

**A Review of the Clark County
Desert Conservation Program's
Program Management Analysis**

Kirchhoff & Associates March, 2009

Kirchhoff & Associates

PMB-LM013
P.O. Box 189003
Coronado, California 92178-9003

March 16, 2009

Community Advisory Committee
Desert Conservation Program
Clark County Nevada

Dear Committee Members:

Our firm has been retained by the Desert Conservation Program staff to conduct a review of the implementation status of the recommendations presented in the Program Management Analysis which we prepared in December, 2005.

This information has been prepared to assist in the presentation, and contains a copy of the presentation and summary of the implementation status of the recommendations.

As a precursor to our comments we wish to note that it is extremely rare for a complex government organization such as the Desert Conservation Program to successfully redefine itself as it has done.

Sincerely,


Kirchhoff & Associates

Presentation

Desert Conservation Program Review and Assessment

Circa 2004

Today

The Future



Study Team Relevant Experience

General

1,000 M&O studies

Supervisory, staff support and consulting experience with 100s public boards and commissions.

Southern Nevada

Clark County
Clark County Health District
City of Las Vegas
Henderson
SNWIB

Endangered Species Act Projects

None

AQEMD Director's Concerns - 2004

- Inappropriate conflict of interest relationships
- Contract management overwhelming staff
- The lack of formal leadership and standard protocols were inhibiting DCP



Director's Gut Feelings

- The legal consequences of conflict of interest
- Inappropriate IMC member behavior (isolated)
- Power sharing between IMC and staff out-of-sync.
- Out-of-control work load
- Inexperienced staff
- Proprietary advice from IMC members who were attorneys



Study Objectives (Formal)

- Organizational structure
- Staffing level
- Program management
- Expenditure control
- Notification practices
- Funding priorities; and,
- The decision-making process



Consultant's Recommendations

- 61
- Significant help and assistance from DCP staff
- IMC input and cooperation
- Legal input from District Attorney's Office



Range of Recommendations

- The 61 recommendations ranged from **legal** i.e. conflict of interest management program...
- To the **practical** i.e. reasonable term limits...
- To **better management practices** i.e. workload analysis to determine staffing needs.



The Over-Arching Recommendation

Change the charter so that the DCP might conduct its business more efficiently and within the parameters of Nevada's laws.



The three reasons driving this recommendation were:

1. A mission shift from plan *development* to plan *implementation*;
2. Biennium expenditures exceed \$40 million of *public funds*; and
3. State law required *compliance* with Nevada Open Meeting Law.

Kirchhoff & Associates Implementation Review

- Discussions with staff (past & present)
- Metrics analysis and performance measures
- Information gathering questions
- Work product audit
- Document Review
 - ◆ Weekly status reports
 - ◆ 2006 Charter & Draft Charter
 - ◆ 2001 – 07 Mitigation Accomplishments
- No federal agency, permittee or AC contact



Implementation Summary

- 11 Examples of Implemented Recommendations
- 2 Categories



Category I – Policy Changes



Recommendations
1, 16, 17, 18 and 43

Category II – Operation Changes



Recommendations
27, 29, 37, 39, 41,
56 & 57

Recommendation #1

No. 1 – The Desert Conservation Program staff should work with Department of Administrative Services and the District Attorney's Office to develop a comprehensive conflict of interest understanding and management program.

- County amends ethics requirements to include DCP-AC members.
- Ethics training implemented
- 2006 Charter and Operating Guidelines require compliance with state ethics and open meeting law requirements.

Recommendation #16

No. 16 – Amend the language of the Program's guiding documents including the Resolution to Confirm the Implementation and Monitoring Committee of the Clark County Desert Conservation Program to clearly define the role of the IMC as being advisory to the BCC. In addition, clarify that the role of the Administrator is to convey advice from the advisory committee to the BCC along with staff recommendations, and that the Administrator reports to the Director of Air Quality and Environmental Management.

- All formal charter and convening documents associated with the Program have included clear and specific direction as to the purpose and expectations of participation on an advisory committee for the DCP.

