

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
January 31, 2007

PRESENT: Chair Reed, Members Cortese, Constant, Chirco
Liccardo (arrived at 3:00 p.m.)

ABSENT: Member Cortese excused himself at 3:00 p.m.

STAFF: City Attorney Rick Doyle, City Clerk Lee Price, City Manager Les White,
Redevelopment Agency Executive Director Harry Mavrogenes, Agenda Services
Manager Nadine Nader, and Redevelopment Agency Liaison Gary Miskimon.

A. City Council

1. Review New Add Items to the February 6, 2007 Agenda

Action: The Committee approved the following adjustment to the February 6,
2007 City Council Agenda:

- Item 2.5 (Late Fines for Lobbyist Reports) will be moved to be heard in the evening immediately after the “Reed Reforms”.

2. Review February 13, 2007 Draft Agenda

The Committee approved the following additions and adjustments to the February 13, 2007 Council Agenda:

a. Mayor and Councilmember Request

- Presentation of a commendation to the Monarch Truck Center.
(Campos/Liccardo)

b. Council Appointee Requests

- Acceptance of the Office of the City Auditor’s Report. (City Auditor)

Item 3.5 (Acceptance of the report on the Neighborhood Association
Priority Setting Session and the Telephone Community Survey) will be
heard not before 3:00 p.m.

Meeting will be adjourned in memory of Wester Sweet.

B. Redevelopment Agency

1. Review New Add Items to the February 6, 2007, Agenda

None-Meeting Cancelled.

It was noted for the record that the February 6, 2006 Council Agenda would include a joint item.

2. Review February 13, 2007 Draft Agenda

There were no additional items for the January 30, 2007 Redevelopment Agency agenda.

The Committee agreed to convene the RDA Board meeting not before 3:30 p.m.

3. List of Reports Outstanding

There were none.

C. Legislative Update

1. State

None

2. Federal

None

D. Meeting Schedules

1. Cancel the Regular Rules Meeting and approve a Rules in-Lieu on February 21, 2007.

Documents Filed: Memorandum from Nadine Nader Assistant to the City Manager dated January 22, 2007 recommending the Committee cancel the regular Rules Meeting scheduled for February 21, 2007 and hold a Rules in-Lieu instead at 2:00 p.m.

Action: The Committee approved a Rules in-Lieu on February 21, 2007.

2. Approve four (4) Council Orientation Session

Documents Filed: Memorandum from Nadine Nader Assistant to the City Manager dated January 22, 2007 recommending approval of four (4) Council Orientation Sessions.

Action: The Committee approved the following four (4) Council orientation Sessions: February 9, 2007 from 9:00 a.m. to 11:00 a.m., March 2, 2007 from 9:00 a.m. to 11:00 a.m., March 5, 2007 from 10:00 a.m. to 12:00 p.m., and March 9, 2007 from 9:00 a.m. to 11:00 a.m.

E. The Public Record

Documents Filed: Memorandum from the City Clerk dated January 26, 2007 transmitting the Public Record for the week of January 18-25, 2007.

Public Comment: Chair of the Human Rights Commission (HRC) Lawrence Boesch was present to answer any questions the Committee might have regarding the HRC's resolution opposing the Department of Homeland Security's proposed rule on use of Social Security Administration "no-match" letters to enforce immigration law. He urged the Committee to put this item on a City Council agenda.

Action: The Committee asked staff to return to the Rules and Open Government Committee on February 14, 2007 with what the City's process is on responding to No-Match Letters from the Social Security Administration.

F. Appointments to Boards, Commissions and Committees

There were none.

G. Rules Committee Reviews, Recommendations and Approvals

1. Discussion on Council Expenditure and Reimbursement Policy.

(Deferred from January 24, 2007)

Documents Filed: (1) Memorandum from Richard Doyle City Attorney and Lee Price City Clerk dated January 18, 2007 reviewing the current policies relating to Council expenditures and reimbursement. (2) Memorandum from Richard Doyle City Attorney and Lee Price City Clerk dated January 26, 2007 providing supplemental information regarding (1) Mayor and Councilmember Auto Expense Policy and (2) Officeholder Accounts in addition to Council Expenditure and Reimbursement Policy.

Staff presented an extensive overview of current policies and procedures as the framework for the Committee to begin discussions about a new comprehensive policy that will give staff more guidance in how to process Council expenditures and reimbursements.

