

MEETING MINUTES

Oregon Public Records Advisory Council

Sept. 16, 2021

Called to order at 1 p.m.

Members present: Sen. Kim Thatcher, Todd Albert, Rob Bovett, Molly Woon, Emily Harris, Steve Suo, Les Zaitz, Scott Winkels, Mark Landauer, Shirin Khosravi, Tony Hernandez

In attendance: Jaci Ladewig and Leela Yellesetty

Members absent: Rep. Karin Power, Adam Crawford

I. Oregon Public Records Advocate Todd Albert opens meeting

- Last week's question about removing the Public Record Advocate from office. Todd [said](#) that Oregon state law already provides a process to remove the Public Records Advocate if needed by PRAC members. A majority of the members could call a meeting, and it doesn't specify the chair of the PRAC needs to approve.

II. Public comments about non-legislative goals for the Council

- Jaci Ladewig, of the Oregon Housing and Community Services, [said](#) fee waivers that could reduce the cost for public records requests are not really understood and that a huge fluctuation in the amount of requisitions that require her to work a significant portion of her daily duties, which create overtime. To meet the demand, the housing agency used COVID emergency aid to help with the cost to fill public records request.
- Leela Yellesetty, Records Information Governance Officer for the Oregon Department of Environmental Quality, [appreciated](#) the Council's discussion about "transparency by design" for the release of data to requestors and information seekers. The DEQ has undertaken a number of projects to digitize paper records, such as onsite septic tank records, which dropped requests by 100 per month. However complicated projects, such as the superfund sites, put a strain on agency budgets.

III. Discussion of non-legislative goals

- Using notes from the Sept. 10, 2021 PRAC meeting on the same topic, Todd [reviewed](#) existing ideas, including reforming the way public agencies charge fees for public records. Another idea called for the identification of the five most troublesome public records exemptions that cause the most disputes between requestors and public agencies.
- PRAC Member Molly Woon [said](#) she would like to see the Council begin the steps toward developing a 10-year plan for big picture and strategic planning.
- Among the suggestions from PRAC Member Steve Suo echoed the existing items on the list and also discussed the idea of transparency impact statements that could help evaluate and find best practices for each agency.

- Sen. Kim Thatcher [said](#) the PRAC and the Transparency Commission have an opportunity to exchange website links, and said ideas such as transparency by design also fits with the commission's objectives.
- PRAC Member Shirin Khosravi [said](#) there has to be some significant discussion and consideration regarding allocating adequate resources to public employers, subject to the public records law, given the burden of compliance, falls on public employees who often have considerable workloads.
- PRAC Member Tony Hernandez [said](#) he would like the PRAC to also devote considerable planning and resources to education and accessibility to understanding the value of the Public Records Law through trainings.
- PRAC Member Scott Winkels [suggested](#) the Council receive a report from the advocate about trends, trainings, common questions asked by members of the public and public employees.
- Other members also contributed ideas for future consideration, vetting and recommendations by subcommittees of the PRAC. The list can be found by clicking [PRAC: 2021 Non-legislative Objectives](#) and [Legislative Concepts](#).

IV. Creation of subcommittees to advance legislative and non-legislative goals

- **PRAC Member Les Zaitz motioned** for the creation of three subcommittees: Legislative Committee, Non-legislative Committee and a Bylaw Committee to operate as necessary and as needed. His proposal received a **second from PRAC Member Mark Landauer**.
 - **The motion carries with unanimous support** from the PRAC.

V. PRAC members indicate membership preferences for subcommittees

- The PRAC filled the three new subcommittees with the following members:
 - Legislative Committee: Todd, Emily, Steve, Sen. Thatcher, Shirin, Mark
 - Non-legislative Committee: Todd, Steve, Les, Molly, Tony
 - Bylaws Committee: Scott, Molly, Tony

VI. Dates for upcoming PRAC meetings

- **PRAC Member Mark Landauer motions** for the PRAC to call a meeting in early October to finalize committee assignments, and again in mid-December to continue committee work and PRAC goals. **His motion received a second from PRAC Member Molly Woon, and the motion carried unanimously.** Mark and PRAC members directed Public Records Advocate Todd Albert to help find meetings date using the Doodle Poll tool.

Full Transcript

[Todd]

And also to members. I actually found the answer to a question that was asked last time. I'm going to provide to you now, just as an FYI, and not meant to change the outcome of last week's decisions on leadership, but under ORS 192.481, subsection eight. It actually says that the Council shall meet at least once every six months. The Council also may meet at other times and places specified by the call of the chair or of a majority of the members of the Council. So there had been a question of if the advocate remains the chair of the PRAC and the PRAC has concerns about the advocate's work or what have you want to discuss their employment, and the advocate refuses to call a meeting, how is that possible? Well, it actually already was baked into our statute that a majority of the members could call a meeting, and it doesn't specify the chair needs to approve. So just FYI, everyone, for a future notice. OK. That Mark, do have a question.

[Mark]

I do have a question, Todd, and thank you for getting that. There was another question that was raised during the previous meeting, if I recall, and that was hopefully that we could get information on figuring out when individual terms are up for consideration. It was just a brief issue I'm still, I'm sorry, I'm still interested in getting that information, if that's possible.

[Todd]

Absolutely. I haven't had a chance to do so yet. My only resource would be to contact Kevin Glein in the Governor's Office and ask what is their current position on. On terms and then either communicate that to me, which I'll share at the Council, or just ask them to follow up with each of you individually. Great. OK. Let's see, we're admitting Les.

[Les]

OK, hey. Sorry, I was having a little technical difficulties.

[Todd]

No worries, we are at quorum, and we are beginning the meeting, and so far, I have discussed that I actually found in the PRAC statute, which we weren't aware of last week, that if the majority of the Council wanted to call a meeting, they could do so, presumably without approval of the chair. So I just answered the question of if the advocate is the chair and the Council has issue with the advocate's work product, how do they call a meeting if the advocate disapproves and it's already in our statute, that that's possible. So just an FYI for future knowledge, and hello, Steve.

OK, so now what we're going to do is move into developing a list of non-legislative goals for the Council over the next coming long-or-short-term period. Obviously, these goals can dovetail with legislative goals. For instance, I have some ideas that if we develop the information in these ideas, they might eventually lead to legislative suggestions, but these we are focusing right now on legislative actions we'd like the Council to take, you know, in the coming future, and then we'll move into creating subcommittees to effectuate all these goals. So before I hear from Council members about their non-legislative goals, I'd like to invite public testimony on the issue from anyone that would like to offer any about what non-legislative goals the Public Records Advisory Council should pursue. So do we have any public commentary? And please try to raise your hand, or if you're unable to do so, speak up and I will acknowledge you. Oh. Let's see, Ladewig, I believe you have your hand up.

[J.C.] Thank you, Todd. Can you hear me OK?

[Todd] I can. Thank you.

[Jaci Ladewig] Hi, everybody. My name is Jaci Ladewig, and I work at Oregon Housing and Community Services. Just to provide a little context, I do a lot of the public records here for the agency. So it is kind of the lens that I'm bringing the suggestion from. I loved the fact that the committee had brought into the last conversation the need to clarify around fees. There is a waiver that we're able to provide members of the public when requesting records, but that use of a waiver and the waiver itself is not really understood exactly how and where we can really activate that to the best of our abilities without current capacities

also being addressed. There is a huge fluctuation in the amount of requisitions that are coming through the public inquiry lines to include our public records, and I, I have like my ... about 10 percent, and I probably spend multiple hours a week working on our responses. So I just wanted to also flag that, I do agree that transparency and fees are needed area that I would love this Council to kind of come around and see what that that could look like for uniformity purposes, but I also wanted to address also the need for uniformity when it comes to capacity to respond. This is a state agency tone, but I'm sure that other local governments have a same kind of concern with being able to provide those services. The best way we can. So thank you for allowing me to speak.

[Todd] Great, thank you very much, I appreciate your comments. Any questions for this speaker? OK. Oh, go ahead, Tony.

[Tony] Just out of curiosity, are you able to finish the workload that you have while responding to the public records requests that you are getting in large numbers? Out of curiosity, how much of it is it tying up into your other duties I guess is another way to ask that question?

[Jaci] That's a great question, sir. So to clarify, within our public records requests, we were able to use our emergency states during the pandemic to ... our response period, and that was absolutely necessary. At least, our housing agency became much more of a response mechanism in the in the prim COVID pandemic. Much of our services were absolutely devoted to getting these services to Oregonians in need and to have housing stability placed at the foremost of all of our our workloads. That being said, I can tell you that we have already doubled the amount of requisitions, public records that we have request that we've received as an agency. So I do appreciate a lot of the grace and understanding that constant communication with the public, that they tend to be very understanding that we are, in fact, working on it, but because of current workloads and because of response needed times and and to make sure that things are moving in process, we're very grateful that the Legislature has given us a growth opportunity with our staff capacity, but we also need to now fill those empty vacancies that we've all kind of been double and tripling up on task duties. So I'm grateful for overtime, but it's been a challenge for sure.

[Todd] Thank you. Thank you for that response.

[Tony] Thank you.

[Todd] OK. Well, you I think you have your hand up.

[Leela Yellesetty] Yeah. Thanks for hearing from me. I'm just going to add, so I'm the Records Information Governance Officer for the Oregon Department of Environmental Quality. So also coming from a state agency perspective, and really appreciated the discussion in the last meeting around transparency by design, and it's something that we've been thinking about a lot at DEQ. We have been part of the open data standards initiatives, and we've also undertaken a number of projects over the last few years to scan a bunch of our our paper records and make them publicly available. Our onsite septic records, for instance, we reduced we scanned all of those and reduced our number of records requests by about a hundred per month from that one project alone. So we're really excited for more of those. We we still have a ton of paper, though, and it's the expense of being able to take on those scanning projects is significant. So I'd really love to see if there's a possibility to get more resources as well to to make those projects doable because I think there's a lot of value there.

[Todd] Great. Thank you. Any questions for the speaker? Steve, I see you at your hand up.

