



Oregon

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TO: Land Conservation and Development Commission

FROM: Cora Parker, Deputy Director

SUBJECT: **Agenda Item 11, August 6-7, 2008 LCDC Commission Meeting**

Director's Performance Expectations and Evaluations

I. AGENDA ITEM SUMMARY

Following direction from the 2005 meeting of the Legislative Assembly, a number of state boards and commissions were required to adopt a "best practices" performance measure. The measure requires the boards and commissions to conduct annual self-assessments against 15 "Best Practices Criteria" laid out by the Department of Administrative Services (DAS).

The first two criteria are:

- Executive Director's performance expectations are current.
- Executive Director's performance has been evaluated in the last year.

In order to meet the criteria noted above, the department recommends that the commission adopt an updated version of the director evaluation policy and process that was put in place in January 2003. Attachment A provides a copy of that policy and process for consideration. The department further recommends that the commission consider and make any refinements to the specific "Director's Action Plan for Implementation and Results" section of that policy at its October 2008 meeting. Finally, the department recommends that the commission identify a target date, ideally no later than June 30, 2009, to evaluate Director Whitman's performance.

For additional information about this agenda item please contact Cora Parker at (503) 373-0050, ext. 223 or by e-mail cora.r.parker@state.or.us.

II. ADDITIONAL BACKGROUND INFORMATION

In January 2003, the commission adopted a policy and process for evaluation of the DLCD Director. The policy and process document has been revised based on previous input from the commission. The attached recommended policy and process has also been reviewed by the department's human resource officer, and includes the basic evaluation criteria that would be expected to be included in such a document. The updated policy and process provides for some

flexibility on the commission's part regarding how to carry out the evaluation, while establishing firm criteria for assessment of the director's performance.

The policy and process provides for appointment of a subcommittee to prepare and manage the evaluation process.

The evaluation form (Attachment C) asks individual evaluators to rate the Director's performance in two major categories:

- Leadership Competencies and Management Capabilities (49 percent of total score): including strategic leadership, budget management, strategic communication, performance management, political acumen, agency administration, and commission performance.
- Implementation and Results (51 percent of total score): including implementation of a specific action plan outlined and agreed to by the director and the commission.

It is important to note that 51 percent of the total potential score rests on implementation of the director's action plan. A previous action plan is included here (Attachment D) for illustration purposes only. The department recommends that the commission work with the director to outline an updated plan for adoption at the October 2008 meeting. Adoption in October will also give new LCDC commissioners, anticipated to be in place by that meeting, an opportunity to participate in the discussion and adoption of this important plan. Evaluation subcommittee members could also be appointed at the October meeting.

The department recommends completion of Director Whitman's initial performance evaluation no later than June 30, 2009. Because of the delayed adoption of action plan criteria, the commission may not want to evaluate Director Whitman in January 2009 (the first anniversary of his appointment to the position). Completion of the review by June 30, 2009, however, would allow the commission to meet the second best practices performance criteria, (Executive Director's performance has been evaluated in the last year), in time for the 2008-09 reporting of these measures.

III. DEPARTMENT RECOMMENDATION

The department recommends that the commission accept the department's recommendation to adopt an updated version of the director evaluation policy and process that was put in place in January 2003, and make refinements to the "Director's Action Plan for Implementation and Results" section of that policy and process at its October 2008 meeting. Alternatively, the commission could direct staff to modify the recommended policy and process and return with those modifications for consideration at the October 2008 meeting. Finally, the department recommends that the commission identify a target date, no later than June 30, 2009, to evaluate Director Whitman's performance.

Attachment:

- A. LCDC Performance Evaluation of the DLCD Director Policy and Process
- B. LCDC Performance Evaluation of the DLCD Director Confidentiality Policy
- C. LCDC Performance Evaluation of the DLCD Director Evaluation Form
- D. Example of Previous Director's Action Plan for Implementation and Results

ITEM 11, ATTACHMENT A

LCDC PERFORMANCE EVALUATION OF THE DLCD DIRECTOR POLICY AND PROCESS

NOTE: This policy replaces the director evaluation policy adopted by LCDC in January 2003.

