

Public Records Advisory Council Meeting- 20240814_150111-Meeting Recording

August 14, 2024, 10:01PM

1h 10m 24s

● **ALBERT Todd * PRA** started transcription

ML **Mark Landauer** 0:07

Alright, it appears as though we are now recording Todd.

I will uh convened the Public Records Advisory Council today.

It's August 14th.

It is 3:01 PM.

And it appears as though we have more people coming in.

Just a quick look at the agenda folks, make sure we're all.

In line with what we have, uh, we will first approve the agenda, but we don't have a very long agenda here.

We'll be getting a presentation from you.

Fang on the results of the 360 review for Todd, we will then have a discussion of the review of the results and determine our next steps.

Uh, regarding the reappointment of Todd as the public records advocate, I note in our agenda that we do not have an agenda item for public input.

And so as the chair of the Council, I would like to modify the agenda accordingly so that we can give members of the public an opportunity to address the crack, and then we will conclude our meeting, umm, are there any other additions or questions regarding the agenda today?

OK, hearing none at this time, I.

Shasta, you just popped up.

Do you have anything to add or OK? Very good.

Then we will begin with you.

Fang.

You, Fang, I assume?

Yeah.

There you are.

Welcome you, Fang.

Nice to see you.

And thank you for all your hard work.

I know you've been busy with this, and I imagine you're gonna wanna take over the screen and show us a whole bunch of fancy pie charts and things of that nature.

So why don't you go ahead and take it away?

You thank thank you.

LP **LUO Yufeng * PRA** 2:29

Thank you.

Let me just go ahead and share screen and start by slideshow.

So a version of this, umm, the final version was sent out to members of the Prack and has also been posted on our website.

Please note that there's two documents, one is this presentation itself.

Public records advocate, Executive Director, review and the 2nd is a PDF that contains the complete comments that were provided by our evaluators so.

Umm, this PowerPoint is a summary of the results that I've received just a I guess reminder for for those who may not have attended.

I know we have many members of the public as well.

The Prack asked that a executive director review process be conducted by myself, the Deputy public records advocate, and that has since been completed.

Umm, let me just go through quickly.

The survey itself was open from July 18th to August 12th.

The total number of completed surveys that I received were twenty of the evaluator categories, of which there are six.

I've noted how many evaluators we sent out requests for completed surveys from and how many responses we received containing kind of an evaluator self identification for what category of evaluator they are.

So here's a breakdown of of those who responded, the categories are direct report, which we received one from response.

Umm, the second category is voting or non voting.

Members of the PRAC, which basically consists of members of the PRAC for the past two years and we received 5 responses from that category of the members of the public who have received assistance.

We received one completed survey response from employees of state or local entities that have received assistance directly from Todd.

We received 10 responses.

Members of the media or representatives of a media outlet.

We received 3 responses and employees of a state or local entity that have received training.

We received four and you will know that the numbers here add up to greater than 20.

I will point out that the reason for that is that we had some overlap between evaluators who identified themselves as employees of a state or local entity that has received assistance, and employees of the state or local entity that have received training.

OK.

The first question was directly related to PRAC members of which we had five respondents.

The first subquestion there asked well, how well has the Advocate worked with the PRAC to carry out the statutory responsibilities of the Office of the Public Records advocate the array of responses is here with unacceptable, acceptable, effective, very effective, and no opportunity to observe being the options of those options.

We had zero unacceptable one responding as acceptable one responding as effective.

Three as very effective and zero responding.

No opportunity to observe.

 +15*****25 6:23

Tastic.

 **LUO Yufeng * PRA** 6:27

The second subquestion, just for Pract members, was whether the Advocate has been prepared for meetings of the PRACK.

The breakdown is is as shown here with three remarking effective 2 remarking very effective, and the remaining categories being 0.

The third specific question for PRAC members was how has the advocate been responsive to questions and concerns from individual Members, as well as questions from the full prack and the breakdown is 2 responding as effective.

Three responding is very effective and the remaining categories responding 0.

And and please stop me if I'm doing too if I'm going too quickly or if I'm going too slowly.

BW **Brent Walth** 7:19

No, it's.

LP **LUO Yufeng * PRA** 7:24

But I just wanted to make sure to present the information as clearly as I can.

OK, so the 2nd and I see with that Rep Anderson has his hand raised.

TA **Tom Andersen** 7:34

Yes, I do.

I'm just curious as to how many Members are there on.

Crack you got 5 responses.

How many members?

Uh, you know, are there.

LP **LUO Yufeng * PRA** 7:45

Uh, well, I sent out 15 UM request 15 distinct individuals.

TA **Tom Andersen** 7:50

Good.

OK.

Who are on crack or have been on crack?

LP **LUO Yufeng * PRA** 7:56

Yes.

TA **Tom Andersen** 7:57

OK.

Thank you.

LP **LUO Yufeng * PRA** 8:01

So the second question is a general question for all categories of respondents.

This individual promotes a customer service centered organization and the

breakdown of responses was three responding as acceptable, 3 responding as

effective, 13 responding as very effective in one responding with no opportunity to

observe.

3rd question, this individual collaboratively manages the resources they are entrusted with to achieve the best possible outcomes for Oregonians.

The responses were two responding as acceptable 5 responding as effective, 8 responding with very effective, and five respecting.

Or excuse me 5 responding with no opportunity to observe.

Horse question.

This individual in braces and leads through change.

We have the following array of answers, one responding as unacceptable 2 responding as acceptable, one responding with effective 6 responding with very effective, and 10 responding with no opportunity to observe.

The 5th question this individual creates and fosters an environment where everyone has access to public records information.

The responses are as follows, with two responding unacceptable, one responding.

Excuse me.

One responding acceptable 6 responding effective 10 responding with very effective and one responding with no opportunity to observe, and I will note that there is a category of for comments that elaborate on responses that I'll go into towards the end of this.

This, umm presentation.

So if you can hold your questions about that, that is when we will discuss that.

OK, so six is this individual owns and takes responsibility for quality of outcomes for Oregonians.

Responses were one responding as unacceptable, one responding acceptable 2 responding, effective 11, responding with very effective and five responding with no opportunity to observe.

Seven this individual provides dispute resolution services at the request of government bodies or public records requesters.

Their responses were as follows.

Three responding with acceptable, one responding with effective 8 responding as very effective and eight responding as no opportunity to observe.

