

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

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, OCTOBER 3, 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 2:01 p.m. in Committee Rooms 118-120, Council Wing, City Hall.

**PRESENT:** Vice Mayor Magdalena Carrasco, Vice Chair; Councilmember Chappie Jones, and Councilmember Johnny Khamis.

**ABSENT:** Mayor Sam Liccardo, Chair; Councilmember Dev Davis, (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 October 9, 2018 Final Agenda**

None - Meeting Cancelled

**2. Review October 16, 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)**

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones, and carried unanimously, the Committee accepted the October 16, 2018 Agenda, with Ruiz v CSJ Settlement from October 2, 2018 Agenda to be added to October 16, 2018 Council Agenda and no 6 p.m. meeting. (3-0. Absent: Liccardo, Davis.)

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

None presented.

**C. Legislative Update.**

None presented.

**D. Meeting Schedules**

None presented.

**E. The Public Record.**

None presented.

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

**1. Appointments**

None presented.

**2. Work Plans & Annual Reports**

None presented.

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

**1. Consent Calendar**

- a. Approval of the Senior Winter Walk and Resource Fair Sponsored by Council Districts 10, 9, and 2 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Khamis)

Documents Filed: Memorandum from Councilmember Johnny Khamis, District 10, dated September 25, 2018.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones, and carried unanimously, the Committee approved the Consent Calendar, and added to the October 16, 2018 Council Agenda for action. (3-0-2. Absent: Liccardo, Davis.)

**END OF CONSENT**

**2. Changing the Name of the Vietnamese American Community Center to "Vietnamese American Cultural Center." (Nguyen and Diep)**

Documents Filed: (1) Memorandum from Councilmember Tam Nguyen, Councilmember Lan Diep, dated September 12, 2018. (2) Memorandum from Councilmember Raul Perez, dated September 18, 2018.

Councilmember Tam Nguyen addressed the Committee on renaming the Vietnamese American Community Center to be known henceforth as the "Vietnamese American Cultural Center at the George Shirakawa Community Center".

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones, and carried unanimously, the Committee approved staff recommendation. (3-0-2. Absent: Liccardo, Davis.)

**3. AB 2098 (McCarty & Thurmond). Adult Education Block Grant Program: Immigrant Integration. (City Manager)**

Documents Filed: Expedited City Council Action Request from Assistant to the City Manager Zulma Maciel, dated September 27, 2018.

City Attorney Rick Doyle explained that the Governor signed this bill so it's already law.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones, and carried unanimously, the Committee approved staff recommendation and added to the October 16, 2018 Council Agenda for action. (3-0-2. Absent: Liccardo, Davis.)

**4. Legislative Update from Assemblymember Ash Kalra.**

Documents Filed: Memorandum from Mayor Sam Liccardo, dated September 26, 2018.

Intergovernmental Relation Director Bena Chang presented Assemblymember Ash Kalra's request regarding the 2017-2018 legislative session for the October 16, 2018 City Council meeting.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones, and carried unanimously, the Committee approved staff recommendation and added to the October 16, 2018 Council Agenda for action. (3-0-2. Absent: Liccardo, Davis.)

**5. Approval of a District 9 Grant to Branham High School. (Rocha)**

Documents Filed: Memorandum from Councilmember Don Rocha, dated September 27, 2018.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones, and carried unanimously, the Committee approved staff recommendation and added to the October 16, 2018 Council Agenda for action. (3-0-2. Absent: Liccardo, Davis.)

**6. Ballot Measure to Hold Mayoral Elections Concurrent with Presidential Election. (Vice Mayor Carrasco, Jones, Jimenez, Rocha)**

Documents Filed: (1) Memorandum from Vice Mayor Magdalena Carrasco, Councilmember Chappie Jones, Councilmember Sergio Jimenez, and Councilmember Don Rocha, dated September 27, 2018. (2) Letters from the Public

City Attorney Rick Doyle noted that he has studied this; there is no conflict of interest.

Public Comments: Offering comments were Richard Konda, (Asian Law Alliance); Andrew Boone, Eric Hernandez, San José State University Political Science Professor, Gary Percival; Sean Cartwright and Councilmember Lan Diep.

*(Item Continued on the Next Page)*



**6. Ballot Measure to Hold Mayoral Elections Concurrent with Presidential (Cont'd)**

Councilmember Chappie Jones expressed misgivings per the process, but supports the initiative because of principle over politics. While recommending a deferral until next week to have a full Committee vetting, he will back the initiative and recommendation to move forward if we believe it will get more young people out to vote.

Councilmember Johnny Khamis noted that the current political system has been in place since 1967, and feels the Mayors elected are a true sentiment of the people in the City. While there is political apathy in the public realm as far as voting is concerned, it's unclear moving election dates around as proposed will fix the apathy.

Action: Upon motion by Councilmember Chappie Jones, seconded by Vice Mayor Magdalena Carrasco, and carried unanimously, the Committee approved staff recommendation and added to the October 16, 2018 Council Agenda for action. (2-1-2. Noes: Khamis. Absent: Liccardo, Davis.)

**7. Old City Hall Annex Site. (Rocha and Peralez)**

Documents Filed: (1) Memorandum from Councilmember Don Rocha and Councilmember Raul Peralez, dated September 27, 2018. (2) Expedited City Council Action Request from City Manager Assistant Zulma Maciel, dated September 27, 2018.

Public Comments: Offering comments were Andrew Boone, and Sean Cartwright.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones, and carried unanimously, the Committee approved staff recommendation and referred the item to staff, with direction to provide information memo to Council before the conclusion of 2018. (3-0-2. Absent: Liccardo, Davis.)

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

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

**a. Update to the August - December 2018 Work Plan for the Community and Economic Development Committee (Housing)**

Documents Filed: Memorandum from Housing Department Director, Jacky Morales-Ferrand, dated September 26, 2018.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones, and carried unanimously, the Committee approved staff recommendation. (3-0-2. Absent: Liccardo, Davis.)

**2. Neighborhood Services and Education Committee**

None presented.

**3. Transportation and Environment Committee Workplan.**

None presented.

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

None presented.

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

None presented.

**6. Smart Cities and Service Improvement Committee Workplan.**

None presented.

**I. Open Government**


None presented.

**J. OPEN FORUM**

Public Comments: Sean Cartwright commented that Little Orchard has decided to no longer be an emergency shelter. Andrew Boone commented on the need for the City's transportation infrastructure to evolve to support more walking, bicycling and transit use.

**ADJOURNMENT**

Vice Mayor Magdalena Carrasco adjourned the meeting at 2:56 p.m.

  
Vice Mayor Magdalena Carrasco, Vice Chair  
Rules and Open Government Committee

SL/lo