



RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
October 26, 2011

PRESENT: Mayor Reed, Vice-Mayor Nguyen, and Councilmember Oliverio

ABSENT: Councilmember Constant

STAFF: Assistant City Manager Ed Shikada, City Attorney Richard Doyle, City Clerk Dennis Hawkins, Redevelopment Agency Managing Director Richard Keit, CMO Agenda Manager Leanna Bieganski, Mayor's Council Agenda Manager Sara Wright, and Deputy City Clerk Tamara Davis

A. City Council

1. Review Final Agenda for November 1, 2011

Action: The Committee approved the agenda, as amended. Item 3.5 (Legislative Update by Assemblymember Luis Alejo) will be heard first after ceremonial items.

Review of Draft Agenda for November 8, 2011

Action: The Committee approved the agenda, as amended with a Sunshine waiver for the Joint City of San Jose City Council/Diridon Development Authority Agenda. Item 3.4 (Civil Service Commission Interviews) was deferred to the November 15, 2011 City Council agenda.

B. Redevelopment Agency (RDA)

1. Review Final Agenda for November 1, 2011

Action: The Committee cancelled the November 1, 2011 RDA meeting, but will be available for Closed Session items.

2. Review Draft Agenda for November 8, 2011

Action: None – The Agency did not have an agenda, but will be available for Closed Session items.

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

D. Legislative Update - None

1. State

Intergovernmental Relations Director, Betsy Shotwell, indicated that it's been reported that the Governor will be releasing his pension reform recommendations on October 27, 2011.

2. Federal

E. Meeting Schedules

1. Approve the proposed joint meeting for City Council – San Jose Diridon Development Authority on Tuesday, November 8, 2011 from 1:30 P.M. – 5:00 P.M. (Mayor)

Documents Filed: Memorandum from Mayor Reed to the Rules and Open Government Committee dated October 26, 2011 regarding a joint meeting for the City Council and the San Jose Diridon Development Authority on November 8, 2011.

Public Comments: David Wall suggested adding language to this agreement that Redevelopment Agency properties cannot be sold at a loss.

Action: The Committee approved the meeting agenda.

F. The Public Record

Document Filed: Memorandum from City Clerk Dennis Hawkins dated October 21, 2011 transmitting the Public Record for the week of October 14 – October 20, 2011.

Public Comment: David Wall pulled Items (a), (b), (c), and (d) and provided additional comments. He thanked Officers Tracey and Levos for outstanding police work.

Action: The Public Record was noted and filed.

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G. Boards, Commissions and Committees - None

1. Appointments
2. Workplans
3. Annual Reports

H. Rules Committee Reviews, Recommendations and Approvals

1. Workload Assessment for Council Requests and Referrals
2. Direct the City Manager to agendize Workforce Hiring Practices for Council consideration and potential discussion on policy direction regarding hiring practices of appointed senior staff positions.
(Councilmembers Rocha, Campos, Chu, Kalra, and Pyle)

Document Filed: (1) Memorandum from Councilmembers Rocha, Campos, Chu, Kalra, and Pyle to the Rules and Open Government Committee dated October 20, 2011 regarding Workforce Hiring Practices and (2) Memorandum by City Manager Debra Figone to the Rules and Open Government Committee dated October 25, 2011 regarding Workforce Hiring Practices.

Actions: The Item was deferred to the November 2, 2011 Rules agenda

3. Direct the Administration to provide information about the San Jose Police Department Chaplain Program before January 2012, so that Council has the information prior to discussing the 2012 - 2013 fiscal budget.
(Councilmember Oliverio)

Document Filed: Memorandum from Councilmember Oliverio to the Rules and Open Government Committee dated October 21, 2011 regarding the San Jose Police Department Chaplain program

Actions: The Item was deferred to the November 2, 2011 Rules agenda

4. Approval Of The Designation Of District 6 Film Event, "Radiant City" As A City Council Sponsored Special Event, To Expend City Funds And Authorization To Accept Donations Of Materials And Services For The Event. (City Clerk)

Document Filed: Memorandum from the City Clerk, Dennis Hawkins, to the Rules and Open Government Committee dated October 21, 2011 regarding the District 6 Film Event "Radiant City."

Actions: The Committee approved the District 6 Film Event "Radiant City as a Council sponsored Special Event.

5. Accept the response to Referral from Rules and Open Government Committee concerning potential revisions to the Revolving Door Ordinance. (City Attorney)

Document Filed: Memorandum from the City Attorney, Richard Doyle, to the Rules and Open Government Committee dated October 21, 2011 regarding the City's Revolving Door Ordinance.

Senior Deputy City Attorney, Lisa Herrick, informed the Committee that there was a single word addition to the ordinance "involuntarily" to put parameters around the definition of who this ordinance pertains to and to clarify that it is for laid-off employees.

Councilmember Rocha provided comments regarding prior Council discussion, his memos on the subject, and the proposed draft. Committee discussion ensued and members offered additional suggested revisions to the draft ordinance.

Public Comments: David Wall expressed his opinions regarding the various economic reasons that employees may choose to separate from City employment.

Actions: The Committee approved the proposed modification of the Revolving Door Ordinance as revised and forwarded the item to the City Council for action on the November 8, 2011 agenda.

I. Review of additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee
2. Neighborhood Services and Education Committee
 - a. Approve the addition of a status report to the December 8, 2011 agenda regarding the San Jose Parks Foundation.

Documents Filed: Memorandum from Acting Director of Parks, Recreation, and Neighborhood Services, Julie Edmond-Mares, to the Rules and Open Government Committee dated October 18, 2011 regarding the Neighborhood Services and Education Committee (NSE) Workplan.

Action: The Committee approved the addition of a status report from San Jose Parks Foundation to the December 8, 2011, NSE agenda.

3. Transportation and Environment Committee
4. Public Safety, Finance and Strategic Support Committee
5. Rules and Open Government Committee
None.

J. Open Government

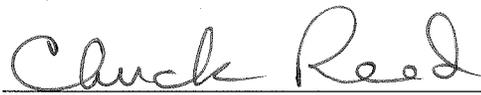
1. Appeals of Public Records Act Requests
None

K. Open Forum

Public Comments: David Wall suggested that the Mayor have a study done for the past 13 years to calculate what the City should have been paying for the unfunded liabilities to the retirement system in comparison to what the City did pay. Julie Vargas commented on media reports about the unfunded street maintenance costs and potential tax measures to pay for repairs. She suggested that everyone pay for streets, not just property owners, since everyone uses the streets.

L. Adjournment

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



Mayor Chuck Reed
Rules and Open Government Committee