



Mayor's Open Government Task Force Report

December 2, 2014

TABLE OF CONTENTS

TASK FORCE MEMBERS BIOS	2
LETTER FROM THE CO-CHAIRS	6
INTRODUCTION.....	7
EXECUTIVE SUMMARY	8
RECOMMENDATIONS.....	9
1. Immediate Actions Recommended for Council.....	9
1.1. Set Council Goal of “Open and Transparent Government”	
1.2. Set three strategic objectives for the municipal organization	
• Hire a Communications Director	
• Adopt a Sunshine Ordinance based on Task Force recommendations	
• Create a City mission statement which embraces Community Engagement	
2. Develop a Culture that Values Public Engagement	10
2.1. Genuinely engage and partner with neighborhoods, volunteers, businesses, institutions, and other organizations which support our community	
2.2. Establish Santa Rosa as a leader in civic engagement with the goal of increasing Openness, Transparency and Accountability	
2.3. Close the communication loop - Acknowledge the value of community input, wisdom, and participation	
2.4. Increase opportunities for diverse community engagement and effective participation	
2.5. Build a strong civic infrastructure – educate people about how best to engage	
3. Develop a Culture Focused on Communication	16
3.1. Create a Communications Director Position	
3.2. Overhaul City’s website to create an effective tool for residents	
4. Develop Policies that Promote Openness.....	19
4.1 Draft and adopt a Sunshine Ordinance that supports transparency and open government through policies that exceed minimum requirements and statutes for meetings and public records	
4.2 Policy Recommendations that exceed minimum requirements and statutes for meetings and public records	
4.2 <i>Recommendations for “Policy Recommendations that exceed minimum requirements and statutes for meetings and public records.”</i>	
ATTACHMENTS	21
1. Community Engagement Subcommittee Recommendations and Supporting Information	
2. Policy Subcommittee Recommendations and Supporting Information	
3. Policy Subcommittee Tables	
4. Supplemental Information	

TASK FORCE MEMBERS BIOS



Co-Chair: Vice Mayor Robin Swinth

Robin Swinth was appointed to the Santa Rosa City Council in January 2013. Robin was appointed Vice Mayor for November 2013-December 2014. She is a native of Santa Rosa and worked locally in the high tech industry as an electrical engineer for 14 years. Currently, she and her husband own a small sales and consulting business which provides assistive technology to people with disabilities. Prior to her appointment to the City Council, Robin volunteered extensively in local government. She served for five years on the Santa Rosa Board of Public Utilities and for four years on the Santa Rosa Planning Commission. Robin also served on the Santa Rosa Program Management Team for the General Plan Update of 2000. Robin's priorities include working to ensure the longer term fiscal sustainability of the City budget, regional water issues, and economic development.



Co-Chair: Councilmember Erin Carlstrom

Erin Carlstrom was elected to the City Council in December 2012. She served as the Vice Mayor until November 2013. Erin is a business owner and practicing business attorney. Prior to being elected, Erin served on the Measure O Citizens Oversight Committee and on the Planning Commission. Erin has been an active member of Santa Rosa's community, having served on a number of non-profit and organization boards including as the past-President of the Redwood Business Alliance and as an executive board member of the Accountable Development Coalition. Erin is also a swimmer with the Santa Rosa Masters team which trains at Santa Rosa's Ridgway pool. Erin's priorities include supporting local businesses, pedestrian and cyclist safety, and maintaining and expanding park and recreation opportunities throughout Santa Rosa.



Tony Alvernaz

Mr. Alvernaz retired from the City of Santa Rosa in 2011 after a 27 year career as a Computer Programmer/Analyst. At the time of his retirement he was President of the Santa Rosa City Employees Association (SRCEA). During his time at the City he has served on many committees such as Strategic Planning, Internal Communications, Domestic Partners sub-committee, Financial Stabilization sub-committee, Healthcare Coalition and Pension Task Force to name a few. He is active in the Community serving on the Board of Directors of The Luther Burbank Rose Parade & Festival for the last 11 years, serving as President in 2008, 2009 and 2013. He is a member of the Sonoma County Alliance serving as President in 2007. He serves on the Board of Directors, the Executive Committee and the Political Action Committee. Mr. Alvernaz served on the City of Santa Rosa 2011/2012 Charter Review Committee.



Dee Dee Bridges

Dee Dee was an educator for over twenty years as an elementary school teacher, junior high school computer applications teacher and most recently teaching English in the Business Core at Windsor High School. During her time as a teacher, she was a Technology Mentor for Gilroy Unified School District and she served on the Site Council of Windsor High School. After retiring she became active in the League of Women Voters of Sonoma County and has participated in numerous forums, served as Editor of The Voter, participated on the Sonoma County Commission on the Status of Women, was the leader on Voter Registration Day for two years, worked on Smart Voter, served as Voter Service Chair and was League President. During her tenure as President, the LWVSC cosponsored the RUN workshop on Community Involvement, How to Get Appointed to Boards, Commissions and Committees. Currently she is serving as a LWVSC representative to the Task Force for the Homeless. She is also a member of the Sonoma County Forum, a Tutor for the Sonoma County Library Literacy Program, a member of the Fountaingrove II Landscaping Committee and a member of the Santa Rosa Quilt Guild. After living in several communities in northern California, she feels that being a resident of Santa Rosa has been and continues to be a wonderful place to live.



Ashle Crocker

Ashle is an attorney specializing in environmental, land use, and natural resource law, including compliance with the California Environmental Quality Act. Ashle currently serves on the Advisory Board for the Children's Museum of Sonoma County and, as the past Vice President of the Board of Directors, she worked with the City of Santa Rosa to secure necessary entitlements and CEQA review for the Museum's new permanent location. Ashle was appointed to the City of Santa Rosa Planning Commission in February 2014 and currently serves as a member of the Commission. In March 2014, Ashle was appointed by the Mayor of Santa Rosa to serve on the Mayor's Open Government Task Force and currently serves as a representative for the City's Boards and Commissions. Prior to her appointment to the Planning Commission, Ashle served on the City of Santa Rosa Bicycle and Pedestrian Advisory Board.



Shirleen DeRezendes-Claiche

Shirleen L. DeRezendes-Claiche's family has lived in Sonoma County for five generations that included the Bollinger's of Sebastopol, as well as the Faccini's and Pattengill's. Since preschool she attended local schools including Santa Rosa High School and Santa Rosa Junior College. She earned her B.S. Degree in Business at Pacific Union College in Angwin Napa, and is completing her final year of law school at John F. Kennedy University in Pleasant Hill. She worked for six years at Mary's Pizza Shack with her first official customer after her training being "Mary" herself.

Shirleen relocated to Lake County in 1997 with her husband and two young children and was elected to the Lakeport City Council at the age of 29 from 1998-2002, she served on numerous local and regional boards and committee's including representing Lakeport at the League of California Cities annual meeting. She moved back to her hometown of Santa Rosa with her two son's Benjamin and Devon in 2005

to be closer to her extended family and to complete educational goals. Both boys attended schools in the Rincon Valley School District. In addition to her political experience while in Lake County Shirleen worked as Program Manager for the Health Department, a Newspaper Reporter and after moving back to Santa Rosa has worked at the Disability Services Legal Center assisting disabled clients.

While she has enjoyed her participation in the Open Government Task Force immensely and hopes to someday continue to serve her community in some capacity, her immediate goal is to focus on completing her educational goals and beginning her law career.



Rabbi George Gittleman

Rabbi Gittleman has been the spiritual leader of Congregation Shomrei Torah, in Santa Rosa, since 1996. He holds a B.A. in American History from the University of Vermont, a Masters in Hebrew Letters as well as Rabbinic Ordination from the Hebrew Union College- Jewish Institute of Religion. Rabbi Gittleman is a Senior Rabbinic Fellow of the Shalom Hartman Institute in Jerusalem and a graduate of the Rabbinic Leadership Program of the Institute of Jewish Spirituality. Rabbi Gittleman is married to Laura Gittleman, a nurse and the Director of the Emergency Department at Kaiser Hospital in Santa Rosa. They are blessed with twins, Levi and Sophia who are both freshman in college.



Bruce Kyse

Bruce Kyse is a consultant in the newspaper industry. He was Publisher of The Press Democrat Media Group from 2005-2013, and Executive Editor of the Press Democrat from 1990-1999. In 1999, Bruce left the newspaper to be publisher of the New York Times' website Winetoday.com, a start-up website he founded in 1997. From 2001-2005, Bruce was Vice President for the New York Times Regional Newspaper Group. Bruce has served twice as a jurist on the Pulitzer Prize selection committee and during his tenure as editor The Press Democrat won the Pulitzer Prize. Bruce and his wife, Robin, reside in Santa Rosa with their daughter Taylor, 18.



Peter Stanley

Peter's career has spanned much of the design and development process. He started in construction before moving over into managing design and development projects for Simons & Brecht and later AXIA Architects. In 2001, he started his own facilities management and development consulting practice where his understanding of project management and development helped shape complex plans into reality. In 2006 he founded ArchiLOGIX, a design and development strategies consulting firm with a concentration on private development, commercial, institutional and mixed-use projects. Since 2007, the focus of his partnership in ArchiLOGIX with award winning architect Mitch Conner is the implementation of infill and smart growth development aligned with community engagement principles that include all interested stakeholders.

Complimenting his career, Peter contributes his time and expertise to nonprofit organizations like the Santa Rosa Chapter of Rebuilding Together; as well as Vice

Chair of the City of Santa Rosa's Planning Commission; also he is the Development Director for a community building project in Nicaragua that has funded, designed and constructed a neighborhood of low-income homes including infrastructure, schools and a community center. Peter is now Board Chair for Clinica Verde a medical focused international nonprofit committed to the development and operation of sustainable medical clinics in Central America and which will be expanding into the United States in 2015. Their first clinic was opened in January 2012 in Boaco, Nicaragua and has seen over 30,000 underserved patients since it opened its doors.



Karen Weeks

Karen was employed for almost 29 years by the City of Santa Rosa, working first as a Housing Specialist in the Economic Development and Housing Department developing the Neighborhood Revitalization Program, working on homeless programs as well as affordable housing projects. Her second position was as the Administrative Services Office in the Police Department responsible for the budget, facilities and council relations. During her tenure with the city she participated in a number of community events/activities including serving as a fund leader for the employee fund drive; facilitating DINE events; Citizens Police Academy; Santa Rosa Citizens Academy; participating in Leadership Santa Rosa Class 9 and facilitating community budget workshops. She has always valued being an active part of the community she loves and has served on the Boards of numerous organizations including Forgotten Felines of Sonoma County, American Association of University Women, World Affairs Council of Sonoma County, Sonoma County Taskforce on the Homeless, and Sonoma County Law Enforcement Chaplaincy. She has also volunteered in the Schools of Hope program. Upon her retirement she was appointed by Vice Mayor Robin Swinth to serve on the Measure O Citizens Oversight Committee. Currently she is on the Board of Directors of Habitat for Humanity Sonoma County, as well as volunteering at the California Welcome Center/Santa Rosa Visitors Center.

Supporting Members



We also want to acknowledge and thank **Arnie Barragan** and **Katie Barr** for their help and support on the Task Force. Arnie and Katie both served on the OGTf initially, and their work was extremely valuable in helping the Task Force move productively forward.