[Steve]

I just wanted to say I really appreciate it. Appreciate those comments, and I recall from two years ago, I think it was when we did the survey of agencies on the public records response times and fee waivers and things like that. The DEQ was a stand-out in terms of the frequency with which you grant fee waivers, and even given the very large volume of requests that you're receiving, and the fact that you're getting ahead of it right now with trying to, you know, anticipate ahead of time what what could facilitate this, I think is fantastic. So I'm really glad to hear about it.

[Todd] Go ahead, Mark.

[Mark] Yeah. Could I ask Leela a quick question? Leela, you were mentioning that the vast majority or the on site, well, you had photocopied or scanned or whatever it was, the on-site data for septic systems. Can I ask you, is this the real estate industry that is seeking those records?

[Leela] Yes, it's usually so it could be to do with a real estate transaction or just, you know, property owners who need information about the septic system on their property. So it was one of the most frequently requested record types. So that was it. And to be clear, we only managed nine counties out of the state for the onsite septic program. The rest are managed by the counties.

[Mark] Thank you for that clarification. That's an important one. Appreciate it.

[Todd] Nevertheless, Leela, sorry, I'm going to ask you a question to you. Correct me if I'm wrong, but didn't DEQ seek outside funding through a grant in order to make this work?

[Leela] I believe for that project. Yes. We just completed a similar project for our underground storage tanks, and I believe they're able to to secure funding in-house for that. The program that we're really struggling with is our our clean up program, which, you know, manages the big cleanup sites like the superfund sites that Portland Harbor obviously get a lot of interest from the public, from the media on these sites, but because of the funding structure for that program, it's all has to be billed back to the responsible parties. So they're very tight. They don't have a lot of excess money for projects of this sort. So we're kind of struggling with figuring out how to get the resources, which for what would be, I think, a really, high-value project for the public.

[Todd] Great. OK, thank you. Mark.

[Mark] I do have a comment, if I may, and I think it's something that we as a Council need to discuss and at some point in the future, and maybe this is something we need to write down, but it does seem to me that that further state investment in executive agency ability to do this kind of work that Leela was describing, and forgive me if I got your name incorrectly, but there are state agencies that receive regular and voluminous requests such as this, that I think the state and and frankly, all of us would be better off if the state were to

put money into this digitizing documents that will not only reduce the time and effort for staff, but oftentimes will result in eliminating the need for charging fees to produce those documents, and so I'm hopeful that we as a Council can at some point in the future have a discussion, for example, with Adam Crawford at DAS to see whether or not we can convince DAS to go to the governor with a policy option package that would allow some of these state agencies to invest more in the type of work that Leila just described. That's my point. Thank you very much.

[Todd] Thank you, Mark. I hear what you're saying. So I would recommend hold on to that, and when it's when we come to you to provide ideas for our non legislative goals, feel free to include that one because I think obviously transparency by design, digitization, anything that gets records to people in a faster manner, proactive disclosure are all things we're probably going to want to focus on. I'd rather kind of go in order, if possible, just to get this started. So let's move into if there's actually let's see, is there any more public commentary on the issue of non legislative goals for this council? OK, so hearing none, I'm going to move into the next part of our meeting where the council members go, we go through one by one and list our non-legislative goals and see if we could come to an agreement on that list and then form committees around. So bear with me. Mark, do you have a question?

[Mark] Yeah. Todd, are you going to bring up the list that we developed last week?

[Todd] Oh, the legislative one. I sure I can, and then I can only share one screen at a time, though. You want to take a look at that first?

[Mark] Well, the reason I mentioned that is there was, there were a couple items on that list that I believe were frankly non-legislative, and I think it might be important for us to just take a quick review of that list to identify if, in fact, any of them are non-legislative. So, for example, during our last meeting, somebody raised the question, it may have been Les, actually, who raised the question of what are the five public records [exemptions] that seemed to create the biggest problem in the state, meaning controversy, litigation, so on and so forth, and do we have an opportunity to gather that kind of data to see what those top five are? And can we delve into those more to see why? And is there a

solution? It may not be a legislative solution. It may be providing guidance to state and local governments, what have you. So I just wanted to put that particular one on sort of the non-legislative list. I don't know if there are others on the list that that were identified, but that was my point. Todd, thank you.

[Todd] Sure. No, fair enough, Mark, and I figured anyone who had an idea that they thought could either be kind of dealt with in both realms or wanted to move it from the legislative list to this list, and then just go ahead and offer those today. Like I think some of my ideas that I'm going to offer today potentially could cross over as well. I'm going to pull up the list and show everyone so we could re-familiarize ourselves with what we came up with, and if you want to read along, you could go to the the PRAC's page on oregon.org/PRAC and click under, I think, last week's meeting, and you should see the [link there to that document](#) that we came up with together, but I'm going to share it now as well. Will attempt to. Let's see, share content. OK. It's not showing me what I pulled up, so one moment, please. OK. ... I seem to be having technical difficulties of my own, browse my computer. It's OK, here we go. Maybe not, legislative. ... Hmm. OK, for some reason, my computer's not allowing me to display this, our list from last week for whatever reason. So I will proceed to the next best option, which is a short, concise readthrough to remind everyone of what we came up with.

Obviously, the primary one that we all discussed were fees. Under the simple category heading of fees to be flushed out later. In addition, we had a recommendation for a white paper on creating exemption categories rather than specific exemptions and going after the low hanging fruit of all exemptions that have not been subject to any sort of litigation. There's a suggestion of attorney-client information subject to release after 25 years, should remain confidential, indefinitely. Metadata. A review of whether the 2017 deadline reform deadlines reform was is effective. Elected official treatment under the Public Records Law, are courts the appropriate, only recourse for appealing their decisions, identifying five exemptions are the source of the most consistent conflict. Promoting disclosure, transparency as a public good, a core functions of government, including related to fees, transparency by design, accessibility and education. Some sort of enforcement mechanism for not posting public records policies as per the law, establishing

the PRAC as the body to review, vet, approve public records policies of public bodies, addressing bad actors. Records that are subject to disclosure after 25 years, generally reviewing those categories and public employee personal information. That is what our lists consist of.

[Molly] Hey, Todd, this is Molly. I'm, my contribution, and I'm sorry that I'm not on camera, I'm in the middle of moving and everything's chaos but my contribution last week was this idea of, you know, how do we better you know, how do we establish the PRAC as kind of the authority for other states, for state government, for local governments to come and get feedback and buy-in on their plans, and that really isn't a legislative idea any time in the near future. It's more like a kind of a longer term vision, and you know, to that I just I feel like there's something there are ideas on that we've been talking about, that are things we can introduce legislation on in the next long session. There are things that we could introduce legislation on, you know, along that timeline, and then there's the big picture stuff, like what is the what's the 10-year plan? You know, what's the, where we do we want to, what do we want the PRAC to be? You know, 10 years from now, and I wonder if that might be a helpful way to also kind of try to break some of the stuff apart because, you know, the session will be here before we know it, and if I'm talking about the long one, but then there's the big picture stuff and positions for the board and whatnot that could be a worthwhile conversation to have.

[Todd] Yeah, thanks, Molly. I appreciate that. I do think the Council can simultaneously, kind of divide our work into these two ideas of non-legislative objectives and legislative concepts with crossover back-and-forth as the subcommittees report back to the Council. And I think ultimately within those categories, they'll end up shaking themselves out to being shorter and long term goals. For instance, any legislative objectives for which we need or would want wide consensus from all public bodies would probably take longer to develop than maybe a short, quick statutory fix of a definition of a term or something along those lines, but I appreciate what you're saying, and I think that perspective should definitely inform our work as we move forward. I did manage to get up the non-legislative objectives list, though, that being said, and I think I could probably open the legislative list too you if we still want to take a look, and sorry for playing around with all this while we're trying to do this meeting, but it's just not cooperating well for some reason. What a pain. It

will be nice when we could all be together again, and maybe this won't be as difficult, or at least I won't be running the meetings so maybe I won't have to worry about it as much either. Sorry, I'm going try one more time to pull up the legislative list before we continue here, and Molly, I really like what you're saying, so I hope you hold on to that too, and include it in your items on the list. All right, come on. OK, one more time, let's see how we do. They think we're nearly there to go, share. OK, here we go. OK, so another review for everyone of what we came up with last week. I really don't want to spend time striking stuff from this list, because I think when because I want to be respectful of everyone's time, and I think when our legislative subcommittee, which is likely to be a committee we're going to form today, meets, they can just go ahead and strike the stuff that is clearly not legislative or has been or will be addressed in the non-legislative subcommittee that we're probably going to form to. So here's just a quick review of the ideas from the last meeting for legislative concepts, and if you're not too thoroughly annoyed, confused or bored at this point, I will open the non-legislative goals list and we could start adding stuff to it to move forward. Just stop presenting, open the other one.

[Molly]

So, Todd, just to what I was saying, I mean, I think for my request for the whole thing is just, sort of like, what is the 10 year plan? You know, what is the strategic picture, big picture plan and how are we, what are we dreaming of, and how are we working towards that? So that's the thing that's not directly legislative, at least not in the next session or two.

[Todd]

Yes, definitely. Yes. So we'll start with you, Molly. Want to actually open the sheet and we could put your ideas down on the sheet because I, one of my suggestions is going to be, I'm sorry, that we work on bylaws. Which is definitely sort of a long-term structural development goal of the Council as well, but I think something that needs to be addressed, OK. I found the document. I'm going to share it. We're going to start talking and putting down ideas. OK, here we go. The document is up. We are going to Molly. I'm going to start with you. So give me your ...

[Molly]

Thank you. And I'll stop saying it.

[Todd]

Well, give me your one liner or your brief definition or explanation how you like.

[Molly]

Ten-years strategic plan. How about that?

[Todd]

And as you previously discussed, you had another idea for the PRAC to ...

[Molly]

and then the other idea is, you know, how how do we provide guidance and feedback on plans that other entities are putting together.

[Todd]

Can I say on public bodies, public records, policies?

[Molly]

Correct. So not just not just trying to weigh in when there's conflicts, but how do we help public bodies develop great plans to begin with.

[Todd]

Right. And you had previously discussed maybe having the Council as sort of a fact finding body that would have public bodies come before it. Would you like to include that here now or just leave that for further discussion later?