Recommendation #17

No. 17 – Put in place a comprehensive set of written policies, procedures and rules for the advisory committee.

- All advisory committees for the DCP are formally chartered and facilitated with clear guidelines and objectives outlined.

Recommendation #18

No. 18 – Advisory committee members should be required to exhaust the administrative chain of command before "going political" to resolve problems or concerns.

- Charter and operating guidelines established for DCP advisory committees outline member training and conduct policies
- Members encouraged to "police" each other in this regard.
- The County administrative chain of command has consistently required the chain of command be exhausted before engaging in issues being elevated by advisory committee members.

Recommendation #43

No. 43 – The County Manager should request that the City Managers of the permittee cities assign senior staff (department director or assistant city manager) to the advisory committee.

- DCP-AC Charter and Operating Guidelines recommended that ex-officio members are senior staff.
- Established a Process Management Group to assist the DCP in the amendment and implementation process.
- Executive Committee consisting of City Managers from all the permittees and a senior executive from the Nevada Department of Transportation.

Recommendation #27

No. 27 – Conduct a complete workload analysis, implement more efficient ways of conducting daily tasks, and staff appropriately or adjust workload.

- A Staffing Analysis and Management Plan was completed in April 2006.
- Development of a comprehensive set of business processes and procedures.
- Extensive project management training,
- Rigorous contracting best practices and an automated contract management and project tracking system

Recommendation #29

No. 29 – Assign a staff project manager to all moderate, significant and major projects.

- Every project is assigned both a Project Manager (PM) and Contract Manager (CM).
- Both the PM and CM are involved in the project from planning to completion and closeout.

Recommendation #37

No. 37 – Develop performance indicators that will measure output as it pertains to the MSHCP.

- Programmatic metrics were developed.
- Invoice, deliverable and milestone acceptance rates, rejection rates and processing times are documented and tracked.
- Science Advisor (DRI) is creating a new MSHCP implementation database that focuses on quantitative outcomes of projects (miles of tortoise fencing installed, number of acres of habitat restored, number of acres of habitat acquired, etc).
- Dashboards (green, yellow, red) the status of all projects Staff also prepares a monthly Executive Report to the Department of Air Quality and
- Monthly Plan Administrator Update to the permittees

Recommendation #39

No. 39 – Create a Standard Operating Procedures manual for developing contracts and scopes of work, closing out contracts, and invoice tracking.

- SOPs for developing contracts and scopes of work, closing out contracts, and invoice tracking have been created and incorporated in the Business Processes & Associated Documents & Forms “binder” (BPB).

Recommendation #41

No. 41 – Request that the District Attorney’s Office assign an environmental law attorney to the Desert Conservation Program.

- An Deputy District Attorney has been formally assigned to DCP.

Recommendation #56

No. 56 – Require every project to participate in “mini-symposiums” where the contractors would present information on their projects to their peers and other interested parties, including the general public and media.

- Symposium presentations are now a standard requirement for projects.
- DCP held symposia in 2006 and 2008 with expert panelists.

Recommendation #57

No. 57 – Modify the MSHCP database and develop a new “report” section that would help to guide the contractors in providing a better quarterly report product.

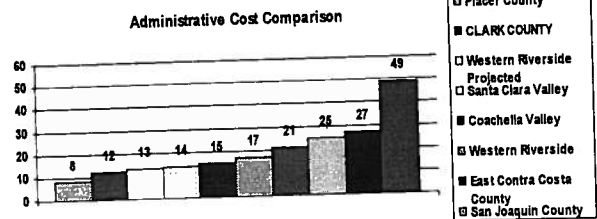
- Available in MSHCP section of the DAQEM website.

