

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
March 10, 2010

PRESENT: Mayor Reed, Vice Mayor Chirco, Council Member Constant.

ABSENT: Council Members Nguyen and Pyle. (Excused)

STAFF: Assistant City Attorney Ed Moran, City Clerk Lee Price, Chief Deputy City Manager Ed Shikada, Redevelopment Agency Assistant Director Gary Miskimon, Agenda Services Manager Nadine Nader, Mayor Council Agenda Assistant Lauryn Livengood and Legislative Secretary Ruth Krantz.

A. City Council

1. Review March 16, 2010 Final Agenda

Action: The Committee approved the March 16, 2010 final agenda, as amended, with Items 3.2 and 4.1 deferred to March 23, 2010. The Committee waived the 10-day noticing requirement for Item 4.x: Google Fiber for Communities Request for Information.

2. Review March 23, 2010 Draft Agenda

Action: The Committee approved the March 16, 2010 final agenda, as amended. The Committee waived the 10-day noticing requirement for Item 9.3, Redevelopment Agency Housing Set-Aside Tax Allocation Bonds.

B. Redevelopment Agency (RDA)

1. Review March 16, 2010 Final Agenda

None-Meeting Canceled.

2. Review March 23, 2010 Draft Agenda

Action: The Committee approved the March 23, 2010 draft agenda, as amended. The Committee waived the 10-day noticing requirement for Item 8.2, Approval of a Purchase and Sale Agreement for 445 Old West Julian Street to allow for development of the Autumn Street Extension Project.

C. Review of Upcoming Study Session Agenda (s)

There were none.

D. Legislative Update

1. State
 2. Federal
- None.

E. Meeting Schedules

1. **Cancellation of evening meeting on April 20, 2010 and set an evening meeting on April 27, 2010 to conduct General Plan Hearings. (City Manager/City Clerk).**

Action: Approved.

F. The Public Record

Document Filed: Memorandum from City Clerk Lee Price dated March 5, 2010 transmitting the Public Record for the week of February 26 – March 4, 2010.

Council Member Chirco pulled item (a) Letter from Babel Plumbing & Construction Inc. Director of Equality Assurance Nina Grayson provided background information regarding the assessment of liquidated damages for a prevailing wage violation on the Santa Teresa Library Project and responded to questions about the chronology of events.

Action: Staff was directed to return to the Committee with clarification on the sequence of events and what caused the delay in the City's response to the sub-contractor. The Committee noted and filed the Public Record.

G. Appointments to Boards, Commissions and Committees

1. **(a) Remove Councilmember Chu from the Mobilehome Advisory Commission and add him to the Small Business Development Commission.**
(b) Remove Councilmember Nguyen from the Small Business Development Commission and add her to the Mobilehome Advisory Commission. (Mayor)

Documents Filed: Memorandum from Mayor Reed dated March 1, 2010 forwarding the recommendation.

Action: The Committee referred this item to the full Council for action on March 16, 2010.

2. **Approve appointment of Nathaniel Montgomery to the Project Diversity Committee. (City Clerk)**

Documents Filed: Memorandum from City Clerk Lee Price dated March 5, 2010 forwarding the recommendation.

Action: The Committee referred this item to the full Council for action on March 16, 2010.

H. Rules Committee Reviews, Recommendations and Approvals

- 1. Donation of two Surplus Fire Vehicles – Pursuant to Council Policy 1-20, initiate the notification and outreach process in order to receive requests for donations of two surplus Fire Vehicles with a cumulative estimated value of \$5250.**

Action: Deferred to March 17, 2010.

- 2. Approve the Auditor's Office Monthly Report of Activities for February 2010.**

Documents Filed: Memorandum from City Auditor Sharon Winslow-Erickson dated March 4, 2010 submitting the Auditor's Office Monthly Report of Activities for February 2010.

Action: The Committee received the report.

- 1. Approve the Great American Litter Pickup Event as a City Council Sponsored Event, expend City Funds and Accept Donations of Materials and Services for the Event and place this item on the March 16, 2010 City Council Agenda for Action.**

Documents Filed: Memorandum from City Clerk Lee Price dated March 10, 2010 forwarding the recommendation.

Action: The Committee referred this item to the full Council for action on March 16, 2010.

I. Review of additions to Council Committee Agendas

- 1. Community and Economic Development Committee**
Approval to add an item to the April 22, 2010, Community and Economic Development Committee Agenda "Commercial Signage on City-Owned Properties".

Documents Filed: Memorandum from Chief Development Officer Paul Krutko dated March 3, 2010 forwarding the recommendation.

Action: The Committee approved the additions to the CED workplan.

- 2. Neighborhood Services and Education Committee**
- 3. Transportation and Environment (T&E) Committee**
- 4. Public Safety, Finance and Strategic Support Committee**
None.

J. Open Government Initiatives

- 1. Reed Reforms**
 - 2. Sunshine Reform Task Force (SRTF)**
 - 4. Significant Public Records Act Requests**
 - 5. Council Policy Manual Update**
- None.

K. Open Forum

David Wall expressed appreciation to San José Police Officer #4184 for outstanding efforts in his neighborhood, voiced objections to the denial of a public records request to the Environmental Services Department, recommended that the City recalculate the cost per emplacement at the San José International Airport and suggested that staff add the ability to make donations to Animal Control Services, in addition to the Healthy Neighborhood Venture Fund, when accepting payment for City utility bills.

Mayor Reed referred Mr. Wall's suggestion regarding the ability to make donations via utility payments to Staff, with a request to look at more options; and asked that Mr. Wall's public records request appeal be placed on the next agenda.

K. Adjournment

The meeting adjourned at 2:35 p.m.



Mayor Chuck Reed
Rules and Open Government Committee