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Subject: Proposed Comprehensive Plan amendment to create a new element, "Open and Participatory Government"

CITY OF SEATTLE
 COMPREHENSIVE PLAN AMENDMENT APPLICATION

Date: February 25, 2008
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Name of General Area/Location/Site which would be affected: Entire city.

1. Provide a detailed description and explanation of the proposed text amendment.

This amendment would create a new, twelfth, element of the Comprehensive Plan. This new element would be entitled, "Open and Participatory Government." It would include goals, objectives, and policies covering government overall, and thus not be restricted to land use or any of the other current elements of the Comprehensive Plan.

Open government depends of course on obedience to laws on open public meetings and the disclosure of public records. But Seattle's government should not simply wait for citizens to ask it for information or for them to attend its public meetings. Government should make it easy for citizens to find out what government is doing. It should proactively maximize the quantity and quality of public access to its documents, meetings, and other activities. Following are proposed best practices suggested for the new "Open and Participatory Government" element of Seattle's Comprehensive Plan.

Mayor and executive branch

- The Mayor and agencies shall lead in promoting open and participatory government
- Ensure that public-private partnerships do not become a substitute for public planning
- In any implementation of a 311 call center, do not close off the public's access to the existing phone numbers of City agencies and officials.
- The Mayor's name shall not be put in the name of City agencies that are not a part of the Office of the Mayor.
- Executive branch lobbying of the City Council shall not be exempted from lobby disclosure regulation (at the state level, state and local executive branch lobbying of the legislature has been subject to disclosure for many years)

City Council

- The City Council shall be involved at all stages in writing and approving the new "Open and Participatory Government" element of the Comprehensive Plan
- Publicize meetings of the City Council and its committees widely, beyond what is minimally required by state law
- Include as a Comprehensive Plan policy (now only a City Council rule) that City Council meetings shall start with a public comment period
- Include as a Comprehensive Plan policy (now only a City Council rule) that executive sessions will be audio recorded.
- Include citizen stakeholders around the table at Council committee meetings.
- In addition to the traditional public hearing, experiment with other formats to include the public in new ways.

- Legislative retreats that are public meetings under the Open Public Meetings Act shall be held in City buildings within the City of Seattle.
- Provide paper copies (at least for inspection purposes) at meetings so that members of the public have the full text of what the Council or one of its committees is discussing
- Without a declaration by the City Council that the matter justifies a departure from this practice, do not take action on the same day as a hearing, soon after a committee recommendation or on a measure that has not been referred to a committee for its consideration.
- Adopt a Comprehensive Plan policy and a City Council rule requiring that Council staff shall not lobby for City legislation (a similar rule applying to state legislative staff has been in effect for many years).
- Provide translation services at City Council meetings so that people for whom English is not their first language can observe or comment.

City Attorney

- Issue opinions on legal matters for public review, including on questions posted by the public (as is done by the state Attorney General)
- Advise the executive branch and City Council on proactive ways to achieve open and participatory government that go beyond the minimal legal requirements of state law

Advisory boards and commissions

- Meetings of City boards and commissions shall be widely publicized, and held in rooms large enough for all.
- Board and commission meetings shall be regarded as public meetings, whether or not this is required under the Open Public Meetings Act (which applies only to advisory committees created by ordinance).
- Equip for TV broadcast and webcast the meeting rooms used by the City's boards and commissions
- Adopt an ethical standard for City agencies and officials against trying to influence a decision by an advisory board or commission
- Each board or commission shall choose its own leadership, by-laws, procedures and agenda, subject to the following requirements.
- Operate by Robert's Rules of Order, but strive for consensus.
- Draft agenda will be distributed prior to each meeting and adopted at the beginning of the meeting.
- Draft minutes shall be distributed some time prior to the meeting at which they will be approved, in order to allow time for board or commission members, and members of the public, to suggest revisions.
- Those present who are not board or commission committee members should be provided a reasonable opportunity to comment at meetings. This opportunity should normally be at the outset of the meeting or agenda item, not after the committee has acted or at the end of the meeting. Alternatively, a board or commission may provide members of the public the informal opportunity to participate in discussion throughout the meeting.
- Include on the web site the board or commission's draft agendas, draft and final minutes, and other documents.
- Decision documents being referred to during a meeting by board and commission members shall also be available, at least for inspection purposes, to members of the public who are in attendance.
- Where possible, materials relating to agenda items will be distributed some days prior to the meeting in order to allow board and commission members, and the public, to read and consider them beforehand.
- When decision documents are provided to committee members prior to the meeting, these documents will be placed on the web site so that members of the public may review them beforehand.
- Provide translation services so that people for whom English is not their first language can serve or can observe.

