



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

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, SEPTEMBER 25, 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 PM. in Committee Rooms 118-120, Council Chambers, City Hall.

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

**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 October 1, 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 October 1, 2019 Agenda, with Addsheet approved and Sunshine Waivers granted. (5-0.)

**2. Review October 8, 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 Vice Mayor Chappie Jones, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the October 8, 2019 Agenda, with the Evening Session cancelled.  
(5-0.)

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

None presented.

**C. Legislative Update.**

None presented.

**D. Meeting Schedules**

None presented.

**E. The Public Record for September 12, 2019 - September 19, 2019.**

Action: Upon motion by Vice Mayor Chappie Jones, seconded by Councilmember Johnny Khamis, 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) January - June 2019 Open Government Report. (City Manager)**

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

**END OF CONSENT**

**2. Remove the Tobacco Retail License Exemption from the San José Municipal Code. (City Manager)**

Frances Herbert from Councilmember Magdalena Carrasco's Office observed that Santa Clara County did this in six weeks, and is moving forward with their e-cigarette ban, and hoped we can move this forward quicker than the January priority setting timeline.

Public Comment: Offering comments on Remove the Tobacco Retail License Exemption from the San José Municipal Code, were: Margo Sidener, (representing Breathe California of the Bay Area); Jane Grande Nahane (representing the American Cancer Society Cancer Action Network); and Rick (Vape Shop Owner).

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Remove the Tobacco Retail License Exemption from the San José Municipal Code, was approved to be sent to prioritization (yellow-light). (5-0.)

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

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

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**

There were no cards.

**K. Adjournment**

Mayor Sam Liccardo adjourned the meeting at: 2:21 PM

**DRAFT**

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Mayor Sam Liccardo, Chair  
Rules and Open Government Committee

SL/lo