

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
August 15, 2012

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

ABSENT: Councilmember Constant (Excused)

STAFF: Assistant City Manager Ed Shikada, City Attorney Richard Doyle, City Clerk Dennis Hawkins, Successor Agency Managing Director Richard Keit, CMO Agenda Services Gloria Schmanek, Mayor's Council Agenda Manager Sara Wright, and Deputy City Clerk Tamara Davis.

A. City Council

1. Review Final Agenda for August 21, 2012

Public Comments: David Wall discussed Item 5.1 (Consultant Agreement with Tetra Design for Services Related to the Southeast Branch Library Project) and asked that the City reassess the project, since the City still has a looming deficit problem.

Action: The Committee approved the agenda as amended with additions.

2. Review of Draft Agenda for August 28, 2012

Public Comments: David Wall mentioned that Item 3.4 (Special Operations Premium Pay Pilot Program for San Jose Fire Fighters, IAFF Local 230) was overdue and should be supported by the City Council and suggested that the City Council reinstate the firefighters and police officers pay to normal status. Mr. Wall also suggested removing Items 4.2 (Actions Related to the Issuance of Tax-Exempt Multifamily Housing Revenue Bonds for the La Moraga Apartments), and 4.3 (Predevelopment Loans for the Donner Lofts Apartment Project) the agenda.

Action: The Committee approved the agenda as amended.

B. Review of Upcoming Study Session Agenda(s)

Action: The Committee cancelled the August 30, 2012 study session date.

C. Legislative Update -

1. State

Betsy Shotwell, Director of Intergovernmental Relations, informed the Committee that AB1692 (Municipal Bankruptcy), that the council opposed, along with other cities, will not be moving forward in the Senate although it passed in the Assembly. Ms. Shotwell also mentioned that there are two and a half weeks left in the legislative session; which will end on August 31, 2012.

Mayor Reed mentioned his visit to Sacramento and the discussion of pension reform. He believes the Governor will try to move his 12-point plan forward prior to the end of the Legislative session.

2. Federal – No report.

D. Meeting Schedules - None

E. The Public Record

Document filed: Memorandum from City Clerk Dennis Hawkins dated August 10, 2012 transmitting the Public Record for the week of August 3 - 9, 2012.

David Wall provided additional information about Items (g), (h), and (i).

Martha O'Connell, Chair of the Senior Citizens Commission, discussed (Item c) the Senior Citizens Commission recommendations from the survey completed about senior issues.

Richard McCoy, Vice-Chair of the Senior Citizens Commission, discussed the June 14, 2012 meeting where the Commission voted to request a new position for the budget to fund a case management after care outreach specialist be provided because more seniors are dealing with homelessness and inadequate facilities to fill their needs.

Mayor Reed suggested that the Senior Citizens Commission's survey be referred to staff for review and a response.

Action: The Senior Commission survey was referred to staff and the balance of the Public Record was noted and filed

F. Boards, Commissions and Committees

1. Appointments

- a. Approve the appointment of Tara Pichumani to a two-year term, expiring May 31, 2014, as the Citywide Youth Commissioner with the San Jose Youth Commission, and place on the August 21, 2012 Council Agenda Evening Session. (Mayor)
- b. Approve the appointment of Kimberly Tan to a two-year term, expiring May 31, 2014, as the Council District 1 Youth Commissioner with the San Jose Youth Commission, and place on the August 21, 2012 Council Agenda Evening Session. (Councilmember Constant)
- c. Approve the appointment of Thuy Phuong to a two-year term, expiring May 31, 2014, as the Council District 2 Youth Commissioner with the San Jose Youth Commission, and place on the August 21, 2012 Council Agenda Evening Session. (Councilmember Kalra)
- d. Approve the appointment of Christian Dale Sanchez to a two-year term, expiring May 31, 2014, as the Council District 3 Youth Commissioner with the San Jose Youth

Commission, and place on the August 21, 2012 Council Agenda Evening Session.
(Councilmember Liccardo)

- e. Approve the appointment of Francis Nguyen to a two-year term, expiring May 31, 2014, as the Council District 8 Youth Commissioner with the San Jose Youth Commission, and place on the August 21, 2012 Council Agenda Evening Session.
(Councilmember Herrera)
- f. Approve the appointment of Alexander Polussa to a two-year term, expiring May 31, 2014, as the Council District 10 Youth Commissioner with the San Jose Youth Commission, and place on the August 21, 2012 Council Agenda Evening Session.
(Councilmember Pyle)

Documents filed: (1) Memorandum from Mayor Reed to the Rules and Open Government Committee dated August 9, 2012 regarding Youth Commission Appointment, (2) Memorandum from Councilmember Constant to the Rules and Open Government Committee dated August 9, 2012 regarding Youth Commission Appointment, (3) Memorandum from Councilmember Kalra to the Rules and Open Government Committee dated August 9, 2012 regarding Youth Commission Appointment, (4) Memorandum from Councilmember Liccardo to the Rules and Open Government Committee dated August 10, 2012 regarding Youth Commission Appointment, (5) Memorandum from Councilmember Herrera to the Rules and Open Government Committee dated August 9, 2012 regarding Youth Commission Appointment, (6) Memorandum from Councilmember Pyle to the Rules and Open Government Committee dated August 10, 2012 regarding Youth Commission Appointment.

Actions: The Committee approved Items F.1.a - F.1.f and placed the items on the City Council evening agenda for August 21, 2012 for formal action.

- 2. Workplans
- 3. Annual Reports

G. Rules Committee Reviews, Recommendations and Approvals

- 1. Workload Assessment for Council Requests and Referrals
- 2. Agendize an item for the August 28 Council Meeting for the purpose of discussing and giving direction on which policy issues the Council would like to bring forward for Council Study Sessions over the next five months. (Councilmember Rocha)

Document filed: Memorandum from Councilmember Rocha to the Rules and Open Government Committee dated August 9, 2012 regarding Council Study Sessions.

Committee Discussion: Councilmember Rocha and Committee members discussed his memo, how it fits within the priority setting process, the importance of discussions with the full Council and engaging with staff on various issues, the relation of study sessions with Council-Committee work, and potential study session topics.

Public comments: David Wall commended Councilmember Rocha on bringing the issue to the committee.

Assistant City Manager Shikada mentioned that the Council Priority Setting Session is now expected for the September 11, 2012 City Council agenda.

Action: The Committee suggested that the discussion of study session topics be included on the City Council Priority Setting Session agenda for consideration by the full Council.

H. Review of additions to Council Committee Agendas/Workplans - None

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

I. Open Government - None

1. Appeals of Public Records Act Request

J. Open Forum

David Wall discussed his memos regarding the Water Pollution Control Plant, and requested that the issues be placed on the Rules and Open Government Committee Workplan.

K. Adjournment – 2:38 pm



Mayor Chuck Reed
Rules and Open Government Committee