Seattle Channel

- Create a separate TV cable channel for arts programming, to restore hours that were lost in recent years from the previous rebroadcast coverage of meetings of the City Council and of City boards and commissions. Ensure that these rebroadcasts again include substantial programming during weekday prime time and weekend daytime hours.
- Greatly increase the broadcast and rebroadcast of meetings of City boards and commissions
- Webcast the meetings of all the City's boards and commissions.
- For webcasts and some broadcasts, provide dubbing or subtitles in other languages

City web site(s)

- Include with proposed or adopted legislation, and in a timely way, all attachments that are referred to in the legislation.
- Post all drafts and proposed amendments prior to action, or as soon as feasible.
- Keep web sites updated (e.g., the current Comprehensive Plan web site is seriously out of date).
- Include on public web sites many documents that the public is likely to request.
- Do not deny access by the public to Seattle's "inweb" (internal web site). Withhold internet access to the "inweb" only for documents that are legally exempt under the Public Records Act.

Public documents

- Adopt as the City's policy the Washington Attorney General's suggested model rules for the handling of public records.
- Archive all electronic documents for at least a year; do not deliberately record over backup tapes or other media
- Do not allow those who created a document to have the sole decision on deleting it; have that decision made by someone without a potential conflict of interest
- Proactively provide paper copies (e.g. newsletters, posters) for those people who have limited or no access to a computer

Responding to document requests

- Provide documents freely; do not invoke the Public Records Act as a way to slow down or reduce the provision of documents.
- Do not withhold documents just because legally they can be; decide this on a case by case basis
- With small requests, provide the documents at no charge--the Public Records Act allows but does not require a charge
- Release the requested documents quickly; don't take the maximum allowable time
- Provide the requested documents in electronic form if that is what the requester wants

2. Describe how the issue is currently addressed in the Comprehensive Plan. If the issue is not adequately addressed, describe the need for it.

The Comprehensive Plan currently does not have a section devoted to Open and Participatory Government. It also does not have any goals or policies that are broadly designed to make the many activities of City government transparent to its citizens, or to make it easy for them to participate directly in its decisions that affect them do deeply.

Openness in government, and the opportunity for the public to participate directly in government decision-making, are important contributors to wise decisions, and they are also essential means by which government earns the public's trust.

3. Why is the proposed change the best means for meeting the identified public need? What other options are there for meeting the identified public need?

There is not a viable option to this proposal. The current Comprehensive Plan is out of balance in that it lacks an

element on Open and Participatory Government.

4. What do you anticipate will be the impacts caused by the change in text, including the geographic area affected and the issues presented? Why will the proposed change result in a net benefit to the community?

Adoption of a new element on Open and Participatory Government will positively affect all areas of the City, and all issues that City government addresses. The new element, and the goals, objectives, and policies that are a part of it, will bring to government decisions the benefit of public input, and members of the public will feel that government wants to hear from them and has listened to their views. Government officials and the public will equally benefit from this renewed partnership.

5. How would the proposed change comply with the community vision statements, goals, objectives, and policies of the Comprehensive Plan? Include any data, research, or reasoning that supports the proposed amendments.

The community vision statements, goals, objectives and policies of the Comprehensive Plan (and of the City Charter, ordinances, resolutions, regulations, and other plans and policies) cannot be fully realized unless government operates openly and allows the public to participate actively with it. The social science literature widely supports the finding that open government, and public participation in government decision-making, encourage better decisions, and higher trust from the public.

6. Is there public support for this proposed text amendment?

Yes, there is broad public support for establishing Open and Participatory Government as a new element of the Comprehensive Plan, along with adopting goals and policies to carry out this element.