

**Performance Audit
Resolution Tracking**

October 2009

City Auditor's Office

City of Kansas City, Missouri

October 28, 2009

Honorable Mayor and Members of the City Council:

We conducted this audit to determine whether city staff carry out the directives in resolutions adopted by the City Council. We looked at 25 resolutions adopted in 2007 that directed city staff to take some action. We found that most have been fully or partially implemented. Work directed in one resolution was not accomplished, and city staff seldom met the deadlines specified in some of the resolutions.

Resolution management needs improvement. Councilmembers do not always know whether their directives are carried out. No mechanism exists to assure the council is updated on the progress of the work they have directed through resolutions. A core governance function is ensuring management compliance with board directives. Reporting requirements are important in order to keep the responsible party accountable for his or her future actions. We make recommendations intended to keep the City Council better informed on the progress being made on their directives.

We shared a draft of this report with the city manager and the city clerk on August 25, 2009. Their responses are appended. We would like to thank staff in the City Manager's Office and the City Clerk's Office as well as staff in the city departments we contacted during the course of this audit. The audit team for this project was Nataliya Kurtucheva and Deborah Jenkins.

Gary L. White
City Auditor

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Introduction

Objectives

We conducted this audit of the resolution tracking process under the authority of Article II, Section 216 of the Charter of Kansas City, Missouri, which establishes the Office of the City Auditor and outlines the city auditor's primary duties.

We did this audit because councilmembers had expressed concerns about resolutions not being implemented and about not receiving status reports on the work directed by resolutions. Previous work done by the City Auditor's Office suggested that city staff did not always respond to resolutions that direct action, and that the City Council did not have a process to track resolution implementation.

A performance audit provides assurance or conclusions based on an evaluation of sufficient, appropriate evidence against stated criteria. Performance audits provide objective analysis so that management and those charged with governance and oversight can use the information to improve program performance and operations, reduce costs, facilitate decision making, and contribute to public accountability.¹

This report is designed to answer the following question:

- Are city staff implementing resolutions adopted by the City Council?

Scope and Methodology

Our audit focuses on resolutions adopted by the City Council in calendar year 2007 that directed city staff to take some action. In particular, we looked at whether the actions were implemented and how the city tracks progress on the resolutions. We did not include resolutions directed to the city auditor because Government Auditing Standards prohibit auditors from auditing their own work.²

¹ Comptroller General of the United States, *Government Auditing Standards* (Washington, DC: U.S. Government Printing Office, 2007), p. 17.

² *Government Auditing Standards*, paragraph 3.22.

Our methods included:

- Reviewing data from the Legislative Update and Status Intranet (LUSI) to identify resolutions adopted in calendar year 2007 that direct action by city staff.
- Interviewing councilmembers to identify their concerns about tracking and reporting on the progress of work they have directed through resolutions.
- Requesting information from city staff and others to determine the status of City Council directives in the resolutions.
- Reviewing documents and other city records supporting the achievement of the work directed by the resolutions.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. No information was omitted from this report because it was deemed privileged or confidential.

Background

Resolutions Defined

Resolutions are a tool the City Council uses to state its position on a particular issue or event. The council uses resolutions to communicate policy, offer congratulations, express sorrow, or urge another governmental body to take a desired action. The council also uses resolutions to direct city staff to take a specific action, sometimes by a deadline. The City Council, the city manager, a city department, a citizen or a group may request resolutions and ordinances.³

Typically, resolutions direct the three city staff who report directly to the City Council – the city clerk, the city manager, and the city auditor. However, the council sometimes directs department directors in a resolution to take some action (e.g. execute contracts for the city), or

³ Ordinances are actions of the mayor and City Council that authorize the spending of city money, set tax levies, or establish regulations that govern the actions of city agencies and citizens.

the city attorney to do something related to a legal proceeding. In 2007, the City Council directed most of the 25 resolutions requiring action to the city manager. (See Exhibit 1.) The city manager delegates implementation of resolutions to appropriate city departments.

Exhibit 1. 2007 Resolutions with Council Directives Requiring Action⁴

Person Responsible	Count	Percentage
City Manager	23	92%
City Clerk	2	8%
Total	25	100%

Source: LUSI and City Auditor's Office calculations.

City code defines how resolution due dates are calculated.⁵ Some resolutions contain deadlines by which an action should take place (e.g. within 60 days of adoption of the resolution). We used the definition in the city code to compute action due dates for the 2007 resolutions which had deadlines.

