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**RULES AND OPEN GOVERNMENT COMMITTEE**

Meeting Report  
December 15, 2010

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

**ABSENT:** Constant

**STAFF:** Assistant City Manager 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 City Clerk Staff Technician Tamara Davis.

**A. City Council**

**1. Review Final Agenda for December 21, 2011**

None. Meeting Cancelled

**2. Review of Draft Agenda for January 11, 2010**

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

**B. Redevelopment Agency (RDA)**

**1. Review Final Agenda for December 21, 2010**

None. Meeting Cancelled

**2. Review Draft Agenda for January 11, 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 December 10, 2010 transmitting the Public Record for the week of December 3 – December 9, 2010.

City Clerk Lee Price pulled Item (a), a letter from 7-11 Inc., which referred to an item that was heard on December 14, 2010 by the City Council and indicated it would be filed with the official record of the December 14, 2010 City Council agenda.

Public Comment: David Wall pulled his letter, Item (e), and provided additional comments.

Action: The Public Record was noted and filed.

**G. Boards, Commissions and Committees**

**1. Appointments**

- a. **Approve the re-appointment of Vanessa Burbach and Clarence Madrilejos to serve on the Human Rights Commission for a term ending on December 31, 2013. (Councilmember Chu)**
- b. **Approve the re-appointment of Michael Fitzgerald and Elaine Coombs to serve on the Advisory Commission on Rents for a term ending on December 31, 2013**

Documents Filed: (1) Memorandum from Councilmember Chu dated December 6, 2010 recommending reappointments to the Human Rights Commission. (2) Memorandum from Councilmember Herrera dated December 8, 2010 recommending reappointments to the Advisory Commission on Rents.

Action: The Committee approved the re-appointments as recommended by the Council Liaisons and forwarded them to the Council for formal action on January 11, 2011.

**2. Workplans**

- a. **Approve Parks Recreation Commission FY 2010-11 Workplan.**

Documents filed: Memorandum from Parks, Recreation, and Neighborhood Services Director Albert Balagso dated December 9, 2010 regarding the Approval of the Parks Recreation Commission FY 2010-11 Workplan.

Action: The Committee approved the workplan and forwarded it to the City Council for formal action on January 11, 2011.

- b. **Approve the Youth Commission FY 2010-11 Workplan.**

Documents filed: Memorandum from Parks, Recreation, and Neighborhood Services Director Albert Balagso dated December 9, 2010 regarding the Approval of the Youth Commission FY 2010-11 Workplan.

Action: The Committee approved the workplan and forwarded it to the City Council for formal action on January 11, 2011.

**c. Approve the Mobile Home Advisory Commission (MAC) FY 2010-11 Workplan.**

Documents filed: Memorandum from Housing Director Leslye Corsiglia dated December 7, 2010 regarding the Approval of the Mobile Home Advisory Commission FY 2010-11 Workplan.

Action: The Committee approved the workplan and forwarded it to the City Council for formal action on January 11, 2011.

**3. Annual Reports**  
None.

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

- 1. Workload Assessments for Council Requests and Referrals**
- 2. Agendize Appointment of Redistricting Advisory Commission for the City Council meeting on January 11, 2011 and set the date for Councilmembers to designate Commissioners no later than January 7, 2011.**

Documents Filed: Memorandum from Mayor Reed dated December 9, 2010 outlining recommendations for establishing and making appointments to the Redistricting Advisory Commission, pursuant to the City Charter.

Action: The Committee approved the Mayor's recommendations and added the item to the January 11, 2011 Council Agenda.

- 3. Agendize for Council action on January 11, 2011 Modification of Council Labor Negotiation Guidelines (Council Policy 0-39) to provide for more transparency in the negotiation process.**

Documents Filed: Memorandum from Mayor Reed dated December 10, 2010 regarding the Council Labor Negotiation Guidelines and outlining his recommendations.

Action: The Committee approved the modification of Council Labor Negotiation Guideline (Council Policy 0-39), as recommended by the Mayor, and added the item to the January 11, 2011 Council Agenda.

- 4. Accept the report on posting of public calendars by City officials on the City's website; revise the frequency of reporting from bi-monthly to quarterly; and begin the next reporting period on January 3, 2010.**

Documents Filed: Memorandum from Director of Communications Tom Manheim dated December 8, 2010 regarding the posting of Public Calendars.

Director of Communications Tom Manheim corrected page 13 of the report as it relates to the calendars of the RDA Executive Director.

Action: The Committee accepted the report and approved the staff recommendations.

- 5. Direct staff to apply for a grant in the amount of \$50,000 to \$200,000 being offered by the Silicon Valley Community Foundation related to the establishment of anti-payday lending policies, and to report to the Community and Economic Development Committee on the status of the grant application on the earliest date possible following the announcement of the grant awards in February 2011.**

Documents Filed: Memorandum from Councilmembers Kalra and Campos dated December 9, 2010 regarding the regulation of payday lending; (2) Memorandum from Councilmember Liccardo dated December 15, 2010 regarding payday lending; and (3) Letter from Emmett D. Carson, Ph.D. (Silicon Valley Community Foundation) to Mayor Reed and the City Council dated December 15, 2010 regarding grant funding opportunities for cities that regulate payday lending.

Public Comments: David Wall suggested putting off the grant application until the Council can have a proper discussion. Speaking in favor or pursuing grant funding opportunities to assist in developing regulations restricting payday lending were the following: Terrie Iacino (Step Up Silicon Valley & Catholic Charities), Carol Leigh Hutton (United Way Silicon Valley), Steve Rodriguez (PACT), Poncho Guevara (Sacred Heart Community Services), Linda Molina, and Kyra Kazartis (Public Interest Law Firm). Kyra Kazartis (Public Interest Law Firm) also offered to help the City with the initial draft for the grant application.

Action: The Committee directed staff to: 1) Use best efforts to meet the grant application deadline and 2) Review the application and determine the need for assistance. Additionally, the Committee agreed to ask the Mayor to write a letter to the Silicon Valley Community Foundation indicating an interest in the grant and, further, seeking an extension of the grant application deadline.

**6. Approve the Council Assistant Certification Program Curriculum.**

Documents Filed: Memorandum from City Clerk Lee Price dated December 5, 2010 regarding the Council Assistant Certification Program Curriculum.

City Clerk Lee Price presented a brief overview of the program curriculum and responded to questions. Senior Deputy City Attorney Lisa Herrick provided clarification regarding State-mandated ethics training required for elected and appointed officials.

Public Comment: David Wall suggested that the City recruit more professional governmental employees to come and work for the City of San Jose.

Action: The Committee approved the Curriculum.

**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 commented on the proposal to bring Major League Baseball to San Jose.

**L. Adjournment**

The meeting was adjourned at 3:14 p.m.



Mayor Chuck Reed  
Rules and Open Government Committee