
RULES AND OPEN GOVERNMENT COMMITTEE

CHUCK REED, CHAIR
JUDY CHIRCO, VICE CHAIR
PETE CONSTANT, MEMBER
NANCY PYLE, MEMBER
MADISON NGUYEN, ALTERNATE

STAFF: RICHARD DOYLE, CITY ATTORNEY
LEE PRICE, CITY CLERK
DEBRA FIGONE, CITY MANAGER
HARRY MAVROGENES, REDEVELOPMENT
AGENCY DIRECTOR

AGENDA

2:00 P.M.

December 8, 2010

Wing 118-119

A. City Council (City Clerk)

1. Review December 14, 2010 Final Agenda
 - a. Review of Items that Meet Exception Rule
 - b. Adds to the Agenda
 - c. Review of Items that Meet Exception Rule (if needed)
2. Review Draft December 21, 2010 Agenda
None – Meeting cancelled

B. Redevelopment Agency (Executive Director)

1. Review December 14, 2010 Final Agenda
 - a. Review of Items that Meet Exception Rule
 - b. Adds to the Agenda
 - c. Review of Items that Meet Exception Rule (if needed)
2. Review December 21, 2010 Draft Agenda
None – Meeting cancelled
3. Assign “Time Certain” for convening Redevelopment Agency Agenda

C. Review of Upcoming Study Session Agenda(s)

D. Legislative Update

1. State
2. Federal

E. Meeting Schedules

1. [Approve Special Meeting Agenda for December 16, 2010 at 8:30 a.m. in the Committee Rooms W118-120.](#) (City Clerk)

F. The Public Record

G. Boards, Commissions and Committees

1. Appointments
 - a. [Approve Mayor Reed's recommendation to re-appoint Bruce Pinsky and Kris McFarland to serve on the San José Arena Authority Board. \(Mayor Reed\)](#)
2. Workplans
3. Annual Reports

H. Rules Committee Reviews, Recommendations and Approvals

1. Workload Assessment for Council Requests and Referrals
 - a. [Accept the workload assessment report from the City Attorney and provide direction to the City Manager and City Attorney regarding the drafting of a Social Host Ordinance. \(City Attorney\)](#)
2. [Direct staff to apply for funds related to Second-hand Smoke from the Santa Clara County Public Health Department; to amend the workload assessment dated August 26, 2010 to include other resources being offered by the Santa Clara County Public Health Department and other agencies; and to explore additional funding and resource opportunities. \(Councilmembers Chirco, Liccardo and Kalra\)](#)
3. [Accept the 2011 Legislative Guiding Principles, as edited by the Council Committees, and the Legislative Priorities and Advocacy Issues for the first year of the two-year Legislative Session in Sacramento and the 112th Congress, and forward to the City Council for formal action on December 14, 2010. \(City Manager\)](#)
4. [Approve the City Auditor's Office Monthly Report of Activities for November, 2010. \(City Auditor\)](#)
5. [Approve the Challenge Day National Conference as a City sponsored special event to expend City funds and accept donations of materials and services for the event. \(City Clerk\)](#)

I. 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

J. Open Government

1. Appeals of Public Records Act Request

K. Open Forum

Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Committee.

L. Adjournment

To request an accommodation or alternative format for City-sponsored meetings, events or printed materials, please call the Office of the City Clerk 408-535-1252 or 408-294-9337 (TTY) as soon as possible, but at least three business days before the meeting/event.

Access the video, the agenda and related reports for this meeting by visiting the City's website at <http://www.sanjoseca.gov/clerk/CommitteeAgenda/Rules.asp>

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at City Hall, 200 E. Santa Clara Street, Office of the City Clerk 2nd Floor Wing, San José, Ca 95113 at the same time that the public records are distributed or made available to the legislative body.

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

**CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN
THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D.)**

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
- c) Speakers should discuss topics related to City business on the agenda.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.