



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

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, OCTOBER 31, 2018**

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:** Mayor Sam Liccardo, Chair; Vice Mayor Magdalena Carrasco, Vice Chair; Councilmember Chappie Jones, Councilmember Dev Davis, and Councilmember Johnny Khamis.

**ABSENT:** All present.

**STAFF:** David Sykes, City Manager; Toni Taber, City Clerk; Richard Doyle, City Attorney; Gloria Schmanek, Senior Executive Analyst; Mackenzie Mossing, Mayor's Office Agenda Service, and Louis Ósémwegie, City Clerk's Office.

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

**1. Review November 6, 2018 Final Agenda**

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

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis, and carried unanimously, the Committee accepted the November 6, 2018 Agenda, including Addsheet, with Sunshine waivers granted for Items 2.x and 4.x (5-0)

**2. Review November 13, 2018 Draft Agenda.**

None - Meeting Cancelled.

**B. Review of Upcoming Special Meeting Agenda(s)**

None presented.

**C. Legislative Update.**

None presented.

**D. Meeting Schedules**

**1. General Plan Annual Review. (Planning, Building and Code Enforcement)**

Documents Filed: Memorandum from Planning, Building and Code Enforcement Director, Rosalynn Hughey, dated October 24, 2018.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Johnny Khamis, and carried unanimously, the Committee approved staff recommendation. (5-0)

**2. Elected and Appointed Officials Emergency Management Training Study Session. (City Manager)**

Documents Filed: Memorandum from Office of Emergency Management Director Raymond Riordan, dated October 24, 2018.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Chappie Jones, and carried unanimously, the Committee approved staff recommendation. (5-0)

**3. Release Date for Study Session (City Manager)**

Action: Upon motion by Vice Mayor Magdalena Carrasco, seconded by Councilmember Chappie Jones, and carried unanimously, the Committee approved staff recommendation, with Tuesday, November 13, 2018 from 1:30 p.m. - 4:30 p.m. Study Session date released. (5-0)

**E. The Public Record for October 19, 2018 - October 25, 2018.**

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated October 31, 2018, transmitting the Public Record for the Week of for October 19, 2018 - October 25, 2018.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee noted and filed the public record. (5-0)

**F. Boards, Commissions, and Committees**

**1. Appointments**

None presented.

**2. Work Plans & Annual Reports**

None presented.

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

**1. Consent Calendar**

(a) Approval of Community Events Sponsored by Council District 7 as a City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Event. (Nguyen)

(b) Approval of a District 9 Grant to Bagby Elementary School. (Rocha)

Documents Filed: (1) Memorandum from Councilmember Tam Nguyen, District 7, dated October 25, 2018. (2) Memorandum from Councilmember Don Rocha, dated October 23, 2018.

City Clerk, Toni Taber noted that item C should not have been on the Consent Calendar.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the Consent Calendar for Items (a) and (b) only and added to the November 6, 2018 Council Agenda for action, noting that item (c) will be pulled and voted on separately. (5-0)

(c) Legal Definition of Sex Under Title IX. (Vice Mayor Carrasco)

Documents Filed: (1) Memorandum from Vice Mayor Magdalena Carrasco, District 5, dated October 25, 2018. (2) Letter[s] from the Public.

Public comments: Offering comments were Brian Wheatly, Benny O’Hara, Gabrielle Antolovich, John Hirokawa, Paul Escobar, Anthony Ross, Raymond Mueller, Stacy Shih and Vaughn Villaverde; Mary Gloner, Emerald, Sera Fernando, Kary Marin, and Lon Nguyen.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the the recommendation and added to the November 27, 2018 Council Agenda for action. (5-0)

**END OF CONSENT**

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

**1. Community and Economic Development Committee Workplan.**

None presented.

**2. Neighborhood Services and Education Committee**

None presented.

**3. Transportation and Environment Committee Workplan.**

None presented.

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

None presented.

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

None presented.

**6. Smart Cities and Service Improvement Committee Workplan.**

None presented.

**I. Open Government**

None presented.

**J. Open Forum**

Public comments: Triza Aurora offered comments on Donald Trump, the transgender community, as well as on disassociation from his family.

**K. Adjournment**

Mayor Sam Liccardo adjourned the meeting at 2:39 p.m.

---

Mayor Sam Liccardo, Chair  
Rules and Open Government Committee

SL/lo