8 This individual provides training on public records, laws and best practices.

The responses were as follows, one responding with Acceptable 2 responding with effective 13 responding with very effective and four responding with no opportunity to observe.

Nine this individual provides guidance and advice on the public records law upon request.

The responses are as follows, 2 responding acceptable for responding with effective 14 responding with very effective, and the remaining categories.

Uh responding as there a respondents.

10 This individual operates with urgency, transparency, and accountability.

The responses were as follows.

Two responding acceptable.

Six responding with effective and 12 responding with very effective.

#11 this individual is honest and transparent regardless of the situation.

The responses are as follows, 2 responding with acceptable 3 responding with effective 14 responding with very effective, and one responding with no opportunity to observe.

12 This individual is consistent in communicating to their own agency what is happening at PRAC.

The responses were as follows.

One responding exceptable 2 responding effective two responding very effective and 15 responding with no opportunity to observe.

13 this individual regularly shares what is happening within their agency.

The responses are as follows, with two responding acceptable, 2 responding effective, three responding very effective, and 13 responding.

No opportunity to observe.

14 this individual builds diversity, equity, and inclusion organizational capacity.

The responses are as follows, with one responding effective, three responding very effective and 16 responding with no opportunity to observe.

15 This individual fosters and promotes inclusive environment.

Responses are as follows, with three responding effective four responding, very effective and 13 responding.

No opportunity to observe.

Finally, we get to the written comments section.

Uh, Please note that 1617 and 18 all call for written commentary and that is provided in full in the second document that's been made available to the proc and posted online, which is entitled Director.

Review complete comments.

The one the comments that are included in these slides are a brief summary of

what's been provided in the complete comments.

16.

Asked what are some leadership strengths you've observed in this individual and the Commons include helpful, knowledgeable and transparent, engaging open and communicative provides good advice and direction.

Good at delegating work and letting people know when he does so demonstrates professionalism.

And emphasizes respect for all participants in the public records process and responsive and presents information clearly.

17 asks what are some leadership opportunities for growth in this individual and some of the highlight comments are in summary would benefit from understanding the legislative process better, could demonstrate better advocacy and approach the role more as an auditor and could report on information that would help the Council see where the trouble spots are and if there are any bad actors.

Continues to progress in his leadership role and grows as legislation and statutes grow and could improve trainings by giving more specific trainings to different entities based on the types of records they hold.

18 is just the space.

That's allotted for additional comments, some highlights in summary include I think Mr Albert is a fantastic advocate for both the public requesters and public agencies.

I know my agency has benefited greatly from the Advocates Office and has deepened my commitment to government transparency and accountability.

Sometimes I find the analysis of certain aspects of the Oregon public records law either unhelpful or an adoption of a public body view slanted towards non disclosure that may or may not be consistent with the Oregon public records law.

I would like to see the office become more involved in promoting transparency.

And finally, I find Mr Albert to be an excellent public servant who has successfully stabilized in office that seemed better.

Days he is engaging with the public and as well prepared and he works diligently and professionally and with that, that concludes the presentation summary of the evaluations we received.

I'm going to stop sharing my screen.



Mark Landauer 17:16

Thank you.

LP **LUO Yufeng * PRA** 17:16
Yeah.

ML **Mark Landauer** 17:16
You, Fang, I would ask if the members of the Council, if you have any questions of you.
Fang, please.
Representative Anderson, I see your hand is still up.
I just wondering if that's a legacy and yes, OK.
Are there any questions, Michael?
Yes please.

KC **Kron Michael C** 17:39
Hi.
I just wanna see if I'm understanding the numbers right and I think before that I do that I should offer the Maricopa that I am one of the many or or one of the PRACT members who neglected to timely return the survey.
I what did not get paid quite enough attention I guess to when you were expecting it back.
But as I understand the numbers that looks to me like kind of setting aside the the pracs memberships responses that the numbers that you're sharing with us reflected input from about 15 government representatives in about 3 members of the press and maybe one or one requester.
Is that right?

LP **LUO Yufeng * PRA** 18:24
Umm, let me give you the precise breakdown here.
So besides the five respondents from the Prague, we have one direct report.
We have one member of the public who received assistance.
We have 10 state and local public employees, three members of three media representatives and Society of Professional Journalists.
Those folks, and there are some blending between public bodies that have received training and state and local employees.
I think the final number for that hovers around 12 I think.

KC **Kron Michael C** 19:06

OK.

Alright, I just wanted to make sure I understood those numbers.

Is there a has?

Have we looked at whether we can sort of isolate sort of different responses from those different groups?

Is there any analysis of like the perspective of the the various stakeholder groups?

Or is it all just kind of put together?

I mean, they're pretty small sample sizes, so.

LP **LUO Yufeng * PRA** 19:36

I I think I understand your question to ask is if, UM, well, if you look at the survey sheet right, we can correlate, you know what category of requests or that particular respondent self identified as and their particular comments and the way that they've responded.

So we can do that.

It's just that for this particular, the purposes of this particular report, it's kind of the individualized and advertised.

But if if the crack wants to have some kind of trend analysis of the specific categories for questers, I think that can be done.

KC **Kron Michael C** 20:14

Well, this one, I mean one of the comments that you read towards the end there from the sort of free free answer part got me a little bit concerned and curious about whether the the practice or the advocate is really viewed the same way from all perspectives, which I think is important in the role that that both public bodies and the request are community sort of view the view the advocate with the same degree of respect and confidence in their neutrality and stuff.

So I do think it might be useful to see how those numbers breakdown, although again I'm not sure you have enough of a sample size to to really draw any conclusions all that confidently anyway.

ML **Mark Landauer** 21:04

Other questions?

Chester.

SM **Shasta Kearns Moore** 21:16

I think Representative Anderson had put his hand back up or no, no, I can't.

ML **Mark Landauer** 21:19

No, it's a I'll use.

I'm considering it a legacy hand.

They're chesta.

SM **Shasta Kearns Moore** 21:24

OK.

Bye bye.

ML **Mark Landauer** 21:25

You're up.

SM **Shasta Kearns Moore** 21:26

Thought he put it down.

And then put it back up.

UM alright.

So yeah, I mean, I would echo Michael Krone the you know and I was on open Oregon, we kind of had really a dichotomous view like you're either a requester or you're provider of records.