Arnie Barragan, Human Resources specialist at St. Joseph's Health System, has 20 years of experience as a community organizer and facilitator in Santa Rosa in support of community lead initiatives which promote social change and foster community engagement and leadership capacity. His volunteer work includes the Roseland Cinco de Mayo Festival, Santa Rosa Community Advisory Board, and Santa Rosa Together.

Katie Barr, Career Technology Education Grant Director for the Sonoma County Office of Education and former Executive Director for Tomorrow's Leaders Today, has volunteered extensively in Santa Rosa including as Board Trustee for the Rincon Valley Unified School District, Elsie Allen High School Foundation Board Member, and Youth Empowerment Council Facilitator. (Picture not available.)

LETTER FROM THE CO-CHAIRS

Dear Mayor Bartley and members of the Santa Rosa City Council,

We are pleased to submit the Mayor's Open Government Task Force's (Task Force) report and recommendations.

As Co-Chairs, we were extremely impressed by the dedication of the Task Force members and the interest of the public in our work. We purposefully asked the Task Force members to drive the conversation at the meetings, and we covered a wide range of topics regarding open government. We feel confident that our report presents a constructive beginning to a new era of transparency, openness, and collaboration for Santa Rosa.

The recommendations reflect the deliberations and robust conversations of the dedicated and diverse members of the Task Force as well as of the community. We have actively met for eight months, held two community forums, worked as subcommittees, conferred with David Vossbrink (San Jose's Communication's Director), listened to and met with speaker Matt Leighninger (Deliberative Democracy expert) in coordination with Santa Rosa Together, and worked with Santa Rosa City staff members.

This report contains three general areas of recommendations for improving the transparency and openness of our local City government: improving community engagement, increasing communication, and strengthening policy related to transparency. While the Task Force believes all recommendations contained in the report need to be implemented, we also acknowledge that budget and legal constraints may hinder some efforts. We have thus sought to prioritize the recommendations for your, and the Council's, consideration.

We are deeply appreciative of the hard work and perseverance of the Task Force members, City Attorney Caroline Fowler, City Clerk Terri Griffin, Community Engagement Coordinator Jennifer Tuell, former Assistant City Manager Jennifer Phillips, and Administrative Secretary Catherine Noceti. We also want to acknowledge Santa Rosa's engaged citizenry for taking our work seriously, engaging productively to move this effort forward, attending our forums and Task Force meetings, submitting proposals, and broadcasting our work to the broader community.

Finally, we want to thank you, Mayor Bartley, for getting this effort started, working to bring the members of the Task Force together, and supporting our efforts during the last year.

Sincerely,

Co-Chairs: Erin Carlstrom and Robin Swinth

INTRODUCTION

In January 2014, Mayor Scott P. Bartley convened the Mayor’s Open Government Task Force (Task Force), a diverse group of Santa Rosa residents, to obtain recommendations about how to improve openness and transparency in Santa Rosa municipal government.

The Task Force began bi-monthly public meetings in April 2014, utilizing a process of community engagement, informal discussions, and hearing from local and state leaders on the subjects of communication and community engagement. Through this process the Task Force concluded that the City already connects in many constructive ways with residents. Task Force members were educated about City policies and outreach programs used to promote open government, and concluded that staff works diligently to follow state and federal requirements for openness.

Through meetings and open forums it became apparent, however, that within our community there is a growing sense of mistrust and frustration with City government. Community members who addressed the Task Force asked for improved communication, collaboration and access to decision makers. Residents expect that their voices will be acknowledged and their efforts will be respected during governmental decision-making processes.

The Task Force concluded that the City – despite adhering to, and sometimes exceeding, the state’s legal requirements – still has critical work to do. Openness and engagement should become a City priority in order to meet the changing expectations of the community.

The Mayor and the City Council, through the Open Government Task Force, have taken the first step to analyze the problem and to identify specific desired outcomes. Now community leadership must find innovative ways to allocate the resources to achieve these desired goals. We do not intend to imply that this process is either simple or fast, or that government is the only problem. The solutions to these issues will be solved through a comprehensive

community engagement strategy that invites everyone to the table.

To move forward, the Task Force has compiled a list of recommendations categorized in four sections. From the highest strategic level, the Task Force’s first recommendation is that the City Council demonstrates its commitment to openness by adopting “Open Government” as an official Council Goal. This assures the citizenry that open government has been established as a high priority for the Council, City Manager and City staff. It also creates a sense of imperative for action.



To that purpose, the Task Force is recommending several specific actions the City can take to improve communication, access and public engagement. This report provides guidance for the City to fulfill its goal of greater transparency and openness. Effective change can only be accomplished through a long-term approach and with the dedication of City officials towards the adoption of policy changes, public engagement protocols, feedback to the community, and the monitoring of measurable outcomes that are outlined in this final report of the Mayor’s Open Government Task Force.

EXECUTIVE SUMMARY

Mayor Scott P. Bartley convened the Mayor’s Open Government Task Force, a diverse group of Santa Rosa residents, to obtain recommendations about how to improve openness and transparency in Santa Rosa municipal government. The Task Force met for eight months, held two community forums, hosted guest speakers, worked with staff, and conducted independent research.

Through this process the Task Force concluded that the City already connects in many constructive ways with residents and that staff works diligently to follow state and federal requirements for openness.



It also became apparent through this process that within our community there is a growing sense of mistrust and frustration with City government. Community members asked for improved communication, collaboration and access to decision makers. Residents expect that their voices will be acknowledged and their efforts will be respected during governmental decision-making processes.

The Task Force concluded that the City – despite adhering to, and sometimes exceeding, the state’s legal requirements – still has critical work to do. Openness and engagement should become a City priority to meet the changing expectations of the community.

“Help us learn about each other and figure out a way to be part of an active partnership.”

- Participant in public forum

The Task Force’s report and recommendations fall into four groups:

1. Immediate Actions For Council
 - 1.1 Set a Council goal of “Open and Transparent Government”
 - 1.2 Set three strategic objectives for the organization
 - Hire a communications director
 - Adopt a sunshine ordinance based on Task Force recommendations
 - Create a City mission statement which embraces community engagement
2. Develop a Culture that Values Public Engagement
3. Develop a Culture Focused on Communication
4. Develop Policies that Promote Openness

Establishing a Council “goal” with strategic objectives establishes priority and accountability for the important work of creating a more open and transparent Santa Rosa City government.

Developing a municipal culture that values community engagement creates openness. While we have an elected City Council, community members affected by City policies want substantively greater opportunity to be part of the process.

Developing a municipal culture focused on communication is foundational with regard to creating openness and transparency. Openness and transparency are fundamentally about communication – two-way communication.

Developing specific policies that promote openness and transparency codify the best practices that establish the basis for openness and transparency.

RECOMMENDATIONS

1. Immediate Actions Recommended for Council

There are numerous recommendations and detailed suggestions contained in this report. Although we feel that each specific recommendation has value and importance, there are four actions the Task Force is recommending for immediate action by Council. These first steps will begin to move Santa Rosa City government forward toward more openness and transparency.

1.1. Set Council Goal of “Open and Transparent Government”

Establishing such a goal ensures that City staff and Council members prioritize the important work of creating a more open and transparent Santa Rosa City government. As a goal, the City Council would take measurable action that would be reviewed quarterly during City Council meetings.

1.2. Set three strategic objectives for the municipal organization

Hire a Communications Director:

The most important step the City could take towards developing an organizational culture which values public engagement and communicates more openly and transparently would be to hire a Communications Director. The Task Force envisions the Communications Director as a position that champions open and transparent government within the municipal organization. Currently, no one in Santa Rosa’s 1200 person municipal organization holds sole responsibility or accountability for setting

clear expectations and developing municipal wide processes about consistent and constructive community engagement and communication. No one person is accountable for setting clear and measurable expectations about communication. It is important that the Communications Director value communication between the City and the public as a two way process: providing information to the public and promoting the opportunities for the community to provide input to the City. This position must have the authority and standing, which comes from participating at an executive level within the City organization, to prioritize the value of communication, community engagement, and sunshine policy during the organization’s executive level decision making. Details are contained in section 3.1 of the recommendations.

Adopt a Sunshine Ordinance based on Task Force recommendations:

Clearly outline in one procedural document all of the City’s open government processes, procedures and policies (referred to as a “Sunshine Ordinance”) along with considering the recommended improvements in this report, with the goal of increased transparency, restored public trust and a higher degree of public participation. Details are contained in section 4 of the recommendations.

Create a City mission statement which embraces Community Engagement:

Formulate a mission statement for community engagement and work to create a pervasive culture of open and collaborative partnerships between elected officials, city staff, and the community. Details are contained in Section 2 of the recommendations.



2. Develop a Culture that Values Public Engagement

Developing a municipal culture that values community engagement is one of the most impactful actions that Santa Rosa City government can take to increase government openness. Community engagement is the mechanism or process by which citizens engage in their democracy. There was a strong sense from the Task Force that Santa Rosa needs to do more to engage and listen to the diverse voices and stakeholders within our community. While we have an elected City Council, the community desires and expects to participate in the processes which create policy choices and

recommendations to Council - especially when the community faces tough problems which require a more diverse perspective for resolution. The following sections describe more specific strategies for strengthening community engagement.

“Create an environment that we can all learn and share from.”

- Participant in public forum

2.1. Genuinely engage and partner with neighborhoods, volunteers, businesses, institutions, and other organizations which support our community

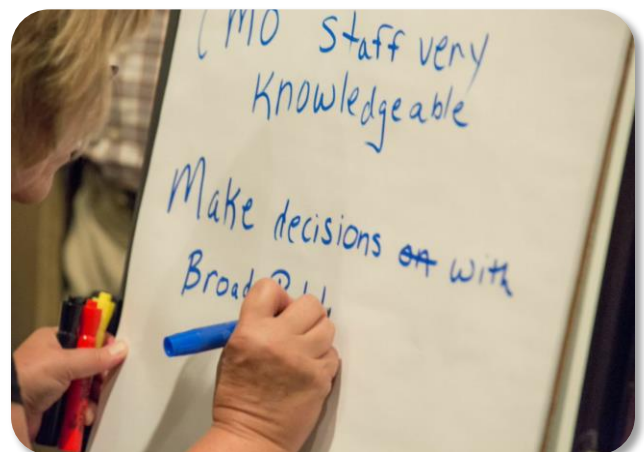
Residents’ knowledge, wisdom and experience is the backbone of any successful community. Santa Rosa is an amazing City of talented and engaged citizens. Decision makers – both elected and employed by the City – should acknowledge, embrace, and invite the input from all stakeholders with the understanding that by addressing social equity, environmental sustainability and economic development, we have the potential to shift decision making from an adversarial to a collaborative process. Genuinely engaging and partnering will result in better decisions which have more buy in from the community and, by virtue of the process, will also result in increased trust and equity as well as reduced frustration for both the public and public officials.

Through public/private partnerships as well as engaging nonprofits, neighborhood organizations and the business community, we increase our opportunities for success. Those who are willing to honestly and respectfully engage with their community and government must be assured that their input is at the very least being considered in the decision making process.

There is already an infrastructure in place that can be enhanced, improved and utilized to help implement this goal. The Santa Rosa Violence Prevention Partnership (formerly known as the “Mayor’s Gang Prevention Task Force”) utilizes an integrated

network of neighborhood groups, interagency relationships and regular meetings in order to create an infrastructure that is very effective in bringing various groups together to problem solve. The City would be well served in emulating that same model in partnering with a broader cross section of community organizations to help engage and encourage community participation. The Community Advisory Board (CAB) is also a City board that is already engaged and should be better utilized to engage and educate the community.

