



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

SAN JOSE, CALIFORNIA

WEDNESDAY, JUNE 20, 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 2:03 p.m. in Committee Rooms 118-120, Council Wing, City Hall.

PRESENT: Mayor Sam Liccardo, Chair; Councilmember Dev Davis, Councilmember Chappie Jones, Councilmember Johnny Khamis and Vice Mayor Magdalena Carrasco, Vice Chair; (2:04 p.m.)

ABSENT: All present.

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

A. City Council (City Clerk)

- 1. Review June 26, 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)**

Public Comments: Blair Beekman offered comments on inclusionary housing rental in lieu fees for the downtown area, openness and how to end secrecy.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Johnny Khamis, and carried unanimously, the Committee approved the June 20, 2018 Agenda, with 9 a.m. Closed Session start time. Regular Session starts immediately after Closed Session, with Add sheet approved for Items 2.4, 2.x and Sunshine Waiver granted. Item 3.9 will be heard after Consent, with Item 8.1 to be heard last, and Sunshine Waiver granted for SJFA 1. Item 10.2 will remain on the June 26, 2018 Agenda despite D1 deferral request and opposition to the motion. (4-0-1. Noes: Jones.)

- 2. Review Draft Agenda.**
None - Cancelled

B. Review of Upcoming Special Meeting Agenda(s)

There were none presented.

C. Legislative Update.

There were none presented.

D. Meeting Schedules

There were none presented.

E. The Public Record for June 8 - June 14, 2018.

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated June 15, 2018, transmitting the Public Record for the Week of June 8 - June 14, 2018.

Public Comments: Blair Beekman commented on IoT and read his letter for the record.

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

There were none presented.

2. Work Plans & Annual Reports

There were none presented.

G. Rules Committee Reviews, Recommendations, and Approvals

1. Consent Calendar

- a. Retroactive Approval of Buena Vista Dumpster Day Sponsored by Council District 6 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Davis)
- b. Retroactive Approval of Cory Dumpster Day Sponsored by Council District 6 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Davis)
- c. Retroactive Approval of Willow Creek Dumpster Day Sponsored by Council District 6 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Davis)
- d. Retroactive Approval of Shasta Hanchett Park Neighborhood Association Dumpster Day Sponsored by Council District 6 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Davis)

(Item Continued on the Next Page)

1. Consent Calendar (Cont'd)

- e. Approval of Puppies and Ice Cream with Councilmember Peralez Sponsored by Council District 3 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Peralez)
- f. Retroactive Approval of Canada Day Flag Raising and Reception Sponsored by Council District 3 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Peralez)
- g. Retroactive Approval of Picnic with Peralez Sponsored by Council District 3 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Peralez)
- h. Approval of Metzger Ranch Clean Up 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. (Arenas)
- i. Approval of Coffee Hours 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. (Arenas)
- j. Approval of Summertime in the Square Music Series 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. (Arenas)
- k. Approval of South Bay Cannabis Roundtable Sponsored by Council District 2 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Jimenez)
- l. Approval of National Night Out Sponsored as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (City Clerk)

Documents Filed: (1) Memorandum from Councilmember Dev Davis District 6, dated June 12, 2018. (2) Memorandum from Councilmember Dev Davis District 6, dated June 12, 2018. (3) Memorandum from Councilmember Dev Davis District 6, dated June 12, 2018. (4) Memorandum from Councilmember Dev Davis District 6, dated June 12, 2018. (5) Memorandum from Councilmember Raul Peralez District 3, dated June 14, 2018. (6) Memorandum from Councilmember Raul Peralez District 3, dated June 14, 2018. (7) Memorandum from Councilmember Raul Peralez District 3, dated June 14, 2018. (8) Memorandum from Councilmember Sylvia Arenas District 8, dated June 11, 2018. (9) Memorandum from Councilmember Sylvia Arenas District 8, dated June 15, 2018. (10) Memorandum from Councilmember Sylvia Arenas District 8, dated June 11, 2018.

(Item Continued on the Next Page)

1. Consent Calendar (Cont'd)

(11) Memorandum from Councilmember Sergio Jimenez District 2, dated June 14, 2018.

(12) Memorandum from City Clerk Toni J. Taber, dated June 15, 2018.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones, and carried unanimously, the Committee approved the Consent Calendar and added to the June 26, 2018 Council Agenda for action. (5-0.)

