CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

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

**SAN JOSE, CALIFORNIA** **WEDNESDAY, JUNE 14, 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 2:00 p.m. in Committee Rooms 118-120, Council Wing, City Hall.

**PRESENT**: Mayor Sam Liccardo, Chair; Vice Mayor Magdalena Carrasco, Vice Chair (2:01 p.m.); Councilmember Dev Davis (2:03 p.m.); Councilmember Chappie Jones and Councilmember Johnny Khamis, Members.

**ABSENT:** None.

**STAFF:** City Attorney Richard Doyle, Assistant; City Clerk Toni J. Taber; Assistant City Manager David Sykes; City Manager's Office Agenda Services Manager Gloria Schmanek; Mayor's Policy Analyst Candace Le, and Legislative Secretary Mykel Jeffrey.

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

**1. Review June 20, 2017 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 Comment:
Sean Mulligan addressed the Committee regarding the naming of the Berryessa/San José B.A.R.T. station.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Johnny Khamis and carried unanimously, the Committee approved the June 20, 2017 Final Agenda with the following amendments: Sunshine waivers for items 2.19 (Amendment to the Master Agreement with West Yost & Associates, Inc. for the Nordale Pump Station Replacement Project) and 3.6 (a) & (b) (Adoption of the Annual Appropriations Ordinance and Annual Funding Sources Resolution for the Fiscal year 2017-2018 Budget, and Resolution Establishing the Fiscal Year 2017-2018 Appropriation Limit), 4.1 not to be heard before 3:00 p.m. and the numbering of 4.3 and 4.4 to be switched. (5-0.)

2. **Review June 27, 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)**

Public Comment:
1. Blair Beekman spoke to the Committee regarding the Helicopter Maintenance Repair Service Update.
2. Sean Mulligan addressed the Committee regarding the naming of the Berryessa/San José B.A.R.T. station.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis and carried unanimously, the Committee approved the June 27, 2017 Draft Agenda with the following amendments: 9:00 a.m. Closed Session start time, 11:00 a.m. Regular Session start time, 8.3 (2016 Independent Police Auditor Year End Report) and 8.4 (San José Police Department Internal Affairs Department Initiated Investigation Report) not to be heard before 3:00 p.m. and for an item to be added regarding the naming of the Berryessa/San José B.A.R.T. station in North San José.

**B. Review of Upcoming Study Session Agenda(s)**

None.

**C. Legislative Update**
1. State
2. Federal

None.

**D. Meeting Schedules**

None.

**E. The Public Record**

Document Filed: Memorandum from City Clerk Toni J. Taber dated June 9, 2017, transmitting the Public Record for the Week of June 2 – 8, 2017.

Public Comment: Blair Beekman thanked the Committee for their work on the Shield Our City Ordinance proposed by Councilmember Lan Diep and addressed a new Cell Phone tower in the Public Record.

Action: Upon motion by Vice Mayor Magdalena Carrasco, seconded by Councilmember Chappie Jones and carried unanimously, the Committee noted and filed the Public Record.

**F. Boards, Commissions and Committees**

1. Appointments
2. Work Plans & Annual Reports

None.

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

**1. Consent Calendar**

**a. Approval of Community Events sponsored by Council District 2 as City Council sponsored Special Events to expend City funds and accept donations of materials and services for the event. (Jimenez)**

**1) Retroactively approve the in-person Participatory Budget Voting process scheduled for June 3, 2017 and June 7, 2017 as a sponsored Special Event and approve the expenditure of funds.**

**2) Retroactively approve the Summerfest event scheduled for June 10, 2017 as a sponsored Special Event and approve the expenditure of funds.**

**3) Approve Dumpster Day scheduled on June 17, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.**

**4) Approve Dumpster Day scheduled on June 24, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.**

**5) Approve and accept donations from various individuals, businesses or community groups to support these events.**

**6) Place the item on the June 20, 2017 City Council Agenda for action.**

**b. Approval of Community Events sponsored by Council District 7 as City Council sponsored Special Events to expend City funds and accept donations of materials and services for the event. (Nguyen)**