There was a strong sense from Task Force members that the conversation about Open Government must continue for Santa Rosa. There should be a forum where staff and residents can collaboratively work together to move ideas for improving openness and transparency forward.



Opportunities to accomplish this include:

2.1 Recommendations: Genuinely engage and partner with neighborhoods, volunteers, businesses, institutions, organizations and other local government agencies

- a. Shift definition of partnership to include Community Involvement*
- b. Coordinate use of volunteers City-wide*
- c. Look for opportunities to form partnerships with other community organizations and neighborhood groups*
- d. Create opportunities for partnerships and ask for help in getting people engaged*
- e. Further incorporate the Community Advisory Board (CAB) in civic engagement practices*
 - Clarify role and mission*
 - Education and outreach about participatory government*
 - Work with Teen Council*
 - Emergency preparedness*
 - Regular communication with Council*
- f. Explore reassessing and restructuring CAB so that it can help facilitate and activate more effective practices for community engagement*
- g. Build on excellent engagement model of the Santa Rosa Violence Prevention Partnership (formerly known as the Mayor's Gang Prevention Task Force)*
- h. Make use of key strategies outlined in Matt Leighninger's discussion (also contained in National League of Cities Document entitled "Planning for Stronger Local Democracy: A Field Guide for Local Officials") to effectively engage the community during decision making*
 - Actively recruit diverse viewpoints.*
 - Involve those citizens in structured, facilitated small-group discussions, interspersed with large forums for amplifying shared conclusions and moving from talk to action.*
 - Give the participants in these meetings the opportunity to compare values and experiences, and to consider a range of views and policy options.*
 - Produce tangible actions and outcomes.*

2.2. Establish Santa Rosa as a leader in civic engagement with the goal of increasing Openness, Transparency and Accountability

The Task Force recommends establishing Santa Rosa as a leader in civic engagement with the goal of increasing openness, transparency and accountability. Accomplishing this requires a cultural shift for our local government and, therefore, the commitment of the City Council and the City organization.

The Task Force also believes that the organization needs to develop a City mission statement aligned



with this goal and which clearly articulates the intent of the organization -something to the effect of: "The City of Santa Rosa is an engaged, open and transparent government; hearing, valuing and honoring all those who live in the community is our goal." This Mission Statement should be at the root of all City decisions thereby sending a message to the community that openness and transparency are not just goals for the City, but are both cultural and organizational imperatives.

This can be accomplished by acknowledging the great work done to date while realizing that despite these accomplishments, negative perceptions, whether real or imagined, will drive the relationship between the community and its government. Building on what works, and fixing that which doesn't, requires bringing diverse stakeholders together for community conversations which produce tangible outcomes and actions. Learning from the past and focusing on advancing new ideas will inform this process.

Opportunities to accomplish this include:

2.2 Recommendations for Increasing Transparency

- a. *Develop a cross-departmental framework in order to institutionalize a more collaborative approach to public engagement, including a mission statement and measurable outcomes*
- b. *Expand the use of City mailing lists*
- c. *Increase direct communication from the City Council and City Manager*
 - *Brown bag lunches*
 - *Electronic newsletters*
 - *Coffee with Council member or local leader*
 - *Listening forums*
- d. *Create strategically located, electronic, and bilingual kiosks for public information*
- e. *Overhaul City Website – see Section 3.2*
- f. *Encourage next charter review committee to explore*
 - *District elections*
 - *Pay for Council*

2.3. Close the communication loop - Acknowledge the value of community input, wisdom, and participation

There is a strong perception in the community that residents' input is not valued by City staff or Council members. This sentiment has been expressed to Task Force members by people who engage productively and care about the community. When decision makers fail to acknowledge input, residents assume it has been disregarded. It is critical that the community members who engage with City processes be assured that their input, whether followed or not, has been heard and considered. Residents' efforts to engage need to be acknowledged; we need to find ways to close the communication loop. Critical and difficult decisions deserve a meaningful public engagement process.

This will foster a spirit of collaboration within government and further promote an engaged population.



Opportunities to accomplish this include:

2.3 Recommendations for Acknowledging the value of Public Input

- a. *Make time at the beginning of Council meetings for public comment*
- b. *Close the communication loop*
 - *Standard Operating Procedures for all questions and complaints, central point of contact*
 - *Address all inquiries (Close the feedback loop)*
 - *Find ways to improve active listening by Council members and staff*
- c. *Foster a spirit of collaboration in problem solving and decision making*
- d. *Communication in times of crisis needs significant improvement*
 - *Move from "We are in compliance with the law." to "Are we meeting the spirit of the law?"*
 - *Town Hall meetings should be convened as soon as possible to improve communication*
 - *City should focus on two-way communication in times of crisis*
- e. *Start critical conversations earlier with the community and hold such meetings at times and places conducive to public participation*
 - *Chance for community to deliberate, discuss and help develop solutions*
 - *Establish Participatory Budget Process*
 - *Council Goal Setting Process*
 - *Community input for hiring key City Officials, such as executive level staff*
- f. *Find ways to demonstrate that public input has been heard. Track complaints and resolutions – make visible online*
- g. *Find ways to make it easier to get City information*
- h. *Encourage City Staff to utilize best practices in customer service with the goal of helping the customers or residents solve the problem, achieve the goal or explain why it cannot be accomplished; adopt an earnest approach of "How may I help you?"*
- i. *Central point of contact- ombudsman to help citizens navigate City processes such as Planning*

2.4. Increase opportunities for diverse community engagement and effective participation

Community members want meaningful opportunities to participate in and influence planning and decision making. In order to promote inclusive, collaborative and robust community involvement, especially for under-served and under-represented individuals, the City should evaluate best practices and experiment with a wide variety of tools for public engagement and effective participation.



New and creative engagement opportunities are going to require new and creative ideas. Empowering residents as well as City staff to experiment with new strategies for community engagement requires shifting to a learning and knowledge based approach. Constructive feedback through community engagement opportunities will engender a communication paradigm that supports working together to solve problems. The necessity of capitalizing on the strong social networks within the City and bringing diverse interests to the same table cannot be over emphasized.

Residents expect opportunities to work together to bring constructive ideas to the table in order to address the issues we face as a community. The notion that "democracy is messy" is true, but without respectful interaction and setting and monitoring of goals through measurable outcomes, we will only succeed in closing down and missing the important opportunities we need in order to move forward.

Opportunities to accomplish this include:

2.4 Recommendations to "Increase opportunities for diverse community engagement and effective participation"

- a. Give the "Communications Director" the responsibility and authority to work within the City organization to activate and promote more effective public engagement.*
- b. Hold meetings at various locations throughout the City (other than Council Chambers)*
- c. Go beyond conventional feedback tools of community meetings and surveys*
 - Regular DINE events (Discussions Inspiring Neighborhood Engagement, a program that brings small groups of people together at homes or community centers for a potluck dinner to discuss challenges facing our City.)*
- d. Assist Neighborhood Groups to organize and engage*
- e. Make use of neighborhood apps, such as Nextdoor*
- f. Schedule quarterly public forums/Town Hall Meetings with City Council*
- g. Increase outreach through media, events webcasts, surveys, newsletters (English/Spanish)*
- h. In times of crisis focus on two way communication*
- i. Make public noticing understandable – move away from "government speak"*
- j. Explore how technology can increase accessibility at Council meetings*
- k. Explore organizing City government in a way that better meets the needs of residents*
- l. Make the website resident-centric*

2.5. Build a strong civic infrastructure – educate people about how best to engage.

Daniel Lathrop and Laurel Ruma, in their book Open Government, state, “Open government without a corresponding increase in an informed, concerned, and engaged citizenry is no solution; in fact, it makes no sense.” Educating the public in how City government works is not a luxury but a necessary goal to engaging and informing our citizenry. The Task Force recognizes that it is essential to develop and support civic structures and processes that encourage active and meaningful community involvement. This approach would strengthen the capacity of individuals and the community to participate in budget allocations, planning processes,

permitting, volunteering, and other decisions impacting civic life in Santa Rosa.



Opportunities to accomplish this include:

2.5 Recommendations: Build a Strong Civic Infrastructure - Helping people know how, when and where to engage

- a. Launch an educational series to build the civic skills and capacity of those who live in Santa Rosa through technology (YouTube, website, social media)*
 - “Citizen Guides”*
 - How to request Public Records*
 - How to participate in a Council meeting*
 - Local Government 101*
 - General Plan*
 - Citizen’s Academy to actively involve all community stakeholders in their government*
- b. Encourage and support school districts to include curriculum focused on local government*
 - Support Student Curriculum by providing speakers and information to districts*
 - Partner with existing organizations to reengage the Teen Council and explore expanding the reach*
 - Explore with educational institutions best way to partner to encourage engagement*
 - Design youth contests for City Apps*
 - Youth Council (Teen)*
 - Working with State Legislators on Curriculum that focuses on local government*
 - Utilization of Internships with credit*
 - Job shadowing*

3. Develop a Culture Focused on Communication

Developing a municipal culture focused on communication is foundational with regard to creating openness and transparency. Openness and transparency are fundamentally about communication – two-way communication.

The City has dedicated and diligent staff that have worked to follow the law with regard to communication. Yet, the City organization is perceived as holding information tight and resistant to public engagement. When the City is ineffective at or seemingly unwilling to communicate basic decisions or clear explanations for their decisions - when managing legal limits and liability define communication - the intent of the communication is actually lost, and the lack of communication damages the relationship between the City government and community members. The City needs to do a better job of communicating with its residents.

Communication between the City and the public should be a two-way process: providing information

to the public and promoting the opportunities for the community to provide input to the City. In the City of Santa Rosa, a 1200 person municipal service organization, there should be municipal wide processes to enable consistent and constructive communication with the public.

The following sections describe specific strategies for strengthening communication between the City and its residents.



3.1. Create a Communications Director Position

The most important step the City must take towards developing a municipal culture which values public engagement, communicates more clearly with the community, and champions open and transparent government policy would be to hire a Communications Director. Residents expect their



City government to communicate, listen, acknowledge their input, and respect their role in participating in decisions which affect them. Yet, presently, no one person in Santa Rosa's 1200 person municipal organization is tasked with or accountable for developing municipal wide processes about consistent and constructive community engagement and communication. No one person is accountable for setting clear and measurable expectations about communication, and there is not a champion at the executive level of the organization for transparency.

It is important for the City as an organization to create effective two-way communication with the community so that information is provided to the community and effective channels are established and promoted to receive input from the community. Even in the City's best attempts to communicate

clearly about impactful decisions, the City has found itself under fire from the community. Currently, communication and community engagement is handled on a case-by-case basis within each department. The Communications Director should be responsible, at a strategic level and across the organization, for developing and facilitating the organizational tools, processes, and structure necessary to promote effective and robust public engagement strategies.

The Communications Director must have the authority, which comes from participating on the City Manager’s executive team, to prioritize the value of communication, community engagement, and open and transparent government in the organization’s executive level decision making. The Task Force envisions the Communications Director as a position that champions transparency and openness at the executive level within City Government.

