

**MINUTES OF THE  
JOINT MEETING OF THE RULES AND OPEN GOVERNMENT COMMITTEE  
AND COMMITTEE OF THE WHOLE**

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, NOVEMBER 15, 2017**

The Joint Meeting of the Rules and Open Government Committee and Committee of the Whole of the City of San José convened in Regular Session at 2:01 p.m. in Committee Rooms 118-120, Council Wing, City Hall.

**PRESENT:** Vice Mayor Magdalena Carrasco, Vice Chair; Council Member Johnny Khamis; Council Member Chappie Jones; Councilmember Dev Davis, Members.

**ABSENT:** Liccardo. (Excused)

**STAFF:** City Attorney Richard Doyle, Assistant City Manager David Sykes, City Clerk Toni J. Taber, Agenda Services Manager Gloria Schmanek, Mayor's Assistant Nicole Inamine, Deputy City Clerk Ruth Krantz, and City Clerk Staff Louis Osemwegie.

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

**1. Review November 21, 2017 Final Agenda**

**Meeting Canceled.**

**2. Review November 28, 2017 Draft Agenda**

- a. Add new items to Draft Agenda**
- b. Assign "Time Certain" to Agenda Items (if needed)**
- c. Review of Notice Waiver Requests for Agenda Items or Documents (if needed)**

City Manager Dave Sykes recommended deferral of item 2.11 to the Council meeting of December 5, 2017 to allow staff more time to work on the emergency status report.

Vice Mayor Magdalena Carrasco opened the floor for public testimony.

Public Comments: Blair Beekman urged cautious use of surveillance and technology and provided comments regarding drone policies.

**A. 2. (Cont'd.)**

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis and carried unanimously, the Committee accepted the November 28, 2017 Draft Agenda, as amended, with Item 2.11 to be deferred to December 5, 2017. (4-0-1. Absent: Liccardo.)

**B. Review of Upcoming Study Session Agendas**

There were none.

**C. Legislative Update**

There was no Legislative Update.

**D. Meeting Schedules**

**1. Emergency Management Training Study Session. (City Manager)**

Documents Filed: Memorandum from Director, Office of Emergency Management, Ray Riordan, dated November 8, 2017, recommending scheduling of an Emergency Management Training Study Session.

Vice Mayor Magdalena Carrasco opened the floor for public testimony.

Public Comments: Blair Beekman discouraged the use of sound cannons to alert residents in emergency situations.

City Manager Dave Sykes addressed the use of sound cannons and responded to questions from the Committee.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis and carried unanimously, an Emergency Management Training Study Session was scheduled for Friday, December 1, 2017. (4-0-1. Absent: Liccardo.)

**E. The Public Record**

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated November 9, 2017, transmitting the Public Record for the Week of November 3 – November 9, 2017.

Mayor Sam Liccardo opened the floor for public testimony.

Public Comments: Blair Beekman encouraged looking to other cities for ideas for the community.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis and carried unanimously, the Committee noted and filed the public record. (4-0-1. Absent: Liccardo.)

**F. Boards, Commissions and Committees**

There were none.

**G. Rules Committee Reviews, Recommendations, and Approvals**

**1. Consent Calendar**

- a. Approval of the Community Events sponsored by District 2 as City Council sponsored Special Events to expend City funds and accept donations of materials and services for the events. (Jimenez)**
  - (1) Retroactively approve the Dumpster Day held on November 11, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.**
  - (2) Approve the Dumpster Day held on December 9, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.**
  - (3) Approve the District 2 Holiday Appreciation Party held on December 6, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.**
  - (4) Approve and accept donations from various individuals, businesses or community groups to support the event.**
  - (5) Place the item on the November 28, 2017 Council Agenda for action.**
- b. Approval the Celebrate Cambrian Festival sponsored by District 9 as City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event. (Rocha)**
  - (1) Approve the Celebrate Cambrian Festival scheduled on August 26, 2018 as a City Council sponsored Special Event and approve the expenditure of funds.**
  - (2) Approve and accept donations from various individuals, businesses or community groups to support the event.**
  - (3) Place the item on the November 28, 2017 Council Agenda for action.**

Documents Filed: (1) Memorandum from Councilmember Sergio Jimenez, dated November 3, 2017, recommending approval of community events. (2) Memorandum from Council Member Donald Rocha, dated November 6, 2017, recommending approval of a community event.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Chappie Jones and carried unanimously, the Committee approved the Community Events and added them to the November 28, 2017 Agenda for Council action. (4-0-1. Absent: Liccardo.)

