



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

SAN JOSE, CALIFORNIA

WEDNESDAY, DECEMBER 13, 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 2:07 p.m. in Committee Rooms 118-120, Council Wing, City Hall.

PRESENT: Vice Mayor Magdalena Carrasco, Vice Chair, (2:07 p.m.); Council Member Chappie Jones, Council Member Dev Davis and Council Member Johnny Khamis, Members.

ABSENT: Mayor Sam Liccardo, Chair

STAFF: City Attorney Richard Doyle, City Manager David Sykes, Senior Executive Analyst Gloria Schmanek, Nicole Inamine, Mayor's Office and, Christina Gutierrez, Assistant City Clerk.

A. City Council (City Clerk)

- 1. Review December 19, 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)**

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis and carried unanimously, the Committee approved the December 19, 2017 Agenda as amended, with 9 a.m. Closed Session start time; and, Item 4.5 added, including a ten-day sunshine waiver, adding 2.19 with a sunshine waiver, and changing the date for Item 4.6B from January 31, 2018 to March 31, 2018 and a Letter from the Youth Commission added. (4-0-1. Absent: Mayor Sam Liccardo, Chair.)

Public Comments: Blair Beekman his letter for the record. Matthew Reed offered comments.

- 2. Review December 26, 2017 Draft Agenda.**

The Council Meeting was canceled.

B. Review of Upcoming Special Meeting Agenda(s)

There were none presented.

C. Legislative Update – Verbal Report

1. State
2. Federal

There were none presented.

D. Meeting Schedules

There were none presented.

E. The Public Record

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated December 8, 2017, transmitting the Public Record for the Week of December 1 - 7, 2017.

Public Comments: Blair Beekman read his letter for the record.

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: Mayor Sam Liccardo, Chair.)

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

There were none presented.

2. Proposed Change to Fence Variance Findings. (Planning, Building and Code Enforcement)

Documents Filed: Memorandum from Planning, Building and Code Enforcement Interim Director Rosalynn Hughey, dated December 11, 2017.

Councilmember Donald Rocha's Office staff offered comments on the City's code.

Public Comments: Blair Beekman offered comments.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis and carried unanimously, the Committee accepted the workload assessment. (4-0-1. Absent: Mayor Sam Liccardo, Chair.)

3. Business Tax Modernization Measure (2016 Measure G). (Khamis)

Documents Filed: Memorandum from Councilmember Johnny Khamis, December 5, 2017.

Finance Director Julia Cooper responded to Committee questions and concerns.

Action: No Rules Committee action was required on this Item, (G. 3). Finance staff is bringing a separate business tax item to Council Meeting on January 9, 2018. Staff will address Councilmember Khamis Rules item in their memo.

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

1. Community and Economic Development Committee

There were none presented.

**2. Neighborhood Services and Education Committee
Updates to the Neighborhood Services and Education Committee Workplan.
(City Manager)**

Documents Filed: Memorandum from Library Director, Jill Bourne, dated December 7, 2017.

Public Comments: Blair Beekman offered comments.

Action: Upon motion by Council Member Johnny Khamis, seconded by Councilmember Dev Davis and carried unanimously, the Committee approved the Workplan. (4-0-1. Absent: Mayor Sam Liccardo, Chair.)

3. Transportation and Environment Committee

There were none presented.

4. Public Safety, Finance and Strategic Support Committee

There were none presented.

Public Comments: Blair Beekman offered comments.

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

Documents Filed: Memorandum from Mayor Sam Liccardo, dated December 1, 2018?.

Public Comments: Blair Beekman offered comments.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis and carried unanimously, the Committee approved the Workplan. (4-0-1. Absent: Mayor Sam Liccardo, Chair.)

6. Smart Cities and Service Improvement Committee.

There were none presented.

I. Open Government

1. Appeals of Public Records Act Request.

a. Mr. Karioki Uhuru

Documents Filed: Memorandum from Chief of Police Edgardo Garcia, dated December 6, 2016.

Mr. Karioki Uhuru made a presentation and responded to Committee questions.

Open Government Manager, Tamera Becker offered comments regarding public records requests.

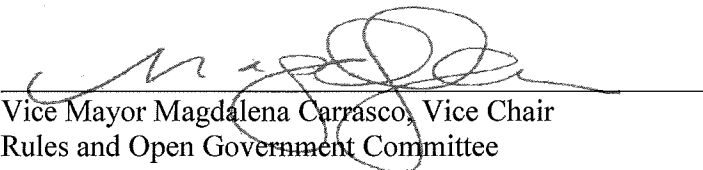
Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis and carried unanimously, the Committee approved Staff recommendation to deny the appeal. (4-0-1. Absent: Mayor Sam Liccardo, Chair.)

J. OPEN FORUM

1. Blair Beekman offered comments.
2. Thomas Baker read his petition letter for the record.

ADJOURNMENT

Vice Mayor Magdalena Carrasco adjourned the meeting at 3:22 p.m.



Vice Mayor Magdalena Carrasco, Vice Chair
Rules and Open Government Committee