LUSI documents the council resolution process. In October 2004, the city implemented a legislative tracking system called the Legislative Update and Status Intranet (LUSI). LUSI tracks the lifecycle of ordinances and resolutions from document drafting, legal approval, financial approval (where necessary), filing by the City Clerk's Office, referring to a committee, to adoption by the full City Council. It does not track implementation.

⁴ Excludes resolutions directed to the city auditor.

⁵ Code of Ordinances, Kansas City, Missouri, Sec. 1-10(a) "Computation of time: The time within which an act is to be done shall be computed by excluding the first and including the last day, and, if the last day is Sunday or a legal holiday, that day shall be excluded."

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Findings and Recommendations

Summary

Most of the resolutions that directed staff to take some action in 2007 have been completely or partially implemented. Resolutions with deadlines for completion were rarely implemented within the specified timeframe.

The City Council does not always know whether its directives are carried out. The City Council does not have a tracking system and LUSI does not track the implementation of resolutions. The City Clerk's Office does not keep clear documentation that it carried out the actions directed by resolution. The city manager does not have a systematic process for reporting to the City Council on work done to meet their directives. Good governance practices include ensuring management compliance with board directives.

We make recommendations designed to enhance tracking and reporting on the progress of work the Council directs through resolutions, and to improve the accuracy of legislative information in LUSI.

Most Resolutions Were Fully or Partially Implemented

Staff have fully implemented 21 of the 25 resolutions adopted by the City Council in 2007 that directed them to take some action.⁶ Three of the resolutions were partially implemented, and we did not find any evidence that the directive in one resolution had been implemented. The City Council specified a timeframe for completing 13 of the 25 resolutions we reviewed. Of the ten that staff implemented, only two were completed by the deadline.

Nearly Eighty-Five Percent of Resolutions Were Implemented

Twenty-five resolutions adopted in 2007 directed staff to take some action. Thirteen of those resolutions were both fully implemented and, if

⁶ We obtained documentation confirming implementation status through requests to city departments and by searching city and other resources. Appendix A includes a grid showing the purpose of each resolution, the date adopted, the date by which each resolution should have been acted upon (where applicable), our conclusion on the implementation status, and the basis for our conclusion.

the resolution contained a time frame within which the work should be completed, met the deadline. Eight additional resolutions were also implemented, but not by the deadline set by the City Council. (See Exhibit 2.)

Exhibit 2. Implementation Status of 2007 Resolutions

Resolution Status	Count	Percentage
Implemented	13	52%
Implemented Past the Deadline	8	32%
Partially Implemented	3	12%
Not Implemented	1	4%
Total	25	100%

Source: City Auditor’s Office analysis based on documentation from city departments and other sources.

While most of the resolutions have been at least partially implemented, deadlines were seldom met. Thirteen of the resolutions we reviewed specified a timeframe for the work to be accomplished. Ten of those were implemented, but only two were completed by the deadline. In addition, two of the resolutions that were implemented past the deadline, 071159 and 071398, were implemented only after the City Auditor’s Office asked for documentation they had been completed.

Implementation Criteria

Implemented – department(s) provided documentation confirming the resolution’s implementation, and/or we located necessary documentation using city and other resources; and implementation was completed by the deadline (if the resolution contained one).

Implemented Past the Deadline – department(s) provided documentation confirming the resolution’s implementation and/or we located necessary documentation using city and other resources; but implementation was not completed by the deadline set by the City Council.

Partially Implemented – department(s) provided documentation confirming some, but not all, of the directives in the resolution had been implemented.

Not Implemented – department(s) either failed to provide documentation supporting the resolution’s implementation or confirmed the resolution was not implemented.

Three Resolutions Were Partially Implemented

Three resolutions, all directed to the city manager, have been partially implemented.

Resolution 070909 – Directed the city manager to seek recommendations for the selection and funding of maintenance priorities from the Bond Financial Advisory Committee (BFAC) and the Public Improvements Advisory Committee (PIAC), and expressed the council’s intent to allocate \$25 million consisting of general maintenance funds and the proceeds of certain general obligation bonds.

The FY 2009 adopted budget reflects the plan to issue \$24,999,551 in bonds. We found evidence that the city worked with PIAC to select maintenance priorities, but found no evidence that the city sought recommendations from the BFAC. Staff told us that the bonds were never issued due to the economic downturn, so there was no reason to seek recommendations from the BFAC.

Resolution 071197 – Directed the city manager to use the city’s share of Platte County special road and bridge tax receipts for calendar years 2009, 2010, and 2011 for improvements to NW Barry Road. The resolution also directs the city manager to transmit a copy of the resolution to Platte County within 30 days.

The FY 2009 adopted budget reflects the money was redirected as outlined by the resolution. However, there is no evidence that a copy of the resolution was sent to Platte County.

