
RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
June 8, 2011

PRESENT: Mayor Reed, Vice-Mayor Nguyen and Councilmembers Constant and Oliverio

ABSENT: None

STAFF: Assistant City Manager Ed Shikada, City Attorney Richard Doyle, City Clerk Dennis Hawkins, Redevelopment Agency Assistant Director Gary Miskimon, CMO Agenda Services Gloria Schmanek, Mayor's Assistant Antonio Guerra, and Deputy City Clerk Tamara Davis

A. City Council

1. Review Special Meeting Final Agenda for June 13, 2011

Action: The Committee approved the Special Meeting final agenda, as amended. The Mayor clarified that the hearing on the Mayor's Budget Message will be continued from June 13 to the June 14 meeting for additional testimony, people may testify either on the 13th or the 14th, but not both.

2. Review Final Agenda for June 14, 2011

Action: The Committee approved the final agenda, as amended, with Sunshine waivers for Items 3.7D (Approve the 2011-2011 Operating and Capital Budgets for the City of San Jose and Schedule of Fees and Charges) and 4.2 (Historic landmark Nomination for the "Curtis House"). Items 9.1 and 3.1 to 3.8, to be heard immediately following the consent calendar, and not before 1:30 p.m. Staff commented that several items were noticed for hearing at 1:30, so there may be some moving around of items to comply with noticing or other requirements, including some Consent items that may need to be heard in a different order.

3. Review of Draft Agenda for June 21, 2011

Action: The Committee approved the draft agenda, as amended, with Sunshine waivers for Items 2.8 (Agreement for airport Air Service marketing Communications Consulting Services), 3.6 (Tax and Revenue Anticipation Note), 3.10 (Actions Related to the Receipt of Funds for the early Retiree Reinsurance Program) and 7.2 (Agreement with Zero Waste Energy Development Company, LLC, for Commercial Organic Waste Processing). The Committee deferred the referral of an item related to disability retirements to June 21 along with other fiscal reform items.

B. Redevelopment Agency (RDA)

1. Review Final Agenda for June 14, 2011

Action: The Committee approved the agenda with a possible change to the start time.

2. Review Draft Agenda for June 21, 2011

Action: The Committee approved the draft agenda, including a possible change to the start time with clarification that item 3.X regarding the appointment of the Managing Director and amendment to the Agency Bylaws contained on the add sheet submitted under Council Appointee requests actually applies to the Redevelopment Agency Agenda, that the language for the item will be updated and only on the Agency Agenda.

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

D. Legislative Update

1. State

Document Filed: (1) Memorandum from City Manager Debra Figone to the Rules and Open Government dated June 8, 2011, recommending support of AB 312 (Lowenthal) – Civil Rights for Homeless Persons.

City Attorney Rick Doyle requested a deferral of Item D.1.b.

Director of Intergovernmental Relations Betsy Shotwell provided a verbal status report on the State budget. She reminded the Committee that the State legislature will not be paid if they do not pass a budget by June 15, 2011 as a result of the passage of Proposition 25. The Governor is still continuing to negotiate with Republicans in both houses. He is looking to continue the tax extenders from 100 to 110 days, to September to put a measure on the ballot for California voters. The City's lobbyist, Roxanne Miller, is continuing the City's advocacy of the California Redevelopment Agency's Reform package.

Action: The Committee deferred Item D.1.b. pending further information from staff.

2. Federal - None

E. Meeting Schedules - None

F. The Public Record

Document Filed: Memorandum from City Clerk Dennis Hawkins dated June 3, 2011 transmitting the Public Record for the week of May 27 – June 2, 2011.

Public Comment: None

Action: The Public Record was noted and filed.

G. Boards, Commissions and Committees

1. Appointments

- a. **Approve the appointments of Corinne Winter (At-Large Representative) and Steve Borkenhagen (Downtown Association Representative) to the Downtown Parking Board. (Councilmember Liccardo)**

Documents Filed: (1) Memorandum from Councilmember Liccardo to the Rules and Open Government Committee dated May 31, 2011 recommending the appointment of Corinne Winter as an At-large Representative and Steve Borkenhagen as the Downtown Association Representative to the Downtown Parking Board.

Action: City Attorney Rick Doyle noted that he has advised Mr. Borkenhagen that, due to his employment with the urban markets, there may be times that he may need to recuse himself from certain items, particularly with respect to the Market Street garage. The Committee approved items G.1.a.

2. Workplans

3. Annual Reports

None.

H. Rules Committee Reviews, Recommendations and Approvals

1. Workload Assessment for Council Requests and Referrals

None.

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.
 5. Rules and Open Government Committee
- None.

J. Open Government

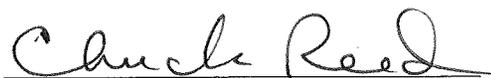
1. Appeals of Public Records Act Requests
- None.

K. Open Forum

None

L. Adjournment

The meeting was adjourned at 2:35 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