Staff Initiatives Beyond the Original Recommendations

- Operational
- Administrative
- Other Agencies
- Policy



Administrative Cost Comparison



Operational Initiatives

- Mitigation fee & land disturbance procedures and improvement in accuracy
- Transferred operation of the Desert Tortoise Conservation Center to the US Fish and Wildlife Service
- Developed a media and outreach plan for public information and education
- Reorganization of all project data into an understandable and comprehensive format which includes metadata (descriptive documentation)
- Develop protocols for delivery of sensitive data with Federal contractors



Administrative Initiatives

- Developed staff training manuals and sessions for new employees, Case 360 and SMPLMA reporting
- Created administrative desk manuals that incorporate SOPs
- Created standardized templates when it made sense; rejection letters, acceptance letters.
- Library/Document management
- Compressed business office functions to primarily be handled in the DCP



Other Agency Relationships

- Working with various Clark County departments on planned developments within Clark County to analyze environmental impacts for non-DCP projects
- Enhanced relationships with:
 - ❖ Purchasing
 - ❖ Legal
 - ❖ Budget & Finance
 - ❖ BLM

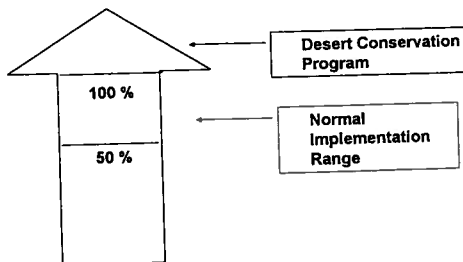


Policy

- Pet Tortoise Committee

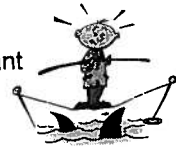


Recommendations vs. Implementation



Barriers to Implementation

- Consultant is wrong
- Lack of confidence in consultant
- Politics
- Organizational push back
- Lack of senior management support
- Timing
- Workload
- Insufficient implementation leadership/direction



Keys to the Implementation of a Consultant's Recommendations

- Strong hands-on managerial leadership
- Sense of urgency
- Chain of command support
- Responsive staff
- Willingness to change organizational culture (how things get done)
- Advisory Committee's desire to do the "right things" and make change
- Non-bureaucratic and business practices approach



Future Permit Amendment Challenges

- Simplify administration requirements to more easily adhere to standard County policies & procedures
- Greater clarity and accountability
- Consideration of the operational infrastructure required to support amended plan (staffing, databases, tracking, etc.)



Implementation Status Summary

2009 Progress Summary

This progress summary provides an overview of the Desert Conservation Program's progress towards completion of the 61 recommendations of the Program Management Analysis of the Clark County Desert Conservation Program (DCP).

Recommendations

This is a condensed list of the recommendations found in the Program Management Analysis of the Clark County Desert Conservation Program. The bullet points identify the progress made to date.

No. 1 – The Desert Conservation Program staff should work with Department of Administrative Services and the District Attorney's Office to develop a comprehensive conflict of interest understanding and management program.

- As part of the convening of the 2006 Desert Conservation Program Advisory Committee (DCP-AC) no members receiving funds from the Program were appointed to the Committee.
- The County amended its resolution for ethics requirements of County officials to include voting members serving on the 2006 DCP-AC. This resolution prohibits direct fiduciary conflicts of interests and misconduct.
- Staff provided the 2006 DCP-AC formal ethics training, provided copies of the Board's Ethics Resolution and copies of Clark County's Guiding Values & Principles.
- Implementing Agency members served ex officio on the 2006 DCP-AC and did not vote on financial matters.
- The Charter and Operating Guidelines for the 2006 DCP-AC also required a recorded voting process on budget and financial issues so as to be in full compliance with Nevada Revised Statutes with regard to state ethics and open meeting law requirements.
- The 2009 Community Advisory Committee is not charged with making budget or financial recommendation and therefore received Nevada Open Meeting Law training and a copy of the Board's Ethics Resolution by the Clark County District Attorney's Office.

No. 2 – Amend the Implementing Agreement referencing the member's responsibility with respect to conflicts of interest.

- Requires permit amendment; to be addressed as part of permit amendment.
- Implementing Agencies served ex officio on the 2006 DCP-AC and did not vote on financial matters. Even as ex officio members, Implementing Agency staff received formal ethics training, provided copies of the Board's Ethics Resolution and copies of Clark County's Guiding Values & Principles.
- Implementing Agencies do not serve on the 2009 Community Advisory Committee.

