

Draft Open Government Ordinance (Sunshine Ordinance)

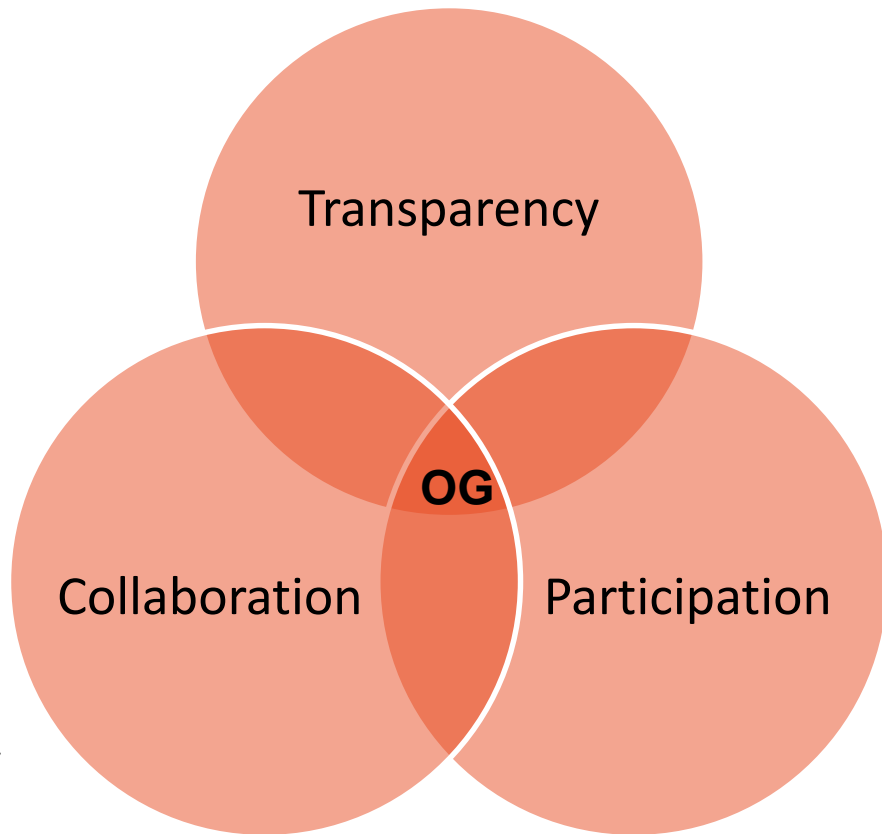
Agenda

- Define Open Government
- Open Government Maturity Model
- Ordinance Purpose
- Ordinance Highlights
- Ordinances Adopted in California
- Input and Implementation Timeline
- Next Steps

