



RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
September 22, 2010

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

ABSENT:

STAFF: Assistant City Manager Ed Shikada, City Attorney Rick Doyle, City Clerk Lee Price, Redevelopment Agency Assistant Director Gary Miskimon, Agenda Services Manager Nadine Nader, Mayor's Council Agenda Manager Sara Wright, and Staff Technician Tamara Davis.

A. City Council

1. Review Final Agenda for September 28, 2010

Action: The Committee approved the final agenda, as amended.

2. Review Draft Agenda for October 5, 2010

Public Comments: Tom Davis, Ken Prohaska, Michael Krisman, Jane Harmer, Lisa Harmer and David Wall voiced opposition to the annexation of Cambrian 36, raised concerns about noticing, and requested a deferral until sufficient notice can be given to all residents.

Councilmember Constant suggested that this issue be deferred until key points can be worked out with the City of Campbell.

Action: The Committee approved the agenda, as amended, and waived the 10-day noticing requirement for Item 11.4 (Initiation of the Annexation/Reorganization of Cambrian No. 36). Councilmember Constant opposed.

B. Redevelopment Agency (RDA)

1. Review September 28, 2010 Final Agenda

Action: The Committee approved the final agenda.

2. Review October 5, 2010 Draft Agenda

Action: The Committee approved the draft agenda, as amended (Item 7.1 Approval of an Amendment to the Building Rehabilitation and Loan Agreement with Urban Markets, LLC, for the San Pedro Square Urban Market was deferred until a later date.)

C. Review of Upcoming Study Session Agenda(s)

1. Joint RDA/City Council Joint Budget Study Session Agenda September 30, 2010, 1:30 p.m. to 5 p.m. in the Council Chambers.
2. Joint City Council/ RDA Board/County Board of Supervisors meeting agenda October 15, 2010, 9 a.m. to 12 noon at Santa Clara County Board Chambers

Action: The Committee approved both agendas.

D. Legislative Update

1. State
 2. Federal
- None.

E. Meeting Schedules

None.

F. The Public Record

Documents Filed: (1) Memorandum from City Clerk Lee Price dated September 17, 2010 transmitting the Public Record for the week of September 10, 2010 - September 17, 2010. (2) Prepared statement by John E. Colby, PhD dated September 22, 2010 and additional information relating to his request for SJPD records.

Public Comment: David Wall pulled his letter, Item (f), to discuss the suppression of an internal document and voiced concerns about the San José Police Chief being appointed to the Board of the Consortium for Police Leadership in Equity.

John Colby pulled his email, Item (b), to argue for the release of San José Police Department records and submitted additional documents in support of his request for information. Vice Mayor Chirco pulled Item (c), letter from the County of Santa Clara's Recycling and Waste Commission, and requested it be forwarded to the Director of the Environmental Services Department.

Action: The Public Record was noted and filed, with direction to forward item (c) letter from the County of Santa Clara's Recycling and Waste Commission and forwarded to the Director of the Environmental Services Department.

G. Boards, Commissions and Committees

1. Appointments
2. Workplans
3. Annual Reports

H. Rules Committee Reviews, Recommendations and Approvals

1. **Workload Assessments for Council Requests and Referrals**
2. **Memorandum from Betsy Shotwell and Hans F. Larsen to Rules and Open Government Committee dated September 15, 2010 regarding Measure B – VTA's Local Transportation Investment.**

Documents Filed: Memorandum from Intergovernmental Relations Director Betsy Shotwell and Interim Director of the Department of Transportation Hans Larsen to the Rules and Open Government Committee dated September 15, 2010 recommending a position of support for Measure B – VTA's Local Transportation Investment Fund.

Action: The Committee approved the position of support for Measure B and forwarded the matter to the City Council for formal action on September 28, 2010.

3. **Memorandum from Mayor Reed to Rules and Open Government Committee dated September 16, 2010 regarding 501(c)(3) Nonprofit Lobbying Referral and recommending that the City Clerk and City Attorney conduct a stakeholder outreach meeting for nonprofit organizations to discuss potential changes to the lobbyist ordinances.**

Documents Filed: Memorandum from Mayor Reed to Rules and Open Government Committee dated September 16, 2010 regarding 501(c)(3) Nonprofit Lobbying Referral.

City Clerk Lee Price reported that, in anticipation of the referral, tentative dates have been identified to conduct a stakeholders' outreach meeting at City Hall.

James Zahradka (Law Foundations of Silicon Valley) spoke in favor of the recommendation and added he and others are eager to participate.

Action: The Committee approved the Mayor's recommendation.

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
 5. Rules and Open Government Committee
- None.

H. Open Government

1. Appeals of Public Records Act Requests

K. Open Forum

David Wall encouraged the City Council to recognize the San José Giants and to attend their games to show support.

Michael Krisman and Tom Davis expressed disappointment because the Rules Committee did not defer the Cambrian 36 annexation matter.

L. Adjournment

The meeting was adjourned at 2:46 p.m.



Mayor Chuck Reed
Rules and Open Government Committee