Staff told us that the allocation of Platte County road and bridge taxes was not included in the FY2010 budget. The city manager told us that the city continues to work with Platte County to determine what Kansas City’s share of special road and bridge tax receipts is for Platte County’s fiscal year 2010, and when it is identified, an ordinance estimating the revenues and appropriating them to the NW Barry Road project will be prepared.

Resolution 070830 – Directed the city manager to report within 90 days to the Transportation and Infrastructure Committee a plan on the method and timeframe for achieving each of the Green Solutions Position Paper strategies. It also directed the city manager to incorporate green solutions in the conceptual long-term control plan for sewer overflows.

Staff provided a copy of the Green Solutions Implementation Framework draft, but there is no evidence it was presented to the Transportation and

Infrastructure Committee. Administrative Regulation 5-5 (effective 2-25-08) set standards to integrate green solutions into the city's planning and development processes. The city's Wet Weather Program addresses sewer overflows, stormwater, and waterways.

One Resolution Was Not Implemented

We found no evidence that the directive in one resolution had been accomplished. It was directed to the city clerk.

Resolution 070181 – Directed the city clerk to provide a copy of the resolution approving real property tax abatements to the Director of the Missouri Department of Economic Development within 30 days. The City Clerk's Office was unable to provide evidence that this was done.

Resolution Management Needs Improvement

The City Council does not always know whether its directives are carried out. The City Council does not have a tracking system and LUSI does not track the implementation of resolutions. The City Clerk's Office does not keep clear documentation that it carried out the actions directed by resolution. The city manager does not have a systematic process for reporting to the City Council on work done to meet their directives. Good governance practices include ensuring management compliance with directives.

The City Council does not have a tracking system. The City Council does not have a systematic method to determine whether the actions they direct by resolution are carried out. Councilmembers we talked to were concerned about not knowing whether the work they direct is completed, and whether the work done is consistent with what the council intended. They thought a reporting process that tracks the implementation of resolutions would be useful.

The city's Legislative Update and Status Intranet (LUSI) does not track the implementation of resolutions. LUSI documents the steps taken to draft and adopt a resolution. However, LUSI does not track the implementation of resolutions after the council adopts them.

In 2006, the former city clerk obtained a proposal to enhance LUSI by adding an "accountability module" that would track the progress made on work directed by the City Council. She told us she sent the proposal to the city manager, but did not receive a response.

The city manager’s tracking system is incomplete, supporting documentation is not centrally maintained, and there is no systematic process to report progress to the council. We found that a spreadsheet kept by the city manager’s staff in 2008 to track the progress of work on ordinances and resolutions, did not capture all of the 2007 resolutions we identified. Supporting documentation is not centrally located. City manager’s staff told us departments are responsible for keeping the supporting documentation. Staff responsible for tracking the progress of ordinances and resolutions for the city manager told us it is sometimes difficult to get status information from departments, especially when multiple departments are responsible for a resolution’s implementation.

The city manager’s tracking system does not include a systematic process for reporting to the council on the work that has been done to implement their directives. Work on some of the resolutions we reviewed was not completed until after we sought evidence that they were implemented. A core governance function is ensuring management compliance with directives.⁷ Reporting by staff allows the City Council to monitor the status of its directives and keep the responsible party accountable for making progress on the directives.

To ensure that resolutions adopted by the City Council are implemented and deadlines are met, the city manager should develop a systematic process for tracking and reporting progress on council resolutions that direct him to take some action.

The City Clerk’s Office does not keep adequate documentation that it carried out the actions directed by resolution. Two of the resolutions we reviewed directed the city clerk to take action. In one resolution, the council directed the city clerk to send a copy of the resolution to a state official. The city clerk was unable to provide evidence that a copy of the resolution had been sent.

In the other resolution, the council directed the city clerk to send a copy to 27 “officials” who were listed in the resolution. As evidence that the directive was followed, the city clerk provided a copy of a cover memo attached to a copy of the resolution. Twelve of the names listed on the copy of the resolution had check marks beside them as if to indicate the memo and a copy of the resolution had been sent to them. However, there were no corresponding check marks beside the remaining 15 names on the list. Staff in the City Clerk’s Office told us they had sent a copy of the resolution to all of those on the list.

⁷ *Governance Assessment 2008*, Office of the City Auditor, Kansas City, Missouri, October 2008, p. 6.

To ensure there are clear records that the city clerk acted on City Council directives, she should develop a systematic process for documenting how and when resolutions directing her to act are accomplished.

Some LUSI Data Is Inaccurate

We found problems with LUSI when we attempted to get a definitive list of resolutions adopted in 2007. Using the various search functions in LUSI delivered inconsistent results, and we found some inaccurate data.

