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**REGULAR MEETING OF THE SAN JOSÉ  
RULES AND OPEN GOVERNMENT COMMITTEE**

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, FEBRUARY 11, 2009**

The Rules and Open Government Committee of the City of San Jose convened in regular session at 2:03 p.m. in Conference Room 118 and 1189, Council wing, City Hall.

**PRESENT:** Council Member Constant and Pyle

**ABSENT:** Mayor Reed and Vice Mayor Chirco (Excused)

**STAFF:** City Attorney Richard Doyle, City Clerk Lee Price, City Manager Debra Figone, Redevelopment Agency Assistant Director Gary Miskimon, Deputy City Manager Deanna Santana, Council Agenda Manager Nikhil Warrior, and Deputy City Clerk Nora Pimentel.

**CITY COUNCIL AGENDA REVIEW**

**3.1 Review of February 17, 2009 City Council FY 2009-2010 Budget Review Agenda.**

Action: The Committee approved the February 17, 2009 City Council FY 2009-2010 Budget Review Agenda.

**3.2 Review of February 24 2009 Draft Agenda.**

Action: The Committee approved the February 24 2009 Draft Council Agenda, as revised.

**REDEVELOPMENT AGENCY (RDA) AGENDA REVIEW**

**4.1 Review of February 17, 2009 Final Agenda.**

Action: The regular RDA meeting for February 17, 2009 was canceled.

**4.2 Review of February 24, 2009 Draft Agenda.**

Action: The Committee approved the February 24, 2009 RDA Agenda, as revised.

LEGISLATIVE UPDATE

**6.1a Sacramento Update (verbal report)**

Director of Intergovernmental Relations Betsy Shotwell summarized key elements of the State's Proposed Budget.

**6.1b Recommend City Council support AB 46 (Blakeslee) and provide a one-week turnaround for Mayor and City Council Review.**

Documents Filed: Memorandum from Director of Environmental Services John Stufflebean dated February 2, 2009 recommending that the City Council support AB 46 (Blakeslee) and provide a one-week turnaround for Mayor and Council review.

Action: The Committee referred this item to the full City Council.

**6.1c. Recommend Mayor and Council support SB 16 (Lowenthal) and provide a one-week turnaround for Mayor and City Council Review.**

Documents Filed: Memorandum from Director of Housing Leslye Krutko dated February 5, 2009 recommending that the Mayor and City Council support SB 16 (Lowenthal) and provide a one-week turnaround for Mayor and Council review.

Action: The Committee referred this item to the full City Council.

**6.2a Recommend Mayor and Council support H.R. 598 (Rangel) and provide a one-week turnaround for Mayor and City Council Review.**

Documents Filed: Memorandum from Director of Housing Leslye Krutko dated February 5, 2009 recommending that the City Council support H.R. 598 (Rangel) and provide a one-week turnaround for Mayor and Council review.

Action: The Committee referred this item to the full City Council.

MEETING SCHEDULES

- 7.1 (a) Move the Green Vision Study Session from February 17, 1:30 p.m. to March 9, 2009 1:30 – 5:00 p.m. and (b) Move the 2009 City Council FY 2009-2010 Budget Review from February 13, 2009 1:30 p.m. to February 17, 2009 1:30 – 5:00 p.m. (City Manager)

Action: This item was deferred to February 18, 2009.

- 7.2 Approve to set the Annual City of San Jose and Santa Clara County Meeting on September 30, 2009 from 9:00 a.m. -12:00 p.m. at the City of San Jose Council Chambers. (City Manager)

Action: This item was deferred to February 18, 2009.

**THE PUBLIC RECORD**

**8 Public Record**

Documents Filed: Memorandum from City Clerk Lee Price, dated February 6, 2009, transmitting items for the Public Record for the period of January 30 – February 5, 2009.

Action: The Committee noted and filed the Public Record.

**RULES COMMITTEE REVIEWS, RECOMMENDATIONS AND APPROVALS**

- 10.1 Consider agendizing for City Council consideration the draft resolution confirming and indicating current Council support for existing General Plan and zoning designations on the former San Jose Medical Center Site.  
(City Attorney)**

Action: This item was deferred to February 18, 2009.

- 10.2 Approve the Auditor's Office Monthly Report of Activities for January 2009.  
(City Auditor)**

Action: This item was deferred to February 18, 2009

- 10.3 (a) Direct the Administration to fund the Crossing Guard Program from the Healthy Neighborhood Venture Fund (HNVF) in the amount of \$1.9 million for each of the three fiscal years (2009-2010, 2010-2011, 2011-2012) in order to keep the City of San Jose crossing guard program. (b) Request that the Rules Committee send this matter to the HNVF Committee for their review at the next HNVF meeting on February 24, 2009 and simultaneously agendize the matter for full Council consideration for the evening meeting on February 24, 2009. (Oliverio)**

Public Comments: The following spoke in support of continued funding for the Crossing Guard Program:

School District Representatives: Johanna Vandermolen (Campbell School District); Don Inglesias, Leslie Reynolds, John Porter, Mary Martinez, Chris Funk, and Pam Foley (San Jose Unified School District); John Porter (Franklin-McKinley) and Jacqueline M. Horejs (Union School District).

Parents Vanessa Reyes, Melissa Reinard, Teresa Pechner, Stephanie Taylor, Elizabeth Leamy, Peggy Hertzberg, Debra Hein, Cyndi Goble, Tom Dase, Karl Hoffower, Elaine Pitek, Barbara Lang and Lori Katcher.

Eric Olsen, Crossing Guard and Sgt. Melanie Bertelsen (SJPD).

Amanda Baker (Silicon Valley Council of Nonprofits) voiced objections to using HNVF funding for the Crossing Guard Program.

Action: This item was deferred to February 18, 2009.

**10.4 Prevailing Wages-Liquidated Damages Waiver Requests. (City Attorney)**

Action: This item was deferred to February 18, 2009.

**REVIEW OF ADDITIONS TO COUNCIL COMMITTEE AGENDAS**

- 11.1 (a) Approve the proposed schedule for a special meeting for Thursday, March 12, 2009 from 9:00 a.m. – 12:00 p.m. (b) Approve a verbal report of the March 12, 2009 CED Committee key outcomes on March 17, 2009 City Council Meeting Agenda. (City Manager)**

Action: This item was deferred to February 18, 2009

**OPEN GOVERNMENT INITIATIVES**

- 12.2 Review of SRTF recommendations regarding Public Records: Balancing Test and Drafts & Memoranda Recommendation: Retain the balancing test and continue to follow the requirement of the California Public Records Act on drafts and memoranda.**

Action: This item was deferred to February 11, 2009.

**OPEN FORUM**

None were presented.

**ADJOURNMENT**

The meeting was adjourned at 2:33 p.m.



Mayor Chuck Reed  
Rules and Open Government Committee