There's rarely overlap between the two, so maybe the Venn diagram isn't quite as you know.

Narrow as we think it might be, if we divided into those kind of categories to look a little deeper at the responses and and then I also heard some feedback from some people about the survey not being anonymous and that that being tough to.

Square when you're relying on this government service.

So.

LP **LUO Yufeng * PRA** 22:21

Yeah, I I think just the, I guess, address the anonymity portion of it.

I think my understanding of of our previous discussions was that it would be anonymous in the sense that when when I give my presentation to the Prague you, the individual PRAC members and Todd as the Advocate would not know the identities of the individuals who are giving back her, giving the feedback. That said, when they submit the form to me, it is clearly from their personal email, so that information is there. It's information that uh, that I know right and it's information that I think, especially in the context of public records, right. While there are possible exemptions that could be claimed for it, right there is identifying information that is from those folks who have submitted evaluations.

ML **Mark Landauer** 23:20

Yes, representative Anderson.

TA **Tom Andersen** 23:23

Thank you.

You're right, I don't know how to turn my hand off.

I thought it did.

I'm gonna follow up a little bit on Michael's question.

So there were a number of the ones that would be 1 unacceptable.

Is there some way you can stay that person who gave unacceptable in one category is the same person who gave unacceptable and the other categories?

Or would they be three different people?

That's all.

I'll I'll leave it there and then I have a follow up question.

LP **LUO Yufeng * PRA** 23:56

Yes, yes, I I think I think we were asking is we have let's say 3 separate questions.

TA **Tom Andersen** 23:58

Umm.

LP **LUO Yufeng * PRA** 24:04

Each one has an unacceptable.

TA **Tom Andersen** 24:04
Yeah.

LP **LUO Yufeng * PRA** 24:06
Can we isolate and see?
Well, was one person I'm saying unacceptable for all three questions, right?

TA **Tom Andersen** 24:13
Yes.

LP **LUO Yufeng * PRA** 24:13
Or is it three different people, right?
And the answer is yes, we can.
We can pin down what that level of specificity.
It's one sheet that contains all questions 1 from 16 one to 16.
So we can identify whether it was a single individual who had a particular set of responses.

TA **Tom Andersen** 24:31
But my question is did you?

LP **LUO Yufeng * PRA** 24:34
No.

TA **Tom Andersen** 24:35
OK.
Then the follow up question is, let's say one particular area, let's just use the public media.
You said there were three to five, and so in some area with the public media vote as a block, if there were five.
That said, he was effective.
Or five.
That said, he was hyper effective or whatever the the the top.
Could you isolate that too?

In other words, what I'm trying to get is there's certain segment of that of either the prack or the various stakeholders in this that all have the same feeling of one way or the other.

LP **LUO Yufeng * PRA** 24:59

I can.

Yes, I can do that.

TA **Tom Andersen** 25:15

OK.

LP **LUO Yufeng * PRA** 25:16

So I have not done that yet.

TA **Tom Andersen** 25:16

But again, OK and to me, I don't know that it's that important.

I'm just trying to because I'm looking at the overall trends.

I would say that if and marks not his head there, but I would say if there's one saying that it's consistently in one end, that would be an area for improvement.

He's not been effective enough in communicating with uh, the media or with other state agencies that he interacts with.

But you know, we can't tell that and I don't really think it's necessary given the the high ratings that are generally, you know, effective, very effective you know.

That's across the board.

LP **LUO Yufeng * PRA** 26:03

Short answers yes that can that can be done upon request.

TA **Tom Andersen** 26:10

I'm not requesting.

ML **Mark Landauer** 26:13

That.

Thank you for the clarification, representative.

Other questions please.

Well, folks, we have our information.

It does not look to me at this point is though, as though there are any follow up requests of YUFANG to do additional, umm research into the responses that have been submitted at this point.

NB Nick Budnick 26:34

So.

ML Mark Landauer 26:51

So, Scott, I'm gonna look over to you here because you were the chair of the hiring bylaw subcommittee, for lack of a perhaps more formal designation.

At this point.

SM Shasta Kearns Moore 27:08

Margaret, enough thought that Brent had his hand up.

ML Mark Landauer 27:12

Yeah, I know.

I'm putting Scott on the on on the.

It under the spotlight here.

Sorry, Chesta on Scott.

Do you recall what the next step after reviewing the 360 review is?

I'm.

I'm sorry, I probably should have warned you in advance that I might lean on you a little bit of regarding this.

The the process here.

SS Scott Stauffer 27:37

No, not a problem.

I thought that the question might come to this point.

The outline, the process we adopted as a Council earlier this year was to receive the pack review the 360 review which we have now done and now the practice to decide whether we want to recruit or point PRA.

So we've gotten the feedback on our current public records advocate, and now the Council needs to consider if we're finding that acceptable enough to perhaps offer a

new term to our current PR A or if we want to go out and do a recruitment process, which could include the current pierra and external candidates.

So I think we're at a decision point in terms of a new term recruiting or new term uh working with DAS HR to set up a new term with our current PPRA.

That's what the the outline that we adopted earlier this year suggested and obviously we're at hand is worth it.

ML **Mark Landauer** 28:33

Thank you.

Yeah, go ahead, Brent, please.

BW **Brent Walth** 28:40

I think Mark, I do have a question before we and I I appreciate Scott answers.

If we were to ask for this breakdown, even though it's not been done, it could be done.

We've had three people now ask if it's possible.

How long would it take?

How long will it take for us to find out how these three members of the media is?

Asked what the number was out of the 15.

LP **LUO Yufeng * PRA** 29:05

So the specific ask would be of the three members or of all.

Yeah, the three members of the media, what trend in their answers were across the board or more pointedly, were there any unacceptable or low scoring range?

Answers among those three is that they ask.

BW **Brent Walth** 29:24

Yeah.

Yes, in effect I'm making notes here.

It sounds like there was there's 15, right?

I I'm sorry I don't have it in front of you, but there were ten government and three media.

OK.

And I understand that some there might be overlap.

How long would that take?

LP **LUO Yufeng * PRA** 29:41

I'm if you give me half an hour, I can do that.

BW **Brent Walth** 29:48

All right.

I'm just curious because a lot of people have asked this question.

We seem to be speeding along.

I'm wondering whether it would be worth just trying to answer that for people.