LUSI offers multiple ways to search legislation and can create reports of search results. We found that depending on the type of search used, results varied. Staff in the City Clerk's Office told us that an update to LUSI in 2009 addressed this problem. We did limited testing after the update and the problem appears to be resolved.

We also found data entry errors in LUSI. According to Article V, Section 502 of the Kansas City, Missouri, City Charter, ordinances are "passed" and resolutions are "adopted." However, when we attempted to get a definitive list of resolutions the council had adopted in 2007, we found some resolutions recorded in LUSI as having been "passed" by the City Council instead of "adopted." In August 2008, we shared these errors with the city clerk so they could be corrected. As of July 9, 2009, these data entry errors had not been corrected in LUSI. When the City Council's approval action is mislabeled in LUSI, it is difficult to reliably distinguish resolutions from ordinances in some reports LUSI can generate. The city clerk told us that data entry is spot checked, but there is no systematic procedure to assess and assure data accuracy.

To improve the reliability of information in the city's legislative database (LUSI), the city clerk should implement a systematic procedure to monitor the accuracy of data entry.

Recommendations

1. The city manager should develop a systematic process for tracking and reporting progress on council resolutions directing him to take some action.
2. The city clerk should develop a systematic process for documenting how and when her office accomplishes City Council directives.
3. The city clerk should implement a systematic procedure to monitor the accuracy of data entered in LUSI.

Appendix A

2007 Resolutions with Council Directives Requiring Action

Resolution Number	Purpose	Date Adopted	Action Deadline	Implementation Status	Evidence
070067	Directs the city manager to request occupational license applicants to voluntarily disclose their race, ethnicity, or gender in order to identify potential additional businesses to participate in the city's MBE/WBE Program.	1/18/2007	n/a	Implemented	<ul style="list-style-type: none"> ▪ A copy of the November 2007 version of the occupational license application form (RD-100) found on the city's website. While, it does not specifically ask applicants to provide their race, ethnicity, or gender, it does include a checkbox and the following statement: "Please check this box if you are a minority-owned or woman-owned business."
070083	Directs the city manager to provide \$50,000 in funding as a challenge grant in support of the celebration of the American Jazz Museum's 10th anniversary.	1/25/2007	n/a	Implemented	<ul style="list-style-type: none"> ▪ A copy of a check to the American Jazz Museum for \$50,000 dated July 24, 2007, provided by city staff.
070084	Directs the city manager to work with the Court En Banc of the Sixteenth Judicial Circuit Court of Missouri, Kansas City Municipal Division, the City Prosecutor's Office, and other justice system partners to develop plans for implementing and operating a community court. Directs the city manager to provide a report to the Neighborhood Development and Housing Committee within 30 days of adoption of this resolution, so that the council may consider the plan for the FY2007-08 Budget.	3/15/2007	4/14/2007	Implemented past the deadline	<ul style="list-style-type: none"> ▪ A copy of a draft <i>Strategic Implementation Plan for Committee Substitute Resolution Number 070084</i>. It is not dated, but staff told us it was created in April 2007. ▪ An email dated May 29, 2007, arranging a meeting between staff from the City Manager's Office and the Chair of the Public Safety and Neighborhoods Committee to review active projects including "community court planning." Staff told us the meeting was held on June 7, 2007. ▪ The plan was not presented to the Public Safety and Neighborhoods Committee. (The Public Safety and Neighborhoods Committee replaced the Neighborhood Development and Housing Committee in May 2007.)