**1) Retroactively approve the Great American Litter Pick Up on Saturday, April 22, 2017 at Alpha Blanca Alvarado Middle School as a City Council sponsored Special Event and approve the expenditure of funds.**

**2) Retroactively approve the Clean Up with Tam at Nisich Park on Saturday, May 27, 2017 at Nisich Park as a City Council sponsored Special Event and approve the expenditure of funds.**

**3) Approve the following District 7 events as City Council sponsored Special Events and approve the expenditure of funds:**

**(i) Take Back Our Streets Peace Walk on June 14, 2017 at the Alma Community Center;**

**(ii) District 7 Youth Commission Summer BBQ on July 23, 2017 at Kelly Park;**

**(iii) National Night Out on August 1, 2017 at various community centers and neighborhood associations in Council District 7;**

**(iv) Mid-Autumn Celebration on September 30, 2017 at SevenTrees Community Center;**

**(v) Mid-Autumn Festival and Resource Fair on October 7, 2017 at the Vietnamese American Community Center;**

*(Item Continued on the Next Page)*

**G. Rules Committee Reviews, Recommendations and Approvals (Cont'd.)**

**1. Consent Calendar (Cont'd.)**

**b. Approval of Community Events sponsored by Council District 7 as City Council sponsored Special Events to expend City funds and accept donations of materials and services for the event. (Nguyen) (Cont'd.)**

**3) (vi) Mid-Autumn Celebration on October 7, 2017 at Tully Branch Library;**

**(vii) Dumpster Day on October 21, 2017 at Ramblewood Elementary School;**

**(viii) Halloween Safety Night on October 29, 2017 at Vietnamese American Community Center;**

**(ix) Halloween Safety Night on October 31, 2017 at Alma Community Center;**

**(x) Bay Area Hmong New Year Festival on November 4, 2017 at History San Jose Park; and**

**(xi) Dumpster Day on November 18, 2017 at Windmill Elementary School.**

**4) Approve and accept donations from various individuals, businesses, or community groups to support the events listed in paragraphs 1-3.**

**5) Place the item on the June 20, 2017 City Council Agenda for action.**

**c. Approval of Silicon Valley Shakespeare in the Park 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)**

**1) Retroactively approve the Silicon Valley Shakespeare in the Park Events from June 9, 2017 to June 25, 2017, Thursdays through Sundays as City Council sponsored Special Events and approve the expenditure of funds.**

**2) Retroactively approve and accept donations from various individuals, businesses or community groups to support these events.**

**3) Place the item on the June 20, 2017 City Council Agenda for action.**

Documents Filed: (1) Memorandum from Councilmember Sergio Jimenez, dated June 7, 2017, recommending the approval of events sponsored by Council District 2, as City Council sponsored Special Events to expend City funds and accept donations of materials and services for the event. (2) Memorandum from Councilmember Tam Nguyen, dated June 8, 2017 recommending the approval of Community Events sponsored by Council District 7 as City Council sponsored Special Events to expend City funds and accept donations of material and services for the event. (3) Memorandum from Councilmember Dev Davis recommending the approval of Silicon Valley Shakespeare in the Park 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.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Johnny Khamis and carried unanimously, the Committee approved the consent calendar and placed all items on the June 20, 2017 City Council agenda.

**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**

None.

**I. Open Government**

1. Appeals of Public Records Act Request

None.

**J. Open Forum**

1. Jeff Bedolla requested that the Committee suspend the public hearing regarding TR17-260 due to false information in the report.
2. Blair Beekman spoke to the L.E.D. street lights being installed in the City.
3. Sean Mulligan addressed the Committee regarding the naming of the Berryessa/San José B.A.R.T. and spoke to the the setting of the Council Salary Setting Commission.

**K. Adjournment**

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



Mayor Sam Liccardo, Chair
Rules and Open Government Committee

SL/mj

**Access the video, the agenda and related reports for this meeting by visiting the City's website at http:/www.sanjoseca.gov/civiccentertv. For information on any ordinance that is not hyperlinked to this document,**