No. 3 – The County as Plan Administrator needs to implement policies and procedures that comply with the Nevada Open Meeting Law.

- The 2006 DCP-AC Charter and Operating Guidelines for 2006 requires compliance with the Nevada Open Meeting Law.
- The 2006 DCP-AC received formal Nevada Open Meeting Law training from the Clark

<p>County District Attorney's Office.</p> <ul style="list-style-type: none"> • The 2009 Community Advisory Committee also received formal Nevada Open Meeting Law training. • All future Desert Conservation Program advisory committees that are subject to Nevada Open Meeting Law will comply and receive formal training.
<p>No. 4 – (Same as Recommendation No. 6)</p>
<p>No. 5 – (Same as Recommendation No. 6)</p>
<p>No. 6 – If the advisory group reviews proposals, establish criteria or values for the members to evaluate all proposals.</p> <ul style="list-style-type: none"> • The 2006 DCP-AC was charged with reviewing and evaluating proposals for the 2007-2009 Biennium. As part of this process, committee members, with assistance of staff and outside facilitators, developed evaluation criteria and then applied the criteria to project concepts. Final recommendations were recorded by formal vote pursuant to Nevada Open Meeting Law and state ethics requirements. • The 2009 Community Advisory Committee (created to assist with permit amendment) is not charged with making recommendations on specific proposals or expenditures.
<p>No. 7 – Evaluate the budget recommendation process and adjust the timeline if necessary.</p> <ul style="list-style-type: none"> • Requires permit amendment; will be addressed as part of permit amendment.
<p>No. 8 – Distinguish the official members from the general public, other interested parties and staff at meetings.</p> <ul style="list-style-type: none"> • The 2006 DCP-AC Charter and Operating Guidelines specifically identified members as either “appointed” or “ex-officio”. Ex officio members did not participate in the evaluation or recommendation process for projects. Appointed members were prohibited from soliciting or receiving funds from the DCP during the time of service on the DCP-AC. • The 2009 Community Advisory Committee Charter specifically identifies “appointed” members. During meetings, official members will be distinguished from the general public, other interested parties and staff.
<p>No. 9 – Consider the appointment of an alternate member for each interest group on the advisory group.</p> <ul style="list-style-type: none"> • Alternates were appointed for appointed members and were strongly encouraged for ex-officio members in the 2006 DCP-AC Charter and Operating Guidelines. • The Board of County Commissioners did not appoint alternates to the 2009 Community Advisory Committee.
<p>No. 10 – Reasonable term limits should be imposed on the advisory committee membership.</p> <ul style="list-style-type: none"> • The 2006 DCP-AC Charter and Operating Guidelines established a fixed term for the committee to sunset December 2006.

- The 2009 Community Advisory Committee will sunset upon completion of recommendations associated with permit amendment (anticipated to occur early to mid-2010).

No. 11 – Restrict the membership of a working group to those who have been appointed to the Advisory committee and their officially designated alternates.

- All IMC-related working groups have been discontinued.
- The 2006 DCP-AC Charter and Operating Guidelines established guidelines for the creation and management of working groups. However, no work groups were created pursuant to this advisory committee.

No. 12 – Consider alternative committee structures to address the functions of the advisory group.

- Both the 2006 DCP-AC and the 2009 Community Advisory Committee have adopted formal committee structures, charters and operating guidelines to specify the purpose and function of the committee and to more effectively function in an advisory capacity.

No. 13 – Institute a process by which a chair can be selected from among the membership of the advisory committee.

- The 2006 DCP-AC Charter and Operating Guidelines required the committee to select a chair and the committee selected a chair.
- The 2009 Community Advisory Committee will not be selecting a chair.

No. 14 – Determine which interests should be represented and then appoint a primary and alternate representative from each interest to the advisory committee.

- Interests were identified for both the 2009 Community Advisory Committee and the 2006 DCP-AC and members were appointed to represent specific interests.

No. 15 – Individuals appointed to the IMC should have the status and rank necessary to act on behalf of their organizations.