[Molly]

I think that that's for further discussion of one option. I brought up a board that I'm a part of called the Sustainability Board that approves state agency sustainability plans for all DAS agencies, and that could be, you know, maybe there's a path to doing something like that, but for more than just the government, but where that gives the PRAC kind of teeth almost to say like, yes, this is a good public record policy. No, this is not a good public record policy. You know, here's where you need to make improvements, that sort of thing right now.

[Todd]

And you've definitely inspired me. So you'll see my ideas. Some of them are actually born out of or evolved after listening to you, so hopefully you'll like them. OK, who's going to go next? I'll save mine for last this time since I went first. Last time. I can't see you, so just go ahead and speak up.

[Steve]

I can go. Mine'll be pretty short. OK, that the first one is and maybe this is already in the works, but to do another state and local agency survey to update and expand on the last one.

[Todd]

So should we say state local agency survey regarding public records practices?

[Steve]

Yes.

[Todd]

OK. Thank you.

[Steve]

Even if we repeated what we did before, that would be useful, but I think, I would have room to add some more questions. I don't know whether that's I mean, that's maybe that's that's part of your work. I don't know whether it's a Council activity, and the other thing I'm just thinking of kind of on the fly, based on what Molly was saying, is I have thought it would be good to be able to kind of bring in agency officials to inquire about how things are working, get a better sense of what's happening in the trenches, that probably would happen, I guess, in the course of fact finding, say, for the fees subcommittee, but I do kind of like the idea of like approving the sustainability plans of agencies as as the as Molly's board does. Maybe there's something we can think about in terms of, like kind of some sort of transparency, not a transparency plan, but maybe it's like a transparency impact statement that legislation would go through and maybe we don't know. Mark, you're shaking your head.

[Mark]

I'm sorry, Steve. I'm sorry. I should I should be turning my camera off. Go ahead. I don't, I don't want to I don't want to. I don't want to. Let's get the ideas on the paper and then let's discuss them. Okay. If I may. [Steve] OK. [Mark] I'll turn my camera off, I'm sorry. OK.

[Todd]

All right, but I'm going to use my position as note taker and chair for the moment to ask some questions anyway. So, Steve, are you thinking for the transparency impact statements, maybe some sort of new or different version of the open government impact statements or whatever they're actually called, that the legislature issues for each new bill and how it impacts public records, practices or open government?

[Steve]

I have to I'm embarrassed to say I'm unaware of such a thing. If that already exists, then, you know, it's not like it's the same idea.

[Todd]

Well, it is, but, you know, the form it takes or the or the levels it goes into may be different than what we're interested in. For instance, the the bill that made this office independent, the previous bill that established the PRAC is a permanent body were listed as having no impact on open government because ostensibly they didn't change the Public Records Law in terms of disclosure, but we, of course, think they are meaningful and would want to acknowledge that change in the law. So I don't know. So there might be avenues we want to go down after looking at the current form of the statements. Would we want to suggest any sort of changes that would reflect additional aspects of changes in the law that the statements currently don't? So that might be something to consider.

[Steve]

Yeah, and maybe it's more than legislation. It's just like in terms of institutions, maybe they're a best set of best practices that we think are desirable or or required of state and local agencies, and we could review, you know, whether they've they've met that bar or maybe it's a certification or something, you know, that you reach a certain level of best practices.

[Todd]

Like a LEED standard for buildings?

[Steve]

Yeah.

[Todd]

I like that. OK, great. Well, I want to go back to your other your other point, too, about the survey because you made a comment that actually I've been thinking about as well recently, which is is doing a survey more a function of my office versus the Council? And it's an interesting situation because it's a council that has this survey ability, but it's my office that would largely execute the survey., and so I initially one of my ideas was going to be suggesting some new form of a survey as well, but sort of along the lines of how the Council is now operating independently, we elected our own leadership and wants to sort of fulfill its own mission separate from my office, certainly in conjunction with my office and always supported by my office, but doing its own thing, you know, is a survey really the best way to do so? And so that's something I highly recommend we consider discussing, and also is a snapshot in time of just certain agencies at the state and local government really sufficient to give us a useful picture, especially when we don't regularly update that type of survey. Those are issues, ideas, thoughts and concerns I had, but I think it's it's certainly something we should discuss at length. Sure. I just wanted to share that with you since you brought up the idea of a survey first before anybody else could.

[Steve]

Yeah, we could just include in that scoping out of the best, what are the best? What information do we want to gather in a comprehensive fashion? And then for, I guess in terms of transparency impact statement, let me reformulate that. I'm thinking just more in terms of really kind of best practices and finding ways to ensure agencies are pursuing them, and I don't know what transparency impact statement is a correct response to that or not, broader questions.

[Todd]

And I'll put as a third idea transparency by design, sort of like best practices and whether agencies are pursuing them. That work?

[Steve]

Sure.

[Todd]

OK. Thank you. Great Is that it for you, Steve? OK, who's next?

[Kim]

Just jumping in here, but oh, I don't know if I'm next or not. This is Kim Thatcher.

[Todd]

Yeah, it's whoever wants to speak up next. Go ahead, Senator.

[Kim]

OK, well, it's phone and so it's really hard to tell, but the ear thing fell out of my ear, sorry about that on. Can you hear me?

[Todd]

No, I can. Yes.

[Kim]

OK, thank you. On Tuesday is the meeting of the Transparency Commission and some of the things that you've been talking about sort of overlap with some of the goals of that commission and the transparency by design and getting more records online is right up that alley. So I I'm warning you, I'm going to be, you know, stealing some of your stuff and bringing it to that meeting on Tuesday.

[Todd]

Please do. Nothing wrong with spreading around good ideas for sure, in my opinion, and that's something this Council should consider then, whether at some date in the future, do we want to either put together written testimony to provide to stakeholders like the Transparency Commission or even sign up to

testify in person if they're inviting public testimony? So thank you for that, Senator Thatcher.

[Todd]

Albert Todd, excuse me, maybe, you know, we had talked about getting a briefing from the Sunshine Committee. It seems to me that we need to add the Transparency Council to that so that the members of the PRAC can get familiarized with their work as well.

[Mark]

Yes, we. Mark, I'll just start off your list and say under you regular contact, interfacing with transparency, the Transparency Commission

[Mark]

Or Council, I don't know which one it is.

[Todd]

Oh, I apologize if I'm writing it incorrectly at the moment, and the Sunshine Committee, just to have that note here so we could keep track. Thank you for that inspiration, Senator, and thank you, Mark. OK, so Mark, why don't we. Oh, sorry. Senator Thatcher, did you want to add other ideas to the list right now?

[Kim]

No, this is good for now, but I have been a long, long been an advocate of getting more records online so that it is not so expensive and difficult for people to request those records.

[Todd]

Yes. Well, we'll then have you echoing transparency by design and proactive disclosure.

[Tony]

I'm happy to go next.

[Todd]

OK. We had started with Mark, so I think at this point we'll have Mark complete his list, Tony, and then we'll go to you next or we apologize. No, no worries. Thank you. Mark, go ahead, please.

[Mark]

Yeah, you bet. So I continue to be a huge advocate for the Public Records Advocate continuing to do education for the public and for public record custodians, and I think that from my perspective, this is a major function for the public records advocate, and I don't want to lose sight of that at all because I think that was pretty well baked into the legislation that created the office and the advocate. So I just want us to not lose sight of that. So I put that one down.

I do think that and I don't know if it was written down yet, but I do think we need a set of bylaws. So that's absolutely something that we're going to need to figure out how we're going to internally operate.

At some point, I still want to steal something from our legislative list, and actually, I looked at the list, Todd, and I think it was Shirin's suggestion. I don't want to give Les credit where it's not due. So I think Shirin was the one who came up with the top five public records that seemed to spawn the most amount of controversy, litigation or appealing to district attorneys. I think that that's worthy of us taking a look at, and I'm just curious if we can gather the appropriate data to show which ones those are, and I think that we should take a look at those and see whether or not there are opportunities for us as a Council to either make administrative or potentially it could be legislative as well, but how can we reduce the amount of controversy for, say, those five? That makes a real difference. Believe it or not. You know, and I think that that's a worthy pursuit. So I'll leave it at that for now. Todd, thank you.

[Todd]

Okay, great. Yeah, and these top five exemptions that lead to the most disputes, you know, anything any information that counsel develops, I you know, when it when useful or inspirational, I've folded it into the trainings that I offer to public employees and members of the public, and so certainly any guidance we could develop around, you know, the top five exemptions that are causing the most problems would certainly then filter back into my

trainings that I would then be providing to those who are, you know, enacting these exemptions or are protesting their use, and so that could be very helpful. I'm just trying to think how would we effectively gather information about it, Mark? And also top of my head, I think the the primary resource would be A.G. orders and court cases to the extent that we can sort of go through them and, you know, list out, you know, the ones we're seeing most often, which, you know, it's going to be a lot of work for whomever is undertaking it, but definitely could lead to some useful resources for us to focus on, including that maybe dovetailing with surveys of bigger agencies or the ones that we see most often reoccurring in those orders and court cases using those exemptions or something like that.

[Shirin Khosravi]
This is Shirin.

[Shirin]
Oh, sorry Shirin.

[Shirin]
I didn't want to take credit. That was not my idea. I think it's a worthwhile idea, but it was not mine.

[Todd]
You could've held on to it. Les suggested at the last meeting. Mark, I thought you were going further back.

[Mark]
No, I was just I was just going to say that, you know, I know that Michael Kron has done some great work in the past at very good prices for the Council. This might be one of those things where we can gather a little data from DOJ and and others, but this is intriguing to me, and I think we should. I think it's a great idea. Never thought about it before, but I think we could add some value by looking into this more, and again, that that's all that I have for now.

[Todd]
OK. Thanks, Mark. Yeah, and, you know, and if we do a true survey of all existing information or that the amount that we're able to digest, you might

end up realizing there's actually three top exemptions or 10 or what have you, but shooting for a handful and then kind of going where the information takes us is not a bad idea. OK, Mark. Thank you, Tony. You are up, sir.