And I'm just kind of throwing that out there.

Listen.

ML **Mark Landauer** 30:06

You're not a member of the Council, and so you would be available for public comments at the end of the meeting.

No, and I I don't think you're.

Michael, you're or forgive me.

And I I'm not familiar with Danielle Morvan. Forgive me.

I don't believe you are a member of the Prack and I'm I apologize if I didn't make this clear at the beginning.

This is a meeting of the Council at this time, we will have time for public comment towards the end, so the next hand that I see up, Michael, please.

KC **Kron Michael C** 30:41

Thanks.

I I just really wanted to clarify that.

You know, I think the only reason people are asking these questions and the reason why I started asking them is just because the sample size of the press is so small that it's possible that like all of the lowest votes we saw came from one angle, like, I'm not really concerned if there's one person that had a bad experience and, like, felt that they wanted to respond to this survey just so they could, like, you know, I mean, we've all had unsatisfied, uh, constituents in a in our roles.

ML **Mark Landauer** 30:52

It's pretty small.

KC Kron Michael C 31:16

But I think what we're what we're looking for is just some degree of confidence that there's not right, that there's not one of our important stakeholder groups that's consistently feeling disappointed.

ML Mark Landauer 31:20

A pattern, yeah.

KC Kron Michael C 31:29

And if there is, then I think that's something to know and to work on.
So I just wanted to clarify that.

ML Mark Landauer 31:35

Yeah, I I think I will take the privilege of the chair here, although I don't get much privilege well before I do.

So I'm gonna go to Shasta, please and and Nick, would you mind lowering your hand?

I apologize.

Go ahead, chasta.

SM Shasta Kearns Moore 31:56

Umm yeah.

So I mean, I guess I would make a motion that we ask the deputy to make that breakdown and I would also include the public requester.

Sounds like there was also one public requester and included in that group.

ML Mark Landauer 32:20

Yeah.

I I I would, I would agree to 2nd that motion, unless there are any additional modifications to that.

SS Scott Stauffer 32:31

Mark Chair, I don't.

ML **Mark Landauer** 32:31

Yes, Scott, go ahead.

SS **Scott Stauffer** 32:33

I don't have a I don't have a modification to the motion.

I just wanna throw out there.

It's mid August and I totally support getting more information and I appreciate you Feng offering that right down for us.

Just want to keep the Council aware of the timelines.

The contract expires the end of September right September 30 a so just be aware the timeline and other meeting means that perhaps any actions after that will be potentially delayed, but just want to that.

ML **Mark Landauer** 33:02

Well, I I will tell you it's it's my intention to make a motion at some point to reappoint uh Todd.

But I do wanna make sure that everybody has the necessary information before they are required to make a vote on this publicly.

So you Fang it it it?

If I may, there is a motion on the table and I'd like a discussion about that.

You fanged there does seem to be some interest in seeing whether there's a pattern of dissatisfaction amongst certain segment of the stakeholders.

And so I gather at this point there is a motion on the table.

You, Fang, are you clear?

What?

That motion was.

LP **LUO Yufeng * PRA** 33:57

I do want some clarity here.

Are we looking for a by the question breakdown for each category of evaluator?

Or is it sufficient to say, for example, member of the media or representative of a media outlet?

75% of responses were effective or very effective.

25% of responses were acceptable or unacceptable.
Or do you want a greater level of specificity?

ML **Mark Landauer** 34:26
Michael.

KC **Kron Michael C** 34:28
But I think that would work for like if you just did a version of the report that you presented now with just those 4 respondents.
And again, I don't really know that there's any reason to think they were.
There were grouped like that.
There's just that possibility, given the small number of respondents we got from those from those groups, and and you know, if you can, if we wanna let, I would be all in favor of letting you Fang do it in the half an hour and coming back to this, if that's possible.

ML **Mark Landauer** 34:57
Indeed, indeed.
OK, so there is a motion on the table is there if I may you, Fang, we're hoping you can do this really super quickly.
Sorry to put you under the the the stopwatch if you will, but there is a motion on the table and is there further discussion hearing or seeing none.
At this point, all those in favor say aye, aye.

SS **Scott Stauffer** 35:29
I.

KC **Kron Michael C** 35:31
Aye.

TA **Tom Andersen** 35:32
Aye.

BW **Brent Walth** 35:33
I've.



CHIAPELLA Andrea * DAS 35:33

Hi.



ML Mark Landauer 35:34

Thank.

Thank you any opposed.

OK.

You thing we're gonna ask you to do a quick review of that, folks.

I don't know how we want to spend our time between now and getting this report back from you.

Fang, this is uh.

Ohh I'm I'm hoping Rep Anderson has a solution here.

Yes, Sir.

Please go ahead.



TA Tom Andersen 35:59

I I spend a whole lot of my time in zoom meetings and I spend a whole lot of my time with my screen shut off because I'm doing something else.

So usually it's eating and that's horrible to look at in these things, but my suggestion is we all just turn our screens off.

We're all in places where we can spend some time on something else.

And then when.

Ooh, thank you.

Fang is done.

You can just come on and call us back to order.



ML Mark Landauer 36:27

Well, there, there, there is another option here as well.

And one of those options would be for us to take any public comment at this time as well, which might, which might save us a little time and get two birds in one nest, so to speak.



TA Tom Andersen 36:38

Sure.

ML **Mark Landauer** 36:45

So perhaps if I'm not, I'm seeing some thumbs up so that that seems to be a proper course at this point.

TA **Tom Andersen** 36:53

Good.

ML **Mark Landauer** 36:54

So if I may readjust the agenda to permit the members of the public to address the Council, I think that might be a good way to solve our little conundrum here.

So if you are a member of the public and would like to address the Council, please raise your hand and depending we we tried to like to keep a comments limited to about 2 minutes.

But seeing as though we've made well, depending on the the desire of the public to address us, what will be a little bit more generous on time?

So, Mr Budnick, I see your hand up.

Please go right ahead and please introduce yourself.

Although you don't probably need much of an introduction, thank you.

NB **Nick Budnick** 37:39

Well, thanks so much.

Mark, I am.

Yeah, my board member with the Society of Professional Journalists of or even and have.

Ben, I was involved in the SB106 uh work group, as was mark and and I'm sure others who are not thinking of, but I just wanna say first I apologize.

