

**RULES AND OPEN GOVERNMENT COMMITTEE**

Meeting Report  
September 26, 2007

PRESENT: Mayor Reed, Vice Mayor Cortese, and Councilmember Chirco

ABSENT: Councilmember Constant

STAFF: City Attorney Rick Doyle, City Clerk Lee Price, City Manager Debra Figone, Redevelopment Agency Assistant Director Gary Miskimon, Deputy City Manager Deanna Santana, Agenda Manager Nadine Nader, Senior Analyst Vilcia Rodriguez and Mayor Council Agenda Manager Alicia Bosco.

**A. City Council**

**1. Review October 2, 2007 Final Agenda**

Action: The Committee approved the following additions to the October 2, 2007 Council Agenda:

- Presentation of a proclamation declaring October 2007 as Energy Awareness Month in the City of San José. (Mayor/Environmental Services)
- Request for excused absences for Councilmember Constant. (Constant)
- Request for an excused absence for Councilmember Pyle. (Pyle)
- Approval of Councilmember Williams' Travel Out of State. (Williams)

**2. Review of October 9, 2007 Draft Agenda**

None – Meeting canceled.

**B. Redevelopment Agency**

**1. Review October 2, 2007 Final Agenda**

Action: The Committee approved the October 2, 2007 Redevelopment Agency Final Agenda.

**2. Review October 9, 2007 Draft Agenda**

None – Meeting canceled.

**3. Assign "Time Certain" for convening Redevelopment Agency Agenda**

None.

**C. Legislative Update**

**1. State**

None.

**2. Federal**

None.

**D. Meeting Schedules**

**1. Approve a City Council Study Session on Deferred Maintenance and Infrastructure Backlog for Thursday, October 25, 2007 from 9:00 a.m. – 12:00 noon.**

Documents Filed: Memorandum from Deputy City Manager Ed Shikad dated September 18, 2007 recommending City Council set a study session on Deferred Maintenance and Infrastructure Backlog for Thursday, October 25, 2007 from 9:00 a.m. – 12:00 noon.

Action: The Committee approved the recommended schedule.

**E. The Public Record**

Document Filed: Memorandum from Lee Price, City Clerk, dated September 20, 2007 transmitting the Public Record for the week of September 14-20, 2007.

City Manager Debra Figone spoke on item C, regarding a petition signed by members of Unit 99 regarding retiree health benefits. She stated that her written response would be submitted to the Public Record for the following week.

City Clerk Lee Price and PRNS Director Albert Balagso gave an update on the proposed amendment to the Naming of City-Owned Land and Facilities Policy (CPM 7-5).

Public Comment: Helen Chapman, former Chair of the Parks and Recreation Committee, spoke in favor of amending the Naming of City-Owned Land and Facilities policy to provide the Parks and Recreation Committee with more input on the process.

Action: The Committee approved to note and file the Public Record and referred to the Administration Council Policy 7-5 regarding Naming of City-Owned Land and Facilities Policy for review and consideration as part of current work on public-private partnerships.

**F. Appointments to Boards, Commissions and Committees**

None.

**G. Rules Committee Reviews, Recommendations and Approvals**

**1. Recommend staff to utilize the Public Art Core Process for Artist Selection and Design Review to explore a Public Safety Memorial for the Plaza of City Hall.**

Document Filed: Joint memorandum from General Services Director Peter Jensen and Economic Development Director Paul Krutko dated September 21, 2007 recommending staff to utilize the Public Art Core Process for Artist Selection and Design Review to explore a Public Safety Memorial for the City Hall.

Action: This item was deferred (see Rules and Open Government Agenda for October 24, 2007)

**2. Approve workload assessment for the Study of a Potential Inclusionary Housing Ordinance in San Jose.**

Documents Filed: 1) Memorandum from Housing Director Leslye Krutko dated September 21, 2007 recommending approval of the workload assessment associated with exploring the potential for an inclusionary zoning ordinance in San José and to provide feedback on using a task force or focus group to help arrive at a recommendation for Council consideration; and 2) Joint memorandum from Councilmembers Liccardo, Campos, Chirco and Nguyen dated August 23, 2007 directing staff to prepare a workplan assessment and return to the Community and Economic Development Committee and Transportation and Environment Committee with an analysis of three options for increasing San Jose's supply of affordable housing.

Discussion: Housing Director Leslye Krutko summarized the staff report and provided a workload analysis. Discussion ensued.

Public Comment:

- Speaking in support of the proposal submitted by Councilmembers Liccardo, Campos, Chirco and Nguyen: Carrie Hamilton; Michelle Beasley, Greenbelt Alliance; Jeff Gusoff, Law Foundation of Silicon Valley; Shiloh Ballard, Silicon Valley Leadership Group; and Bonnie Mace.
- Speaking in opposition to the proposal and in support of referring the matter to the General Plan Update process: Pat Dando, San José Silicon Valley Chamber of Commerce; Joshua Howard, California Apartment Association Tri-County Division; Beverly Bryan, Homebuilders Association; and Mark Triseni, KB Properties.

Action: The Committee approved the recommendations put forward by Councilmembers Liccardo, Campos, Chirco and Nguyen and directed staff to notice the focus groups in compliance with the Brown Act and to provide updates on the work of the focus groups to the Council.

- H. Review of additions to Council Committee Agendas**
- 1. Neighborhood Services and Education Committee**
  - 2. Transportation and Environment Committee**
  - 3. Request for Transportation and Environment Committee Workplan**
  - 4. Public Safety, Finance and Strategic Support Committee**
    - **Add a progress report to the October 18, 2007 Committee meeting regarding Council Referral #18 from June 21, 2007 Special Council Meeting**  
Document Filed: Memorandum from Deputy City Manager Deanna Santana dated September 21, 2007 requesting to add a progress report to the October 18, 2007 Committee meeting.

Action: The Committee approved the addition.

- I. Open Government Initiatives**
- 1. Reed Reforms**
  - 2. Sunshine Reform Task Force**
  - 3. Significant Public Records Act Requests**
  - 4. Council Policy Manual Update**
- None.

- J. Open Forum**
- None.

- K. Adjournment**
- The meeting was adjourned at 3:24 p.m.

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Chuck Reed, Mayor  
Rules and Open Government Committee