

Biennial Ethics Review

San José City Council 5.23.2023
Item 3.3

Presenters:

Sarah Zárate, Director, Office of Administration, Policy, & Intergovernmental Relations (API)

Rosa Tsongtaarii, Chief Deputy City Attorney, City Attorney's Office

Edwin Huertas, Open Government Manager (OGM), API

Biennial Ethics Review

Why a Biennial Ethics Review?

San Jose City Charter Section 607

“...The Mayor, on a biennial basis beginning in 1993, shall conduct a review of the City’s Code of Ethics including any ordinances relating to ethic standards.

The Mayor shall make any recommendation for amendments or changes to the Code of Ethics and its implementing ordinances to the City Council...”

Biennial Ethics Review

Current Recommendations

- Mayor Liccardo submitted Review with 2 categories of recommendations (Public Records Act + Brown Act)
- PRA related recommendations aimed to
 - Address rapidly growing volume of PRAs
 - Identify voluntary protocols to focus requests and explore state action
 - Given growing number of digital records, explore updates to City Policy
- Brown Act
 - Clarify City's interpretation of law

Biennial Ethics Review

Recommendations + Actions - PRAs

RECOMMENDATION FROM MAYOR LICCARDO	ACTION
1. <i>Address rapidly growing volume of PRAs</i>	<ul style="list-style-type: none">• Phase 1 – Procure a PRA Technology Solution (GovQA)• Phase 2 – Implement GovQA and Make Needed Adjustments• Phase 3 – Policy Updates to City Policy Manual 6.1.1
2. <i>Identify voluntary protocols to focus requests and explore state action</i>	<ul style="list-style-type: none">• City Staff 1) communicate with requestors to better understand parameters, and 2) direct requestors to City records depositories (i.e. GILES system, SJPermits, etc.).• OGM will update CSJ Public Records and GovQA Records Center websites to 1) reflect voluntary instructions requestors can consider when requesting records, and 2) provide hyperlinks to City records depositories. <p>** RE: Exploring State Action – Unless Council wishes to assign priority, advocacy to CPRA changes is not an active IGR focus, as there is no appetite at State level.</p>
3. <i>Given growing number of digital records, explore updates to City Policy</i>	<ul style="list-style-type: none">• Changes to City Policy Manual 6.1.5 already in progress, as these are tied to Audit Recommendations #17-04-09 and #17-04-10 (expected completion 2023).

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Recommendations + Actions - PRAs



PUBLIC RECORDS CENTER

- 🏠 City Records Home
- 🔍 FAQs
- 📄 Submit a Request to the City
- 📄 Submit a Request to the Police Department
- 👤 My Records Center
- 🔍 Search by Reference Number
- ➔ Login

FAQs

See All FAQs 🔍

- How do I obtain a Police Report?
- What are the fees associated with a request?
- How do I obtain a copy of a Vehicle Accident Report?
- What are SJPD's Lobby Hours?
- What is the California Public Records Act?

Select Language ▼

Submit a Records Request

My Records Center

Public Records Archive

Trending Topics

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Recommendations + Actions - PRAs

A REQUEST IS SUBMITTED TO THE CITY

Requesters are encouraged to submit their requests via the City's GovQA Records Center, but can also submit via email, phone call, letters, etc.

REQUEST IS ASSIGNED TO DEPARTMENT BY REQUESTED + ASSESSED BY CITY STAFF

- Single Department (Any)
- Multi-Department (CMO)
- Mayor's Office + Council (Clerk's Office)

GOVQA RECORDS CENTER

REQUEST IS PROCESSED BY CITY STAFF

- Acknowledgement
- Clarification (if needed)
- Search + Collection
- Redaction/Exemption Review (w/ CAO as needed)
- Close-Out + Production Delivery

REQUEST IS CLOSED OUT



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2. <i>Identify voluntary protocols to focus requests and explore state action</i>	<ul style="list-style-type: none">Currently, City Staff 1) communicate with requestors to better understand parameters, and 2) direct requestors to City records depositories (i.e. GILES system, SJPermits, etc.) when appropriateOGM will update CSJ Public Records and GovQA Records Center websites to 1) reflect <i>voluntary</i> instructions requestors can consider when requesting records, and 2) provide hyperlinks to City records depositories<i>Exploring State Action – Advocacy for CPRA changes is not a City Council Legislative Priority; no appetite at State level; City Council can prioritize</i>
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Council Actions

- (a) Accept the report on the Biennial Ethics Review.
- (b) Approve an ordinance amending Section 12.21.430 of Chapter 12.21 of Title 12 of the San José Municipal Code to clarify the appeal process for a Public Records Act request.

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