Opportunities to accomplish this include:

3.1 Recommendations for “Create a Communications Director Position”

- a. Executive management level authority
- b. Oversee community engagement
- c. Oversee website
- d. Partner with local media and neighborhood groups
- e. There needs to be a more consistent and resident-focused approach to the communication from the 1200 person service organization of Santa Rosa City
- f. Oversee communications efforts in all departments

“I found it very refreshing to listing to the meetings of this task force... gives me hope about the democratic process.”

- Participant in public forum

“We need to think differently about ways to engage the public.”

- Participant in public forum



3.2. Overhaul City's website to create an effective tool for residents

We heard from the community and staff that the current website is a significant barrier for residents who want City information. The website is cumbersome and difficult to navigate - even for simple tasks. Many other communities design their websites to help citizens work effectively with City government, inform the public, attract visitors, showcase resources and community events, and manage legislative information. Openness and Transparency necessitate an intuitive website where everyone can find up to date information easily. Creating a website that is an effective informational tool for residents must a top priority of the City.



Opportunities to accomplish this include:

3.2 Recommendations for "Overhaul City's Website to create an effective tool for residents"

- a. Focus website on how residents get information, not how the City is structured*
- b. Investigate how technology can help with openness and transparency (i.e. Open Data, Public Records, and resident participation during Council meetings)*
- c. Make City policies and procedures available on website*
- d. Employ diverse community feedback during design process*
- e. Up-to-date City Wide calendar on City's website*
- f. Make City information available to and understandable by residents on the website – i.e. improve Public Noticing*
- g. Focus communication on how people actually get their information*
 - *Social media*
 - *Video*

4. Develop Policies that Promote Openness

The Policy Subcommittee of the Task Force is recommending several steps the City can take to improve transparency and open government. These findings and recommendations are the result of extensive review of open government policies from several cities and counties that have adopted Sunshine Ordinances. While the Policy Subcommittee determined the City strives to comply with – and in some cases exceed – requirements of the state and federal open government laws, there are opportunities to create a more transparent and accessible City government by revising select policies and procedures. In forming its recommendations, the Policy Subcommittee reviewed many of the

“Sunshine Ordinances” that have been adopted by cities and counties in California. Detailed analysis of the several Sunshine Ordinances are included in the Policy Subcommittee’s full report. (Attachment 2)

“Give weight and importance to decision making roles, it is going to take more than one person.”

- Participant in public forum

4.1 Draft and adopt a Sunshine Ordinance that supports transparency and open government through policies that exceed minimum requirements and statutes for meetings and public records

At the forefront of the Policy Subcommittee’s recommendations is the creation and adoption of a Santa Rosa “Sunshine Ordinance.” The statute would serve as an open-government policy document for the City, as well as a tool to inform the public on ways to engage with the City. The Subcommittee further recommends that the City Council appoint a Task Force comprised of Council, City and public representatives to develop the comprehensive open government statute.

A Sunshine Ordinance, however, is only as effective as the policies contained within the document. Such an ordinance should focus on policies and procedures that exceed openness statutes in the Brown Act and California Public Records Act. It should also codify any existing procedures and practices that provide greater access and more openness than required state and federal law.

“Safety, connection, resilience and communication will all be fostered if our neighborhoods are organized.”

- Participant in public forum



4.2 Policy Recommendations that exceed minimum requirements and statutes for meetings and public records

The Policy Subcommittee also recommends several specific policy and procedure changes. These recommendations represent “best practices” from cities that have adopted Sunshine Ordinances as a method to establish more open governance and enhance community engagement. The Subcommittee’s recommendations are important, if not essential, elements of a Sunshine Ordinance.

However, the list is not exhaustive, and the City should be open to any reasonable procedure or policy that serves to inform or engage its citizenry.

The full report by the Policy Subcommittee (Attachment 2) provides a more detailed list of policy recommendations and explanations. Following are some of the key areas the City Council should address in a new Sunshine Ordinance.

Opportunities to accomplish this include:

4.2 Recommendations for “Policy Recommendations that exceed minimum requirements and statutes for meetings and public records.”

Council agendas and comment:

- Formally adopt and codify existing practices and procedures to provide earlier notice of City Council agendas, as well as supporting documents, staff recommendations and potential impact on budget and City services.
- Publish written guidelines – in print and on the website – to help the citizenry interact more effectively with the City, including public comments at City Council meetings.
- Establish time-certain periods for public comment that are more accommodating to the public, while balancing the need for time-certain schedule of public hearings. (Numerous examples are included in the Policy Subcommittee’s full report.)
- Move Council reports to the end of the meeting or at a more flexible time.

Closed meetings:

- Require that the governing body disclose the reason for any closed meeting as part of the agenda, or verbally announce the reason for emergency items being discussed prior to the closed session.
- Expand requirements for disclosure of settled litigation, including a quarterly public report identifying settlement agreements over a certain size.

Public records:

- Hire or designate a public records coordinator to ensure each department is compliant with open-government statutes, and expedite response times.
- Provide clear guidelines on how to make a request for public records, maintain a public records index that identifies records that are maintained by the City, and establish a formal appeals process when the request for a public record is denied.

Website:

- Revise and update the City website to make it easier for the public to find information about the City, including guidelines for public access and participation.
- Make City policies and procedures available on website.

ATTACHMENTS

1. Community Engagement Subcommittee Recommendations and Supporting Information
2. Policy Subcommittee Recommendations and Supporting Information
3. Policy Subcommittee Tables
4. Supplemental Information

Attachment 1

Community Engagement Subcommittee Recommendations and Supporting Information

Subcommittee Members:

Rabbi George Gittleman, Dee Dee Bridges, Karen Weeks and Peter Stanley

PREAMBLE

There is an inherent difficulty in addressing an issue as complex and layered as government transparency and openness. Clear, affective policies that foster Open Government are essential, yet policy alone will not ensure Open Government. Simply put, one cannot legislate good behavior. Legislation and policy give us an outline of what an open, engaged and transparent government can look like but for the policy to be effective you need something more: a clear statement of values that fills in the picture of the true intent of the policy.

Why is this important? Despite compliance with State law and the Brown Act and a commitment from elected officials and city staff to offer superior service to its constituents, there is still a perception in the community that local government does not make open, transparent and engaged government a priority. Our analysis suggests that the only way to change this perception which we believe is rooted in experience, is, along with new policies, to change the city culture as well.

A culture of openness and engagement with the community must be a part of the DNA of the city and must be nurtured through a **Vision Statement** and **Key Performance Indicators (KPI's)** that are the basis for evaluation of all decisions the City makes. Establishing KPI's is an excellent way of measuring whether intended outcomes are being achieved and helping evaluate how to adjust if they aren't. The measure isn't simply "are we following the rules?" the greater more important question is, "are we being effective at it?" This Vision must be a part of the leadership model that begins with Council and is embraced by the City Manager's office and then throughout the entire organization. Only through a systemic, long term change in public engagement can the community feel as if they are an integral part of the decision making process. This cultural and operational value system must be strong enough to transcend political and staffing changes within the City.

In order to try and understand how other municipalities addressed similar problems, the Community Engagement Subcommittee looked at approaches from other Cities including Portland Oregon. The City of Portland has taken a proactive approach to involving its citizenry in local governance. The **Portland Public Involvement Principles** are a series of objectives that go beyond a policy approach. The Principles set the ground work for a cultural shift in the way political leadership and City staff, educate, inform and continuously engage with their residents. The following goals, based on those principles are in no way intended to create an

exhaustive list of priorities but the beginnings of cultural change that can strengthen the engagement process and trust within the City.

Vision Statement

The City of Santa Rosa is an engaged, open and transparent government; Hearing, valuing and honoring all those who live in the community is our goal.

GOAL 1: Community Involvement as a Partnership

The City and our neighborhoods should work together as **genuine** partners. The City should build and maintain relationships and communication with individuals, neighborhoods, businesses, organizations, institutions and governments. Decision makers should be **connected** to the community, and they should inspire others, including staff and residents, to act together toward common goals.

GOAL 1: Implementation

Despite many efforts on the part of Council and staff this goal has been difficult to achieve in a consistent manner yet it is potentially the most important objective in bringing the community together. There is already an extensive infrastructure in place that can be enhanced, improved and utilized to help implement this goal. The Mayor's Gang Prevention Task Force utilizes an integrated network of neighborhood groups, interagency relationships and regular monthly meetings in order to create an infrastructure that is very effective as a preventative measure in addressing education and gang prevention related solutions. The City would be well served in emulating that same model in partnering with neighborhood groups to help engage and encourage community participation. CAB is also a City board that is already engaged and could be better utilized to inform and educate the community. This would require better defining goals and outcomes expected of the neighborhood representatives as well as nominating and appointment structure that ensures the greatest level of community engagement and participation.

GOAL 2: Transparency and Accountability

City planning, policy, investment and development decision-making processes are clear, open, documented and work to balance a variety of community interests. The City makes it clear to the community who is responsible for making decisions, and how community input was taken into account in decisions made. It is critical that the community members who engage with the City process be assured that their input, although not always followed, is heard, considered and communicated through a feedback loop. Public apathy begins when the public feels that what they have to say is unimportant to the conversation and decisions that are made.

GOAL 2: Implementation

Transparency and accountability must be a communicated goal of the City Council. This is the institutional structure that provides direction and leadership for staff and residents. It is no small task to communicate consistently that informing the public is of the highest priority within the City. But it is also incumbent upon the citizenry to educate themselves to the issues the City

faces. It is hard to take seriously complaints that are not informed by an understanding of any and all obstacles a regulating body must follow.

City Council members should engage with the community through regular Town Hall meetings that take place in different venues throughout the City. These meetings can give residents an opportunity to educate themselves as well as provide direct access to elected officials. The City Manager is also a critical member of this engagement principal since he/she is the day-to-day face of the leadership structure of our City. The City Manager needs to be known and visible in the community and easily accessible to those who wish to address the office. The basic philosophy of the City structure should be that when it comes to information and engagement, we should always err on the side of transparency and openness.

In times of crisis Town Hall meetings should be convened as soon as possible to allow information to be shared by all affected. This will allow the City to see how best it can help the community and also make the community aware of what the City can do.

GOAL 3: Value of Community Wisdom and Participation

Ensure that community members that provide knowledge and input receive some response from decision-makers, including a feedback loop with the rationale for final decisions. It is critical to the process when inviting public participation that there be a system by which information that is provided by the public can be effectively evaluated and addressed by the City.

GOAL 3: Implementation

This is another way in which the City website could be used to post and respond to public feedback. It is not to say that all public suggestions and solutions will be implemented but it is critical to an engaged citizenry that they know they have been heard. There are many implementation strategies outlined throughout this document that would be helpful in acknowledging the important input from the community. It is also important to have a system by which complaints from the community are tracked and addressed.

GOAL 4: Accessible and Effective Participation

City planning, policy, investment and development decision-making processes are designed to be accessible and effective, evaluating best practices and using a wide variety of tools to promote inclusive, collaborative and robust community involvement including under-served and under-represented individuals. Community members have meaningful opportunities to participate in and influence all stages of planning and decision making. The City shall be proactive in helping the community navigate processes, planning and permitting with the objective in all interactions with the public being; *“How may we help you”*.

GOAL 4: Implementation

One of the most difficult barriers to simply getting information about the City is the structure and format of the City’s website. This is potentially an incredible tool for informing the public of what is happening and yet virtually everyone who commented on the website, including staff and task force members, say it is impossible to navigate easily. The website as an effective informational tool must be made a top priority of the City.