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Resolution Number	Purpose	Date Adopted	Action Deadline	Implementation Status	Evidence
070181	Directs the city clerk to provide a copy of this resolution within 30 days to the Director of the Missouri Department of Economic Development. Approves real property tax abatement for improvements on real property located at 8845 Prospect, Kansas City, Missouri, within Enhanced Enterprise Zone 2.	3/15/2007	4/14/2007	Not implemented	<ul style="list-style-type: none"> The City Clerk's Office staff was unable to provide us with evidence that a copy of the resolution was sent to the Director of the Missouri Department of Economic Development.
070211	Directs the city manager to provide \$50,000 as a challenge grant to support events surrounding the citywide celebration of the 150th anniversary of the city market in 2007.	2/22/2007	n/a	Implemented	A copy of a check to the Friends of the City Market for \$50,000, dated June 14, 2007, provided by city staff.
070299	Directs the city manager to identify a source of a \$50,000 commitment to the city's participation in a neighborhood camera pilot project in conjunction with the Kansas City Police Department and the Kansas City Metropolitan Crime Commission to install cameras along an identified street and determine the effectiveness of the technique, and take necessary steps to enter into that pilot project.	3/15/2007	n/a	Implemented	<ul style="list-style-type: none"> A copy of the check stub for a check to Mid-America Regional Council (MARC) for \$50,000, dated December 11, 2007, from the City of Kansas City, Missouri. The check stub includes information that the money is for cameras for the pilot surveillance program. A copy of the Memorandum of Understanding between the Kansas City Police Department, the Kansas City Metropolitan Crime Commission, Kansas City Power and Light, the Mid-America Regional Council, and the University of Missouri-Kansas City.
070369	Directs the city manager to communicate to the General Services Administration (GSA) the council's support of the new GSA Headquarters facility project, and the East Village Redevelopment Area as the preferred location for the development of such facility.	4/12/2007	n/a	Implemented	<ul style="list-style-type: none"> Committee substitute for ordinance 071336 (passed on December 13, 2007) authorized the city manager to execute a Memorandum of Understanding with the General Services Administration (GSA) regarding the construction of a new GSA office building in a delineated area that includes, but is broader than, the East Village Redevelopment Area

Resolution Number	Purpose	Date Adopted	Action Deadline	Implementation Status	Evidence
<p>070369 (Continued)</p>					<p>identified in resolution 070369.</p> <ul style="list-style-type: none"> ▪ The fact sheet for committee substitute for ordinance 071336 indicates that the Mayor's Office along with city and EDC staff have worked for several months with the GSA on the costs and revenues associated with the project. While initial conversations focused on the East Village site, the focus was shifted to a Riverfront site after comparing costs vs. revenues.
<p>070587</p>	<p>Directs the city manager to issue an RFQ for engineering services to develop alternatives for the reconstruction of Red Bridge Road between Holmes Road and Grandview Road, identify funding, and contract with a provider for these engineering services within 60 days of the passage of this resolution, or present an ordinance to the City Council seeking approval of such a contract with this same period of time.</p>	<p>5/3/2007</p>	<p>7/2/2007</p>	<p>Implemented past the deadline</p>	<ul style="list-style-type: none"> ▪ A copy of <i>Request for Qualifications/Proposals for Design Professional Services Contract for Project No. 89008054-003, Red Bridge Road from Holmes Road to Grandview Road Engineering Study</i> was provided by city staff. The RFQ/P was published on June 4, 2007. ▪ A copy of the design professional services agreement for the project, dated August 29, 2007 (after the deadline) was provided by city staff.
<p>070636</p>	<p>Directs the city manager to implement a youth commission to promote positive civic engagement, strengthen positive perceptions about youth, and foster community development.</p>	<p>5/24/2007</p>	<p>n/a</p>	<p>Implemented</p>	<ul style="list-style-type: none"> ▪ Minutes from the Kansas City Youth Commission meeting on November 26, 2007.
<p>070652</p>	<p>Directs the city manager to submit a prioritized set of projects to be considered for inclusion in the State Department of Transportation's statewide transportation improvement program.</p>	<p>6/14/2007</p>	<p>n/a</p>	<p>Implemented</p>	<ul style="list-style-type: none"> ▪ Minutes of the Missouri Priorities Work Group meeting held on June 28, 2007 reflect the inclusion and consideration of the 31 city projects identified by the resolution.

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Resolution Number	Purpose	Date Adopted	Action Deadline	Implementation Status	Evidence
070714	Directs the city manager, with input and direction from the City Council designees from the Public Safety and Neighborhoods Committee, to develop and submit to the City Council a plan for the implementation of a program to regulate residential rental property, and within 60 days submit ordinances, as needed, to implement the program which will include and address fees to cover the cost of the program.	6/28/2007	8/27/2007	Implemented past the deadline	<ul style="list-style-type: none"> Ordinance 071046 (first introduced on September 27, 2007) was adopted as a second committee substitute on October 18, 2007. It established a prioritized inspection and rental housing registration program that includes fines for failure to register or late registration and for property re-inspections. In testimony before the Housing Committee on October 3, 2007, staff said while the program does not include fees, they expect the fines generated by non-compliance will be adequate to fund the program.
070717	Directs a plaque be placed at the entry plaza to the Sprint Center on Grand Boulevard to reflect the entry plaza was named after former Mayor Kay Barnes.	6/28/2007	n/a	Implemented	<ul style="list-style-type: none"> A plaque at the entry plaza to the Sprint Center on Grand Boulevard states it is named after former Mayor Kay Barnes.
070750	Directs the city manager to implement further energy conservation performance contracts that meet the criteria established by Missouri state statute for energy performance contracts, and to issue an RFQ within 45 days of the resolution to select a performance-contracting partner to implement a self-funding facility, maintenance, and energy savings program.	7/26/2007	9/10/2007	Implemented past the deadline	<ul style="list-style-type: none"> A copy of RFP #EV00000474, Energy Performance Contracting Services, issued on 12/14/2007, which was past the deadline. <p>Note: An RFP, not an RFQ, was issued.</p>

