



RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
August 19, 2009

PRESENT: Mayor Reed, Vice Mayor Chirco, Councilmember Constant and Pyle

ABSENT:

STAFF: City Attorney Rick Doyle, Assistant City Clerk Dennis Hawkins, City Manager Debra Figone, Redevelopment Agency Assistant Director Gary Miskimon, Deputy City Manager Deanna Santana, Mayor Council Agenda Manager Nikhil Warrior and Deputy City Clerk Nora Pimentel.

A. City Council

1. Review August 25, 2009 Final Agenda

Action: The Committee approved the August 25, 2009 Final Council Agenda, as amended.

2. Review September 1, 2009 Draft Agenda

Action: The Committee approved the September 1, 2009 Draft Agenda, as amended and waived the sunshine requirement for item 5.2 (Response to the Los Lagos Golf Course Grand Jury Report).

B. Redevelopment Agency (RDA)

1. Review August 25, 2009 Final Agenda

Action: The Committee approved the August 25, 2009 Final RDA Agenda.

2. Review September 1, 2009 Draft Agenda

Action: There were no items for the September 1, 2009 draft agenda.

C. Review of Upcoming Study Session Agenda (s)

None.

D. Legislative Update

1. State

None.

2. Federal

None.

E. Meeting Schedules

There were none.

F. The Public Record

Document Filed: Memorandum from City Clerk Lee Price dated August 14, 2009 transmitting the Public Record for the week of August 7-13, 2009.

Action: The Committee noted and filed the Public Record.

G. Appointments to Boards, Commissions and Committees

There were none.

H. Rules Committee Reviews, Recommendations and Approvals

- 1. Approve and forward to the City Council the appointment process for Employee Representatives to the Retirement Boards and Civil Service Commission.**

Document Filed: Memorandum from City Clerk Lee Price dated August 14, 2009 forwarding the recommendation.

Action: The Committee forwarded to the August 25, 2009 City Council meeting for action.

- 2. Recommend the Rule and Open Government Committee enact the following: (1) Direct the City Manager to work with veteran's organizations that serve within the City of San Jose with the goal of erecting a Vietnam War Memorial in San Jose and (2) Direct staff to return to the Rules and Open Government Committee at an appropriate time with a status report.**

Document Filed: Memorandum from Councilmember Herrera and Campos dated August 12, 2009 forwarding the recommendation.

Action: The Committee deferred this item until a monument policy has been approved.

I Review of additions to Council Committee Agendas

- 1. Community and Economic Development Committee**
- 2. Neighborhood Services and Education Committee**
- 3. Transportation and Environment Committee**
- 4. Public Safety, Finance and Strategic Support Committee**

There were none.

J. Open Government Initiatives

1. Reed Reforms

None.

2. Sunshine Reform Task Force (SRTF)

Approve and forward to City Council the Administration's recommendations regarding Law Enforcement Information, Statistical Reports Prepared by the San Jose Police and Fire Departments; and refer to the Public Safety, Finance, and Strategic Support Committee future decisions on Police and Fire statistical reporting.

Documents Filed: (1) Memorandum from Communications Director Tom Manheim dated August 13, 2009 forwarding the recommendation. (2) Comments Received from Bert Robinson Police Records, Police Statistical Reports, and Fire Statistical Report dated August 19, 2009. (3) Consortium Police Leadership in Equity, San Jose Police Department City Briefing dated August 20, 2009.

Tom Manheim presented a brief overview of the staff report and the status of discussions between various parties on the staff report and the issues before the Committee.

Dr. Phillip Goff, Consortium for Police Leadership in Equity (CPL), commented on the status of development of the Memorandum of Understanding with the City and responded to questions from the Committee. Police Chief Rob Davis also responded to questions from the Committee.

District Attorney Dolores Carr discussed the release of police records and the impact of Proposition 9 (Marci's law) regarding the victim's right to privacy and reiterated the Office of the District Attorney's position, Forrest Williams spoke on behalf of Santa Clara County Commission for Status of Women regarding Proposition 9 and other matters, and Skyler Porras representing ACLU of Northern California addressed the Committee on various topics.

Tom Manheim read a statement from Bert Robinson, a member of the Sunshine Reform Task Force, concerning several issues.

Action:

The Committee approved the staff report as amended to include: (1) restate item II c) in the memorandum from "discontinue" to "defer" publication of additional Police Department statistical reports pending recommendations from CPL; (2) add additional language regarding victim's right to privacy; (3) refer discussion of Police and Fire Department statistical reports to the Public Safety, Finance and Strategic Support Committee

4. Significant Public Records Act Requests

5. Council Policy Manual Update

There were none.

K. Open Forum
David Wall spoke about cost recovery.

K. Adjournment
The meeting adjourned at 2:22 p.m.



Mayor Chuck Reed
Rules and Open Government Committee