

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report

May 29, 2013

PRESENT: Mayor Chuck Reed, Councilmember Pete Constant and Councilmember Pierluigi Oliverio.

ABSENT: Vice-Mayor Madison Nguyen.

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

A. City Council (City Clerk)

1. Review June 4, 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 spoke on various Items.

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

2.x (Actions Related to Councilmember Constant's Travel to Washington, D.C.); 2.x (San Jose Jazz Festival Flag Raising); Item 4.2 to be heard no earlier than 3:30 p.m.

2. Review June 11, 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 offered suggestions on Items 3.3, 4.1 and 4.2.

Action: The Committee approved the agenda with the additions and changes and the approved 14-Day Sunshine Waiver:

9:00 a.m. start time; 1.x (Presentation of a commendation to Urvi Gupta, founder of the OneInMath tutoring program, for providing more that 250 students with additional help with math skills at the Evergreen, Berryessa, and Hillview Branch Libraries.); Approved 14-Day Sunshine Waiver for Item 3.8 (b); Items 3.7 and 3.8 to be heard immediately after the Ceremonial Items.

B. Review of Upcoming Study Session Agenda(s)

C. Legislative Update

1. State – Director of Intergovernmental Relations Betsy Shotwell provided a verbal update on Assembly Bills AB 5 (Ammiano) Homelessness and AB 998 (Fong And Atkins) Homelessness: Interagency Council on Homelessness, and staff were available to answer the Committee's questions.
2. Federal – No Report.

D. Meeting Schedules

1. Council Meeting Schedule and Study Session Schedule for August – December 2013.
(City Manager's Office)

Document Filed: Memorandum from the City Manager's Office dated May 22, 2013 to the Rules and Open Government Committee, forwarding the recommendations.

Public Comment: David Wall questioned why some City Council meetings are scheduled to be cancelled throughout the year.

Action: The Committee approved the City Council Schedule and Study Session Schedule for August – December 2013.

E. The Public Record

Documents Filed: Memorandum from the Acting City Clerk Toni Taber to Mayor and City Council dated May 24, 2013, transmitting the Public Record for the week of May 17, 2013 – May 23, 2013.

Public Comment: Martha O'Connell pulled Item E.a and spoke in support of the housing impact fee nexus study.

David Wall pulled Item E.a and spoke in opposition of the housing impact fee nexus study.

Action: The Committee noted and filed the public record.

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. Workforce Management:
Agendize a presentation and discussion of the City Manager's approach to recruitment of executive positions and her continuing efforts to develop our workforce management plan in August 2013, for Council direction and approval. (Rocha)

Request for Deferral of Workforce Management Discussion. (City Manager)

Documents Filed: Memorandum from Councilmember Donald Rocha dated May 20, 2013 to the Rules and Open Government Committee and Memorandum from the City Manager Debra Figone dated May 24, 2013 to the Rules and Open Government Committee, forwarding the recommendations.

Public Comment: David Wall spoke in opposition to Item G.2.

Action: The Committee took no action.

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

3. National Night Out:

Approve the *National Night Out* as a City 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 June 4, 2013 Agenda for action.

(City Clerk's Office)

Documents Filed: Memorandum from the Acting City Clerk Toni Taber dated May 14, 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 June 4, 2013.

4. AB 416 (GORDON): California Air Resources Board: Local Emission Reduction Program. (Environmental Services)

a. Pursuant to the City's streamlined bill process for responding quickly to legislative proposals, approve support for AB 416 (Gordon).

b. Recommend a one-week turnaround to the City Council so that the City's legislative staff can advocate for the City's support for AB 416.

Documents Filed: Memorandum from Environmental Services Assistant Director Ashwini Kantak dated May 23, 2013 to the Rules and Open Government Committee, forwarding the recommendations.

Discussion: Director of Intergovernmental Relations Betsy Shotwell provided a brief update on Senate Bill 439 (Marijuana) and Items G.4 – G.7, and staff was available to answer Committee's questions.

Public Comment: David Wall spoke in opposition to Items G.4-G.7.

Action: The Committee approved Item G.4 and forwarded it to the City Council for formal action on June 4, 2013.

5. AB 637 (ATKINS, PRINCIPAL COAUTHOR – TORRES) – Housing Assistance. (Housing)

a. Pursuant to the City's streamlined bill process for responding quickly to legislative proposals, support AB 637 (Atkins) – Housing assistance.

b. Recommend a one-week turnaround so that the City's Legislative Advocate in Sacramento can indicate a support position for AB 637 (Atkins).

Documents Filed: Memorandum from the Director of Housing Leslye Corsiglia dated May 22, 2013 to the Rules and Open Government Committee, forwarding the recommendations.

Action: The Committee approved Item G.5 and forwarded it to the City Council for formal action on June 4, 2013.

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

6. AB 1051 (BOCANEGRA) – Sustainable Communities for All Program, Housing. (Housing/Parks, Recreation and Neighborhood Services)
 - a. Pursuant to the City’s streamlined bill process for responding quickly to legislative proposals, support AB 1051 (Bocanegra) – Housing.
 - b. Recommend a one-week turnaround so that the City’s Legislative Advocate in Sacramento can indicate a support position for AB 1051 (Bocanegra).

Documents Filed: Memorandum from the Director of Housing Leslye Corsiglia and the Director of Parks, Recreation and Neighborhood Services Julie Edmonds-Mares dated May 22, 2013 to the Rules and Open Government Committee, forwarding the recommendations.

Action: The Committee approved Item G.6 and forwarded it to the City Council for formal action on June 4, 2013.

7. AB 574 (LOWENTHAL) - California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: Sustainable Communities Strategies. (Transportation)
 - a. Pursuant to the City’s streamlined bill process for responding quickly to legislative proposals, approve support for AB 574 (Lowenthal)
 - b. Recommend a one-week turnaround to the City Council so that the City’s legislative representative can advocate the City’s support for AB 574.

Documents Filed: Memorandum from the Director of Transportation Hans F. Larsen dated May 22, 2013 to the Rules and Open Government Committee, forwarding the recommendations.

Action: The Committee approved Item G.7 and forwarded it to the City Council for formal action on June 4, 2013.

H. Review of additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee
2. Neighborhood Services and Education Committee Workplan Amendment
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
Deny the appeal of Sandy Brundage regarding the City’s decision to withhold arbitration decisions of disciplinary appeals by police officers. (City Manager’s Office)
[Rules Committee deferral 5/22/13 – Item I.1]

Document Filed: Memorandum from the Director of Communications David Vossbrink dated May 16, 2013 to the Rules and Open Government Committee, forwarding the recommendations.

Action: Item dropped by the appellant.

J. Open Forum

David Wall spoke on street sweeping compliance and submitted a flyer to Committee.

K. Adjournment

The meeting adjourned at 2:35 p.m.



Mayor Chuck Reed

Rules and Open Government Committee