

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
June 13, 2012

PRESENT: Mayor Reed, Vice-Mayor Nguyen and Councilmember Oliverio

ABSENT: Councilmember Constant. (Excused)

STAFF: Assistant City Manager Ed Shikada, Assistant City Attorney Ed Moran, City Clerk Dennis Hawkins, Successor Agency Managing Director Richard Keit, CMO Agenda Services Manager Leanna Bieganski, Mayor's Council Agenda Manager Sara Wright, and Deputy City Clerk Ruth Krantz.

A. City Council

1. Review Final Agenda for June 19, 2012

Public Comments: David Wall stated items on the Consent Calendar should be considered as individual items for the public's comments.

Action: The Committee approved the agenda, as amended, with modification to the agenda language on Item 2.24 "to *negotiate and* execute an agreement with Sprint Solutions", and providing a 14-Day Sunshine Waiver for Item 3.3 (Approval of Various Budget Actions for Fiscal Year 2011-2012) including adding Items 3.3(b) and 3.6 (Statement of Policy and Questions for the Environmental Services Director).

2. Review of Draft Agenda for June 26, 2012

Action: No agenda – meeting canceled.

B. Review of Upcoming Study Session Agenda - None

C. Legislative Update

1. State

Director of Intergovernmental Relations Betsy Shotwell announced the passage of City-sponsored AB 57 (Beall) by the Senate Transportation and Housing Committees and provided an update on the State budget.

2. Federal - None

D. Meeting Schedules

1. Cancel June 20 and June 27, 2012 Rules and Open Government Committee meetings.
(City Clerk)

Document Filed: Memorandum from City Clerk Dennis Hawkins dated June 8, 2012 recommending the cancellation of the Rules and Open Government Committee meetings scheduled for June 20 and June 27, 2012.

Action: The June meetings of the Rules and Open Government Committee were canceled, and a meeting was added for August 1, 2012.

E. The Public Record

Document Filed: Memorandum from City Clerk Dennis Hawkins dated June 8, 2012 transmitting the Public Record for the week of June 1 – 7, 2012.

Public Comments: David Wall provided comments on items (a), (e) and (h).

Action: The Public Record was noted and filed.

F. Boards, Commissions and Committees

1. Appointments
 - a. Re-appoint Tania Nunez and Robert Abatecola to the Historic Landmarks Commission for a full term expiring June 30, 2015, and place the item on the June 19, 2012 agenda for formal action.

Documents filed: Memorandum from Councilmember Oliverio to the Rules and Open Government Committee dated June 6, 2012, recommending reappointments to the Historic Landmark Commission.

Action: The Committee approved the reappointment of Tania Nunez and Robert Abatecola to the Historic Landmark Commission and forwarded both to the City Council for formal action on the June 19, 2012 City Council Agenda.

2. Workplans
 - a. Approve the Mobilehome Advisory Commission's (MAC) workplan for FY 2012-2013. (Housing)

Document Filed: Memorandum from Director of Housing Leslye Corsiglia, dated June 6, 2012 recommending acceptance of the Mobilehome Advisory Commission's (MAC) workplan for FY 2012-2013.

Public Comments: David Wall recommended a comprehensive rent control agreement, advising that more needs to be done to help the residents.

Action: The workplan was accepted.

F. Boards, Commissions and Committees (Cont'd.)

3. Annual Reports - None

G. Rules Committee Reviews, Recommendations and Approvals

1. Workload Assessment for Council Requests and Referrals – None.
2. Consideration of Economic Development Partnership with County and State, and place on the City Council agenda for June 19, 2012 for formal action. (Mayor Reed)

Document filed: Memorandum from Mayor Reed dated June 7, 2012 regarding Economic Development Partnership with County and State.

Action: The Committee approved the Consideration of Economic Development Partnership with County and State, and placed it on the City Council agenda for June 19, 2012 for formal action.

3. Approve the Elections Commission referral for review:
 - a. Consider the removal of the disclosure of electioneering communications on all campaign related signs, buttons, and garments; and
 - b. Review and update various provisions of Chapter 12.06.1000 of the Municipal Code relating to Electioneering Communications. (Councilmember Chu)

Document filed: Memorandum from Councilmember Chu, dated June 7, 2012 recommending providing referrals to the Elections Commission for review.

Discussion followed, and recommendations were made to wait until this evenings' Elections Commission Meeting and items currently under review were determined.

Action: This item was deferred to the next Rules and Open Government Meeting, August 1, 2012.

