

Councilmember Jesse Arreguin

## REVISED AGENDA MATERIAL

**Meeting Date:** July 16, 2013

**Item Number:** 32

**Item Description:** Public Calendars

**Supplemental/Revision Submitted By:** Councilmember Jesse Arreguin

**“Good of the City” Analysis:**

*The analysis below must demonstrate how accepting this supplement/revision is for the “good of the City” and outweighs the lack of time for citizen review or evaluation by the Council.*

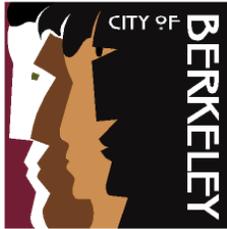
This item reflects a few edits that are grammatical and clarifying in nature. In particular, a sentence has been added to clarify the intent that publishing public calendars would be post-event, rather than prospective.

***Consideration of supplemental or revised agenda material is subject to approval by a two-thirds vote of the City Council. (BMC 2.06.070)***

A minimum of **42 copies** must be submitted to the City Clerk for distribution at the Council meeting. This completed cover page must accompany every copy.

Copies of the supplemental/revised agenda material may be delivered to the City Clerk Department by 12:00 p.m. the day of the meeting. Copies that are ready after 12:00 p.m. must be delivered directly to the City Clerk at Council Chambers prior to the start of the meeting.

Supplements or Revisions submitted pursuant to BMC § 2.06.070 may only be revisions of the original report included in the Agenda Packet.



**Jesse Arreguín**  
Councilmember, District 4

CONSENT CALENDAR  
July 16, 2013

To: Honorable Mayor and Members of the City Council  
From: Councilmember Jesse Arreguín  
Subject: Public Calendars

RECOMMENDATION

Refer to the City Manager and the Open Government Commission (OGC) for study the concept and feasibility of requiring the calendars of City Councilmembers to be made public insofar as they relate to city business, and request that the City Manager and OGC return to Council with a recommendation.

BACKGROUND:

Open Government is essential to ensure the integrity and accountability of legislative bodies that “conduct the people’s business.” The City of Berkeley is committed to those goals, and is among the few Cities that have so-called “Sunshine Ordinances” (local ordinances that expand California’s open government laws, such as the Public Records Act and the Brown Act). The City of San Jose has a comparable “Sunshine Ordinance,” though it includes a simple, yet useful “public calendar” component that requires certain officials to publish their calendars online.

The public calendars of San Jose officials only include City-related appointments, regular City Council meetings, public events, speaking engagements, meeting with developers, consultants, lobbyists, and meetings with subcommittees. Calendar entries must include the names, titles and affiliated organization(s), and a general statement of the issue of applicable appointments.

Additionally, the public calendar does provide necessary exemptions for the following: (1) personal appointments, (2) information protected by the attorney-client privilege (3) Information about attorney work product (4) Information about City staff recruitment (5) Information about a personnel issue (6) Information about corporate recruiting and retention, (7) Information about criminal investigations and security, (8) Information about whistle-blowers, (9) Information about those who may fear retaliation, and (10) Information that is otherwise prohibited from disclosure.

It is not the intent of this referral to require the publishing of prospective schedules, but rather after-the-fact reporting of pertinent events and meetings of elected officials.

The disclosure of the calendars of elected officials provides an additional and crucial layer of transparency that enables the public to better judge the performance of their representatives and the manner in which they conduct the “people’s business.”

FINANCIAL IMPLICATIONS:

Unknown; some staff time required.

CONTACT PERSON:

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981-7140

Attachments:

1. “Ex-Santa Clara County Supervisor Shirakawa's scandal reveals lack of basic sunshine provisions” *San Jose Mercury News* May, 2013.