[Tony]

Thanks. So I guess I would like to just kind of for me on my own personal contribution, continue to promote that, just the concept of public education and accessibility, and Mark, just kind of, right off what you were talking about in terms of the other component that is a major duty, is to public education that that public records advocate provides to agencies and users of the law, and to my recollection, when we've discussed the efforts that that you, Todd, or that Ginger was making, I was always left with the impression that, you know, rooms are being filled or know there was a high demand of these trainings, and I, I think it's really important that this component of your job receive equal or not equal, but, you know, considerably enough attention, attention by us to make sure you get the support because organizing a training isn't just showing up to a room and talking to people, but it involves emails and talking to attendees who have questions ahead of time, and that's just a ton of work, and I know that there's in the budget, essentially after DAS hires 2,000 people so that you can get a deputy, you know, you'll have some support to organize that, but I even still think with two people in a state of millions of people with dozens and thousands of agencies out there, some who have computers and others that don't like that, the education component, I think, helps address the accessibility and equity issues in another way, just as important as addressing fees and, you know, whittling down the exemptions and the fights that are particularly draining, I think, equally. It would be, I think, a great benefit to the public if if this PRAC makes an effort on both ends of that of that equation. I don't know if that is making any sense, but I'm hoping to kind of balance a kind of a more general public facing effort by the PRAC and the Public Records Advocate to say, hey, we're here to educate you, and and I think in my opinion, involves like a serious communications effort that that Todd and the deputy might not be able to just do on them, on their own, you know, and then also on the other side, the, you know, legislative work to to reduce the fees and to identify the exemptions that are causing the most grief. So it's a lot of work, and I just really think, you know, in the future, any person that represents members of the public, and I just learned today that it totally makes sense that

the real estate industry is probably another consumer heavy consumer of data, and so, you know, are we educating the real estate industry? So who's doing outreach anyway? I'm rambling, but I think it's it's worth kind of pursuing that for that component. Mark, I would I would endorse focusing also on the training that that the public advocate has. Sorry. Thanks. That's all I have.

[Todd]

Well, thanks, Tony. Yes, any knowledge, guidance or assistance the Council can ever offer to my office is more than welcome and appreciated, and you're right, Tony, even with two people, at times it was difficult to manage all of the trainings that were being asked of us, although we generally did a pretty good job of effectively dividing up the work. Certainly since the onset of COVID, there's been a downturn in requests for these sort of large trainings, especially because I think there's a recognition among a lot of people that doing it online is just not the same as doing it in person, not least of which because is because I can't I just can't do a 90-minute interactive PowerPoint presentation, you know, over Zoom, which is it doesn't land the same way as it does in person, but, you know, the trainings continue, and in fact, I'm. I have some coming up, and I was just contacted today by a coalition of several local 911 agencies that are asking for us to do a joint online training, which I will be planning for the near future, but yeah, as COVID continues to be part of our lives and a lot of time and resources is focused on things other than public records, I think that's going to inform how and when I provide training center home and what I'm talking to them about, and I think it'll kind of change up what people are asking me about, and one thing I've tried to do as the trainings have decreased, but the individual requests for assistance have gone up, it's the sort of fold in some larger discussions about best practices around the questions that I am being asked, and as I've mentioned previously, I now regularly helped draft or review state and local public bodies, public records policies because I'm getting the word out more and more that those policies are not only required by law, but pretty useful to help agencies guide their own work and interact with the public, and so I think the word is getting out there and more and more, excuse me are contacting me about working on those. So it's interesting to see how things have evolved. There's been a definite sort of shift in my work practice that has reduced it in other areas, but allowed me to then sort of take those goals and that information and apply it elsewhere and moving into the future. Like I said, you know, the Council exists because you are a deep bench of

bipartisan public records experts. So I can never go wrong by going to you for help and assistance and figuring out what these trainings look like, and I really appreciate your interest and support and the interest and support that's been expressed by everybody else here on the Council. It's going to be really useful, and certainly as I bring a deputy on board and help train them, hearing what the Council thinks about this work will be useful for their perspective as well. So thank you very much, and having said that, do you have additional ideas you'd like to add to the list right now?

[Tony]

No, I just that the key thing is just public education and accessibility, and I'm sure that can be fleshed out in future discussions.

[Todd]

OK, great. Thank you. OK, anybody else?

[Kim]

Just a real quick thing, this is Kim Thatcher again, I'm thinking, well, OK, so one of the things that Oregon transparency website does is it links to a lot of agencies because that was the cheapest way to do it when we set it up in 2009. I don't know if the Public Records Advocacy Commission or Council has the, have that communication or that link or that information sent, but it seems like that would be a really good thing and a perfect place to put it because when people are looking at transparency, they probably want to know about public records as well and have that link there to the Council's website, and information might be very helpful.

[Todd]

So you're saying make sure that the PRAC and my office's information is on the Oregon Transparency website?

[Kim]

or at least that there's a link so that it can be referred to on the transparency website. Public records, information, or however you name it. And then it can come to your your office.

[Todd]

OK, thank you. Yeah. So I have the transparency website link under resources on The Advocate's website, but I hear what you're saying, that it should be the other way around as well, and very well may be, but I haven't looked at it in a while, so I'm not sure that's something. First take a look at.

[Kim]

Exactly. Thanks.

[Todd]

OK, thank you. OK, any other members that would like to offer suggestions for our non-legislative goals?

[Shirin]

This is Shirin.

[Todd]

Hi Les, I think Shirin's going to go first.

[Shirin]

I don't think this is a stand alone committee, but I echo the public comment that we heard today. I agree that there has to be some significant discussion and consideration regarding allocating adequate resources to public employers, subject to the public records law, given the burden of compliance, falls on public employees who often have considerable workloads, aside from responding to public record requests, and so I don't know if this is part of the discussion or transparency by design. Maybe both, and I think it could be informed by the survey, which I think was suggested. So I think I'm echoing what people have already said, but I, I do want to second that we need to be part of the conversation.

[Todd]

Thank you, Shirin. Yeah, no, I think you're highlighting sort of a core elemental issue that would encompass a lot of these other issues and probably lead sort of be like a guiding ideal that we keep in mind while looking at some of these more nitty gritty notions about how do we actually effectuate change in the public records law, including ensuring that public bodies have the right resources for fulfilling requests. So I think I think that's an important

essentially almost like a theme to keep in mind. Thank you. Anything else you'd like to add to the list right now?

[Shrin]

No, that's all I have. Thank you. Thank you.

[Todd]

Les.

[Les]

Yes, and I support virtually everything the education piece is really important, I would add maybe I see Rob's on the call, maybe he can answer this, but there's part of the the issue of reducing confusion and friction as whether we can provide model public records policies for local agencies. In other words, instead of saying, well, here's what you ought to consider, generally, we can we literally give them a template to save a tremendous amount of work, both on on overall policies, on exemptions, on fees. I think agencies my guess is they would probably find it useful. Now maybe AOC and LOC already do that and we can refine that. The other thing, back to the top five exemptions, another aspect of that is to provide education/advice on how to avoid getting into disputes. In other words, I find in my experience a lot of disputes on both sides over a misunderstanding of A, the law or B, of the other party's intentions and interests, and I'm betting if we if we took like the internal advisory communication exemption, and provided a very clear, here's how to apply it, and I recognize that the AG's manual does this, but I think we can become even more clear with folks. Here are the standard typical pitfalls or obstacles to this and how to how to prevent them from becoming a barrier to disclosure. And that's it.

[Todd]

Thanks less. Yeah, actually, everything you said has led me to have a lot of thoughts, including that I get a lot of requests for templates like, you know, model policies that agencies can then plug their own practices into. And unfortunately, it was a goal of Ginger's back from when she was in the office. It's been a goal of mine since I've come on as a public records advocate, and it's simply something that no one has been able to get to at this point because of a workflow issues, obviously, by being on our own for so long. But it's definitely

something that is very much needed and asked for, and it would be something that either my office can do in conjunction with the Council or that the Council can do and put out for all agencies to use. I think that'd be great. I think it's really necessary. There was something else. Sorry, the other idea went out of my head. Yeah, these are great, Les. Thank you. OK, so I understand, Rob, are you on the call now to.

[Rob]

I am sorry, a little bit late, got stuck in other meetings, kind of a busy time actually in the ramp up to redistricting and Lege days, but yeah, I've been on for most of your meeting and just to respond to Les, at AOC, we only have 36 members. I know Scott's got 241 and then Mark has got like millions or something like that, but I didn't create a model policy, but I worked with the League of Oregon Cities prior general counsel. We created a policy for AOC and for LOC, and we obviously modified it different for those two organizations, and I'll let you know, over the past, oh, gosh, year and a half, I've had so many requests for that policy. So it kind of functionally became a model policy here because it spread around. In fact, I had another county council ask me for it just last week, even though it's like two years later. So it's become a model policy, but I bake everything into it. We got a retention schedule, we got the fees, we got everything in there. It's kind of it's like 30 some pages long, and I just had our board updated with the new statute numbers, which all changed just this Monday. So that's kind of what we've been doing at counties, but there's only 36 of us. So there's I would almost defer to the Scott and Mark because I think they've got kind of almost bigger challenges with model policies because they got so many members.

[Todd]

Well, Rob, I end up doing something similar to you when I've come across policies where I've liked individual sections or the whole thing, I end up just sending those to the public bodies that are asking for a model and saying, you know, this may or may not work for you or all parts of it, because the sections I like that you could consider, or even when I'm reviewing or revising policies are sometimes looked back on other public bodies, policies that I've seen in the past where I thought they have useful and helpful sections and figure out how to incorporate it for that individual public bodies need, because we don't have any templates out there, as far as I know, either.

[Rob]

Well, if you'd like, it's kind of funny and ironic because literally on my screen right here, I'm making a PDF of our newest updated version, do you want me to just forward it to you, and you can have mine to watch out for. What would you like?

[Todd]

I'll take both.

[Rob]

Ok. I'll sent them to you for what they're worth here before the meeting's over.

[Todd]

OK, great. Thank you, and I'm sorry, I didn't know you've been on the call, but thank you for being here, and would you like to share your non-legislative goals now to add to the list as well?

[Rob]

I think you've already talked about all of the ones that I was thinking of, but I don't have anything to add to what you've already talked to. I've been here for most of that conversation, so.