Effective participation and robust community involvement can be achieved through a methodical adherence to the notion that directly engaging with the community is imperative. Town Hall meetings as suggested in Goal 2 implementation strategy is one way to provide accessibility to City governance. The Community Engagement Subcommittee also feels strongly that the City needs a dedicated “Community Engagement Director” tasked with creating a robust outreach program with both budget and staff support needed for success. This position, assigned to the City Manager’s office, must have the authority, and be part, of the Executive Team reporting directly to the City Manager to implement strategies and empowered, and protected, to implement and test engagement solutions. In order to ensure that these implementation strategies remain a part of the ongoing goals of the City, it is recommended that Council continue a form of the OGTF that will review, monitor and report back to Council on a regular basis.

GOAL 5: Building Strong Civic Infrastructure

The City recognizes that it is essential to develop and support civic structures and processes that encourage active and meaningful community involvement and strengthens the capacity of individuals and communities to participate in budget allocations, planning processes and civic life in Santa Rosa.

GOAL 5: Implementation

Daniel Lathrop and Laurel Ruma in their book *Open Government* state that, “Open government without a corresponding increase in an informed, concerned, and engaged citizenry is no solution; in fact, it makes no sense”. Educating the public in how City government works is not a luxury but a necessary goal to engaging and informing our citizenry. Leadership training for staff is critical as well as classes for the community to teach those interested in how various mechanisms within the City structure work; budget, planning, permitting, volunteering, etc. This is an excellent opportunity to not only educate but also connect with the community in a meaningful way. It not only empowers the community, it can empower staff to better understand the issues and concerns of those whom they serve. There are a variety of ways to accomplish the implementation of this goal. In the past the city hosted a Citizens Academy which was essentially a Santa Rosa Government 101 class, some ongoing form of this program is recommended.

Conclusions

As stated earlier, this is not an exhaustive list of recommendations and issues related to a public engagement approach. It is intended as a first step to understanding and implementing a strategy that can be tested and evaluated through measurement of Key Performance Indicators. There is an ideation philosophy that says; in order to identify and solve problems we must be willing to “Fail fast and fail often”, not for the sake of failing but for the sake of learning. Government by nature is risk adverse, generally for very good reason, making mistakes is amplified in the public eye. Failure is often interpreted as incompetence even though any successful person or organization will tell you that their failures were their greatest lessons, not learning from those lessons is the fatal error. Creativity requires us to think differently and in order to succeed with this goal we need to empower and protect City staff if we hold any hope

of moving down a path of creative solutions. The community is looking for access, education, a feeling that their voice is important and means something to the decision-making process. Implementing a strategy through policy along with the less tangible elements outlined above can help move our community to a position of trust.

Culture, values and character are critical human characteristics that help define public trust; it's a gauge by which people evaluate their leaders. We will need to implement a process that inculcates a value system that can connect with the community in order to begin to overcome current obstacles. Geoff Smart's book *Leadocracy* condenses the implementation process to three critical elements:

- Analyze: and determine the desired outcomes.
- Allocate: scarce resources; money, people and time.
- Align: resources to achieve the desired goals.

The City Council through the Open Government Task Force has taken the first step in beginning to analyze the problem and to identify certain desired outcomes. Now community leadership must find a way to allocate the resources needed and apply them to achieve these desired goals. We do not intend to imply that this process is either simple or fast, or that government is the only problem. The solutions to these issues will be solved through a comprehensive community engagement strategy that invites everyone to the table.

Attachment 2

Policy Subcommittee Recommendations and Supporting Information

Subcommittee Members:

Ashle Crocker, Bruce Kyse, Tony Alvernaz, Shirleen DeRezendes-Claiche

ISSUE

Should the City Council consider adopting additional policies and procedures designed to improve transparency and open government in the City of Santa Rosa?

BACKGROUND

The City of Santa Rosa currently complies with the Brown Act and the Public Records Act, as required by State law. The City also has enacted Council Policy 000-35, which sets forth additional requirements primarily focused on proper noticing for meeting agendas. The Subcommittee notes this Policy was enacted in 1999 and is therefore quite out of date and does not reflect the current state of technology for public access to information via the internet.

In addition, the City currently implements a number of unofficial practices and procedures focused on transparent governance. These procedures have not been formally adopted by the City and are not codified in any document accessible by the public.

The Policy Subcommittee of the Open Government Task Force was created to review the requirements of the Brown Act and the California Public Records Act, and to consider whether the City of Santa Rosa should adopt additional policies focused on transparency and open government. As part of its review process, the Policy Subcommittee reviewed a number of Sunshine Ordinances to determine whether the policies and recommendations contained therein, or similar policies, should be considered by the City of Santa Rosa.

Specifically, the Policy Subcommittee reviewed Sunshine Ordinances adopted by the cities of Alameda, Oakland and San Francisco and the County of Contra Costa. In addition, the Open Government Task Force invited David Vossbrink from the City of San Jose to attend the Task Force meeting on July 7, 2014, to discuss San Jose's various policies and procedures focused on open government. Of particular interest to the Policy Subcommittee was the city's Sunshine Ordinance which includes policies and procedures designed to enhance the State's open government requirements as set forth in the Brown Act and the Public Records Act.

The information reviewed by the Policy Subcommittee was voluminous. In order to summarize the policies enacted by various jurisdictions, the Subcommittee prepared a spreadsheet to

compare Santa Rosa to the above-referenced jurisdictions. This comparison spreadsheet, attached hereto as Exhibit A, summarized the following data:

1. The requirements of the Brown Act, focused on the following categories:
 - Required Notices and Agendas; specifically addressing regular meetings, special meetings, emergency meetings, closed session agendas and agenda exceptions.
 - Closed Sessions; specifically addressing personnel exemption, public security, pending litigation, labor negotiations and real property negotiations.
 - Public Rights; specifically addressing public testimony, non-discriminatory facilities, copy of recordings, public vote, closed meeting actions, taping or broadcasting, conditions to attendance and public records.
2. The policies enacted by Santa Rosa to exceed the Brown Act in the above-referenced categories, and
3. The Sunshine Ordinances enacted by, or under consideration by, other jurisdictions to exceed the Brown Act and Public Records Act in the above-referenced categories.

As described further below, the Policy Subcommittee concluded that, while Santa Rosa exceeds the Brown Act requirements in a handful of the areas mentioned above, both through Council Policy 000-35 and through unofficial City practices and procedures, there are a number of areas in which the City would benefit by strengthening its existing policies.

ANALYSIS

After comparing various jurisdictions, the Policy Subcommittee determined that Santa Rosa exceeded the Brown Act in the following categories, either by and through Council Policy 000-35 or through unofficial City practices and procedures:

- Required Notices and Agendas - Regular Meetings, Special Meetings and Agenda Exception.
- Public Rights - Public Testimony, Non-discriminatory Facilities, Copy of Recording, Public Vote, Condition to Attendance and Public Records.

In other areas, Santa Rosa meets but does not exceed the Brown Act requirements. Given Santa Rosa's population and government structure, as well as the political climate surrounding transparency at City Hall, the Policy Subcommittee believes the City of Santa Rosa should consider enhancing current policies and procedures and adopting new policies aimed at improving open government.

RECOMMENDATIONS

The City of Santa Rosa exceeds the Brown Act by and through Policy 000-35 and through the City's unofficial practices and procedures. The Policy Subcommittee recommends creating one

procedural document to institutionalize and consolidate all of the City's open government processes, procedures and policies along with considering the recommended procedural improvements which are designed to increase transparency, restore public trust and encourage public participation.

The spirit of an open and transparent government will embrace innovative methods of exchanging information with the public, continue to increase community engagement and involvement, develop sustainable practices of operation to be effective and efficient in the functions of city business. These city functions include budget development, providing essential services such as utilities and public safety matters, improving policies and procedures to strive to be reflective of the diverse needs of the community and making decisions that effectuate trust and security of the public.

It is the request of the Policy Subcommittee that the City of Santa Rosa leadership embrace the principles of an open and transparent government. While the Subcommittee was unable to articulate specific policies in the limited time provided, the Subcommittee identifies the following issues as being of utmost importance and makes the following recommendations.

The Subcommittee recommends that the City formally adopt the following practices and procedures; while the City currently adheres to these practices to the extent feasible, the Subcommittee believes it is important to codify these practices into formal policy, either as part of a Sunshine Ordinance or other policy document aimed at improving transparency:

- Post preliminary agendas on the website 12 days prior to city meetings (Policy 000-35 requires posting 9 days prior to the meeting).
- Provide more detailed agenda summaries to better inform the public about the issue being considered by the council, the proposed recommendations and potential budget impacts (Brown Act requires 20 word summary, Policy 000-35 does not address).
- Post preliminary agenda packets, including supporting documents, on the website 12 days prior to the meeting date (Policy 000-35 requires publication and posting the packet at the public counter 9 days prior to meeting date).
- Post final agenda packets, including supporting documents, 5 days before the meeting (Brown Act requires 3 days).

In addition, the Subcommittee recommends the City adopt formal policies to address the following issues, none of which is currently addressed by policy or by unofficial practice and procedure:

- Public Education: Provide written guidelines for members of the public, explaining the City's policies regarding public participation, public comment.

The purpose of this policy would be to enhance public knowledge of the City's policies and to better inform the public as to its important role in City government.

- Public Access to Information: Hire a public records coordinator and/or public information officer to work in coordination with the City Clerk, City Manager, City Council and legal counsel to ensure each department is compliant with any Sunshine policies or ordinances that may be adopted by the council, including responding to requests for information under the Public Records Act.

The Subcommittee believes this is an important step toward improving transparency, and from the Subcommittee's research on this issue it appears that where other cities have hired an information officer it has been very successful.

- Closed Session Agenda: Prior to closed session, the governing body should disclose reason for the closed meeting as part of the agenda, or verbally announce the reason for emergency items being discussed in close session.

Such a policy would serve to reduce supposition or suspicion as to topics discussed by the council in closed sessions.

- Agenda Exceptions (Non-agenda items): In addition to Santa Rosa's current policy regarding agenda exceptions, provide a detailed explanation of the reason the material could not be provided to council or public with normal advance notice.
- Public Testimony: There are numerous examples on how the city council and city entities can accommodate public comment, providing time-certain opportunities to comment on agenda and non-agenda items. For public comments on matters not on the agenda, consider a policy whereby the order of speakers is chosen by random drawing and the speakers are limited to three minutes each for a total comment period of 15 minutes; after the close of the 15 minute comment period, any speakers that did not get to speak but wish to address matters not on the agenda can provide those comments at the end of the council meeting, after the public hearing.

The purpose of this policy would be to better inform the public regarding the time for public comment and ensuring the public arrives at meetings at the proper time and with reasonable expectations for providing comments. This policy would also provide certainty regarding the start of public hearings, because when members of the public provide lengthy testimony on matters not on the agenda, the result can be to delay public hearings and thereby create uncertainty for those persons attending to speak on matters on the agenda.

- Access to Online Meeting Recordings: For online video recordings of council hearings, provide an index and date stamp to show where each matter on the agenda begins on the video. For example, provide an index showing that the public hearing on "XYZ Project" begins at hour 2 on the video, and provide a link by which the public can click on "XYZ Project" and the video will automatically jump to the start of the hearing item.

The purpose of this policy is to improve the public's ability to quickly and easily access information regarding the council item of most interest.