4. Approve staffs' recommendation for AB 1442 (Wieckowski); Pharmaceutical Waste: Common Carriers; and place on the City Council agenda for June 19, 2012 for formal action. (Environmental Services Department)

Document filed: City Council Action Request forwarded by Environmental Services Department Director, Kerrie Romanow, June 7, 2012 regarding AB 1442 (Wieckowski) – Pharmaceutical Waste: Common Carriers.

Director of Intergovernmental Relations Betsy Shotwell outlined the various measures (G4 through G9) for recommendation.

Action: The Committee approved staffs' recommendations and placed this item on the June 19, 2012 City Council Agenda for formal action.

G. Rules Committee Reviews, Recommendations and Approvals (Cont'd.)

5. Approve staffs' recommendation for AB 549 (Carter); Recycling: Electronic Waste; and place on the City Council agenda for June 19, 2012 for formal action. (Environmental Services Department)

Document filed: City Council Action Request forwarded by Environmental Services Department Director, Kerrie Romanow, June 6, 2012 regarding AB 549 (Carter); Recycling: Electronic Waste.

Action: The Committee approved staffs' recommendations and placed this item on the June 19, 2012 City Council Agenda for formal action.

6. Approve staffs' recommendation for SB 843 (Wolk); Energy: Community-Based Renewable Energy Self-Generation Program; and place on the City Council agenda for June 19, 2012 for formal action. (Environmental Services Department)

Document filed: City Council Action Request forwarded by Environmental Services Department Director, Kerrie Romanow, June 6, 2012 regarding SB 843 (Wolk); Energy: Community-Based Renewable Energy Self-Generation Program.

Action: The Committee approved staffs' recommendations and placed this item on the June 19, 2012 City Council Agenda for formal action.

7. Approve staffs' recommendation for SB1329 (Simitian); Prescription Drugs: Collection and Distribution Program; and place on the City Council agenda for June 19, 2012 for formal action. (Environmental Services Department)

Document filed: City Council Action Request forwarded by Environmental Services Department Director, Kerrie Romanow, June 6, 2012 regarding SB1329 (Simitian); Prescription Drugs: Collection and Distribution Program.

Action: The Committee approved staffs' recommendations and placed this item on the June 19, 2012 City Council Agenda for formal action.

8. Approve staffs' recommendation for AB 1019 (Perez); Solid Waste: Carpet Stewardship; and place on the City Council agenda for June 19, 2012 for formal action. (Environmental Services)

Document filed: City Council Action Request forwarded by Environmental Services Department Director, Kerrie Romanow, June 6, 2012 regarding AB 1019 (Perez); Solid Waste: Carpet Stewardship.

Action: The Committee approved staffs' recommendations and placed this item on the June 19, 2012 City Council Agenda for formal action.

G. Rules Committee Reviews, Recommendations and Approvals (Cont'd.)

9. Approve staffs' recommendation for SB 1380 (Rubio); Environmental Quality: Urbanized Bicycle Plans; and place on the City Council agenda for June 19, 2012 for formal action. (Transportation)

Document filed: City Council Action Request forwarded by Environmental Services Department Director, Kerrie Romanow, June 6, 2012 regarding SB 1380 (Rubio); Environmental Quality: Urbanized Bicycle Plans.

Action: The Committee approved staffs' recommendations and placed this item on the June 19, 2012 City Council Agenda for formal action.

10. Approve the Taste of Berryessa as a City Sponsored Special Event, to Expend City Funds and Authorization to Accept Donations of Materials and Services for the event, and place the item on the June 19, 2012 City Council Agenda for action. (City Clerk)

Document filed: Memorandum from City Clerk Dennis Hawkins, dated June 7, 2012, regarding the City-sponsored special event "Taste of Berryessa".

Action: The Committee approved the Taste of Berryessa as a City-sponsored special event, and placed the item on the June 19, 2012 City Council Agenda for action.

H. Review of additions to Council Committee Agendas/Workplans

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
 - a. Approve an amendment to the FY 11-12 Workplan to add a video presentation of a public service announcement regarding the Independent Auditor's Office for placement on the June 21, 2012 Committee Agenda.

Public Comments: David Wall recommended the video first be viewed by the Committee.

Action: An amendment to the workplan to add the video presentation was approved and placed on the June 21, 2012 PSFSS Committee agenda.

5. Rules and Open Government Committee – none.

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I. Open Government - None

J. Open Forum

David Wall thanked two San José police officers Kyle Aliman, badge number 4188, and Jaime Alfaro, badge number 4127, who took their own initiative to do a 'field interview' with a vagrant while on foot patrol. Mr. Wall also offered his services to fill the position of Director of the Environmental Services Department.

K. Adjournment

The meeting was adjourned at 2:33 p.m.



Mayor Chuck Reed
Rules and Open Government Committee