

**Members:**

Susan Mandiberg, Chair  
 Philippe Knab  
 Haley Olson

**Executive Director:**

Ken Sanchagrin

## Oregon Public Defense Commission Governance Subcommittee Meeting

*Meeting will occur virtually  
 Monday, March 9, 2026  
 2:30pm – 4:00pm PST  
 Via Zoom\**

### Administrative Announcement

*This is a public meeting, subject to the public meeting law and it will be recorded. Deliberation of issues will only be conducted by Commission members unless permitted by the Chair. Individuals who engage in disruptive behavior that impedes official business will be asked to stop being disruptive or leave the meeting. Additional measures may be taken to have disruptive individuals removed if their continued presence poses a safety risk to the other persons in the room or makes it impossible to continue the meeting.*

# AGENDA

Approx. Time	Item	Lead(s)
2:30-2:35	Welcome and Call to Order	Chair Mandiberg
2:35-3:00	<b>Discussion:</b> Updates to the Public Comment Guidelines Document	Chair Mandiberg
3:00-3:15	<b>Discussion:</b> Updates to the OPDC Complaint Policy in relation to the new Bylaws	Chair Mandiberg
3:15-3:40	<b>Discussion:</b> Executive Director Performance Measures	Chair Mandiberg
3:40-4:00	<b>Discussion:</b> Commission Annual KPM (Best Practices Survey) Reporting	Chair Mandiberg Mara Hoaglin
4:00	**Adjourn**	

*\*To join the Zoom meeting, click this link: <https://zoom.us/j/96459682087>. This meeting is accessible to persons with disabilities or with additional language service needs.*

*Our Zoom virtual meeting platform is also equipped with Closed Captioning capabilities in various languages, which agency staff can assist you with setting up ahead of meetings.*

*Requests for interpreters for the hearing impaired, for other accommodations for persons with disabilities, or for additional interpreter services should be made to [info@opdc.state.or.us](mailto:info@opdc.state.or.us). Please make requests as far in advance as possible, and at least 48 hours in advance of the meeting, to allow us to best meet your needs.*

*Listed times are an estimate, and the Chair may take agenda items out of order and/or adjust times for agenda items as needed.*

## **Boards and Commissions Best Practices Measure**

### **1. What's this about?**

Department of Administrative Services (DAS) and the Legislative Fiscal Office (LFO) were given a joint budget note for 2005-07 asking them to develop best management practices performance measures to be applied to governance boards and commissions. A recommendation was submitted to and approved by JLAC in July, 2006. In 2007-09 the Legislature added it to all governing Boards and Commissions.

### **2. What's the measure?**

The approved measure is "percent of total best practices met by the board." The measure is calculated as the percent of "yes" responses provided in a self-assessment of best practices. The Self-assessment Guidance that lists 15 best practices is provided in the recommendation. Applicable boards/commissions will need to conduct annual self-evaluations to gather information to report on the measure.

### **3. Who is impacted?**

The requirement is being applied to boards and commissions that meet the following criteria:

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

These criteria focus on governing boards/commissions. A complete list of applicable boards/commissions is provided in the recommendation.

### **4. How often do we report on this measure?**

Yearly

## **Standard Measure – Percent of best practices met by the Board and/or Commission**

### **Self-Assessment/Best Practices Criteria**

1. Executive Director's performance expectations are current.
2. Executive Director receives annual performance feedback.
3. The agency's mission and high-level goals are current and applicable.
4. The board reviews the *Annual Performance Progress Report*.
5. The board is appropriately involved in review of agency's key communications.
6. The board is appropriately involved in policy-making activities.
7. The agency's policy option packages are aligned with their mission and goals.
8. The board reviews all proposed budgets (likely occurs every other year).
9. The board periodically reviews key financial information and audit findings.
10. The board is appropriately accounting for resources.
11. The agency adheres to accounting rules and other relevant financial controls.
12. Board members act in accordance with their roles as public representatives.
13. The board coordinates with others where responsibilities and interests overlap.
14. The board members identify and attend appropriate training sessions.
15. The board reviews its management practices to ensure best practices are utilized.
16. Others

### **Totals**

### **Percentage of Total**

**\*\*For Subcommittee Discussion Reference**



**Date:** September 17, 2025

**To:** Jennifer Nash, Chair of OPDC  
OPDC Commissioners

**Cc:** Kenneth Sanchagrin, Executive Director

**From:** Susan Mandiberg, Vice Chair of OPDC

**Re:** Key Performance Measures (KPM) Best Practices Survey

**Nature of Presentation:** Briefing

**Introduction:**

The KPM Survey is part of the budget process. OPDC is required to submit a report on our progress in meeting performance measures to the Department of Administrative Services (DAS) and the Legislative Fiscal Office (LFO); this must be done by October 1 of each year. ORS 291.110(1)(g).

The Commission Best Practices Evaluation is one of 5 KPMs. In 2024, normally, this is completed by commissioners. In 2024 the Commission had been in existence for a little over six months, so for full input we circulated the survey both to commissioners and to fourteen staff members who had worked closely with the Commission.<sup>1</sup> This year, as is more typical, we circulated the survey only to the ten active commissioners; 8 responded.

