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

SAN JOSE, CALIFORNIA

WEDNESDAY, AUGUST 30, 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; Councilmember Dev Davis; Councilmember Chappie Jones and Councilmember Johnny Khamis, Members.

ABSENT: Mayor Sam Liccardo, Chair.

STAFF: City Attorney Richard Doyle; Assistant City Manager David Sykes; City Manager's Office Agenda Services Manager Gloria Schmanek; Mayor's Staff Nicole Inamine; City Clerk Toni J. Taber, CMC; and Interim Legislative Secretary Suzanne Guzzetta.

A. City Council (City Clerk)

1. Review September 5, 2017 Final Agenda

The meeting was cancelled

2. Review September 12, 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 Clerk Toni J. Taber announced that the agenda was the first to be created in Legistar and indicated that work was still being completed on the agenda format.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis and carried unanimously, the Committee accepted the September 12, 2017 Draft Agenda. (4-0-1. Absent: Liccardo.)

B. Review of Upcoming Study Session Agenda(s)

- 1. Joint City of San José/Santa Clara Valley Water District Special Meeting. (City Manager)
Set a Joint City of San José/Santa Clara Valley Water District Special Meeting on
November 3, 2017 at 9:00 a.m. – Noon, in the Council Committee Rooms.**

Documents Filed: Memorandum from Assistant City Manager Dave Sykes, dated August 23, 2017, entitled, “Set a Joint City of San Jose/Santa Clara Valley Water District Special Meeting.”

Assistant City Manager Dave Sykes provided additional information about the meeting.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis and carried unanimously, the Committee Set a Joint City of San José/Santa Clara Valley Water District Special Meeting on November 3, 2017 at 9:00 a.m. – Noon, in the Council Committee Rooms. (4-0-1. Absent: Liccardo.)

- 2. Transportation Anaylsis Update (VMT) Study Session. (Transportation)
Reschedule the previous set City Council Study Session to discuss changes in State
Law (Senate Bill 743) that affect the City of San José’s environmental review
policies and procedures related to transportation from Monday, September 18, 2017
to Friday, October 6, 2017 from 9:00 a.m. – Noon, in the City Council Chambers.**

Documents Filed: Memorandum from Director of Transportation Jim Ortbal, dated August 25, 2017, entitled, “Transportation Anaylsis Update (VMT) Study Session.”

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Chappie Jones and carried unanimously, the Committee rescheduled the Transportation Analysis Update Study Session from Monday, September 18, 2017 to Friday, October 6, 2017 from 9:00 a.m. – Noon, in the City Council Chambers. (4-0-1. Absent: Liccardo.)

- 3. Broadband Strategy Recommendations Special Meeting. (Civic Innovation and
Digital Strategy)
Reschedule the previously set City Council Study Session entitled “*Broadband
Strategy Recommendations*” from Thursday, September 28, 2017 to a Special
Meeting on Monday, November 13, 2017 from 1:30 p.m. – 4:30 p.m. in the City
Council Chambers.**

Documents Filed: Memorandum from Deputy City Manager Kip Harkness, dated August 23, 2017, entitled, “Broadband Strategy Special Meeting.”

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Chappie Jones and carried unanimously, the Committee rescheduled the Broadband Strategy Recommendations Study Session from Thursday, September 28, 2017 to a Special Meeting on Monday, November 13, 2017 from 1:30 p.m. – 4:30 p.m. in the City Council Chambers. (4-0-1. Absent: Liccardo.)

C. Legislative Update

1. State
2. Federal

None.

D. Meeting Schedules

None.

E. The Public Record

Documents Filed: Memorandum from City Clerk Toni Taber, CMC, dated August 25, 2017, transmitting the Public Record for August 11-24, 2017.

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

1. Appointments
2. Work Plans & Annual Reports

G. Rules Committee Reviews, Recommendations and Approvals

1. Consent Calendar

There were no items on the Consent Calendar.

2. **2017 League of California Cities Voting Delegate and Alternate Voting Delegate at the Annual Business Meeting. (City Manager)**
 - a. **Approve the proposed designation of Councilmember Sergio Jimenez, as the voting delegate, and the Director of Intergovernmental Relations, Betsy Shotwell, as the alternate voting delegate at the September 15, 2017 Annual Business Meeting for the League of California Cities (LOCC) in Sacramento.**
 - b. **Request placement of this item on the September 12, 2017 Council agenda so that the full Council may act on this request for these designations to be submitted to the LOCC.**

Documents Filed: Memorandum from Deputy City Manager Kip Harkness, dated August 23, 2017, entitled, "2017 League of California Cities Voting Delegate and Alternate Voting Delegate at the Annual Business Meeting."

