

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

Reforms	Implementation	Implementation Status				Schedule	Supporting Documents								
		Staff	Rules	Council	Complete										
<p><b>Public Reform #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.</p>	<p><u>As part of operational improvements at City Hall, staff is procuring a new reservation system and a master calendaring component has been added to the procurement to provide the technology necessary to create a Master Calendar. The new technology will provide users with the capability of searching for a meeting by date, meeting title, meeting subject and location. In addition, the technology will allow users to "subscribe to a particular meeting so that changes and updates would be automatically emailed. The following timeline has been established for implementation of the technology element of this plan.</u></p> <table border="1"> <tr> <td>Mid August</td> <td>Vendor Selection &amp; contract Negotiations</td> </tr> <tr> <td>Mid September</td> <td>Council Approval</td> </tr> <tr> <td>October – November</td> <td>Configuration, Testing, Training</td> </tr> <tr> <td>November- December</td> <td>Implementation</td> </tr> </table> <p>Staff has established criteria to define which meetings should be included on the Master Calendar. In doing so, we considered the City Council's desire to be as broad and inclusive as possible, and the Council-approved e-Government policy that establishes guidelines to ensure that the City maintains the ability to control content on its own website. The e-Government policy was adopted in recognition of the fact that opening the City's website to a broad range of content by or links to other organizations can potentially transform the website into a public forum. As a public form, anyone would have the right to post information and links on the website and, if denied that right, might subject the City to a claim of discrimination. Similarly, a Master Calendar that includes community events that do not have a direct connection to the City or a stated City policy or purpose, may pose the same risks.</p>	Mid August	Vendor Selection & contract Negotiations	Mid September	Council Approval	October – November	Configuration, Testing, Training	November- December	Implementation				■	August – December 2006	
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<p><b>Public Reform #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.</p>	<p>The following meetings would be included on the calendar:</p> <ul style="list-style-type: none"> <li>• <u>Official City Meetings</u> – In addition to City Council and Council Committee meetings, this category includes meetings of City Boards and Commissions, as well as any other entity that is formed as a result of Council action.</li> <li>• <u>Other Public Meetings</u> – Meetings held by non-City elected officials who are holding their meeting in a facility owned and operated by the City.</li> <li>• <u>City Events</u> <ul style="list-style-type: none"> <li>○ Ground breakings and dedications: <ul style="list-style-type: none"> <li>▪ when the project is funded all or in part by the City or SJRA</li> <li>▪ when the project is funded by another public agency but benefits the City of San Jose.</li> </ul> </li> <li>○ Neighborhood events – when supported by some city funds.</li> <li>○ Candidate Forums –when held in a city-owned and operated facility and all candidates are invited to participate.</li> </ul> </li> </ul> <p>The Sunshine Reform Task Force reviewed and approved the staff recommendation at its August 3, 2006 meeting.</p>						

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<p><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.</p>	<p>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.</p>				■	Completed (June 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>Neighborhood Participation Reform #4</b> - Require notification to City commissions when items originating in the commission are being heard by the Council.</p>	<p>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.</p>				■	Completed June 2006	
<p><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.</p>	<p>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. Staff is evaluating the best practices of other cities and will bring forward a recommended time to establish new speaker time limits and update brochures, speaker cards, and other information provided to the public on the participation process as appropriate. This item is currently being reviewed by the Task Force.</p>	■				September 2006	

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<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. Staff has completed the one-year pilot program and is providing a report to the City Council on the August 29, 2006, agenda. The report contains information on concerns received from City employees and the public that include violation of City Policy, theft, fraud, customer service, safety, or other legal and compliance issues.</p>				■	Completed August 2006	
<p><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.</p>	<p>The City Clerk has negotiated and executed a contact agreement with NetFile to enable online filing and viewing of Statements of Economic Interest, the City's Family Gift Report and the new Conflict of Interest Declaration submitted by the Mayor, Councilmembers, Appointees and Planning Commissioners. Staff anticipates an implementation target date of December 2006 for scanning, posting, and linking on-line forms on file in the Office of the City Clerk. The City Attorney's Office also is developing a standardized declaration form and protocols for disclosing a conflict of interest at least 24 hours in advance of a public meeting (See PIR #9 below). Training for mandated filers for online filing of conflict of interest forms is expected to occur early March 2007.</p>	■				December 2006 - March 2007	
<p><b>Public Information Reform #9</b> - Any Council member or board/commission 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.</p>	<p>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. Staff will return to Council in September 2006 with a recommended Council Policy to establish this requirement and will also develop uniform procedures. Additionally, staff will create a standard declaration form and work with the City Clerk to have the information posted/available online.</p>	■				September 2006	

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<p><b>Public Information Reform #10</b> - Disclose the calendars of the Mayor and Councilmembers quarterly, redacted for personal information.</p>	<p>To assist the Mayor and Council in determining which meetings can appropriately be redacted, staff recommends following the model used by San Francisco, which appears to be one of the few California cities that requires the disclosure of elected officials' calendars. In San Francisco, an official's public calendar may exclude "... purely personal or social events at which no city business is discussed and that do not take place at City Offices or at the offices or residences of people who do substantial business with or are otherwise substantially financially affected by actions of the city." Examples of the sorts of events that may properly be excluded from public calendars would be: medical appointments, personal meetings such as parent-teacher conferences, and certain social events such as attending one's high school reunion.</p> <p>The Information Technology department has developed a process using existing technology to integrate this requirement seamlessly with day-to-day activities. Each office will be able to publish their calendars from the same software they use to maintain their existing calendars after redacting any appropriate information. Training on how to post the calendars will begin August 2006 and final implementation is expected to begin in September 2006.</p>	■				Aug. - 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>Staff has developed broad criteria for items of Significant Public Interest, which are to be used to define such items:</p> <ol style="list-style-type: none"> <li>1. Criteria 1: Requires Council or board action on the use of public funds equal to \$1,000,000 or greater;</li> <li>2. Criteria 2: 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*</li> <li>3. Criteria 3: Consideration of proposed changes to service delivery, program, staffing that may have impacts to community services and have been identified by staff, Council/Board or a community group that requires special outreach.</li> </ol> <p>Staff has developed 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 Public Outreach section of the Council Memo Format has been revised to include a description of the additional notification that would be needed for the item. (There is a problem applying Council Policy 6-30, which is site specific to City-wide issues.)</p>				■	Completed June 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 #12</b> - Post the City Council Policy Manual online.</p>	<p>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 Fall 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.</p>	■				June 2006- TBD	