



RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
August 25, 2010

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

ABSENT: None

STAFF: Assistant 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 Sara Wright, Staff Technician Tamara Davis and Deputy City Clerk Ruth Krantz.

A. City Council

A. Review Final Agenda for August 31, 2010

Action: The Committee approved the August 31, 2010 final agenda, as amended with the following changes: Approve the presentation of a proclamation declaring September 8, 2010 as "International Literacy Day" in San Jose; Approval of travel for Councilmember Rose Herrera to San Diego for the League of California Cities Annual Conference; to Washington D.C. for the Silicon valley Leadership Group's "CEO/Senior Officer Advocacy" trip; and to Seattle, WA for the annual San José-Silicon Valley Chamber of Commerce City-to-City trip.

B. Review Draft Agenda for September 7, 2010

Action: None – Meeting cancelled

City Clerk Lee Price requested a special meeting of the City Council on September 7, 2010 at 1:30 pm to interview candidates for the Civil Service Commission. She noted the appeal hearings are currently on hold until the Commission vacancies are filled. The City Clerk will bring an agenda to next week's Rules Committee meeting for approval.

B. Redevelopment Agency (RDA)

1. Review August 31, 2010 Final Agenda

None-Meeting Canceled

2. Review September 7, 2010 Draft Agenda

None – Meeting cancelled.

C. Review of Upcoming Study Session Agenda(s)

The Committee approved the September 7, 2010, joint Redevelopment Agency/City Council Budget Preparation Study Session agenda.

D. Legislative Update

1. State

City Attorney Ed Moran provided the Rules Committee with an update on pending legislation relating to local government compensation and disclosures: AB 1955 (De La Torre, Local government compensation); SB 501 (Correa, Local government compensation and disclosure); AB 827 (Yamada/De La Torre, Records: Local public employees); AB 192 (Gatto, Public retirement benefits: excess salaries); AB 194, (Torrico, Retirement: local employees); and AB 2064 (Huber, State and local government: salary disclosure).

2. Federal

None.

E. Meeting Schedules

None.

F. The Public Record

Document Filed: Memorandum from City Clerk Lee Price dated August 20, 2010 transmitting the Public Record for the week of August 13, 2010 - August 19, 2010.

Public Comment: David Wall pulled Item F-a, a memo dated August 12, 2010 from Councilmember Nora Campos to suggest that the complaint lodged by Mr. Resendez was valid; Aaron Resendez requested further follow-up by Councilmember Nora Campos, stating that he never had a conversation with the Councilmember; Councilmember Constant commented that rules Committee has no jurisdiction in the matter, and expressed that the Charter provided each Councilmember with independent approving authority.

Action: The Public Record was noted and filed.

G. Boards, Commissions and Committees

1. Appointments

- a) Approve the appointment of Ralph Aceves, Founder, President, and CEO of Ovalpath, Inc., to serve as a private sector representative on the SVWIN Board of Directors, as required by law.
- b) Approve the appointment of José A. González, CEO of Infolink, to serve as a private sector representative on the SVWIN Board of Directors, as required by law. (Mayor)

Items G1a and G2b were heard concurrently.

Documents Filed: (1) Memorandum from Mayor Reed dated August 18, 2010 forwarding the recommendation to Ralph Aceves. (2) Memorandum from Mayor Reed dated August 18, 2010 forwarding the recommendation to appoint José A. González.

Action: The Committee approved the appointments and forwarded them appointments to the City Council for formal action on August 31, 2010.

2. Workplans

3. Annual Reports

None.

H. Rules Committee Reviews, Recommendations and Approvals

1. Workload Assessments for Council Requests and Referrals

2. Approved the City positions for six (6) resolutions to be considered at the Annual League of California Cities (LOCC) Conference.

Documents Filed: Memorandum from Betsy Shotwell dated August 12, 2010, regarding 2010 League of California Cities Resolutions.

Action: Positions approved and forwarded to the full City Council for formal action on August 31, 2010.

I. Review of additions to Council Committee Agendas

1. Community and Economic Development Committee
Add item to the meeting agenda for the September 27, 2010, regarding "2010 California Building Standards Adopting Ordinance Implementation."

4. Public Safety, Finance and Strategic Support Committee
Add item to the meeting agenda for the September 16, 2010, regarding "2010 California Building Standards Adopting Ordinance Implementation."

Items I1 and I4 were heard concurrently.

Documents Filed: (1) Memorandum from Joseph Horwedel & William McDonald dated August 13, 2010, regarding Request to Add Item to Work plan Agenda; (2) Memorandum from Joseph Horwedel & William McDonald dated August 13, 2010, regarding Request to Add Item to Work plan Agenda

Action: The Committee approved items I1 & I4.

2. Transportation and Environment Committee
3. Neighborhood Services and Education Committee
5. Rules and Open Government Committee
None

I. Open Government

1. Appeals of Public Records Act Requests
None

K. Open Forum

David Wall expressed concern about the Police Chief recruitment and the use of a professional recruiter; in opposition to a proposal regarding leasing water from Municipal Water Company.

L. Adjournment

The meeting was adjourned at 2:26 p.m.



Mayor Chuck Reed
Rules and Open Government Committee