Defining Open Government

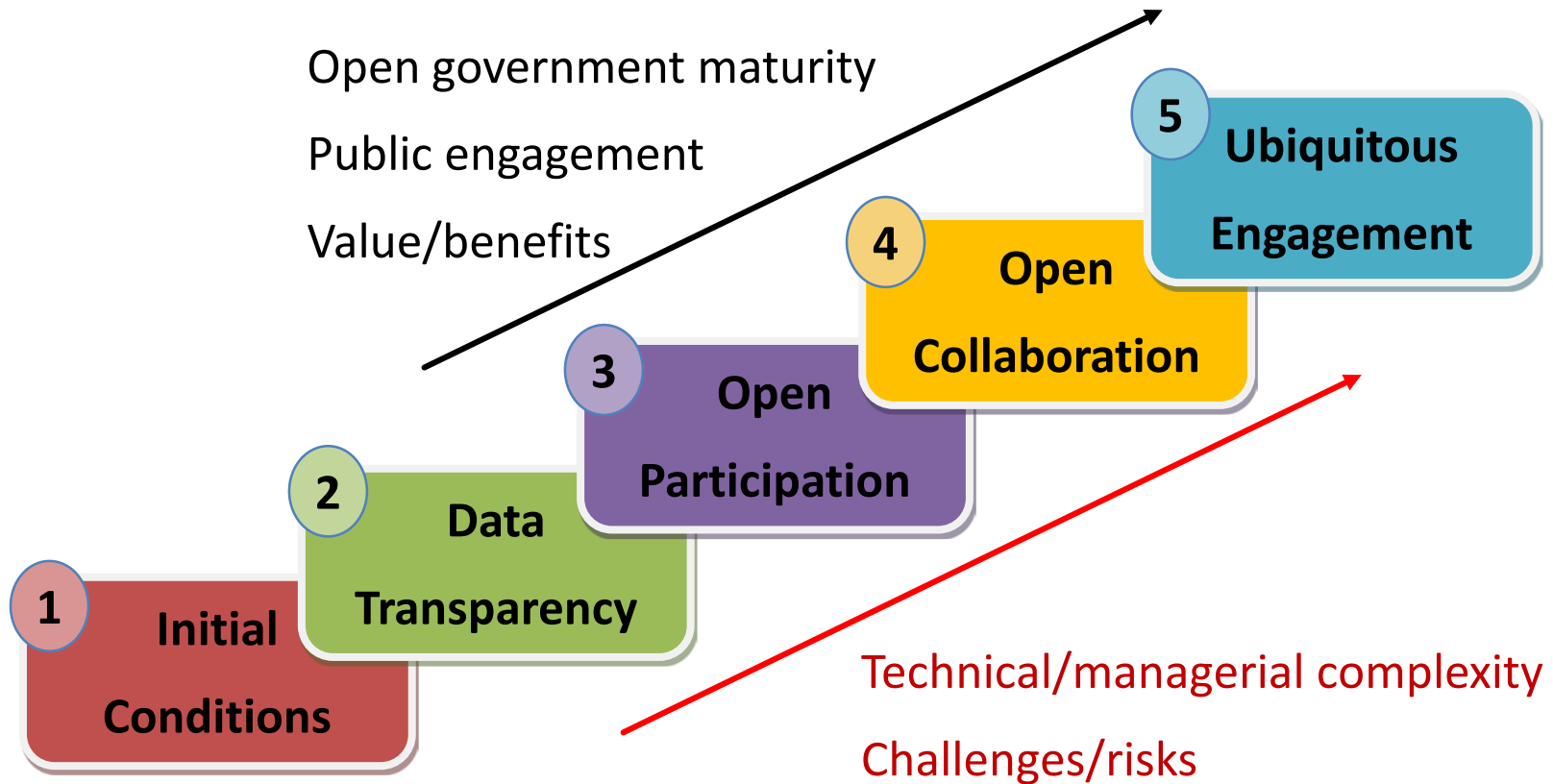
“Transparency, participation, and collaboration form the cornerstone of an open government.”*

- Active **participation** of citizens in public affairs
- Close **collaboration** between public services, and between governments and citizens
- **Transparency** of the City activities



**Open Government Directive, White House, December 9, 2010*

Open Government Maturity Model



Purpose of Open Government Ordinance

- Adopts new practices based on the recommendations of the Mayor's Open Government Task Force.
- Clarifies and supplements the Brown Act and California Public Records Act (CPRA).
- Codifies City's existing policies and adopts new practices.
- Fosters openness and transparency in City government, and provides opportunities to have more inclusive civic participation.

Open Government Ordinance Highlights

Article I - Introduction

- *Section 1-10.010:* Findings and Purpose
- *Section 1-10.02:* Definitions

Article II Public Access to Meetings

Section 1-10.030: Agenda Requirements; Regular Meetings

- Publish full preliminary agenda packet 12 days before the regular meeting date. (Codifies OGTF's recommendations to supplement Council Policy 000-35).
- Agenda items need to be clear and concise and written in plain, easily understood language.
- No action or discussion undertaken on any item not appearing on the posted agenda, except under certain exceptions allowed by law. (Codifies OGTF's recommendation titled "Agenda Exceptions (Non-agenda items)").
- Copies of City Council Agendas free of charge. Translation and interpreting services will be available upon reasonable request.