[Todd]

OK, great. Thank you. OK. Remaining members on the call. We might have heard from everyone. Oh. Well, let me just say, if we haven't heard from you yet and you'd like to add to the list, so let us know. Go ahead.

[Les]

Looks like Scott Winkels [Scott] Yeah, thanks Les,

[Todd]

Oh, I see. We have Emily, too.

[Scott]

Hi Emily. Um, a couple of things. One, I would like to make it a practice at the at the regularly scheduled meetings that the PRAC receive sort of a report from

the advocate on the nature of the public requests, if there's a theme, if you know a number of trainings and that sort of thing is great, but I also want to know, what is it, what is it that people are calling your office about? And I guess that gets into our top, the issues that are the top contentions, but I just want to have that into and maybe that's part of the bylaws as well, is that we regularly receive an update of what was happening out there in the field on on these requests. The other thing and even if this is kept in a different location or another agency, I would like to see us collect as many DA orders on public records requests. It's not just that part of it is, you know, we want to know what's causing the most problems, but I also want to know if we're getting DA's and attorneys giving different advice on the same topic because that's going to tell me that that's where that's where the law needs to be clarified. If you're having if we can't get agreement from the community, that that ought to be that should be sending up a flare, that there's something wrong or that we need an additional investigation. So those are those are my non-legislative.

[Todd]

Great, thank you. Okay, sorry. OK. Emily, hi.

[Emily]

Hi, I was driving. Yeah, I'm so sorry for being so late. I was with that service for most of the last hour.

[Todd]

No worries and glad to be here now. So we are going over our non legislative goals for the PRAC, and we got you, and would you like to add to the list?

[Emily]

Yeah, I'm just trying to scan it at the same time. I appreciate what Scott just pointed out. It would be great to hear what, you know, what kind of requests come into your office and the DA orders as well, and I think that those would be definitely one tool to understand, you know, what is what is on people's minds and what are kind of pain points where the law might need to be addressed. You had done, is this on the list already, maybe? But you and Ginger did a survey of all the agencies two years ago, and can you remind us what the focus of that was asking. Not that was asking public agencies what what kind of requests came in and how quickly they responded, if I remember right?

[Todd]

Yeah. So it was actually the PRAC survey that my office was able to effectuate on behalf of the PRAC but yes, it was a survey of a selection of state agencies and local agencies as well at all levels that were picked for partly for geographic representation as well as other issues. I try to be as I try to spread it out as much as possible. And, yes, he did ask things like a number of requests received in the previous calendar year that was completed within 15 days, 15 business days. Those completed or were still open, perhaps at 60 days, fees collected, fee waivers and reductions. What kind of have they received any training in the last year? Might be leaving out a question or two. Yeah. And Steve had brought up the option or the issue of possibly returning to another survey. So we do have it here on the list.

[Emily]

Oh, great because I just thought that was such a strong baseline that it would be, you know, depending on the percentage of time of your time that would take up or like as the office is staffed up, it would probably be a good thing to kind of continue to monitor just so we can see how things change or if they don't over time. So that was that was one thing I wanted to bring up everything else. There's a couple of other things over here that I was thinking of that I see already on the on the list. So thanks for checking in.

[Todd]

Great. No, thank you. OK, so just looking at our list of who's here, I believe we've heard from all our members except for me, so I'm going to go ahead and put my ideas on the list as well. I'm open to any questions or discussion about them as well.

So two of them actually relate to the PRAC operating as a fact finding body by inviting public bodies to testify before it or provide information, including public records, all of which are, I believe, are with authorized we are authorized to do under our current statute, and so the first fact-finding, I'll call it a commission, would be around agencies responses to COVID 19 because as I've experienced just through requests for assistance, obviously, a lot of agencies have been hammered by the COVID 19 response, and it's impacted their ability to respond to public records, and so sort of along the lines of what

we're seeing elsewhere, it'd be I think it'd be helpful to find out how did their systems hold up? Where were the pressure points? What could things like additional funding staff and computer systems have done to change the problem? What was the leadership's perspective and anything else that just overall inform our idea of how agencies handle public records requests when dealing with everything else they deal with on a regular basis but certainly when they're in crisis mode, where do public record sort of sort of fall in their list of priorities? Is that in line with what the PRAC thinks and what changes or advice or guidance can we suggest that might help agencies do their best if, God forbid, we're ever in a situation like this again? So that's one.

The next is a fact-finding commission around fees. The idea of the or the the issue that we're all probably most concerned with or at least have all talked about it at one point or another. Perhaps we could start with using the survey from 2018, the state and local agencies that collected the most fees or had the most public records requests just to get a better understanding of how they're charging fees and why and whatever other themes that we think fit under that.

The last two are bylaws that have already been discussed. I think we definitely need bylaws for the structure of the PRAC, including how it oversees my office and the position of the Public Records Advocate now that it has that duty. I think it's very important that we sort of understand what that relationship is and how it works, as well as the positions of Chair, Vice Chair and perhaps Secretary, too, and then finally, I think the PRAC should explore ideas around best practices for data dashboard's kind of akin to what the Criminal Justice Commission currently does for its programs and grants so that everyone can understand. If an agency utilizes a data dashboard sort of akin to the questions in our survey, people could see in real time, rather than just an occasional snapshot of things like the types of request agencies are receiving, fees, charged waivers, et cetera, and so that when you're going to interact with an agency, not only will you hopefully see their public facing public records policy, including a fee schedule, but how well that's actually being executed, you know, up to the most recent data available. So as of requestor, especially a frequent or savvy requestor, you could perhaps understand what type of interaction is likely to ensue when you make requests of this agency based on the information they are providing, and it'll shine an ongoing spotlight on their practices that will hopefully help them do better and seek help when

needed and maybe even inform their budgets when gone for the legislature for the next cycle, and I also agree with pretty much everything else everyone has said here as ideas that we should consider pursuing. I think this is a great list. So before I close it out, did I miss anything, misstate anything, is anyone decided that they want to add anything to the list?

[Steve]

Todd, I just have a question from one of your ideas because it was intriguing too, this data dashboards, but I take it you mean kind of the same type of information we collected in the twenty eighteen survey, but more like in real time, like just sort of continuously saying like in the past week we did this as opposed to.

[Todd]

Yeah. Yeah, and but, you know, of course, if we recommend this for agencies to put into effect, it's then going to implicate sort of these larger overall overarching theme, sort of like what Shirin alluded to earlier. Well, if an agency is going to be required to do this, was this mean for their funding, for their staffing, for their computer systems? So I just my ideas, I focused on them because I feel like sometimes if you look at a very particular, very particular like section of the law, it could then sort of by focusing on that minutia, then blows up the bigger picture of like what are the institutional or structural problems that led to this smaller problem that by breaking it into bite sized chunks, it's easier to digest and figure out like more long term solutions. So, yeah, it would be more of a real time report by public bodies about what they're doing. Yes. I'm going to stop sharing this document, I could see everybody.

OK, but any more questions from anyone on the Council about this list, and I think I'm going to suggest that like what we did with the legislative concepts, we don't try to drill down now and come up with a sort of a top priority, but we rather leave this list intact and let it be addressed by a subcommittee that will highlight which ones they think we should move forward with. Everyone agree with that? I'm not making it a motion, I'm just asking. I think generally so, yes. OK. Great. Well, then, great set agenda item is completed.

I think we have a nice roadmap here for all of the PRAC goals in the short- and long-term. So why don't we do this? Let's form our committees. Figure out

what that means and then hand off this work to our committees who could then get started, and then we'll leave it to Mark and Emily moving forward as our new chair and vice chair to set up our subsequent meetings and figure out what we're going to do with this stuff, and my idea is we start simple. We have our Legislative Committee, we have our Non-Legislative Committee, and we have a Bylaws Committee. Presumably, the Bylaws Committee is one that will exist long enough to complete its goals of creating bylaws approved by the PRAC and likely will not need to continue. Whereas our Legislative and Non-Legislative Subcommittees will probably be long standing, it's not permanent. So thoughts? Discussion? Motions?

[Steve]

Well, is the idea that the legislative and non legislative, you said those would be those would be standing, or are they just they exist for the purpose of winnowing down a shorter agenda?

[Todd]

All right, yeah, maybe I should explain a little better my idea, so what I, I think they should. What I what I envision them doing is, yes, winnowing it down to the items that they consider most important and most feasible to be accomplished with in the near future, which realistically means the next long session or possibly after that, and maybe their continued existence is something that would be considered or decided upon by the PRAC after they bring their findings to the full Council and the Council decides how it wants to move forward because it's possible the Council could make some decisions that they hand back to the subcommittee to develop further. Like, for instance, settling in on legislative goals and handing it back to the subcommittee members to then draft an initial version of the legislative concept that would want to consider. So established committees with the notion of how long they might last, but not committing to that now is probably the best way to move forward. OK, Scott.

[Scott]

I was just raising my hand to volunteer for the bylaws committee.

[Todd]

Oh, thank you. Well, let's establish the committees and then OK. We will not forget your volunteering, I swear. OK, well, then, Tony, go ahead.

[Tony]

Yeah, I guess it's more of a question for the group, and I'm thinking about, you know, the time that everyone has. And I think, Steve, last week you mentioned the, you know, creating six or seven committees and how much time that that might take on for the very you know, everyone's time is valuable. So, you know, when we were last discussing committees, there was this like, and I brought it up, I think, if I remember correctly, just this public education or like support committee. I'm wondering if this is a topic that maybe can be discussed, if there's a need for it, or if it's just an item that we can discuss during the biannual meetings, you know, just as an agenda item. These are the things that we should discuss in terms of public education and accessibility stuff. So I guess to make my in other words, I do, we need a public education committee, and if not may be in the bylaws committee, we should include that component and as a part of the agenda. And let me do our regular.

