

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
January 18, 2012

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

ABSENT: Councilmember Constant

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

A. City Council

1. Review Final Agenda for January 24, 2012

Action: The Committee approved the agenda, as amended with Item 1.1 (Lunar New Year) deferred to February 7, 2012; Item 6.3 (Minimum Standards for Airport West Side General Aviation Development) deferred and renoticed until Staff can prepare a more comprehensive report (tentatively February 14, 2012); Item 11.2 (Morse Street development, deferred to the next evening Council meeting, February 28, 2012; addition of a ceremonial items Humanity Day (afternoon session) and presentation of a commendation to the Oak Grove Red Warriors to be heard in the evening; and Item 7.1 not to be heard before 2:30 p.m. The Committee waived the 10-day noticing requirement for Item 9.1 (Actions related to the Dissolution of the Redevelopment Agency).

Public Comment: Alex Ontiveros (Hispanic Chamber of Commerce Silicon Valley) requested that a time certain be designated for Item 7.1, asking that it be not heard earlier than 2:30 p.m.

Review of Draft Agenda for January 31, 2012

Action: The Committee approved the agenda, as amended with Item 3.3 (Marijuana Business Tax) deferred to February 7, 2012, and waived the 14-day noticing requirements for Items 4.2 (North San José Development Incentive) and 4.3 (Development Services Staff Needs).

b. Redevelopment Agency (RDA)

1. Review Final Agenda for January 24, 2012

Action: None.

2. Review Draft Agenda for January 31, 2012

Action: None.

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

D. Legislative Update

1. State

Director, Intergovernmental Relations Betsy Shotwell provided an overview of the Governor's State of the State address and responded to Committee questions regarding redevelopment agency extension and potential tax measures.

2. Federal

E. Meeting Schedules

1. Approve a City Council Study Session for January 30, 2012.

Documents Filed: Memorandum from Assistant City Manager Ed Shikada dated January 12, 2012 proposing a City Council Study Session entitled IBM Operational Efficiency Study.

Action: A Council Study Session entitled IBM Operational Efficiency Study was scheduled for Tuesday, February 21, 2012, from 1:30 to 5:00 p.m. in City Hall Council Chambers.

F. The Public Record

Document Filed: Memorandum from City Clerk Dennis Hawkins dated January 6, 2012 transmitting the Public Record for the week of January 6, 2012 – January 12, 2012.

Public Comments: (1) Martha O'Connell pulled her Item (d) and spoke to the consolidation of Commissions as recommended by the City Clerk. (2) David Wall pulled his Items (f), (h), and (i) and provided additional comments. (3) Marie Hayter, Senior Citizen's Commission, pulled Item (c) to offer additional comments on painting concrete barriers in Community Center parking lots as a safety precaution.

Action: The Public Record was noted and filed.

G. Boards, Commissions and Committees

1. Appointments
2. Workplans
3. Annual Reports

H. Rules Committee Reviews, Recommendations and Approvals

- 1. Workload Assessment for Council Requests and Referrals**

- 2. Alternative approaches to recruitment and hiring legally available to the City in accordance with Proposition 209. (Councilmember Rocha)**

Documents Filed: Memorandum from Councilmember Rocha dated January 10, 2012, recommending that information be re-released detailing alternative approaches to recruitment and hiring practices.

Action: The Committee referred the item to staff.

- 3. Celebrate Cambrian Festival as a City Council sponsored Special Event. (City Clerk)**

Documents Filed: Memorandum from City Clerk Dennis Hawkins, CMC, dated January 11, 2012 recommending approval of the Celebrate Cambrian Festival.

Action: The Committee approved the Celebrate Cambrian Festival as a City Council sponsored event and forwarded it to the City Council for formal action on January 24, 2012.

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

J. Open Government - None

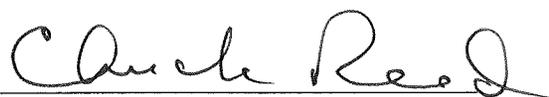
1. Appeals of Public Records Act Requests

K. Open Forum

- (1) Martha O'Connell raised objections to increases in sales tax.
- (2) David Wall provided recommendations for funding the City's Eco-pass transit program.

L. Adjournment

The meeting was adjourned at 2:51 p.m.



Mayor Chuck Reed
Rules and Open Government Committee