

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report

April 3, 2013

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

ABSENT: Councilmember Pete Constant.

STAFF: City Attorney Richard Doyle, Acting City Clerk Toni Taber, Assistant City Manager Ed Shikada, Mayor's Council Assistant Richard Hong, Agenda Services Gloria Schmanek, and Deputy City Clerk Kathy Carrillo.

A. City Council (City Clerk)

1. Review April 9, 2013 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)

State Update: Director of Intergovernmental Relations Betsy Shotwell provided an update on Item 3.4. She reported on the FDA's Tobacco Product Scientific Advisory Committee's study on the impact of the use of menthol and flavored tobacco products on public health.

Public Comment: Martha O'Connell spoke in support of inclusionary housing and her concerns on a homeless encampment located in her south San José neighborhood. David Wall offered suggestions for the homeless encampments and commended Mayor Reed for his work on Item 6.1.

Action: The Committee approved the amended agenda with the addition:

1.x (Presentation of a commendation to the International Technological University for their accreditation by the Western Association of Schools and Colleges and for the important role that the University plays in the City of San José); Items 3.4 and 3.5 deferred to April 23, 2013; Item 6.1 to be heard immediately after the Consent Calendar.

2. Review April 16, 2013 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 Comment: David Wall referred to Item 9.1 and inquired if the City's Director of Finance will be separately compensated for overseeing the Successor Agency.

Action: The Committee approved the agenda.

B. Review of Upcoming Study Session Agenda(s)

C. Legislative Update

1. State - Director of Intergovernmental Relations Betsy Shotwell provided updates under Item A.1.
2. Federal – No Report.

D. Meeting Schedules

E. The Public Record

Public Comment: David Wall pulled Item E.b for further discussion on the status of the Santa Clara Bay Water Recycling.

Action: The Committee noted and filed the public record and accepted the transmitted Administration Memorandum.

F. Boards, Commissions and Committees

1. Appointments
2. Workplans
3. Annual Reports

G. Rules Committee Reviews, Recommendations and Approvals

1. Workload Assessment for Council Requests and Referrals.
2. AB 503, Agnews Developmental Center: Transfer of Title.
 - a. Adopt a resolution in support of Assembly Bill (AB) 503, Agnews Developmental Center: Transfer of Title.
 - b. Direct the City Attorney to prepare the resolution language in the most efficient way.
(Chu)

Documents Filed: Memorandum from Councilmember Chu to the Rules and Open Government Committee dated March 28, 2013, forwarding the recommendations.

Discussion: Councilmember Chu spoke in support of AB 503, and provided further details of the bill and his attached resolution and responded to the Committee's questions.

Public Comment:

Offering support of the recommendation was District Director Rocky Fernandez representing Assembly Member Bob Wieckowski, Jim Conova representing the Santa Clara County Unified School District, and Vladimir Raykin.

David Wall urged the Mayor to re-use the Agnew's land to house the mentally ill.

Mayor Reed spoke in support of the AB 503 Bill and the attached resolution, and provided an overview of the States position to sell the Agnews Developmental Center at the highest price possible

Action Filed: The Committee approved Item G.2 and forwarded it to the City Council placing it on the April 16, 2013 Council Agenda for formal action.

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

3. Approval of the First Annual District 10 Community Safety Fair as a Council-Sponsored Special Event, and expending funds and accepting donations from various individuals, businesses, or community groups to support the event, placing the item on the April 9, 2013 Agenda for action. (Khamis)

Documents Filed: Memorandum from Councilmember Khamis to the Rules and Open Government Committee dated March 25, 2013, forwarding the recommendations.

Action Filed: The Committee approved Item G.3 and forwarded it to the City Council placing it on the April 9, 2013 Council Agenda for formal action.

4. SB 341 (DeSaulnier) Redevelopment:
 - a. Pursuant to the City's streamlined bill process for responding quickly to legislative proposals, support SB 341 (DeSaulnier) – Redevelopment.
 - b. Recommend a one-week turnaround so that the City's Legislative Advocate in Sacramento can indicate a support position for SB 341 (DeSaulnier). (Housing)

Documents Filed: SB 341 (DeSaulnier) Redevelopment Bill from the Housing Department to the Rules and Open Government Committee dated March 28, 2013, forwarding the recommendations.

Public Comment: David Wall spoke in opposition to SB 341 and AB 5.

Action Filed: The Committee approved a support position for SB 341.

5. AB 5 (Ammiano) Homelessness:
 - a. Pursuant to the City's streamlined bill process for responding quickly to legislative proposals, oppose AB 5 (Ammiano) - Homelessness
 - b. Recommend a one-week turnaround so that the City's Legislative Advocate in Sacramento can indicate an oppose position for AB 5 (Ammiano). (Housing)

Documents Filed: AB 5 (Ammiano) Homelessness Bill from the Housing Department to the Rules and Open Government Committee dated March 28, 2013, forwarding the recommendations.

Discussion: Housing Department Policy Director Wayne Chen and Division Manager Kristen Clements provided further explanations on streamlining funding for affordable housing and answered the Committee's questions.

Public Comment: David Wall spoke in opposition to AB 5.

Action Filed: The Committee approved an oppose position for AB 5, placing it on the April 9, 2013 Council Agenda for formal action.

H. Review of additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee
2. Neighborhood Services and Education Committee Workplan Amendment
 - a. Request to amend the Neighborhood Services and Education Committee Workplan to include an update on the "Get Fit. Be Strong. Eat Healthy" obesity prevention initiative undertaken by Parks, Recreation and Neighborhood Services staff, including information on our citywide vending machine contract, at the June 13, 2013 meeting. (Nguyen/Rocha)

Documents Filed: Memorandum from Vice Mayor Nguyen and Councilmember Rocha to the Rules and Open Government Committee dated March 28, 2013, forwarding the recommendations.

Action Filed: The Committee approved the amendment to the Neighborhood Services and Education Committee Workplan, and including information on the citywide vending machine contract, at the June 13, 2013 meeting.

3. Transportation and Environment Committee
4. Public Safety, Finance and Strategic Support Committee
5. Rules and Open Government Committee

I. Open Government

1. Appeals of Public Records Act Request

J. Open Forum

Martha O'Connell questioned the City's Transparency in Government Policy related to web posting of City Council Agenda Items.

Jeff Bedolla expressed his opinion in opposition of Proposition 8 Resolution.

David Wall remarked on the Chamber of Commerce Candidate Questionnaire Packet (Document filed). David Wall referred to a local news article regarding Mayor Reed and the Major League Baseball Commissioner.

K. Adjournment

The meeting adjourned at 2:45 p.m.



Mayor Chuck Reed
Rules and Open Government Committee