



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

SAN JOSE, CALIFORNIA

WEDNESDAY, MARCH 14, 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 2:00 p.m. in Committee Rooms 118-120, Council Wing, City Hall.

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

ABSENT: Vice Mayor Magdalena Carrasco, Vice Chair, (Excused)

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

A. City Council (City Clerk)

- 1. Review March 20, 2018 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 accepted the March 20, 2018 Agenda, with 9:00 a.m. Closed Session start time and Addsheets approved, including Sunshine Waivers for items 2.3, 2.4, and 2.14, and with item 3.4 to be heard immediately following Consent. (4-0. Absent: Carrasco.)

- 2. Review March 27, 2018 Draft 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 Johnny Khamis, seconded Councilmember Chappie Jones, and carried unanimously, the Committee accepted the March 27, 2018 Agenda, with 9:00 a.m. Closed Session start time. (4-0. Absent: Carrasco.)

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 March 2-8, 2018.

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated March 9, 2018, transmitting the Public Record for the Week of March 2-8, 2018.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee noted and filed the public record. (4-0. Absent: Carrasco.)

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. Approval of Vista Park Neighborhood Beautification Day Sponsored by Council District 10 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Khamis)
- b. Approval of the Scottish Flag Raising Sponsored By Council District 10 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Khamis)
- c. Retroactive Approval of Faith Leaders Panel 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)
- d. Retroactive Approval of Sound the Alarm 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)

(Item Continued on the Next Page)

Consent Calendar (Cont'd)

- e. Retroactive Approval of Children's Dental Health Fair 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)

Documents Filed: (1) Memorandum from Councilmember Johnny Khamis District 10, dated March 7, 2018. (2) Memorandum from Councilmember Johnny Khamis District 10, dated March 8, 2018. (3) Memorandum from Councilmember Arenas District 8, dated March 6, 2018. (4) Memorandum from Councilmember Arenas District 8, dated March 6, 2018. (5) Memorandum from Councilmember Arenas District 8, dated March 6, 2018.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Johnny Khamis, and carried unanimously, the Committee approved the Consent Calendar and added to the March 27, 2018 Agenda for action. (4-0. Absent: Carrasco.)

END OF CONSENT

2. Monthly Report of Activities for February 2018. (City Auditor)

Documents Filed: Memorandum from City Auditor Sharon W. Erickson, dated March 6, 2018.

City Auditor Sharon W. Erickson provided overview of the report and responded to Committee questions and concerns.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones, the Committee accepted the Report. (4-0. Absent: Carrasco.)

3. Permanent Installation of Sonic Runway. (Liccardo/Peralez/Davis)

Documents Filed: Memorandum from Mayor Sam Liccardo, Councilmember Raul Peralez, and Councilmember Devora "Dev" Davis, dated March 8, 2018.

Councilmember Dev Davis provided overview of the closing down of the temporary Sonic Runway and the need to have it come back for a longer term or even as permanent installation.

Councilmember Peralez expressed support for a project that brought many activities and folks to City Hall, and urged the Committee to move forward and explore prospect for longevity.

Councilmember Jones sounded a cautionary note that certain projects sometimes become quickly obsolete after a year or two and cited issues around maintenance and upkeep and proposed a temporary status Sonic Runway that runs its course as a caveat, following which the City may decide it's something it wants permanent.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Johnny Khamis, the Committee approved the exploration of long-term or permanent installation of Sonic Runway at City Hall Plaza. (4-0. Absent: Carrasco.)

4. Responding to United States Department of Justice's Lawsuit Against California's Sanctuary State Policies. (Perez)

Documents Filed: Memorandum from Councilmember Raul Perez, dated March 7, 2018.

Councilmember Raul Perez provided overview of the Lawsuit Against California's Sanctuary State Policies by United States Department of Justice and noted that what the State has been doing is completely legal.

Mayor Sam Liccardo and the Committee expressed a sentiment that they are supportive of the State's stance and recommended evaluating available amicus to decide which we want to join.

Public Comments: (1) Jeremy Barus expressed support for immigrants and urged the Rules Committee to join an amicus group, should one be provided. (2) Soledad Tellez implored the Committee to continue to support the immigrant community, and requested all Mayors in California to keep resisting the attacks on immigrant community. (3) Eunice Hernandez (representing Sacred Heart Communities Service), expressed support for Councilmember Perez's memo. (4) Blair Beekman offered comments on ICE raids and the imperative to practice better civil rights, better civil protections, and the overall welfare of the community.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, the Committee accepted the recommendation to direct the City Attorney's office to cooperate with any amicus briefs the State of California or any other local municipalities may be developing to counter the U.S. Department of Justice's (DOJ) lawsuit against California's Sanctuary Policies (AB 450, AB 103 & SB 54) and directed City Staff to provide an update to the City Council on the "Coordinated Response to Immigrant Needs" that was approved by Council on January 10, 2017. (4-0. Absent: Carrasco.)

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 January-June 2018 Neighborhood Services and Education Committee Turnaround Scholarships. (Khamis).

Documents Filed: Memorandum from CMO Chief of Staff, Leland Wilcox, dated March 7, 2018.

Public Comments: Blair Beekman offered comments.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee accepted staff recommendation and dropped the following item from the Neighborhood Services and Education Committee (NSE) Workplan for April 12, 2018 and directed the Administration to instead place the item on the August – December 2018 NSE Committee Workplan that will be subject to Rules and Open Government Committee final approval at a later date: Report on BeautifySJ (Parks, Recreation and Neighborhood Services). (4-0. Absent: Carrasco.)

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

There were none presented.

6. Smart Cities and Service Improvement Committee

There were none presented.

I. Open Government

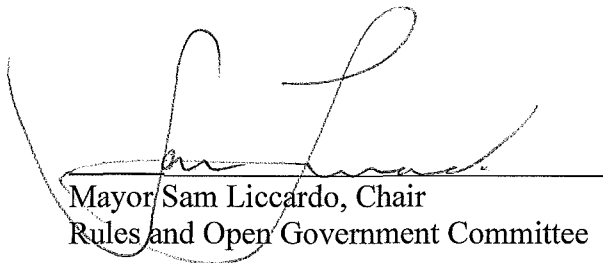
There were none presented.

J. OPEN FORUM

1. Blair Beekman offered comments on the Committee's work on immigration issues.

ADJOURNMENT

Mayor Sam Liccardo adjourned the meeting at 2:35 p.m.



Mayor Sam Liccardo, Chair
Rules and Open Government Committee

SL/lo