



City of Alameda

Staff Report

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Open Government Commission

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Information Report Concerning Disclosure of Documents That Have Been Determined to be Public After Previously Determined as Unavailable to the Public

To: Chair Aguilar and Members of the Open Government Commission

From: Janet Kern, City Attorney

Title: Information Report Concerning Disclosure of Documents That Have Been Determined to be Public After Previously to be Unavailable to the Public

This agenda report is for information only.

Summary

The Sunshine Ordinance provides the City Attorney shall prepare and present on the City Council Consent Calendar a list of documents that have been determined to be public after a previous determination that the documents were unavailable to the public because the documents were exempt from disclosure under the Sunshine Ordinance and the California Public Records Act. Semi-annually, the City Attorney provides to the City Council on the Consent Calendar a report that identifies the dollar value of litigation and liability claims settlements that have been finalized, which settlements were previously approved in closed session by the Council or by those with settlement authority authorized by the City Council.

Background

The Sunshine Ordinance provides the City Attorney shall prepare and present on the City Council Consent Calendar a list of documents that have been determined to be public after a previous determination that the documents were unavailable to the public because the documents were exempt from disclosure under the Sunshine Ordinance and the California Public Records Act. This list shall be presented at least semi-annually and available on the City's website. Section 2-91.12 (e), Alameda Municipal Code. The Commission asked about this section of the Ordinance.

Discussion

Semi-annually, the City Attorney provides a report to the City Council on the Consent Calendar that identifies the dollar value of final settlements arising out of claims or litigation filed against the City.

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These settlements were previously discussed and approved by the City Council in closed session or by those with settlement authority authorized by the City Council. Moreover, documents such as real property transactions or labor negotiations that were discussed in closed session are presented to the City Council in open session for final approval. During 2015, other than documents described herein, there were no documents that had been determined to be public after a previous determination had been made that the documents were unavailable to the public.

Respectfully submitted,
Janet Kern, City Attorney