I neglected to respond to the 360 review in a timely manner.

I looked at it literally.

I think the day after the deadline ended.

Yeah, but as I tried to see how the office has been doing, I went to the resources page and did not see any sort of annual reports or metrics posted.

Uh, since I wanna say 2020 and I I guess I'm and I did not see any, you know news stories updated since June of 2021.

I guess I'm curious how to what it to what extent is the practice as an Oversight

committee tracking metrics like trainings of government?

How many people trained surveys from people in those trainings?

Trainings of non government people in the public would have been the surveys on those consultations and alternative dispute resolution.

You know, I I recall that when the Advocates Office was set up, the intent of the office was in part to address this issue of problematic or disruptive.

A.

Situations caused by records requests or individual requesters.

Through the process of alternative dispute resolution, I wonder to what extent that has happened.

Umm.

And how that process is working and whether it's working as intended and I guess just the the PRAC was set up a very intentionally to be an oversight body.

So I guess I'm curious if if someone on the crack or someone can provide those metrics or maybe you've already been briefed on them.

But I don't see them anywhere.

That's it.

ML **Mark Landauer** 39:57

Well, yeah, Nick, Nick's fair, fair, no, fit that.

NB **Nick Budnick** 39:58

And I know I can't answer questions.

I'm not, yeah.

ML **Mark Landauer** 40:03

These are all fair questions and I I I do appreciate you raising some of them and it has not gone unnoticed by me that uh, we as a prac have as mentioned in actually one of the comments as you know Nick struggled rather mightily for the 1st about three years of the prack due to changes at the leadership level and going through a failed hiring process and then ultimately hiring Mr Albert since that time we have conducted several meetings.

We have conducted several meetings.

Most of those meetings, frankly have been focused on legislative issues related to fees for public records, and I know that you've been following those.

However, during our regular course meetings, which we've had probably, I think we're statutorily required to meet twice a year.

And during those meetings, Mr Albert at at and this is my recollection, has reported on the number of public trainings and the number of mediation cases that he and his deputy director have undertaken.

Having said that though, I would also say that we as a Council have also recognized that we have been operating for nearly seven years without a set of bylaws that cover the operation duties of the Advocate himself, as well as the Council and as a result of that, we did form a subcommittee for the hiring of the Advocate, and it is the chairs intention to resume the bylaw committee to put together by laws for the conduct of the Advocate as well as other, you know, basic rules that will guide the advocate as well as the Council.

On that's a long way of saying, Nick, there's still an awful lot of work that we have basic work that this Council has to undertake to get our feet fully underneath us and in part I take responsibility in part for that.

But I'll be very frank with you that much of the work of the Council for the last two years has been centered on the fee issue, as you are keenly aware.

And that has really taken a lot of the oxygen, if you will, out of the room on.

Nevertheless, there is an expectation of the Council that the Advocate report on his public trainings and mediation efforts, which it again under my recollection, he does regularly.

I would be happy for other members of the Council to respond if they feel necessary, follow.

Go ahead, nick.

Go ahead.

NB **Nick Budnick** 43:32

I'm.

I'm sorry, I just I I was in and I apologize.

I wasn't trying to engage in conversations.

I know that that's not appropriate for me to start asking questions.

I was sharing the questions, the spirit of you all to consider.

I I didn't mean to engage in a back and forth and I just, I guess for me though, as a member of the public, if I'm trying to gauge how the office is doing, I'm going to be looking for to your resource page and looking for annual reports.

ML **Mark Landauer** 43:50

Yeah.

NB **Nick Budnick** 43:58

So I can see how is this office doing?

What is it doing?

ML **Mark Landauer** 44:02

Yeah.

NB **Nick Budnick** 44:02

What service does it and and the the resource page appears to have not been updated.

Uh, for quite some time and I so I don't have information.

ML **Mark Landauer** 44:10

Yeah.

No, in in in Nick, I don't.

These are all valid questions and I I I'm I'm not.

I'm happy to engage in a discussion about it.

If that wasn't your intention, I I'd still like to engage in that discussion because we we, as I have said, have been flying around uh with a lot of.

Frankly, without much guidance as to what we should and shouldn't be doing and the guidance for the Advocate is well and I have had a personal conversation with the advocate in full transparency saying that it's my hope that we can get back to the basics after this hiring process and establishing Council rules expectations.

My further understanding is that the crack and and Todd can probably chime in.

I do believe that we are required to submit a report once a year, once every biennium tied.

I look to you for clarification on that.

I can't make.

I can't tell you what has and has not been posted.

Frankly, I I don't look except for the agendas and the meeting materials.

So you know I cannot address that myself, but I'd welcome any other member of the PRACT to address a Mr Budnick and and his questions.

SM **Shasta Kearns Moore** 45:46
Yes.

SS **Scott Stauffer** 45:46
Mark, if I might just say something quick, sorry to jump chat to now.

ML **Mark Landauer** 45:48
Please, please, no, go ahead Scott.

SS **Scott Stauffer** 45:51
I I I I also thank Nick for bringing up the the things about the website content and I might suggest that the Council defer that observation to the public records advocate to do.
You're just saying and maybe provide feedback and and that and that a future agenda could include with Todd's biennial annual report.
Uh.
Are refreshed on the website, which I know is a state creature is a creature of of das perhaps and not not always locally controlled by every agency, but I do just think Nick for your comments and ask Todd perhaps to respond perhaps in more full accounting in a future meeting.

NB **Nick Budnick** 46:35
Thank you.

SS **Scott Stauffer** 46:37
You're muted, mark.

ML **Mark Landauer** 46:40
Nick, I'm sorry.
Thank you for your input.
I very much appreciate your engagement.

Uh, miss.

Nick, did you have a follow up?

NB Nick Budnick 46:51

No, we're good.

Thank you so much.

Take care.

ML Mark Landauer 46:52

OK, Miss Moore van I I see that your your camera is on.

NB Nick Budnick 46:53

Bye.

Take care.

ML Mark Landauer 46:58

Did you want to address the Council?

DM Danielle Morvan 47:04

Ohh you saying no longer here, but I didn't want to say a big thank you to her for the work that she's done and I think I was.

Most people have already said what I was gonna say at this point, but just wanted to, you know, follow up on the request for demographics on the respondents and some curiosity around how many people actually responded out of those who were asked, like, how are these people even selected to participate?

