

## PLANNING COMMISSION MINUTES OF JULY 13, 2009

Consider Creation of a Distribution List Linking E-mail Addresses to Geographic Mailing Addresses (Study Issue) – JP, RW

**Robert Walker**, Assistant City Manager, presented the staff report.

**Comm. Rowe** discussed with staff how an e-mail distribution list of addresses would work with the current noticing requirements, what a “listserve” distribution list is, and how subject or topic based e-mail notifications work. Mr. Walker said the City currently has a system called E-bot that allows people to sign up for particular notifications and that this current system has a limited number of subjects available.

**Comm. Klein** discussed with staff Option 2 on page 4 of the report questioning the on-going costs following the initial set-up of a website with a listserve. Mr. Walker said the estimated costs are for maintaining the lists and systems to make sure they are current. Comm. Klein suggested the addresses be set up with a “ping” to require those who have submitted e-mail addresses to maintain their accounts and if within a certain amount of time if there is no activity or the subscriber does not check in then automated closure of the account could occur. Comm. Klein said that he knows this notification would not be legally binding and would be secondary to the U.S. Mail noticing. Mr. Walker said if there is a cost effective way to provide additional notification that staff is open to additions.

**Comm. Hungerford** discussed with staff the Municipal Code requirements for adequate noticing, and the variations depending on the type of noticing which is defined in the Code, Charter and State requirements. The types and timing of notices were discussed including posting of agendas, mailed notices, site postings, and publishing in a newspaper. Comm. Hungerford confirmed with staff that e-mail notification alone would not satisfy the noticing requirements and would be supplemental to the legal requirements.

**Comm. McKenna** said she assumes the reason e-mail notification is being discussed is to promote transparency in government, to inform the public, and easily to serve the public. She asked staff to explain what Alternatives 3, 4 and 5 would do. Mr. Walker discussed Alternative 3 which is the existing E-bot system allowing the public to subscribe to receive information about selected items, which would continue. He said Alternative 4 refers to a proposed single website that would include all access to on-line transactions available through the City. He said Alternative 5 is a reaffirmation of current policy to use the most advanced technology possible to convey public notices. Comm. McKenna further

discussed the alternatives including that the single website alternative could be available within a year.

### **Chair Chang opened the public hearing**

**Jim Griffith**, a Sunnyvale resident, said he agrees with not pursuing the creation of a Citywide list of e-mail addresses, Alternative 1, and with the comments regarding legal noticing. He said he agrees that possibly an annual “ping” to make sure an e-mail address is still used, could be set up as this is common with list serves, and that a wrong address costs the City nothing. He suggested the City use the “Google alerts” model where a subscriber can sign up to receive information related to key words. He said he has heard people say that the City makes it difficult to know about things and that the comments he has heard are that the City website is difficult to navigate and he would like to see the website fixed. **Comm. Rowe** had the speaker clarify information about the Google alerts model.

**Arthur Schwartz**, a Sunnyvale resident, said he finds the website difficult to use and until the site is fixed that the City would be wasting money. He said he would like to see the website fixed as part of this study.

### **Chair Chang closed the public hearing.**

**Comm. Rowe** discussed with staff the Google alerts model and the intent through Alternative 5, that as technology improves and better systems come along that the City would continue to move towards the better technology.

**Comm. McKenna** commented that she had used Google alert, agreeing that sending an e-mail once the system is in place does not cost the City. She suggested that when the Commission makes the motion that it should include a suggestion that staff look at the most efficient and cost effective ways to convey public notices and that the City also looks for the Google alert or Yahoo! type models and incorporate these into Alternative 5.

**Comm. Rowe** discussed with staff adding a website address on the public notices with staff advising that the notices currently include the planner’s e-mail address and the City website.

**Comm. Klein** moved for Alternatives 2, 3, 4 and 5 modifying Alternative 5 to include the language “key word notification on e-mail”: alternative 2, to provide opportunity for members of the public to voluntarily subscribe to a list serve or other database function linking e-mail addresses to physical street addresses; alternative 3, to continue current staff efforts directed toward the implementation for systems whereby members of the public are

able to subscribe, on a non-address-specific basis, to services notifying them of changes to Web site listings and other topic-based information items; alternative 4, to create a single website identifying all possible online City transactions, as well as a link from that website to each individual website where online transactions can be made; and alternative 5, to direct the city manager to have staff continue to use its best judgment to determine the most efficient and cost effective method, *including key word notification on e-mail*, to convey public notices, provided that specific noticing methods described in the Sunnyvale Municipal Code are adhered to. **Comm. McKenna** seconded.

**Comm. Klein** said he included Alternative 2 in the motion because it helps create a database that is another path of communication from the City to the public. He said the database could help set up a framework to be used for other alerts or emergencies going forward.

**Comm. McKenna** commented that the goal of government is to be as transparent as possible to the citizens, to inform the public, and to provide easy access to services and information. She said software development is always changing and improving and if this language is not added to the Alternatives that the City might not take advantage of improvements later. She said the key word notification alert system is good, and that the e-mail additions may not fulfill the legal requirements, however the information would be another way to keep the citizens informed.

**Comm. Rowe** said she would be supporting the motion. She said she was part of a study on how to improve the City website and she is hoping this is a start to make it easier for citizens to access the information they want.

**Comm. Sulser** said he would be supporting the motion. He said that he thinks this is a good direction to go and he does not think the City should worry about sending out e-mails that no one reads. He said the other legal noticing that we provide is not necessarily looked at either yet it is provided.

**Comm. Hungerford** said he would be supporting the motion and that he agrees the website could be more user-friendly and should be looked at, even though this is not part of the motion.

**Comm. Travis** said he would be supporting the motion and that he agrees that a redesign of the City website should be looked into.

**Chair Chang** said he would be supporting the motion, and that he thinks a database can be used in the future for more than legal noticing. He acknowledged that budget is always an issue.

**Mr. Walker** acknowledged the many comments tonight about the City website. He said though it is not part of this study that a City website redesign is a special project on the City Manager's list of things to do in the next year.

**ACTION:** Comm. Klein made a motion to recommend that City Council: provide opportunity for members of the public to voluntarily subscribe to a list serve or other database function linking e-mail addresses to physical street addresses; continue current staff efforts directed toward the implementation for systems whereby members of the public are able to subscribe, on a non-address-specific basis, to services notifying them of changes to Web site listings and other topic-based information items; create a single website identifying all possible online City transactions, as well as a link from that website to each individual website where online transactions can be made; to direct the city manager to have staff continue to use its best judgment to determine the most efficient and cost effective method, *including key word notification on e-mail*, to convey public notices, provided that specific noticing methods described in the Sunnyvale Municipal Code are adhered to. Comm. McKenna seconded. Motion carried unanimously, 7-0.

**APPEAL OPTIONS:** This recommendation will be forwarded to City Council and is scheduled to be considered at the July 28, 2009 Council meeting.