**G. 2. Coyote Valley Water Resource Investment Strategy. (Mayor/Jimenez)**

Documents Filed: Joint memorandum from Mayor Sam Liccardo and Councilmember Sergio Jimenez, dated November 9, 2017, recommending direction to the City Manager to support efforts of the Santa Clara Valley Water District and Santa Clara Valley Open Space Authority.

Helen Chapman spoke on behalf of Councilmember Sergio Jimenez, reading a brief statement asking for support in reviewing the findings regarding Coyote Valley and offering appreciation to the work done by the Water District and Open Space Authority.

City Manager Dave Sykes responded to questions from the Committee and offered that this item could be addressed at a future meeting of the Rules and Open Government Committee.

Motion: Councilmember Johnny Khamis moved to defer this item to the January 10, 2018 meeting of the Rules and Open Government Committee. Councilmember Chappie Jones seconded the motion.

Public Comments: Dave Poshell, representing the Loma Prieta Chapter of the Sierra Club, and Larry Ames, representing the Committee for Green Foothills, spoke to the urgent need for conservation and efforts to conserve Coyote Valley.

Action: On a call for the question, the motion carried unanimously, and this item was deferred to the January 10, 2018 meeting of the Rules and Open Government Committee. (4-0-1. Absent: Liccardo.)

**H. Review of additions to Council Committee Agendas/Work Plans**

**1. Community and Economic Development Committee. (Airport)**

**Approve an amendment to the August – December 2017 Workplan for the Community and Economic Development (CED) Committee: Drop “Report on Concession Model at the Mineta San José International Airport” from the November 27, 2017 agenda.**

Documents Filed: Memorandum from Airport Director John Aitken, dated November 6, 2017, requesting an amendment to the Workplan.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Johnny Khamis and carried unanimously, the Committee approved the amendment to the Community and Economic Development Committee Workplan. (4-0-1. Absent: Carrasco.)

**2. Neighborhood Services and Education Committee.**

**3. Transportation and Environment Committee.**

**4. Public Safety, Finance and Strategic Support Committee.**

**5. Joint Meeting of the Rules and Open Government Committee and Committee of the Whole**

None

## **H. Review of additions to Council Committee Agendas/Work Plans (Cont'd.)**

### **6. Smart Cities and Service Improvements Committee Updates to the Smart Cities and Service Improvements Committee Workplan (City Manager)**

Documents Filed: Memorandum from Deputy City Manager, Kip Harkness, dated November 8, 2017, recommending changes to the Workplan.

Mayor Sam Liccardo opened the floor for public testimony.

Public Comments: Blair Beekman offered comments about the Broadband Study Session held earlier this week and indicated concerns regarding surveillance of citizens.

Action: Upon motion Councilmember Chappie Jones, seconded by Councilmember Johnny Khamis and carried unanimously, the Committee approved changes to the August – December 2017 Workplan, dropping items (1) Opportunities for Innovation in Emergency Management; (2) Safe City Strategy; and (3) Internet of Things.

## **I. Open Government**

### **1. Appeals of Public Records Act Request**

There were none presented.

## **OPEN FORUM**

Blair Beekman offered comments on rent control as discussed at the November 14, 2017 Council Meeting.

## **ADJOURNMENT**

Mayor Sam Liccardo adjourned the meeting at 2:27 p.m.

***DRAFT***

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Magdalena Carrasco, Vice-Chair  
Rules and Open Government Committee

MC/rmk