



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Les White

**SUBJECT:** SUNSHINE REFORMS  
WORK PLAN

**DATE:** May 12, 2006

**COUNCIL DISTRICT:** City-Wide  
**SNI AREA:**

## **RECOMMENDATION**

Approve work plan for implementing the Sunshine Reforms as follows:

- 1) Refer nine proposals to the Sunshine Reform Task Force for further analysis and report back to Council in Fall 2006 as the Task Force completes its work.
- 2) Direct staff to proceed with a pilot program to implement 13 proposals and report back to Council in January 2007.

## **OUTCOME**

Approval of this recommendation will allow staff to begin implementation on the reform measures that are largely operational and to refer proposals that require further analysis to the Sunshine Reform Task Force for additional review and public input.

## **BACKGROUND**

On March 21, 2006, the City Council directed staff to develop a work plan for implementing 22 Sunshine reform measures focused in three areas: 1) Public Information; 2) Neighborhood Participation; and, 3) Government Accountability. The City Council further directed staff to return in two weeks with a recommendation on how to engage the public in the process. At its April 18, 2006 meeting, the City Council approved formation of a Sunshine Reform Task Force to review proposals forwarded by the City Council at its March 21, 2006 meeting, as well as any additional proposals that the Task Force deems appropriate, and make recommendations to the City Council regarding their adoption and implementation.

At the Rules Committee meeting on April 5, the Administration requested clarification on the motion approved by the City Council at its March 21, 2006 meeting on Sunshine Reforms. The Rules Committee confirmed staff's understanding of the direction to identify proposals that it believes can be easily implemented and bring these back as part of budget considerations, while allowing the public process to take a more comprehensive review of all of the remaining proposals.

The Administration is committed to extending the public's oversight of government and creating opportunities for public access to information. Over the past month, the City Manager's Office has been working with Departments and the Offices of the City Clerk and City Attorney to evaluate the 22 reform proposals. Staff has analyzed the work load impacts and resource needs for each proposal, developed recommendations on proposals that may be implemented in the near term, and identified items that it recommends undergo further analysis and public review.

### **ANALYSIS**

The Administration was directed to develop a work plan to implement 22 reform proposals designed to improve access to public information, increase neighborhood participation and foster greater governmental accountability. Following a review of the 22 proposals, staff has concluded that 13 of the proposals are largely operational and staff can move forward with implementation. It is recommended, however, that these 13 proposals be implemented on a six-month Pilot Program to allow a more complete review of effectiveness, impacts on resources, workload, and City processes. These proposals may be referred to the Sunshine Reform Task Force during the pilot if staff encounters significant unanticipated consequences while implementing the proposals. The Pilot Program is also tiered with the mid-year budget schedule to allow staff to report on the status of implementation, and for Council to consider additional resource requests if needed.

Nine proposals require more critical thought and have significant organizational and resource impacts and therefore are recommended for referral to study by the Sunshine Reforms Task Force. The Task Force will be faced with some important and difficult ethical questions related to promoting public access, on the one hand, and protecting privacy and confidentiality in contexts involving personnel, contracts, and potential litigation. We believe the Task Force should review these proposals within the larger context of providing transparency in government balanced against other factors such as costs, feasibility, and impact on service delivery, and to do this review in a setting that will allow for input from outside experts with full public review.

The list below identifies the proposals that staff recommends for implementation, the approach to implementing the proposals, significant impacts to current practice, and the budget and resource needs. The attached matrix details each proposal, the timeline for implementation, and lists the nine proposals recommended for referral to the Sunshine Reform Task Force.

### **Implementation Proposals**

Of the 13 proposals, ten will impact the day-to-day work of staff and three proposals (Items #3, 4, and 5 below) will require actions by Councilmembers for ongoing implementation.

1. **Public Information Reform #4** – *A detailed accounting of all City contracts and expenditures of \$1 million or more shall be made available to the City Council and public, online, 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.*

The current Council Agenda report distribution process begins 11 days prior to the actual Council Meeting and the majority of reports are released at that time (each Friday at noon). Direction to move toward distributing materials “2 weeks prior” to Council consideration would require changes to the current agenda process and possibly the Rules Committee meeting schedule, and would result in the Council Agenda report distribution cycle being moved-up e.g., going from 11 to 14 days would mean that the same set of staff is supporting a Council packet distribution and staffing a Council meeting on the same day.

