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**RULES AND OPEN GOVERNMENT COMMITTEE**

Meeting Report  
October 30, 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.

**A. City Council (City Clerk)**

1. Review November 5, 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 pulled Item 2.7 regarding requiring the Police and Fire members to pay for retirement costs while in military service; and Item 2.10 regarding vacant land use.

Mayor Reed asked staff to shorten the length of the adjournment language; Councilmember Constant requested to add the Urgency Ordinance to Control Invasive Wild Pig Population to the November 5 Agenda, and adding an exception to the new ordinance.

Action: The Committee approved the amended agenda with recommendations as noted: Add the Urgency Ordinance to Control Invasive Wild Pig Population shorten the adjournment language.

2. Review November 12, 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 October 25, 2013, transmitting the Public Record for the week of October 18, 2013 – October 24, 2013.

**E. The Public Record (Cont.)**

Vice Mayor Nguyen pulled Item E.b for comments regarding the land at Oak Hill Cemetery; and directed staff to resolve the legal and real estate issues associated with the Dairy Hill land expansion, and to bring it back to the Committee.

Public Comments: Scott Guthridge pulled Item E.b and gave an overview of the Dairy Hill neighborhood (document submitted to the Committee). David Wall pulled Items E.(a-b) for further comments.

Action: The Committee referred Item E.b to staff and noted and filed the public record.

**F. Boards, Commissions and Committees**

1. Appointments

None.

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. Westfield Oakridge Winter Walk

Approval of the Westfield Oakridge Winter Walk (WOWW) sponsored by Council District 2, 9 and 10 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 November 5, 2013 Agenda for action. (Rocha)

Documents Filed: Memorandum from Councilmember Donald Rocha to Mayor and City Council dated October 23, 2013, forwarding the recommendation.

Action: The Committee approved Item G.2 and forwarded it to the City Council for formal action on November 5, 2013.

3. Approval of Updated Campaign Contribution Limits and Voluntary Expenditure Limits  
Agendize the following for the November 5, 2013 Council Meeting. (City Clerk)

Adopt the following resolutions:

a. A resolution approving the updated campaign contribution limits in accordance with San Jose Municipal Code 12.06.210 C.

b. A resolution approving the updated voluntary campaign expenditure limits in accordance with San Jose Municipal Code 12.06.530 D.

Documents Filed: Memorandum from City Clerk Toni Taber to the Rules and Open Government Committee dated October 24, 2013, forwarding the recommendation.

Public Comments: David Wall commented on outside contributions and voluntary contributions.

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

Action: The Committee approved Item G.3 and forwarded it to the City Council for formal action on November 5, 2013.

4. Proposed Revisions to Chapter 12.06 of the San Jose Municipal Code Related to the Officeholder/Candidate Legal Defense Fund  
Approve an ordinance amending Chapter 12.06 of Title 12 of the San José Municipal Code to amend Section 12.06.810 and to add a new Part 11 related to the Legal Defense Fund and place the item on the November 19, 2013 Agenda for action. (City Attorney)

Documents Filed: Memorandum from City Attorney Richard Doyle to the Rules and Open Government dated October 22, 2013, forwarding the recommendation.

Public Comments: David Wall questioned how the public would be notified to contribute to a legal defense fund.

Action: The Committee approved Item G.4 and forwarded it to the City Council for formal action on November 19, 2013.

**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.

**I. Open Government**

1. Appeals of Public Records Act Request  
None.

**J. Open Forum**

David Wall spoke on the growth of agriculture and wildlife returning to his neighborhood and expressed his concerns for zip car parking spots. Rene Chavez asked for assistance with his building plans. Jim Piazza expressed his concerns on the Zanker Processing Facility, requesting that the City complete a new Environmental Investigation Report (EIR).

**K. Adjournment.**

The meeting adjourned at 2:29 p.m.



Mayor Chuck Reed  
Rules and Open Government Committee