- Closed Meeting Actions: Expand requirements for disclosure of settled litigation. Litigation settlement currently goes unreported (unless someone inquires directly) when the final approval of settlements rests with the other party. There are numerous options, including a list of reported settlements included monthly on the council agenda. Suggest the City provide a quarterly report identifying any settlement agreements entered into by the City with a settlement amount over \$50,000.

The purpose of this policy is to provide access to important information and to thwart the appearance of secrecy in settlements.

- Access to Public Records: Provide a clear guide for the public, explaining how to make a request for public records; post this guide on the website and at the City Manager's office. Provide training to City staff so they are well versed on this topic and can provide efficient service to the public. The City should also maintain a public records index that identifies the types of records that are maintained by all departments and offices.

The purpose of this policy is to ensure the public and the City staff are both informed regarding the City's process and to improve communication between the parties and increase access to records.

- Response to Public Records Act Requests: Provide a written acknowledgement of all requests for public records within one business day. Where the request for documents is fairly routine, respond by providing the requested documents within three business days. For more complex matters, the Brown Act provides guidance regarding responses that are required within ten days.

The purpose of this policy is to let the public know their request(s) have been heard and the City is endeavoring to fulfill the request, and also to ensure the City is using its best efforts to timely reply.

- Appeals Process to Gain Access to Public Records. Provide a formal process by which a person making a public records act request can appeal a determination by the City Attorney that the requested documents cannot be provided.

This policy is important because it ensures that any request that is denied by City staff or by the City Attorney's office may be appealed to a higher body, and thereby provide the public with a mechanism to pursue their request.

- New Website. The City should devote substantial effort and resources to revising and updating its website to make it more user-friendly. The Subcommittee finds the current website to be difficult to navigate and difficult to find information, even where we know such information exists.

This should be a top priority for the City as it is essential to fostering community engagement and access to information.

CONCLUSION

The City of Santa Rosa can improve community involvement by providing information in an accessible method, being proactive in anticipating concerns and addressing those matters in an appropriate manner, inviting input from members of the community, and using that input to make decisions so that the citizenry feels their voice is heard. A positive step toward improving the cooperation and collaboration between the members of the public and the City of Santa Rosa is to strive to govern by going beyond the minimum of what the local, state or federal law requires. To this end, the Policy Subcommittee strongly recommends the City adopt a Sunshine Ordinance designed to improve transparency and openness in governance.

Attachment 3

Policy Subcommittee: Review and Comparison

Required Notices						
	Brown Act	Santa Rosa	Oakland	San Francisco	Contra Costa	Alameda
Regular Meeting	Brief general description (approx 20 words). Posted at least 72 hours prior to meeting. Posted at least 72 hours prior to meeting. (3 day's)	(=/+) Advanced (preliminary) agenda posted 12 days prior to meeting. Staff / consultant reports available on CM public counter 12 day's prior. Provide background information for report items, prior actions taken by Council, Name of parties, location of properties, budget impacts, sources of funding, contract amounts and recommendations. Agenda packet on website 24/7 at no charge and available for inspection at Central library and CMO. QR code prior to every meeting for electronic access to agenda packet. Meeting agenda on website, bulletin board (2) and meeting location	(+) Provides for a greater noticing period For Redevelopment Agency, Board of Port Commissioners, Public Ethics Commission, and Their Standing Committees for City Council - post online and in accessible location 10 days before meeting date, unless supplemental agenda which is 72- hours before meeting date. Other local bodies not specified in 10 day requirement, must provide 72 hour notice. (Secs. 2.20.080(A) & (C).)	(=) Post agenda on website with meaningful description of each item on agenda 72 hours before meeting. Sec. 67.7(a).	(+) Provides for a greater noticing period. All such staff material must be distributed to the policy body and be made available to the public 96 hours before a scheduled meeting or 24 hours prior to a meeting when the agenda item has been added to the agenda at a previous meeting of the policy not more than 7 days prior to the scheduled meeting. Records which are releasable and which are distributed during a public meeting but prior to commencement of their discussion shall be made available for public inspection prior to and during their discussion. (Sec. 2.206(A) & (c)	(=/+) 12 day's for City Council ; 7 day's for all other policy bodies (2-91.5a) Agenda posted on website ; cable channel & available @ library (2-91.5d) Agenda packet on website (fiscally + technologically feasible) and reviewable at library & City Clerks office during normal business hrs (2-91.5d) Agenda available 'upon request' to speech & hearing impaired thru telecommunication relay services or equivalent systems and 'upon request' to sight impaired thru Braille or enlarged type. (2-91.5h) Include 'Know your rights under sunshine ordinance' (2-91.5i) Limit ceremonial presentations & proclamations to no more than 15 Minutes (2-91.5j) Agenda covered by Sunshine ordinance 'Shall' include the address, area code, phone#, fax#, email address and a contact persons name for the Open Government Commission. (2-91.5k)

Required Notices						
	Brown Act	Santa Rosa	Oakland	San Francisco	Contra Costa	Alameda
Special Meeting	24 hour notice to members of legislative body and media outlets. Brief general description.	(=) Special meeting notice is typically greater than 72 hours	(+) Provides for a greater noticing period. 48 hour notice to media, legislative body, agenda subscribers and publicly posting. Sec. 2.20.070(A).	(=) 72 hour notice to legislative body and local media. Sec 67.6(f).	(=) Not specifically addressed.	(=/+) Delivering personally or by written mail notice to each member of the policy body and the local media who have requested written notice to each of special meetings in writing. Notice shall be delivered as described in 2-91.4 (e) at least 7 days before, with the exception of any urgent matter beyond the control of the City. (2-91.4f)
Emergency Meeting	1 hour notice in case of work stoppage or crippling activity except in the case of a dire emergency.	(=)	(=) Not specifically covered. Ordinance provides that Brown Act fills gaps. (Sec. 2.20.050.)	(=) Not specifically covered. Ordinance provides that Brown Act fills gaps.	(=) Not specifically addressed.	(=) Not specifically covered. Possibly covered in 2-91.4d and reference to Gov. code sec. 54956
Closed Session Agenda	Described in the notice or agenda for the meeting. Generally must report the action at the conclusion of the closed session.	(=)	(=) Described in notice or agenda for the meeting. (Sec. 2.20.100(A).) Must announce in open session the reason for the closed session. Sec. 2.20.110(A). Must report action taken at conclusion of closed session under specified circumstances. Sec. 2.20.130(B).	(=) Described in notice or agenda for the meeting. (Sec. 87.8.) Prior to the closed session, policy body must state reason for closed session and specific statutory authority for it. Sec. 67.11. Must report action taken at conclusion of closed session related to real property negotiations, litigation, settlements, employee actions, and collective bargaining. Sec. 67.12(b).	(+) Requires disclosure of justification for closed session Prior to holding a closed session pursuant to this section, the policy body shall disclose the justification for its closure either by entries in the appropriate categories on the agenda or, in the case of an item added to the agenda based on the finding of necessity and urgency, by oral announcement specifying the same information. Sec. 2.402 (e) Agenda items that involves existing litigation 'shall' identify the court, case # and date the case was filed on the written agenda. For each agenda item for a group that involves anticipated litigation, the city attorney's office or the policy body 'shall' disclose at any time requested and to any member of the public whether such anticipated litigation developed into litigation and 'shall' identify the court, case # and the date the case was filed, unless the city attorney determines that lifting the exemption from disclosure would be detrimental to the city. (2-91.8b)	(=/+) Specify and disclose the nature of any closed session by providing specific information (2-91.7a 1-7) Minutes of all closed sessions, except on charter officer performance 'shall' be taken by the city clerk or designee. City attorney 'shall' semi-annually (6 months) make a determination whether disclosure would be detrimental to the city, and 'shall' provide a report to council (2-91.8a)

Required Notices						
	Brown Act	Santa Rosa	Oakland	San Francisco	Contra Costa	Alameda
Agenda Exception	Proceed without an agenda in the case of emergency circumstances or where a need for immediate action came to the attention of the governing body after posting of the agenda.	(=/+) Item not on prelim agenda can be added to agenda if: it appears on final agenda at least 72 hours prior to meeting, council finds that due to exceptional circumstances outside control of council compliance would impose substantial burden on the city's ability to conduct business or result in prejudice to private party. Requires five council members unanimous vote if less than seven members are present	(+/-) Provides detail regarding how agenda exceptions are implemented. Proceed if: 1) Majority vote of local body that matter is an emergency; or 2) 2/3 vote of local body present or if less than 2/3 unanimous vote that matter is urgent and came to attention after agenda was posted. 2.20.080(E).	(+/-) Provides detail regarding how agenda exceptions are implemented. Proceed if: 1) Majority vote of local body that matter is an emergency; or 2) 2/3 vote of local body present or if less than 2/3 unanimous vote that matter is urgent and came to attention after agenda was posted; or 3) the matter was continued from a previous agenda. Sec. 67.7(e).	(+/-) Provides detail regarding how agenda exceptions are implemented. 2.206 (a). The policy body may, by a æ vote, waive these times when, in its judgment, it is essential to do so, providing that the County Administrator, appropriate Department Head or staff member furnishes the Board of Supervisors or other policy body a written explanation as to why the material could not be provided to the Board or other policy body and the general public within the (otherwise required) time limit.	(=/+) Majority vote that an accident, natural disaster or work force disruption poses a threat to public health and safety. Two-thirds (2/3) vote or less than 2/3 present then unanimous vote of those present that the need to take action is so imperative as to threaten serious injury to public interest (2-91.5g 1 and 2). 9191.5g1,2)

Closed Session						
	Brown Act	Santa Rosa	Oakland	San Francisco	Contra Costa	Alameda
Personnel Exemption	To consider appointment, employment, evaluation of performance, discipline or dismissal of an employee. With respect to complaints or charges against an employee brought by another person or another employee, the employee must be notified, at least 24 hours in advance, of his or her right to have the hearing conducted in public. (Cal. Gov. Code Sec. 54957.)	(=) Same as Brown Act	(=) Sec. 2.20.120 (D) incorporates Cal. Gov. Code Sec. 54957 by reference.	(+/=) Provides additional provisions regarding use of closed sessions for the review of municipal executive compensation A body may consider the appointment, employment, evaluation of performance, or dismissal of a City employee, if the policy body has the authority to appoint, employ, or dismiss the employee, or to hear complaints or charges brought against the employee by another person or employee unless the employee complained or requests a public hearing. (Sec. 67.10 (b).) Executive compensation Committee established pursuant to an MOU with the Municipal Executives Association may meet in a closed session when evaluating an individual subject to the MOU, or when establishing performance goals requires discussing the individual's performance. (Sec. 67.10(c).)	(=) Nothing substantially different than Brown Act.	(=) Same as Brown Act (2-91.10g)
Public Security	A body may meet with law enforcement or security personnel concerning the security of public buildings and services. (Cal. Gov. Code Sec. 54957.)	(=) Same as Brown Act	(=) Sec. 2.20.120 (D) incorporates Cal. Gov. Code Sec. 54957 by reference.	(=) A body may meet with the Attorney General, district attorney, sheriff, or chief of police, or their respective deputies on matters posing a threat to the security of public buildings or a threat to the public's right of access to public services or public facilities. (Sec. 67.10 (a).)	(=) Nothing substantially different from Brown Act.	(=/+) Meet with Attorney General, district attorney, City Attorney or chief of police or their respective deputies, or a security consultant or a security operations manager on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service and electric service or a threat to the public's right of access to public services or public facilities.

