

**Sunshine Reforms Implementation Status**  
**14 Reforms Referred to Staff for Implementation**

Reform	Brief Description of Scope	Implementation Status				Schedule	Supporting Documents
		Staff	Rules	Council	Complete		
<p><b>Public Information Reform #4</b> – A detailed accounting of all City contracts and expenditures of \$1 million or more shall be made available to the City Council and public, on-line, no later than 2 weeks prior to being heard. Otherwise, a 2/3 majority vote of the Council would be required to hear an item that was received less than 2 weeks prior to the hearing.</p>	<p>To implement this reform, staff is recommending the development of an early distribution process whereby memos that meet the above criteria will be distributed via Information Memos on the Tuesday, 14 days prior to the relevant Council Board Meetings. It should be noted that this approach precedes the review by the Rules Committee of the Council Agenda. This does not however diminish the Committee's approval authority of the agenda. This approach will require that staff verbally note for the Rules Committee, when reviewing the agenda, which items were distributed in the early distribution packet; and further, that the Rules Committee confirm that the items distributed early be placed on the final agenda. In addition, staff has incorporated cost summary templates in the cost implications section of the Council/Board Memo Formats to be used for both construction and professional services. The early distribution packet will also be posted on-line, upon approval of the final Council Agenda (13 days prior to the Council Meeting).</p>				■	August 2006	<a href="http://www.sanjoseca.gov/clerk/CommitteeAgenda/Rules/062106/Rules062106_G4.pdf">http://www.sanjoseca.gov/clerk/CommitteeAgenda/Rules/062106/Rules062106_G4.pdf</a>
<p><b>Public Information Reform #7</b> - Disclose statistical information on complaints received through the Fraud and Audit Hotline, excluding names and any other confidential information. This information should be reported to the Council.</p>	<p>The City maintains a fraud and audit hotline. A one year pilot is underway with Council direction to report back at its completion. The pilot is scheduled to end July 31, 2006. To implement this reform staff will complete the one year pilot and evaluate the program. At the conclusion of the evaluation period, staff will begin reporting on complaints received through the Fraud and Audit Hotline. Reporting will exclude names and any other confidential information.</p>	■				July- August 2006	

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<b>Public Information Reform #8</b> - Require Council member and appointee Fair Political Practices Commission Statements of Economic Interest (FPPC Form 700) filings (after redacting personal contact information) and Conflict of Interest declarations to be posted and indexed online, including all conflicts outside of the City of San José's jurisdiction.	To implement this reform the Administration will bring forward recommended amendments to the City's Conflict of Interest Code to expand disclosure obligations and will develop protocols and a standardized form for the declaration. The City Clerk will negotiate a contract amendment with NetFile to enable online filing and viewing of Statements of Economic Interests, the City's Family Gift Report and the new Conflict of Interest Declaration submitted by the Mayor, Councilmembers, Appointees and Planning Commissioners with a target date of December 1, 2006 for implementation.	■				June- Dec. 2006	
<b>Public Information Reform #9</b> - Any Council member claiming a conflict of interest on a vote must publicly disclose the basis of the claim by filing a conflict of interest declaration with the City Attorney and City Clerk 24 hours prior to start of the council meeting at which the item will be heard.	This reform will require Councilmembers to complete review of all council items and submit conflict of interest declarations to the City Clerk's office 24 hours before council meetings to ensure conflicts have been identified. The City Council took action on May 23, 2006 to expand this requirement to all Boards and Commissions. To implement this reform staff will: 1) draft a Council Policy to establish the requirement, 2) develop uniform procedures, and 3) create a standard declaration form.	■				June-August 2006	
<b>Public Information Reform #10</b> - Disclose the calendars of the Mayor and Councilmembers quarterly, redacted for personal information.	Disclosure of the Mayor and Councilmembers' calendars is currently discretionary. To implement this reform staff will: 1) develop criteria for information to be disclosed, identify relevant protocols and provide training for Council Administrators. This reform will require Councilmembers to submit calendars quarterly to the Office of the City Clerk. Staff recommends initially making this information available in the Office of the City Clerk, while staff investigates technological solutions to allow posting of the information online.	■				June-Sept. 2006	

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<p><b>Public Information Reform #11</b> - Establish criteria that can be used by the Rules Committee to determine if an item is of "significant public interest" and requires additional notification or public outreach consistent with definitions and procedures outlined in City Council Policy 6-30 "Public Outreach Policy for Pending Land Use and Development Proposals."</p>	<p>Below are recommended criteria for items of Significant Public Interest, and are to be used to define such items:</p> <p><b>Criteria 1:</b> Requires Council or Board action on the use of public funds equal to \$1,000,000 or greater.</p> <p><b>Criteria 2:</b> Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City.</p> <p><b>Criteria 3:</b> Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council, Board, or a Community group that requires special outreach.</p> <p>The staff report contains a matrix that summarizes the additional notification that would be required for future Council items that meet one or more of the above criteria. The Council Memo Format currently requires a discussion of Public Outreach. The instructions for this section would be revised to include a description of the additional notification that would be needed for the item. In some cases, the notification may be completed at the time a memo is submitted to the Manager's Office or Redevelopment Agency Executive Director for processing. In other cases, the notification may be underway but is expected to be completed prior to the Council's consideration of the agenda item. This will facilitate the determination to apply additional public outreach efforts to any given item.</p>				■	June-August 2006	<a href="http://www.sanjoseca.gov/clerk/CommitteeAgenda/Rules/062106/Rules062106_G4.pdf">http://www.sanjoseca.gov/clerk/CommitteeAgenda/Rules/062106/Rules062106_G4.pdf</a>

