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**RULES AND OPEN GOVERNMENT COMMITTEE**

Meeting Report

April 30, 2014

**PRESENT:** Mayor Chuck Reed, Vice-Mayor Madison Nguyen, Councilmember Pete Constant and Councilmember Pierluigi Oliverio.

**ABSENT:** None.

**STAFF:** City Manager Ed Shikada, Assistant City Attorney Ed Moran, Assistant City Clerk Tom Graves, Mayor's Agenda Services Manager Ahmad Chapman, Agenda Services Manager Gloria Schmanek, and Deputy City Clerk Kathy Carrillo.

**A. City Council (City Clerk)**

1. Review May 6, 2014 Final Agenda
  - a. Add New Items to Final Agenda:
  - b. Assign "Time Certain" to Agenda Items (if needed)
  - c. Review of Items that Meet Exception Rule (if needed)

Public Comments: David Wall pulled Item 4.1 for comments.

Action: Upon motion by Councilmember Constant, seconded by Vice Mayor Nguyen and carried unanimously, to defer Item 3.3 to 5/13/14, was approved. (4-0.)

2. Review May 13, 2014 Draft Agenda
  - a. Add New Items to Draft Agenda
  - b. Assign "Time Certain" to Agenda Items (if needed)
  - c. Review of Items that Meet Exception Rule (if needed)

Public Comments: Martha O'Connell and David Wall pulled Item 7.2 and spoke on the increase of water rates to single-family homes and mobile home parks.

Action: Upon motion by Councilmember Constant, seconded by Vice Mayor Nguyen and carried unanimously, Item 6.1 to be heard first in the evening; Item 7.1 conduct a hearing and set a date to confirm maximum rate of increase; Item 8.1 to be heard last in the evening, was approved. (4-0.)

**B. Review of Upcoming Study Session Agenda(s)**

**C. Legislative Update**

1. State – None.
2. Federal – None.

**D. Meeting Schedules**

1. Reschedule May 7, 2014 Budget Study Session Time. (City Manager's Office)

Reschedule the start and end times of the May 7, 2014 Budget Study Session:

From: 9:00 a.m. – 11:30 a.m.

To: 8:30 a.m. – 11:00 a.m.

Documents: Memorandum from City Manager's Office Agenda Services Manager Gloria Schmanek to the Rules and Open Government Committee dated April 24, 2014, forwarding the recommendations.

Action: Upon motion by Councilmember Constant, seconded by Vice Mayor Nguyen and carried unanimously, to approve the time changes to the May 7, 2014 Budget Study session, was approved. (4-0.)

**E. The Public Record**

Documents Filed: Memorandum from the City Clerk Toni Taber to Mayor Reed and City Council dated April 18, 2014, transmitting the Public Record for the week of April 18, 2014 – April 24, 2014.

Public Comments: David Wall pulled Item E.a and thanked the Fire Department for saving his life on Easter morning.

Action: Upon motion by Councilmember Constant, seconded by Councilmember Oliverio and carried unanimously, the Committee noted and filed the Public Record, was approved. (4-0.)

**F. Boards, Commissions and Committees**

1. Appointments  
None.
2. Work Plans  
None.
3. Annual Reports  
None.

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

1. Workload Assessment for Council Requests and Referrals.
2. SB 1151 (Cannella) (Rocha)  
That the Rules Committee agendaize Council consideration of a support position on SB 1151 (Cannella).

Documents Filed: Memorandum from Councilmember Rocha to the Rules and Open Government Committee dated April 23, 2014, forwarding the recommendations.

Public Comments: David Wall spoke in support of Item G.2 and to impose stiff fines for traffic violators.

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

Action: Upon motion by Councilmember Constant, seconded by Vice Mayor Nguyen and carried unanimously, to refer Item G.2 to staff for further analysis and to be brought back to Rules at a later date, was approved. (4-0.)

3. **Micro-Housing: Another Tool in the Battle Against Homelessness (Liccardo/Herrera)**  
Direct the City Manager to evaluate the feasibility of temporarily constructing “tiny houses” on underutilized public land or “micropods” in empty warehouses as an option for transitional housing for homeless individuals. Examine housing codes, explore funding options, assess issues relating to conditional permits or temporary zoning, and examine the feasibility and challenges of managing “micro-villages” or micro-pods. Add this item to the Community and Economic Development Committee workplan.

Documents Filed: Memorandum from Councilmember’s Liccardo and Herrera to the Rules and Open Government Committee dated April 23, 2014, forwarding the recommendations.

Councilmember Liccardo and Director of Housing Leslie Corsiglia responded to the Committee’s questions and gave an explanation of various degrees of what a micro village would look like.

Public Comments: Martha O’Connell referred to an article in the New York Times on an existing micro village community, and offered a suggestion on possible land use. Karen Addato spoke in support of micro housing. David Wall spoke in opposition of micro villages and offered other options for the homeless issue.

Action: Upon motion by Councilmember Constant, seconded by Vice Mayor Nguyen and carried unanimously, to refer Item G.3 to the Community and Economic Development Committee for the May 2014 meeting; staff to provide a verbal update at the Community and Economic Development Committee, if staff cannot complete by the May meeting; Staff to provide a workload assessment and return to Rules at a later date, was approved. (4-0.)

4. **Strengthening San Jose Police Capacity by Reviewing Current Jurisdiction of the County Sheriff’s Office within San Jose (Herrera)**
  - a. Direct staff to review current jurisdiction of San Jose Police with the possibility of amending the current Memorandum of Agreement (MOU) between the Santa Clara County Sheriff’s Office and the City of San Jose to include VTA sites, including light rail response during nighttime hours and bus stop response throughout the city, as well as first response to County buildings, first response to unincorporated areas, supervision of arrestees upon admittance to County hospitals, and any other property the staff determines to fall under the full time jurisdiction of the County Sherriff’s Office for purposes of policing.
  - b. Direct the City Auditor to audit the County’s reliance on SJPD resources at VTA facilities and other county-owned property.

Documents Filed: (1) Memorandum from Councilmember Herrera to the Rules and Open Government Committee dated April 24, 2014, forwarding the recommendations. (2) Memorandum from the Valley Transportation Authority (VTA) Chair Ash Kalra to the Rules and Open Government Committee dated April 29, 2014, regarding Item G.4.

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

Councilmember Herrera spoke on her memorandum and responded to questions from the Committee.

The Committee had a brief discussion regarding the San José Police Department and the Santa Clara County Sheriff's Department's jurisdiction and boundaries of service.

Public Comments: David Wall expressed his opinion that the County of Santa Clara has been utilizing the City of San José's services and has not shared in the cost of those services.

Action: Upon motion by Councilmember Constant, seconded by Vice Mayor Nguyen and carried unanimously, to refer Item G.4 to the Public Safety, Finance and Strategic Support Committee for their June Meeting, was approved. (4-0.)

**H. Review of additions to Council Committee Agendas/Workplans**

1. Community and Economic Development Committee  
None.
2. Neighborhood Services and Education Committee  
None.
3. Transportation and Environment Committee  
None.
4. Public Safety, Finance and Strategic Support Committee  
None.
5. Rules and Open Government Committee  
None.

**I. Open Government**

1. Appeals of Public Records Act Request  
None.

**J. Open Forum**

David wall spoke on home property taxes not being reassessed when improvements are done to the home or the home is transferred to a family member due to the death of the homeowner and the lack of a probate.

**K. Adjournment.**

The meeting adjourned at 3:07 p.m.



Mayor Chuck Reed  
Rules and Open Government Committee