



Portland City Auditor
Mary Hull Caballero



Portland Commissioner
Amanda Fritz

REPORT TO COUNCIL

DATE: June 15, 2016
TO: City Council
FROM: Commissioner Amanda Fritz and Auditor Hull Caballero
SUBJECT: Early Agenda Pilot Project report

Attached for Council consideration is a report on the results of the early agenda pilot project. The purpose of the project was to determine the feasibility of moving the Council agenda publication deadline from Fridays at 5:00 P.M. to Thursdays at 5:00 P.M. in order to provide Commissioners' Offices and the public an additional day to review the agenda prior to Council meetings on Wednesdays. This move necessitated an earlier filing deadline of Mondays at 5:00 P.M. for agenda items intended for the following week's Council meetings.

The pilot project began in late October 2015 and was scheduled to run for six months. During this time, the earlier filing deadline resulted in a substantial number of changes to the agenda after publication, including multiple four-fifths agenda items, cancellations and other agenda modifications. It has also negatively impacted the work flow and workload of the Council Clerks.

The report contains a recommendation to extend the pilot project with modifications for another six months. Under this recommendation, the filing deadline would move to Tuesdays at 12:00 P.M. and the agenda would be published as early as possible on Friday to allow more time for review.

The Auditor's Office has worked with Commissioner Fritz's office to monitor the pilot project, solicit feedback from interested parties, and report these findings to Council.

Early Agenda Pilot Project Report to Council June 15, 2016

In the fall of 2015, the Auditor's Office agreed to participate in a pilot project that changed the filing deadlines and publication timeframe for the weekly City Council agenda. The intent of the pilot project was to test the feasibility of producing the Council agenda one day earlier in the week, on Thursday instead of Friday, as is prescribed in City Code. Resolution 37155 was adopted by Council on October 7, 2015 and became effective October 26, 2015. Along with the temporary early filing deadline, it requires the Auditor, in collaboration with Commissioner Fritz and all Council members, to complete an evaluation of the pilot project after six months. The evaluation is to include:

- "qualitative reports from Council members, staff and community members;
- quantitative evaluation of whether the new policy results in more amendments, substitutes and/or "four-fifths" filings;
- effect on work flow and staff in the Council Clerk's office;
- and other factors as deemed appropriate by the Auditor and Council."

The Auditor's Office has collected data, assessed the impact on Clerk work processes, and consulted with each Commissioner's office to compile this evaluation of the early filing pilot project. In summary, there have been both benefits and drawbacks for Commissioner Offices, while the Council Clerks have experienced numerous workflow difficulties and increased agenda changes as a result of the earlier filing and agenda publication deadlines.

Commissioner Offices' Experience

Staff members from each of the Commissioner's Offices were interviewed to discuss their experiences with the changed filing and agenda publication dates. The results were mixed, as summarized below:



Monday Filing: Multiple offices report difficulty meeting the Monday at 5:00 PM deadline. Most offices have staff meetings and other meetings on Mondays at which they plan for the following week's agenda. This does not leave them enough time to finalize, correct and process documents between the meetings and the deadline.



Thursday Agenda Release: Most offices report appreciating the additional lead time provided by earlier agenda publication, although two offices said that they do not review the agenda on Thursday.



Experience of Reporting Bureaus: Bureaus' ability to meet the earlier deadline, as reported by their respective Commissioner in Charge offices, was mixed. Some

commissioner offices require earlier submission of documents while others appear to have adjusted their review time internally to meet the deadline.



Friday Chiefs of Staff Meeting: Friday meetings of electeds' Chiefs of Staff was made possible by the release of the Council Agenda on Thursday afternoon. Opinions about the value of having this meeting on Fridays was mixed. Some felt it gave them more time to discuss and work on agenda items with other offices; others felt it was difficult to have staff and guests available on Fridays.

Clerks' Work Flow

After six months of the altered agenda deadlines, the Clerks have observed the following effects on their work processes and workload:



The new schedule has created a disjointed work flow for clerks as they work on current and new agendas simultaneously. Amendments to the current agenda are received at the same time corrections to new agenda items are made. Also, the need to publish revised agendas due to Thursday item carryovers requires duplication of work. This introduces a greater risk for error and has been exhausting for the clerks. It has also resulted in delays in responding to emails and phone calls.

