

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

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, MARCH 20, 2019**

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 2:01 p.m. in Committee Rooms 118-120, Council Wing, City Hall.

**PRESENT:** Vice Mayor Chappie Jones, Vice Chair; Councilmember Sylvia Arenas, Councilmember Dev Davis, and Councilmember Johnny Khamis.

**ABSENT:** Mayor Sam Liccardo, Chair; (Excused).

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

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

**1. Review March 26, 2019 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: Frances Herbert offered comments on behalf of Councilmember Carrasco, expressing the latter's concerns about the deferral of Item 3.7, Board of Fair Campaign and Political Practices Response and Proposed Recommendations to October 16, 2018.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sylvia Arenas, and carried unanimously, the Committee approved the March 26, 2019 Agenda; including approval of Addsheet, with Sunshine waiver granted; Item 3.7 deferred to April 9, 2019 Agenda, and Evening Session cancelled. Item 6.1 to be heard immediately after Land Use Consent.). (4-0. Absent: Liccardo)

**2. Review April 2, 2019 Agenda**

Cancelled.

**B. Review of Upcoming Special Meeting Agenda(s)**

None presented.

**C. Legislative Update.**

None presented.

**D. Meeting Schedules**

**(1) Release Date for Study Session. (City Manager)**

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Johnny Khamis, and carried unanimously, the Committee approved the recommendation, with the Study Session held dates of March 29, 2019 from 1:30 – 4:30 p.m. released. (4-0. Absent: Liccardo)

**E. The Public Record for March 8 - March 14, 2019.**

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated March 20, 2019, transmitting the Public Record for the Week of for March 8 - March 14, 2019.

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: Liccardo)

**F. Boards, Commissions, and Committees**

**1. Appointments**

None presented.

**2. Work Plans and Annual Reports**

None presented.

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

**1. Consent Calendar**

- (a) Retroactive Approval of Beautification Day in the Tuers Neighborhood 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. (Esparza)
- (b) Retroactive Approval of Women's History Month Celebration at the Teen Center 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)
- (c) Approval of the Grand Re-Opening of Welch Park Community Center 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 Esparza District 7, dated March 14, 2019. (2) Memorandum from Councilmember Sylvia Arenas District 8, dated March 14, 2019. (3) Memorandum from Councilmember Sylvia Arenas, District 8, dated March 06, 2019.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the Consent Calendar, and added to the March 26, 2019 and the April 9, 2019 Council Agenda[s] for action. (4-0. Absent: Liccardo)

**END OF CONSENT**

**(2) AB1210 (Low): Crimes: Package Theft. (Police)**

Documents Filed: Council Action Request from Police Chief Eddie Garcia, dated March 12, 2019.

There was no presentation for this item.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee deferred the item 1 week (to March 27, 2019.) (4-0. Absent: Liccardo)

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

**1. Community and Economic Development Committee Workplan.**

None presented.

**2. Neighborhood Services and Education Committee**

None presented.



**3. Transportation and Environment Committee.**

None presented.

**4. Public Safety, Finance, and Strategic Support Committee.**

None presented.

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

None presented.

**6. Smart Cities and Service Improvements Committee.**

None presented.

**I. Open Government**

**(1) Public Records Appeal - Thomas Baker. (City Manager).**

Documents Filed: Memorandum from Communications Director Rosario Neaves, dated March 12, 2019.

Thomas Baker asked what happened to the petition signed by himself and 130 of his neighbors pertaining to RVs in his neighborhood.

City Attorney Richard Doyle clarified that the issue before the Committee was whether there were any documents that had yet to be turned over. Based on staff memo, all documents in the City Manager's and staff possession were turned over without redaction and no privileges claimed.

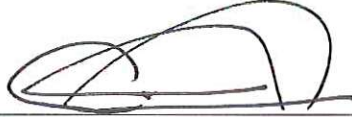
Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Johnny Khamis, and carried unanimously, the Committee approved the recommendation, and denied the appeal. (4-0. Absent: Liccardo)

**J. Open Forum**

Happreet Shergdill provided comments on his call the Police Department for help about his wife and brother-in-law.

## ADJOURNMENT

Vice Mayor Chappie Jones adjourned the meeting at 2.19 p.m.



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Vice Mayor Chappie Jones, Vice Chair  
Rules and Open Government Committee

SL/lo