

# GOVERNMENT

## Local Government Decision Making

Adopted June 2006

### 1. Public Participation in Government Decision Making

The League of Women Voters encourages informed and active participation of citizens in their government. To this end, the League promotes programs that:

- a. Help the public to become better informed about current issues and to participate actively and responsibly in governmental affairs;
- b. Facilitate citizen involvement by providing readily accessible public information on a government site and online;
- c. Provide government outreach to the public by means such as adequate noticing, media coverage, and community meetings; and
- d. Ensure that government staff and elected officials actively seek and utilize citizen input in government decision making.

### 2. Requirements for Well-Informed Decision Making

The League of Women Voters recognizes the need of both elected officials and the general citizenry to have useful, comprehensive information on pending public issues, met by following policies such as these:

- a. Agenda items and background materials must be available to the public and elected officials on a timely basis;
- b. In view of the effectiveness of early participation in the decision-making process, staff and elected officials should develop and implement outreach systems that provide early warning of major issues and those with large budgets;
- c. All materials should be cast in a user-friendly format with a minimum of unexplained technical language; and
- d. Materials prepared by city staff should include a summary of arguments for and against a proposed policy action.

### 3. Balancing of Council and City Interests

This section of the position applies specifically to the City of San Jose. However, it may be applied generally to all governmental bodies which use similar forms of district representation. The League of Women Voters recognizes that the system of district council elections promotes diversity, strengthens the tie between council members and their respective constituencies, and encourages grass-roots council campaigns. However, the League is concerned when inadequate attention is paid to citywide matters as a result of a district focus on the part of elected council members. The League believes that a proper balance between citywide and district concerns can be strengthened by:

- a. A professional City Manager with a city-wide perspective who is willing to assert an independent point of view,

- b. A strong public and Council focus on long-term citywide matters including opportunity for in-depth discussion for the benefit of public officials;
- c. Emphasis on and adherence to citywide plans and policies, particularly the General Plan, which are developed and modified with careful analysis and public input into development and modification of plans.

#### **4. Open and Transparent Governmental Decision Making**

The League believes that open and transparent decision-making is essential for an effective and democratic system of governance and decision-making and that members of governing bodies are responsible, individually and together, for protecting and maintaining the public trust and the organization's openness and integrity.

To this end, the League:

- a. Endorses and re-affirms the principles of open government set forth in the League of Women Voters position on Local Governmental Ethics;
- b. Endorses efforts to foster a culture of openness in local government.

## **San Jose City Charter Revision**

**Adopted: 1972, Updated: 1977, 1986**

LWVSJ/SC supports:

The Council/Manager form of government with the administrative responsibility centered in the hands of a professional public administrator and legislative policy set by the entire council. San Jose City Charter Revision General Principles

1. **Form of Government:** Support the Council/Manager form of government with the administrative responsibility centered in the hands of a professional public administrator and legislative policy set by the entire council. The Council directs the activities of the Manager and may hire and fire him at its discretion. Governmental powers should be separated between administrative and legislative functions. This system should provide the best possible combination of democracy and efficiency, checks and balances, accountability, and efficiency of administration.
2. **Representation:** Support a Council with members elected by districts. Council seat representation should provide for representation of compact, geographical areas or neighborhoods, based on population as determined by decennial census.
  - a. Candidates must reside within the district and must be qualified registered voters in the city of San Jose. The Council seats should continue to expire as presently defined in the Charter. There should be mandatory redistricting after each federal decennial census with public hearings on proposed changes in district boundaries prior to adoption.

- b. Support a Mayor who is elected "at large" and who presides over Council meetings and exerts leadership. The Mayor sits as a Council member and has voting privileges on the same basis as other Council members.
3. Compensation: Support compensation for Council and Mayor that is adequate to encourage participation of all people who are qualified to run for City Council office.

## **Districted City Government**

### **Adopted 1980**

Support measures to make the San Jose City districted government effective:

1. Balance of Powers: Support the concept of division of powers as expressed in the San Jose City Charter. Support measures to increase the knowledge and effectiveness of Council members, such as:
  - a. Formal training after election.
  - b. Establishment of Council sub-committees with the responsibilities of review, evaluation and recommendation.
2. Balance of Interests: To encourage a balance between district and citywide interests:
  - a. Council members should be oriented to city-wide problems.
  - b. Council subcommittees should be organized according to citywide areas of government.
3. Budget Accountability: Support measures which further accountability of Council members for the city's budget such as:
  - a. Early participation in budget preparation.
  - b. Adequate time for hearings and review prior to adoption.
  - c. Periodic review of budget programs during the fiscal year.
  - d. Citizen education of and involvement in the budget process, particularly in the preliminary stages.
4. Citizen Input: Support measures to provide for citizen participation at the district level, better information about opportunities for participation, and for more opportunity for participation at early stages in the decision making process.

