



**RULES AND OPEN GOVERNMENT COMMITTEE**

Meeting Report  
June 13, 2007

PRESENT: Vice Mayor Cortese, Councilmembers Chirco, Constant and Liccardo

ABSENT: Mayor Reed

STAFF: City Attorney Rick Doyle, City Clerk Lee Price, City Manager Les White, Redevelopment Agency Director Harry Mavrogenes, Agenda Manager Nadine Nader, Deputy City Manager Deanna Santana, and Mayor Council Agenda Manager Alicia Bosco.

**A. City Council**

**1. Review June 19, 2007 Final Agenda**

Action: The Committee approved the following additions to the June 19, 2007 Council Agenda:

- Presentation of a commendation to Helen Chapman. (Pyle/Oliverio)

**2. Review of June 26, 2007 Draft Agenda**

Action: The Committee approved the following additions to the June 26, 2007 Council Agenda:

- Appointment of Acting City Manager for the month of July.
- Approval of actions related to compensation of Council Appointees. (Mayor)
- Acceptance of the Office of the City Auditor's Report. (City Auditor)
- The Committee moved several items to the consent calendar.
- Joint Agency and Council Items to be heard not before 3:30 p.m.

**B. Redevelopment Agency**

**1. Review June 19, 2007 Final Agenda**

There were no additions.

**2. Review June 26, 2007 Draft Agenda**

There were no additions.

**3. Assign "Time Certain" for convening Redevelopment Agency Agenda**

There were none.

**C. Legislative Update**

**1. State**

**(a) Acceptance of the June 2007 State Legislative Bill Matrix**

Document Filed: Memorandum from Betsy Shotwell Director of Intergovernmental and Roxanne Miller Legislative Representative dated June 7, 2007 recommending the Committee accept the June 7, 2007 State Legislative Bill Matrix.

Roxanne Miller provided an overview of the bill matrix and responded to questions. She recommended that the Committee consider a position on Proposition 40 funding at the next meeting.

Action: Formal action deferred to June 20, 2007.

**2. Federal**

**(a) Legislative Issue – Federal Aviation Administration (FAA) Reauthorization Bill**

Documents Filed: Memorandum from William F. Sherry Director of Aviation recommending Council adopt support positions on five (5) staff recommendations on the FAA Reauthorization Bill.

Action: Approved. (Note: *Approved by Council June 26, 2007*)

**D. Meeting Schedules**

**1. Approval to set the Annual City of San Jose and Santa Clara County meeting on August 23, 2007.**

Documents Filed: Memorandum from Les White City Manager dated June 7, 2007 recommending approval to set the Annual City of San Jose and Santa Clara County meeting on August 23, 2007.

Action: The Committee set the meeting.

**2. Approval to schedule Special Joint Rules and Open Government Committee and Sunshine Reform Task Force Meeting on June 27, 2007.**

Documents Filed: Memorandum from Sheila Tucker dated June 8, 2007 recommending scheduling a joint special meeting of the Rules and Open Government Committee and the Sunshine Reform Task Force (SRTF) to review the SRTF's Phase I Report and Recommendations for Wednesday, June 27, 2007.

Action: The Committee set the special meeting.

**E. The Public Record**

Document Filed: Memorandum from Lee Price, City Clerk, dated June 8, 2007 transmitting the Public Record for the week of June 1- 7, 2007.

Action: Noted and filed.

**F. Appointments to Boards, Commissions and Committees**

None.

**G. Rules Committee Reviews, Recommendations and Approvals**

**1. Council Expenditures and Reimbursement Policy.**

Documents Filed: Memorandum from Richard Doyle, City Attorney and Lee Price City Clerk dated June 8, 2007 recommending the Rules and Open Government Committee approve the draft Council Expenditure and Reimbursement Policy for consideration and adoption by the City Council on June 19, 2007.

Discussion: Committee discussion continued on the draft Council Expenditures and Reimbursement Policy. Committee provided input on topics including City-sponsored events, admission to events, advertising, subscriptions and grants. Staff will return on June 20, 2007 to finalize the policy, which will be forwarded to the full Council for approval and adoption the first week of August. Lee Price recommended a training session with staff to go through the policy and assist with understanding the new procedures once the policy has been adopted.

**2. Discussion of Cost-Neutral Opportunities for a Public Safety Memorial at New City Hall with Direction to Implement Memorial and Process for Accepting Private Sponsorship .**

Document Filed: Memorandum from Councilmembers Constant and Pyle dated May 22, 2007 recommending staff work with staff in the offices of Councilmembers Constant and Pyle to determine the appropriate potential locations and criteria for erecting a public safety memorial on the grounds of the City Hall complex to honor fallen public safety personnel and report back to the Rules and Open Government committee with a recommendation within 90 days.

Action: The Committee referred this to staff and directed them to return within 90 days to the Rules and Open Government Committee with recommendations.

**3. Del Monte Park Master Plan.**

Action: This item was deferred for one week.

**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. Request for Transportation and Environment Committee Workplan**

None.

**I. Open Government Initiatives**

- 1. Reed Reforms**
- 2. Sunshine Reform Task Force**

None.

**3. Significant Public Records Act Requests**

- **Request from Paul J. Manley for information regarding Delinquent Notices/Inspection Practices from Planning, Building and Code Enforcement Department.**

Documents Filed: (1) Correspondence from Paul J. Manley regarding filing of formal complaint on the subjects of Delinquent Notices/Inspection Practices; (2) four Building Inspection Notices; (3) Memorandum from Joseph Horwedel Director of Planning, Building and Code Enforcement dated June 7, 2007 regarding Paul Manley's request for Public Records.

Discussion: Paul Manley voiced objections to City staff withholding records requested, specifically signed inspector's notes. Mike Hannon, Code Enforcement Official, responded to Committee questions about the City's response to Mr. Manley's request. The Mayor directed the City Attorney to return on June 20, 2007 with a determination about the release of the documents.

**4. Council Policy Manual Update**

None.

**J. Open Forum**

None.

**K. Adjournment**

The meeting was adjourned at 4:25 p.m.

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David Cortese, Vice Mayor  
Rules and Open Government Committee