



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

SAN JOSE, CALIFORNIA

WEDNESDAY, May 27, 2009

The Rules and Open Government Committee of the City of San Jose convened in regular session at 2:01 p.m. in Conference Rooms 118 and 119, Council Wing, City Hall.

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

ABSENT: Mayor Reed

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 June 2, 2009 Final City Council Agenda.

Add New Items to Final Agenda

a. FY 2009-2010 Compensation and Benefits for Management Employees in Unit 99.

Documents Filed: (1) Memorandum from Councilmember's Constant and Liccardo dated May 19, 2009 regarding FY 2009-2010 Compensation and Benefits for Management Employees in Unit 99. (2) Supplemental memorandum from Councilmember Liccardo dated May 26, 2009 regarding withdrawal of endorsement of supplemental: FY 2009-2010 Compensation and Benefits for Management in Unit 99.

Public Comments: Michael Groves, Brian Doyle, Shannon Smythe-Mendoza, Jennifer Pousho, Daisy Nishigaya and David Wall spoke against Councilmember Constant's proposal.

Action: The Committee dropped this item and did not approve its placement on the Council agenda on a 2-1 vote, with Councilmember Constant opposed.

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

3.2 Review of June 9, 2009 Draft Agenda.

Add New Items to Draft Agenda

**a. Council Discussion on Deferred Infrastructure Maintenance Needs.
(Constant)**

Documents Filed: Memorandum from Councilmember Constant dated May 15, 2009 requesting that the City Manager prepare a memo for Council consideration at the meeting of June 9, 2009 outlining the deferred infrastructure backlog.

Action: The Committee referred this item back to the City Manager's Office for a workload assessment and to return on June 10, 2009 on a 2:1 vote, with Councilmember Constant opposed.

Action: The Committee approved the June 9, 2009 draft Council Agenda, as amended, and waived the "sunshine" requirement on Item 4.2.

REDEVELOPMENT AGENCY (RDA) AGENDA REVIEW

4.1 Review of June 2, 2009 Final Agenda.

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

4.2 Review of June 9, 2009 Draft Agenda.

Action: The Committee approved the June 9, 2009 draft RDA Agenda, as amended.

LEGISLATIVE UPDATE

6.1 State

a. The Mayor and Council oppose AB 761 (Calderon); and provide a one-week turn around for Mayor and City Council review. (Housing)

Documents Filed: Memorandum from Director of Housing Leslye Krutko dated May 20, 2009 forwarding the recommendation.

Action: The Committee adopted a position of opposition to AB 761 (Calderon) and forwarded the bill to the City Council for action on June 2, 2009.

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

Director of Intergovernmental Relations Betsy Shotwell provided a brief update on State proposed budgets cuts.

MEETING SCHEDULES

- 7.1 a. **Approval of the City Council Meeting Schedule for the period August – December 2009; and**
b. **Approval of the Study Session Schedule for the period August – December 2009.**

Documents Filed: Memorandum from Nadine Nader dated May 20, 2009 forwarding the recommendation.

Action: The Committee approved the City Council Meeting and the Study Session Schedules for the period August –December 2009.

- 7.2 **Cancel the Regular Meetings of the Rules and Open Government Committee (ROGC) on July 1st, July 8th, and July 15th, and schedule a Rules-in-Lieu meeting for July 22, 2009 in the Office of the City Clerk. (City Clerk)**

Documents Filed: Memorandum from City Clerk Lee Price dated May 21, 2009 forwarding the recommendation.

Action: The Committee approved the summer meeting schedule for the ROGC.

8. **Public Record**

Documents Filed: Memorandum from City Clerk Lee Price, dated May 22, 2009, transmitting items for the Public Record for the period of May 16-21, 2009.

Action: The Committee noted and filed the Public Record.

APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEE

9.1 **Appoint the following:**

- a. Clarence Madrilejos to the Human Rights Commission.
- b. Lee Jack Ellak to the Housing and Community Development Commission.
- c. Kevin Smith and Elizabeth Kabanek to the Traffic Appeals.
- d. Johnny Khamis, Dallas Radcliffe and Robert Braunstein to the Small Business Development Commission.
- e. Michael Fitzgerald (Landlord) and Ashok Naidu (Neutral) to the Advisory Commission on Rents.
- f. Jose Castro and Robert Levy to the Parks and Recreation Commission.
- g. John Robinson to the Disability Advisory Commission.
(Chu/Nguyen/Herrera/Pyle)

Documents Filed: Memoranda from Councilmember's Chu, Nguyen, Herrera and Pyle dated between May 18 and May 21, 2009 forwarding the recommendations.

Action: The Committee approved the following appointments: (a) Clarence Madrilejos to the Human Rights Commission for an unexpired term ending December 31, 2010; (b) Lee Jack Ellak to the Housing and Community Development Commission for an unexpired term ending December 31, 2011; (c) Kevin Armstrong to a term ending June 30, 2012 and Elizabeth Kabanek for an unexpired term ending June 30, 2011 on the Traffic Appeals Commission; (d) Johnny Khamis for an unexpired term ending December 31, 2009, and both Dallas Radcliffe and Robert Braunstein for unexpired terms ending December 31, 2011 on the Small Business Development Commission; (e) Michael Fitzgerald for an unexpired term ending December 31, 2010 and Ashok Naidu for an unexpired December 31, 2011 on the Advisory Commission on Rents; (f) Jose Castro, Jr, for an unexpired term ending June 30, 2010 and Robert Levy for a term ending June 30, 2012 on the Parks and Recreation Commission; and (g) John Robinson to the Disability Advisory Commission for a term ending June 30, 2012.

9.2 Approve the appointment of Mara Cleaves Wold to serve as a Committee Member on the Healthy Neighborhoods Leadership Committee.

Documents Filed: Memorandum from Deputy City Manager Norberto Duenas dated May 19, 2009 forwarding the recommendation.

Action: The Committee approved the appointment of Mara Wold.

OPEN FORUM

David Wall offered an apology to Councilmember Pyle for a statement he had made at the May 26, 2009 Community and Economic Development Committee. In addition, he complimented Councilmember Constant on his command of the budget process and commended Vice Mayor Chirco for her charming courage.

ADJOURNMENT

The meeting was adjourned at 2:59 p.m.



Mayor Chuck Reed
Rules and Open Government Committee