Based on an initial review there are several options, as discussed in the attached table, to implement this proposal. Staff would request the opportunity to evaluate the options and present to the Rules Committee or City Council a recommendation. To implement this reform staff will: 1) establish use of a universal detailed budget form and revise procurement procedures to require project budget information in a uniform manner, 2) develop options for Council Agenda Packet distribution, 3) establish by Council resolution or ordinance, City Council’s authority to impose a 2/3rds vote requirement upon itself.

**Budget/Resource Needs:** The City Manager’s Office and the Offices of the City Clerk and City Attorney will develop a staffing plan and options for Council to consider to support this directive.

2. **Public Information Reform #7** - *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.*

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 June 30, 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.

**Budget/Resource Needs:** Resources are currently programmed to address this directive. No additional resource needs at this time.

3. **Public Information Reform #8** - *Require Councilmember 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 and Appointees with an implementation target date of December 1, 2006 for implementation.

**Budget/Resource Needs:** A budget proposal is needed to implement online filing for Councilmembers and appointees.

4. **Public Information Reform #9** - *Any Councilmember 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.*

State Law requires Councilmembers to disclose, at the dais, a conflict of interest on a vote, and that the disclosure is recorded in the official minutes. Currently, Councilmembers remove themselves from the dais before an item is heard. This reform will require Councilmembers to complete review of all council items and submit conflict of interest declarations to the Office of the City Clerk 24 hours before council meetings to ensure conflicts have been identified. To implement this reform staff will: 1) bring forward a recommended Council Policy to establish this requirement, 2) develop uniform procedures, and 3) create a standard declaration form.

**Budget/Resource Needs:** No resource needs at this time.

5. **Public Information Reform #10** - *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.

**Budget/Resource Needs:** A budget proposal is needed to implement a technology solution, develop a screening process and to provide training to Council Administrators.

6. **Public Information Reform #11** - *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."*

Council Policy 6-30, recently established by the City Council, identifies approaches to public outreach with the intent of involving interested parties in the development review process. To implement this reform staff will recommend criteria to determine when an item is of “significant public interest” and would need additional outreach consistent with procedures outlined in City Council Policy 6-30.

**Budget/Resource Needs:** No resource needs at this time.

7. **Public Information Reform #12** - *Post the City Council Policy Manual online.*

The City Council Policy Manual contains a number of policies that are outdated and need to be updated before posting online. To implement this reform, staff has already begun 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. This recommendation would require a significant body of work including an amendment to the Rules Committee Work Plan. Starting in August 2006 staff would begin bringing policies to the Rules Committee, a few at a time, to make the workload of the Committee manageable.

**Budget/Resource Needs:** The City Clerk has released an RFQ for codification and online posting of the Council Policy Manual and funds have been identified in the FY 05-06 budget for the project. A one-time budget proposal is needed to hire a temporary overstrength staff person to lead the effort to update the City Council Policy Manual.

8. **Neighborhood Participation Reform #2** - *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 are held in May and are open to the public. Two public hearings are held in June and Council recently added a March budget study session. To implement this reform staff is conducting three additional public meetings at community locations in May and early June 2006. These meetings are being advertised in local English, Spanish, and Vietnamese media.

**Budget/Resource Needs:** No resource needs at this time.

9. **Neighborhood Participation Reform #3** - *Require the City Council and Redevelopment Agency to hold Public Priority Setting Hearings in the beginning of odd years to coincide with City Councilmember 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.

**Budget/Resource Needs:** A budget proposal is needed in the years the Priority Setting Hearings are held to hire a facilitator and/or a temporary over strength position if current staff can not support the directive.

**10. Neighborhood Participation Reform #4** - *Require notification to City commissions when items originating in the commission are being heard by the Council.*

To implement this reform, staff will: 1) establish protocols for noticing Commissions, 2) amend report format and writing guidelines within the "Coordination" section, and 3) designate a staff lead in supporting department to track Council agenda items and notice Commissions.

**Budget/Resource Needs:** No resource needs at this time.

**11. Neighborhood Participation Reform #5** - *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 the 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

**Budget/Resource Needs:** Minimal resource needs to update brochures, speaker cards and other information provided to the public on the participation process.

