



**MINUTES OF THE
RULES AND OPEN GOVERNMENT COMMITTEE**

SAN JOSE, CALIFORNIA

WEDNESDAY, OCTOBER 8, 2014

The Rules and Open Government Committee of the City of San José convened in Regular Session at 2:03 p.m. in the Council Chambers at City Hall.

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

ABSENT: All present.

STAFF: City Manager Ed Shikada, Deputy City Manager Norberto Duenas, City Attorney Richard Doyle, Mayor's Agenda Assistant Ahmad Chapman, Agenda Services Manager Gloria Schmanek, City Clerk Toni J. Taber, Assistant City Clerk Tom Graves, and Deputy City Clerk Suzanne Guzzetta.

CITY COUNCIL (CITY CLERK)

- (1) **Review October 14, 2014 Final Agenda**
None – Meeting Cancelled
- (2) **Review October 21, 2014 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 spoke on Items 2.8, 2.9, 2.11, 2.13, and 4.3.

Action: Upon motion by Councilmember Constant, seconded by Councilmember Oliverio and carried unanimously, the Committee approved the agenda including the following sunshine waivers, additions, and changes: Item 4.1(a) moved to the Consent Calendar, Item 4.1(b) deferred to 11/18/14, and 4.2 deferred 11/4/14. (4-0.)

REVIEW OF UPCOMING STUDY SESSION AGENDA(S)

None.

LEGISLATIVE UPDATE

- (1) State – None.
- (2) Federal – None.

MEETING SCHEDULE

- (1) **Study Session – Update on Workforce Support and Development Strategy and Employee Engagement. (City Manager)**
 - a. Accept update on Workforce Support and Development Strategy and employee engagement efforts; and
 - b. Set a Council Study Session entitled Workforce Support and Development Strategy and Employee Engagement Efforts for Friday, October 24, 2014 from 9:00 a.m. – 11:00 a.m., in City Council Chambers.

Documents Filed: Memorandum from City Manager Edward K. Shikada to the Rules and Open Government Committee, dated October 1, 2014, entitled, “Update on Workforce Support and Development Strategy and Employee Engagement.”

Public Comment: David Wall voiced observations on retiree rehires.

Staff indicated the agenda would be included in the October 15, 2014 Rules packet for final approval.

Action: Upon motion by Vice Mayor Nguyen, seconded by Councilmember Constant and carried unanimously, the recommendation was approved and the Study Session set for October 24, 2014 from 9:00 a.m. – 11:00 a.m. (4-0.)

THE PUBLIC RECORD

Documents Filed: Memorandum from City Clerk Toni J. Taber transmitting the Public Record for the Week of September 26 – October 2, 2014;

Public Comment: Martha O’Connell pulled item (1) and offered observations.

David Wall offered comments on Items (1) and (3).

Councilmember Constant asked staff to look into Item (1).

Action: Upon motion by Councilmember Constant, seconded by Vice Mayor Nguyen and carried unanimously, the public record was noted and filed. (4-0.)

BOARDS, COMMISSIONS AND COMMITTEES

- (1) Appointments – None.
- (2) Work Plans – None.
- (3) Annual Reports – None.

RULES COMMITTEE REVIEWS, RECOMMENDATIONS AND APPROVALS

- (1) Workload Assessment for Council Requests and Referrals. – None.
- (2) **Resolution Regarding Relations Between City of San José and the Government of the Socialist Republic of Vietnam. (Mayor/Nguyen/Liccardo)**

Agendize for discussion and adoption at a future City Council meeting, the following resolution:

The Mayor and City Manager of the City of San José shall not meet, welcome, or engage with any members of the government of the Socialist Republic of Vietnam.

Documents Filed: Memorandum from Mayor Chuck Reed, Vice Mayor Madison Nguyen, and Councilmember Sam Liccardo to the Rules and Open Government Committee, dated October 1, 2014, entitled, “Resolution Regarding Relations Between City of San José and the Government of the Socialist Republic of Vietnam.”

Mayor Reed, Vice Mayor Nguyen, and Councilmember Liccardo offered comments and background information and asked the Committee to support the resolution.

Motion: Vice Mayor Nguyen moved for approval of the recommendation. Councilmember Oliverio seconded the recommendation.

Councilmember Constant requested a friendly amendment to the language of the resolution so that it reads, “the Mayor, City Councilmembers, and the City Manager, in their official capacity, shall not meet, welcome, or engage...”

Councilmember Nguyen accepted the amendment.

Public Comment: Tun Ngo, John Nguyen, Charlie Ly, Nghiep Phan, David Mac, Hoang Nguyen, Tinh Cao, Martha O’Connell, David Wall, and Johnny Lee spoke in support of the recommendation.

Action: Upon a call for the question, the motion carried and the item was referred to the October 28, 2014 City Council agenda for discussion and final action. (4-0.)

RULES COMMITTEE REVIEWS, RECOMMENDATIONS AND APPROVALS

- (3) **Approval of a Public Safety Fair Sponsored By Council District 8 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Herrera)**
- a. Approve the Public Safety Fair scheduled on October 20, 2014 as a City Council sponsored Special Event and approve the expenditure of funds.
 - b. Approve and accept donations from various individuals, businesses, or community groups to support the event.
 - c. Place the item on the October 21, 2014 City Council Agenda for action.

Documents Filed: Memorandum from Councilmember Herrera to the Rules and Open Government Committee, dated October 2, 2014, entitled, "Approval of a Public Safety Fair Sponsored By Council District 8 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event."

Public Comment: David Wall offered observations.

Action: Upon motion by Vice Mayor Nguyen, seconded by Councilmember Constant and carried unanimously, the recommendation was approved and placed on the October 21, 2014 City Council agenda for action. (4-0.)

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.

OPEN GOVERNMENT

- (1) Appeals of Public Records Act Request – None.

OPEN FORUM

Martha O'Connell expressed concerns over the item regarding bicycle riding on sidewalks heard at the Transportation & Environment Committee on October 5, 2014.

David Wall opined on various issues.

ADJOURNMENT

The meeting adjourned at 2:48 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

CR:slg