

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
June 18, 2008

PRESENT: Mayor Reed, Vice Mayor Cortese, Councilmember's Chirco and Constant

ABSENT:

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 24, 2008 Final Agenda

a. New items to June 24, 2008 Final Agenda

- 1. Adoption of appropriation ordinance and funding sources resolution amendments in the general fund to terminate the officeholder account for Councilmember Campos, District 5.**

Documents Filed: Memorandum from City Clerk Lee Price dated June 13, 2008 recommending council adopt appropriation ordinance and funding sources resolution amendments in the General Fund.

- 2. Approval of the use of a special events account for the community resource fair and adoption of appropriation ordinance amendments and funding sources resolution amendments in the gift trust fund for the community resource fair.**

Documents Filed: Memorandum from City Clerk Lee Price dated June 16, 2008 recommending approval of the use of special events account, adoption of appropriation ordinance and funding sources resolution amendments in the Gift Trust Fund.

- 3. Urgent Temporary Taxicab Fuel Surcharge.**

Documents Filed: Memorandum from Councilmember Constant dated June 24, 2008 recommending Council approve a temporary fuel surcharge in the amount of \$2.00 on all taxicab fares originating within the City of San Jose.

Discussion: Councilmember Constant expressed his concern about the high fuel cost causing considerable hardship on the independent business owners and independent contractors that drive taxis and proposed a short-term \$2.00 fuel surcharge until the meter change is implemented. Director of Transportation Jim Helmer, Pamela McNally and Bob Lochart addressed the proposed surcharge as well as the rate methodology study. Staff noted that the new rate will be proposed in early August and added that stakeholder outreach has been conducted. Committee discussion followed.

Public Comment: Larry Silva (Yellow Checker Cab) spoke in support of the fuel surcharge.

Action: The Committee agreed to agendize the proposed fuel surcharge and rate increase for the August 5, 2008 Council meeting (Constant, opposed).

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

- Closed Session to begin at 8:30 a.m.
- Item 2.6 (Certification of the Results of the Municipal Election held on June 3, 2008) was deferred to August 12, 2008.
- Item 3.9 (Agreement with Housing and Development Software for a Database System) was dropped.
- Presentation of a commendation to Gabrielle Gamez. (Mayor)
- Councilmember Nguyen's Travel to Chicago, IL. (Nguyen)
- Councilmember Williams' Travel to Dublin, Ireland. (Williams)
- Items deferred from June 17, 2008 to June 24, 2008: 2.15 (Actions related to Carolyn Norris Park Site); 2.22 (Approval to Donate Five Surplus Brush Patrol Vehicles); 4.4 (Public Hearing on the Reorganization/Annexation of Territory Designated as Burbank No. 40); 4.5 (Actions related to the Design and Installation of Public Artwork at Happy Hollow Park and Zoo); 5.3 (Report on Bids and Action Related to Bascom Library and Community Center Project); and 11.1 (Public Hearing on Consent Calendar: Resolution approving a Conservation Area Amendment allowing expansion of current boundaries of Hanchett and Hester Park Conservation Area).

2. Review July 1, 2008 Draft Agenda
Meeting Cancelled.

B. Redevelopment Agency

1. Review June 24, 2008 Final Agenda

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

2. Review July 1, 2008 Draft Agenda
Meeting Cancelled.

C. Legislative Update

1. State

a. Recommendation to adopt a support position on SB 1407 (Perata-Court House Construction).

Documents Filed: Fact sheet dated April 2008 regarding SB 1407 (Perata).

Action: The committee approved the recommended support position on SB 1407 with a one-week turn around to the full Council for approval with a letter sent by the Mayor.

2. Federal

None.

D. Meeting Schedules

1. Approval to set the Employment Lands Study Session on September 2, 2008 from 9:00 a.m. – 12:00 p.m.

Documents Filed: Memorandum from Director of PBCE Joseph Horwedel dated June 2, 2008 recommending approval to set an Employment Study Session.

Action: The Committee approved to set the study session.

E. The Public Record

Document Filed: Memorandum from Lee Price, City Clerk dated June 13, 2008 transmitting the Public Record for the week of June 6-12, 2008.

Discussion: Councilmember Constant was concerned with the response to the letter from Mr. Wall dated May 13, 2008 requesting a list of funds and a synopsis of what they are used for. He suggested clarifying to Mr. Wall that this information is available to him.

Action: The Committee noted and filed the Public Record, including the comment made by Councilmember Constant.

F. Appointments to Boards, Commissions and Committees

There were none.

G. Rules Committee Reviews, Recommendations and Approvals

1. Recommendation to refer to staff for review AB 2064 (Vietnam War Curriculum).

Documents Filed: Informational sheet regarding AB 2064.

Discussion: Mayor Reed and Vice-Mayor Cortese expressed not knowing the legislation well enough to recommend a position and preferred to receive information as it pertains to who is for and against it, as well as where it is coming from and how appropriate it is before they write a letter on whether they support it or not.

Action: The Committee requested to receive informational referral.

2. Approval of the City Auditor's Fiscal Year 2008-09 Work Plan.

Documents Filed: Memorandum from City Auditor Sharon W. Erickson dated June 12, 2008 recommending approval of the City Auditor's Fiscal Year 2008-09 Work Plan.

Action: The Committee approved the Auditor's Fiscal Year 2008-09 Work plan.

3. Accept workload assessment for the neighborhoods of distinction.

Documents Filed: Memorandum from Director of PBCE Joseph Horwedel dated June 12, 2008 recommending acceptance of the workload assessment for the neighborhoods of distinction.

Action: The Committee approved the workload assessment for the neighborhoods of distinction.

H. Review of additions to Council Committee Agendas

- 1. Community and Economic Development (CED) 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

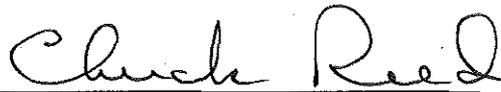
- 1. Reed Reforms**
 - 2. Sunshine Reform Task Force (SRTF)**
 - 3. Significant Public Records Act Requests**
 - 4. Council Policy Manual Update**
- There were none.

J. Open Forum

None.

K. Adjournment

The meeting adjourned at 3:15 p.m.



Mayor Chuck Reed
Rules and Open Government Committee