



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

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, AUGUST 22, 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; Vice Mayor Magdalena Carrasco, Vice Chair; Councilmember Dev Davis; Councilmember Chappie Jones and Councilmember Johnny Khamis, Members.

**ABSENT:** None.

**STAFF:** City Attorney, Richard Doyle; City Clerk Toni J. Taber; City Manager David Sykes; Gloria Schmanek, City Manager's Office; Nicole Inamine, Mayor's Office, and Deputy City Clerk, Ruth Krantz.

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

**1. Review August 28, 2018 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 Johnny Khamis, seconded by Councilmember Dev Davis and carried unanimously, the Committee accepted the August 28, 2018 Final Agenda. (5-0.)

**2. Review September 4, 2018 Draft Agenda**

**None – Meeting Cancelled.**

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

There were none presented.

## **Legislative Update**

- 1. State**
- 2. Federal**

There were none presented.

## **C. Meeting Schedules**

### **1. Release Date for Study Session to be held on Thursday, August 30, 2018.**

Mayor Liccardo opened the floor for public testimony.

#### Public Comment:

Blair Beekman asked the nature of the study session that was being cancelled.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones, and carried unanimously, as requested by the City Manager's Office, the August 30, 2018 Study Session date was released. (5-0.)

## **D. The Public Record**

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated August 16, 2018, transmitting the Public Record for the Week of August 3 – August 16, 2018.

Mayor Liccardo opened the floor for public testimony.

Public Comment: Blair Beekman offered comments regarding the CalTrain project and addressed the problem of homelessness.

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.)

## **E. Boards, Commissions and Committees**

- 1. Appointments**
- 2. Work Plans & Annual Reports**

There were none presented.

## **F. Rules Committee Reviews, Recommendations and Approvals**

### **1. Consent Calendar**

- a. Retroactive approval of Village Home Dinner sponsored by Council District 5 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event. (Carrasco)**

*(Item Continued on the Next Page)*

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

Documents Filed: Memorandum from Vice Mayor Magdalena Carrasco, dated August 16, 2018, recommending retroactive approval of a District 5 community event.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones and carried unanimously, retroactive approval of Village Home Dinner sponsored by Council District 5 as a City Council sponsored Special Event, was approved and placed on the August 28, 2018 City Council Agenda for action. (5-0.)

### **END OF CONSENT CALENDAR**

- 2. Criteria for the Review of Drive-Through Uses (Rocha) That the Rules Committee add the following proposal to the next workload priority setting session: Direct staff to review the setback criteria contained in Section VII of Council Policy 6-10 (entitled "Criteria for the Review of Drive-Through Uses"). Staff should evaluate whether it still makes sense to allow some drive-through projects to be built without any setback from residential, while requiring other drive-through projects to abide by a 200-foot setback requirement.**

Documents Filed: Memorandum from Councilmember Donald Rocha, dated August 15, 2018, offering a proposal for the next workload priority setting session.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones and carried unanimously, the Committee approved the recommendations as outlined in Councilmember Donald Rocha's memorandum dated August 15, 2018 and sent it to the next Priority Setting Session for evaluation. (5-0.)

## **3. Report on the Activities of the Small Business Advisory Task Force (Jones)**

Documents Filed: (1) Memorandum from Councilmember Chappie Jones, dated August 16, 2018, recommending referral of the report to the Community and Economic Development Committee (CEDC). (2) "Attachment B", City of San José Small Business Advisory Task Force (SBATF) By-Laws, updated on April 4, 2018.

Public Comment: Blair Beekman advised flexibility with this experiment.

Councilmember Chappie Jones offered his appreciation for getting this Task Force up and running and asked that it go to the CED at the first available opportunity.

Action: Upon motion by Councilmember Chappie Jones, seconded by Vice Mayor Magdalena Carrasco and carried unanimously, the Committee approved the recommendation as outlined in Councilmember Chappie Jones memorandum dated August 16, 2018 that Report on the Activities of the Small Business Advisory Task Force be referred to the Community and Economic Development Committee for consideration to include comments and recommendations into the Committee's work plan. (5-0.)

**G. 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**

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 Improvements Committee**

There were none presented.

**H. Open Government**

1. Appeals of Public Records Act Request – None.

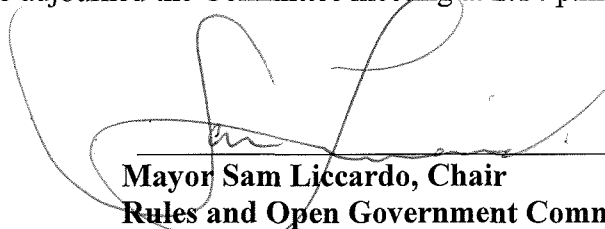
**I. Open Forum**

Blair Beekman spoke on the importance of ‘lesson’s learned’ regarding government protocol, expressed his interest in future discussion on LED streetlights, and offered a positive outlook with the Mayor’s Gang Task Force.

Kenny asked that the issue of limiting hours for San José nightclubs be addressed at a future meeting of the City Council.

**J. 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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