

**RULES AND OPEN GOVERNMENT COMMITTEE**

Meeting Report  
January 13, 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 Deputy City Clerk Nora Pimentel.

**A. City Council**

**1. Review January 19, 2010 Final Agenda**

None-Meeting Canceled.

**2. Review January 26, 2010 Draft Agenda**

Action: The Committee approved the January 26, 2010 final agenda, as amended and waived the 14-day noticing requirement for Item 4.2 (Actions relating to the Public Entertainment Ordinance).

**B. Redevelopment Agency (RDA)**

**1. Review January 19, 2010 Final Agenda**

None-Meeting Canceled.

**2. Review January 26, 2010 Draft Agenda**

Action: The Committee approved the January 26, 2010.

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

There were none.

**D. Legislative Update**

**1. State**

**Sacramento Update (verbal report)**

State Lobbyist Roxanne Miller provided a State Budget Update.

**2. Federal**

Summary of Federal Relations Activities-2009 Year-End Report

Documents Filed: Memorandum from Director of Intergovernmental Relations Betsy Shotwell dated January 4, 2010 recommending acceptance of the report from the City's Federal advocacy firm of Patton Boggs, LLP, in Washington D.C.

Director of Intergovernmental Relations Betsy Shotwell presented a summary of the year-end report.

Action: The Committee accepted the report and asked staff to send a letter of appreciation to members of the Federal delegation.

**E. Meeting Schedules**

1. Approval to set a Special Council meeting for April 12, 2010 at 1:30 p.m. in the Council Chambers for the purpose of interviewing applicants for the Planning Commission.

Documents Filed: Memorandum from City Clerk Lee Price dated January 8, 2010 forwarding the recommendation.

Action: The Committee set the Special Council Meeting on April 12, 2010, as recommended.

**F. The Public Record**

Document Filed: Memorandum from City Clerk Lee Price dated January 8, 2010 transmitting the Public Record for the week of December 23 – January 7, 2010.

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. **Workload Assessment for Regulations regarding Cultivation/Medical Use of Cannabis in San José.**

This item was deferred to January 27, 2010.

- 2. Discuss sending members of the City Council to meet with State Legislators regarding impacts of the State Budget Crisis on the City of San Jose.**

Documents Filed: Memorandum from Councilmember Pyle dated January 7, 2010 forwarding the recommendation.

This item was discussed concurrent with Item D.1. Councilmember Pyle provided oral comments in favor of the proposal and clarified that travel expenses would come from Council District Office budgets.

Public Comment: David Wall spoke in favor and commended Councilmember Pyle for her collaborative initiative.

Action: The Committee endorsed the proposal to send members of the City Council to meet with State Legislators who represent the City of San Jose tentatively beginning in February.

- 3. Approve the Auditor's Office Monthly Report of Activities for December 2009.**

Documents Filed: Memorandum from City Auditor Sharon W. Erickson dated January 6, 2010 forwarding the workplan.

Action: The Committee approved the Auditor's Monthly Report.

- 4. Approve District 1 Disability Awareness Day as a City Council Sponsored Special Event and place on the January 26, 2010 Council Agenda for Action.**

Documents Filed: Memorandum from City Clerk Lee Price dated January 8, 2010 forwarding the recommendation.

Action: The Committee approved the Special Event for District 1 on January 26, 2010 and forwarded the item onto the City Council for formal action on January 27, 2010.

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

- 1. Community and Economic Development (CED) Committee**
  - Approve the CED Committee Workplan for the period of January through June 2010.**

Documents Filed: Memorandum from Mayor Reed and Chair Pyle dated January 7, 2010 forwarding the workplan.

Action: The Committee approved the CED Committee Workplan.

2. **Neighborhood Services and Education Committee**
  - a. **Approve the NSE Committee Workplan for the period of January through June 2010.**
  - b. **Add an item to the NSE Committee 2010 Workplan to explore the development of policies or initiatives aimed at creating more urban farms and community gardens in the City of San Jose and report to the Committee at an appropriate meeting in 2010.**
  - c. **Amend the NSE Committee Workplan to include a status report of the Yes we can ...Read East San Jose Children's Initiative under Item 2 on the June 10, 2010 Committee Agenda.**

Documents Filed: (a) Memorandum from Mayor Reed and Chair Campos dated January 7, 2010 forwarding the workplan. (b) Memorandum from Councilmember Campos dated January 7, 2010 forwarding the recommendation to add an item to the NSE Committee 2010 Workplan. (c) Memorandum from Councilmember Campos dated January 7, 2010 forwarding the recommendation to amend the NSE Committee Workplan.

Public Comment: David Wall spoke in support of the Council memo regarding creation of community gardens and urged the Committee to embrace sustainable agriculture.

Action: The Committee approved all three NSE Committee Workplan recommendations.

3. **Transportation and Environment (TE) Committee**
  - **Approve the TE Committee Workplan for the period of January through June 2010.**

Documents Filed: Memorandum from Mayor Reed and Chair Liccardo dated January 7, 2010 forwarding the workplan.

Action: The Committee approved the TE Committee Workplan.

4. **Public Safety, Finance and Strategic Support (PSFSS) Committee**
  - **Approve the PSFSS Committee Workplan for the period of January through June 2010.**

Documents Filed: Memorandum from Mayor Reed and Chair Nguyen dated December 3, 2010 forwarding the workplan.

Deputy City Manager Deanna Santana presented a revised version of the workplan and summarized then changes.

Action: The Committee approved the PSFSS Committee Workplan, as amended.

**5. Rules and Open Government (ROG) Committee**

- **Approve the ROG Committee Workplan for the period of January through June 2010.**

Documents Filed: Memorandum from Mayor Reed dated January 7, 2010 forwarding the workplan.

Action: The Committee approved the ROC Committee Workplan.

**J. Open Government Initiatives**

- 1. Sunshine Reform Task Force (SRTF)**
- 2. Significant Public Records Act Requests**
- 3. Council Policy Manual Update**

There were none.

**K. Open Forum**

Documents Filed: (1) Letter from Lisa C. Roberts dated January 7, 2010 regarding 820 The Alameda: Medical Marijuana Dispensary. (2) Letter Lisa C. Roberts dated January 13, 2010 regarding January 13, 2010 Agenda Item H, "Workload Assessment for Regulations regarding Cultivation/Medical Use of Cannabis in San José"; 826 The Alameda: Medical Marijuana Dispensary. (3) Email from Lisa Roberts dated January 11, 2010 regarding The Alameda/San Jose Patients Group. (4) Email from Lisa Roberts dated January 11, 2010 regarding 820 The Alameda: Medical Marijuana Dispensary. (5) Letter from Hector Gonzalez dated January 13, 2010 regarding the development of a medical cannabis ordinance in San José.

Marlene Harden expressed disappointment that Item H.1 (medical marijuana) was postponed until January 27, 2010. Hector Gonzalez (ARC Healing Center) expressed concern and disappointment that this item was not being heard and extended an invitation to attend an event on February 8, 2010. Lisa Roberts (Attorney) submitted letters and copy of an email for distribution to the Committee expressing concern about unregulated dispensaries and urging a moratorium.

David Wall shared observations about the Water District and the sign ordinance.

**K. Adjournment**

The meeting adjourned at 2:55 p.m.



Mayor Chuck Reed  
Rules and Open Government Committee