And and just, I guess some curiosity around you know whether or not there was any conversation around how many respondents were needed for the, you know, surveyed to be considered credible.

So I was happy to see that so many people who did respond responded so well.

They were having, you know, a really great experience, but I just, I wanna make sure that.

That if this is being relied upon for like decision making, just that it is representative of all the people who have interacted with, you know, the public records advocate this year, myself being one of them.

So that's all I was gonna say.

ML **Mark Landauer** 48:14

Thank you for your comments, Miss Moorman.

I I would just remind everybody this was our first voyage on a 360 review and and I will say and I I think that some of you who are familiar with the discussion, we did take a a sample that is used by the state for this review.

And I my personal opinion of the review questions sort of like fitting a square peg into a round hole.

And I do think that that at a future date, this Council will need to reexamine those questions.

I also agree with you, Miss Moravan, that that we probably need to look at a larger sample size of various stakeholder groups to hopefully get a more accurate a reflection of all those stakeholders and their opinions.

And I I I do recognize a couple of the shortcomings that that we are facing this time around and hopefully the future Members of this Council will take note and and improve upon the process and questions next time around.

That's not to excuse those shortcomings, but we are all learning as we go here and I hope you'll understand that, at least from the chairs perspective, other comments.

KC **Kron Michael C** 49:53

Can I just say something real quick?

Mark, which is I just wanna add for my perspective.

ML **Mark Landauer** 49:55

Please, please Michael please.

KC **Kron Michael C** 50:00

It's really great to hear from a member of the public who's here and had a great experience with the you Fang.

So thank you for showing up and sharing them.

ML **Mark Landauer** 50:10

I I I couldn't agree more, Michael.

I I I wish we would get a few more folks who share with us their their comments because we don't get that as often perhaps as we need to.

Any other thoughts?

Comments by members of the public at this time.

Yeah.

Well, I'm not hearing any.

So I think what we will do at this point is follow Representative Anderson's suggestion and hopefully we'll get you Fang back on here.

So what I will do, unless somebody has a brighter idea at this point, we can probably take a pause until you Fang is able to rejoin.

And any suggestions at this point?

Not seeing anybody, although I only get half of you.

SS **Scott Stauffer** 51:06

Mark.

SM **Shasta Kearns Moore** 51:07

Yes.

ML **Mark Landauer** 51:09

I have to look at my other screen now.

The other screen is empty.

Go ahead.

I see Shasta.

And then Scott Shasta, please.

SM **Shasta Kearns Moore** 51:18

My question for Scott, which was how long is this contract?

SS **Scott Stauffer** 51:24

I believe good question.

I am understanding here is that terms are four years, yeah.

SM **Shasta Kearns Moore** 51:29

Or years. OK.

SS **Scott Stauffer** 51:30

And that commence October 1, assuming it's in place back to everyone.

ML **Mark Landauer** 51:36

Right, go ahead.

SS **Scott Stauffer** 51:38

And my question was just going to be at I'm all for taking a break and turn the camera.

I want to make sure that we don't lose a quorum, so of the Council members, anybody have a a heart out time that we wouldn't potentially reform for?

ML **Mark Landauer** 51:44

No.

 **CHIAPELLA Andrea * DAS** 51:48

I have a hard stop at 4.

ML **Mark Landauer** 51:51

OK.

 **CHIAPELLA Andrea * DAS** 51:51

This is Andrea. Sorry.

ML **Mark Landauer** 51:55

Miss Moore van please.

DM **Danielle Morvan** 51:59

OK.

And one last thing was when you find presented the results for the long responses, those were less about the individual that we were discussing and more about the process as a whole.

So like you know, a tendency towards non disclosure and I guess it was curious, do people generally have a space to talk about the process as a whole or you know a

survey experience for that or you know where there people who maybe were using this experience as a means to discuss their overall general experience with the group?

And I guess for those sorts of responses that are about the process in general, umm, is there anything that can be taken from that that could be still useful even though it's not quite appropriate for the three?

ML **Mark Landauer** 52:50

Boy, I don't even know how to respond to that one this more than.

Well.

I guess first of all, there is somebody a typing and if you could mute that would be helpful.

Miss Moore van I I don't necessarily have a A probably inadequate response to that at this point in all seriousness, but I hope he will continue to engage this Council and raise issues.

We are more than I'm willing to listen and take into account your suggestions and recommendations, and I I I guess I hope that that's a satisfactory response, at least at this time, but we welcome your participation and other members of the public and thank you for taking the time to join us today.

Anybody else at this point?

Alright, well, we have apparently 5 minutes left.

We're hoping that you Fang, will be able to provide the responses.

It will probably be my intention to.

Schedule another meeting and at that meeting, depending on the results of you fans's responses.

As I have shared with you previously, it would be my intention to move Mr Albert for another four year term if we run out of time today, we will ohh well look who's back.

LP **LUO Yufeng * PRA** 54:37

Hello.

ML **Mark Landauer** 54:37

You, Fang.

I will, I will put myself on mute and allow you to, uh, present your findings.

Thank you.

LP **LUO Yufeng * PRA** 54:45

OK so please forgive me if there are mathematical slight mathematical deviations, but let me go ahead and share my can I share my screen on this?

Yes, let me go ahead and share my screen.

This doesn't look pretty.

Sorry.

Uh, so basically the methodology here is, uh, I went through and opened 20, all 20 of the individual responses, and I logged every unacceptable, acceptable, effective and very effective.

So denoted by an X for each category.

This is the breakdown for voting and non or non voting members of the crack, of which there were five respondents about 5% uh.

Of the responses were unacceptable.

12% acceptable and 82% were effective or very effective of the one member of the public who did respond.

They did not have any unacceptable or acceptable responses.

They're responses were predominantly effective or very effective or no, no opportunity to observe for employee of a state or local public entity that has received assistance.

There were zero percent that marked unacceptable.

About 9% of those answers were acceptable and 90% were effective or very effective for member of the media or representative of a media outlet.

Roughly 4% of all responses was unacceptable.

24% acceptable and 72% effective or very effective for the purposes of this really roughshod calculation I lumped together employ of a standard local public entity and employee of a public body who's received training from the Advocate.

I hope that was uh, as requested and satisfactory.

SM **Shasta Kearns Moore** 56:58

Very quick work, yeah.