The survey asks commissioners to respond to fifteen statements about Commission performance. The statements (*i.e.*, the performance measures) are mandated, but the way responses are measured is not. Our survey asked respondents to rate performance on a scale (strongly agree – agree – no opinion – disagree – strongly disagree). Respondents also had the opportunity to give textual responses, which are not forwarded to DAS or LFO. All responses are anonymous, and it is not possible to correlate the scale responses with the textual responses.

OPDC staff generated a report that shows the number of people responding at each scale level, the percentage of respondents who give each scale response, and the

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<sup>1</sup> The results of the 2024 survey, including a Governance Subcommittee report, were on the agenda of the September 18, 2024 Commission meeting and are available on the OPDC website.

written comments. The Report is attached below.

The Governance Subcommittee discussed the 2025 responses at the Subcommittee's Sept. 4 meeting. We did not take any official actions. This Memo summarizes observations the Subcommittee discussed with regards to the survey responses.

## **I. Commission Evaluation of the Executive Director's (ED's) Performance**

Statement 1: The Executive Director's Performance Expectations are Current.

Statement 2: The Executive Director Receives Annual Performance Feedback.

Scale responses to these statements ran the whole gamut from "strongly agree" to "strongly disagree." The lack of consensus may have resulted from the current ED having been in office only briefly when the survey went out. There was, however, consensus in the textual responses, which accurately observe that the Commission has neither articulated performance measures nor given an annual performance feedback based on those measures.

The reasons the Commission did not articulate performance measures for the ED in 2024 include the fact that almost all commissioners were new and were still learning about how OPDC operates. In addition, the Commission's attention was focused on the pressing issue of addressing the crisis of unrepresented persons. Finally, the other consuming issue – the novel task of transitioning to the Executive Branch of government – was not easily subject to traditional performance standard evaluation.

Now that OPDC's role in the Executive Branch is clearer, it is important for the Commission to articulate both performance standards for the ED and a method of providing annual performance feedback. The Governance Subcommittee is studying both issues and will be presenting suggestions to the Commission at a later meeting.

## **II. The Agency's Mission**

Statement 3: The agency's mission and high-level goals are current and applicable.

Most respondents agreed or strongly agreed with this statement. However, the textual responses reflect commissioners' frustration at not being able to achieve what commissioners consider to be the agency's mission and goals.

## **III. Commission Oversight**

The survey contained seven statements regarding the Commission's oversight duties.

The Commission...

Statement 4: ...reviews the Annual Performance Progress Report.

Statement 5: ... is appropriately involved in review of agency's key communications.

Statement 6: ...is appropriately involved in policy-making activities.

Statement 8: ...reviews all proposed budgets (likely occurs every other year).

Statement 9: ... periodically reviews key financial information and audit findings.

Statement 10: ...is appropriately accounting for resources.

Statement 13: ...coordinates with others where responsibilities and interests overlap.

The scale responses to all statements except Statements 6 and 13 were either strongly agree, agree, or no opinion. Some of the textual comments to these statements, however, reflect commissioners' frustration with both the amount of work volunteer commissioners are expected to undertake and with the inability to carry out the programs and policies the Commission has adopted.

Statement 6 drew one "strongly disagree" response. It is possible that this response was made by the commissioner who commented that "agency employees have not always taken guidance from the commissioners." This comment may suggest an element that could be added to the list of ED performance expectations, as the Commission has no direct management over OPDC staff.

Statement 13 drew one "disagree" response. The textual comments all, once again, reflect commissioners' frustration; for example, "We try. Coordination is a 2-way street, sadly."

#### **IV. Other Commission Duties**

Statement 12: Commission members act in accordance with their roles as public representatives.

Statement 14: Commission members identify and attend appropriate training sessions.

Statement 15: The Commission reviews its management practices to ensure best practices are utilized.

There were no disagree or strongly disagree responses to any of these statements, and only one substantive textual comment. One person had "no idea" what it means to act in accordance with public representative roles. This comment suggests that training as to the expected role of a public representative might be useful.

#### **V. Agency Accounting Practices**

Statement 11: The agency adheres to accounting rules and other relevant financial controls.

Scale responses range from strongly agree to no opinion. The one substantive comment, that the LFO may "not be pleased with our budgeting," may reflect a misunderstanding of the nature of the LFO's concerns. In any case, OPDC has an active audit committee, one member of which is a commissioner who is also on the Governance Subcommittee. Both the Subcommittee and the Commission receive regular audit reports, and the Commission receives budgeting reports at Commission meetings.

#### **VI. Policy Option Packages (POPs)**

Statement 7: The agency's policy option packages are aligned with their missions and goals.

Most scale responses were in the "strongly agree/agree" range; two had no opinion. One textual comment, however, suggests that the Commission should pay closer attention to the political context in which our POPs are drafted and the strategies associated with that context.