining a “yes” or “no” answer. This information is included in Attachment B (located on pages four to six of this report). The department also recommends the commission modify criteria #9 as identified in Attachment B.

Finally, the department recommends the commission authorize the department to submit a summary of the Best Practices Assessment Scorecard in the 2013 Annual Performance Progress Report to the Department of Administrative Services (DAS), Chief Financial Office (CFO). For more information about this agenda item, contact Teddy Leland at (503) 934-0016, [Teddy.Leland@state.or.us](mailto:Teddy.Leland@state.or.us).

## **II. SUMMARY OF BOARD AND COMMISSION BEST PRACTICES MEASURE**

The 2005 legislature directed DAS and the Legislative Fiscal Office (LFO) to develop a measure for boards and commissions that have governance oversight to use in evaluating their performance.

To identify boards having governance oversight, two criteria were established:

- The board has an independent state budget or is included in another state agency's budget.
- The board hires the agency or board's executive director.

DAS and LFO submitted a recommendation to the Joint Legislative Audit Committee (JLAC). This recommendation was approved in July 2006.

The commission meets the above criteria, and is required to implement a performance measure. The commission must conduct an annual self-assessment against 15 "Best Practices Criteria" for boards and commissions as laid out by DAS.

The department must submit its 2013 Annual Performance Progress Report to DAS CFO shortly after this commission meeting. Key Performance Measure #19 measuring the Best Practices of the commission is a part of this annual report.

## **III. COMMISSION OPTIONS**

The commission may:

1. Accept the department's recommendation to complete the Best Practices Assessment Scorecard on page 3 of this report, and approve the submittal of a summary of the scorecard in the 2013 Annual Performance Progress Report to DAS CFO or
2. Deny the department's recommendation, completion of the Best Practices Assessment Scorecard on page 3 of this report, and submittal of a summary of the scorecard in the 2013 Annual Performance Progress Report to DAS CFO; or
3. Modify the department's recommendation and approve submittal of the 2013 Annual Performance Progress Report to DAS CFO.

## **IV. ATTACHMENTS**

- A. 2013 Best Practices Assessment Scorecard
- B. 2013 Defined Criteria in Meeting Best Practices

**ATTACHMENT A  
BEST PRACTICES ASSESSMENT SCORECARD**

**Best Practices Performance Measure for the Land Conservation and Development  
Commission Using LCDC Revised Criteria: August 17, 2011**

Annually, commission/board members are to self-evaluate their adherence to a set of best practices and report the percent of total best practices met by the board (percent of yes responses in the table below) in the *Annual Performance Progress Report* as specified in agency budget instructions.

DAS Recommended Assessment Process

1. Select a neutral party to facilitate the self-evaluation (recommended, not required).
2. Individual board members complete the score card shown below.
3. Tabulate the results for all board members (can be done by neutral party in advance).
4. Discuss the results—particularly the results for those areas where there are disparate responses or where the group agrees that they are not adhering to a best practice.
5. Record the group’s joint response to each best practice on a new score card. If consensus is not achieved, the board or commission should record the response as “no.”

**Best Practices Assessment Score Card:**

**Commissioner:** \_\_\_\_\_

<b>Best Practices Criteria</b>	<b>Yes</b>	<b>No</b>
1. Executive Director’s performance expectations are current.	<input type="checkbox"/>	<input type="checkbox"/>
2. Executive Director’s performance has been evaluated in the last year.	<input type="checkbox"/>	<input type="checkbox"/>
3. The agency’s mission and high-level goals are current and applicable.	<input type="checkbox"/>	<input type="checkbox"/>
4. The board reviews the <i>Annual Performance Progress Report</i> .	<input type="checkbox"/>	<input type="checkbox"/>
5. The board is appropriately involved in review of agency’s key communications.	<input type="checkbox"/>	<input type="checkbox"/>
6. The board is appropriately involved in policy-making activities.	<input type="checkbox"/>	<input type="checkbox"/>
7. The agency’s policy option packages are aligned with their mission and goals.	<input type="checkbox"/>	<input type="checkbox"/>
8. The board reviews all proposed budgets.	<input type="checkbox"/>	<input type="checkbox"/>
9. The board periodically reviews key financial information and audit findings.	<input type="checkbox"/>	<input type="checkbox"/>
10. The board is appropriately accounting for resources.	<input type="checkbox"/>	<input type="checkbox"/>
11. The agency adheres to accounting rules and other relevant financial controls.	<input type="checkbox"/>	<input type="checkbox"/>
12. Board members act in accordance with their roles as public representatives.	<input type="checkbox"/>	<input type="checkbox"/>
13. The board coordinates with others where responsibilities and interests overlap.	<input type="checkbox"/>	<input type="checkbox"/>
14. The board members identify and attend appropriate training sessions.	<input type="checkbox"/>	<input type="checkbox"/>
15. The board reviews its management practices to ensure best practices are utilized.	<input type="checkbox"/>	<input type="checkbox"/>
16. Others <i>[The board may add additional best practices. However, they are not to be counted when calculating the percentage adherence to best practices.]</i>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Total Number</b>		
<b>Percentage of Total</b>		

**ATTACHMENT B**  
**Land Conservation and Development Commission (LCDC)**  
**Defined Criteria in Meeting Best Practices**