[Todd]

Well Tony, what about if it was just debated as an idea to pursue within the Non-Legislative Goals Committee, that if, you know, enough of the members thought it was, it should be one of our top priorities then? You know, it's a concept that's developed further because I hear you. I would love to tackle all of these, either the Council or in my role as advocate, but the reality of the situation is none of us have that sort of time and bandwidth, and I don't want what could be the most important notions or things that we can pursue to be left by the wayside. Like, I don't know, it's quite possible that out of the Legislative Committee it'll emerge. Listen, we have time for fees. Fees is the most important, and that's the change we want now, and the Council could agree and then we have one legislative thing that we pursue or maybe we end up pursuing for a bill that has like four sections on four totally different things. So I just don't want I don't want to overcommit us now, but I don't want to paint ourselves into a corner now either because there's so many important ideas that we put out there. So that's why I'm kind of open to the notion of maybe broader themed committees, then winnow it down for us. And obviously, I would hope that these committees have adequate representation from all sides that are represented here in our Council.

[Tony]
Thank you.

[Todd]
Yeah sure, thank you. Les, I see your hands up.

[Les]
Well, are you looking for a motion time?

[Todd]
Well, for committees, I don't want to close out any discussion before that, but I think we're probably at that point, unless anyone else has anything else they want to add about potential formation of committees because right now, the notion is three committees or subcommittees, legislative, non legislative and bylaws with no set termination in mind as of yet for any of them to be decided later.

[Les]
OK, so I'll move that the Public Records Advisory Council create three subcommittees. Legislative Committee, Non-legislative Committee and a Bylaw Committee to operate as necessary and as needed to tackle these assignments, and then leave it up to the subcommittees. [Mark] This is Mark Landauer seconds the stop motion.

[Todd]
Mark you gotta let Les finished, but I think he did, so thanks! ha

[Les]
Oh, no, I always shut up when Mark starts talking.

[Todd]
Great. All in favor?

[Group]
Aye

[Todd]

All opposed. Great. The motion carries. Congratulations, we have three subcommittees and we have our guiding documents to get them started. So why don't we use our remaining time for everyone to valiantly step forward and volunteer for these committees now as well? And I'll get started. I'm willing I'm happy to volunteer for two of the committees and I'm willing to chair one of them unless you want to settle on chairs at another time once the committees meet and to decide among themselves.

[Emily]

Are there two specific committees that you would like to be on, Todd? Or are you just thinking?

[Todd]

I'm kind of interested in all of them, but I will, you know, I probably shouldn't be on the Bylaws Committee only because it might also impact on how you oversee my employment. So I will volunteer for the Legislative and Non-legislative committees, and I'm willing to chair either one unless we want to save that decision for later, but I don't want to chair both.

[Emily]

I have one question, and I apologize. This probably was discussed and I wasn't able to join, but the legislative and non-legislative, some of some of the work that may end up in legislation may need some non-legislative action ahead of time. so I'm just wondering what the vision is to handle that?

[Todd]

You know, I think that's something we could develop over time, for instance, do the subcommittees want to call a meeting to check in with each other or discuss ideas. I definitely think a lot of our non legislative goals could ultimately become legislative concepts as well, going in the opposite direction. And I really don't have an answer for you, except maybe as the subcommittee's report back to the full Council, that will lead to further discussion about what sort of crosspollination needs to occur to effectuate whatever goals they come up with, that they that their council adopts. I mean, that seems like probably the neatest way, because they're going to have to report back anyway and use that as determinant for the next step in our work.

[Emily]
[inaudible] the Legislative Committee.

[Todd]
Wait, I'm sorry, Emily, you broke up.

[Emily]
Oh, I'd like to vol, oh, sorry, I'd like I'd like to volunteer for the Legislative Committee.

OK.

[Emily]
... serve on one for sure, but it be my first choice.

[Todd]
OK. You know, I'm going to make a very low tech list and I will collect names. One second. OK, so I have tied for the lege and non-lege. And Emily, you just said non-lege..

[Emily]
No, my first choice would be to serve on the Legislative Committee. Sorry.

[Todd]
OK. Right. OK, who's next to volunteer, Scott? Let's go back to you. Which one did you volunteer for? Byelaws, right?

[Scott]
Yeah, I'm going to serve on bylaws, OK?

[Todd]
Great. Who's next? Steve, you have your hand up, I don't know if that was from before or not, but we're calling on you anyway.

[Steve]

I'll volunteer to serve on lege and non-lege, and I would be willing to chair one of those.

[Todd]

Great. Thank you.

[Les]

This is Les. I'll go non-ledge, and I would also advocate as a best practice that all members be advised of any committee meeting so that even if you aren't arquit, if you see the committee is going to discuss some issues that are of particular interest to the member, that we all sort of serve as ex-officio members. Not any of us really want to spend a ton of time in meetings, but I'd like to make sure that there's complete openness about these, the work and where things are going. So we're all kind of keep on keeping up to speed.

[Todd]

Thank you. Good point. I think this is an important time for me to say that my office will continue to provide administrative support to the Council, too. So this is to Mark and Emily and also to any chairs of the subcommittees. You know, work with me to get out meeting notice, to set up the meetings and teams and the other technological support you might need. Please know that I'm here. That's analysis as one of its duties. And we'll continue to work together to make sure that happens, because there might be some issues with non state employees chairing these committees when it comes to technology. So we'll have to work those out as we go, but I will, and my office will, continue to be the conduit for that.

[Emily]

And may I just check? I mean, presumably, since all of these would be public meetings, there would be also noticed like on the website and stuff, right? Right.

[Todd]

Yeah, exactly, and I will handle that. Obviously, you've got to tell me, but then I'll send it out to the notice in my office provides is it's on the PRAC website. There's a listserv with about 200 people on it, and I put it on Twitter with as much advance notice as possible. If there are other avenues you think we

should be considering, let me know, and we'll work on those too, but those are the three primary ways I get notice out right now. Great. OK, so let's hear from our other members about joining some of these subcommittees.

[Molly]

Hey, this is Molly. I really like this idea. I think it would be great for us all to know who all is meeting. I think it also keeps the pressure on all committees to do their work, just my experience on other committees, working the subcommittees. I do want to clarify it. My expectation would be that, you know, if there's a Legislative Committee, the Legislative Committee still is reporting back to the PRAC before we're sponsoring a bill or something like that. Is that our hope and dream, the idea that the Legislative Committee just goes and does what they believe is right?

[Todd]

No, definitely not, Molly. All work on the PRAC has always been, if not unanimous, then majority approved and including the PRAC choosing for itself who goes out and then advocates for those bills, which has generally been only the tax bills. But nevertheless, that has designated the people who would be the primary ones to carry the water in the building, but, you know, a subcommittee would exist to kind of do the the work of developing these concepts and then reporting them back to the full Council for further decision, including in endorsing any legislation and then going and advocating for it.

[Emily]

That's a great point, Molly. And I'm glad you clarified that. It does make me also want to ask the same question about the Non-legislative committee. Would they decide what to choose from the list and then go ahead and take action on it? Or would that also come back to the full PRAC, and then it would be sent back for action or ...

[Todd]

Yeah, yeah. No, these

[Mark]

Could I? Could I? It's a great question. Folks, I think that this can be resolved by the bylaws. I mean, there's a very simple way that we can ensure that this

occurs, and that is ensuring that at each meeting of the Public Records Advisory Committee, any subcommittees shall give a report during a regular meeting of the public record, that advisory council. I'm just I think there's an easy way around this, and we don't need to discuss it terribly much more.

[Todd]

No, Mark, that's exactly what I was going to say. Thank you. These I think traditionally that's how the Council is operated, and once you put it in our bylaws, that's how it will operate officially.

[Emily]

Yeah, it's great to check in since there's no bylaws quite yet, but yeah, precisely right.

[Todd]

And some of us haven't been here as long as others. For sure. So we don't all have the same experiences with how we've operated in the past as well. So this is great. This has been really helpful. OK, Steve, your hands up.

[Molly]

So, I'm sorry, This is Molly. I'm going to do my about my volunteering. I will. I will. I will go wherever I needed. It seems like there is a lot of Legislative experience on the PRAC, and I don't need to be on the committee as long as it gets reported back, but I'm happy to do, happy to help with bylaws and happy to help with non-legislative stuff, and I think some reason that the deficit on legislative, you can send me there.

[Todd]

OK, so for now, I'm going to put you under bylaws because that would make you the second member, and I'll put you under non-legislative.

[Molly]

Thank you. [Todd]

Thank you, Steve.

[Steve]

Just a quick question. Do most state boards and commissions bylaws? I'm not sure

[Todd]

That I don't know. I'd have to defer to one of my more experienced colleagues. If anybody knows? Certainly when I was at DOJ and briefly or occasionally encounter these issues, it was always they always did seem to have them. So that's at least probably the expectation. How many actually do I can't say.

[Scott]

I can't speak for the state or but for local governments, it would be, yeah, you would have you would have just a sort of you would have bylaws just so you have a set of rules to conduct your meetings and and your regular functions in an orderly way. So.

[Todd]

And they don't have to be whole treatises either, they could be general statements of understanding of how the PRAC wants to practice and comport itself.

[Steve]

Right. It has no legal authority and sort of our agreement among ourselves of how we're going to because, right, because, I mean, it's not it doesn't have the power of regulation nor statute. It's just us getting together to say what we want to do.

[Todd]

Essentially, but obviously it's still bound by the law. So if we did something that was contrary to the Public Meetings Law, the Public Meetings Law would win in any sort of dispute or considerations. Yeah, we can't say we'll go into executive session for everything every time and damn the Public Meetings Law just because it's in our bylaws, but yeah. Yes.

[Scott]

Yeah, I mean, it'll be things like, we're going to conduct our meetings based on the latest edition of Robert's Rules, disputes would be resolved by the designate are subject to approval designate chair and vice chair as

parliamentarians that. That sort of thing, and then but we could also we'd also put in, you know, a standard of practice so that we'll see a lot non-lege has an item that they want us to do, we would probably want to enshrine that in the bylaws, so that future PRACs know, understand how we do business or what the expectations are.

Yeah. OK, well, I currently have the Non-legislative Committee with four members, the Legislative Committee with three members, and the Bylaws Committee with two, Tony.

[Tony]

I'd be happy to help with bylaws and non-lege.

[Todd]

Thank you, and lege. Well, what I'll do too, is for the members that aren't present, say I'll send them the breakdown of our subcommittees and seek out which committees they would like to be on as well, and then I'll report back to the full PRAC.