- A. LCDC shall evaluate the performance of the DLCD director annually.
- B. Immediately prior to the evaluation, LCDC shall:
 - 1. Appoint a subcommittee, which shall be responsible for preparing and managing the evaluation process.
 - 2. Adopt criteria, or revise existing criteria, for the evaluation and develop any evaluation forms to be used, after allowing public comment.
- C. The subcommittee shall prepare a list of people to be asked to complete the evaluation, after consulting with the director and with DLCD staff. In addition to all members of the commission, the invited evaluators may include representatives of DLCD staff, and stakeholders, including selected members of the Citizen Involvement Advisory Committee, the Local Officials Advisory Committee, local government planners, and other state or federal agencies. The subcommittee may choose to interview invited evaluators or to ask invited evaluators to complete an official evaluation form based on the evaluation criteria developed in item B.2. above.
- D. All invited evaluators will be promised that their evaluation forms shall be kept confidential, including their names and their comments on the evaluation forms, as provided by the commission's adopted confidentiality policy.
- E. The subcommittee shall develop a schedule for the evaluation process and present that schedule in a public meeting.
- F. The commission or subcommittee may choose to conduct the evaluation themselves or may choose to engage the services of an unaffiliated third party as a neutral evaluator.
- G. In the event that the commission chooses to engage a neutral evaluator, that person shall not be a commission member, a staff member, nor any party having a direct vested interest in any land use or fiscal decisions made by, or likely to be made by, the commission or the director.
- H. The commission shall review the compiled evaluation comments with the director, in executive session, unless the director chooses not to have the review in executive session.
- I. The director will be given the opportunity to provide a self-evaluation to the commission.

Adopted by LCDC at its _____, 2008, meeting.

ITEM 11, ATTACHMENT B

LCDC PERFORMANCE EVALUATION OF THE DLCD DIRECTOR CONFIDENTIALITY POLICY

Note: This policy replaces the confidentiality policy adopted by LCDC in January 2003.

- A. It shall be the policy of LCDC that all persons who participate in an evaluation interview or who complete a written evaluation of the performance of the DLCD director shall be promised that their names and their comments shall be kept confidential. Prior to any evaluation interview, invited evaluators shall be informed of this policy. This promise shall be displayed prominently on any evaluation form.
- B. The commission will not accept anonymous comments or evaluations. Every evaluation form must be signed by the evaluator. Evaluators' names and comments on the evaluation forms shall be kept confidential from everyone except an LCDC member designated to process evaluation forms and remove names before review or a neutral third party, if one is chosen by the commission to assist in the evaluation process.
- C. The commission may choose to share the comments of the invited evaluators with the director. However, the director shall not have access to the evaluators' names. If the nature of an evaluator's comments would allow the identity of the evaluator to be deduced, the commission will summarize or paraphrase the comments prior to sharing with the director, in order to preserve the evaluator's confidentiality.
- D. In the event that the commission chooses to engage a neutral evaluator to assist in the review of evaluation forms, the following process will be used. The invited evaluator shall return evaluation forms directly to the third party. The third party shall remove the names of the evaluators from the forms, unless the evaluator waives the promise of confidentiality. The commission will either ask the third party (1) to forward the evaluation forms with the names removed to the commission, or its designees, or (2) to review, compile and summarize the evaluation comments prior to submittal to the commission.
- E. An evaluator may waive the commission's promise of confidentiality by so stating at the time of an interview or by checking a box on the evaluation form. In that case, the evaluator's name and comments may be shared with anyone who asks to see that evaluation form or summary of interview notes. The commission will treat any evaluator who does not waive confidentiality as relying on the commission's promise of confidentiality in submitting an evaluation. However, an evaluator forfeits his or her right to confidentiality if it can be shown that the evaluator intentionally provided false information.
- F. The commission concludes that this promise of confidentiality is necessary in order for the commission to get full, frank, and candid opinions from a broad range of employees and others who work with the director. No one is required by law to complete an evaluation of the DLCD director. It is in the public interest that the commission evaluates the performance of the director. It is therefore also in the public interest that the commission promise confidentiality to potential evaluators, in order to get the best information upon which to evaluate the director's performance. This is true for both identities and comments on the evaluation form, because the number of DLCD

staff is small, the world of other possible evaluators is also small, and the planning circle in Oregon is small, so that it might be possible to identify an evaluator from the evaluator's comments. As a result of the above, the commission believes that these evaluations are exempt from public disclosure under ORS 192.502.

