

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
March 19, 2008

PRESENT: Mayor Reed, Vice Mayor Cortese, Councilmember Constant

ABSENT: Councilmember Chirco, Vice Mayor Cortese excused himself at 3:10 p.m.

STAFF: City Attorney Rick Doyle, City Clerk Lee Price, Assistant City Manager Christine Shippey, Redevelopment Agency Assistant Director Gary Miskimon, Agenda Manager Nadine Nader, Mayor Council Agenda Manager Alicia Bosco and Deputy City Clerk Nora Pimentel.

A. City Council

1. Review March 25, 2008 Final Agenda

Action: The Committee approved the March 25, 2008 Final Agenda with the following additions:

- Presentation of a commendation to Richard Chavez. (Cortese)
- Councilmember Campos' Travel to Sacramento, CA. (Campos)
- Excused Absence for Councilmember Williams. (Williams)

2. Review April 1, 2008 Draft Agenda

None-Meeting Cancelled.

B. Redevelopment Agency

1. Review March 25, 2008 Final Agenda

Action: The Committee approved the March 25, 2008 Final Agenda with no additional changes.

2. Review April 1, 2008 Draft Agenda

None-Meeting Cancelled.

C. Legislative Update

1. State

None.

2. Federal

a. Oppose position for changes proposed to the H-2A Guestworker (Foreign Labor Certification) Program.

Documents Filed: Memorandum from Vice Mayor Cortese dated March 13, 2008 recommending that the City Council adopt an “oppose” position to changes being proposed by President Bush to the H2A guest worker program and adopt a “support” position for the AgJOBS bill.

Public Comment: Sal Alvarez spoke in favor of the H-2A Program.

Action: The Committee authorized the Mayor and Vice Mayor jointly write a letter to President Bush requesting an extension of the public comment period from 45 days to 90 days and directed staff to analyze the legislation and return in two weeks.

D. Meeting Schedules

1. Approve Annual City of San Jose and Santa Clara County Meeting for September 15, 2008.

Documents Filed: Memorandum from Nadine Nader dated March 10, 2008 recommend approval to set the annual city of San Jose and Santa Clara County Meeting on September 15, 2008.

Action: The Committee set the meeting for September 15, 2008.

2. Approve Special Rules and Open Government Committee meeting for April 1, 2008 to discuss Sunshine Reform Task Force Phase I Report and Recommendations.

Documents Filed: Memorandum from City Clerk Lee Price dated March 14, 2008 recommend setting a special rules and open government committee meeting for April 1, 2008.

Action: The Committee set the special meeting on April 1, 2008.

E. The Public Record

Document Filed: Memorandum from Lee Price, City Clerk dated March 14, 2008 transmitting the Public Record for the week of March 7-14, 2008.

Action: The Committee noted and filed the Public Record.

F. Appointments to Boards, Commissions and Committees

There were none.

G. Rules Committee Reviews, Recommendations and Approvals

1. Acceptance of Agreement relating to community signage bearing the name “Little Saigon” along Story Road

Documents Filed: Memorandum from Mayor Reed, Vice Mayor Cortese, Councilmember Liccardo and Councilmember Nguyen dated March 13, 2008 regarding community identification signage bearing the name “Little Saigon” along Story Road.

Public Comments: The following people spoke in favor of making the “Little Saigon” temporary signage to become permanent signage: John Nguyen, Luong Nhan, Hoa Truong, Cuong Dang, Phu Le, Hue Nguyen, Becky Nguyen, Cuong Vu, Tara Huynh, Cuc Nguyen, Julie Nguyen, H.G. Nguyen, Quyen Tran, Tiep Ngo, Trang Phue and D. Nguyen.

Action: The Committee agreed to move this item forward to the March 25, 2008 Council agenda.

2. Discussion of allegations regarding Story Road business owners’ petition submitted to Council on March 4, 2008.

CONTINUED FROM MARCH 12, 2008, ITEM A1a

Documents Filed: Memorandum from City Clerk Lee Price dated March 14, 2008 regarding allegations regarding Story Road Business Owners’ petition submitted to Council on March 4, 2008.

City Attorney Rick Doyle provided an update on the petition investigation.

Public Comments: The following people urged the Committee to conduct investigation of the petition: Joseph Nguyen, Michael Blomquist, Lien Nguyen, Julia Ngoc Vu and Amy Duong.

Action: The Committee agreed to have the City Attorney return to Rules and Open Government with an analysis of rights of the public to communicate with the Council and the Council’s ability to investigate representations made by members of the public to the City Council.

3. Request for Council action regarding Evergreen East Hills Development Policy.

Documents Filed: Memorandum from Vice Mayor Cortese dated March 10, 2008 regarding Evergreen East Hills Development Policy.

Action: The Committee moved the Evergreen item to the April 15, 2008 Council agenda.

4. Automatic External Defibrillators Ordinance Workload Assessment.

Action: The Committee deferred this item to March 26, 2008.

- H. Review of additions to Council Committee Agendas**
- 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**
- There were none.

- I. Open Government Initiatives**
- 1. Reed Reforms**
 - 2. Sunshine Reform Task Force (SRTF)**
 - 3. Significant Public Records Act Requests**
 - 4. Council Policy Manual Update**
- There were none.

- J. Open Forum**
- Mark Trout spoke about hazards to Military personnel outlined in a 1994 report.

- K. Adjournment**
- The meeting adjourned at 3:40 p.m.

Mayor Chuck Reed
Rules and Open Government Committee