- Individuals appointed to the 2006 DCP-AC required formal correspondence from the interest/organization they were appointed to represent.
- For the 2009 Community Advisory Committee, staff conferred with interest groups and interested parties to identify potential individuals to serve. Individuals appointed to the 2009 Community Advisory Committee were appointed based on their ability to represent a particular organization or interest.

No. 16 – Amend the language of the Program's guiding documents including the Resolution to Confirm the Implementation and Monitoring Committee of the Clark County Desert Conservation Program to clearly define the role of the IMC as being advisory to the BCC. In addition, clarify that the role of the Administrator is to convey advice from the advisory committee to the BCC along with staff recommendations, and that the Administrator reports to the Director of Air Quality and Environmental Management.

- Requires permit amendment. Formal amendment of the program's guiding documents will be addressed as part of the permit amendment process.
- All formal charter and convening documents associated with the Program have included clear

<p>and specific direction as to the purpose and expectations of participation on an advisory committee for the DCP.</p>
<p>No. 17 – Put in place a comprehensive set of written policies, procedures and rules for the advisory committee.</p> <ul style="list-style-type: none"> • All advisory committees for the DCP are formally chartered and facilitated with clear guidelines and objectives outlined.
<p>No. 18 – Advisory committee members should be required to exhaust the administrative chain of command before “going political” to resolve problems or concerns.</p> <ul style="list-style-type: none"> • The charter and operating guidelines established for DCP advisory committees outline member training and conduct policies which include specific reference to this issue. Members are encouraged to “police” each other in this regard. • The County administrative chain of command has consistently required the chain of command be exhausted before engaging in issues being elevated by advisory committee members.
<p>No. 19 – Review the work tasks for each working group, reduce the number of working groups if possible, and establish a clear chart of duties and responsibilities for any necessary work to be done.</p> <ul style="list-style-type: none"> • All IMC-related working groups have been discontinued. • The 2006 DCP-AC Charter and Operating Guidelines established guidelines for the creation and management of working groups. However, no work groups were created pursuant to this advisory committee.
<p>No. 20 – Develop a set of written guidelines for the Working Groups.</p> <ul style="list-style-type: none"> • All IMC related workgroups have been discontinued. • The 2006 DCP-AC Charter and Operating Guidelines established guidelines for the creation and management of working groups. However, no work groups were created pursuant to this advisory committee.
<p>No. 21 – Each member needs to read and study meeting materials so that they can be an effective participant when the subject matter is discussed during meetings.</p> <ul style="list-style-type: none"> • The 2006 DCP-AC Charter and Operating Guidelines outlined expectations for member training and conduct, including meeting preparation. • The 2009 CAC??
<p>No. 22 – Working Group meetings must be conducted in public in accordance with the Open Meeting Law.</p> <ul style="list-style-type: none"> • All IMC related workgroups have been discontinued. • The 2006 DCP-AC Charter and Operating Guidelines required working groups to comply with Nevada Open Meeting law. No working groups were created.
<p>No. 23 – Each Working Group should have a chairperson to be responsible for leadership and facilitation of the meetings.</p> <ul style="list-style-type: none"> • All IMC related workgroups have been discontinued.

