



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

SAN JOSE, CALIFORNIA

WEDNESDAY, May 20, 2009

The Rules and Open Government Committee of the City of San Jose convened in regular session at 2:04 p.m. in Conference Rooms 118 and 119, Council Wing, City Hall.

PRESENT: Mayor Reed, Vice Mayor Chirco, Council Member's Pyle and Constant

ABSENT: None

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

CITY COUNCIL AGENDA REVIEW

3.1 Review of May 26, 2009 Final City Council Agenda.

None-Meeting Cancelled.

3.2 Review of June 2, 2009 Draft Agenda.

Action: The Committee approved the June 2, 2009 draft Council Agenda, as amended.

REDEVELOPMENT AGENCY (RDA) AGENDA REVIEW

4.1 Review of May 26, 2009 Final Agenda.

None-Meeting Cancelled.

4.2 Review of June 2, 2009 Draft Agenda.

Action: The Committee approved the June 2, 2009 draft RDA Agenda, as amended.

LEGISLATIVE UPDATE

6.1 State

- a. **Adopt a support position for AB 410 (De La Torre) and provide a one-week turnaround for Mayor and City Council review. (Environmental Services)**

Documents Filed: Memorandum from Director of Environmental Services John Stufflebean dated May 11, 2009 forwarding the recommendation.

Action: The Committee approved a support position on AB 410 (De La Torre) and forwarded the bill to the City Council for action on June 2, 2009.

- b. **Sacramento Update (verbal report). (Manager's Office)**

Documents Filed: Informational memo from Betsy Shotwell and Roxanne Miller dated May 19, 2009 regarding Intergovernmental Relations Report on State Issues for the week of May 18, 2009.

8. Public Record

Documents Filed: Memorandum from City Clerk Lee Price, dated May 15, 2009, transmitting items for the Public Record for the period of May 8-15, 2009.

Discussion: Mayor Reed pulled Item (c) letter from Nguyen Ngoc regarding the death of Daniel Pham and reported he will coordinate a response with the City Manager and the Chief of Police. Councilmember Pyle pulled Item (b) letter from David Wall regarding "Independent Nurseries" and water conservation mandates for landscaping. Director of Environmental Services John Stufflebean clarified that nurseries are exempt from the restrictions however; they are encouraged to conserve water like everyone else.

Public Comment: David Wall objected to the wording in the ordinance as currently written.

Action: The Committee noted and filed the Public Record.

APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEE

- 9.1 **(1) Appoint Veronica Ajawara to the Early Care and Education Commission; (2) Appoint Tania Nunez and Robert Abatecola to the Historic Landmarks Commission. (Chirco)**

Documents Filed: Memoranda from Vice Mayor Judy Chirco dated May 14, 2009 forwarding the recommendations.

Action: The Committee approved the following appointments: (1) Veronica Ajawara to the Early Care and Education Commission to a term ending June 30, 2012; (2) Tania Nunez and Robert Abatecola to the Historic Landmarks Commission each to a term ending June 30, 2012.

9.2 Re-appoint Bobby Yount, Patricia McDonald and Richard Holden to the Arts Commission. (Liccardo)

Documents Filed: Memorandum from Councilmember Sam Liccardo dated May 14, 2009 forwarding the recommendation.

Action: The Committee approved the reappointments of Bobby Yount, Patricia McDonald and Richard Holden to the Arts Commission to terms each ending June 30, 2012.

9.3 (1) Appoint Keith Graham and Andres Quintero to the Airport Commission; (2) Appointments to the Mobilehome Advisory Commission and Human Rights Commission. (Chu)

Documents Filed: Memorandum from Councilmember Chu dated May 14 2009 forwarding the recommendations.

Action: The Committee approved the appointment of Keith Graham and Andres Quintero to the Airport Commission to terms each ending June 30, 2012 and deferred appointments to the Mobilehome Advisory Commission and the Human Rights Commission to May 27, 2009.

9.4 Appoint David Hook and Tina Morrill to the Library Commission. (Oliverio)

Documents Filed: Memorandum from Councilmember Oliverio dated May 15, 2009 forwarding the recommendation.

Action: The Committee approved the Library Commission appointments of David Hook to an unexpired term ending June 30, 2010 and Tina Morrill to a term ending June 30, 2012.

RULES COMMITTEE REVIEWS, RECOMMENDATIONS AND APPROVALS

- 10.1 (1) Direct Staff to conduct an analysis in preparation for a resolution to be placed on a future City Council agenda to oppose Berryessa as the end terminus station for the Silicon Valley Rapid Transit Corridor Project.**
- (2) Direct Staff to explore other alternatives for the end terminus station with VTA and return to the City Council within 60 days with station proposals.**

- (3) Direct Staff to return to the City Council with a report on the progress of improving transit transfer connection for BART and Light Rail. (Chu)**
CONTINUED FROM MAY 6, 2009

Documents Filed: Memorandum from Councilmember Chu dated April 30, 2009 forwarding the recommendation.

Action: The Committee agreed to: (1) forward to the Transportation and Environmental Committee the issue regarding the transfer connection between BART and light rail as an item to watch, (2) direct staff to prepare a resolution reaffirming the San Jose City Council's support for building the entire BART project.

- 10.2 Direct the City Manager to draft a Resolution that would allow the Director of Parks, Recreation and Neighborhood Services (PRNS) to waive cancellation fees related to use of City parks, for any events impacted by the recent drop in City Festival, Parade and Celebration (FPC) grants. (Liccardo)**

Documents Filed: (1) Memorandum from Councilmember Liccardo dated May 14, 2009 forwarding the recommendation. (2) Supplemental memorandum from Councilmember Liccardo dated May 19, 2009 regarding resolution to waive park cancellation fees for this season.

Councilmember Liccardo spoke to the merits of this proposal.

Action: The City Attorney agreed to draft an ordinance authorizing the Director of Parks, Recreation and Neighborhood Services to waive outdoor event cancellation fees.

OPEN FORUM

David Wall suggested the use of another conference room for the Treatment Plant Advisory Committee for safety reasons.

ADJOURNMENT

The meeting was adjourned at 2:55 p.m.



Mayor Chuck Reed
Rules and Open Government Committee