TA **Tom Andersen** 56:59

Make make your motion mark.

Make your motion so we can get outta here by the hard, hard stop.

 **Kron Michael C** 57:02

Yeah.

 **Mark Landauer** 57:06

Any questions, representative?

I'm.

I'm on on track here, but I just wanna be sure everybody has an opportunity to respond.

 **Tom Andersen** 57:11

OK.

 **Mark Landauer** 57:15

Michael, was that the information you were looking for?

 **Kron Michael C** 57:18

Now is the thumbs up for me, Mark, I I.

 **Mark Landauer** 57:21

It.

 **Kron Michael C** 57:21

It looks to me like the answers were pretty evenly distributed and that was good to see.

 **Mark Landauer** 57:27

Yeah.

Thank you.

I do see Andreas hand up.

Andrea, please.

Thank you.

 **CHIAPPELLA Andrea * DAS** 57:33

I sorry, not like I'm throwing a monkey wrench in this now, but should we be

concerned about the amount of responses that are like didn't have an opportunity to observe?

Because I feel like that's a gap, but I don't know how to fix that.

I'm just throwing a problem out there.

ML **Mark Landauer** 57:47

Yeah, Andrea, I, I'll, I think I got stood up on one of those questions and responded.

I can't observe how he promotes diversity and equity in his agency.

You know, I go ahead.

You, Fang.

I see your hand up.

LP **LUO Yufeng * PRA** 58:06

If I can just.

So I think this would be responsive to Andrea and Lila from DEQ's public comment about the process.

So all of these individuals, notwithstanding the crack, are folks who have reached out to the office of the Public Records advocate specifically to Todd.

We track that, right?

There's a document that tracks the every time that happens, and so for the purposes of the survey by random selection on that survey, I picked individuals who had who worked with Todd used a random number generator, and the only time that there would be a switch would be if it said, literally, extremely limited contact only to like, maybe Todd said, you're at the wrong agency, go to somewhere else would be the only time that a different random number would be picked to kind of sub in.

So that's how we picked the 15.

Umm, discrete individuals who are members of the public and the 15 discrete.

Uh public records custodians, right?

So that's kind of a note on methodology.

So sometimes they are our folks in through that process who just don't have the ability to observe some of these questions that are being asked.

I think that might be a sample size question.

If this was expanded to perhaps beyond the parameters of the purposes of the appointment or hiring process, that would change things, but the process that we

deliver the the project deliberated on and finally approved kind of took into consideration, well, how big of a scope do we want this review to encompass.

ML **Mark Landauer** 59:59

Alright folks, any any additional questions at this time?

KC **Kron Michael C** 1:00:06

Well, I would maybe add that I think a lot of these are related to the comment Miss Morgan made and that you noted earlier, Mark, which is we may have some questions that we wanna change going forward.

And I think and maybe some groups should get some questions and different groups should get different questions.

And that that would that would work a little better.

Umm.

Given the nature of the questions and the fact that they went to all these different groups, the number of no opportunity to observe up answers didn't really surprise me.

ML **Mark Landauer** 1:00:37

Yeah, I I agree, Michael.

Thank you.

Alright folks, I I'm prepared to make a motion at this time.

I I would move that we.

Umm.

Offer Todd a new term of, I should say I let me rephrase.

I would move that we offer Mr Albert another four year term as the public records advocate for the state of Oregon.

Again.

TA **Tom Andersen** 1:01:08

2nd.

+15***61** 1:01:10

I second that.

ML **Mark Landauer** 1:01:12

Alright, umm discussion.

Thank you for the second, Representative Anderson.

SS **Scott Stauffer** 1:01:21

Arc.

ML **Mark Landauer** 1:01:22

Go ahead, Scott.

SS **Scott Stauffer** 1:01:24

Uh, no.

No objections to the motion, just a point of clarification that assuming the motion is carried, we do.

We need to provide any direction for to for DAS HR to be involved in setting anything up with a new term or is that just sort of implied?

ML **Mark Landauer** 1:01:40

I'm gonna look to Andrea on this one.

Andrea.

 **CHIAPPELLA Andrea * DAS** 1:01:46

I'm not an HR expert, but I I don't know if I can answer that question right now.

ML **Mark Landauer** 1:01:48

No.

I I'm Scott, I guess here's the the answer I'll give you.

That'll be between the advocate and and DAS.

We'll we'll get that figured out, OK.

KC **Kron Michael C** 1:02:04

Umm I.

ML **Mark Landauer** 1:02:05
Any other go go ahead.

TA **Tom Andersen** 1:02:06
Yeah, Mark, I Mark, I had a mom momentary panic and my voting member of this or I'm just X official month.

ML **Mark Landauer** 1:02:12
You your, your ex officio representative.
Thank you.

TA **Tom Andersen** 1:02:17
Then I would withdraw my second and ask the other person who seconded, because if I'm ex official, I'm not a voting member.

ML **Mark Landauer** 1:02:24
OK.

+15***61** 1:02:24
Yeah, I I selected this is this is well.

ML **Mark Landauer** 1:02:28
OK.
Thank you, will.
Alright, further discussion.

KC **Kron Michael C** 1:02:36
I'm just on this question.

ML **Mark Landauer** 1:02:37
All right, go ahead, Michael.

KC **Kron Michael C** 1:02:38
Can I?

I my understanding is the contract we have until the end of September.

Is that correct?

So I'm I'm wondering if we can, I mean it seems a little weird to vote without knowing the answer to that.

But on the other hand, maybe we could meet in September and do whatever follow up might be necessary.

ML **Mark Landauer** 1:02:59

All.

All all leave that to to you, Fang and Todd, to determine whether or not we need as a follow up meeting if that's acceptable, Michael.

KC **Kron Michael C** 1:03:09

Yeah, that that seems fine.

I I will say that I I plan to vote for this as well.

I am a little bit concerned with some of the things that that I've heard today.

I think some of it reflects that we could do better as the crack of making sure that what's happening in the Advocates office is like visible to the public and that we have good insight into it.

ML **Mark Landauer** 1:03:32

Yep.

KC **Kron Michael C** 1:03:32

Umm, but but overall I plan to vote for the motion.

ML **Mark Landauer** 1:03:36

I I do note that that the Cameron Miles, who has a long history with these issues, although he's not a member of the Council, I do how I think we all know Cameron's role.

