

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
December 11, 2013

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

ABSENT: None.

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

1. Review December 17, 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 Comments: David Wall referenced Items 2.7, 4.3, and 2.21.

Action: The Committee approved the amended agenda with additions, changes and Approved Sunshine Waivers:

1.x (Presentation of a commendation to NVIDIA Corporation for bringing Project Inspire to Ocala Middle School); 2.x (Councilmember Campos' Travel to San Diego, CA); 2.x (Paw Project Documentary); Approved 14-Day Sunshine Waiver for Item 3.4; Approved 14-Day Sunshine Waiver for Item 4.3; Item 2.21 renumbered to 6.x.

2. Review December 17, 2013 Draft Agenda
Cancelled.

B. Review of Upcoming Study Session Agenda(s)

C. Legislative Update

1. State - None.
2. Federal - None.

D. Meeting Schedules

E. The Public Record

Documents Filed: Memorandum from the City Clerk Toni Taber to Mayor and City Council dated December 6, 2013, transmitting the Public Record for the week of November 27, 2013 – December 5, 2013.

Public Comments: David Wall pulled Item E.a regarding the City Auditor's Recommendations for further comments.

Action: The Committee noted and filed the Public Record.

F. Boards, Commissions and Committees

1. Appointments

a. Board and Commission Nominations

Accept Councilmember nominations for appointments, as detailed below, to the Council Appointment Advisory commission, the Housing and Community Development Commission, and the Human Services Commission and placing the item on the December 17, 2013 City Council Agenda for action. (City Clerk)

Documents Filed: Replacement Memorandum from the City Clerk to Rules and Open Government Committee dated December 10, 2013, forwarding the recommendations approving appointments to the Council Appointment Advisory Committee and Human Services Commission.

Action: The Committee approved Item F.1.a with Approved Sunshine Waiver and forwarded it to the City Council placing it on the December 17, 2013 Council Agenda Consent Calendar for formal action.

b. Waiver of Term Limits for Boards and Commissions Appointment

Consider a request for waiver of term limits for appointment of Jacquie Heffner for a term to end on December 30, 2015 to the Housing and Community Development Commission and placing the item on the December 17, 2013 City Council Agenda for action. (City Clerk)

Documents Filed: Memorandum from the City Clerk to Rules and Open Government Committee dated December 3, 2013, forwarding the recommendations.

Public Comments: David Wall spoke in opposition of Item F.1.b.

Action: The Committee deferred Item F.1.b to January 8, 2014 Rules and Open Government Committee Meeting.

c. Neighborhood Commission Appointments

Accept the Councilmember nominations for appointment to the Neighborhoods Commission and placing the item on the December 17, 2013 City Council Agenda for action. (City Clerk)

Documents Filed: Memorandum from the City Clerk to Rules and Open Government Committee dated December 10, 2013, forwarding the recommendations.

Action: The Committee approved Item F.1.c and forwarded it to the City Council placing it on the December 17, 2013 Council Agenda for formal action.

2. Work Plans

None.

3. Annual Reports

None.

G. Rules Committee Reviews, Recommendations and Approvals

1. Workload Assessment for Council Requests and Referrals.
None.
2. 2014 Legislative Guiding Principles, Priorities and Advocacy Issues
Accept the 2014 Legislative Guiding Principles as edited by the Council Committees, and the Legislative Priorities and Advocacy Issues for the second year of the two-year Legislative Session in Sacramento and the 113th Congress; a one-week turnaround to the City Council is requested so that the City's lobbyists can advocate Council direction in Sacramento and in Washington, D.C. (City Manager's Office)

Documents Filed: Memorandum from Intergovernmental Relations Director Betsy Shotwell to the Rules and Open Government Committee dated December 5, 2013, forwarding the recommendations.

Intergovernmental Relations Director Betsy Shotwell gave a brief update and staff was available to answer the Committee's questions.

Public Comments: David Wall expressed his opinion on unfunded mandate for affordable housing.

Action: The Committee approved Item G.2 and forwarded it to the City Council placing it on the December 17, 2013 Council Agenda for formal action.

3. Restoring Lights in our Neighborhoods
Direct the City Manager:
 - 1) In coordination with Prospect SV, and with the City's recently-selected energy services company, Chevron Energy Solutions, explore the feasibility of creating a multi-block or district-wide demonstration project with Philips for the installation of Integrated Smart Light Poles, consistent with Council Policy 0-40 (Framework for Establishing Demonstration Projects) over a geographic area that includes some portion of streets with longstanding street light outages (i.e., due to malfunction or wire theft).
 - 2) For the December 17, 2013 Council meeting – or whichever meeting scheduled for the City Manager's request for budget augmentation to address streetlight outage – direct the City Manager: (See Memorandum for full text). (Liccardo/Herrera)

Documents Filed: Memorandum from Councilmembers Liccardo and Herrera to the Rules and Open Government Committee dated December 10, 2013, forwarding the recommendations.

Discussion: Department of Transportation Director Hans Larsen spoke on the Chevron Energy Solution and Philips Projects and was available to answer the Committee's questions. Staff discussed how to coordinate Item G.3 with Item 2.21 on the 12/17/2013 Council Agenda.

Action: The Committee referred Item G.3 to staff to return to the Rules Committee in 30-60 days; and renumbered Item 2.21.

David Wall offered suggestions on how to deter copper theft.

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 the City of San José's land purchase agreement with the A's a major league baseball team.

K. Adjournment.

The meeting adjourned at 2:42 p.m.



Mayor Chuck Reed
Rules and Open Government Committee