- When the Disposition Agenda cannot be completed prior to assembling the new agenda, there is a risk of omitting some items carried over. For example, on March 30, 2016 there were eight items carried over, four from Wednesday afternoon. April 27 had eleven carryovers.
- The Clerk must frequently stay late on Tuesday evening to prepare documents for the new agenda, since Tuesday is fully occupied with work sessions and preparing for Council meeting the next day. Preparation work that must occur during work hours includes handling amendments, testimony, email, the Tuesday memo, related phone calls in addition to time certain scheduling.
- The early agenda creates additional website work. On Thursday, the Thursday meeting items must remain on the website while the new agenda is posted underneath it. On Friday, the Thursday items are removed. This a laborious process.
- There is a delay in getting disposition documents out until Fridays, which can cause disruption for others. For example, the Spring Budget Supplemental amended documents, which were approved on April 27, could not be provided to the SAP administrator until April 29, which created urgent timing for SAP.
- Holidays that fall on a Monday require a Friday 5:00 PM filing deadline in order to allow adequate time for Clerks to process agenda items. Since October 2015, there have been three Friday filing deadlines. The Clerks have noticed a correlation between the very early

holiday filing deadlines and increased agenda modifications and scheduling problems. For the November holiday there were two items not filed, January had two items rescheduled, and February had one item rescheduled. It is possible that not all rescheduling was due to early filing, but this is an unusual amount of change activity.

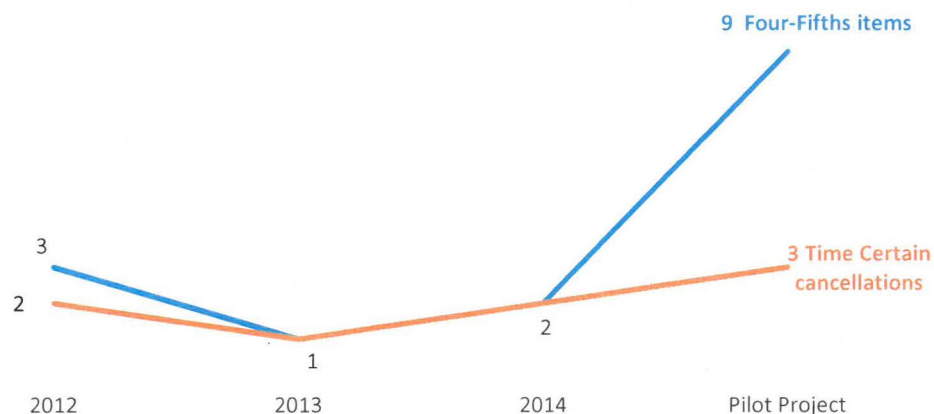
Modifications and Additions to Agenda

Moving the filing deadline from Thursdays at 5:00 PM to Mondays at 5:00 PM has meant that the timeline for Commissioner Offices and bureaus to prepare, discuss and approve of prospective council agenda items must also be moved back further from the actual Council date at which the item will be heard. This longer timeframe means that offices may need to make changes as the Council dates approach but are not able to do so without significant disruption to the agenda production in the Clerk's office. Additionally, it means that items that come up and need an immediate hearing must be postponed or scheduled as four-fifths items, which also adds disruptions and additional work for the Clerks.

Release of the next week's agenda, which can now happen while the current week's meeting is still in progress, results in release of a revised agenda on Friday to add four-fifths items from Thursday. The effects of this are:

- Confusion for the public
- Impression that City Council is not organized
- Extra work for agenda customers, such as the City Budget Office, Daily Journal of Commerce, and Portland Tribune, who use the Word version of the agenda for analysis and printing. The Clerks have resolved this by holding the agenda until Friday noon for the newspapers. The Tribune adjusted its production schedule. The Budget Office uses the original agenda and does not incorporate the four-fifths items in its analysis.
- Duplication of work in paper, electronic and web steps of agenda preparation. At least one additional hour is required by the Clerk.

