



RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
October 27, 2010

PRESENT: Vice Mayor Chirco and Council Member Nguyen and Council Member Pyle.

ABSENT: Mayor Reed and Council Member Constant

STAFF: Assistant City Manager Ed Shikada, City Attorney Rick Doyle, City Clerk Lee Price, Redevelopment Agency Deputy Executive Director Janet Kern, 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 November 2, 2010

Action: The Committee approved the final agenda, as amended and waived the 10-day noticing requirement for item 8.1 Items 8.1 (Adoption of the Agency's FY 2010-11 Revised Capital and Operating Budgets) and 9.2 (Amendments in the General Fund for 2010-2011 Rebalancing Actions Related to the Redevelopment Agency Reimbursed Programs) to be heard concurrently.

2. Review of Draft Agenda for November 9, 2010

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

B. Redevelopment Agency (RDA)

1. Review Final Agenda for November 2, 2010

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

2. Review Draft Agenda for November 9, 2010

None.

C. Review of Upcoming Study Session Agenda(s)

None.

D. Legislative Update

1. State
 2. Federal
- None.

E. Meeting Schedules

None.

F. The Public Record

Document Filed: Memorandum from City Clerk Lee Price dated October 22, 2010 transmitting the Public Record for the week of October 15 – October 21, 2010.

Councilmember Pyle pulled Item (b), an email from Santa Clara County Cities Association, to mention her efforts to support greater use of the airport by surrounding jurisdictions. Vice Chair Chirco pulled item (c), an email from Santa Clara County Cities Association, and proposed it be referred to the Pension Reform Task Force.

Public Comment: David Wall pulled his letters, Items (m) and (n), to provide additional remarks.

Action: The Public Record was noted and filed.

G. Boards, Commissions and Committees

1. Appointments
2. Workplans
 - (a) **Approval of the Library Commission FY 2010-11 Workplan.**
 - (b) **Approval of the Early Care and Education Commission FY 2010-11 Workplan.**

Documents Filed: (1) Memorandum from the Director of Library Jane Light, dated October 14, 2010 providing the Library Commission FY 2010-2011 Workplan. (2) Memorandum from the Director of Library Jane Light dated October 14, 2010 providing the Early Care and Education Commission FY 2010-2011 Workplan.

Public Comments: David Wall suggested that the Workplans are too ambitious.

Action: The Workplans were accepted.

3. Annual Reports

None.

H. Rules Committee Reviews, Recommendations and Approvals

- 1. Workload Assessments for Council Requests and Referrals**
- 2. Deferral of Request by Councilmember Kalra's Request to Extend the Police Chief Recruitment until early 2011.**

Documents Filed: Memorandum from City Manager Debra Figone dated October 22, 2010 regarding Request to Defer Consideration of Councilmember Kalra's Memo on Recruitment of New Police Chief to November 3, 2010.

District 2 Chief of Staff Joseph Okpaku observed that the recruitment process for the new police chief is within the City Manager's purview and indicated that Councilmember Kalra wishes to amend his recommendation by requesting (rather than directing) the City Manager to postpone for the future Council the final decision.

Public Comment: David Wall expressed support for delaying the appointment of the Police Chief.

Action: The Committee deferred discussion on this item until November 3, 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**
 - (a) Request to add a Monthly Report to the Public Safety, Finance and Strategic Support Committee (PSFSS) regarding an update on the City Manager's Use of force Advisory Group.

Documents Filed: Memorandum from Deputy City Manager Deanna J. Santana dated October 22, 2010, requesting to add a report to be heard by the Public Safety, Finance and Strategic Support Committee (PSFSS) on November 22 regarding an update on the City Manager's Use of Force Advisory Group.

Councilmember Nguyen requested a quarterly update from the City Manager to the Public Safety, Finance and Strategic Support Committee on the effectiveness of the use of AXON cameras by police officers.

Public Comment: David Wall suggested removing Public Safety from the Public Safety, Finance and Strategic Support (PSFSS) Committee and having them report directly to the Rules and Open Government Committee.

Action: The Committee approved the addition of a report update to the Public Safety, Finance and Strategic Support Committee (PSFSS) on the Use of Force.

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 expressed support for the rehiring of the San José firefighters laid off this fiscal year; and suggested that the City thank the San José Giants.

L. Adjournment

The meeting was adjourned at 3:17 p.m.



Mayor Chuck Reed

Rules and Open Government Committee