Resolution Number	Purpose	Date Adopted	Action Deadline	Implementation Status	Evidence
070758	Directs the city manager to establish, within 90 days, a vacant building task force to identify and measure the scope of the vacant building problem, to identify and classify the root causes, to develop and test potential solutions and to measure the results. The task force will contain representatives from city departments, neighborhood associations, and other organizations as needed to include professionals with areas of expertise such as mortgage finance and real estate investment.	7/19/2007	10/17/2007	Implemented	<ul style="list-style-type: none"> ▪ Vacant Properties Task Force Progress Report, dated June 23, 2008 states the task force was established in July of 2007. ▪ City staff provided a list of members of the task force, which contains representatives from city departments, neighborhood associations, and professionals with the expertise in mortgage finance and real estate investment. <p>Note: City staff told us the task force continues to meet.</p>
070798	Directs the city manager to immediately establish measures to address budget shortfalls, and provide an interim plan within 60 days of the approval of this resolution and a final plan to address funding shortfalls within 90 days. These measures should consider immediate suspension of all new programs created or adopted with the FY 2007-08 budget and freezing the hiring of all personnel related to those new programs and all other administrative personnel not deemed essential to the provision of basic city services until such time as the city manager's plan is received and reviewed by the City Council.	8/2/2007	<p>Interim Plan 10/1/2007</p> <p>Final Plan 10/31/2007</p>	<p>Implemented past the deadline</p> <p>Implemented past the deadline</p>	<ul style="list-style-type: none"> ▪ The city manager's Interim Report on Resolution No. 070798, First Quarter Analysis, was on the Finance and Audit Committee's agenda on October 10, 2007, but was held for a week. It was presented to the Finance and Audit Committee on October 17, 2007. ▪ The final plan, "FY2007-08 Mid-Year Analysis and Response to Resolution No. 070798," was presented to the City Council on December 12, 2007.

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Resolution Number	Purpose	Date Adopted	Action Deadline	Implementation Status	Evidence
070830	Directs the city manager to review each implementation strategy of the Green Solutions Position Paper created by the Wet Weather Solutions Program, and within 90 days, report to the Transportation and Infrastructure Committee a plan on the method and timeframe for achieving each strategy. Also directs the city manager to incorporate green solutions in the conceptual long-term control plan for sewer overflows.	8/9/2007	11/7/2007	Partially implemented	<ul style="list-style-type: none"> ▪ Staff provided a copy of the Green Solutions Implementation Framework draft, which includes the method and timeframe for achieving the implementation strategies of the Green Solutions Position Paper. Note: There is no evidence it was presented to the Transportation and Infrastructure Committee. ▪ AR5-5 (effective 2-25-08) set standards to integrate green solutions into the city's planning and development processes. ▪ The city's Wet Weather Program addresses sewer overflows, stormwater, and waterways.
070909	Directs the city manager to work with the Bond Financial Advisory Committee and Public Improvements Advisory Committee in their established advisory roles to obtain their recommendations regarding the selection and funding of the maintenance priorities. The resolution expresses intent to allocate \$25 million in maintenance funds, consisting of general maintenance funds and the proceeds of certain general obligation bonds to be issued in FY2008-09 for targeted capital maintenance in distressed neighborhoods.	8/30/2007	n/a	Partially implemented	<ul style="list-style-type: none"> ▪ Table-D, Capital Improvements Program in the Adopted Budget, FY2008-09 includes a GO Bond column, which shows the city issuing bonds for \$24,999,551 for total capital improvements. City staff told us these bonds were not issued for FY2008-09, however, due to the economic downturn. ▪ City staff said the capital improvement programs listed in Table-D would meet the intent of the resolution. ▪ City staff provided copies of PIAC meeting minutes reflecting that PIAC members were involved in selecting maintenance priorities. Note: There is no evidence that recommendations were sought from the BFAC. The city manager told us that since the bond sale did not occur, there was no reason to seek recommendations from the BFAC.