Closed Session

	Brown Act	Santa Rosa	Oakland	San Francisco	Contra Costa	Alameda
Pending Litigation	A body may meet in closed session to receive advice from its legal counsel concerning existing litigation, initiating litigation, or situations involving a significant exposure to litigation are expressly defined in section 54956.9(b)(3). (Cal. Gov. Code Sec. 54956.9.)	(=) Same as Brown Act	(=) Sec. 2.20.120 (D) incorporates Cal. Gov. Code Sec. Cal. Gov. Code Sec. 54956.9 by reference.	(+) Provides additional provisions regarding the prohibition of closed sessions to evaluate independent contract attorney services A body may, based on advice of its legal counsel, and on a motion and vote in open session to assert the attorney-client privilege, to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would likely and unavoidably prejudice the position of the City in litigation. Pending litigation includes: (1) An adjudicatory proceeding; (2) there is significant exposure to litigation against the City. A closed session may not be held however, to evaluate independent contract attorney or law firm to engage in services or otherwise. (Sec. 67.10 (d).)	(+) Provides additional requirements regarding reporting of legal action or settlements. Sec. 2.406 (a) A policy body shall publicly report any final action taken in closed session and the vote or abstention of every member present thereon, as follows: 1) Litigation: Direction or approval given to the policy body's legal counsel to prosecute, defend or seek or refrain from seeking appellate review or relief, or to otherwise enter as a party, intervener or amicus curiae in any form of litigation as the result of a consultation under govt. code 54956.9 shall be reported in open session as soon as given, or at the first meeting after the adverse parties have been served if, in the opinion of legal counsel, earlier disclosure would jeopardize the county's ability to effectuate service of process or to conclude existing settlement negotiations to its advantage.	(=) Same as Brown Act (2-91.10c,d,e)

Closed Session						
	Brown Act	Santa Rosa	Oakland	San Francisco	Contra Costa	Alameda
Labor Negotiations	A body may meet in closed session with its negotiator to consider labor negotiations with represented and unrepresented employees. Issues related to budgets and available funds may be considered in closed session, although final decisions concerning salaries of unrepresented employees must be made public. (Cal. Gov. Code Sec. 54957.6.)	(=) Same as Brown Act	(=) Sec. 2.20.120 (D) incorporates Cal. Gov. Code Sec. 54957.6 by reference.	(=) To meet with the City's designated representatives regarding collective bargaining or meeting with public employee organizations when a policy body has authority over such matters. (Sec. 67.10(e).)	(+) Provides additional wording regarding reporting of closed sessions. Sec. 2.406 (a): After a closed session, a policy body may in its discretion and in the public interest, disclose to the public any portion of its discussion the disclose of which is not prohibited by federal or state law. The body shall, by motion and vote in open session, elect either to disclose no information or to disclose the information which a majority deems to be in the public interest.	(=) Same as Brown Act (2-91.10h)
Real Property Negotiations	A body may meet in closed session with its negotiator to consider price and terms of payment in connection with the purchase, sale, exchange or lease of real property. (Cal. Gov. Code Sec. 54957.8.)	(=) Same as Brown Act	(=) Sec. 2.20.120 (D) incorporates Cal. Gov. Code Sec. 54957.8 by reference.	(=) A body may meet in closed session with its negotiator to consider price and terms of payment in connection with the purchase, sale, exchange or lease of real property. (Sec. 67.8(a)(2), citing Cal. Gov. Code Sec. 54957.8.)	(+) Provides additional wording regarding disclosure Sec. 2.406 (1) : Real Property Negotiations: Direction or approval given to the policy body's negotiator concerning real estate negotiations pursuant to GC 54956.8 shall be reported as soon as the agreement is final. If its own approval renders the agreement final, the policy body shall report that approval, the substance of the agreement and the vote thereon in open session immediately. If the final approval rests with the other party to the negotiations, the county shall disclose the fact of that approval, the substance of the agreement and the policy body's vote or votes thereon upon inquiry by any person, as soon as the other party or its agent has informed the county of its approval.	(=/+) Same as Brown Act (2-91.10b) With an applicant and applicant's attorney, if any, when a policy body determines it is necessary to discuss and determine whether an applicant for a license or license renewal, who has a criminal record, insufficiently rehabilitated to obtain the license, and consistent with the requirements of Gov Code Sec. 54956.7 (2-91.10a)

Public Rights						
	Brown Act	Santa Rosa	Oakland	San Francisco	Contra Costa	Alameda
Public Testimony	On agenda items before or during consideration. Time must be set aside for public to comment on any other matters under the body's jurisdiction.	(=+) Public Comment on non-agenda items: Prior to 1st public hearing at 5:00 pm if time allows otherwise after all other city business is completed on any issue. When item is taken up on the Agenda. Time limit set by mayor. Currently 3 minutes	(+) Prohibits limitations on public criticism. Provides specific time limitations and presiding officer's discretion in enforcing time limitations. Must provide time for public comment on any matter within body's jurisdiction. Presiding officer may request speakers representing similar views to designate a spokesperson in the interest of time. Minimum of two minutes per person per agenda items. No local body shall abridge or prohibit public criticism. (Sec. 2.20.150.)	(+) Prohibits limitations on public criticism. Provides specific time limitations and presiding officer's discretion in enforcing time limitations. Must provide time for public comment on any matter within body's jurisdiction. Minimum of three minutes per person per agenda items. No local body shall abridge or prohibit public criticism. (Sec. 67.15.)	(+) Public comment must be allowed on each agenda item and during a general comment period. Sec. 2.205 (B)	(=+) Public to directly address a policy body on items of interest to the public that are within the policy body's jurisdiction providing that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by section 2-91.5e. The agenda shall provide 15 minutes for this use. The agenda does not have to provide time if an item was considered by a subcommittee made up of council members only at a public meeting unless the item has been substantially changed since the subcommittee heard the item. The council will determine whether the item has been changed. If the number of speakers exceeds the 15 minute period under public comment additional time will be made available at the end of the meeting. When more speakers than can be accommodated within 15 minutes the Clerks office will randomly select the order in which speakers will be chosen to speak at the beginning of the meeting. Regular and special meeting agenda to provide opportunity to address council before they take action. Public comment on closed session items shall be taken before closed session is convened. Presiding official may request speakers representing similar views to designate a spokesperson in the interest of time.

Public Rights						
	Brown Act	Santa Rosa	Oakland	San Francisco	Contra Costa	Alameda
Non-Discriminatory Facilities	Meetings may not be conducted in a facility that excludes persons on the basis of their race, religion, color, national origin, ancestry or sex or that is inaccessible to disabled persons or where members of the public may not be present without making a payment or purchase.	(=) Same as Brown Act Agenda provides contact information if accommodation is needed. All Council, PC and BPU meetings are closed captioned on cable broadcast and on archived video on website.	(=) Meeting may not be held in any location that is inaccessible to persons with physical disabilities, or where members of the public may not be present without making a payment or purchase. (Sec. 2.20.140(A).)	(+) Provides additional accessibility options for the hearing impaired and whose English-speaking abilities are limited. No local body shall conduct a meeting that excludes persons on the basis of actual or presumed class identity or characteristics, or which is inaccessible to persons with physical disabilities. Sign language interpreters or note takers should be provided at each meeting, provided that a request is received at least 48-hours before a meeting. Translators may be provided where translation is necessary to enable city residents with limited English proficiency to participate. (Sec. 67.13.)	(+) No policy body shall conduct any meeting, conference or other function in any facility that excludes persons on the basis of actual or presumed class identity or characteristics, or which is inaccessible to persons with physical disabilities, or where members of the public may not be present without making a payment or purchase. (Sec. 2.602	(=/+) Provide sign language interpreters or note takers provided that a request to the clerk at least 48 hours before the meeting. Monday meeting deadline is 4:00 pm of the last business day of the preceding week. Chemical sensitivity statement on each agenda. Translators for non/limited English speaking citizens when requested 48 hours in advance. For Monday and Tuesday request made by noon on last business day of preceding week. Meeting can proceed w/o one. Meetings to adjourn no later than 11:00 pm unless extend by majority vote. (2-91.13a-f)
Copy of Recording	Public may obtain a copy, at cost, of an existing tape recording made by the legislative body of its public sessions and to listen to or view the body's original tape on a tape recorder or viewing device provided by the agency.	(=/+) Video retained 2 years on DVD Archived Meeting content on website:7 years meeting videos, 11 years of agenda packets, 16 years of resolutions, ordinances and minutes Paperless agenda packet.	(=) Every meeting must be recorded. The video tape must be available for copying and inspection without charge on player or computer provided by the local body. Sec. 2.20160(B).)	(=) Every meeting must be recorded. The video tape must be available for copying and inspection without charge on player or computer provided by the local body. (Sec. 67.14(b).)	(=) No substantial change from Brown Act.	(=/+) No cost for recording (2-91.14b) Available 72 hours after the meeting on website. Digitally archived for a period of 10 years. (2-91.14c)
Public Vote	All votes, except for those cast in permissible closed session, must be cast in public. No secret ballots, whether preliminary or final, are permitted.	(=) Same as Brown Act Council Chamber voting system publicly displays how each member voted.	(=) Immediately following the closed session a local body shall publicly report any action taken in closed session and the vote or abstention of every member present thereon. (Sec. 2.20.130.)	(=) A policy body shall publicly report any action taken in closed session and the vote or abstention of every member present thereon. (Sec. 67.12.)	(=) No substantial change from Brown Act	(=) Same as Brown Act

Public Rights						
	Brown Act	Santa Rosa	Oakland	San Francisco	Contra Costa	Alameda
Closed Meeting Actions	At an open session following a closed session, the body must report on final action taken in closed session under specified circumstances. Where final action is taken with respect to contracts, settlement agreements and other specified records, the public may receive copies of such records upon request.	(=) Same as Brown Act	(=) Public has right to comment on any closed session item before closed session convenes. (Sec. 2.20.110(D).) Local body must disclose action taken with respect to real property negotiations, litigation and settlements. (Sec. 2.20.130(B).) Local body must state prior to the closed session the statutory authority and reason for the closed session. (Sec. 2.20.110(A).)	(=) Prior to the closed session, policy body must state reason for closed session and specific statutory authority for it. (Sec. 67.11.) Must report action taken at conclusion of closed session related to real property negotiations, litigation, settlements, employee actions, and collective bargaining. (Sec. 67.12(b).)	(=) No substantial change from Brown Act.	(=/+) At policy body's discretion and in the public interest may disclose any portion that is not confidential under federal or state law, the charter or non-waivable privilege. Made by presiding officer or designee present in closed session. (2-91.12a) Shall publicly report any action taken and the vote or abstention of every member present based on criteria outlined in 2-91.12b 1-4. Reports required to made immediately with supporting documents provided to any person who has made a written request or who has a standing request. (2-91.12c) Summary posted at the close of business on the next business day (2-91.12d) City Attorney shall prepare and present on consent calendar a list of documents which have been determined to be public after previously being determined to be unavailable to the public. Presented at least semi-annually and available on the website. (2-91.13e)
Taping or Broadcasting	Meetings may be broadcast, audio-recorded or video-recorded so long as the activity does not constitute a disruption of the proceeding.	(=) Same as Brown Act	(=) Any person may record, photograph or broadcast a meeting unless the activity constitutes a persistent disruption (Sec. 2.20.140(B).)	(=) Any person may record, photograph or broadcast a meeting unless the activity constitutes a persistent disruption. (Sec. 67.14(a).)	(=) Not addressed.	(=) Same as Brown act (2-91.14a)
Conditions to Attendance	Public may not be asked to register or identify themselves or to pay fees in order to attend public meetings.	(=) Same as Brown Act Speaker card indicates that completion and submission is voluntary.	(=) Public may not be asked to pay fees in order to attend meetings. (Sec. 2.20.140.) All other gaps in Oakland Sunshine Ordinance are filled-in by the Brown Act (Sec. 2.20.010(C).)	(=) Public may not be asked to pay fees in order to attend meetings. (Sec. 67.13(a).) All other gaps filled in by the Brown Act (Sect. 67.5.)	(=) See non-discriminatory Facilities	(=) Same as Brown act (2-91.14a)

