



COUNCIL AGENDA: 2-8-11
ITEM: 2.3(a)

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
January 19, 2011

PRESENT: Mayor Reed, Vice Mayor Nguyen and Council Members Constant and Oliverio.

ABSENT: None.

STAFF: City Manager Debra Figone, City Attorney Rick Doyle, City Clerk Dennis Hawkins, 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 Legislative Secretary Ruth Krantz.

A. City Council

1. Review Final Agenda for January 25, 2011

Action: The Committee approved the final agenda, as amended, and waived the 10-day noticing requirement for Items 2.7 (San Francisco Bay Area Water Quality Improvement Fund Grant Applications) and Item 3.2 (Council Labor Negotiation Guidelines), and waived a 14-day noticing requirement for Item 9.3 (Diridon Station Area Master Plan). The Committee approved addition of Item 1.1(b) from the Special Meeting of the Redevelopment Agency/City Council/San José Financing Authority of January 19, 2011 and waived the 10-day noticing requirement.

2. Review of Draft Agenda for February 1, 2011

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

B. Redevelopment Agency (RDA)

1. Review Final Agenda for January 25, 2011

Action: The Committee approved the final agenda, as amended, and waived the 10-day noticing requirement for Item 8.1 (Discussion of proposed State budget actions and impacts to Redevelopment Agency budgeting). The Committee approved the addition and waived the 10-day noticing requirement of Item 7.x (Approval of an amendment to the agreement with AECOM for environmental monitoring services), and approved the additions and waived the 14-day noticing requirements of Items 8.x (Approval of a Capital Equipment and Assistance Agreement with Maxim) and Item 8.y (Approval of a Capital Equipment and Assistance Agreement with SunPower).

2. Review Draft Agenda for February 1, 2011

None.

C. Review of Upcoming Study Session Agenda(s)

1. Approve the Neighborhood Associations/Youth Commission 2011-2012 Priority Setting Session Meeting Agenda for January 29, 2011 from 9:30 a.m. to 1:00 p.m. in Council Committee Rooms Wing 118-120. (Mayor)

Documents Filed: City of San José Neighborhood Associations/Youth Commission 2011-2012 Priority Setting Session for Saturday, January 29, 2011.

Action: The Committee approved the upcoming Priority Setting Session Meeting Agenda.

D. Legislative Update

1. State

Mayor Reed reported that he would be meeting with the Governor and legislative leaders for the "Big Ten" Mayor's meeting on January 26, 2011.

2. Federal

None.

Action: The Committee accepted the report.

E. Meeting Schedules

None.

F. The Public Record

Document Filed: Memorandum from City Clerk Dennis Hawkins dated January 14, 2011 transmitting the Public Record for the week of January 7 – 13, 2011.

Public Comment: David Wall pulled his letter, Item (c) to offer criticism of the Environmental Services Department's appointment process in filling a position within the Watershed Protection Division.

Action: The Public Record was noted and filed.

G. Boards, Commissions and Committees

Note: Items G1 and G2 were heard concurrently

1. Approve the re-appointment of Buu Thai, Al Reinig, and Nathaniel Montgomery to the Project Diversity Screening Committee for a term to expire on December 31, 2012. (Mayor)
2. Approve the appointment of Hobin Kim to the Project Diversity Screening Committee for a term to expire on December 31, 2012; and appoint Jeannie LoFranco as Chair of the Project Diversity Screening Committee for an unexpired term ending on December 31, 2011. (Mayor)

Document Filed: (1) Memorandum from Vice Mayor Nguyen dated January 13, 2011 forwarding recommendations for reappointments to the Project Diversity Screening Committee. (2) Memorandum from Mayor Reed, dated January 14, 2011 forwarding recommendations for appointments to the Project Diversity Screening Committee.

Action: The Committee approved Items G1 and G2 and forwarded the appointments to the City Council for formal action on January 25, 2011.

H. Rules Committee Reviews, Recommendations and Approvals

1. Workload Assessment for Council Requests and Referrals
2. Direct the Civil Service Commission to Re-evaluate layoff criteria. (Councilmember Oliverio)

Documents filed: Memorandum from Councilmember Oliverio, dated January 7, 2011, recommending evaluation of layoff criteria by the Civil Service Commission.

Council Member Oliverio referenced his memorandum of January 7, 2011 with the suggestion that Staff evaluate the recommendations and forward to the City Council prior to possible re-evaluation by the Civil Service Commission.

Public Comments: Speaking in support of changes to the Civil Service Rules and re-evaluation of layoff criteria, were: Pat Sausedo, Jerry Mungai, David Wall, Tina Morrill and Bobby Yount.

Bill Wallace, Ben Field, John Mukhar (AEA IFPTE), Cay Denise MacKenzie (IFPTE, CAMP), Dan Rodriguez (IBEW Local 332), Carol Garvey (SEIU 521), Bob Lindley, and Henry Servin (Architects & Engineers Local 21) offered comments and criticism of the Councilmember Oliverio's proposal.

Action: Staff was directed to evaluate and provide input regarding re-evaluation of the layoff criteria as addressed in Councilmember Oliverio's memorandum, and return to the Rules and Open Government Committee with an update on February 9, 2011 and for full review at the February 15, 2011 City Council Meeting.

I. Review of additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee
2. Neighborhood Services and Education Committee
3. Transportation and Environment Committee
4. Public Safety, Finance and Strategic Support Committee
 - a. Approve the Public Safety, Finance and Strategic Support (PSFSS) Committee Jan.-June 2011 Workplan. (Mayor, Councilmember Constant)

Documents Filed: Memorandum from Mayor Reed and Councilmember Constant, dated January 5, 2011, recommending approval of the PSFSS Committee proposed workplan.

Action: The Public Safety, Finance and Strategic Support Committee workplan for the period January through June 2011 was accepted.

5. Rules and Open Government Committee
None.

J. Open Government

1. Appeals of Public Records Act Requests
None.

K. Open Forum

Public Comment: (1) John Mukhar expressed agreement with David Wall's comments and correspondence regarding the Environmental Services Department's appointment process in filling a position within the Watershed Protection Division and recommended that it be investigated. (2) David Wall spoke regarding the CED Committee and economic development results; he suggested that the Parking Compliance become Parking Enforcement, and that the Vehicle Abatement Program be transferred back to Code Enforcement.

L. Adjournment

The meeting was adjourned at 3:13 p.m.



Mayor Chuck Reed
Rules and Open Government Committee