

**RULES AND OPEN GOVERNMENT COMMITTEE**

Meeting Report  
October 13, 2010

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

**ABSENT:** None

**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 October 19, 2010**

Item 4.1 Revision of the Public Entertainment Ordinance was deferred to October 26, 2010. Item 6.2 Master Cooperative Agreement with the California High Speed Rail Authority for the High Speed Train Project was deferred to November 16, 2010.

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

**2. Review Draft Agenda for October 26, 2010**

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

Public Comment: Lisa Harmer expressed her opposition to the Annexation of Cambrian 36.

**B. Redevelopment Agency (RDA)**

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

Action: The Committee approved the final agenda.

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

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

**C. Review of Upcoming Study Session Agenda(s)**  
None.

**D. Legislative Update**

**1. State**

Director of Intergovernmental Relations Betsy Shotwell provided an update on the State budget.

**2. Federal**

None.

**E. Meeting Schedules**

None.

**F. The Public Record**

Document Filed: Memorandum from City Clerk Lee Price dated October 8, 2010 transmitting the Public Record for the week of October 1 – October 7, 2010.

Public Comment: David Wall pulled his letter, Item (i), to provide additional remarks regarding the Consortium for Police in Leadership Equity (CPLE).

Action: The Public Record was noted and filed.

**G. Boards, Commissions and Committees**

1. Appointments
  2. Workplans
  3. Annual Reports
- None.

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

1. **Workload Assessments for Council Requests and Referrals**
2. **Approve the report on posting of public calendars by City officials on the City's web site.**

Documents Filed: Memorandum from Communications Director Tom Manheim dated October 6, 2010 to the Rules and Open Government Committee recommending the approval of the report on posting of public calendars by City Officials on the City's Web site.

Brief Committee discussion ensued regarding compliance issues in some Council Offices.

Action: The Committee approved the report. Mayor Reed agreed to speak personally to certain Council Members and encourage improvement in calendar posting compliance.

- 3. Approve a preliminary Work Plan and proposed Evaluation Criteria assessing options for maximizing financial benefits from the San José Municipal Water System to the General Fund.**

Documents Filed: Memorandum from the Assistant City Manager Ed. Shikada to the Rules and Open Government Committee dated October 1, 2010 recommending the approval of a preliminary Work Plan and proposed Evaluation Criteria assessing options for maximizing financial benefits from the San José Municipal Water System to the General Fund.

Assistant City Manager Ed Shikada and Deputy Director of Economic Development Jeff Ruster presented the staff report.

Councilmember Herrera noted that the Council explored this option in 2002 at the cost of \$1.5 million. She expressed concern about the sale or lease of the water system, loss of Hetch Hetchy water and impacts to the General Fund to study the matter again. She suggested that voters may want to decide the issue.

Public Comments: David Wall voiced opposition to the selling or leasing of the municipal water system.

Action: The Committee approved staff recommendations and forwarded the matter on to the full Council for formal action on November 9, 2010.

- 4. Approve the schedule of City Council actions related to the California High-Speed Train project for November 16, 2010.**

Documents Filed: Memorandum from Interim Director of the Department of Transportation Hans F. Larsen to the Rules and Open Government Committee dated October 7, 2010 recommending City Council schedule actions related the California High-Speed Train Project for November 16, 2010, to allow for additional public outreach opportunities related to the proposed project design.

Interim Director of the Department of Transportation provided a verbal update on the project and informed the Committee that the next meeting of the High Speed Rail Authority is scheduled for December 2, 2010.

Public Comments: David Wall said he objected to the plan for high-speed rail through San Jose.

Action: The Committee approved the schedule and forwarded the item to the full Council for formal action on November 16, 2010.

- 5. Approval of District 4 North San José Business Appreciation Luncheon as City and Redevelopment Agency Sponsored Special Event, to Expend City and Agency Funds and to Accept Donations of Materials and Services for the Event and place item on the October 19, 2010 Council Agenda for joint City/Agency Action.**

Documents Filed: Memorandum from City Clerk Lee Price to the Rules and Open Government Committee dated October 8, 2010 requesting approval of District 4 North San José Business Appreciation Luncheon as a City and Redevelopment Agency Sponsored Special Event, to Expend City and Agency Funds and to Accept Donations of Materials and Services for the Event and place item on the October 19, 2010 Council Agenda for joint City/Agency Action.

Action: The Committee approved the request and forwarded the item to the full Council for formal action on October 19, 2010.

**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
- None.

**K. Open Forum**

Public Comment: David Wall spoke regarding several topics, including economic development, public safety, the San Jose Giants and the Consortium for Police in Leadership Equity (CPLE).

**L. Adjournment**

The meeting was adjourned at 2:36 p.m.

A handwritten signature in cursive script that reads "Chuck Reed". The signature is written in black ink and is positioned above a horizontal line.

Mayor Chuck Reed  
Rules and Open Government Committee

