



**RULES AND OPEN GOVERNMENT COMMITTEE**

Meeting Report  
January 20, 2010

PRESENT: Mayor Reed, Vice Mayor Chirco, Council Members Constant and Pyle

ABSENT: None.

STAFF: City Attorney Rick Doyle, City Clerk Lee Price, City Manager Debra Figone, Redevelopment Agency Assistant Director Gary Miskimon, Agenda Services Manager Nadine Nader, Mayor Council Agenda Manager Nik Warrior and Legislative Secretary Ruth Krantz.

**A. City Council**

**1. Review January 26, 2010 Final Agenda**

Action: The Committee approved the January 26, 2010 final agenda, as amended, with Item 3.6 deferred to February 9, 2010.

**2. Review February 2, 2010 Draft Agenda**

Action: The Committee approved the February 2, 2010 draft agenda.

**B. Redevelopment Agency (RDA)**

**1. Review January 26, 2010 Final Agenda**

Action: The Committee approved the January 26, 2010 final agenda.

**2. Review February 2, 2010 Draft Agenda**

None – No items, meeting to be canceled.

**C. Review of Upcoming Study Session Agenda (s)**

There were none.

**D. Legislative Update**

**1. State**

Mayor Reed provided a legislative update and highlights of his meeting with Senator Ellen Corbett regarding SB 610.

**2. Federal**

None.

**E. Meeting Schedules**

1. Approval to set a City Council – Santa Clara Valley Water District Board Joint Study Session on Water and Flood Protection on April 29, 2010.

Documents Filed: Memorandum from Director of Environmental Services John Stufflebean dated January 13, 2010, recommending a City Council – Santa Clara Valley Water District Board Joint Study Session on Water and Flood Protection.

Action: The Committee approved to set the Joint Study Session for April 29, 2010.

2. Approval to set a Study Session on the proposed Economic Strategy 2010-2015 on February 8, 2010.

Documents Filed: Memorandum from Chief Development Officer Paul Krutko dated January 14, 2010, recommending a Study Session on the proposed Economic Strategy 2010-2015 on February 8, 2010.

Action: The Committee approved to set the Study Session for February 8, 2010.

**F. The Public Record**

Document Filed: Memorandum from City Clerk Lee Price dated January 15, 2010 transmitting the Public Record for the week of January 8 – January 14, 2010.

Action: The Committee referred Item (e), letter from Danny Garza, Mexican American Political Association (MAPA) Chapter Chair, to the Consortium for Police Leadership in Equity (CPL) with a request to add the MAPA Chapter to the list of organizations for outreach, and noted and filed the public record.

**G. Appointments to Boards, Commissions and Committees**

**1. Approve appointments to the Neighborhoods Commission.**

Documents Filed: Memorandum from Deputy City Manager Norberto Duenas dated January 14, 2010 forwarding the recommendations.

Action: The Committee approved the appointments of James Ramsell, Gerard Roney and Jim Cantore to the Neighborhoods Commission and forwarded formal appointment to the City Council on January 26, 2010.

**H. Rules Committee Reviews, Recommendations and Approvals**

**1. Approve language revising Council Policy 0-32 – Disclosure and Sharing of Material Facts, and approve language modifying Council Policy 0-33 – Public Records Policy and Protocol.**

Documents Filed: (1) Memorandum from Communications Director Tom Manheim dated January 14, 2010 providing recommendations to approve revisions to Council Policies 0-32 and 0-33, “Disclosure of Material Facts and Communications Received During Council Meetings” and “Public Records Policy and Protocol”.

Senior Deputy City Attorney Lisa Herrick and Communications Director Tom Manheim responded to Committee questions regarding the revised policies. The Committee requested greater clarity on definitions and records retention. The City Attorney agreed to revise the policies.

Action: The Committee approved the Staff recommendations, as amended, and directed Staff to forward the revised policies to the City Council when the other remaining “Open Government” matters come forward as a package.

**I Review of additions to Council Committee Agendas**

- 1. Community and Economic Development (CED) Committee**
  - 2. Neighborhood Services and Education Committee**
  - 3. Transportation and Environment (TE) Committee**
  - 4. Public Safety, Finance and Strategic Support Committee**
- None.

**J. Open Government Initiatives**

- 1. Reed Reforms - None**
- 2. Sunshine Reform Task Force (SRTF)  
Amend Sunshine Reform Task Force definition of and reporting requirements for a "Non-Governmental Body" to be consistent with the work of the Non-Profit Strategic Engagement Committee.**

Documents Filed: (1) Memorandum from Communications Director Tom Manheim dated January 12, 2010 forwarding the recommendation. (2) Memorandum from Amanda Baker, Silicon Valley Council of Nonprofits, dated January 19, 2010, citing additional concerns and recommendations. (3) Slide presentation dated January 20, 2010, outlining recommendations for "Non-Governmental Bodies".

Communications Director Tom Manheim provided an overview of the Task Force recommendations for non-governmental bodies. Committee questions followed.

Public Comment: Bob Brownstein recommended greater transparency regarding operational decisions made regarding public funds. Amanda Baker (Silicon Valley Council of Nonprofits) expressed support of the amendment with changes as outlined in her memorandum of January 19, 2010. David Wall criticized the involvement of the Mercury News in the crafting of the reforms because they have a conflict of interest.

Action: The Committee approved the Staff recommendation to amend the Task Force definition and reporting requirements, and directed Staff to refer to the appropriate Council committee any program issues.

- 3. Significant Public Records Act Requests**
- 4. Council Policy Manual Update**  
None.

**K. Open Forum**

David Wall provided documentation from the Santa Clara Valley Water District, expressed safety concerns regarding Water District tours, recommended that SVCOC be considered for the City's financial benefit and espoused the benefits of sustainable agriculture.

Documents Filed: (1) Santa Clara Valley Water District (SCVWD) Board of Directors Meeting Agenda of January 20, 2010. (2) Two (2) SCVWD Board Agenda Memoranda dated January 20, 2010 addressing a Recycled Water Treatment Facility Project.

**L. Adjournment**

The meeting adjourned at 3:32 p.m.

A handwritten signature in cursive script that reads "Chuck Reed". The signature is written in black ink and is positioned above a horizontal line.

Mayor Chuck Reed  
Rules and Open Government Committee