

**RULES AND OPEN GOVERNMENT COMMITTEE**

Meeting Report  
June 11, 2008

**PRESENT:** Mayor Reed, Councilmember's Chirco and Nguyen

**ABSENT:** Vice Mayor Cortese and Councilmember Constant (Excused due to required attendance at MTC and LAFCO meetings, respectively)

**STAFF:** City Attorney Rick Doyle, City Clerk Lee Price, Assistant City Manager Christine Shippey, Redevelopment Agency Assistant Director Gary Miskimon, Senior Executive Manager Vilcia Rodriguez, Mayor Council Agenda Manager Alicia Bosco and Deputy City Clerk Nora Pimentel.

**A. City Council**

**1. Review June 17, 2008 Final Agenda**

Action: The Committee approved the June 17, 2008 Final Agenda with the following amendments:

- Closed session to begin at 8:30 a.m.
- Items 7.1-7.3 (Sewer Services and Use Charge Rates.../Municipal Water System.../Wholesale Recycled Water Rate...) will be heard immediately after Item 9.1 (Mayor's 2008 June Budget Message)
- Presentation of commendation to Flextronics. (Mayor/Chu)
- Presentation of a commendation to Frank Schiavo. (Nguyen)
- Presentation of a commendation to the Billy DeFrank LGBT Community Center. (Oliverio)
- Item 5.2 (Actions related to Library Internet Access and Computer Use Policy) is to be dropped and re-noticed to a later date.
- Item 9.3 (Urgency Ordinance and Other Actions Related to Freestanding News Racks within the Downtown Core and Civic Plaza) is deferred to August 12, 2008.

Committee discussion included public testimony regarding item 4.2, the Economic Feasibility Analysis competed as part of the City's Inclusionary Housing Study.

Public Comments: The following members of the Coalition for Jobs urged the Committee to not approve the Economic Analysis and further, to defer the item for approximately 45 days to conduct more outreach: Michael Van Every and Jennifer Rodriguez ( Home Builders Association of Northern California) Anel Bahaar (Association of Realtors) Jodie Hansen and Pat Dando (San Jose/Silicon Valley Chamber of Commerce)

Committee discussion followed. The City Attorney advised that the Council has the option to hear and accept the report but is not obligated to approve it.

**2. Review June 24, 2008 Draft Agenda**

Action: The Committee approved the June 24, 2008 Draft Agenda with the following amendments:

- Presentation of a proclamation declaring the month of July as “Olympics Month” in the City of San José. (Constant)
- Excused absence for Councilmember Constant. (Constant)
- Item 3.7 (Various Budget Actions and Final Adoption of the Fiscal Year 2008-2009 Budget) to heard at 10:00 a.m.
- Item 4.5 (TEFRA Hearing and Actions Related to the Issuance of Refunding Bonds for the Las Ventanas Apartment Project) to be heard in the afternoon.
- Item 9.1 (Various Actions Related to the Redevelopment Agency’s FY 2007-2008 Appropriations Resolution Amendments) to heard at 10:00 a.m.

**B. Redevelopment Agency**

**1. Review June 17, 2008 Final Agenda**

Action: The Committee approved the June 17, 2008 Final Agenda with the following amendments:

- Item 4.1 change to read: “Approval to reject all bids for the East Santa Clara Street and Lincoln Avenue Tree Planting Project. CEQA: Exempt, File No. PP08-035. (SNI)”
- Item 8.1 change to read: “adoption of a resolution by the Redevelopment Agency Board approving a Reimbursement Agreement with CTS Electronic Manufacturing Solutions, Inc., in an amount not to exceed

**2. Review June 24, 2008 Draft Agenda**

Action: The Committee approved the June 24, 2008 Draft Agenda with no additional amendments.

**C. Legislative Update**

**1. State**

**a. AB 1195 (Torrico), Recycling: Used Oil: Incentive Payments.**

Documents Filed: Memorandum from Director of Finance John Stufflebean dated June 3, 2008 recommending City Council support AB 1195 with a one-week turnaround for Mayor and Council review.

Action: The committee approved the support position for AB 1195 and the one-week turnaround for Mayor and Council review.

**2. Federal**

None.

**D. Meeting Schedules**

There were none.

**E. The Public Record**

Document Filed: Memorandum from Lee Price, City Clerk dated June 6, 2008 transmitting the Public Record for the week of May 29 – June 5, 2008.

Action: The Committee noted and filed the Public Record.

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

**1. Re-appointment to the Traffic Appeals**

Documents Filed: Memorandum from Councilmember Nguyen dated May 21, 2008 recommending re-appointment of Gary Pelton to the Traffic Appeals Commission.

Action: The Committee approved the re-appointment of Gary Pelton.

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

**1. Modification to Municipal Code 11.38.210 – No Vehicle Solicitation Zone to Prohibit Sale of Cars in Public Areas that Create Safety Hazards or Public Nuisances Workload Assessment.**

Action: The Committee deferred this item to August 6, 2008.

**H. Review of additions to Council Committee Agendas**

**1. Community and Economic Development (CED) Committee**

- Add “Update on the Art and Technology Lighting Program for City Hall” to the June 23, 2008 CED Committee Agenda.

Document Filed: Memorandum from Chief Development Officer Paul Krutko dated May 28, 2008 recommending to add an update on the Art and Technology Lighting Program for City Hall to the June 23, 2008 CED Committee agenda.

Action: The Committee approved the addition to the June 23, 2008 CED Committee agenda.

**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**

**2. Sunshine Reform Task Force (SRTF)**

**3. Significant Public Records Act Requests**

**4. Council Policy Manual Update**

There were none.

**J. Open Forum**  
None.

**K. Adjournment**  
The meeting adjourned at 2:45 p.m.

A handwritten signature in cursive script that reads "Chuck Reed". The signature is written in black ink and is positioned above a horizontal line.

Mayor Chuck Reed  
Rules and Open Government Committee