



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

SAN JOSE, CALIFORNIA

WEDNESDAY, FEBRUARY 14, 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, Council Member Chappie Jones, Council Member Dev Davis, and, Council Member Johnny Khamis (2:03p.m.).

ABSENT: Vice Mayor Magdalena Carrasco (Excused).

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

A. City Council (City Clerk)

- 1. Review February 20, 2018 Agenda**
None – Meeting Cancelled
- 2. Review February 27, 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)**

Public Comments: Blair Beekman offered comments.

Action: Upon motion by Councilmember Chappie Jones, seconded Councilmember Dev Davis, and carried unanimously, the Committee accepted the February 27, 2018 Agenda, with 9:00 start time for closed session, and Item 7.1 to be heard first immediately after Consent and 10.2 to be heard after 7.1 in the afternoon, and with the Evening Session cancelled. (4-0-1. Absent: Carrasco.)

B. Review of Upcoming Special Meeting Agenda(s)

There were none presented.

C. Legislative Update – Verbal Report

There were none presented.

D. Meeting Schedules

1. Cancel the February 28, 2018 Rules and Open Government Committee Meeting. (City Clerk)

None - Rules Committee cancelled. Rules in Lieu set.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones, and carried unanimously, the Committee cancelled the Rules Committee Meeting and accepted the recommendation to hold a Rules In-Lieu Meeting in place of the Council Assistants Rules. (4-0-1. Absent: Carrasco.)

2. Release of Date for Study Session. (City Manager)

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis, and carried unanimously, the Committee accepted the recommendation and release of date held for a Study Session on Tuesday, February 20, 2018. (4-0-1. Absent: Carrasco.)

3. Set a City Council Study Session entitled Orientation and Current Status of the Federated City Employees' Retirement System and the Police and Fire Department Retirement Plan. (City Manager)

Documents Filed: Memorandum from Employee Relations Director Jennifer Schembri, dated February 08, 2018.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis, and carried unanimously, the Committee accepted Staff recommendation and set a City Council Study Session for Friday, March 2, 2018 in City Council Chambers and approved the draft study session agenda. (4-0-1. Absent: Carrasco.)

4. Set a City Council Special Meeting entitled the Citywide Education and Digital Literacy Strategy. (Mayor)

Documents Filed: Memorandum from Mayor Sam Liccardo, dated February 14, 2018.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis, and carried unanimously, the Committee accepted the recommendation and set a City Council Special Meeting for Monday, April 16, 2018 in City Council Chambers to focus on City programs and investment in education success and career pathways to cover the topics outlined in the memo. (4-0-1. Absent: Carrasco.)

E. The Public Record for February 2-8, 2018.

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated February 9, 2018, transmitting the Public Record for the Week of February 2-8, 2018.

Public Comments: Blair Beekman offered comments.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Committee noted and filed the public record. (4-0-1. Absent: Carrasco.)

F. Boards, Commissions and Committees

1. Deferred Compensation Committee Appointments. (Human Resources).

Documents Filed: Memorandum from Human Resources Director Caroline Krewson, dated February 7, 2018.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis, and carried unanimously, the Committee accepted Staff recommendation and approved Roberto Pena as the representative nominated by the group of employees designated as "Management Employees" for a four-year term starting March 2, 2018 and ending on March 1, 2022 to the Deferred Compensation Advisory Committee. (4-0-1. Absent: Carrasco.)

2. Work Plans & Annual Reports

There were none presented.

G. Rules Committee Reviews, Recommendations, and Approvals

1. Consent Calendar

- a. Retroactively Approve the District 4 Office Hours Event 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. Retroactive Approval of Traffic Safety Meeting 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 Dumpster Day Sponsored By Council District 9 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Rocha)

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G. Rules Committee Reviews, Recommendations, and Approvals

1. Consent Calendar (Cont;d)

- d.** Approval of the San Jose Earthquakes 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)
- e.** Approval of the Cesar Chavez Day 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)
- f.** Retroactive Approval of Coffee with the Chief Sponsored by Council District 2 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Jimenez)
- g.** Approval of the District 4 Spring Cleaning Event 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)
- h.** Approval of the 13th 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)

Documents Filed: (1) Memorandum from Councilmember Lan Diep District 4, dated February 6, 2018. (2) Memorandum from Councilmember Sylvia Arenas District 8, dated January 30, 2018. (3) Memorandum from Councilmember Donald Rocha District 9, dated February 8, 2018. (4) Memorandum from Councilmember Raul Perez District 3, dated February 8, 2018. (5) Memorandum from Councilmember Raul Perez District 3, dated February 8, 2018. (6) Memorandum from Councilmember Lan Diep District 4, dated February 8, 2018. (7) Memorandum from Councilmember Lan Diep District 4, dated February 8, 2018.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the Consent Calendar and added to the February 27, 2018 Agenda for action. (4-0-1. Absent: Carrasco.)

END OF CONSENT

2. Autumn, Montgomery and Bird Corridor Study. (Perez/Davis)

Documents Filed: (1) Memorandum from Councilmember Raul Perez, Councilmember Dev Davis, dated February 6, 2018. (2) Memorandum from City Clerk Toni J. Taber, dated February 14, 2018.

City Clerk Toni Taber presented a Memo informing the Committee that page 3 of the document for Item G.2 was not posted seven days in advance as required by the City's Sunshine Ordinance, but was posted on Monday February 12, 2018. The Committee may vote to either defer the item to February 21, 2018 or determine the amount of notice to the public is appropriate for the document. If so determined, the item may be heard.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Chappie Jones, and carried unanimously, the Committee determined the amount of notice to the public was appropriate for the item and allowed the item to be heard. (4-0-1. Absent: Carrasco.)

Transportation Director Jim Ortbal and Christina responded to questions from the Committee.

Public Comments: Offering comments were Richard Zappelli, President, Willow Glen Neighborhood Association; Andrew Tubbs, President, Delmas Park Neighborhood Association, David Zappelli, Stakeholders For A Safe Green Village and Blair Beekman.

Action: No action was taken.

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

January - June 2018 Public Safety, Finance, and Strategic Support Committee Work Plan Revision. (City Manager)

Documents Filed: Memorandum from Deputy City Manager Kip Harkness, dated February 7, 2018.

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4. Public Safety, Finance and Strategic Support Committee (Cont'd)

Public Comments: Blair Beekman read his letter for the record.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis, and carried unanimously, the Committee accepted Staff recommendation and dropped the following item from the February 15, 2018 meeting and directed the Administration to instead place the item on the July-December 2018 PSFSS Committee Work Plan that will be subject to Rules and Open Government Committee final approval at a later date: Mayor's Gang Prevention Task Force Strategic Work Plan 2018-2020. (4-0-1. Absent: Carrasco.)

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

January - June 2018 Smart Cities and Services Improvements Committee Work Plan Revision. (City Manager)

Documents Filed: Memorandum from Deputy City Manager Kip Harkness, dated February 7, 2018.

Public Comments: Blair Beekman offered comments.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis, and carried unanimously, the Committee accepted update report from staff and added the following items to the Smart Cities and Service Improvements Committee FY 17-18 Workplan and to the March 1, 2018 agenda: Information Technology Strategic Plan Update. (4-0-1. Absent: Carrasco.)

I. Open Government

There were none presented.

J. OPEN FORUM

1. Blair Beekman offered comments.

ADJOURNMENT

Mayor Sam Liccardo adjourned the meeting at 2:41 p.m.



Mayor Sam Liccardo, Chair
Rules and Open Government Committee

SL/lo