Agenda Revisions



During the pilot project period to date (May 19, 2016), there were 12 revised agendas produced: nine “four-fifths” agenda items and three time certain cancellations after the agenda was published. Six of the 12 revisions were made either late Thursday or Friday morning, so would have been avoided with a Friday agenda release. Additional four-fifths items and time certain cancellations have occurred on Thursdays that did not force revision to a published agenda.

An hour or more of clerk time is required to process and distribute a revised agenda on Friday morning. This is duplicative work and takes time away from completing and distributing the current week’s disposition agenda.

The Clerk has accepted at least three items that were submitted after the Monday deadline. Several other items were rescheduled to avoid filing as four-fifths item. There has been no noticeable change in the volume of substitute items and amendments.

Bureau Staff Experience

Clerks contacted bureau staff responsible for agenda items for feedback on the impact of the early filing deadline and the benefit of the Thursday agenda release. Only five bureaus responded. For those that did, early filing has been difficult for some due to external time factors currently in place, such as a property owner remonstrance deadline for assessments, but bureaus appear to be adapting. Agenda release on Thursday or Friday does not seem to make a difference to the Bureaus who responded, although at least one does use the agenda on Fridays. See Attachment A for detailed comments.

Public Comment

The Clerk’s office has received one public comment regarding the early agenda release, but the call was made more out of curiosity than need for early agenda. The Clerks had approximately four public requests for maintaining the Thursday online agenda until the end of the meetings rather than removing it to post the new agenda. No other comments regarding the agenda have been received.

Other Considerations

- Move Thursday Council meetings to Tuesday (with Thursday agenda release)
The Clerks indicate that this would be problematic. It would give Council only Friday-Monday to review land use cases and major items that are often scheduled on Thursday. When there are unexpected absences and Wednesday items need to be carried over to the next Council session, it would put those out to the following week, instead of the following day. Thursday City work sessions would conflict with broadcast of the Multnomah County Commission’s meeting on Portland Community Media television. Part of the Clerks’ document preparation would not occur until Wednesday night, a problem when Wednesday afternoon or evening meetings run late.

- Third Council Clerk

The Clerks would welcome an additional staff person regardless of when the agenda is published. An additional staff member would enable Clerk #1 (Karla) not to stay late each week preparing the agenda documents and would allow for back up, succession planning, and more flexibility for staff to manage the work flow.

In connection with agenda work:

- Clerk #1 would handle times certain scheduling, amendments, testimony, PowerPoints, emails and phone calls.
- Clerk #2 would assist Clerk #1 and handle the disposition agenda.
- Clerk #3 would be assigned to new agenda preparation.

- Website Hits

Data on the volume, day, and time of day the agenda website was accessed were also analyzed. There were definitive patterns: Wednesdays were the heaviest access days, presumably because people wanted to see the current agenda. After the change from Friday to Thursday agenda release, Thursdays were the second heaviest days, with most views coinciding with the time of the agenda publication. On Thursdays, agenda release could also have coincided with afternoon meetings, so we could not discern whether viewers were seeking the current agenda or the following week's agenda. Data distinguishing internal from external website hits were not available, so the page view information has limited utility for the purposes of this evaluation.

Recommendation

The pilot project has been difficult for the Council Clerk's office, for the reasons detailed above, and the Auditor would like to discontinue the pilot project as soon as possible. The Clerks prefer reverting back to the Thursday filing deadline and Friday afternoon agenda publication, but offer a new pilot project as a compromise.

- *Tuesday by noon filing deadline.* This allows Council offices more time to submit documents.
- *Earlier Friday agenda release.* Depending on the meeting schedule, particularly Thursday meetings, the agenda release could be by noon or earlier. Staff coverage and the increasing number and length of Thursday meetings are factors that could delay the agenda publication until afternoon. However, Council offices would still gain time on Friday to do preliminary review of the agenda before the weekend.
- *A draft agenda could be provided to Council Chiefs of Staff on Thursday evenings.* The draft would need to have restricted circulation and would not have supporting documents linked, but could provide Chiefs with information for their Friday meeting and allow for preliminary research into items of interest.