Public Rights						
	Brown Act	Santa Rosa	Oakland	San Francisco	Contra Costa	Alameda
Public Records	Materials provided to a majority of a body which are not exempt from disclosure under the Public Records Act must be provided, upon request, to members of the public without delay.	(=/+) All Agenda material for public inspection in public binder in CMO and available for download 24/7 at no charge from website. Materials provided to majority of body prior to meeting are provided simultaneously to public for inspection in public binder and website (time permitting). Provided to the public immediately upon Request when possible; otherwise provided without delay and in compliance with PRA	(+/-) Clarifies public disclosure requirements for materials provided to the majority of a body. Request to inspect or copy public records must be responded to within three days. If additional time is required, that must be communicated to the requesting individuals in no event shall it take longer than 14 days after the extension is communicated. Sec. 2.20.030(A) & (B).	(-) Agendas and documents distributed to members of a policy body must be made available as soon as possible. (Sec. 67.9(a).)	(+) Additional wording to expand on CPRA 25- 4.608: Justification of withholding: b) No records or information shall be withheld on the basis of the public interest balancing test in Govt. Code Sect 6255, Or by citing any case law application of that statute. c) A withholding on the basis that disclosure is prohibited by law shall cite the statutory authority of the Publics Record Act or elsewhere:	(=/+) Records subject to disclosure shall be made available to public. Except for exempt material. May charge direct cost for a copy. No charge for digital versions. (2-91.9a-e)

Attachment 4

Supplemental Information

Presentations:

Open Meeting and Due Process Presentation: Santa Rosa City Clerk and City Attorney (April 17, 2014)
http://srcity.org/doclib/agendas_packets_minutes/Documents/3.%20Brown%20Act%20%20Due%20Process%20Presentation2.pdf

David Vossbrink, City of San Jose Communications Director (July 17, 2014)

Open Government webpage:

<http://www.sanjoseca.gov/index.aspx?NID=220>

Sunshine Reform Task Force:

<http://www3.sanjoseca.gov/clerk/TaskForce/SRTF/SunshineOrdinances.asp>

Draft Open Government Ordinance:

<https://www.piersystem.com/external/content/document/1914/2195554/1/06-30-14CLERK.pdf>

San Jose Media Policy:

<http://www.sanjoseca.gov/DocumentCenter/View/16106>

Presentation Notes from July 17, 2014:

http://srcity.org/doclib/agendas_packets_minutes/Documents/20140717%20OGTF%20Notes%20of%20Guest%20Speaker%20Vossbrink.pdf

Matt Leighninger: Community Engagement (September 25, 2014)

Planning for Stronger Local Democracy:

<http://www.nlc.org/find-city-solutions/city-solutions-and-applied-research/governance-and-civic-engagement/democratic-governance-and-civic-engagement/planning-for-stronger-local-democracy>

PowerPoint Presentation:

<http://www.slideshare.net/mattleighninger>

Community Meeting Notes:

Task Force Brainstorming Meeting: May 15, 2014

[http://srcity.org/doclib/agendas_packets_minutes/Documents/May%2015%20Categories%20from%20Breakout%20BRAINSTORMING%20DRAFT%20\(1\).pdf](http://srcity.org/doclib/agendas_packets_minutes/Documents/May%2015%20Categories%20from%20Breakout%20BRAINSTORMING%20DRAFT%20(1).pdf)

Public Forum Brainstorming Meeting: May 27, 2014

http://srcity.org/doclib/agendas_packets_minutes/Documents/May%2027%20Categorization%20from%20Public%20Forum%20DRAFT.pdf

Public Forum Notes: September 29, 2014

Community Engagement Subcommittee

<http://srcity.org/doclib/Documents/Engagement%20Subcommittee%20Public%20Forum%20Notes%20092914.pdf>

Policy Subcommittee

<http://srcity.org/doclib/Documents/Policy%20Subcommittee%20Notes%20092914.pdf>

Resource Information:

ABC's of Open Government Laws (Institute for Local Government)

[http://ci.santa-](http://ci.santa-rosa.ca.us/doclib/agendas_packets_minutes/Documents/1.%20ilg_abc_br_2010_web_no_water_mark.pdf)

[rosa.ca.us/doclib/agendas_packets_minutes/Documents/1.%20ilg_abc_br_2010_web_no_water_mark.pdf](http://ci.santa-rosa.ca.us/doclib/agendas_packets_minutes/Documents/1.%20ilg_abc_br_2010_web_no_water_mark.pdf)

California Newspaper Publisher Association

http://www.cnpa.com/legislative_and_legal/legislative_bulletin/public_records/

City and County of San Francisco - Sunshine Ordinance (Section 67)

<http://www.sfbos.org/index.aspx?page=4463>

City of Alameda - Sunshine Ordinance (Chapter II – Article VIII)

<https://library.municode.com/index.aspx?clientId=16753&stateId=5&stateName=California>

City of Oakland – Sunshine Ordinance (Article II)

https://library.municode.com/HTML/16308/level3/TIT2ADPE_CH2.20PUMEPURE_ARTIIPUACME.html

City of Portland, Oregon – Community Connect Final Report

<https://www.portlandoregon.gov/oni/article/182408>

City of Santa Rosa Policies and Ordinances

City Council Manual of Procedures and Protocols

[http://ci.santa-](http://ci.santa-rosa.ca.us/doclib/agendas_packets_minutes/Documents/5.%20Manual%20of%20Procedures%20and%20Protocols.pdf)

[rosa.ca.us/doclib/agendas_packets_minutes/Documents/5.%20Manual%20of%20Procedures%20and%20Protocols.pdf](http://ci.santa-rosa.ca.us/doclib/agendas_packets_minutes/Documents/5.%20Manual%20of%20Procedures%20and%20Protocols.pdf)

Policy No. 000-35 – Early Agenda Policy

[http://ci.santa-](http://ci.santa-rosa.ca.us/doclib/agendas_packets_minutes/Documents/4.%20Council%20Policy%20000-35.pdf)

[rosa.ca.us/doclib/agendas_packets_minutes/Documents/4.%20Council%20Policy%20000-35.pdf](http://ci.santa-rosa.ca.us/doclib/agendas_packets_minutes/Documents/4.%20Council%20Policy%20000-35.pdf)

Policy No. 000-23 – Procedure for Filling Council Vacancies (Provided to Policy Subcommittee)

[http://cityweb.srcity.org/departments/citymanager/Council/City%20Council%20Policy%20Library/Council%20Vacancies,%20Procedure%20for%20Filling%20\(000-23\).pdf](http://cityweb.srcity.org/departments/citymanager/Council/City%20Council%20Policy%20Library/Council%20Vacancies,%20Procedure%20for%20Filling%20(000-23).pdf)

Ordinance No. 3954 – Lobbying

http://srcity.org/doclib/agendas_packets_minutes/Documents/Ord.%203954%20Regulating%20Lobbying%20Activities.pdf

Community Engagement Program: DINE V Feedback

<http://srcity.org/doclib/Documents/DINE%20V.pdf>

Contra Costa County – Better Government Ordinance (Chapter 25)

<https://library.municode.com/index.aspx?clientId=16286>

First Amendment Coalition

Sunshine Ordinances

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

Open Meetings

<http://firstamendmentcoalition.org/open-meetings-3/>

Getting the Most Out of Public Hearings: An Idea Inventory (Institute for Local Government)

http://srcity.org/doclib/agendas_packets_minutes/Documents/ILG%20Getting%20The%20Most%20of%20Public%20Hearings.pdf

Open and Public IV: A Guide to the Ralph M. Brown Act (League of California Cities)

<http://www.cacities.org/Resources-Documents/Resources-Section/Open-Government/OpenPublic2010.aspx>

9/2013 Supplement

http://www.cacities.org/Resources-Documents/Member-Engagement/Professional-Departments/City-Attorneys/Publications/OP-IV-Supplement_Final_2013-09-16.aspx

Public Engagement (Institute for Local Government)

<http://www.ca-ilg.org/public-engagement>

Sonoma County and Community Engagement

<http://www.sonoma-county.org/health/community/>

Best Practices in Action: Strategies for Engaging Latinos, Seniors and Low-income Residents of Sonoma County

<http://www.sonoma-county.org/health/community/pdf/report.pdf>

The People’s Business: A Guide to the California Public Records Act (League of California Cities)

<http://www.cacities.org/Resources/Open-Government/THE-PEOPLE%E2%80%99S-BUSINESS-A-Guide-to-the-California-Pu.aspx>

8/2011 Supplement

http://www.cacities.org/Resources/Open-Government/The-People-s-Business_August-2011-Supplement.aspx

Transparency, Sunshine and Public Engagement Presentation (City Clerks Association of California)
http://srcity.org/doclib/agendas_packets_minutes/Documents/Presentation%20for%20August%207.pdf

Understanding the Basics of Public Service Ethics Laws (Institute for Local Government)
http://ci.santa-rosa.ca.us/doclib/agendas_packets_minutes/Documents/2.%20understandingbasicethicslaws_finalproof_0.pdf

Newspaper Articles:

March 21, 2014: PD Editorial: The need for a Santa Rosa sunshine law
<http://www.pressdemocrat.com/news/1859604-181/pd-editorial-the-need-for>

April 2, 2014: Santa Rosa open-government task force meets Thursday
<http://www.pressdemocrat.com/news/1793406-181/santa-rosa-open-government-task-force>

May 26, 2014: Santa Rosa open government task force hosts public forum
<http://www.pressdemocrat.com/news/1863517-181/santa-rosa-open-government-task>

September 27, 2014: Santa Rosa hosts open government forum Monday
<http://www.pressdemocrat.com/news/2891207-181/santa-rosa-hosts-open-government>

October 6, 2014: Government Wilting from Too Much Sunshine
<http://www.pressdemocrat.com/opinion/2919637-181/government-wilting-from-too-much>

October 15, 2014: PD Editorial: Open forum on Santa Rosa council openness
<http://www.pressdemocrat.com/opinion/editorials/2974961-182/pd-editorial-open-forum-on>

October 19, 2014: Close to Home: Changed by Andy Lopez tragedy
<http://www.pressdemocrat.com/opinion/closetohome/2988840-184/close-to-home-changed-by>

Correspondence:

In the months that the Task Force met, we received a number of correspondence from residents and have combined them all into one document viewable at:
<http://srcity.org/doclib/Documents/All%20Public%20Emails%20in%20one%20File.pdf>