<ul style="list-style-type: none"> • The 2006 DCP-AC Charter and Operating Guidelines required this of working groups. No working groups were created. • The 2009 CAC?
No. 24 – (Same as Recommendation No. 30)
No. 25 – (Same as Recommendation No. 30)
No. 26 – (Same as Recommendation No. 30)
<p>No. 27 – Conduct a complete workload-analysis, implement more efficient ways of conducting daily tasks, and staff appropriately or adjust workload.</p> <ul style="list-style-type: none"> • A Staffing Analysis and Management Plan was completed in April 2006. It revealed that full implementation of the Program required a staff of 25; in April 2006 the Program had a staff of eight (8) full time equivalents with skills sets and experience not adequately matching the implementation requirements of the Program. • County management chose not to cut the workload and provided the DCP eight (8) limited-term positions, primarily in the functional areas of budget/finance, contract and project management (see attached organization chart). • The development of a comprehensive set of business processes and procedures, extensive project management training, the implementation of more rigorous contracting best practices and an automated contract management and project tracking system has allowed the Program to gain substantial operational efficiencies. See attached Metrics Sheet for accomplishments. • Workload continues to be a challenge and the limited-term nature of the added positions is problematic because of turn over and uncertainty.
<p>No. 28 – The administrative chain of command should be followed when involving the staff in activities that add to their workload.</p> <ul style="list-style-type: none"> • All assignments to staff are authorized by supervisors or the Program Manager. The Program's workload and individual staff workloads are closely monitored by assigning all contract and project work on the basis of project complexity and level of effort. Other work is assigned on the basis of remaining level of effort available or the workload is reprioritized to accommodate the added task, or the new assignment is deferred • A systematic Master Project List and a Direct Labor Tracking Database allow supervisors and the Program Manager to easily monitor workloads and remaining available effort and make adjustments accordingly.
<p>No. 29 – Assign a staff project manager to all moderate, significant and major projects.</p> <ul style="list-style-type: none"> • Every project is assigned both a Project-Manager (PM) and Contract Manager (CM). Both the PM and CM are involved in the project from planning to completion and closeout.
No. 30 – Assign contracts and projects on the basis of pre-established criteria that categorizes them

according to a *complexity level* system.

- Staff developed criteria for Level 1 through Level V projects (Level 1 being the least complex and Level 5 being the most complex).
- Projects are assigned to contract and project managers based on current workload and the level of complexity of the project.

No. 31 – Continue to support and expand the Adaptive Management portion of the MSHCP.

- Funding for Adaptive Management Program (AMP) has been recommended and approved by the Board of County Commissioners for the 05-07, 07-09 and 09-11 Biennia. Funding for the 07-09 biennium was not approved from the Southern Nevada Public Lands Management Act Round 8 (SNPLMA decision).
- DCP has reviewed options for the expansion of AMP, and in response to other Program Management Analysis recommendations, has chosen to expand the peer review of MSHCP and AMP products.

No. 32 – Prepare an overview of the County’s invoicing requirements as an attachment to the contract award.

- Invoicing requirements are detailed in the body of the contract/interlocal agreement, in the scope of work and the Project Handbook. The Project Handbook is provided to every contractor and reviewed in detail prior to initiating a contract.
- Invoicing requirements are also verbally communicated during the “final document review meeting”, which is a required step in the pre-award process.

No. 33 – Compress the chain of command to one position between the Desert Conservation Manager and the Director of Air Quality and Environmental Management.

- The Desert Conservation Manager reports directly to an Assistant Director of the Department of Air Quality and Environmental Management (DAQEM), who, in turn, reports to the Director of DAQEM.

No. 34 – Use the County’s approved RFP form.

- Clark County projects are overwhelmingly awarded through either a competitive bid, request for quote or Request for Proposal process per all Department of Finance directives and practices.
- DCP staff have worked closely with Purchasing to develop a standard RFP process that is consistent with County policy and also meets the unique needs of the DCP’s activities and programs.
- Per the MSHCP Implementing Agencies are still invited to submit project concepts for projects occurring on federal or state lands. Projects are awarded directly to Implementing Agencies whose projects are prioritized and recommended for funding. To fully implement the County’s RFP process for Implementing Agencies requires permit amendment and will be addressed through that process.

No. 35 – Clarify what or who the Plan Administrator is and the roles of the Environmental Planning Manager and the Assistant Planning Manager.

- This item has not been fully addressed.
- The Environmental Planning Manager and the Assistant Planning Manager positions no longer

exist.

- The term "Plan Administrator" continues to be an ambiguous term not consistently referenced or understood.
- The Desert Conservation Program has become a Division within the Department of Air Quality and Environmental Management. The Division manager holds a title of "Environmental Manager" and is the staff person acting as "Plan Administrator." "Clark County" is frequently referred to as the "Plan Administrator" as well. The term "Program Manager" is also frequently used when referring the Division manager of the Desert Conservation Program.

