



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

SAN JOSE, CALIFORNIA

WEDNESDAY, MAY 15, 2019

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 Council Chambers.

PRESENT: Mayor Sam Liccardo, Chair; Vice Mayor Chappie Jones, Vice Chair; Councilmember Dev Davis; Councilmember Sylvia Arenas and Councilmember Johnny Khamis, Members.

ABSENT: All present.

STAFF: City Attorney Richard Doyle; City Manager David Sykes; City Clerk Toni J. Taber; Gloria Schmanek, Office of the City Manager; Agenda Services Manager, Mackenzie Mossing and Deputy City Clerk, Ruth Krantz.

A. City Council (City Clerk)

- 1. Review May 21, 2019 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 Dev Davis, seconded by Vice Mayor Chappie Jones, and carried unanimously, the Committee accepted the May 21, 2019 Final Agenda, including cancellation of the May 28, 2019 Council Meeting. (5-0.)

2. Review May 28, 2019 Draft Agenda – Cancelled.

B. Review of Upcoming Meeting Agenda(s)

None provided.

C. Legislative Update

1. State
2. Federal

There were none presented.

D. Meeting Schedules

None provided.

E. The Public Record

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated May 15, 2019, transmitting the Public Record for the Week of May 3 – May 9, 2019.

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
2. Work Plans & Annual Reports

There were none presented.

G. Rules Committee Reviews, Recommendations and Approvals

1. Consent Calendar

- a. **Approval of Canada 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)**

Documents Filed: Memorandum from Councilmember Raul Peralez, dated May 9, 2019, recommending approval of a City Council sponsored Special Event.

- b. **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)**

Documents Filed: Memorandum from Councilmember Raul Peralez, dated May 9, 2019, recommending approval of a City Council sponsored Special Event.

- c. **Approval of Dumpster Days 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. (Peralez)**

Documents Filed: Memorandum from Councilmember Sergio Jimenez, dated May 9, 2019, recommending approval of a City Council sponsored Special Event.

1. Consent Calendar (Cont'd.)

- d. Retroactive approval of the Great Lady Bug Release 2019 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. (Jimenez)**

Documents Filed: Memorandum from Councilmember Dev Davis, dated May 7, 2019, recommending approval of a City Council sponsored Special Event.

- e. Approval of the Annual Senior and Older Adults Health Fair & Walk scheduled on June 28, 2019 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event. (Carrasco)**

Documents Filed: Memorandum from Councilmember Magdalena Carrasco, dated May 3, 2019, recommending approval of a City Council sponsored Special Event.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis and carried unanimously, approval of the City Council sponsored Special Events were accepted and placed on May 21, 2019 City Council Agenda for action. (5-0.)

END OF CONSENT CALENDAR

2. Mayor Salary Setting Update (Mayor)

Reject the Salary Setting Commission's decision to award a salary increase for the Mayor; instead, reduce that increase to an annual rate that does not exceed the 3 percent increase approved for most City employees, for the duration of the Mayor's term. (Continued from 5/1/19 – Item G.2)

Documents Filed: (1) Memorandum from Mayor Sam Liccardo, dated April 30, 2019. (2) Memorandum from City Attorney Richard Doyle, dated May 9, 2019, clarifying issues discussed during the Rules and Open Government Meeting of May 1, 2019.

City Attorney Richard Doyle provided an overview of information as provided in his May 9, 2019 memorandum following consultation with outside tax counsel with respect to an increase in salaries effective July 1, 2019. He noted that the elected official may waive all or a portion of the salary increase, including cost of living increases, with provisions as noted. The City Attorney will provide waivers to the elected officials to fill out, and these irrevocable waivers must be provided to Finance before the City's fiscal budget is approved annually for the remainder of his or her term.

Action: No action required.

3. AB 857 (Chiu and Santiago): Public Banks. (City Manager)

Documents Filed: City Council Action Request signed by City Manager, David Sykes, dated May 15, 2019, recommending adoption of a position of support for AB 857.

A representative from Intergovernmental Relations provided an overview and referenced the preliminary analysis. She noted that this will be brought before the Assembly Appropriations Committee on May 16, 2019.

The Committee offered comments, and Councilmember Johnny Khamis noted risks, advising looking at all potential pitfalls.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Johnny Khamis and carried unanimously, a position of support if amended was accepted, with this item to be agendaized for the May 21, 2019 City Council Meeting so that the City's Legislative Representatives can advocate the City's position of AB 857. (5-0.)

H. Review of additions to Council Committee Agendas/Workplans

- 1. Neighborhood Services and Education Committee**
 - 2. Transportation and Environment Committee**
 - 3. Public Safety, Finance and Strategic Support Committee**
 - 4. Joint Meeting of the Rules and Open Government Committee and Committee of the Whole**
 - 5. Smart Cities and Service Improvements Committee**
- None provided.

I. Open Government

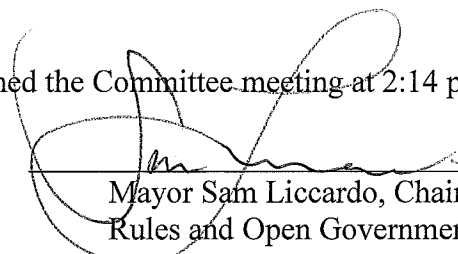
1. Appeals of Public Records Act Request – None.

J. Open Forum

Blair Beekman spoke on Bay Area disaster preparedness, Urban Shield exercises, and the importance of listening to community voices.

K. Adjournment

Mayor Sam Liccardo adjourned the Committee meeting at 2:14 p.m.



Mayor Sam Liccardo, Chair
Rules and Open Government Committee

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