Article II Public Access to Meetings

Section 1-10.40: Broadcast Meetings

This section codifies the OGTF recommendation titled “Access to Online Meeting Recordings” and the City’s current practices.

- Meetings to be recorded, televised and video-streamed live as well as archived for replay including close captioning.

Article II Public Access to Meetings

Section 1-10.050: Closed Sessions and Litigation Reports

Codifies OGTF's recommendations titled "Closed Session Agenda" and "Closed Meeting Actions."

- Before any closed session, the City Council shall disclose on the agenda and verbally during open session the basis for the closed session.
- When litigation involving the City is finally adjudicated or otherwise settled, the text and terms of any settlement shall be subject to disclosure.
- City Attorney will provide quarterly litigation settlement reports.

Article II Public Access to Meetings

Section 1-10.60: Public Comment

Codifies OGTF's recommendation titled "Public Testimony" and the City Council's current policy.

- First public comment period on non-agenda items to begin no earlier than 5:00 p.m. Limited to ten speakers selected randomly by the Mayor.
- No public hearing may commence earlier than 5:00 p.m. or later than 10:00 p.m. except under certain circumstances.
- City Clerk's Office provides written guidelines for members of the public explaining City policies regarding public participation and public comment. (Codifies OGTF's recommendation titled "Public Education").

Article III Public Records

Section 1-10.070: Release of Public Records

- Release of public records by a body or by any department, whether for inspection of the original or by providing a copy shall be governed by the California Public Records Act.

Article III Public Records

Section 1-10.080: Responsibilities of Staff

Codifies OGTf's recommendations titled "Public Access to Information," current City practices, and the City's Public Records Act Policy and Procedures.

- The City Clerk shall be the City Public Records Coordinator. Each department head shall designate a Department Representative
- Public Records Coordinator trains staff regarding their obligations under this article.
- Community Engagement Director informs the public about the provisions of this chapter.

Article III Public Records

Section 1-10.090: Disclosure of Records

Codifies OGTF's recommendation titled "Response to Public Records Act Requests."

- The Public Records Coordinator and Department Representatives shall comply with a routine request for disclosable records that are easily identifiable and accessible within three business days if possible.
- A request to inspect or obtain copies of public records submitted to any department or legislative body shall be responded to within ten business days.
- The person seeking the information does not need to state a reason for making the request.

Article III Public Records

Section 1-10.100: Website Information

This section codifies OGTf's recommendation to make available on City's website its policies and procedures.

- Departments shall make an effort to ensure their information is kept current. Departments shall post public documents that are of interest to the public.
- City Clerk's Office shall make available on City's website a Citizen's Guide to Public Information on how to make a public records request and publish a Records Index that identifies the types of records that are maintained by the City.

Article III Public Records

Section 1-10-110: Complaints Regarding Requests of Public Records

This section codifies the OGTf recommendation titled “Appeals Process to Gain Access to Public Records.”

- Complaints alleging that records or some part of records are being withheld may be appealed to the City Council by submitting a complaint on a form provided by the City Manager’s Office to the City Clerk’s Office within 15 calendar days from and after the date of the decision to deny the request.