No. 36 – Develop a dispute resolution process outside the administrative chain of command to be used when contractors are unwilling to accept a decision made by the staff's contract manager.

- Not addressed.

No. 37 – Develop performance indicators that will measure output as it pertains to the MSHCP.

- Programmatic metrics were developed.
- Invoice, deliverable and milestone acceptance rates, rejection rates and processing times are documented and tracked.
- Science Advisor (DRI) is creating a new MSHCP implementation database that focuses on quantitative outcomes of projects (miles of tortoise fencing installed, number of acres of habitat restored, number of acres of habitat acquired, etc).
- Science Advisor (DRI) conducted a workshop with MSHCP Implementing Agreement signatories and several external experts in Adaptive Management to produce next steps to create a project and program (performance) effectiveness monitoring system.
- Standard deliverables in all contracts now include quarterly progress reports, annual oral presentations of progress to the AMP and public, annual and final data deliverables, and final project reports.
- A "Mitigation Accomplishments Report" was also prepared to illustrate cumulative mitigation accomplishments. Accomplishments were quantified to the extent possible given the completeness of previous quarterly and biennial reports.
- Staff also prepares weekly status reports that dashboards (green, yellow, red) the status of all projects and other work assigned.
- Staff also prepares a monthly Executive Report to the Department of Air Quality and Environmental Management, a monthly Plan Administrator Update to the permittees and a cumulative Quarterly Plan Administrator Updates that reports projects dashboard and program metrics.

No. 38 – Develop a "how to" handout that can be provided to all contractors.

- A "Project Handbook" has been created and in use for two years. It is provided to all contractors and reviewed prior to contract execution.

No. 39 – Create a Standard Operating Procedures manual for developing contracts and scopes of work, closing out contracts, and invoice tracking.

- SOPs for developing contracts and scopes of work, closing out contracts, and invoice tracking have been created and incorporated in the Business Processes & Associated Documents & Forms "binder" (BPB).

No. 40 – Increase the frequency of audits, using the Generally Accepted Auditing Standards (GAAS) as the guideline.

- Clark County's Audit Department maintains authority and control over all audits. As of this date, has not elected to audit DCP.

No. 41 – Request that the District Attorney's Office assign an environmental law attorney to the Desert Conservation Program.

- An Deputy District Attorney has been formally assigned to DCP.

No. 42 – Request that the Purchasing Division give the Desert Conservation Program a much higher priority, consider funding a position in the Purchasing Division to be assigned to the Program, or consider funding a contract specialist position within the DCP to help the staff develop better contracts and contract management documents.

- DAQEM and DCP have joint-funded a purchasing analyst to expedite contracts.

No. 43 – The County Manager should request that the City Managers of the permittee cities assign senior staff (department director or assistant city manager) to the advisory committee.

- The 2006 DCP-AC Charter and Operating Guidelines strongly recommended that ex-officio members are senior staff. The recommendation was implemented with limited success from 2006-2008.
- In 2008, the Program established a Process Management Group to assist the DCP in the amendment and implementation process. This group consists of both line level and management staff from each of the permittee organizations and is formally chartered.
- In 2008, the County Manager also convened an Executive Committee consisting of City Managers from all the permittees and a senior executive from the Nevada Department of Transportation.

No. 44 – Write a Scope of Work and initiate a competitive Request for Proposals to fill the role of Science Advisor.

- This was completed in 2006. RFP # 600385, awarded to Desert Research Institute.
- If this contract is not extended, DCP will issue another RFP for 09-11 biennium.

No. 45 – Review the AMST to ascertain that necessary scientific expertise is present. Add additional AMST if necessary.

- AMST's role is now to review the work of the Science Advisor at a programmatic level.
- AMST members with appropriate subject matter expertise have been engaged to perform landscape-scale reviews of adaptively managed mitigation and conservation programs.

No. 46 – The Science Advisor should cease submitting projects proposals.

- Conflict of Interest policy created for Science Advisor and those (AMST) who review Science Advisor products.
- Neither the AMST nor the Science Advisor are permitted to submit requests for other projects.