Council should adhere to accepted procedures at hearings and meetings to strengthen citizen participation.

Council members, Mayor and staff should respond with courtesy and attentiveness to citizens' concerns.

### **REDRAWING LOCAL DISTRICT BOUNDARIES**

Adopted: 2007. This position supplements Districted City Government.

The League of Women Voters San Jose/Santa Clara supports districted forms of governance that balance fair and adequate representation of individual districts

with effective and efficient governance that serves the overall interests of the jurisdiction.

This position applies directly to the City of San Jose. However, its principles may be applied to districted jurisdictions generally.

Criteria for redrawing districts call attention to inherent conflicts among desirable goals. Population growth, density shifts, ethnic and racial movements and residential/industrial/commercial concerns intensify these conflicts.

- 1) The League encourages and supports redistricting processes that mitigate conflict and produce results that serve the interests of the individual districts and the jurisdiction as a whole.
  - a) The LWVSJ/SC supports methods by which the redistricting process can proceed efficiently, such as
    - i) adequate financial support for the department charged with staffing the process, including staff, advance preparation, and the latest technology,
    - ii) allowing the redistricting commission as much time as possible to complete its task, consistent with the requirements of the City Charter.
  - b) The LWVSJ/SC encourages processes by which the redistricting process is open and fair, including
    - i) public outreach through a variety of media, addressed to the diverse communities within the city,
    - ii) clear and accessible opportunities for public input, including meetings and electronic communications
    - iii) open and transparent proceedings, including timely notice and prompt reports of proceedings.
  - c) The LWVSJ/SC encourages the appointment of redistricting commissioners who
    - i) are able to set priorities,
    - ii) are knowledgeable about the city as well as their own districts,
    - iii) understand the need to balance interests of the city with those of the districts,
    - iv) are open minded, flexible and able to work well with other commissioners.
- 2) The League recognizes that as the area's population continues to grow, heavier and different demands are placed on the elected representatives as the number of constituents in the district increases. This growth could result in proposals to increase the number of districts. However, the League does not support an increase as a response to population growth. The League recognizes that the size of the council affects its structure, efficiency, balance of powers and viewpoint. The League maintains that the most important factor in representation is the quality of the representative, regardless of the number of constituents.

## **Local Governmental Ethics**

**Adopted 2004, Amended 2006**

LWVSJ/SC believes that democratic government is a partnership between citizens and their government based on respect and trust. Democratic government is representative, accountable and responsive. It depends on the informed and active participation of its citizens. League believes that these principles must be protected and practiced at every level of government.

LWVSJ/SC encourages local governmental jurisdictions to adopt a code of ethics to be practiced by elected and appointed officials and all employees. The code should set forth clearly the standards of behavior which the community can and should expect from its governments.

The code of ethics should promote behaviors and values such as these:

1. Development and exercise of leadership directed toward the goals of the government organization.
2. Decision-making that promotes the goals of the organization, not parochial interests.
3. Honesty and integrity in communications and decision-making.
4. Adherence to the spirit as well as the letter of laws pertaining to open government and the people's right to know.
5. Cooperation among the organization's sub-units.
6. Helpfulness and responsiveness to the members of the community.
7. Respect for colleagues, staff and members of the community.

The code of ethics should include methods of enforcement such as sanctions, reprimands, loss of seniority and budget restrictions, through provisions in statute, charter and/or ordinance. Enforcement mechanisms should be equitable, meaningful, and unambiguous. The mechanism should include independent analysis and recommendation for action.

Trust in government, confidence that those in office are attending to the people's business and welfare, is essential to democratic government. To a great degree, that trust is based on the openness and transparency of government, the people's right to know what is going on.

To promote the goal of open government, the LWVSJ/SC supports these practices:

1. Timely distribution of easily and readily accessible information about meetings, including agendas, background material, reports and other relevant documents.
2. Timely production and posting of minutes.
3. Clear delineation of lines of authority and responsibility.
4. Public meeting procedures that promote people's understanding.
5. Regulations that address the role and influence of lobbyists and consultants, including registration, disclosure of clients and fees, and enforcement of the requirements through sanctions and penalties.

Democratic government is based on the people's engagement in the civic process: ready access, the opportunity as well as the freedom to speak, and the understanding of the process.

To promote the goal of public participation, the League supports these practices:

1. Clear explanation of the processes by which the people can address their concerns, express their opinions and take part in civic engagement.
2. Respect and attention to staff and persons who participate in government processes.
3. Cooperation and assistance for community members seeking advice or information.
4. Outreach that informs people of the importance of and opportunities for civic engagement.