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Chappie Jones and carried unanimously, the Committee approved the proposed designation of Councilmember Sergio Jimenez, as the voting delegate, and the Director of Intergovernmental Relations, Betsy Shotwell, as the alternate voting delegate at the September 15, 2017 Annual Business Meeting for the League of California Cities (LOCC) in Sacramento, and placed the item on the September 12, 2017 City Council agenda. (4-0-1. Absent: Liccardo.)

3. **SB 595 (Beall): Regional Measure 3. (Transportation)**
 - a. Pursuant to the City's streamlined bill process for responding quickly to legislative proposals, re-affirm a position of support for SB 595 (Beall).
 - b. Request placement of this item on the September 12, 2017 Council agenda so that the City's legislative representatives can continue to advocate the City's support for SB 595 (Beall).

Documents Filed: Memorandum from Director of Transportation Jim Ortbal, dated August 21, 2017, entitled, "SB 595 (Beall): Regional Measure 3."

Director of Intergovernmental Relations Betsy Shotwell presented background information, and with Director of Transportation Jim Ortbal and Transportation Legislative Analyst Bena Chang, responded to questions from the Committee.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Chappie Jones and carried unanimously, the Committee re-affirmed a position of support for SB 595 (Beall) and placed the item on the September 12, 2017 City Council agenda. (4-0-1. Absent: Liccardo.)

4. **Resolution Condemning the Actions in Charlottesville, VA. (Peralez/Jones)**
Approve a request to agendaize for City Council deliberation on September 12, 2017 to adopt a resolution condemning the "Unite the Right" rally on August 11-12, 2017 in Charlottesville, VA that resulted in a tragic fatality and many injuries.

Documents Filed: Memorandum from Councilmembers Raul Peralez and Chappie Jones, dated August 18, 2017, entitled "Resolution Condemning the Actions in Charlottesville, VA."

Councilmember Chappie Jones introduced the item and offered background information.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis and carried unanimously, the Committee placed the item on the September 12, 2017 City Council agenda. (4-0-1. Absent: Liccardo.)

5. **Open Government: The City Has Made Progress in Meeting the Goals of the Sunshine Reform Task Force. (City Auditor)**
The City Auditor's Office recommends that the Rules and Open Government Committee accept the audit of the Open Government and refer the audit to the September 12, 2017 City Council meeting for full adoption.

Documents Filed: City Auditor's Report, dated August 2017, entitled, "Open Government: The City Has Made Progress in Meeting the Goals of the Sunshine Reform Task Force."

City Auditor Sharon Erickson introduced the item and summarized the report. Assistant City Manager Dave Sykes provided additional information and indicated support of the recommendations.

5. City Attorney Rick Doyle provided background information on the Revolving Door Ordinance and responded to questions from the Committee. City Auditor Sharon Erickson clarified the revolving door ordinance recommendation in the report.

Open Government Manager Tamara Becker and City Clerk Toni J. Taber responded to Committee questions about open government and open data.

Public Speakers:

- (1) Bob Brownstein, former member of the Sunshine Reform Task Force spoke in support of the recommendation.
- (2) Blair Beekman offered various comments on participatory government.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis and carried unanimously, the Committee referred the audit, "Open Government: The City Has Made Progress in Meeting the Goals of the Sunshine Reform Task Force," to the September 12, 2017 City Council agenda. (4-0-1. Absent: Liccardo.)

H. Review of additions to Council Committee Agendas/Workplans

1. **Community and Economic Development Committee**
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**
6. **Smart Cities and Service Improvements Committee**

There were none presented.

I. Open Government

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

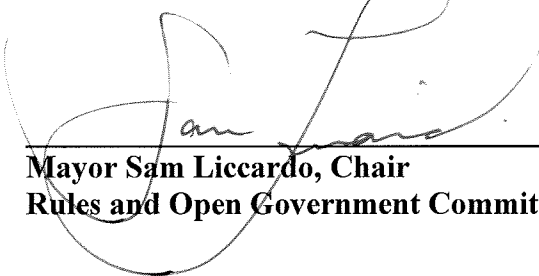
There were none presented.

J. Open Forum

Blair Beekman offered comment on the August 29, 2017 City Council meeting agenda.

K. Adjournment

Vice Mayor Magdalena Carrasco adjourned the meeting at 2:55 p.m.



Mayor Sam Liccardo, Chair
Rules and Open Government Committee

SL/slg

Access the video, the agenda and related reports for this meeting by visiting the City's website at <http://www.sanjoseca.gov/civiccenterv>. For information on any ordinance that is not hyperlinked to this document, please contact the Office of the City Clerk at (408) 535-1266.