



AGENDA COVER MEMO

Memorandum Date: June 15, 2023

Order Date: June 27, 2023

TO:	Board of County Commissioners
DEPARTMENT:	Human Resources
PRESENTED BY:	Alana Holmes, Chief Human Resources Officer
AGENDA ITEM TITLE:	ORDER - In the Matter of Documenting the County Counsel's Goals for the 2023-2024 Annual Performance Evaluation Period

I. MOTION

Move approval of Board Order 23-06-27- In the Matter of Documenting the County Counsel's Goals for the 2023-2024 Annual Performance Evaluation Period.

II. AGENDA ITEM SUMMARY

The purpose of this item is to document the performance evaluation goals for County Counsel, Erin Pettigrew's 2023-2024 performance evaluation period.

The Board is being asked to adopt this Board Order.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

1. On March 17, 2020, the Board passed Board Order 20-03-17-05 (In the Matter of Adopting an Annual Performance Review Process for Employees Who Report Directly to the Board of County Commissioners).
2. On June 15, 2022, the Board directed Human Resources to proceed with the selection and contracting of a search firm, to post the County Counsel position and to begin sourcing candidates.
3. On November 2, 2022, initial interviews were held. Interview panels included a mix of County Counsel staff members, department leaders, and the Board.
4. On November 17, 2022, follow up interviews were held with the Board. Following the interviews and discussion in Executive Session, the Board

moved into Public Session and voted to direct staff to make an offer and negotiate an employment agreement with Erin Pettigrew for the position of Lane County Counsel.

5. On December 6, 2022, the Board Passed Board Order 22-12-06-07 (In the Matter of Appointing a County Counsel).
6. On January 17, 2023, County Counsel Pettigrew's term of employment commenced.
7. On May 23, 2023, the Board met in Public Session to discuss County Counsel Pettigrew's goals for the 2023-2024 performance evaluation period.

B. Policy Issues

As stated above, on March 17, 2020, the Board passed Board Order 20-03-17-05 (In the Matter of Adopting an Annual Performance Review Process for Employees Who Report Directly to the Board of County Commissioners). Board Order 20-03-17-05 set the process and timelines for conducting performance reviews for Board Employees.

C. Board Goals

The annual performance evaluation process aligns with the Lane County Strategic Plan's priority and goal of Our People and Organizational Health; invest in our employees who are the backbone of our organization and invest in our systems and organizational health so that employees can thrive and residents can experience a more effective government.

D. Financial and/or Resource Considerations

County Counsel Pettigrew will be evaluated using the priorities, goals, and expectations established by the Board and in accordance with the procedure established in section 3.1 of County Counsel's employment agreement. If the evaluation is scored as successful or better, County Counsel Pettigrew's salary will be moved to the next step listed in the salary schedule.

E. Health Implications

There are no health implications.

F. Analysis

As outlined in County Counsel Pettigrew's employment agreement, County Counsel and the Board met on May 23, 2023, to discuss the goals for the initial review period. In the first year of the contract, both County Counsel and the Board will seek continuous feedback on progress towards goals established for the position. County Counsel's initial formal review period will end on July 31, 2024. County Counsel will receive an informal review in August 2023. Beginning August 1, 2024, the performance review period for the County Counsel will be August 1 to

July 31 on an annual basis. Since County Counsel will not receive a formal evaluation prior to the adjusted term outlined above, County Counsel will receive a merit increase to the next step of the respective pay scale without a formal review, effective the first full pay period following December 1, 2023.

Based on the discussion and feedback shared during the May 23, 2023, Board of County Commissioners meeting, the County Counsel's performance evaluation goals have been documented in the attached Board Order to reflect the following:

1. Provide High Quality Legal Support: Litigation and General Counsel Work
 - a. Providing timely, well-researched and collaborative counsel to client Departments and the Board of County Commissioners.
 - b. Providing timely, well-researched, and collaborative counsel to the Sheriff, District Attorney, and County Assessor.
 - c. Designing feedback mechanisms for the Office of Legal Counsel, e.g. an annual survey of clients.
 - d. Leveraging technology for more efficient work in case management, client contacts, and the public records system.
2. Sustain a Strong Office of Legal Counsel
 - a. Cultivating opportunities for professional growth for all staff.
 - b. Creating an Office of Legal Counsel vision and purpose statement in collaboration with clients and internal staff.
 - c. Office reorganization.
 - d. Planning an Office of Legal Counsel staff retreat for teambuilding and positive office culture.
3. Review/Create Policies and Practices
 - a. Comprehensive manual for the Office of Legal Counsel.
 - b. Developing an equity framework for legal and risk work of the department.

G. Alternatives/Options

Option 1: The Board can accept the County Counsel's Goals for the 2023-2024 Annual Performance Evaluation Period.

Option 2: The Board can decline the County Counsel's Goals for the 2023-2024 Annual Performance Evaluation Period and direct staff to schedule further discussion.

IV. RECOMMENDATION

Human Resources recommends Option 1, which is supported by the Board's discussion on May 23, 2023.

V. TIMING/IMPLEMENTATION

In August and September of 2024, the Board will review and evaluate County Counsel's performance, completing the review no later than the end of September.

VI. FOLLOW-UP

There is no follow up at this time.

VII. ATTACHMENTS

A. Board Order 23-06-27-05

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 23-06-27-05

In the Matter of

IN THE MATTER OF DOCUMENTING THE
COUNTY COUNSEL'S GOALS FOR THE
2023-2024 ANNUAL PERFORMANCE
EVALUATION PERIOD

WHEREAS, the Board of Commissioners entered into an employment agreement with Erin Pettigrew for the position of County Counsel effective January 17, 2023; and

WHEREAS, on March 17, 2020 the Board passed Board Order 20-03-17-05 (In the Matter of Adopting an Annual Performance Review Process for Employees Who Report Directly to the Board of County Commissioners) which outlines the performance review process for Board Employees going forward; and

WHEREAS, the Board of Commissioners has discussed Ms. Pettigrew's goals for the initial review period; and

WHEREAS, it is proposed that performance reviews and goal setting continue to be accomplished on an annual basis;

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. That the record reflect Ms. Pettigrew's goals for the 2023-2024 performance evaluation period be:
 - a. Provide High Quality Legal Support: Litigation and General Counsel Work
 - Providing timely, well-researched, and collaborative counsel to client Departments and the Board of County Commissioners.
 - Providing timely, well-researched, and collaborative counsel to the Sheriff, District Attorney, and County Assessor.
 - Designing feedback mechanisms for the Office of Legal Counsel, e.g. an annual survey of clients.
 - Leveraging technology for more efficient work in case management, client contacts, and the public records system.
 - b. Sustain a Strong Office of Legal Counsel
 - Cultivating opportunities for professional growth for all staff.
 - Creating an Office of Legal Counsel vision and purpose statement in collaboration with clients and internal staff.
 - Office reorganization.
 - Planning an Office of Legal Counsel staff retreat for teambuilding and fostering a positive office culture.
 - c. Review/Create Policies and Practices
 - Comprehensive manual for the Office of Legal Counsel.

- Developing an equity framework for legal and risk work of the department.

ADOPTED this 27th day of June, 2023.

Pat Farr, Chair
Lane County Board of Commissioners