Adopted by LCDC at its _____, 2008, meeting.

ITEM 11, ATTACHMENT C

Land Conservation and Development Commission Director Performance Evaluation

Performance Evaluation For: _____

Rating Period: _____ **Next Rating Period:** _____

It shall be the policy of LCDC that all persons who complete the written evaluation of the performance of the DLCD director shall be promised that their names and their comments shall be kept confidential.

Evaluator may waive the commission's promise of confidentiality by checking this box.

A. Leadership Competencies and Management Capabilities

1. Strategic Leadership. Director establishes and maintains with LCDC concurrence, strategy to align agency mission and resources with the expectations of our internal and external partners and customers. Director leads staff to accomplish priorities, objectives and strategies as approved by commission. Public involvement strategies include commission-approved policy. Director provides periodic assessments to commission on accomplishment of strategic plan relative to forecasts and resource constraints.

Weight: 7%

5-7 Exceeds Performance Expectations
2-4 Meets Performance Expectations
0-1 Does Not Meet Performance Expectations

0	1	2	3	4	5	6	7

Comments:

2. Budget Management. Director designs and appraises LCDC of resource utilization relative to budget targets and organization's programs. Provides on an as-needed basis, updates and options for aligning work and resources.

Weight: 7%

5-7 Exceeds Performance Expectations
2-4 Meets Performance Expectations
0-1 Does Not Meet Performance Expectations

0	1	2	3	4	5	6	7

Comments:

3. Strategic Communication. Director assures that informative materials including applicable analyses, documents, surveys and reports will be disseminated in a timely manner to facilitate discussion of a range of policy implications to keep the commission, public and vital interest groups fully engaged. Leads by example in clearly expressing ideas verbally and in writing, effectively collaborating with groups to gain consensus, working with others to accomplish shared interests and actively listening as part of persuasion and negotiation

Weight: 7%

5-7 Exceeds Performance Expectations
2-4 Meets Performance Expectations
0-1 Does Not Meet Performance Expectations

0	1	2	3	4	5	6	7

Comments:

4. Performance Management. Director actively ensures that the organization is progressively achieving performance targets as established in the budget document. Director coaches and mentors staff to develop and improve team performance and establishes information feedback systems that support continuous refinement of work. Director allocates resources and makes adjustments reflecting improvement opportunities or performance gaps.

Weight: 7%

5-7 Exceeds Performance Expectations
2-4 Meets Performance Expectations
0-1 Does Not Meet Performance Expectations

0	1	2	3	4	5	6	7

Comments:

5. Political Acumen. Director models creative problem solving and risk taking. Director demonstrates ability to successfully navigate and operate in a highly visible and contentious environment, responds to multiple constituents who have disparate interests and conflicting agendas and provides liaison between groups.

Weight: 7%

5-7 Exceeds Performance Expectations
2-4 Meets Performance Expectations
0-1 Does Not Meet Performance Expectations

0	1	2	3	4	5	6	7

Comments:

6. Agency Administration. Director proactively identifies changes in policy and initiates improvements to organizational structure, staffing systems and rewards, necessary to build organization’s capability to execute agency’s vision, mission, goals, strategic intent and objectives. Director gives clear direction to staff to avoid duplication of effort and ensure implementation of commission policy in a timely manner. Staff performance appraisal policies, processes and forms support implementation of commission actions. Director ensures, through subordinates, that staff field decisions when working with local governments and other state agencies are based only on existing statutes, goals, executive orders and adopted commission policies. Director appoints, re-appoints, assigns and reassigns as necessary all subordinate officers and employees of the department, clearly prescribes their duties and fixes their compensation, subject to duties of director, ORS 197.090. Department personnel are to be highly qualified, responsive to DLCDC’s entire customer base, including LCDC.