**12. Government Accountability Reform #3** - *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.*

To implement this reform staff will develop guidelines for completing "policy alternatives" section for council reports, issue new instructions and train staff for completing council reports. Reference to appropriate policy documents and acknowledgements of the

consistency of the recommended action with the General Plan will also be required. Staff recommends excluding Bond, Commercial Paper, and other debt financings as Council will have previously approved the expenditures to be financed. Staff also recommends excluding Housing Department loan and Council approved Capitol Improvement Project (CIP) approvals, most of which are over \$1 million, because the only alternative would be to not issue a loan. Report writing instruction and training will be provided in July with requirements in affect for August 2006 reports.

**Budget/Resource Needs:** Departments will incur ongoing costs to conduct and prepare cost-benefit analysis and economic impact reports (Reform 3c). Costs are not fully known at this time.

**13. Government Accountability Reform #4** - *Require every Staff memo to have a City staff contact for public questions.*

The City Manager's Office has already 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.

**Budget/Resource Needs:** No resource needs at this time.

**PUBLIC OUTEACH**

None

**COORDINATION**

This memorandum has been coordinated with the Offices of the City Attorney, City Clerk and Budget, as well as the following Departments: Public Works, Information Technology, and Finance.

**COST IMPLICATIONS**

At this time, the total cost of implementing the 13 proposals is unknown. If the City Council approves these recommendations, there will be some one-time and some ongoing costs to implement the proposals and to provide contractual services for the facilitator, outside expert consultation, and other logistical support for the Task Force.

Staff anticipates initial costs in the range of \$200,000 for the following:

- One-time cost in the projected amount of \$50,000 to provide facilitation and support to the Sunshine Reform Task Force.
- Anticipated ongoing costs in an estimated amount of \$150,000 to provide a .5 FTE and to support the costs of implementing proposals.

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Staff will bring forward an appropriation request with much greater detail on the proposed use of funds as part of the June 2006 year-end budget clean up. In addition, upon the completion of the six month Pilot Project, the City Manager's Office will conduct a thorough work load assessment with a complete review of impacts on resources and workload and provide a report that fully accounts for the implementation costs of each proposal. Staff may return through the Mid-Year Budget process with an additional funding proposal to permanently fund ongoing implementation of proposals.

Staff anticipates significant ongoing costs to manage public records and to provide staff training for the current proposals as well as the proposals referred to the Task Force. Currently there is no mechanism for capturing the City's costs to manage public records requests. Staff will begin tracking the costs to provide a full accounting of the City's Public Records Program.

The 2006-2007 Proposed Operating Budget recommends the addition of one position in the Public Outreach Office, which will support functions related to the City's growing use of the internet and will assist in addressing the Sunshine Reform initiatives, one position in the Office of the City Clerk to maintain current service levels, and one position in the Office of the City Attorney to assist in responding to requests for public information.

### **CEQA**

CEQA: Exempt.

LES WHITE  
City Manager

For questions please contact Dan McFadden, City Manager, (408) 535-8114.

**Table 1. Sunshine Reform Proposals  
Current Practice, Impact to Processes and Implementation Schedule**

	<b>Proceed with Implementation</b>	<b>Timeline</b>
1.	<p><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, online, 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 (Public Information Reform #4).</b></p>	<p><b>June – Sept. 2006</b></p>
	<p>The current Council Agenda report distribution process begins 11 days prior to the actual Council Meeting and the majority of reports are released at that time (each Friday at noon). Literal direction to move toward distributing materials “2 weeks prior” to Council consideration does require changes to the current agenda process, and possibly the Rules Committee meeting schedule, and would result in the Council Agenda report distribution cycle being moved up to Tuesday at noon. Given that Council Agenda staff (City Manager’s Office, City Attorney’s Office, and City Clerk’s Office) are focused on that day’s Council Meeting, it is very likely that additional resources would be needed to implement this process change. An alternative is to move up the Council Agenda packet distribution one Friday (distribute packet 18 days prior to Council consideration). This option has impacts to the current process in that the staff report deadline would be about one month prior to Council consideration (resulting in the possible increase of Supplemental Reports, which appears counter productive to the overall intent of the direction), but would not have the significant impacts that Council Agenda staff would experience with having to support a Council Meeting and Council Agenda packet distribution on the same day.</p> <p>Additionally, through the Council Agenda “placeholder process”, the City is able to process Council consideration of contracts expeditiously. This ability has been extremely useful with the size and project implementation schedule of our current Capital Improvement Program and preserves Council’s ability to delay award of contracts at Rules and/or a City Council meetings. This reform would slow the approval of contracts in two areas that may be of concern to the City Council: Public Works Contract Awards, and action on labor negotiations, which are currently placed on the Agenda using the “place holder process” and do not meet the “detailed accounting” test. The reform would eliminate the use of placeholder reports and would delay approval and possibly project implementation.</p> <p>Based on initial review, it is clear that there may be several options available to implement this direction and staff would request the opportunity to evaluate the options and present to the Rules Committee or City Council a recommendation. To implement this reform staff will: 1) establish use of a universal detailed budget form and revise procurement procedures to require project budget information in a uniform manner, 2) develop options for Council Agenda Packet distribution, 3) establish by Council resolution or ordinance, City Council’s authority to impose a 2/3rds vote requirement upon itself. Given the significant potential change to the Council Agenda process, it is proposed that a pilot program of these changes will begin in August so that staff can adjust the process during July, when Council is on recess.</p>	