Open Government Ordinances Adopted in CA

<u>Contra Costa County</u>
<u>Benecia</u>
<u>Berkeley</u>
<u>Milpitas</u>
<u>Oakland</u>
<u>Alameda</u>
<u>San Francisco</u>
<u>Riverside</u>
<u>Vallejo</u>
<u>Gilroy</u>

Source: <https://firstamendmentcoalition.org/public-records-2/california-sunshine-ordinances/>

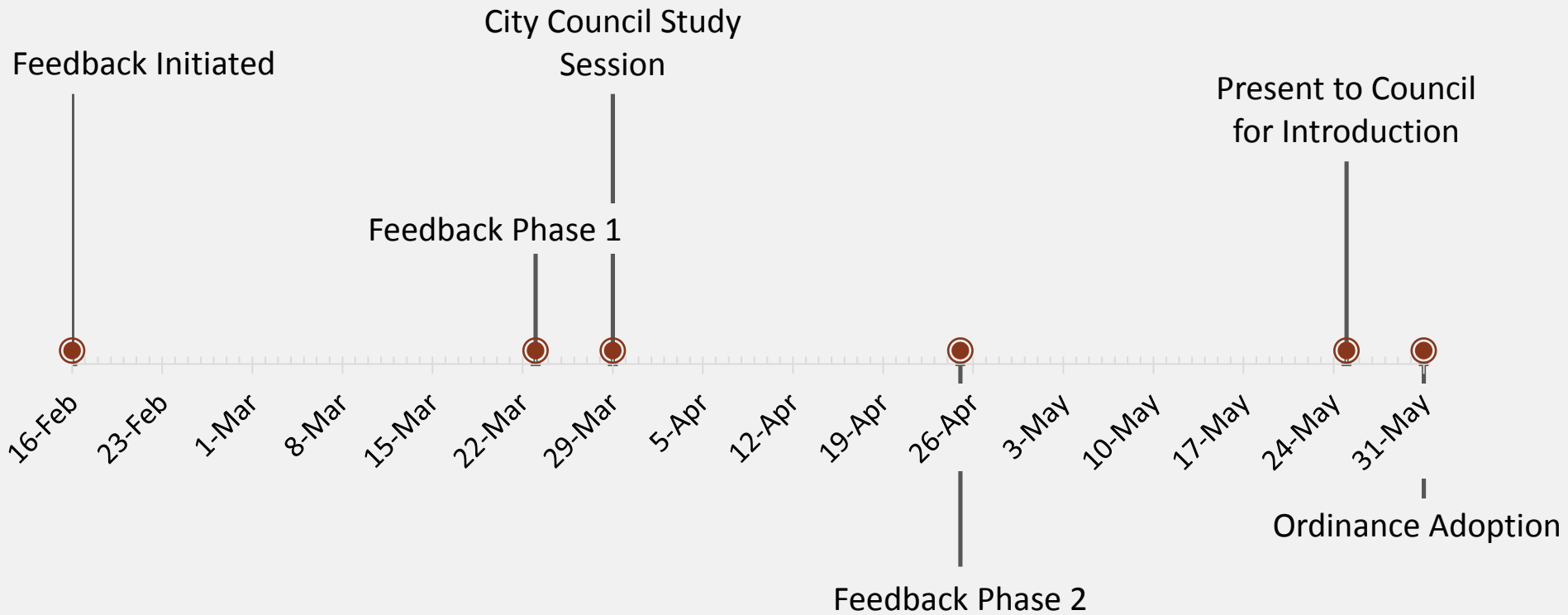
Ordinance Community Outreach

Open Government Task Force
City's Executive Team and other internal staff
CAB Members
Santa Rosa Together
Santa Rosa Chamber of Commerce
Black Chamber of Commerce
Sonoma County Hispanic Chamber of Commerce
NAACP
Los Cien
League of Women's Voters
NorthBay Organizers
Press Democrat Editorial Board
Peace and Justice Center
Santa Rosa Bar Association
Community Input (April, 2016)

Ordinance Community Meetings

Venue	Date and Time (5:30pm to 6:30pm)
Roseland Elementary School Library, 950 Sebastopol Road	April 18, 2016
Oakmont East Community Center, 7902 Oakmont Drive	April 20, 2016
Steele Lane Community Center, Room 4 415 Steele Lane	April 21, 2016
Bennett Valley Senior Center, Room 16 704 Bennett Valley Road	April 22, 2016

Open Government Ordinance Implementation Timeline



Questions?