

**SUNSHINE REFORM TASK FORCE  
MEETING MINUTES**

**Thursday, April 26, 2007  
6:00pm – 9:00pm**

**City Hall, W118-119**

**Present:** Bob Brownstein, South Bay Labor Council; Ken Podgorsek, United Neighborhoods of SCC; Ed Rast, Strong Neighborhoods Initiative PAC; Dan Pulcrano, Silicon Valley Leadership Group; Judy Nadler, Markkula Center for Applied Ethics; Margie Matthews, Former Councilmember; Brenda Otey, At Large-Representative; Susan Goldberg, San José Mercury News.

**Absent:** Bobbie Fischler, League of Women Voters; Karl Hoffower, Citizens Commission on Human Rights; Nanci Williams, San José/Silicon Valley Chamber of Commerce; Virginia Holtz, Willow Glen Neighborhood Assoc.; Joan Rivas-Cosby, Five Wounds/Brookwood Terrace Neighborhood Advisory Committee; Dave Zenker, Falls Creek Neighborhood Association; Mary Ann Ruiz, Parks and Recreation Commission; Edward Davis, Orrick Law Firm (Legal Counsel).

**Staff:** Sheila Tucker, Senior Executive Analyst; Lee Price, City Clerk; Lisa Herrick, Senior Deputy City Attorney; Dan McFadden, Interim Deputy City Manager.

I. Approval of April 19, 2007 Meeting Minutes

Approval of the April 19, 2007 minutes were deferred to the May 3, 2007 Task Force meeting.

II. Comments from Chair

Chairman Rast noted staff will distribute the Task Force's draft Phase 1 Report and Recommendations on April 27, 2007 for Task Force members to begin to review.

III. Review of Meeting Material

Staff provided an overview of the documents for the meeting.

IV. Discussion on Public Meetings Provision

A. Reform of the Public Process Regarding Major Public Subsidies

Task Force member Bob Brownstein reviewed his remaining recommendations listed in his memo dated April 20, 2007, which modified his 12/19/06 public subsidy proposal.

**Upon a motion by Bob Brownstein, seconded by Margie Mathews, the Task Force unanimously agreed to recommend for every project that receives a subsidy over \$1 million dollars, staff should provide the public with the following information:**

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- a) **the number of housing units constructed or demolished as part of the project, categorized by level of affordability; and**
- b) **an estimate of the number of ELI (Extremely Low Income) housing units that would be required for employees of the project. ELI housing is defined as housing affordable to people at 30% of median income or less.**

**Upon a motion by Bob Brownstein, seconded by Ken Podgorsek, the Task Force unanimously recommended the following:**

**For every project that receives a subsidy of \$1 million dollars, staff should provide the public with information:**

- a. **describing the source of funds and restrictions on the use of funds; and**
- b. **regarding neighborhood impacts.**

Note: Information on environmental impacts to neighborhoods can be provided through a reference to an Environmental Impact Report. Information on traffic impacts can be provided through a reference to an existing traffic study. Information on impacts on other public infrastructure and services such as parks, community centers, and libraries, may have to be generated specifically for the staff report on the subsidized project.

#### B. Clarifications to Exemptions to 10 Day Staff Report Rule

Staff provided memorandums responding to the Task Force's questions regarding: 1) contract bid awards/procurements where the initial memo was distributed to council on-time, and 2) items heard by council committee requiring council action, "one week turn around." The Task Force took no action on the memos.

#### C. Council Memorandums that Propose Action that Significantly Differs from Staff Recommendations

No action on this item was taken except to the extent that the Task Force reaffirmed its previous decision to require council memorandums to be submitted 4 calendar days in advance of a council meeting.

#### D. Video recording Quasi-judicial Board Meetings.

Staff provided a memorandum that identified the quasi-judicial bodies that would be required to begin video recording their Board meetings, along with a brief description of the purpose for each body. Due to the technology and meeting room constraints the City will face in video recording all quasi-judicial Board meetings,

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and the preliminary input from the affected Boards, staff recommended that the Task Force consider narrowing its recommendation to televising only those meetings that would be of interest to the community at large.

**Upon a motion by Ken Podgorsek, seconded by Bob Brownstein, the Task force agreed to rescind its previous decision to recommend that all quasi-judicial bodies video record their meetings and to recommend that only the Planning Commission and Elections Commission video record their meetings and all other quasi-judicial bodies audio record their meetings.**

#### V. Phase I Recommendations Status & Schedule

Staff will release a first draft of the Task Force's Phase 1 Report and Recommendations on April 27, 2007 for review. Task Force members should review the report to be sure all the recommendations are included and that staff appropriately captured the Task Force's intent. The Task Force agreed it will not reopen recommendations previously decided upon by the Task Force during this review. However, Task Force members may request that a minority opinion be noted. Task Force members may submit written comments to staff in advance or bring forward comments at upcoming meetings.

The preliminary schedule for the Task Force's Phase 1 report is as follows:

<u>Milestone</u>	<u>Date</u>
Staff distributes SRTF's Phase 1 Draft Report	April 27, 2007
SRTF reviews report and discusses preliminary comments	May 3, 2007 (Task Force Meeting)
Staff updates Phase 1 report based on decisions made on remaining issues and preliminary comments on the first draft	May 7, 2007
SRTF reviews/discusses final comments on report and considers final approval	May 17, 2007 (Task Force Meeting)
Rules and Open Government Committee considers report	May 23 or 30 (depending on the extent of changes from May 17 <sup>th</sup> meeting)

#### VI. Upcoming Agenda and Work Plan

The May 3, 2007 meeting agenda will include the following:

- A. Definition and Requirements for Non-governmental Bodies and Non-City Governmental Bodies
- B. Overlap of Non-governmental Body Definition and Policy Body Definition & Clarification on Bodies Consisting Solely of City Staff

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- C. Definition of Public Subsidy
- D. Discussion and Comment on the SRTF's Draft Phase I Report and Recommendations
- E. Role of the Enforcement Committee

VII. Public Comment

No additional public comment.

The meeting adjourned at 7:35 p.m.