

North San Jose Neighborhoods Planning Taskforce

Sunshine and Ethics

“Sunshine”

Florida Today



cartoon by Jeff Parker

Editorial

TRANSPARENCY IN GOVERNMENT

PRINCIPLES

- It's the public's business
- The public trusts a process it can see



OPEN MEETINGS

THE RALPH M. BROWN ACT

“The public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people’s business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.”

OPEN MEETINGS

- **Who is covered?**
 - “Legislative bodies”

OPEN MEETINGS

■ What is a meeting?

- Gathering
- Serial communications

OPEN MEETINGS

■ What is a gathering?

- Majority
- Same time and place
- Information, discussion or action

OPEN MEETINGS

EXCEPTIONS

- No consultation among majority

OPEN MEETINGS

■ What is a serial meeting?

- A series of communications
- Between individual members
- Ultimately involving a majority

OPEN MEETINGS

■ What types of communications?

- Face-to-face communications
- Personal intermediaries
(including City staff)
- Phone calls
- Emails
- Chat rooms

OPEN MEETINGS

- **Serial communications are prohibited**
 - When used to develop a concurrence as to action to be taken

OPEN MEETINGS

■ How are meetings publicized?

- Agenda posted
- Brief description of items
- No discussion on items not on agenda
 - Limited exceptions

PUBLIC PARTICIPATION

- Comment on any agenda item
- Speak anonymously
- Record meeting
- Receive documents

PUBLIC PARTICIPATION

MINIMAL LIMITATIONS

- Rules of decorum
- Time limits

Ethics

“The citizens of San José expect and must receive the highest standard of ethics from all those in the public service. City officers and employees must be independent, impartial and responsible in the performance of their duties and accountable to the members of the public.”

Section 204 San José City Charter



BEST PRACTICES

- **Don't discuss business outside of meetings**
 - Open and publicized meetings
 - Public participation in meetings



BEST PRACTICES

- **Follow the City's ethical standards**
 - Set your sights above the minimum requirements of the law

QUESTIONS?