**LCDC Approved Criteria: June 14, 2007**  
**LCDC Revised Criteria: August 17, 2011**

Best Practices Criteria	System for Achieving Success
<b>Best Practice: Executive Director Performance</b>	
1. Executive Director’s performance expectations are current.	LCDC will establish clear performance expectations for the director. This will include overall expectations via an updated position description, as well as any specific expectations via the LCDC policy agenda and other meeting-specific directives.
2. Executive Director’s performance has been evaluated in the last year.	LCDC will perform a formal evaluation annually. In addition to the evaluation, regular informal feedback will be provided to the director.
<b>Best Practice: Strategic Management</b>	
3. The agency’s mission and high-level goals are current and applicable.	LCDC actively participates in development of the strategic plan and performs a review of biennial work plan identifying LCDC’s “high level goals”.
4. The commission reviews the <i>Annual Performance Progress Report</i> as submitted to the legislature.  <i>Statutory/rule responsibility: OAM 20.10.00 PO DLCD Policy 03-01</i>	LCDC reviews the annual report through the LCDC BAM Subcommittee.
<b>Best Practice: Strategic Policy Development</b>	
5. The commission is appropriately involved in review of agency’s key communications.	LCDC is involved in DLCD’s public process and key media communications. The director coordinates regularly with the Governor and reports to the LCDC on key communications with the Governor’s Office in the Director’s Report during regular LCDC meetings. During legislative session, the director and policy analyst meet regularly with the LCDC legislative subcommittee.
6. The commission is appropriately involved in policy-making activities.  <i>Statutory/rule responsibility: ORS Chapter 197 &amp; OAR 660-002-0010</i>	LCDC reviews and approves the department’s annual rulemaking agenda and participates in key rulemaking hearings.  Commissioners are also involved in all department rulemaking activity.

<p>7. The agency’s policy option packages are aligned with their mission and goals (biennially).</p> <p><i>Statutory/rule responsibility: OAM 20.10.00 PO DLCD Policy 03-01</i></p>	<p>LCDC guides and collaborates with DLCD in budget and legislative agenda development through the LCDC BAM Subcommittee and reports from the director at regular LCDC meetings.</p>
<b>Best Practice: Fiscal Oversight</b>	
<p>8. The commission reviews all proposed budgets.</p> <p><i>Statutory/rule responsibility: OAM 20.10.00 PO, OAM 25.00.00 PO DLCD Policy 03-01</i></p>	<p>LCDC BAM Subcommittee reviews department’s proposed budget and the budget request are certified by the LCDC Chairperson.</p>
<p>9. The commission periodically reviews key financial information and audit findings.</p> <p><i>Statutory/rule responsibility: OAM 20.10.00 PO, OAM 25.00.00 PO</i></p>	<p>DLCD will provide regular (approximately 8 times a year) financial reports and audit reports to the LCDC BAM Subcommittee.</p> <p>Note: Department recommends commission change the number of times it meets from “8” to “6” to reflect the new commission schedule.</p>
<p>10. The commission is appropriately accounting for resources.</p> <p><i>Statutory/rule responsibility: OAM 20.10.00 PO, OAM 25.00.00 PO DLCD Policy 03-01</i></p>	<p>LCDC BAM Subcommittee regularly reviews financial reports providing opportunity for regular accounting of department resources.</p>
<p>11. The agency adheres to accounting rules and other relevant financial controls.</p> <p><i>Statutory/rule responsibility: OAM 25.00.00 PO OAM 10.90.00 PO</i></p>	<p>LCDC BAM Subcommittee reviews agency head transactions monthly. Full commission review summary of agency head transactions annually.</p>
<b>Best Practice: Commission Management</b>	
<p>12. Commission members act in accordance with their roles as public representatives.</p> <p><i>Statutory/rule responsibility: ORS 244.040 (1)</i></p>	<p>LCDC uses practices that support effective meetings, such as use of subcommittees, opportunities for public comment at each commission meeting, and scheduled “Other time” on agendas for richer and more meaningful discussions.</p>

<p>13. The commission coordinates with others where responsibilities and interests overlap.</p> <p><i>Statutory/rule responsibility:          ORS Chapter 195</i></p>	<p>LCDC coordinates with its stakeholders. Example: joint commission meetings with other agencies; maintaining a designee on the Governor’s Regional Solutions Teams, designation of regional representative addressing tribal concerns, support of the Citizen Involvement Advisory Committee (CIAC), Local Officials Advisory Committee (LOAC), Joint Oregon Transportation Commission (OTC), presentation from local governments and local stakeholders at commission roundtables held throughout the state.</p>
<p>14. The commission members identify and attend appropriate training sessions.</p>	<p>LCDC is given notice of training supporting its governance efforts. Examples: New commission member training and agency orientation for new commission members and regular review of the Membership Handbook for Boards and Commissions located at:  <a href="http://governor.oregon.gov/Gov/pdf/forms/Handbook.pdf">http://governor.oregon.gov/Gov/pdf/forms/Handbook.pdf</a>.          LCDC receives briefings on upcoming land use decisions and on land use matters. LCDC travels around the state to learn more about local land use issues. Training on land use matters is relevant to commission decision making.</p>
<p>15. The commission reviews its management practices to ensure best practices are utilized.</p>	<p>LCDC provides annual review of these 15 best practices and provides regular feedback through the LCDC BAM Subcommittee to the director and DLCD financial staff.</p>
<p><b>Best Practice: Other</b></p>	
<p>To be identified by LCDC</p>	<p>No additional best practices identified at this time.</p>