

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

SAN JOSE, CALIFORNIA

WEDNESDAY, APRIL 3, 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: Mayor Sam Liccardo, Chair; Vice Mayor Chappie Jones, Vice Chair; 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 April 3, 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: Offering comments were: Martha O'Connell, Sherman Adams, and Glenna Howcroft.

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the April 9, 2019 Agenda, (with Item 4.2 – not heard before 4 p.m. (5-0))

- 2. Review April 9, 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 Dev Davis, seconded by Vice Mayor Chappie Jones, and carried unanimously, the Committee approved the April 16, 2019 Agenda, (with 9 a.m. Closed Session start time.) (5-0)

B. Review of Upcoming Special Meeting Agenda(s)

None presented.

C. Legislative Update.

None presented.

D. Meeting Schedules

(1) Special Hearing on Sexual Assaults on April 15, 2019. (Perez and Arenas).

Documents Filed: Memorandum from Councilmember Raul Perez and Councilmember Sylvia Arenas, dated March 28, 2019.

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Vice Mayor Chappie Jones, and carried unanimously, the Committee approved the recommendation, (with Special Joint Hearing with County added to PSFSS work plan for April 15, 2019; and with further direction to provide information on: "in what context are we seeing an increase in assaults? Have changes in Criminal Justice Reforms (Prop 57) influenced the increase in assaults?") (5-0)

E. The Public Record for March 22 - March 28, 2019.

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated April 3, 2019, transmitting the Public Record for the Week of March 22 - March 28, 2019.

Action: Upon motion by Vice Mayor Chappie Jones, 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

None presented.

2. Work Plans and Annual Reports

None presented.

G. Rules Committee Reviews, Recommendations, and Approvals

1. Consent Calendar

- (a) Retroactive Approval of District 4 Office Hours 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 Berryessa Annual Art Festival 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).

Documents Filed: (1) Memorandum from Councilmember Lan Diep, District 4, dated March 27, 2019. (2) Memorandum from Councilmember Lan Diep, District 4, dated March 28, 2019.

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Vice Mayor Chappie Jones, and carried unanimously, the Committee approved the Consent Calendar, and added to the April 9, 2019 Council Agenda for action. (5-0)

END OF CONSENT

**(2) Gasoline-Powered Lawn Equipment Replacement Programs and Funding.
(Environmental Services)**

Documents Filed: Memorandum from Environmental Services Director Kerrie Romanow, dated March 27, 2019.

Public Comment: Offering comments were: Tessa Woodmansee and Andrew Boone.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Vice Mayor Chappie Jones, and carried unanimously, the Committee approved staff recommendation. (5-0)

(3) AB 705 (Stone) Mobile Home Park Closures.

Documents Filed: (1) Memorandum from City Clerk Toni J. Taber, dated April 9, 2019. (2) Council Policy Early Consideration: Response Form.

Public Comment: Offering comments were: Martha O'Connell, Gary Smith, Glenna Howcroft, Dave Lynn Jones, Saul Sam, Sherman Adams, and Lee Ellack.

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Vice Mayor Chappie Jones, and carried unanimously, the Committee approved staff recommendation and added to the April 9, 2019 Agenda; (to be placed in Section 4, and not Consent). (5-0)

(4) Freight Rail Right of Way Quiet Zones. (Mayor, Perez, Jimenez, and Davis).

Documents Filed: (1) Memorandum from Mayor Sam Liccardo, Councilmember Raul Perez, Councilmember Sergio Jimenez, and Councilmember Dev Davis, dated March 28, 2019. (2) Council Policy Early Consideration: Response Form. (3) Letter from Rep. Lofgren. (4) Letter from Assemblymember Kalra. (5) Letter from the Public. (6) Letter from the Public.

Councilmember Perez' Council Assistant, (David Hai Tran), expressed regrets for the Councilmember's unavailability; he stressed the issue's import on his behalf.

Public Comment: Offering comments were: Vic Maestas, Andrew Boone, Max Sanchez, James Reavis, and Anna Koster.

Action: Upon motion by Councilmember Dev Davis, seconded by Vice Mayor Chappie Jones, and carried unanimously, the Committee approved staff recommendation and referred the item to staff. (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

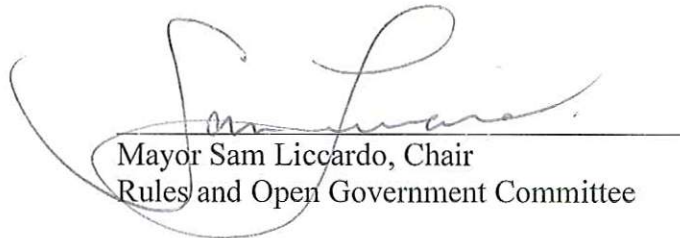
None presented.

J. OPEN FORUM

Andrew Boone commented on air pollution and noise pollution in the City of San Jose.

K. ADJOURNMENT

Mayor Sam Liccardo adjourned the meeting at: 3:05 p.m.



Mayor Sam Liccardo, Chair
Rules and Open Government Committee

SL/lo