



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

SAN JOSE, CALIFORNIA

WEDNESDAY, MAY 30, 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 2:02 p.m. in Committee Rooms 118-120, Council Wing, City Hall.

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

ABSENT: All present.

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

A. City Council (City Clerk)

- 1. Review June 5, 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)**

Public Comments: Blair Beekman offered comments on Police body cameras funding and Gang Prevention Task Force Report.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the June 5, 2018 Agenda, with a 10-day Sunshine waiver on Item 2.16, and with Item 2.21 dropped and Addsheet approved for Item 2. XX. (5-0.)

- 2. Review June 12, 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)**

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2. Review June 12, 2018 Draft Agenda. (Cont'd)

Public Comments: Blair Beekman offered comments on Police body cameras and Gang Prevention Task Force.

Action: Upon motion by Councilmember Dev Davis, seconded by Vice Mayor Magdalena Carrasco, and carried unanimously, the Committee approved the June 12, 2018 Agenda, with No changes. (5-0.)

B. Review of Upcoming Special Meeting Agenda(s)

There were none presented.

C. Legislative Update.

There were none presented.

D. Meeting Schedules

1. Council Meeting Schedule and Study Session Schedule for August-December 2018. (City Manager.)

Documents Filed: Memorandum from Council Liaison, Gloria Schmanek, dated May 23, 2018.

Action: Upon motion by Vice Mayor Magdalena Carrasco, seconded by Councilmember Dev Davis, and carried unanimously, the Committee: (a) Approved the City Council Meeting Schedule; and (b) Approved the Study Session Schedule for the period August-December 2018. (5-0.)

E. The Public Record for May 18 - May 24, 2018.

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated May 25, 2018, transmitting the Public Record for the Week of May 18 - May 24, 2018.

Public Comments: Blair Beekman commented on his Letter to the VTA and the Big Belly Program.

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

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 District 4 Clean-Up Events Sponsored by Council District 4 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Diep)
- b. Approval of Senior Health Fair & Walk 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)
- c. Approval of the Puerto Rican Flag Raising 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. (Perez)
- d. Approval of Senior 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)
- e. Approval of Community Events Sponsored by Council District 7 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Nguyen.)

Documents Filed: (1) Memorandum from Councilmember Lan Diep, District 4, dated May 18, 2018. (2) Memorandum from Vice Mayor Magdalena Carrasco, District 5, dated May 21, 2018. (3) Memorandum from Councilmember Raul Perez, District 3, dated May 24, 2018. (4) Memorandum from Councilmember Sylvia Arenas, District 8, dated May 23, 2018. (5) Memorandum from Councilmember Tam Nguyen, District 7, dated May 23, 2018.

Action: Upon motion by Vice Mayor Magdalena Carrasco, seconded by Councilmember Chappie Jones, and carried unanimously, the Committee approved the Consent Calendar and added to the June 5, 2018 Council Agenda for action. (5-0.)

END OF CONSENT

2. SB 1152 (Hernandez): Hospital patient discharge process. (Housing).

Documents Filed: City Council Action Request from Housing Director Jacky Morales-Ferrand, dated May 23, 2018.

Intergovernmental Relations Director Bena Chang and Adam Mark Marcus with the Housing Department offered a presentation and responded to questions.

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2. SB 1152 (Hernandez): Hospital patient discharge process. (Housing). (Cont'd)

Public Comments: Offering comments were Jeanette Murphy (with Hospital Commission of Northern and Southern California), and Blair Beekman.

Action: Upon motion by Vice Mayor Magdalena Carrasco, seconded by Councilmember Dev Davis, and carried unanimously, the Committee adopted a no action; no position posture. (This item does not need to be agendized for June 12 2018). (5-0.)

3. Independent Police Auditor. (Jones/Liccardo).

Documents Filed: (1) Memorandum from Councilmember Chappie Jones, dated May 24, 2018. (2) Memorandum from Mayor Sam Liccardo, dated May 24, 2018. (3) Letter(s) from the Public, dated May 29, 2018.

Public Comments: Offering comments were Alice Lynch (Member of PACT), Rev. Rowan Fairgrove (Member of PACT), and Blair Beekman.

City Attorney Rick Doyle explained what is required to give the I.P.A. additional authority and noted that the City's position hasn't changed.

Councilmember Chappie Jones sought avenues to move forward with I.P.A.'s request without a Charter change, but incorporating items that will build trust between the Police Department and the Community as well as work jointly with all other key stakeholders.

Mayor Liccardo cited the Police Chief's involvement with the previous I.P.A., Walter Katz, regarding a change in the process, because it was identified a year or two previously that the structure needed reform as there were holes in the I.P.A.'s scope of review as well as a problem in the process.

Action: Upon motion by Councilmember Chappie Jones, seconded by Vice Mayor Magdalena Carrasco, and carried unanimously, the Committee approved Mayor Sam Liccardo's memo. Council discussion to be heard in Closed Session. (3-2. Noes: Davis, Khamis.)

4. Council Consideration of Mayor Liccardo's Letter to the California Public Utilities Commission (CPUC). (Khamis/Rocha).

Documents Filed: (1) Memorandum from Councilmember Johnny Khamis, and Councilmember Don Rocha, dated May 24, 2018. (2) Letter(s) from the Public, dated May 25, 2018.

Councilmember Khamis spoke to the need to uphold the public's interest and to ensure that the CPUC is acting in the best interest of ratepayers.

Public Comments: Offering comments were Eric Thornburg (President of San José Water Group), Jamie Ackerman (San Jose Water Communications Director); and Blair Beekman.

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4. Council Consideration of Mayor Liccardo's Letter to the CPUC.... (Cont'd).

City Attorney Doyle reminded the Committee of a public forum on the proposed rate increase here in the Council Chambers at 6:30, but it's a CPUC sponsored forum.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee Approved; the Memorandum from Councilmember Khamis, and Councilmember Rocha and added to the June 5, 2018 Council Agenda. (5-0.)

5. Outdoor Special Events on Private Property. (Liccardo/Peralez).

Documents Filed: Memorandum from Mayor Sam Liccardo, and Councilmember Raul Peralez, dated May 24, 2018.

Mayor Sam Liccardo explained the basis of his memo with Councilmember Raul Peralez regarding outdoor special events on private property.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee Approved the request to agendize item for Council deliberation at the June 19, 2018 City Council meeting. (5-0.)

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

There were none presented.

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

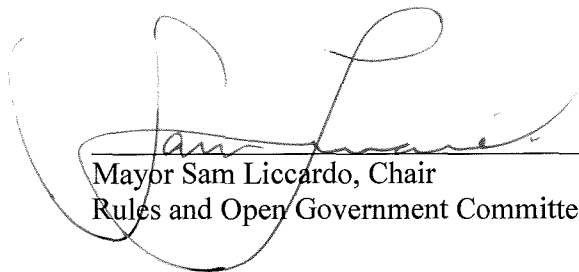
There were none presented.

J. OPEN FORUM

1. Blair Beekman offered comments on the IPA, the Chief of Police, the Police Department and the Police Association, as well as on the Big Belly and its use in downtown San José.

ADJOURNMENT

Mayor Sam Liccardo adjourned the meeting at 3:02 p.m.



Mayor Sam Liccardo, Chair
Rules and Open Government Committee

SL/lo