END OF CONSENT

2. AB 1912 (Rodriguez): Joint Powers Agreements - Public Employee Retirement Liability. (City Manager).

Documents Filed: Expedited City Council Action Request from Chief of Staff Lee Wilcox, dated June 13, 2018.

Intergovernmental Relations Director Benna Chang summarized the Bill and responded to questions.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved staff recommendation and added to the June 26, 2018 Agenda. (5-0.)

3. AB 1884 (Calderon and Bloom) Food facilities: single-use plastic straws. (Environmental Services).

Documents Filed: City Council Action Request from Environmental Services Director Kerrie Romanow, dated June 11, 2018.

Intergovernmental Relations Director Benna Chang summarized AB 1884 and responded to questions.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved staff recommendation and added to the June 26, 2018 Agenda. (5-0.)

4. AB 3232 (Friedman) Zero-emissions buildings and sources of heat energy/SB 1477 (Stern) Low-emissions buildings and sources of heat energy. (Environmental Services).

Documents Filed: City Council Action Request from Environmental Services Director Kerrie Romanow, dated June 11, 2018.

Intergovernmental Relations Director Benna Chang summarized AB 3232, and SB 1477 and responded to questions.

Vice Mayor Magdalena Carrasco left the meeting room at approximately 2:28 p.m.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved staff recommendation and added to the June 26, 2018 Agenda. (4-0. Absent: Carrasco.)

5. **SB 831 (Wieckowski): Land use: accessory dwelling units. (Parks, Recreation and Neighborhood Services).**

Documents Filed: City Council Action Request from Parks, Recreation and Neighborhood Services Director Angel Rios Jr., dated June 13, 2018.

Intergovernmental Relations Director Benna Chang summarized SB 831 and responded to questions.

Vice Mayor Magdalena Carrasco returned to the meeting at approximately 2:35 p.m.

Public Comments: Blair Beekman offered comments on tenants' rights.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Chappie Jones, and carried unanimously, the Committee approved staff recommendation and added to the June 26, 2018 Agenda. (5-0.)

6. **Private Activity Bond Exempt Facilities Federal Policy Change Request. (Khamis).**

Documents Filed: Memorandum from Councilmember Johnny Khamis District 10, dated June 12, 2018.

Councilmember Johnny Khamis provided background to his Memorandum and was available to answer questions.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the recommendation and added to the June 26, 2018 Agenda. (5-0.)

7. **Approve Acceptance of Donation of the Ship's Bell of the USS San Jose for Display in City Hall Lobby. (Khamis).**

Documents Filed: Memorandum from Councilmember Johnny Khamis District 10, dated June 14, 2018.

Councilmember Johnny Khamis provided background to his Memorandum and was available to answer questions.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the recommendation and placed the item on the August 7, 2018 Council Agenda for action, (with staff directed to consider exploring other options beyond City Hall.) (5-0.)

8. Set a Study Session of the City Council entitled "Homeless Services and Programs Update" for Fall 2018. (Nguyen).

Documents Filed: Memorandum from Councilmember Tam Nguyen, dated June 14, 2018.

Councilmember Tam Nguyen provided background to his Memorandum and was available to answer questions.

Public Comments: Blair Beekman offered comments on the homeless study session.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the recommendation to be added to a light Council Agenda meeting in Fall 2018, (with staff directed to find a light day. (5-0.)

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

1. Community and Economic Development Committee

a. Changes to the January - June 2018 Community and Economic Development (CED) Committee Work Plan. (Economic Development).

Documents Filed: Memorandum from Deputy City Manager Kim Walesh, dated June 13, 2018.

Public Comments: Blair Beekman offered comments on the Community and Economic Development work plan.

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

2. Neighborhood Services and Education Committee

There were none presented.

3. Transportation and Environment Committee

There were none presented.

4. Public Safety, Finance, and Strategic Support Committee

There were none presented.

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

a. Rules and Open Government Committee Workplan. (Liccardo)

Documents Filed: Memorandum from Mayor Sam Liccardo, dated June 12, 2018.

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

6. Smart Cities and Service Improvement Committee

There were none presented.

I. Open Government

There were none presented.

J. OPEN FORUM

1. Blair Beekman offered comments on the Mayor's speech in relation to downtown.

ADJOURNMENT

Mayor Sam Liccardo adjourned the meeting at 3:04 p.m.



Mayor Sam Liccardo, Chair
Rules and Open Government Committee

SL/lo