	<b>Proceed with Implementation</b>	<b>Timeline</b>
2.	<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 (Public Information Reform #7).</b>	<b>July – August 2006</b>
	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 June 30, 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.	
3.	<b>Require Councilmember 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 (Public Information Reform #8).</b>	<b>June – Dec. 2006</b>
	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 and Appointees with an implementation target date of December 1, 2006 for implementation.	
4.	<b>Any Councilmember 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 (Public Information Reform #9).</b>	<b>June – August 2006</b>
	State Law requires Councilmembers to disclose, at the dais, a conflict of interest on a vote, and that the disclosure is recorded in the official minutes. Currently, Councilmembers remove themselves from the dais before an item is heard. This reform will require Councilmembers to complete review of all council items and submit conflict of interest declarations to the Office of the City Clerk 24 hours before council meetings to ensure conflicts have been identified. To implement this reform staff will: 1) bring forward a recommended Council Policy to establish this requirement, 2) develop uniform procedures, and 3) create a standard declaration form.	
5.	<b>Disclose the calendars of the Mayor and Councilmembers quarterly, redacted for personal information (Public Information Reform #10).</b>	<b>June –Sept. 2006</b>
	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. A budget proposal is needed to implement a technology solution, develop a screening process and to provide training to Council Administrators.	

	<b>Proceed with Implementation</b>	<b>Timeline</b>
6.	<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” (Public Information Reform #11).</b>	<b>June – Sept. 2006</b>
	Council Policy 6-30, recently established by the City Council, identifies approaches to public outreach with the intent of involving interested parties in the development review process. To implement this reform staff will recommend criteria to determine when an item is of “significant public interest” and would need additional outreach consistent with procedures outlined in City Council Policy 6-30.	
7.	<b>Post the City Council Policy Manual online (Public Information Reform #12).</b>	<b>June 2006 – TBD</b>
	The City Council Policy Manual contains a number of policies that are outdated and need to be updated before posting online. To implement this reform, staff has already begun 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. This recommendation would require a significant body of work including an amendment to the Rules Committee Work Plan. Starting in August 2006, staff would 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 and online posting of the Council Policy Manual and funds have been identified in the FY 05-06 budget for the project. A one-time budget proposal is needed to hire a temporary overstrength staff person to lead the effort to update the City Council Policy Manual.	
8.	<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 (Neighborhood Participation Reform #2).</b>	<b>May 2006</b>
	The 2006-2007 Proposed Operating Budget was released on May 1, 2006. Study sessions are held in May and are open to the public. Two public hearings are held in June and Council recently added a March budget study session. To implement this reform staff is conducting three additional public meetings at community locations in May and early June 2006. These meetings are being advertised in local English, Spanish, and Vietnamese media. Staff further recommends piloting the additional hearings this year and evaluating public participation and effectiveness.	
9.	<b>Require the City Council and Redevelopment Agency to hold Public Priority Setting Hearings in the beginning of odd years to coincide with City Councilmember appointments to standing committees (Neighborhood Participation Reform #3).</b>	<b>January 2007</b>

