

Memorandum

TO: SUNSHINE REFORM TASK
FORCE

FROM: Dan McFadden

SUBJECT: Reed Reforms, Sunshine Ordinance
Changes

DATE: December 1, 2006

At the Task Force's November 18, 2006 meeting, Mayor Elect Reed, in his opening remarks, noted an interest in addressing the City Council on open government reform in January, 2007. Mayor Elect Reed has recommended 21 Sunshine Ordinance changes. A complete list of the "Reed Reforms" are attached. Items four through 21 pertain specifically to the development of a Sunshine Ordinance. The purpose of this memorandum is to attempt to characterize the status of the proposed Sunshine Reform changes based upon previous discussions by the Task Force and the current work plan. As such, staff understands:

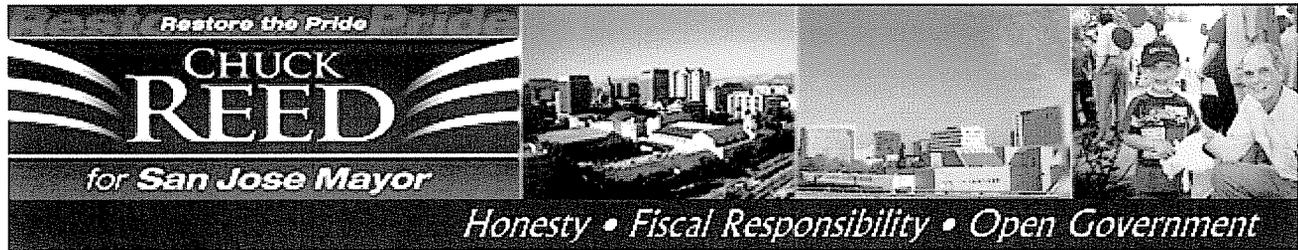
- Items 7, 19, and 20 may be referred back to the City Council to refer to the Elections Commission
- Items 8 and 13 require additional discussion
- The Task Force may accept the remaining provisions and is refining more specific recommendations as part of the Task Force's work plan

The Task Force will discuss the January 2007 report to Council on the Mayor Elect's Reforms at the next meeting on December 7, 2006. The intent is that this information will help facilitate this discussion.



Dan McFadden
Deputy City Manager

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THE REED REFORMS

Released January 10, 2006



CHARTER CHANGES

1. Ask the voters to revise the Charter to make it easier to recall the Mayor and Councilmembers for a violation of the Charter or the Oath of Office.

OATH OF OFFICE CHANGES

2. Revise the Oath of Office to include a pledge to follow the Charter.
3. Revise the Oath of Office to include a pledge to put "service above self" and an honor code: "No lying. No stealing."

SUNSHINE ORDINANCE CHANGES

4. Adopt a Sunshine Ordinance that will make it easier for the public to know their rights and easier for the public to find out what the city is doing.
5. Prohibit late staff memos so that the public can have a greater opportunity to respond to proposals and fully participate in the debate.
6. Require the Mayor and Councilmembers to disclose material facts before the Council takes action.
7. Require the Mayor and Councilmembers to disclose any political favors or other consideration they are to exchange for their votes.
8. Disclose all offers made to city unions for pay or benefit increases when the offers are made.
9. Disclose the names of people serving on advisory committees.
10. Make broader disclosures of what the Council does in closed sessions.
11. Prohibit closed door meetings for city task forces, commissions and committees.
12. Post notices for meetings of committees, boards, commissions and advisory bodies online on one page.
13. Disclose the salaries of all city employees by position.
14. Disclose records of city employee disciplinary actions to the extent allowed by state law.
15. Disclose actions taken on complaints received about fraud and abuse.
16. Disclose appraisals used in the purchase or condemnation of property after the terms are agreed to.
17. Record all Council closed session meetings electronically and make the information available after the real secrecy has passed.
18. Store archive copies of email in a form that will allow for easier public review.
19. Plug loopholes in the campaign financing ordinance that make it possible to contribute unlimited amounts in the form of paid campaign workers.
20. Plug loopholes in the lobbyist ordinance that allow many lobbyists to avoid public disclosure of what they are doing.
21. Disclose the calendars of the Mayor and Councilmembers.

CONDUCT CHANGES

22. Require staff for Mayor and Councilmembers to sign a Code of Conduct.
23. Prohibit Mayor and Councilmember interference with the decisions of City Boards and Commissions.
24. Prohibit Mayor and Councilmember interference with the bidding and RFP process.
25. Create a certified training program for Mayoral and Councilmember staff to ensure they are fully aware of ethical standards so they can help their bosses follow the law.
26. Hold regular public hearings on ethical issues around the state so we can learn from our mistakes and the mistakes of others.
27. Revise our Ethics Code to specify that it is unethical for the Mayor and Councilmembers not to follow Council adopted policies without approval of the Council.
28. Prohibit the Mayor and Councilmembers from revising draft staff reports without full disclosure.

CHANGE TO A COMMUNITY BASED BUDGETING PROCESS

29. Start the budget process with a survey of the public in early January.
30. Hold a Conference on Priorities with neighborhood associations in late January.
31. Have Council hearings in February on New Initiatives and Unfunded Programs (NIUPS) and have the Council specify their spending priorities.
32. Report the results of items 29-31 in the Mayor's March Budget Message.

OTHER CHANGES

33. Hold monthly hearings on the status of Council's directives to staff.
34. Expand the City Auditor's staff to allow for more performance audits.

Paid for by the Chuck Reed for Mayor Campaign. FPPC ID # 1277846