



RULES AND OPEN GOVERNMENT COMMITTEE

**Meeting Report
January 28, 2009**

PRESENT: Mayor Reed, Vice Mayor Chirco, Council Members Constant and Pyle

ABSENT:

STAFF: City Attorney Richard Doyle, City Clerk Lee Price, City Manager Debra Figone, Redevelopment Agency Assistant Director Gary Miskimon, Deputy City Manager Deanna Santana, Council Agenda Manager Antonio Guerra and Deputy City Clerk Nora Pimentel.

A. City Council

1. Review of February 3, 2009 Final Agenda.
2. Review of February 10 2009 Draft Agenda.

Action: The Committee approved the February 3, 2009 and February 10, 2009 City Council Agendas, as revised.

B. Redevelopment Agency (RDA)

1. Review of February 3, 2009 Final Agenda.
2. Review of February 10, 2009 Draft Agenda.

Action: The Committee cancelled the February 3, 2009 RDA meeting. The Committee approved the February 10, 2009 RDA Agenda, as revised.

C. Legislative Update

1. State

a. Sacramento Update (verbal report)

City Lobbyist Roxanne Miller reported on the status of the State budget.

2. Federal

a. Summary of Federal Relations Activities – Year end 2008 and 2009 Outlook.

Documents Filed: (1) Memorandum from Director of Intergovernmental Relations Betsy Shotwell dated January 22, 2009 recommending acceptance of report from the City's Federal advocacy firm of Patton Boggs, LLP, in Washington D.C. (2) Memorandum from Patton Boggs LLP Attorneys at Law dated January 21, 2009 summarizing Patton Boggs federal relations work on behalf of San Jose throughout 2008.

Action: The committee accepted the report.

**RULES AND OPEN GOVERNMENT COMMITTEE
MEETING REPORT**

January 28, 2009

Page 2

D. Meeting Schedules
There were none.

E. The Public Record

Documents Filed: Memorandum from City Clerk Lee Price, dated January 23, 2009, transmitting items for the Public Record for the period of January 16-22, 2009.

Action: The Committee noted and filed the Public Record with the exception of Item (a) letter from Senior Citizens Commission referred to the City Clerk; Item (b) letter from the Senior Citizens Commission referred to the City Manager's Office; Item (c) letter from the Senior Citizens Commission referred to Director of Housing Leslye Krutko; Item (d) letter from the Senior Citizens Commission forwarded to all Council Offices and referred to the City Manager's Office for a response. Item (j) letter from the Human Rights Commission was referred to the City Attorney's Office for analysis.

F. Appointments to Boards, Commissions and Committee
There were none.

G. Rules Committee Reviews, Recommendations and Approvals

1. Priority Ranking of the 2009 Legislative Priorities.

Documents Filed: Memorandum from Director of Intergovernmental Relations Betsy Shotwell dated January 22, 2009 recommending acceptance of the staff report describing the criteria for ranking of the City's Legislative Priorities for 2009 per City Council direction on December 16, 2008.

Action: The Committee accepted the staff report and forwarded it to the City Council on February 3, 2009.

H. Review of additions to Council Committee Agenda

1. Approve the Committee Workplans for February – June 2009 as follows:

- a. Community and Economic Development (CED) Committee
- b. Neighborhood Services and Education (NSE) Committee
- c. Transportation and Environment (T&E) Committee
- d. Public Safety, Finance and Strategic Support (PSFSS) Committee
- e. Rules and Open Government (ROG) Committee

Documents Filed: (1) Memorandum from Mayor Reed and Councilmember Campos dated January 22, 2009 recommending approval of the NSE Committee Workplan for the period February through June 2009. (2) Memorandum from Mayor Reed and Councilmember Liccardo dated January 22, 2009 recommending approval of the T&E Committee Workplan for the period January through June 2009. (3) Memorandum from Mayor Reed and Councilmember Nguyen dated January 22, 2009 recommending approval of the PSFSS Committee Workplan for the period February through June 2009. (4) Memorandum from Mayor Reed dated January 22, 2009 recommending approval of the ROG Committee Workplan for the period February through June 2009.

Action: The Committee approved the T&E and the ROG Committee workplans. The Committee approved the NSE and PSFSS Committee workplans, as amended. The Committee deferred approval of the CED Committee workplan to February 4, 2009.

I. Open Government Initiatives

1. Reed Reforms
2. Sunshine Reform Task Force (SRTF)

Review of SRTF Phase II Report and Recommendations

- a. **SRTF Phase II Report and Recommendations.**
- b. **Staff's Response to Phase II Report and Recommendations of the SRTF.**
- c. **SRTF Chair's Response to the Staff Report responding to Phase II Report and Recommendations of the SRTF.**
- d. **Approve Sunshine Proposals Schedule Change.**

CONTINUED FROM JANUARY 21, 2009

Documents Filed: Memorandum from Communication Director Tom Manheim dated January 22, 2009 proposing schedule changes for the remaining Sunshine Reform Task Force recommendations.

Director of Communications Tom Manheim presented the schedule change for the remaining Sunshine Reform Task Force recommendations. Senior Deputy City Attorney Lisa Herrick summarized the SRTF recommendation relative to Public Information: Advice from the City Attorney's Office. Bert Robinson, Chair of the SRTF Subcommittee on Public Records, provided an overview of the intent of the SRTF recommendations noting the idea was similar to Attorney Generals' Opinions. City Attorney Rick Doyle proposed an amendment to the language that would clarify that any written interpretations of law provided by the City Attorney would not constitute a waiver of the attorney-client privilege. Councilmember Pyle offered a minor modification to the proposed section for greater clarity (as it relates to member/s of the public). Bert Robinson noted no objections to either amendment.

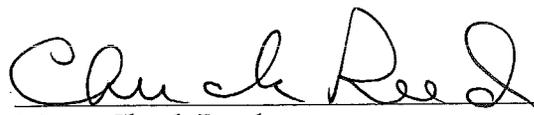
Action: The Committee approved the schedule change and accepted the SRTF recommendation, as amended.

J. Open Forum

None were presented.

K. Adjournment

The meeting was adjourned at 3:12 p.m.



Mayor Chuck Reed