	<b>Timeline</b>
<p>The City does not currently hold formal public priority setting hearings. Staff conducts new Councilmember orientations whereby new Councilmembers are briefed on CSA 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. A budget proposal is needed in the years the Priority Setting Hearings are held to hire a facilitator and/or to provide a temporary over strength position if current staff can not support the directive.</p>	
<p><b>10. Require notification to City commissions when items originating in the commission are being heard by the Council (Neighborhood Participation Reform #4).</b></p>	<b>June – August 2006</b>
<p>Currently, Commissions are noticed on items originating in a Commission and being heard by Council informally on a case-by-case basis. To implement this reform, staff will: 1) establish protocols for noticing Commissions, 2) amend report format and writing guidelines within the “Coordination” section, and 3) designate a staff lead in supporting department to track Council agenda items and notice Commissions.</p>	
<p><b>11. 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 (Neighborhood Participation Reform #5).</b></p>	<b>June – August 2006</b>
<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. To implement this reform staff will evaluate the 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.</p>	
<p><b>12. 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 (Government Accountability Reform #3).</b></p>	<b>June – August 2006</b>

<b>Proceed with Implementation</b>		<b>Timeline</b>
	To implement this reform staff will develop guidelines for completing “policy alternatives” section for council reports, issue new instructions and train staff for completing council reports. Reference to appropriate policy documents and acknowledgements of the consistency of the recommended action with the General Plan will also be required. Staff further recommends excluding Bond, Commercial Paper, and other debt financings as Council will have previously approved the expenditures to be financed. Staff also recommends excluding Housing Department loan and Council approved Capitol Improvement Project (CIP) approvals, most of which are over \$1 million, because the only alternative would be to not issue a loan. Report writing instruction and training will be provided in July with requirements in affect for August 2006 reports. Departments will incur ongoing costs to conduct cost-benefit analysis and economic impact reports (Reform 3c). Costs are not fully known at this time.	
<b>13.</b>	<b>Require every Staff memo to have a City staff contact for public questions (Government Accountability Reform #4).</b>	<b>May 2006</b>
	The City Manager’s Office has already 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.	

<b>Refer to Sunshine Reform Task Force</b>	
14.	Require a detailed line-item budget to be posted online and provided to the City Council as part of budget deliberations (Public Information Reform #1).
15.	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).
16.	All City Council agenda items and relevant background materials (items submitted as part of the public record) shall be posted on the Master On Line Calendar, referenced above, and indexed by 5:00 pm on the Thursday prior to the Council meeting at which the item will be heard. Councilmembers should make every effort to provide the Council and public with memoranda they generate by 5:00pm on the Monday prior to a public hearing (Public Information Reform #3).
17.	Documents subject to a public records request and made available to any member of the public, including the media, should simultaneously be made available to the public by posting on the City’s website in the responsible department’s public records web pages and indexed in a user-friendly way so that a search of the City website will find the public documents. If posting this information is administratively burdensome than instructions should be posted online for any member of the public who is interested getting the information directly from Clerk’s office (Public Information Reform #5).
18.	All California Public Records Act (CPRA) and Freedom of Information Act (FOIA) requests shall be posted and indexed on the City website within 72 hours of receipt. Responses shall be posted within 30 days of release. If posting this information is administratively burdensome than instructions should be posted online for any member of the public who is interested getting the information directly from Clerk’s office (Public

**Refer to Sunshine Reform Task Force**

	Information Reform #6).
19.	To the extent that an RFQ has a land use component, there should be community representation included on the review panel. Community representatives would be appointed by the City Council. Recently, the City established the RFP integrity guidelines in an effort to strengthen the credibility of the City’s RFP review process. Staff should explore other options for expanding neighborhood participation and ensuring transparency in this process (Neighborhood Participation Reform #1).
20.	The administration shall put forth a model of third-party/independent review, such as an Office of Management Budget (OMB)/Legislative Affairs Office (LAO), for Council items of “Significant Public Interest” in order to gain the benefits of comprehensive policy analysis (Government Accountability Reform #1).
21.	Research and report the cost of instituting/acquiring a City Service accountability model, such as CitiStat in Baltimore, MD, in time for FY 06-07 budget discussions. Special attention should be paid to San José’s diversity and multiple language requirements, in order to make the information available and understandable to the greatest number of residents. See City Council Policy 6-30-Public outreach for definitions and procedures (Government Accountability Reform #2).
22.	City Council and committee meeting minutes must more accurately reflect the actual meeting discussions and public meeting videos should be immediately available after the meeting on the city web and for off site meetings or technical reasons not later than 3 days after the meeting (Government Accountability Reform #5).