Go ahead, Cameron, please.

CDM **MILES Cameron D * GOV** 1:03:57

I just wanted to point out this is not a contract, it's up for your appointment.

So it's just a standard appointment.
It's not a contract at all.

ML **Mark Landauer** 1:04:07

Thank you for that clarification, Cameron.
Appreciate it.

So I will restate the the motion and we'll we'll do it again just so that we have the proper umm folks.

So I'll I'll I'll move to a point, Mr Albert.

As the public records advocate for a new term beginning in October, I believe is the proper time timing of this for a four year period.

+15***61** 1:04:36

Seconded.

ML **Mark Landauer** 1:04:38

Seconded by.

Well, thank you.

Alright folks, any further discussion?

All those in favor, and I would ask that we do a roll call on this, please.

So you, Fang, I'm gonna ask that you take A roll call of the Members or Todd.

I'm.

I'm sorry, I don't know who has the list of all the voting members of the PRACT, but I would like this one to be on the record please.

LP **LUO Yufeng * PRA** 1:05:10

This is an interesting situation because Todd is executive director, but this vote is also about him and he could delegate to me.

But Todd?

AP **ALBERT Todd * PRA** 1:05:20

Uh, I'm also voting member.

However, I will be abstaining from this vote, and I delegate this roll call to yufeng with gratitude.

And yufang, do you need the list or are you good?

LP **LUO Yufeng * PRA** 1:05:34

Is it just everybody that I thought that you mail out to except for the representative of the senator?

AP **ALBERT Todd * PRA** 1:05:37

Yeah, it's.

Correct.

LP **LUO Yufeng * PRA** 1:05:42

OK.

AP **ALBERT Todd * PRA** 1:05:43

And of those present, of course, I guess I don't know.

Go through the list or just go through those present.

LP **LUO Yufeng * PRA** 1:05:47

I'm gonna go through the list because I don't know who all is present.

Umm, OK what Mark Mark Landauer.

ML **Mark Landauer** 1:05:58

Mark votes aye.

LP **LUO Yufeng * PRA** 1:06:00

Yeah, Shasta Moore.

SM **Shasta Kearns Moore** 1:06:05

Chest occurrence.

More of its eye, OK.

LP **LUO Yufeng * PRA** 1:06:06

Sorry.

Uh, PK runkles.

 **CLARK Stephanie * SOS** 1:06:12

So you, Fang, I'm representing the secretary.
This is Stephanie Clark and I vote aye.

LP **LUO Yufeng * PRA** 1:06:16
Ah.
Michael Caron.

KC **Kron Michael C** 1:06:24
I vote aye.

LP **LUO Yufeng * PRA** 1:06:26
Andrea chupalla.

 **CHIAPPELLA Andrea * DAS** 1:06:31
Vote aye.

LP **LUO Yufeng * PRA** 1:06:34
Steve Swallow, I think Steve is out.
I think Steve is absent, right?
Brent Wolfe.

BW **Brent Walth** 1:06:45
Hi.

LP **LUO Yufeng * PRA** 1:06:48
Scott Stauffer.

SS **Scott Stauffer** 1:06:50
Aye.

LP **LUO Yufeng * PRA** 1:06:52
Will glasson.

 **+15*****61** 1:06:55
Hi.

LP **LUO Yufeng * PRA** 1:06:57

Emily gotthard.

It's not present Tony Hernandez.

Is not present.

Todd Albert.

AP **ALBERT Todd * PRA** 1:07:16

And.

LP **LUO Yufeng * PRA** 1:07:19

I think that's I believe that that's everyone.

ML **Mark Landauer** 1:07:24

I believe that's a majority of the members of the quorum and so congratulations, Mr Albert, for a new term as Oregon's public records advocate, we very much appreciate your work, and Needless to say, much more work to be done.

I'm going to be checking the agenda one more time to make sure we have done what we are supposed to do.

We do not have a meeting scheduled at this time.

I think that what we will do, I'll go ahead.

Todd, please.

AP **ALBERT Todd * PRA** 1:08:02

Sorry Mark, I didn't mean interrupt.

I was gonna jump on at the end of what you were saying.

We had agreed to an annual meeting which should occur around October November, to Shasta message.

Earlier there is a biennial report due in December.

It's actually just to remind you guys, it's the Prax report, not the Pras specific to statute.

And so usually members of the PRAC under marks direction one or two agree to write it and I'm happy to help in any way I can with that.

Although usually as a leadership who writes that report and then I send it to the legislature as port as per the statutory guidance.

And so after this meeting, obviously, depending on what happened here today in terms of next steps, I was gonna reach out to Mark and Shasta as practical leadership to discuss planning the annual meeting and getting an agenda set up within the next week or two.

ML **Mark Landauer** 1:08:49

Great.

So Todd will, let's get a meeting set up between yourself, the Co chair and myself, and we'll discuss how we can move forward if that's acceptable to Shasta.

And then we will report out to the rest of the body and follow up.

Chester is that.

Is that OK with you?

SM **Shasta Kearns Moore** 1:09:15

Sounds great, except you just gave me a promotion and Vice Chair Co chair.

ML **Mark Landauer** 1:09:21

Well, maybe.

Maybe I'm four, I'm maybe I'm.

SM **Shasta Kearns Moore** 1:09:24

Wishful thinking?

ML **Mark Landauer** 1:09:27

I'm showing you my intentions for the future.

In any event, folks, I appreciate all your time today.

I think that we've concluded our business unless there are additional announcements.

Yes, Scott, please.

SS **Scott Stauffer** 1:09:44

Just real quick, the Prack bylaw subcommittee meeting is going to be September 9th. We set that a while ago.

ML **Mark Landauer** 1:09:50
Thank.

SS **Scott Stauffer** 1:09:50
Just there one moment.

ML **Mark Landauer** 1:09:50
Thank you for that.

Yeah.

Thanks for that reminder, Scott.

In the meantime, folks, Shasta, myself and Todd will get together, report out next steps.

I thank you for your time today and Mr Albert, congratulations.

We're looking forward to your next term.

Have a great day everybody.

AP **ALBERT Todd * PRA** 1:10:11
Thank you everybody.

ML **Mark Landauer** 1:10:14
Thank you.

● **ALBERT Todd * PRA** stopped transcription