The Clerks believe this proposal will eliminate revised agendas, provide additional preparation time over the current pilot model, and still provide the benefits of some additional time for Council offices and the community to review the agenda. However, they recommend this as a six month pilot project in order to ensure that any unintended problems are not created with these modifications.

ATTACHMENT A
Bureau Staff Experience

Clerks contacted bureaus for feedback the impact of the early filing deadline and the benefit of the Thursday agenda release.

General Bureau Comments:

“We should choose the process that makes it the easiest for you; the auditor’s office. Your jobs are hard enough. The rest of us can adapt.”

“For our section, the early filing deadline is a little more difficult because of our assessment schedule process. We have certain calendar dates to go by and filing early changes our assessment process slightly or we have to file slightly late as we have to wait to receive certain documents from property owners before we can turn in documents. We worked around it though. I like it the previous way better. It wouldn’t make a difference either way for me what day the agenda is released.”

“I shifted the deadline forward and have communicated that to my bureau; most are able to accommodate the change. The PM’s with a compressed timeline I will walk the Council Packet to the Commissioner in charge so they are not late.” With regard to whether there is benefit to the Thursday agenda release: “I have not seen a difference.”

City Attorney’s Office:

“First and primarily, the pilot was adopted to give the Council members more time to review items coming before them. So the important question is how it’s working for them.

Second, the inquiry should be on how the pilot may have burdened the Council Clerk staff. How the pilot may, or may not be working for your office should be important.

The pilot has apparently resulted in large numbers of panicked calls on Friday afternoon (often at 4:30 pm) from people who are rushing to make the Monday filing deadline. To the extent this project has created timing pressures for the bureaus in filing ordinances with Council, some of that pressure is passed along to the lawyers in the form of shorter review times for ordinances (and more “need it now” deadlines from the bureaus). The pilot does seem to have had the effect of limiting the City’s nimbleness with which bureaus can respond to various issues. Without actually going back to verify, the perception is that the pilot has contributed to an increase in the incidence of 4/5 items on the agenda.

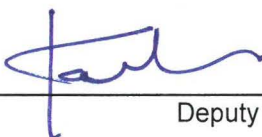
On the other hand, there are attorneys who indicated that the pilot hasn’t really impacted them, as they had not experienced great difficulty with the new regimen. They did mention that they appreciated the extra day to review issues on the docket.”

City Budget Office:

1. "For the Approved and Adopted Budgets, the earlier filing deadline has allowed less time for the Mayor and Council to consider changes to be filed as part of the Change Memos. In the future, this may cause an increase in amendments made on the floor instead of the original change memo. For other budget related ordinances, the earlier deadline has left less time for review of budget documents before they are filed. If the earlier deadline remains, we may need to start the BMP and budget processes earlier to allow sufficient time for review.
2. Having the documents on Thursday has allowed us more time to write the fiscal impacts. However, we would probably trade this time in exchange for a later submission date for our budget ordinances. We are supposed to get fiscal impacts in advance of the filing, so I'm not sure if the earlier deadline is giving us a lot more time for review, just more time for the write-ups. I don't think moving to Friday would make a difference to us."

Agenda No.
REPORT

Accept the report and recommendation to extend and modify the Early Agenda Pilot Project for ~~another six months~~. *through December 21, 2016 (Report)*

<p>INTRODUCED BY Commissioner/Auditor: Fritz</p>	<p>CLERK USE: DATE FILED <u>JUN 07 2016</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz <i>Amend Fritz</i></p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Bureau Head:</p>	<p>ACTION TAKEN:</p> <p>JUN 15 2016 ACCEPTED</p>
<p>Prepared by: Jamsine Wadsworth Date Prepared: June 6, 2016</p>	
<p>Impact Statement Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan</p>	
<p>Council Meeting Date June 15, 2016</p>	

AGENDA

TIME CERTAIN
Start time: _____

Total amount of time needed: _____
(for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: 10 min
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	✓	