
RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
August 14, 2013

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

ABSENT: None.

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 August 20, 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)

Public Comment: David Wall referenced Items 2.8, 5.1, and 7.2.

Action: The Committee approved the amended agenda with the modifications as noted and additions:

9:00 a.m. start time; 1.x (Presentation of commendation recognizing the Local Agency Formation Commission of Santa Clara County for its outstanding work managing growth and encouraging the orderly formation of local agencies for 50 years.); 1.x (Presentation of commendation to the 2013 Synopsys Championship participants in recognition of their achievement and innovation in the fields of science and engineering.); Item 1.3 moved to the afternoon; Item 3.2 to be heard at 9:00 a.m.

2. Review August 27, 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 made recommendations for Items 2.1, 3.4, 7.1, and 4.1.

Action: The Committee approved the agenda with the modification as noted:
Add Adjournment in Memory from District 1.

B. Review of Upcoming Study Session Agenda(s)

C. Legislative Update

1. State
2. Federal

D. Meeting Schedules

1. Set a Council Study Session on Service Restoration and Reinvestment Measures for Thursday, August 29, from 1:30 p.m. – 5:00 p.m. in City Council Chambers. (City Manager)

Documents Filed: Memorandum from Edward K. Shikada, Assistant City Manager dated August 9, 2013 to the Rules and Open Government Committee forwarding the recommendations.

Public Comment: David Wall suggested that the City's parcel taxes be re-formulized to generate more revenue for the general fund.

Action: The Committee approved Item D.1 with a date change to September 3, 2013, and released the tentative Study Session dates on August 22, 2013 and August 29, 2013, and discussed adding the Priority Setting to the City Council meeting on September 10, 2013.

E. The Public Record

Documents Filed: Memorandum from the Acting City Clerk Toni Taber to Mayor and City Council dated August 9, 2013, transmitting the Public Record for the week of August 3, 2013 – August 8, 2013.

Public Comment: David Wall pulled Item E.c, stating it is a Record's Request that was placed in the Rules and Open Government Committee's Public Record's by mistake. David Wall pulled Item E.d, for further comments.

Action: The Committee noted and filed the public record.

F. Boards, Commissions and Committees

1. Appointments
2. Work Plans
3. Annual Reports

G. Rules Committee Reviews, Recommendations and Approvals

1. Workload Assessment for Council Requests and Referrals.
2. Colombian Flag Raising
Approve the Colombian Flag Raising as a City 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 August 20, 2013 Agenda for action. (Khamis)

Documents Filed: Memorandum from Councilmember Johnny Khamis dated August 7, 2013 to the Rules and Open Government Committee forwarding the recommendations.

Action: The Committee approved Item G.2 and forwarded it to the City Council for formal action on August 20, 2013.

3. Smoking Ordinance – Minor Amendment
Agendize the following item for an upcoming council agenda, and amend the current Outdoor Smoking Ordinance (Chapter 9.44 of Title 9 of the San José Municipal Code) to add a section that specifies reasonable smoking distances for all doors, windows, openings and vents for buildings and adjacent areas where smoking is prohibited. (Kalra)

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

Documents Filed: Memorandum from Councilmember Ash Kalra dated August 8, 2013 to the Rules and Open Government Committee forwarding the recommendations.

Discussion: The Committee had a brief discussion, Deputy Director of Planning, Building, and Code Enforcement Laurel Prevetti answered questions from the Committee.

Public Comment: David Wall praised Councilmember Ash Kalra for bringing Item G.3 forward.

Action: The Committee referred Item G.3 to staff.

4. Reducing the Cost of Home Improvements

Direct the City Manager or her designee(s) to examine ways the PBCE may reduce the costs of single-family home renovation and improvement projects by means including but not limited to reducing the overhead rates on small projects or creating a second-tier fee/tax schedule that excludes amortization of costs unrelated to small improvement projects such as traffic impacts. Return to Community and Economic Development Committee with recommendations for implementation of cost-saving measures. (Khamis)

Documents Filed: Memorandum from Councilmember Johnny Khamis dated August 8, 2013 to the Rules and Open Government Committee forwarding the recommendations.

Public Comments: David Wall spoke in support of Item G.4 and suggested that the County Assessor's Office be linked into the permit renovation database to re-assess home values.

Discussion: The Committee had a brief discussion, Councilmember Johnny Khamis provided further explanation for Item G.4, and submitted a letter from the Santa Clara County Association of Realtors to the Committee supporting the recommendations.

Deputy Director of Planning, Building, and Code Enforcement Laurel Prevetti was available to answer the Committee's questions and made a recommendation to forward Item G.4 to the Priority Setting Session.

Action: The Committee referred Item G.4 to Priority Setting Session on September 10, 2013.

H. Review of additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee

- a. Approve the Community and Economic Development Committee Workplan for the period August through December 2013 and setting its meeting schedule on the fourth of each month at 1:30 p.m. in Rooms W118-119. (Mayor/Herrera)

Documents Filed: Memorandum from Mayor Chuck Reed and Councilmember Rose Herrera dated August 5, 2013 to the Rules and Open Government Committee forwarding the recommendations.

Public Comments: David Wall spoke on various items.

Action: The Committee approved Item H.1.a.

H. Review of additions to Council Committee Agendas/Workplans (Cont.)

2. Neighborhood Services and Education Committee

- a. Approve the Neighborhood Services and Education Committee Workplan for the period August through December 2013 and setting its meeting schedule on the second Thursday of each month at 1:30 p.m. in Rooms W118-119. (Mayor/Nguyen)

Documents Filed: Memorandum from Mayor Chuck Reed dated August 5, 2013 to the Rules and Open Government Committee forwarding the recommendations.

Action: The Committee approved Item H.2.a.

3. Transportation and Environment Committee

4. Public Safety, Finance and Strategic Support Committee

I. Open Government

1. Appeals of Public Records Act Request

J. Open Forum

David Wall read from the City of San José's Environmental Innovation Center memorandum.

Totsi White spoke on behalf of the homeless and low income population regarding how to access programs.

K. Adjournment.

The meeting adjourned at 2:44 p.m.



Mayor Chuck Reed
Rules and Open Government Committee