Committee members provided feedback to staff. Suggestions included developing a matrix or calendar of events that Councilmembers annually attend. Staff was asked to clarify "sponsor" (as it relates to special events); the use by a Councilmember of a City-owned or leased vehicle; and what cannot be paid for using public dollars. The Committee concurred that there is a need by each Councilmember to get out in the Community and participate in local events. It

was suggested that a budget be identified for constituent outreach and a clear policy developed to provide guidance as well as limit the need for fundraising. The Committee also agreed that if the City provides funding to an organization, then individual members of the Council should not have to buy admission to the event. The Committee also requested that the draft policy include provisions regarding mass mailings and advertising.

Action: The Committee asked staff to return to the Rules and Open Government Committee on February 28, 2007 with an analysis of what types of expenses can and cannot be paid for out of officeholder accounts and a draft policy to discuss that reflects the Committee's input.

2. Discussion of Employee Values Project.

Documents Filed: Employee Values Project Handout.

Action: The Committee directed the City Manager to integrate the Values into the City's Code of Ethics.

3. Accept (1) Staff's report on Reed Reforms; Provide clarification to staff on Reed Reforms #1, #5, #8, and #26; (2) Provide direction regarding exceptions outlined in the memo for Reed Reform #5; and (3) Request this report be considered by the City Council on February 6, 2007.

Documents Filed: Memorandum from Les White City Manager, Rick Doyle City Attorney, and Lee Price City Clerk dated January 26, 2007 recommending acceptance of (1) Staff's report on Reed Reforms; Provide clarification to staff on Reed Reforms #1, #5, #8, and #26; (2) Provide direction regarding exceptions outlined in the memo for Reed Reform #5; and (3) Request this report be considered by the City Council on February 6, 2007.

Deanna Santana presented the report and requested guidance from the Committee on Reforms #1 (Charter changes regarding recall) and #5 (Late Staff Reports).

Dan McFadden reported that 10 of the 13 Reed Reforms that were referred to the Sunshine Task Force would be brought back to the Rules and Open Government Committee on March 14, 2007.

Discussion ensued.

Action: The Committee approved the exceptions to the "10-day rule", as amended ("emergency" items expanded to include all matters of public welfare, second readings/final adoption of ordinances, and appointments to boards/committees/commissions added to the list); agreed to maintain the "early-distribution" practice but discontinue the requirement of a 2/3 vote at the dais to hear any certain items now that it's no longer necessary; and agreed to hold a public hearing in April to review and discuss recent case studies on ethical issues.

4. **Approve the following proposed Committee Workplans:**
- **Transportation and Environment Committee,**
 - **Community and Economic Development Committee,**
 - **Public Safety, Finance and Strategic Support Committee,**
 - **Neighborhood Services and Education Committee,**
 - **Rules & Open Government Committee.**

Documents Filed: (1) Memorandum from Mayor Reed and Councilmember Williams dated January 25, 2007 approve the Transportation and Environment Committee proposed workplan. (2) Memorandum from Mayor Reed and Councilmember Pyle dated January 25, 2007 recommending approval of the Community and Economic Development Committee Workplan.

(3) Memorandum from Mayor Reed and Councilmember Nguyen dated January 25, 2007 recommending approval of the Public Safety, Finance and Strategic Support Committee Workplan. (4) Memorandum from Mayor Reed and Councilmember Chirco dated January 31, 2007 recommending approval of the Neighborhood Services and Education Committee Workplan. (5) Memorandum from Mayor Reed dated January 25, 2007 recommending approval of the Rules and Open Government Committee Workplan.

Action: The Committee approved the five (5) proposed committee workplans for the period February through June 2007.

5. **Approve Mayor's Travel to Washington D.C. on February 14-16, 2007.**

Documents Filed: Memorandum from Mayor Reed dated January 23, 2007 recommending approval to travel to Washington D.C. on February 14-16, 2007.

Action: The Committee approved the Mayor's travel request.

H. Review of Significant Public Records Act Requests

I. Review of Council Policy Updates per Sunshine Reforms (PIR #12)

J. Open Forum

K. Adjournment

The meeting was adjourned at approximately 4:10 p.m.

Chuck Reed, Chair
Rules and Open Government Committee