

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
March 5, 2008

PRESENT: Mayor Reed, Vice Mayor Cortese, Councilmember Constant

ABSENT: Councilmember Chirco, Vice Mayor Cortese excused himself at 3:10 p.m.

STAFF: City Attorney Rick Doyle, City Clerk Lee Price, Redevelopment Agency Assistant Director Gary Miskimon, Agenda Manager Nadine Nader, Mayor Council Agenda Manager Alicia Bosco and Deputy City Clerk Nora Pimentel.

A. City Council

1. Review March 11, 2008 Final Agenda

Action: The Committee approved the March 11, 2008 Final Agenda with no additional changes.

2. Review March 18, 2008 Draft Agenda

Action: The Committee approved the following changes and additions to the March 18, 2008 Draft Agenda:

- Councilmember Williams travel to Okayama, Japan.
- Solar Summit Recommendations for Clean Tech Policy Priorities.

B. Redevelopment Agency

1. Review March 11, 2008 Final Agenda

Action: The Committee approved the March 11, 2008 Final Agenda with no additional changes.

2. Review March 18, 2008 Draft Agenda

Action: The Committee approved the March 18, 2008 Draft Agenda with no additional changes.

C. Legislative Update

1. State

None.

2. Federal

None.

D. Meeting Schedules

There were none.

E. The Public Record

Document Filed: Memorandum from Lee Price, City Clerk dated February 29, 2008 transmitting the Public Record for the week of February 22-28, 2008.

Director of Economic Development Paul Krutko and Director of Parks, Recreation and Neighborhood Services Albert Balagso gave a brief background and explanation regarding the letter from the Parks and Recreation Commission endorsing the concept of a San José Steam Railroad Museum.

Action: The Committee noted and filed the Public Record.

F. Appointments to Boards, Commissions and Committees

There were none.

G. Rules Committee Reviews, Recommendations and Approvals

1. Audit of the Travel Expenditures of the Federated Retirement System and the Police and Fire Retirement Plan.

Documents Filed: (1) Memorandum from City Clerk Lee Price dated February 29, 2008 summarizing the travel expenditure audit of the Retirement Boards; with additional correspondence attached from both Retirement Boards.

Russ Richeda, representing the retirement boards, argued that the two retirement boards have plenary authority and offered a legal opinion different from the one expressed by the City Attorney.

Committee questions to the City Attorney followed.

Action: The Committee agreed to place this item on the March 18, 2008 Council meeting agenda.

2. Mexican Heritage Corporation

Documents Filed: (a) Memorandum from City Manager Debra Figone dated February 22, 2008 regarding Consultant Assessment of the current organizational capacity of the Mexican Heritage Corporation with recommendations for improvements. (b) Memorandum from Deputy Director Jeff Ruster dated February 21, 2008 regarding options for Mexican Heritage Plaza, including Mexican Heritage Corporation, for Rules Committee discussion and direction. (c) Powerpoint Presentations from City of San Jose, Strategic Philanthropy Advisors and Mexican Heritage Plaza. (d) Email from Susan Cashion, PhD Stanford University Dance Division dated March 3, 2008 in support of the present structure of the Mexican Heritage Plaza. (e) Letter from Chan Chrisman dated March 5, 2008 in support of new leadership for the Mexican Heritage Plaza. (f) Letter from County Supervisor Blanca Alvarado dated March 5, 2008 in support of a steering committee to develop a

strategic plan for a new Facility Programmer and with a new facility operator. (g)
Email from Artistic Director of Los Lupenos de San Jose Tony Ferrigno dated March 5, 2008 regarding the future of the Mexican Heritage Plaza.

Public Comments: Tom Scheid, Maria Hernandez Schabbing, Carla Diaz, Rudy Chavez Medina and Jaime Alvarado spoke in support of the Mexican Heritage Plaza. Chan Chrisman spoke in favor of new leadership for the Mexican Heritage Plaza.

Action: The Committee accepted the report and forwarded it on to the March 18, 2008 evening Council agenda.

3. Budget Outreach Plan

Documents Filed: Memorandum from Mayor Reed dated February 29, 2008 regarding 3-Year General Fund Structural Deficit elimination plan framework for additional stakeholder outreach.

Action: The Committee accepted the report and forwarded to the March 18, 2008 Council agenda.

- H. Review of additions to Council Committee Agendas**
- 1. Community and Economic Development Committee**
 - 2. Neighborhood Services and Education Committee**
 - 3. Transportation and Environment Committee**
 - 4. Public Safety, Finance and Strategic Support Committee**
- There were none.

I. Open Government Initiatives

- 1. Reed Reforms**
There were none.
- 2. Sunshine Reform Task Force (SRTF)**
 - **Review remaining provisions of Sunshine Reform Task Force Phase I Report and Recommendations**

Action: The Committee deferred this item to March 13, 2008.
- 3. Significant Public Records Act Requests**
- 4. Council Policy Manual Update**
There were none.

J. Open Forum

K. Adjournment

The meeting adjourned at 3:54 p.m.

Mayor Chuck Reed
Rules and Open Government Committee