Weight: 7%

5-7 Exceeds Performance Expectations
2-4 Meets Performance Expectations
0-1 Does Not Meet Performance Expectations

0	1	2	3	4	5	6	7

Comments:

7. Commission Performance. Director provides assistance to commission in structuring meetings, designing commission involvement, providing commissioners with training and educational opportunities, and delivering feedback to commissioners on their performance. Director initiates timely, clear communication of policy, financial, operational and program information.

Weight: 7%

5-7 Exceeds Performance Expectations
2-4 Meets Performance Expectations
0-1 Does Not Meet Performance Expectations

0	1	2	3	4	5	6	7

Comments:

B. Implementation and Results

1. Action Plan Implementation. Director, in consultation with LCDC, executive committee provides high-level action plan on semiannual basis. Reviews Final action plan with commission. Director implements action plan to degree appropriate, given internal and external environment, while prudently balancing short- and long-term impacts.

Weight: 51%

<u>35-51</u> Exceeds Performance Expectations
<u>17-34</u> Meets Performance Expectations
<u>0-16</u> Does Not Meet Performance Expectations

0	10	20	30	40	51
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Comments:

C. Cumulative Scoring

Leadership Competencies and Management Capabilities (max. 49)

Item Number	Weight
1. Strategic Leadership (0-7)	
2. Budget Management (0-7)	
3. Strategic Communication (0-7)	
4. Performance Management (0-7)	
5. Political Acumen (0-7)	
6. Agency Administration (0-7)	
7. Commission Performance (0-7)	
Subtotal	

Implementation and Results (max. 51)

Item Number	Weight
1. Action Plan Implementation (0-51)	
Subtotal	
TOTAL (A. and B.)	

 Name of Reviewer Signature of Reviewer Date

Every evaluation form must be signed by the evaluator. Evaluator's names shall be kept confidential from everyone except a third party who shall be chosen by the commission and who shall not be on the commission nor a DLCD staff member.

ITEM 11, ATTACHMENT D

Director's Action Plan for Implementation and Results February 1, 2002 – December 31, 2002

– INTENDED AS SAMPLE ONLY –

1st six months: Build sense of urgency and set direction

- Assessment of situation
- Understand operations, identify reliable sources
- Identify and initiate key relationships
- Formalize strategic plan with LCDC
- Identify messages for internal, external audiences
- Enroll management in accountable objectives
- Build a management team to focus on internal work while director develops external agenda
- Create activity-based transparent budget
- Establish strategic innovation groups
- Reconfigure organizational design for flexibility
- Formalize internal workgroups
- Prepare '03-05 budget for 10, 20, 30 percent cuts
- Prepare 01-03 budget and contingency plans
- Respond to requests of multiple special legislative sessions

2nd six months: Build coalition of leadership and commitment

- Continue building relationships
- Align budget with strategic plan
- Link operations to budgeted outputs
- Promote legislative and other new policy ideas to signal priorities
- Formalize grant strategy to enhance productive partnerships
- Reestablish LOAC and CIAC roles, procedures.
- Solidify reengagement effort and communications program

- Assess core processes, effectiveness and efficiencies
- Formalize downsized contingency plan
- Restructure in anticipation of budget reductions
- Secure training in project management and streamlining
- Engage stakeholders in shaping improvements

3rd six months: Capture small gains to fuel more improvements

- Build on constituent networks and transform networks into alliances for supporting our budget and legislative package.
- Develop infrastructure financing tools to guide development.
- Participate in Governor's streamlining initiatives and simplify core processes to reinforce economic development.
- Identify new methods, such as transfer of development rights (TDRs), to balance growth impacts.
- Build strategic alliances between commissions to optimize shared goals and push staff toward collaboration at all levels.
- Formalize downsizing contingency plans and prepare modified performance measurement targets
- Develop new performance-based appraisals for key profession positions

4th six months

- Implement performance-based appraisals.
- Prepare field staff guidelines on pursuing state interests.
- Design on-line database to track implementation of commission actions and requests

- Provide customer service training for field staff.
- Identify approach for leadership training and management training and succession planning.

