

JOINT RESOLUTION NO. 62 OF 2009

(Open and Transparent Government)

A joint resolution adopting the Salt Lake City policy on open government.

WHEREAS, on January 6, 2009, the Mayor and City Council Chair jointly announced Salt Lake City's Greater Transparency for Collaborative Government Initiative, which has since been renamed the Open Government Initiative; and

WHEREAS, an open government facilitates communication and collaboration, both internally with employees and externally with constituents, leading to a more responsive, efficient, and effective government; and

WHEREAS, one of the objectives of the Open Government Initiative was the adoption of a City policy on transparency and open government; and

WHEREAS, a policy on open government will be a significant means of affirming and expanding a culture of open, transparent, and collaborative government in Salt Lake City; and

WHEREAS, the City has received input from both the public and City employees on the current state of openness and transparency in Salt Lake City government; and

WHEREAS, on June 23, 2009, the City released for public and employee comment a draft of a proposed Salt Lake City Policy on Open Government ; and

WHEREAS, the City's Open Government Steering Committee has made improvements to the draft based on public and employee input; and

WHEREAS, the City Council and Mayor find that City government serves the public and City employees best when it operates openly; and

WHEREAS, the Mayor and City Council find that the adoption of a City Policy setting forth basic principles to be followed will facilitate greater transparency and openness in City government.

THEREFORE, BE IT JOINTLY RESOLVED by the Salt Lake City Council and Mayor to adopt the following Salt Lake City's Policy on Open Government:

Salt Lake City's Policy on Open Government

One of the principles most cherished by Americans is that our system of democratic government is “of the people, by the people, and for the people.” The Mayor and City Council members are individual citizens as well as the elected representatives of their constituents. The majority of the members of the City's boards and commissions are individual residents of the City who have been appointed to serve the public interest. Many City employees are also constituents of the City. Thus, Salt Lake City government is conducted by its constituents.

However, the election or appointment of representatives does not end the general public's interest in how the business of City government is conducted, nor does it end the public's right to be involved in the City's decision-making. Communities are strong when residents understand and participate in the civic process, have access to good, clear information, and are able to place confidence in their public officials.

The Mayor and City Council members believe that Salt Lake City government serves the public and City employees best when it operates openly. Openness in government is the basis for accountability, improved decision-making, public and employee trust, and informed participation.

The Mayor and City Council members believe that an open government consistently follows these basic principles:

- An open government provides the public and its employees easy access to information that educates and informs.
- An open government listens to all the people affected by its actions. No person or group affected by the City's actions has a greater right to be heard than anyone else.

- An open government sees the public and City employees as sources of creative ideas and effective solutions.
- An open government follows its stated processes, is truthful, and welcomes accountability.
- Open public officials disclose their conflicts of interest to the public.

An open government requires that each of these values is embodied in the culture and mindsets of all City elected officials, employees, and volunteers. The Mayor and City Council believe that City elected officials, employees, and volunteers can affirm, expand, and protect Salt Lake City's culture of open, inclusive, responsive, and accountable government, by doing the following:

1) Provide complete and understandable information to the public and City employees.

Access to information is the foundation for a transparent government. A collaborative government requires that people have complete information in a format which they can understand and use. As the first directive of this policy, all City employees shall aim to provide complete information to the public whenever possible, recognizing that privacy must be respected whenever appropriate. In addition, the City's Department Heads, Division Directors, and employees shall work to ensure the public is able to understand, or reasonably should be able to, the information provided without government or legal expertise.

The same principle applies within City government. Information must be freely shared between and within departments, subject to privacy and other concerns, so that employees can work together efficiently and effectively.

2) Plan for and incorporate public input at the beginning of each major action.

Municipal government clearly and tangibly affects the City's residents, businesses, and visitors' daily life. An open government provides people with an opportunity to share their views and provide input early in the decision making process, at a time when the input can shape the decision. Salt Lake City Department and Division Directors are encouraged to actively seek out and provide for opportunities where broad stakeholder participation is available early in the process to complement the work of City employees. The City's decision documents will also reflect how public input affected the decision.

3) Let the public and employees know "why" decisions are made.

The reasons behind governmental decisions are often as important as the decisions themselves. Letting the public and employees know why decisions are made ensures an honest, reasonable, fair, and open government. It also protects the public from arbitrary government interference. Salt Lake City Department Heads, Division Directors, and employees shall work to document any significant facts and criteria guiding a decision of general public impact and make the justification publically available.

4) Go above and beyond the requirements when providing information to the public and employees.

State law and City code require Salt Lake City government to provide public notice for major decisions that affect constituents' lives. These regulations shall be considered a floor and Salt Lake City shall seek to expand and proactively provide additional information to the public whenever financially and efficiently feasible. In addition, City Officials shall seek to use active noticing measures, such as physical meetings, emails, mailings, and phone calls in addition to passive techniques, such as web pages, agenda posting, etc.

5) Make the information on www.slccgov.com and the employee intranet site easily searchable, accessible, and sortable.

The use of technology and e-government solutions should be commonplace for all Salt Lake City's Departments and Divisions. To the extent feasible, Salt Lake City government shall make its records and decisions available online in an accessible, searchable, and sortable format. Online materials shall also be intuitively organized in a manner someone without government expertise can navigate and search. These principles again hold true for City employees' access to information affecting their employment and/or benefits.

6) Ensure Salt Lake City's public processes are understandable and fair to all parties involved.

Salt Lake City has numerous public processes designed to ensure the public has an opportunity to voice their perspective on decisions that affect their daily lives. However, the members of the public are often only aware of one step of the entire process, meaning they do not participate when their participation would be most valuable. In order to expand the openness and inclusiveness of Salt Lake City government, Department and Division Heads shall seek to develop clear, consistent, and equitable processes, and to make the broader public aware of their existence. The same principles apply to the City's internal processes impacting employees. The employees' need for understandable and fair policies is no less important.

7) Encourage Candor and protect against retaliation.

Constructive criticism is vital to an effective and efficient organization. The public and City employees must be able to state their beliefs without fear of retribution. At the same time, beliefs must be honestly stated in a constructive manner, free of personal animosity.

8) Practice the principles of an open government in your interactions with City employees and departments.

The City's employees are affected by the City's decisions just as much as the broader public. Department and Division Directors shall make every attempt to communicate and practice the principals outlined in this policy internally with their employees as they do externally with the public.

Complaints about violations of these principles may be directed to the Mayor's Chief of Staff with respect to Executive Branch matters and to the City Council Chair or Executive Director with respect to Legislative Branch matters.

Passed by the City Council of Salt Lake City, Utah, this 10th day of November, 2009.