



**RULES AND OPEN GOVERNMENT COMMITTEE**

Meeting Report  
June 23, 2010

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

**ABSENT:** None.

**STAFF:** City Manager Ed Shikada, Assistant City Attorney Ed Moran, City Clerk Lee Price, Redevelopment Agency Assistant Director Gary Miskimon, Agenda Services Manager Nadine Nader, Mayor's Council Agenda Manager Nikhil Warrior and Deputy City Clerk Nora Pimentel.

**A. City Council**

**1. Review June 29, 2010 Final Agenda**

None – Meeting Canceled.

**2. Review July 6, 2010 Draft Agenda**

None - Meeting Canceled.

**B. Redevelopment Agency (RDA)**

**1. Review June 29, 2010 Final Agenda**

None – Meeting Canceled.

**2. Review July 6, 2010 Draft Agenda**

None-Meeting Canceled

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

None.

**D. Legislative Update**

**1. State**

- a. Approve a position of support for Senate Bill 1084 (Liu) – Task Force on Economic Security and forward to the City Council for formal Action on August 3, 2010. (Housing)**

Document Filed: Memorandum from Director of Housing Leslye Krutko dated June 16, 2010 forwarding the recommendation to support SB 1084 (Liu).

Action: The Committee approved a support position for SB 1084 (Liu) and forwarded to the full council for action on August 3, 2010.

Public Comment: David Wall voiced objections to the bill and recommended that the Committee reject it.

Mayor Reed reported that he, along with Councilmember Liccardo (serving as Chair of the VTA) and Carl Guardino (representing the Silicon Valley Leadership Group) had attended the morning meeting of the Metropolitan Transportation Commission to participate in the discussion of governance. He added that he spoke regarding the lack of adequate representation for San Jose and indicated that he committed to collaborating with the Task Force to address the issues.

**2. Federal**

None.

**E. Meeting Schedules**

**There were none.**

**F. The Public Record**

Document Filed: Memorandum from City Clerk Lee Price dated June 17, 2010 transmitting the Public Record for the week of June 11-17, 2010.

Councilmember Pyle and Councilmember Constant discussed Item (f), Constituent Emails entitled "Save Our Services".

Action: The Public Record was noted and filed; and Item (a), letter from Atlantic Aviation, was referred to Airport staff with direction to respond.

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

**There were none.**

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

- 1. Approve the City Auditor's Fiscal Year 2010-11 Workplan. (City Auditor)**

Document Filed: Memorandum from City Auditor Sharon W. Erickson dated June 17, 2010 forwarding the Workplan.

Action: The Committee approved the Auditor's workplan.

- I. Review of additions to Council Committee Agendas**
- 1. Community and Economic Development Committee**
  - 2. Transportation and Environment Committee**
  - 3. Neighborhood Services and Education Committee**
  - 4. Public Safety, Finance and Strategic Support Committee**
- None.

- J. Open Government Initiatives**
- 1. Appeals of Public Records Act Requests**
    - a. Appeal of the denial of access to public records requested by Evan Keyser, dated May 13, 2010.**

Documents Filed: (1) Letter from Public Records Manager Tom Norris to Evan Keyser dated May 13, 2009 responding to appeal of denial of request for public records to the San Jose Police Department. (2) Letter from Deputy City Attorney Lisa Herrick to Evan Keyser dated July 21, 2009 responding to letter dated June 20, 2009. (3) Letter from Evan Keyser to Chief Robert Davis dated April 17, 2009 regarding San Jose Police Crime Data Request. (4) Letter from Evan Keyser to the Rules and Open Government Committee providing a description of the basis for the appeal of the denial by the City of San Jose. (5) Copy of a document from CrimeReports.com.

Senior Deputy City Attorney Lisa Herrick presented a brief summary of the appeal. Steven DiNoto, Chief Administrative Officer/Program Manager in the Crime Analysis Unit at the Police Department, provided background about the relationship between CrimeReports.com and the PD. Questions by the Committee followed.

Action: The Committee denied the appeal on a vote of 3:1 (Pyle opposed).

- 2. Council Policy Manual Update**
- None.

- K. Open Forum**
- David Wall commented that the budget cycle did not address structural changes in how the City does business to address inefficiencies and suggested that an ordinance be approved that supersedes all union contracts for veterans preference.

Bill Chew congratulated Mayor Reed on his reelection, pledged his support and thanked his own supporters for their votes.

- L. Adjournment**
- The meeting adjourned at 2:41 p.m.



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Mayor Chuck Reed  
Rules and Open Government Committee