[Kim]

Jumping in here Todd. This is Kim. I would be happy to serve on any or all or just depending on what you need.

[Todd]

OK, well. Non-legislative has the most members at the moment, at the moment, so By-laws and Legislative could probably use additional members.

[Kim] OK, [Todd] OK, put you down for one or both, and would you feel like the legislative one?

[Todd]

Well, I'll leave it to you, can I put you down for one or both?

[Kim]

One or both of those you mentioned, yes.

[Todd]

OK, thank you. For the moment, I'll put you down for both, but you can revise later. Great. Anybody else?

[Shirin]

This is Shirin. I'll be on legislative. Thank you.

[Mark]

Mark Landauer, I will be on legislative.

[Todd]

Thank you, Mark. OK, so who are we missing, Rob? If you're up for volunteering now. If anyone is not, obviously you could ponder, and I think you could email me at another time. OK. Not sure if someone's trying to talk. OK. Well, I think we're off to a good start. I'm going to send out the list as we have them so far to all members, ask those who have not who aren't present or haven't chosen a subcommittee yet to let me know their choice and I'll inform the full Council once we have that. I'm recommending that we wait to the first meeting of. Well, OK, I was going to say, I'm recommending we wait to the meeting of each for a subcommittee for the subcommittee to choose its chair, but at the same time, we probably need a chair who could then call those meetings, but we don't have all our members present today.

[Mark]

Perhaps, Todd, perhaps, well, I'm just trying to think of timing here. You know, I think you're pointing out a very important challenge, and that is without a chair leading these subcommittees, it's sort of a rudderless ship, if you will, and I think that it may be that perhaps we give the Council members a little time to digest all this. We're sort of drinking from a firehose, I think at the moment with all the stuff that that's coming at us from from the Council. Perhaps what we ought to do is just simply ask the members to well, I would hope that every member of the Council will join at least one of the subcommittees. I think that that's a responsibility as a member of the Council, but of course, that's my personal opinion, but secondly, I think that perhaps that gives time for people to think about it, hopefully choose which subcommittee they will be willing to join. Prior to our next regular meeting, at which time we can discuss chairs for the subcommittee

[Todd]

... and finalize the list of subcommittee members as well.

[Mark]

Thank you. Thank you. That's precisely sort of what I was thinking. [Todd] Right.

[Todd]

I don't think we need a motion for that, but I think it's a great idea. I suppose then, the little, well, OK, so then, Mark, I guess it'll be up to you and Emily to choose our next meeting date. Get that information to me. We'll get that out and then obviously have an agenda item for us further or completion of subcommittee development.

[Mark]

You read my mind, Todd. Before we conclude this meeting, and I'm not sure if we're done yet, but if we are close to that time, Todd, I would just like to add one item to the agenda, and that is a brief discussion on when we should conduct our next meeting, hopefully have an opportunity for everybody to briefly look at their calendar and set that meeting today so that we can keep this horse trotting along down the trail, so to speak.

[Todd]

Item added, and we will address it in a moment. I think Tony and Steve had thoughts to add as well to the current discussion subcommittees, Tony.

[Tony]

Yeah, I guess just I was wondering. So y'all elected a secretary, and if we're dividing into subcommittees, will there need minutes be needed at those, I guess, just for that consideration as well? I was, I don't know if you guys had a chance to review the minutes I put together, but I was I was, as the new secretary, along with like requiring a 30-question Robert's Rules of Order test beginning every meeting. Just kidding, but I would like to I'd like make my my hope was to in the next term, try to research the best minutes possible. You know, following along with I think what Emily was saying last week is like, we should we should be the best example and whatever. So with with, you know, in presenting our work, and so, you know, I've always at my past reporting life.

I've looked at plenty of minutes and some were good and some were like, oh, so I'm thinking about asking around just to see who, if anyone has, you know, especially if y'all like as either reporters or working in industry, like have there ever been like really great minutes that that were easily digestible? The ones I submitted here was like a PDF document with a link and then the full transcript that wasn't even really as much as I hesitate. You know, I edited a little bit of the actual speech, like stutters and uhs and stuff, but, you know, like this, is a 38-page document with hyperlinks too much for a public, you know, body or something shorter? I'm sorry, I guess what I'm just trying to say is that might be something else to consider when we go to this, to the shorter subcommittees is how to how to properly, you know, is the the tape just going to be fine or will we need minutes for those as well? I'd be happy to put together a template for in my research of what's the best type of minutes. Do I need to I'd be happy to put together like a short template for four committee chairs or something to to use in the future. So just want to offer that.

[Todd]

Yeah. Tony, thank you. I think that's something we should discuss either now or at the next meeting. What we want our minutes to look like because I have I'm of two minds. I think wearing both my advocates hat and a lawyer's hat advocate hat wants everyone to have as much access as possible in as many digestible forms as possible, but I'm also aware of the fact that, you know, the public meetings law kind of sets a minimum standard, which we already exceed by providing both a video and a transcript, and I'd be concerned that for future secretaries, who don't have sort of like your knowledge and experience and access to technology that we're going to establish a standard that they then cannot meet, and even though we're already already exceeding what the law requires, we've sort of established a precedent that people can rely on that only they might be disappointed if we don't continue with. And so I, I think we need to find a comfortable middle ground.

[Tony]

Thank you for bringing that up, and that was something I wanted to also mention because I know that I fully probably have, I don't want to, I have a lot of free time. So I don't want, I don't want to work either the public service that I'm choosing to do in my personal life. I want to do as best a job as I can. I don't want to owe my work to like I don't want the next person to feel like they have

to do it, but I would like to do it in the way, you know, legally, possible but with [pride] to. I don't want a dry minutes that that I've seen in my past. You know, I'd like to put some fun into it if I can. So that's that's where I want it to go. But I totally recognize I don't want people in the future to feel like they have to take to do the type of work. Again, I want to be respectful of everyone's time, but I also want to have fun doing my public service, this is the kind of stuff that I like. So that's why I volunteered.

[Todd]

Well, that's great, because maybe outside this Council, you don't hear a lot of people using fun and public service in the same sentence. So I'm glad. I'm glad you're here, Tony. Steve, I know you had thoughts about the subcommittee, but I think we should probably get around this issue a little bit. First, whether we're saying we're going to table it to the next meeting or decide it now, but then, Steve, I don't want to forget your thoughts either. So we will get to you on those two. So what does everybody think about what Tony's saying about our minutes? Tony, I will say I haven't provided your minutes yet to the Council because this is just that was part one of a two-part meeting. So I was going to provide them as a whole meeting later. What you have provided so far, I will say it's three pages of what I consider standard minutes, although you do have the hyperlinks, which is, you know, the above and beyond, and you do have a full transcript of verbatim, which is above and beyond. So that's kind of where we're at now. So does anyone want to weigh in on this issue?

[Mark]

No, I don't. I just don't want this to become your second job. Okay. This is it sounds to me as though three pages of note is probably a pretty thorough summation from somebody's perspective, and the fact that we have a recording verbatim, as Todd has said on two different occasions, you've exceeded the expectations. So, first of all, thank you, but secondly, I don't want this to become your second full-time job for which you're not being reimbursed for, but you're doing it out of the goodness of your heart. So that's my sort of feeling about the whole thing.

[Todd]

Emily?

[Emily]

Yeah, I also don't want this to become an unpaid job. However, I suspect in the future, recording remote meetings and probably regular meetings and doing a transcript is going to perhaps become standard practice around public meetings and may take occasional I don't know, but it's standard best practice. But to. Because the video alone is very difficult, you have to attend the meeting. So just think about it from the perspective of public who wants to stay informed, you know, having like a little summation, regular minutes, plus the video and the transcript, yes, it's above and beyond, it's also great for users like Todd, one of the one of the values that you're playing. I'd love to see what Tony, you know, comes up with is like these are some options that I could pursue, and I think we can make clear that just because we're doing it this time doesn't mean we'll do it forever, but people will be looking to us for best practices, and it may be worth exploring what you know, what people how much it takes. Whether anybody cares, that kind of thing that in that kind of comes up with.

[Todd]

All right, well, for the sake of time then, let's do this, the minutes are up on the PRAC website. I recommend you all take a look and see what you think about the product we currently have. It's exemplary. But I suppose the question is not do we want to do exemplary work, but is this the standard we want to maintain moving forward? And I'm suggesting we add this as an agenda item to the or I'm going to suggest it to our chair that we add this as an agenda item for the next meeting so we could come to a decision and not have to worry about it after that. So why don't we why don't we move on? Finish our discussion of the subcommittee meetings? And get go from there, Steve, Steve, it's been a while, but you did have your hand up earlier. Is there anything you still want to share with us?

[Steve]

Well, I just on the Bylaws Committee had a thought because we were talking about Robert's Rules and things like that, I know that over the past four years, we've had very different dynamics in our meetings, like in terms of how kind of decorum you at the very beginning, it was very freewheeling and just kind of like a spontaneous discussion and then once we had and Ginger in place, it was kind of a different tone, and then when and during the interim, when after she

was gone, I think we went through two different at least two different chairs and each three OK. So each of them were their own. They set. I remember at one point under a particular chair, we were addressing him as Mr. Chair and in and these are all kind of dependent on the personas involved, but I'm just wondering whether, first of all, I felt very comfortable in voicing my opinion and all of these settings. I'm not somebody who shrinks from raising my hand, but I'm not, I can't say for sure whether everybody feels that way, and so I wonder whether it's worth, including in the bylaws, discussions, some consideration of how we can promote inclusive discussions so that everybody feels that they are heard or can be heard. And so we get the fullness of everyone's opinions.

[Todd]

Oh, go ahead, Scott.

[Scott]

So as soon as I volunteered, I started looking for a if there is a template bylaws set that is designed specifically with the DEI lens so that we have that we ensure that you have, we have that it's equitable. We're we are structurally getting an equitable participation. I haven't found any yet, but I do, but I think it's certainly a it's certainly something that I think cognize I'm very cognizant of and I I suspect or other volunteers share that view.

[Steve]

Thank you, Scott.

