



MEMORANDUM

TO: Mayor and Council Members

FROM: Kimberly Olivares, Chief Performance Officer *KSO*

DATE: September 12, 2018

SUBJECT: Update regarding Council Resolution 20180201-063 – Retrospective Review

The purpose of this memorandum is to provide an update on the Office of Performance Management's (OPM) progress toward [Council Resolution 20180201-063](#) regarding a retrospective review program and report inventory. Council Resolution 20180201-063 directs the City Manager to:

1. Create a pilot retrospective review program focused on the Economic Opportunity and Affordability strategic outcome, to assess existing regulations and rules related to the outcome.
2. Provide a list of all reports required by Council resolution and/or City ordinance.
3. Design new regulations in a way that will make later retrospective review easier and more effective, engage stakeholders in the periodic review of regulations, and maintain a list of all regulations and rules rescinded or modified as a result of the retrospective review program.

Before forming the details of a pilot program plan, staff from the City Manager's Office and OPM met with various City executives to learn about prior or existing efforts related to performance assessment and inventories of programs/policies to inform the plan development. The resolution references components of the Federal government's retrospective review established via [Executive Order 13563](#). Staff were able to review numerous plans developed by Federal agencies in compliance with that order as well as speak with a former Federal government employee that was directly involved with the development and application of the plan for his former agency. Based on these conversations and research, staff developed the following pilot program.

Phase One: General Public Engagement and Staff Inventory (September 12 – October 8, 2018)

OPM created a web presence for members of the community to submit specific items to be included in the review. The resolution calls for the review of "Council policies, Council-initiated recurring reports, rules, and regulations." These concepts are explained in detail on the website along with instructions and explanations of the Economic Opportunity and Affordability outcome, how to make a submission, information to be included with the submission, and what will happen in the coming months. OPM partnered with the Communications and Public Information Office to develop write-ups for departments to use to promote the website with stakeholders. This same information will also be shared with all Board and Commission members. Attached, you will find information each of your offices can use to promote participation in this pilot program. The Retrospective Review website can be accessed here: <https://data.austintexas.gov/stories/s/cv37-nj7a/>.

Submissions will be accepted through October 8, 2018.

The resolution directed staff to focus on the Economic Opportunity and Affordability strategic outcome for the pilot. With the recently released City organizational chart, the departments identified to take part in the pilot are those listed under the outcome, including: Economic Development, Development Services, Planning and Zoning, Neighborhood Housing and Community Development, Small and Minority Business Resources, Telecommunications and Regulatory Affairs, Real Estate Services, Austin Convention Center, plus Austin Energy and Austin Water.

In support of item 1 listed above, the departments will identify no more than five regulations, rules, Council policies (i.e. resolutions), and Council-initiated recurring reports related to Economic Opportunity and Affordability that would benefit from a retrospective review. The submissions will include the item name, summary, date put into effect, degree of operational impact, frequency of application, original purpose, etc. To complete the report inventory (item 2 listed above), the departments will submit the following: report name, subject of the report, resolution or ordinance that requires the report, frequency it is produced, link to where it is publicly available plus a PDF sample of the report, recommendation if the report should be continued or discontinued and rationale for the recommendation.

Phase Two: Application of Assessment Standards/Criteria and Review (October 8 – November 5, 2018)

To assess if an item is “outmoded, ineffective, insufficient, or excessively burdensome,” (as noted in the resolution) staff will utilize a standardized matrix to score each item. Based on the resulting scores, the item will be categorized as retain, modify, or repeal. The lower the score an item receives, the greater the likelihood it needs to be modified or repealed. Criteria from the matrix include degree of use, complexity, disproportionate impacts on certain entities, need has been replaced by new circumstances or technologies, overlaps/duplicates/conflicts with other rules and regulations, advances equity, and imposes high costs.

Phase Three: Submittal of Recommendations to City Manager’s Office and City Council (November – December 2018)

After completing the assessment, departments will submit categorized list of rules/regulations, reports, and recommendations to their Assistant City Manager and OPM. The Assistant City Managers will develop an action plan for items recommended for modification or repeal. Finally, OPM will submit a report to Council including the categorized items and action plan with estimated timelines. OPM will regularly post the status of changes for the items to the website.

As always, I am available for any questions you may have.

CC: Spencer Cronk, City Manager
Assistant City Managers
Elaine Hart, Chief Financial Officer
Ed Van Eenoo, Deputy Chief Financial Officer

Pilot Program Content for Council Offices to Share

Pilot Retrospective Review Program

As part of an ongoing effort to improve City operations and efficiencies, the Austin City Council approved [Resolution 20180201-063](#) directing the City Manager to create a pilot retrospective review program that regularly assesses existing policies, reports, rules and regulations. The City Council wants to begin with existing rules and regulations related to the City's Economic Opportunity and Affordability strategic outcome to determine:

- Is there a continuing need for the regulation or rule?
- Are there possible conflicts between the regulation and other regulations?
- Has the rule or regulation been affected by technology, economic, or other industry changes?
- Does the rule or regulation continue to service the original purpose in a way that is fair and equitable?

As the City inventories rules, regulations, and reports for review, we want to hear from the community. We are interested in your ideas for rules, regulations, and reports that should be reviewed.

To share your suggestions, please visit: <https://data.austintexas.gov/stories/s/cv37-nj7a>. Submissions will be accepted through **October 8, 2018**. For questions regarding this pilot program, please email performance@austintexas.gov.