Resolution Number	Purpose	Date Adopted	Action Deadline	Implementation Status	Evidence
071031	Directs the city manager and PIAC to assign a capital project rating to each capital project considered for funding as part of the "citywide" capital improvements budget. Directs ratings be included in all relevant budgeting documents including project lists, draft budgets, and the adopted budget, and the ratings should be one of the factors considered in all capital budget deliberations. Ratings should be calculated in the form as the document attached as Exhibit A of the resolution. The rating criteria, process and calculations should be reviewed annually to ensure the ratings are objective and reflect council priorities.	10/18/2007	n/a	Implemented	<ul style="list-style-type: none"> ▪ A copy of a Capital Project Rating Factors sheet which includes rating factors and scoring that are similar to Exhibit A attached to the resolution. ▪ Departmental Priority Citywide List with ratings for capital projects considered for funding. Staff said the departments did these ratings in August and September 2008. ▪ Fiscal year 2010-14 Capital Improvements Program Preliminary Budget in the 2009-10 submitted budget. The list of projects includes ratings.
071092	Directs the city clerk to send copies of the resolution (which supports the development of bicycle, pedestrian, and public transit access as part of the new Paseo Bridge project) to: Governor Blunt; Senator Bond; Senator McCaskill; Congressman Graves; Congressman Cleaver; Missouri Highways and Transportation Commissioners; Pete Rah and Kevin Keith, Missouri Department of Transportation; Elizabeth Wright, District 4; Brian Kidwell, kclcon; and the Missouri Department of Transportation Community Advisory Group.	10/18/2007	n/a	Implemented	<ul style="list-style-type: none"> ▪ A copy of correspondence addressed to the "members listed in resolution" dated October 23, 2007 attached to a copy of the resolution. City Clerk's Office staff told us copies of the resolution were sent to all officials listed in the resolution.

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Resolution Number	Purpose	Date Adopted	Action Deadline	Implementation Status	Evidence
071124	Directs the city manager to immediately establish a plan to address engineering vacancies, to retain current engineering staff, and to report this plan to the City Council within 45 days of the adoption of this resolution.	11/1/2007	12/17/2007	Implemented past the deadline	<ul style="list-style-type: none"> ▪ A recording of a presentation by the director of human resources to the Finance and Audit Committee on February 20, 2008 (after the deadline). <p>Note: The director of human resources told us the plan was never implemented because of a citywide hiring freeze initiated in anticipation of a reduction in force. Engineers subject to layoff were transferred to available vacancies in enterprise departments and/or to fee or grant-funded positions.</p>
071159	Directs the city manager to submit a plan to the City Council within 90 days to open levees owned and/or maintained by the city for public recreational use.	11/8/2007	2/6/2008	Implemented past the deadline	<ul style="list-style-type: none"> ▪ A copy of the <i>Recreational Trails on Levees</i> strategic implementation plan with a cover memo to the city manager, dated May 1, 2008. ▪ Audio recording of the plan being presented at a Transportation and Infrastructure Committee work session on March 10, 2009. <p>Note: The presentation occurred after we asked the City Manager's Office for evidence the resolution had been implemented.</p>
071197	Directs the city manager to transmit this resolution to Platte County within 30 days, and to incorporate the provisions of this resolution into the appropriate budgets. Designates the city's share of Platte County's special road and bridge tax receipts for calendar years 2009, 2010, and 2011 for improvements to N.W. Barry Road between I-29 and N. Cosby Road, per RSMo 137.556.	11/8/2007	12/8/2007	Partially implemented	<ul style="list-style-type: none"> ▪ Evidence of the city transmitting this resolution to Platte County was not provided. ▪ Schedule XI of the FY2009 adopted budget reflects revenues of \$544,000 in the Capital Improvements Fund. Staff told us they estimated the FY2009 Platte County share of road taxes (\$544,000) for capital improvements, and moved those revenues from the Motor Fuel Tax Fund to the Capital Improvements Fund in FY2009 to fulfill the resolution.

Resolution Number	Purpose	Date Adopted	Action Deadline	Implementation Status	Evidence
071197 (Continued)					<ul style="list-style-type: none"> ▪ The allocation of Platte County road and bridge taxes was not included in the FY2010 budget. However, the city manager said that the city is working with Platte County to determine what Kansas City's share is for 2010. Once it is identified, an ordinance appropriating the revenues to the NW Barry Road project will be prepared.
071222	<p>Directs the city manager to incorporate an opportunity for citizens to share their priorities for the budget, and to report those priorities to the City Council prior to establishing the City Council's budget priorities. Directs the city manager to work with the Mayor's Office to incorporate citizen input through the upcoming town hall meetings, and other focus groups and meetings that can be arranged before budget deliberations begin by the full council in February 2008.</p>	11/20/2007	February 2008	Implemented	<ul style="list-style-type: none"> ▪ Staff provided a listing of public meetings held January – March 2008, which gave citizens opportunities to give input into the budget deliberation process. ▪ A public budget meeting schedule on the city's website reflects meetings were held January – March 2009 for the fiscal year 2009-2010 budget.
071334	<p>Directs the city manager to work with the Economic Development Corporation of Kansas City, Missouri, in seeking state supplemental tax increment financing to assist the Second Amended and Restated Three Trails Tax Increment Financing Redevelopment Plan.</p>	12/13/2007	n/a	Implemented	<ul style="list-style-type: none"> ▪ A copy of the correspondence sent to the Director of the Missouri Department of Economic Development, referencing the Three Trails State TIF application. The correspondence was copied to the Economic Development Corporation (EDC), indicating EDC's involvement in seeking TIF assistance for the plan.

