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JAN 14 2009

Memorandum by City Manager's Office

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Tom Manheim

**SUBJECT: OPEN GOVERNMENT
MEETING POSTING GUIDELINES**

DATE: 01/14/2009

Approved

Deanne A. Silva

Date

1/14/09

INFORMATION

In June 2008, the City Council approved new open government requirements for City Council and Council Committee meetings. These requirements include specific deadlines for the distribution of agenda materials prior to each meeting, including memos from Councilmembers. With the start of a new calendar year it seemed timely to distribute a reminder of the deadlines established by the City Council to ensure the public receives notice and has ample opportunity to participate in discussions on items of interest.

The Open Government noticing requirements cover the distribution of agendas, staff reports, (with different requirements extending to different categories of staff reports) and memoranda from Councilmembers. The requirements provide for some exceptions to the posting deadlines, but those exceptions must be approved by the Rules and Open Government Committee and are meant to be employed on rare occasions.

The guidelines attached to this memo list the types of documents and summarize the posting/distribution requirements that apply to each. It is being provided to you to assist you in meeting the new requirements and to serve as a quick reference tool for your offices and the organization.

For additional information, contact Tom Norris, Public Records Manager, at (408) 535-8120.

Tom Manheim

TOM MANHEIM
Director of Communications

Attachment



City Council & SJRA Board POSTING DEADLINES

Meeting Materials	Days	Exceptions and Explanatory Comments
Agenda for Regular Meetings	10	✓ Exceptions may be approved by ROGC* if no less than 3 days in advance.
Agenda for Special Meetings	4	✓ Exceptions: If 2/3 of the members determine that an issue must be resolved in less than 4 days , the posting must occur no less than 24 hours before the meeting.
Staff Reports	10	✓ Exceptions may be approved by ROGC* if no less than 3 days before the meeting.
Staff Reports – Expenditures of \$1 Million or More	14	✓ Exceptions may be approved by ROGC if no less than 10 days in advance of the meeting.
Cost/Benefit Studies of Public Subsidy of \$1 Million or More	28	✓ Items involving a subsidy of \$1 million or more require a Cost/Benefit Study and additional noticing : <ul style="list-style-type: none"> ▪ An info memo describing the item must be posted 28 days before the meeting. ▪ The Staff Report with the Cost/Benefit Study must be posted 14 days before the meeting.
Supplemental Staff Reports	-	✓ Supplemental Staff Reports that are of an informational nature and do not contain “substantive changes” may be distributed at any time . ✓ Supplemental Staff reports that contain substantive changes may be distributed with approval of the ROGC* at least 72 hours before the meeting.
Memoranda from Members of the Council	4	✓ Memos signed by multiple Council Members must be posted no less than 4 days before the meeting. ✓ Memos signed by single Members may be distributed at any time but are discouraged if less than 4 days before the meeting.

* ROGC* = Rules and Open Government Committee

City Council Committees POSTING DEADLINES

Meeting Materials	Days	Exceptions and Explanatory Comments
<i>Agenda for Regular Meetings</i>	7	<ul style="list-style-type: none"> ✓ Agendas for regular committee meetings except ROGC* must be posted no less than 7 days in advance. ✓ Agenda for regular ROGC* meetings must be posted no less than 5 days before the meeting.
<i>Agenda for Special Meetings</i>	4	<ul style="list-style-type: none"> ✓ Exceptions: If 2/3 of the members determine that an issue must be resolved sooner than 4 days—posting may occur no less than 24 hours before the meeting.
<i>Staff Reports</i>	7	<ul style="list-style-type: none"> ✓ Staff Reports to committees except ROGC* must be posted no less than 7 days in advance. ✓ Staff Reports to ROGC* must be posted no less than 5 days in advance.
<i>Staff Reports – Expenditures of \$1 Million or More</i>	14	<ul style="list-style-type: none"> ✓ Staff Reports involving expenditures of \$1 million or more require additional noticing: <ul style="list-style-type: none"> ▪ For committees except ROGC*, reports must be posted 14 days in advance. ▪ For ROGC*, reports must be posted 5 days in advance.
<i>Cost/Benefit Studies of Public Subsidy of \$1 Million or More</i>	7	<ul style="list-style-type: none"> ✓ Items involving a subsidy of \$1 million or more require a Cost/Benefit Study and additional noticing: <ul style="list-style-type: none"> ▪ For committees except ROGC*, reports must be posted 7 days in advance. ▪ For ROGC*, reports must be posted 5 days in advance.
<i>Supplemental Staff Reports</i>	-	<ul style="list-style-type: none"> ✓ Supplemental Staff Reports that are of an informational nature and do not contain “substantive changes” may be distributed any time. ✓ Supplemental Staff reports that contain substantive changes may be distributed no less than 3 days in advance. The committee must take a vote on whether to consider the item or defer it.
<i>Memos from Members of the Committee</i>	4	<ul style="list-style-type: none"> ✓ Memos from multiple Committee Members must be posted at least 4 days in advance. ✓ Memos from single Members may be distributed any time but are discouraged if less than 4 days in advance.

* ROGC* = Rules and Open Government Committee