



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

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, MARCH 13, 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 2:03 p.m. in Committee Rooms 118-120, Council Wing, City Hall.

**PRESENT:** Vice Mayor Chappie Jones, Vice Chair; Mayor Sam Liccardo, Chair (2:24 p.m.) Councilmember Sylvia Arenas, Councilmember Dev Davis, and Councilmember Johnny Khamis.

**ABSENT:** All present.

**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 19, 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.)**

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sylvia Arenas, and carried unanimously, the Committee approved the March 19, 2019 Agenda; with 9:00 a.m. Closed Session start time, Addsheet approved, Sunshine waivers granted and Item 10.1(a) dropped.). (4-0. Absent: Liccardo)

- 2. Review March 26, 2019 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 Sylvia Arenas, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the March 26, 2019 Agenda, with Items 4.2, 4.3, 4.4 and 4.5 to be heard not before 4 p.m.). (4-0. Absent: Liccardo)

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

None presented.

**C. Legislative Update.**

None presented.

**D. Meeting Schedules**

**(1) Joint City of San José City Council - Santa Clara County Board of Supervisors Meeting. (City Manager)**

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the Joint City Council – Santa Clara County Board of Supervisors Meeting set for April 29, 2019 from 1:30 – 4:30 p.m. (at the Board Chambers) (4-0. Absent: Liccardo)

**(2) Release Dates for Study Sessions. (City Manager)**

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the Study Sessions, (with the held dates of April 5, 2019 and April 25, 2019 from 1:30 – 4:30 p.m. released.) (4-0. Absent: Liccardo)

**E. The Public Record for February 28 - March 7, 2019.**

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated March 13, 2019, transmitting the Public Record for the Week of February 28 - March 7, 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) Approval of Assyrian New Year (Assyrian 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)
- (b) Approval of Palestinian Flag Raising Event 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) Approval of the 14th Annual Santos Family Car Show 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)
- (d) Retroactive Approval of Trash Talk Sponsored by Council District 6 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Davis)

Documents Filed: ((1) Memorandum from Councilmember Johnny Khamis, District 10, dated March 6, 2019. (2) Memorandum from Councilmember Johnny Khamis, District 10, dated February 28, 2019. (3) Memorandum from Councilmember Lan Diep District 4, dated March 06, 2019. (4) Memorandum from Councilmember Dev Davis District 6, dated March 7, 2019.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Sylvia Arenas, and carried unanimously, the Committee approved the Consent Calendar, and added to the March 19, 2019 Council Agenda for action. (4-0. Absent: Liccardo)

### **END OF CONSENT**

### **(2) Monthly Report of Activities for February 2019. (City Auditor)**

Documents Filed: Memorandum from City Auditor Sharon W. Erickson, dated March 7, 2019.

Mayor Sam Liccardo joined the Meeting at approximately 2:45 p.m.

City Auditor Sharon W. Erickson presented the report and responded to questions.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the Report. (5-0)

**(3) SB 5 (Beall and Maguire) Local-State Sustainable Investment Incentive Program.  
(City Manager)**

Documents Filed: Council Action Request from Chief of Staff Lee Wilcox, dated March 6, 2019.

Chief of Staff Lee Wilcox gave a presentation and responded to questions.

Action: Upon motion by Councilmember Dev Davis, seconded by Vice Mayor Chappie Jones, and carried unanimously, the Committee approved the recommendation, and added to the March 19, 2019 Agenda, with notation to change recommendation as listed below: Place in Consent section. Staff will provide an update on bill by Supplemental Memo:

SB 5 (Beall and Maguire) Local-State Sustainable Investment Incentive Program. (City Manager)

- (1) Adopt a position of support, if amended, for SB 5 (Beall and Maguire).
- (2) Recommend this item be agendaized for the March 19, 2019 City Council Meeting so that the City's Legislative Representatives can advocate the City's support for SB 5.) (5-0)

**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**

None presented.

**J. Open Forum**

No cards.

**ADJOURNMENT**

Mayor Sam Liccardo adjourned the meeting at 2.24 p.m.



Mayor Sam Liccardo, Chair  
Rules and Open Government Committee

SL/lo