[Todd]

Great point, Steve. Thank you, Scott. We all bring our own personalities to these meetings, and regardless of what the law or bylined say, we'll always kind of operate to our own nature, but yeah, it'd be nice to have a common understanding of what's at least expected of all of us for sure. So it'd be great to incorporate those into the bylaws. Absolutely. OK, well, then I think we're at a good point now to go to our final newly adopted agenda item, which is figuring out a date for the next meeting. Before we conclude. Mark, do you want to lead a discussion on this, do you have any ideas or dates to suggest? And then we can all look at our calendars.

[Mark]

Yeah, well, Todd, I, I would like to actually ask you a question. I think we've been generally meeting on a quarterly basis, despite the fact that we're at least legally required to meet once every six months. I want to check with the Council to see whether or not that seems like a regular and. Sufficient time period for the whole Council to be meeting. I feel that it probably is. I think that the majority of the work that's going to be happening moving forward is going to be the sub, the subcommittee work. And I don't want to have meetings just for meeting sake. Understanding that as well. And we want to be sensitive to everybody's time.

So we are in mid-September. If my math is correct, that would put us somewhere towards mid-December for our next meeting. Of course, that's always a challenge because we get into the holiday season, but perhaps the first or second week of December may be a reasonable amount of time, but look, I'm not I'm not beholden to any particular time schedule. I want to do it when we think it's, a, necessary, and b, timely, and that we have a sufficient agenda, which I already think we have, frankly, to meet again. Those are just my thoughts, Todd.

[Todd]

Yeah, Mark, reasonable. I think, you know, at some point you're right. And my goal was to sort of empower subcommittees to start building out the work that we want to use going forward. So it's possible at some point when the committees are fully staffed, chaired and given their walking orders that maybe we only have to meet every six months barring any changes that we need to address more immediately. I think a meeting by December is probably useful now because we do have to actually get those subcommittees charged and started. So I'm in favor of a meeting in the first week or two of December and then taking it from there. So unless there's any dissent to that idea, why don't we all take a minute and look at our calendars and see if we could pick a common date?

[Steve]

I just wanted to ask you to clarify that. So that means for the subcommittee work effectively, we would ratify that those committees in in December, and

then they would commence work in January or would there thinking that the subcommittees would start before our next full meeting.

[Todd]

Based on the idea we're currently developing, I don't think they would work before December, unless I'm mistaken. Mark.

[Mark]

No, I think that that's an accurate statement. Todd. Steve, I'm more than happy to accelerate our next meeting if it's for the brief purpose of finalizing these committees so that we can let the reins loose, so to speak, and let them get to work. I'm completely open to that. I don't think we necessarily need to wait until early December to finish that off. As a matter of fact, I think it would be nice if we could get that wrapped up in the next month. So there may be value in us having a very brief meeting where we were in, say, towards the end of October so that those subcommittees can begin their work, you know, sooner rather than later? I sort of tend to think, actually, Steve, that may be a wise thing for us to consider doing, and I'm completely open to doing it. So if we were to meet before December, I think it would be largely for the purposes of completing our subcommittees and giving them the baton to go get to work, so to speak, and then perhaps a regular pract meeting again first or second week of December. I well, there's no right answer to this, but I do think that there is some urgency in trying to get our our subcommittees up and running and functioning. So I'm certainly more than happy to entertain that type of a suggestion as well. Whatever the committee thinks.

[Todd]

Emily. Emily, you have your hand up.

[Emily]

I'm looking at the first full week of October and wondering if that's that gives people a couple of weeks to think about it, which starts this into October. I wonder if there's times that would you could find in that in that week. It'd be great to have you know, I know we're also going to get to that time of year where everything sort of speeds up and slows down at the same time around the winter holidays. I would be grateful. Is one subcommittee meeting maybe before we come back to the full PRAC. So I'm just wondering if that or the

perhaps the following week would be maybe the first week that there's people know if there's room on their calendars. Do we usually meet on a Thursday?

[TODD]

It's it's varied, Thursday has been a common day, Fridays as well. I think there's one point for a meeting on Tuesdays or Wednesdays regularly. So I think it's I think it's fairly open. And so, Emily, just to be clear, you're talking about the weeks of October 4th and 11th. Yeah. Yeah, OK.

Because I think what we need to do in that time, right, is you need to get in touch with the people who aren't here. See where everybody lands. See how the slates like there's enough people and enough mix of people on each of them, and I mean, maybe we can keep the meeting to an hour for sure. Probably. Yeah. Yeah. No, those are the weeks I was proposing.

[Todd]

OK. Yeah. Sounds like what we would do in that meeting. And Mark, correct me if I'm wrong, is we will finalize the membership of each subcommittee, choose a chair, charge them to go do their work. And we will also settle how we want our minutes to be taken.

[Mark]

Well, the one challenge, though, with that, Todd, and let me perhaps ask the clarifying question: Is, are we planning on handing the list to the non-legislative and legislative lists to those committees and then letting them go ahead and figure out what the priorities are? Or alternatively, are we going to have the full committee discuss the priorities for legislative and non-legislative and then hand that baton off to the committees? I think that that's an important question for us to clarify before, but I'm again, I think that it's probably wise for us to try to get these subcommittees up and running sooner rather than later, and I'm completely open to having that meeting and discussion early in October.

[Todd]

Yeah, there wasn't, it didn't seem like there was a strong appetite among us to winnow down the lists we came up with rather than creating comprehensive list. So I've been operating off the notion that we will then hand those lists off

to each subcommittee to start prioritizing. And that's why adequate representation from all sides is necessary. So we get a full all viewpoints represented and a better discussion. So, yeah, I'm suggesting we hand off the list and let them get to work.

[Emily]

But with the caveat that they come back to the PRAC and, Yes, get the blessing to go forward on this prioritizations. Yes, like in December, we'd say, OK, well, here's what we think we should do and why these different subcommittees we'd have a discussion in December about. Yeah, those are the right things. OK, go. Is that that's sort of the operation you've been operating to understanding? I've been operating in, but I may have misunderstood.

[Todd]

No, no. Fair enough. So let's yeah, let me say it all here. So subcommittees take the list. Subcommittee prioritize the work that they think we should be focusing on, perhaps with a suggested timetable for what, you know, which session or when we're trying to roll out these ideas. They bring it back to the full Council. The full Council decides what to do with that, and then either move forward with executing it, or then assigns new tasks to those committees to execute what we've all agreed upon to then either do or come back to the Council again.

[Mark]

All right, so I'm I think I'm prepared to make a motion, although here's Steve. I was trying to read your chat. Sorry. I'd like to move that the PRAC meet in the first or second week provided people's availability. Let's just I'll throw out a date or do I even get to that first or second week of October for the purposes of the PRAC convening to finalize the subcommittee Membership and to ask them to go forth and begin meeting prior to the next meeting, of course, which will take place in early to mid December.

[Molly]

Well, I second, that if that.

OK, all in favor?

Aye. [Todd]

All opposed? Now to pick a date.

[Mark]

Exactly. Todd, I think we need a date for October and I think we need a date for December.

OK. Tuesday, December. Tuesday, October 12th. I'll say 2:00 to 4:00 p.m.. Well, let's say 2 to 3 p.m. Can everybody make that work for me?

[Kim]

Works for me, Kim Thatcher. [Tony]. Works for me.

[Todd]

Works for me. Todd.

[Rob]

Mark, it doesn't it doesn't work for me, Rob, but that's OK. I'm just one out.

[Todd]

Does any time that day ... sorry Shirin.

[Rob]

No, I'm going to be gone for two weeks in October. It's kind of my first vacation in about two or three years. So it just is what it is.

[Emily]

Oh, man. Which are you here the other week, Rob?

[Rob]

Remind me again, which one is that?

[Emily]

The one before? Yeah

[Rob]

I'm here often on the week of the fourth but I'm gone pretty much from October 11th through the 24th.

[Todd]

Well, if we said the fifth from 2 to 3 p.m., I'm still OK with that. I wouldn't. But Senator Thatcher, you're not OK.

[Rob]

Yeah, I wouldn't either. I got to see Jack meeting, so.

[Todd]

Well, maybe we stick with 10/12, 2 to 3 p.m. I mean, that's the reality of these meetings, right? We're not always going to be able to make them all.

[Rob]

You're not going to get everybody

[Todd]

As nice as that would be. Well, then, OK, so then for October 12, 2 to 3 p.m., we have Senator Thatcher, Tony, myself, Mark, Robert, Shirin, and I know Shirin, you said, Rob and Shirin said they can't.

[Shirin]

Yeah, I cannot of the 11th or the 12th.

[Steve]

Do we rule out Thursdays?

[Emily]

Would it be easier to send out a doodle or some?

[Todd]

Yeah, I was just starting to think that, Mark, if that makes sense to you, I could send out a Doodle Poll on behalf of the PRAC for all dates within those two weeks. Try to keep it somewhat limited.

[Mark]

Well, it seems to me that we're at the point of herding flies, so Doodle's seems like a pretty good idea. I'm I'm perfectly fine with that. I just want to be sure that we get something on the on the calendar. So what I'd just recommend then is just make a quick motion per Todd to send out a Doodle Poll for the next two PRAC meetings, one to be held first or second week of October and the second full PRAC meeting. Remember, the first PRAC meeting is for the purposes of finalizing the subcommittees. The second will be a full meeting of the PRAC in the first or second week of December.

[Emily]

Yeah, I second that. I appreciate, Mark, you continuing to look forward to the next date because getting them scheduled early so helpful. So second, the motion. [Todd]

All in favor? [Group] Aye.

[Todd]

All opposed? Oh, I'm an aye, sorry. All right. Motion carries. I will get those Doodle polls out. Great. It's three o'clock. Somehow we made it. Mark, you're right. It was drinking from a fire hose. But I really think there is a lot of pent up need for us to get on this path. I'm so happy that we were all able to meet this moment and make it happen. There's great things ahead of this Council. I'm looking forward to continuing to work with you all, and I'm just thankful for everyone's time, and I know some of you may not be continuing with us beyond the end of your terms, which I will get answers on when those actually are, and so it's it's it's been really fabulous taking this journey with all of you, and I'm looking forward to all the work we're going to continue doing together in the future. Thank you, everybody.

[Group]

Thanks so much.