

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
February 12, 2014

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

ABSENT: Councilmember Pete Constant.

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

1. Review February 18, 2014 Final Agenda
Cancelled.
2. Review February 25, 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 Comments: David Wall pulled Items 3.4, 7.1, and 9.1 for further comments. Martha O'Connell spoke on the Housing and Community Development Commission.

Action: Upon a motion by Vice Mayor Nguyen, seconded by Councilmember Oliverio, and carried unanimously, the Committee approved the agenda with changes: Item 3.4 referred to staff for possible deferral; Items 4.3, 11.2, and 11.3 deferred to City Council agenda 3/4/2014; Evening session cancelled. (3-0-1. Absent: Constant).

B. Review of Upcoming Study Session Agenda(s)
None.

C. Legislative Update

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

D. Meeting Schedules

1. Reschedule June 2014 Evening Council Session (City Manager)
 - a. Schedule an evening Council session on June 10, 2014 at 7:00 p.m.
 - b. Cancel the currently scheduled evening Council session of June 17, 2014 at 7:00 p.m.

Documents Filed: Memorandum from the City Manager's Office to the Rules and Open Government Committee dated February 6, 2014, forwarding the recommendations.

Action: Upon a motion by Councilmember Oliverio, seconded by Vice Mayor Nguyen, and carried unanimously, the Committee approved Item D.1. (3-0-1. Absent: Constant).

E. The Public Record

Documents Filed: Memorandum from the City Clerk Toni Taber to Mayor and City Council dated February 7, 2014, transmitting the Public Record for the week of January 31, 2014 – February 6, 2014.

Public Comments: David Wall pulled Items E.a-f, and expressed his concerns regarding the mechanical de-watering sewage sludge and the potential cost to taxpayers.

Action: Upon a motion by Vice Mayor Nguyen, seconded by Councilmember Oliverio, and carried unanimously, the Committee noted and filed the Public Record. (3-0-1. Absent: Constant).

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.

Items G.2 and G.5 were heard together

2. District 1 Annual Greek Flag Raising Event

Approval of District 1 Annual Greek Flag Raising Event sponsored as a City Council Special Event, and approve expenditure of funds and accepting donations from various individuals, businesses, or community groups to support the event scheduled for March 25, 2014, and placing the item on the March 4, 2014 Council Agenda for action. (Constant)

Documents Filed: Memorandum from the Councilmember Pete Constant to the Mayor and City Council dated February 4, 2014, forwarding the recommendations.

5. District 5 Neighborhood Association Appreciation Dinner

Approval of District 5 Neighborhood Association Appreciation Dinner sponsored as a City Council Special Event, and approve expenditure of funds and accepting donations from various individuals, businesses, or community groups to support the event held on February 7, 2014, and placing the item on the March 4, 2014 Council Agenda for action. (Campos)

Documents Filed: Memorandum from the Councilmember Xavier Campos to the Mayor and City Council dated February 7, 2014, forwarding the recommendations.

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

Public Comments: David Wall expressed his concerns regarding the use of funds raised for special events for Item G.5

Action: Upon a motion by Councilmember Oliverio, seconded by Vice Mayor Nguyen, and carried unanimously, the Committee approved Items G.2 and G.5 placing both items on the March 4, 2014 Council Agenda for action. (3-0-1. Absent: Constant).

3. Recommendation to Support Postal Service Protection Act of 2013.
Adopt a resolution in support of Senate Bill 316 and House Bill 630 – Postal Service Protection Act of 2013. (Chu)
(Referred by Rules 1/29/14)

Documents Filed: Memorandum from the Councilmember Kansen Chu to the Rules and Open Government Committee dated January 23, 2014, forwarding the recommendations. Supplemental Memorandum from the Director of Intergovernmental Relations Betsy Shotwell to the Rules and Open Government Committee dated February 5, 2014, to provide an update to the proposed legislation.

Councilmember Kansen Chu urged the Committee to place Item G.3 on the next council agenda. Director of Intergovernmental Relations Betsy Shotwell was available to respond to the Committee's questions.

Public Comments: Guillermo Martinez, Ernie Arrañaga, and David Wall spoke in support of Item G.3.

Discussion: The Committee had a brief discussion regarding prefunding of the U.S. Postal Service Retirement Fund and retaining a 6-day delivery service.

Action: Upon a motion by Vice Mayor Nguyen, seconded by Councilmember Oliverio, and carried unanimously, the Committee referred Item G.3 to the City Attorney's Office and return to the Rules Committee with a modified resolution that supports a 6-day delivery service and eliminates language pertaining to the U.S. Postal Retirement Fund. (3-0-1. Absent: Constant).

4. 1/2 Cent General Sales Tax Increase to Fund City Services, Including, but not limited to, Raising Police Department Authorized Staffing Level to 1,400 Officers. (Campos)
 - a. Direct Staff to prepare a 1/2 Cent Sales Tax Increase Ballot Measure in time for Council approval and placement on June 4, 2014 Primary Ballot.
 - b. Direct Staff to research how revenue from this ballot measure can be used to fund a variety of City services, including an increase in Police Department Authorized Staffing level to 1,400 from its current level of 1,109.
(Deferred from Rules 1/29/14)

Documents Filed: Memorandum from the Councilmember Xavier Campos to City Council dated January 23, 2014, forwarding the recommendations.

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

District 5 Chief of Staff Nicole Willett and Council Assistant Garrett Radcliffe noted that Councilmember Campos would not object moving Item G.4 to the November Ballot and were available to respond the Committee's questions.

Public Comment: David Wall voiced his concern that monies could be deferred to other city services. Martha O'Connell spoke in opposition to tax increases unless they are offset with budget cuts.

Action: The Committee took no action.

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

Public Comments: David Wall expressed his concerns regarding the use of funds raised for special events.

Action: The Committee approved Item G.5 placing the item on the March 4, 2014 Council Agenda for action.

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 hiring practices in the Environmental Services Department and the South Bay Water Recycling Program.

K. Adjournment.

The meeting adjourned at 2:45 p.m.



Mayor Chuck Reed
Rules and Open Government Committee