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<b>Public Information Reform #12</b> - Post the City Council Policy Manual online.	To implement this reform, staff is conducting a comprehensive review of Council Policies and recommends initially posting only those that are current with remaining policies to be reviewed by the Rules Committee prior to full Council consideration. Starting in August 2006 staff will begin bringing policies to the Rules Committee, a few at a time, to make the workload of the Committee manageable. The City Clerk has released an RFQ for codification posting of the Council Policy Manual and funds have been identified for the project.	■				June 2006-TBD	
<b>Neighborhood Participation Reform #2</b> - Provide an annual city-wide budget briefing followed by 4 budget hearings throughout San José, in order to encourage greater community contribution to established City priorities. Appropriate consideration shall be made to ensure that meetings are accessible to the residents of San José in relation to the time, date, and location of the hearings.	The 2006-2007 Proposed Operating Budget was released on May 1, 2006. Study sessions were held in May and were open to the public. A Budget Study Session was held in March and four public hearings were held in June. To implement this reform staff conducted five additional public meetings at community locations in May and early June 2006. Three of these meetings were advertised in local English, Spanish, and Vietnamese media. Three additional budget presentations were given to NAC leaders, SNI PAC, and at the Sikh Temple in Evergreen.				■	June 2006	
<b>Neighborhood Participation Reform #3</b> - Require the City Council and Redevelopment Agency to hold Public Priority Setting Hearings in the beginning of odd years to coincide with City Council member appointments to standing committees.	The City does not currently hold formal public priority setting hearings. Staff conducts new Councilmember orientations whereby new Councilmembers are briefed on City Service Area priorities. To implement this reform staff would model a Policy Priority Setting Session based on CSA briefings that new Councilmembers receive upon entering office and align the Session with the budget process. The priority setting hearings would be held every two years, following the appointment of new Councilmembers. Staff recommends utilizing a professional facilitator to guide the discussions during these meetings.	■				January 2007	

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<b>Neighborhood Participation Reform #4</b> - Require notification to City commissions when items originating in the commission are being heard by the Council.	To implement this reform staff has updated the Council Memo Format and Yellow submittal form to reflect Commission Coordination. Departments will be required to fill out the form and to note in the Coordination Section of the Council Memo the commission notification that took place.				■	June 2006	
<b>Neighborhood Participation Reform #5</b> - Expand the speaking time from 2 minutes to 4 minutes for "Neighborhood Group or Community Association Designees" (City Council Policy 6-30) or those subject to an eminent domain action, clarify the speaking time allowed to a representative from an advisory commissions, and create a strategy to address recently identified challenges to public participation for those with disabilities.	The Council Rules of Conduct Resolution gives the Mayor the discretion to set the time limits. Cities generally strive to give all persons equal time, with the exception of an applicant or appellant in a land use matter. To implement this reform staff will evaluate best practices of other cities and bring forward a recommended amendment to the Council Conduct Resolution to establish new speaker time limits and update brochures, speaker cards and other information provided to the public on the participation process as appropriate.	■				June-August 2006	
<b>Government Accountability Reform #3</b> - City Manager and Department Staff Reports for expenditures of \$1 million or more and "Significant Public Interest" agenda items shall provide the following: (a). a new section entitled, "Policy Alternative Recommendations" that lists all the viable city staff options that have been discussed, but were not recommended by the City Manager or Department staff; (b). a brief description of the reasons the alternative was rejected, (c). a cost-benefit analysis and economic impact report to include, but not limited to, the following: how the expenditure aligns with and affects the City's policy goals, fiscal priorities, long term strategy, and economic development goals and priorities.	Staff has revised the current Council Memo Format to include new sections on Policy Alternatives and Fiscal/Policy Alignment, and will provide training to the organization in June - July with implementation in August. The Redevelopment Agency will mirror this memo format. The Policy Alternatives section will include a full description of the alternatives explored and the pros and cons of each, as well as why staff is making their recommendation. Staff will also be required to provide information on how expenditures and policy decisions align with the City's overall policy goals, fiscal priorities and economic development strategy as well as any cost-benefit and economic impact information. This section will be based on such guiding principles found in the City's General Plan, Economic Development Strategy, overall Budget Strategy and Redevelopment Plans and Implementation Plans and other existing guiding principle documents.				■	June-August 2006	<a href="http://www.sanjoseca.gov/clerk/CommitteeAgenda/Rules/062106/Rules062106_G4.pdf">http://www.sanjoseca.gov/clerk/CommitteeAgenda/Rules/062106/Rules062106_G4.pdf</a>

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<b>Government Accountability Reform #4</b> - Require every Staff memo to have a City staff contact for public questions.	The City Manager's Office has issued new instructions to the Administration on the "signature block" format. The new requirement includes information on the City staff contact's name, title, and telephone number.				■	May 2006	
<b>Public Information #2</b> - Establish a single City of San Jose's Master Online Calendar where all city activities, events and meetings of committees, boards, commissions and advisory bodies and events are posted (Public Information Reform #2).	<p>This project will have two distinct phases.</p> <p><b>Phase One</b> will be the implementation of a Master Calendaring system for official City meetings and events. A new electronic reservations system is being purchased for City Hall reservations, and this system will allow the display of all items through a single online calendar. The City Manager's Office will develop protocols and policies for ensuring the Master Calendar is updated.</p> <p><b>Phase Two</b> will be the addition of community events and activities to the calendar. The inclusion of community items raises first amendment and public forum issues, as well as logistical issues. Working with the City Attorney, staff will develop a recommended approach for consideration by the Sunshine Reform Task Force.</p>	■				<p><b>Phase One</b> TBD</p> <p><b>Phase Two</b> TBD</p>	