Resolution Tracking

<p>071398</p>	<p>Directs the city manager to submit, pending passage of Ordinance 071185, quarterly reports to the City Council regarding the use of Women, Infants, and Children (WIC) Program funds in serving those with unmet needs.</p>	<p>12/13/2007</p>	<p>Quarterly</p>	<p>Implemented past the deadline</p>	<ul style="list-style-type: none"> ▪ Health department staff provided copies of reports sent to the city manager's office in 2008 showing the use of funds and the progress made. ▪ Cover memo dated January 7, 2009 to councilmembers stating WIC reports from March 2008-December 2008 were attached. <p>Note: The WIC reports were provided to councilmembers after we asked the City Manager's Office for evidence the resolution had been implemented.</p>
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Appendix B

City Manager's Response



Office of the City Manager



Date: October 20, 2009

To: Gary L. White, City Auditor

From: Wayne A. Cauthen, ^{W.A.C.} City Manager

Re: Resolution Tracking Audit

I have reviewed your revised Draft Report on Resolution Tracking dated October 8, 2009. Below please find the response to your recommendation.

Recommendation 1 – The city manager should develop a systematic process for tracking and reporting progress on council resolutions directing him to take some action.

Response – Agree. I certainly agree that ensuring management compliance with board/City Council directives is a critical governance function. In 2004, I assigned an analyst in the City Manager's office of management and budget to develop a tracking system to monitor the status and progress of ordinances and resolutions adopted by the Mayor and City Council. I will direct staff to incorporate a status reporting mechanism to the Mayor and City Council on a quarterly basis.

Appendix C

City Clerk's Response



Office of the City Clerk

25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

(816) 513-3360
 Fax: (816) 513-3353

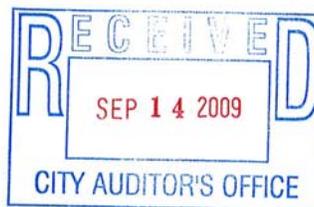
Date: September 11, 2009

To: Gary L. White, City Auditor

From: Vickie Thompson, City Clerk

Vickie Thompson

Re: Resolution Tracking Audit



This memo serves as a response to recommendations 2 and 3 in the Draft Report on the Resolution Tracking. I am asked to respond with agree, agree in part or do not agree. The findings and recommendations of the audit reported that “over seventy five percent of resolutions were implemented”. Definitely, it is the goal of the City Clerk to see that the recommendations are implemented. I have reviewed the following recommendations and I offer the following response.

Recommendation 2: The city clerk should develop a systematic process for documenting how and when her office accomplishes city council directives.

Response: Agree: Resolutions are effective immediately. Upon passage of the resolution, the city clerk will scan the authenticated copy of the resolution into Legislative Update and Status Intranet (LUSI). The clerk will document accomplishment of the directive which will also be scanned and attached in LUSI indicating date (hovering over date field will specify creator and time); file type, file name and description. A copy of the documentation of accomplishment will also be placed in the original file of the resolution. We are currently working with Public Systems Associates (PSA) to permit the “history” field to be updated as the last action showing “directive implemented”. (This enhancement is still in the beginning stage, not yet implemented, however, it may be included in our next release).

Recommendation 3: The city clerk should implement a systematic procedure to monitor the accuracy of data entered into LUSI.

Response: Agree. Data entered in LUSI should be monitored. We have worked with (PSA) in reviewing concepts for monitoring information entered into LUSI. There were discrepancies regarding resolution/ordinances, not being able to distinguish if ordinances were passed or adopted and vice versa for resolutions. The resolution plan has been

enhanced to display accurate actions. The following actions were added at the appropriate place for resolutions: a) adopted; b) adopted as substituted and c) adopted as substituted as amended. This recommendation is now in place. Also, the City Clerk's Office will take the initiative to evaluate legislative data as it is input into LUSI on a weekly basis as legislation is introduced.