

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
August 21, 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 27, 2013 Final Agenda
 - a. Add New Items to 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 3.4, Item 7.1, and Item 4.1.

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

1.x (Presentation of a commendation to NorCal Tennis Academy in recognition of their 10-year anniversary and excellence in training top tier athletes.) (Kalra) (Rules Committee referral 8/21/13);
2.x (Actions Related to Councilmember Constant's Travel to Lake Tahoe – Olympic Valley, CA) (Rules Committee referral 8/21/13); 2.x (Vice Mayor Nguyen's Travel to Suwon City, Korea.) (Rules Committee referral 8/21/13).

2. Review September 3, 2013 Draft Agenda
Meeting Cancelled.

B. Review of Upcoming Study Session Agenda(s)

City Council Study Session Agenda – Service Restoration, distributed at meeting.

Public Comment: David Wall suggested that parcel tax reformulation should be part of the discussion under Item 3 - Potential Revenue.

Councilmember Pierluigi Oliverio questioned if staff is prepared to provide feedback on parcel tax reformulation, staff responded that it could be part of the discussion.

Action: The Committee approved the City Council Study Session Agenda.

C. Legislative Update

1. State
2. Federal

D. Meeting Schedules

E. The Public Record

Documents Filed: Memorandum from the Acting City Clerk Toni Taber to Mayor and City Council dated August 16, 2013, transmitting the Public Record for the week of August 9, 2013 – August 15, 2013.

Public Comment: Representatives of the Senior Citizens Commission, Martha O'Connell, Richard McCoy, and Joyce Rabourn pulled Item E.b, urging the Committee to reconsider adding the "Unbundled Parking" policy contained in the Transportation Demand Management (TDM) Measures.

David Wall commented on the "Unbundled Parking" policy and pulled Item E.c for further comments.

Councilmember Pete Constant directed staff to assess the impact the "Unbundled Parking" policy would have on the community.

Action: The Committee referred Item E.b to staff and 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. Safe Teen Driving Video Contest
Approve the District 10 Safe Teen Driving Video Contest 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 August 27, 2013 Agenda for action. (Khamis)

Documents Filed: Memorandum from Councilmember Johnny Khamis dated August 14, 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 27, 2013.

3. Ethiopian Flag Raising
Approve the District 3 Ethiopian Flag Raising Ceremony 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 August 27, 2013 Agenda for action. (Liccardo)

Documents Filed: Memorandum from Councilmember Sam Liccardo dated August 15, 2013, to the Rules and Open Government Committee forwarding the recommendations.

Action: The Committee approved Item G.3 and forwarded it to the City Council for formal action on August 27, 2013.

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

4. Paid Parental Leave

Direct staff to explore the budget and policy considerations of providing full-time City of San Jose employees with one calendar month of paid parental leave before, during and after the birth or adoption of a child and return to Council prior to February 2014. (Nguyen/Rocha)

Documents Filed: Memorandum from Vice Mayor Madison Nguyen and Councilmember Donald Rocha dated August 14, 2013, to the Rules and Open Government Committee forwarding the recommendations.

Discussion: The Committee had a lengthy discussion on policies already in place, potential budget impacts, and paid leave for major life events. Deputy City Manager Alex Gurza noted that staff would review major life events as a separate item, and will provide an Informational Memorandum to the Committee prior to February 2014.

Public Comments: Martha O'Connell stated the Item needs further discussion. Adele Cruz representing 4 C's of Santa Clara County spoke in support of Item G.4. David Wall offered suggestions to restore City employee's lost wages.

Action: The Committee referred Item G.4 to staff for further analysis and to include in their analysis paid leave for major life events, and to return prior to February 2014.

5. AB 443 (Lowenthal) – Vehicles: Delinquent Parking and Traffic Violations. (Transportation)
- (a) Pursuant to the City's streamlined bill process for responding quickly to legislative proposals, re-affirm a position of support regarding AB 443 (Lowenthal).
 - (b) Recommend a one-week turnaround to the City Council so that the City's legislative representative can continue to advocate the City's support for AB 443.

Documents Filed: AB 443 (Lowenthal) - from Hans F. Larsen, Director of Transportation to the Rules and Open Government Committee dated August 15, 2013, forwarding the recommendations.

Director of Intergovernmental Relations Betsy Shotwell noted AB 443 was recently signed into law by the Governor. Department of Transportation Assistant Director James Ortbal provided further explanation and answered the Committee's questions.

Public Comment: David Wall suggested that Item G.5 should be amended to include tougher fines.

Action: The Committee noted and filed Item G.5.

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

I. Open Government

- 1. Appeals of Public Records Act Request

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J. Open Forum

David Wall spoke on the Environmental Innovation Center.

K. Adjournment.

The meeting adjourned at 2:38 p.m.

A handwritten signature in cursive script that reads "Chuck Reed". The signature is written in black ink and is positioned above a horizontal line.

Mayor Chuck Reed

Rules and Open Government Committee