

**From:** Jean Dresden

**Sent:** Tuesday, March 24, 2020 8:29 AM

**To:** City Clerk ; The Office of Mayor Sam Liccardo ; District 10 <District10@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

**Subject:** Item 2.22 March 24 2020 agenda/ending transparency

The supplemental memo raises a concern that the intent is to eliminate transparency for ALL government actions. There is no language indicating that this restriction is only for emergency items related to the COVID virus. It appears to cover ALL actions of the City Council. This will not well serve the community. Specifically, the memo states:

"Documents, such as staff reports, ordinances and resolutions, would not need to be posted 72 hours in advance of the meeting." The updated recommendations includes "to modify public meetings, noticing and document posting."

The council should reject this recommendation to eliminate a requirement of staff reports. The Sunshine ordinance should not be gutted. Items directly related to the COVID emergency could have a smaller, thinner reporting requirement. Everything else should remain.

The Governor's order was about teleconferencing and that's a good thing. There may be COVID items that need a short timeline and are accompanied by a short cover memo. However, there will be many other items that need the thoughtful analysis of staff combined with the sharing this analysis with the public and the council prior to any decision making by the council. Does the council really want to make decisions "on the fly" for every subject facing the city?

The public has already been excluded from nearly all sources of information on items coming to council—there are no outreach meetings, no council committee meetings, no commission meetings. With the elimination of staff memos, there is no opportunity for the public to review or analyze staff's recommendation. Travel bans and safety concerns make it difficult for individuals to comment. Surprise announcements via staff presentations limit the council's ability to understand a variety of points of view that the public may present. This is not good government practices in a community that prides itself on public involvement and transparency.

This reminds me of the bad old days where agendas were taped to the city hall windows at 5 pm on Friday. Community members would read the items and try to guess what they covered. We would wait until Monday and ask the city clerk for information. Sometimes there was a memo to read—at City Hall. Sometimes there was not. Sometimes a memo

was issued in the last hour before the council meeting. By way of example, in fall 1992, City Manager Les White obtained council approval to dismantle the parks and recreation department and reassign functions to four different departments. His Assistant City Manager Regina Williams served as the phantom head of the "Parks" Department. Subsequent public outrage led to a failed charter amendment that sought to make the changes permanent and a return to the current structure. All of that drama could have been avoided, if public outreach and staff analysis had been made available widely prior to implementation. It was this sort of autocratic city manager action that led to the "Sunshine" government transparency movement.

With electronic distribution, staff reports can be written remotely and made available readily. All council items that are not COVID emergency should be excluded from any change to the Sunshine ordinance. It does not serve the City well to exclude its citizens from the decision making process. Some upcoming topics that require detailed analysis include major changes to the budget and the proposed changes to the fee structures. All land use decisions require thoughtful reports, including changes to the General Plan, zoning code changes to the Neighborhood Business districts, changing the parking ratio rules, and implementation of a replacement to the Urban Villages amenities financing plan. I cannot imagine that it serves the city well to excuse city staff from writing and posting these reports ten days in advance.

The COVID emergency is not short-term. It will run in its current "shelter in place" for many more weeks and the fall-out will take years to resolve. While there is a need for quick movement on late-breaking COVID items, as this extends over many months, the removal of staff reports puts the public in the dark. Perhaps, senior city manager staff could work to shorten its review cycle for staff memos and eliminate the multiple revisions and word-smithing for which they are famous. The public would be better served.

The council should reject this recommendation to eliminate a requirement of staff reports. The Sunshine ordinance should not be gutted.

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