

**MEETING ACTION MINUTES**

Bert Robinson (Chair), Bobbie Fischler, Brenda Otey, Virginia Holtz, Ed Davis (Counsel to Sunshine Reform Task Force)

Tom Manheim, Lisa Herrick, Eileen Beaudry, Eva Terrazas, Rick Doyle, Gary Kirby

February 4, 2008  
12:45 pm – 2:45 pm

T-1753

<b>Agenda Item #</b>	<b>Description of Action Taken/Action Item</b>	<b>Owner's Name (if applicable)</b>	<b>Target Date (if applicable)</b>
A.1	<p><b>Old Business: Law Enforcement Records</b> The Subcommittee discussed the City Attorney's Office's response to the District Attorney's Position Paper. Ed Davis agreed with the CAO that the City is not preempted from enacting an ordinance that provides greater access than the California Public Records Act provides. But Ed Davis expressed concern about the CAO's analysis about privacy and referred the Subcommittee to language on privacy in his October 8, 2007, Memo on Access to Investigatory Records.</p> <p>Chair Robinson provided 4 minutes per speaker for Public Comments.</p> <p>Sought clarification of CAO response: M. Schlossberg, ACLU</p> <p>Agreed with Ed Davis: J. Chadwick, Counsel for the San Jose Mercury News</p> <p>Concerns with preemption and privacy: J. McCracken, District Attorney's Office</p> <p>The CAO was directed to work with Ed Davis and the Police Department to draft, with more specificity, the issue of "contemporaneous" and what that timeframe would be and to use language in E. Davis' October 8 memo. The Subcommittee asked that the language be ready in time to discuss at the Subcommittee meeting on February 11.</p>		
B.2.a	<p><b>New Business: Code Enforcement Complaints</b> The Subcommittee discussed the current practice of the City in providing the public</p>		

	information about Code Enforcement Complaints. The Subcommittee agreed that the current process is appropriate and directed the CAO to draft language that codifies the current process.		
C.	Next Meeting: February 11, 2008 - the Subcommittee agreed to hear: Law Enforcement Reports, either Employee Misconduct (Public Officials) and Employee Discipline Log or Fire Department Statistical Reports, Budget, Index to Records, and Process for Disclosure (Programming Charges)		
D.	Public Comment: Taken above on item A.2.a		