No. 47 – The members of the AMST should review their actions and activities for compliance with the “Code of Scientific Conduct.”

- The Adaptive Management Science Plan stipulates that the AMST must adhere to a Charter and a code of ethics patterned after the Clark County code of ethics and the “Code of Scientific Conduct”.
- The Adaptive Management Science Plan also stipulates that the AMST must adhere to State of Nevada and Clark County laws, statutes, regulations, and policies concerning ethics and conflict of interest.

No. 48 – Reduce the IMC’s reliance on administrative consultants.

- The IMC was sunsetted in 2005. All outside consultants report directly to the DCP and do not interact directly with any outside groups or committees.

No. 49 – Obtain a legal opinion from the District Attorney’s Office that determines who the administrative consultants are working for.

- While no formal opinion was prepared by the District Attorney’s office, the DCPs SOP and contract language clarify roles and responsibilities for all contractors and administrative consultants. All contractor’s take direction from DCP staff and do not interact directly with outside entities on DCP funded contracts without the authorization of DCP staff.

No. 50 – Provide the IMC with a training session on sexual and workplace harassment.

- The 2006 DCP-AC included training on sexual and workplace harassment.

No. 51 – Develop a strategic plan.

- DCP falls under the DAQEM strategic plan.
- No DCP-specific strategic plan has been created.

No. 52 – Continue the use of a meeting facilitator.

- Two-year contract executed July 1, 2008 with Nicholson Facilitation & Associates, LLC for meeting facilitation with the permit amendment process.

No. 53 – Consider organizational and operational changes to the IMC that would reduce meeting costs.

- The IMC was sunsetted.
- Advisory committees are formally chartered with specific duties and appointed by the Board of County Commissioners. The advisory committees are focused on high-level programmatic outcomes and do not provide direction regarding the day-to-day administration of the program.
- The current advisory meets for two hours each month. Previous committees met for as much as eight hours per day, not included workgroup meetings (which have since been discontinued).

No. 54 – The Desert Conservation Program’s chain of command should review the legal representation issue and provide the IMC with guidelines.

- All legal representation, including outside counsel, receive direction solely from the DCP staff and do not interact directly with any outside entities without explicit direction of the DCP.

No. 55 – Develop a strategy for the dissemination of research information.

- After reviewing potential options and seeking the advice of a librarian at College of Southern Nevada, DCP determined that the most cost-effective manner was to post documents on the Clark County website until other open-source publishing outlets are more accessible for non-published (grey)-literature.
- This survey of opportunities could be revisited in 2009-2011.

No. 56 – Require every project to participate in “mini-symposiums” where the contractors would present information on their projects to their peers and other interested parties, including the general public and media.

- Symposium presentations are now a standard requirement for projects.
- DCP held symposia in 2006 and 2008 with expert panelists present to provide comments on presented work.

No. 57 – Modify the MSHCP database and develop a new “report” section that would help to guide the contractors in providing a better quarterly report product.

- The MSHCP section of the DAQEM website contains a library of templates for quarterly reports and other contract-related documents.

No. 58 – Develop an SOP requiring the DCP contract management staff to visit project sites and submit site visit reports.

- A Site Visit Report template has been incorporated in the Business Process Binder.
- No formal SOP requiring site visits has been established.
- Where applicable, staff make site visits to oversee field work and make a Site Visit Report to the project folder.

No. 59 – Retain a qualified business systems consultant to develop the systems necessary to operate the “business” component of the Desert Conservation Program.

- Global 360, Inc. has been contracted to implement a paperless workflow and document management system. Full implementation of the system is anticipated to occur by the end of 2009.

No. 60 – Draft a single comprehensive charter document.

- Not initiated

No. 61 – Retain outside expertise to assist in the development of critical operating documents.

- Using the RFP process described above, consultants have been hired to assist in the development of several critical documents including the Boulder City Conservation Easement Management Plan.
- Additional staff with backgrounds in contracting and business management assist in the development of operating documents for the DCP.