

## SUMMARY OF PERFORMANCE REVIEW RESULTS

**Mr. John L. Marshall, General Counsel  
Tahoe Regional Planning Agency  
Presented December 13, 2023 in Legal Committee**

### Process:

Feedback on Mr. Marshall's performance this year is based on the fiscal year of July 2022 to June 2023. Mr. Marshall wrote a self-assessment of his 2022-2023 results which was e-mailed to respondents consisting of two groups: all Governing Board members, Agency Senior Leadership and a select group of TRPA Staff members. These respondents were then sent a confidential, anonymous survey link which asked for feedback on his level of overall goal attainment and his performance on TRPA Core Competencies and Effective Legal Representation. Respondents rated his performance using a scale of *Exceptional, Fully Effective/Achieved, Effective/Achieved, Partially Effective/Achieved, Conditional Achievement/Needs Improvement*. In addition, there were three open ended questions (one asked for feedback on the ranked competencies, one was reflective of the past review period, and one focused on the future).

### Response Groups and participation rates:

Governing Board: 7 (24%)

TRPA Staff: 22 (76%)

### Overall Results: Both Respondent Groups

Both groups – representing 29 respondents – marked Mr. Marshall “*Exceptional*” for 47% of all responses, *Fully Effective/Achieved* for 37% of all responses, *Effective/Achieved* for 12% of all responses, *Partially Effective/Achieved* for 1% of all responses, and *Needs Improvement* for 3% of all responses.

### Specific Results: Both Respondent Groups

**Question 1:** Referring to both your own experience and Mr. Marshall's written summary, please rate his level of goal attainment for July 1, 2022, to June 30, 2023:

***48% ranked Mr. Marshall Exceptional, 38% ranked him Fully Effective/Achieved, 10% Effective/Achieved, and 3% Needs Improvement.***

### Rankings based on TRPA's Core Competencies:

- **Self-Development:** Committed to personal growth and self-reflection. Self-regulates emotions and understands motivations of self and others. Constant learner; curious. Seeks, receives, and incorporates feedback. Demonstrates strong social skills. Is able to empathize with others. Has a strong public service orientation and is committed to success.

***45% ranked Mr. Marshall as Exceptional, 31% Fully Effective/Achieved, 21% Effective/Achieved, and 3% Partially Effective/Achieved.***

- **Critical Thinking and Continuous Improvement:** Understands and aligns actions with the Agency’s vision and mission. Can think and execute both strategically and tactically. Maintains focus on the “big picture”. Takes intelligent risks. Connects the dots: recognizes important information and interprets and organizes ambiguous data into successful recognizes important information and interprets and organizes ambiguous data into successful approaches.

***62% ranked Mr. Marshall as Exceptional, 31% Fully Effective/Achieved, 3% Effective/Achieved, and 3% Needs Improvement***

- **Collaborative Relationships and Teamwork:** Maintains positive relationships even under difficult circumstances. Builds and strengthens constructive internal and external coalitions; demonstrates collaborative leadership. Treats others with respect. Engages in constructive conflict resolution and problem solving.

***68% ranked Mr. Marshall as Exceptional, 27% Fully Effective/Achieved, and 14% as Effective/Achieved***

- **Initiative and Results Focus:** Produces quality products, processes and outcomes that are complete, on time, and thorough. Effectively and proactively manages the resources of the Agency to optimize results.

***38% ranked Mr. Marshall as Exceptional, 48% as Fully Effective/Achieved, 10% as Effective/Achieved, and 3% Needs Improvement***

- **Communication:** Has excellent written and oral communication skills. Delivers high quality written work and presentations. Demonstrates active listening and a positive outlook. Strives first to hear, then to be heard. Takes initiative to communicate.

***52% ranked Mr. Marshall as Exceptional, 31% Fully Effective/Achieved, 10% Effective/Achieved, 3% Partially Effective/Achieved, and 3% Needs Improvement.***

- **People Leadership:** Recognizes strong talent; assembles strong teams with necessary complementary knowledge and skills; builds bench strength. Manages people well; mentors, shares knowledge and resources, promotes a sense of belonging, removes obstacles to success, finds creative ways to make work challenging and rewarding, and delegates appropriately.

***24% ranked Mr. Marshall as Exceptional, 48% Fully Effective/Achieved, 24% Effective/Achieved, and 3% Needs Improvement.***

- **Agency Leadership:** Focuses on priorities, identifies critical goals, shapes successful strategy and drives execution. Translates goals into practical strategy and action plans. Anticipates risks and obstacles and adjusts appropriately.

***45% ranked Mr. Marshall as Exceptional, 38% Fully Effective/Achieved, and 14% Effective/Achieved, and 3% Needs Improvement***

- **Effective Legal Representation:** Demonstrates accuracy and thoroughness of legal advice, knowledge of Agency plans and regulations, and understanding of relevant case law. Ensures the best legal outcomes for the Agency, represents the Agency in a professional and ethical manner, effectively manages legal resources, is timely in meeting legal deadlines, and proactively identifies potential legal issues.

***69% ranked Mr. Marshall as Exceptional, 24% as Fully Effective/Achieved, 3% Effective/Achieved, and 3% Partially Effective/Achieved.***

#### **Open Ended Questions:**

Themes from the optional “Comments” based on the rankings of the core competencies can be summarized as follows: “I appreciate that John is now providing specific office hours for Agency staff; appreciate direct communication with counsel on emergent issues; good at working with staff to bring the code and rules of procedure to life and how to understand it; deft handling of legal issues and guidance of staff and decision makers; provides exceptional service as legal counsel; surely knows the law and TRPA; even handed approach to challenging complex issues.” And one commenter mentioned they were concerned about the information being provided to the governing board.

When asked to comment on which results stand out from the year, themes were positive crediting him with being available to staff and board members alike for review and guidance, providing unwavering support of staff in complicated code interpretations and at public meetings, drawing the board into the “right” conversations based on facts and on the law.

When asked to make suggestions for the next one to two years, responses ranged from “keep up the good work, add additional legal staff, impart knowledge to others, increase focus on enforcement”.