



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

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, JANUARY 8, 2020**

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 Council Chambers.

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

**ABSENT:** All Present.

**STAFF:** Assistant City Attorney Ed Moran; City Manager, David Sykes; City Clerk Toni J. Taber; Executive Analyst Rachelle Blattman; Agenda Services Manager, and Deputy City Clerk, Ruth Krantz.

**A. City Council (City Clerk)**

- 1. Review January 14, 2020 Final Agenda**
- 2. Add new items to Draft Agenda**
- 3. Assign “Time Certain” to Agenda Items (if needed)**
- 4. Review of Notice Waiver Requests for Agenda Items or Documents (if needed)**

Public Comment: Blair Beekman expressed concerns on a variety of topics and urged the City’s commitment to openness and accountability.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Johnny Khamis, and carried unanimously, the Committee accepted the January 14, 2020 Final Agenda, including a Sunshine waiver for two agenda items with direction for Item 3.4, Appeals Hearing Board Interviews, to be heard last. (5-0.)

- 5. Review January 21, 2020 Draft Agenda - Cancelled**

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

There were none presented.

**C. Legislative Update**

1. State
2. Federal

There were none presented.

**D. Meeting Schedules**

There were none presented.

**E. The Public Record**

Public Comment: Blair Beekman suggested good Vision Zero practices into 2020.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Johnny Khamis and carried unanimously, the Public Record for December 5, 2019 – January 2, 2020 was noted and filed. (5-0.)

**F. Boards, Commissions and Committees**

None provided.

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

**1. Consent Calendar**

- a. **Retroactive approval of Gingerbread House Decorating 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)**

Action: Upon motion by Vice Mayor Chappie Jones, seconded by Councilmember Dev Davis, and carried unanimously, approval of the City Council sponsored Special Event was accepted and placed on the January 14, 2020 City Council Agenda for action. (5-0.)

- b. **Approval of Del Roble Beautification Day 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)**

Action: Upon motion by Vice Mayor Chappie Jones, seconded by Councilmember Dev Davis, and carried unanimously, approval of the City Council sponsored Special Event was accepted and placed on the January 14, 2020 City Council Agenda for action. (5-0.)

2. **Council Agenda Order Change and Administrative Clean-Up Amendment to Rules of Conduct Resolution (CAO and City Manager)**

City Manager, David Sykes offered clarification to the proposed resolution.

**2. (Cont'd.)**

Action: Upon motion by Councilmember Johnny Khamis, seconded by Vice Mayor Chappie Jones and carried unanimously, the Council Agenda Order Change and Administrative Clean-Up Amendment to Rules of Conduct Resolution was approved to be placed on the January 14, 2020 Council Agenda for approval by the full Council. (5-0.)

**3. Exemption of Certain Transfers Involving 501(C)3 Non-Profit Organizations from the Proposed Real Property Transfer Tax on the March 2020 Ballot. (Mayor)**

Mayor Sam Liccardo noted a modification to his January 8, 2020 memorandum, item (a) to read "*Transferred* to a tax-exempt 501(c)(3) organization".

Discussion followed, with Chief of Staff, Office of the City Manager, Lee Wilcox noting the amendment of the ordinance must take place after the election.

Assistant City Attorney Ed Moran confirmed that the City Attorney's Office will provide an information memorandum regarding the property transfer tax.

Action: Upon motion by Vice Mayor Chappie Jones, seconded by Councilmember Sylvia Arenas, and carried unanimously, the Exemption of Certain Transfers Involving 501(C)3 Non-Profit Organizations from the Proposed Real Property Transfer Tax on the March 2020 Ballot was approved for placement on the Council meeting agenda in January or early February, with direction to staff to provide an analysis of this proposed exemption, including possible criteria in addition to or instead of the 501(c)3 status designation, and any necessary amendments to the proposed real property transfer tax, if it is approved by voters at the March 3, 2020 election. (5-0.)

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

**1. Community and Economic Development Committee - none provided.**

**2. Update to the Neighborhood Services and Education Committee Work Plan (Mayor and Arenas)**

Chief of Staff, Office of the City Manager, Lee Wilcox, recommended removal of the Report on Community Plan to End Homelessness from the workplan, noting that it will be coming before Council in March 2020.

Public Comments: Blair Beekman noted a perceived discrepancy regarding Vision Zero statistics.

Action: Upon motion by Vice Mayor Chappie Jones, seconded by Councilmember Johnny Khamis and carried unanimously, the Update to the Neighborhood Services and Education Committee Work Plan was accepted, including removal of the Report on Community Plan to End Homelessness. (5-0.)

**3. Transportation and Environment Committee – none provided.**

**4. Update to the Public Safety, Finance and Strategic Support Committee Work Plan (Mayor and Peralez)**

Vice Mayor Chappie Jones expressed a need for an update on the fire safety program. City Manager, David Sykes offered clarification to the work plan item as an air systems issue, but indicated the firefighter safety program could be added into the work plan.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Vice Mayor Chappie Jones and carried unanimously, the Update to the Public Safety, Finance and Strategic Support Committee Work Plan was accepted, including the addition of an item addressing Firefighter Safety. (5-0.)

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

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

There were none presented.

**OPEN FORUM**

1. Blair Beekman urged good energy practices and less reliance on fossil fuel, and spoke to the need for de-escalation techniques by park rangers in confrontational situations.

**H. Adjournment**

Mayor Sam Liccardo adjourned the Committee meeting at 2:28 p.m.



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Mayor Sam Liccardo, Chair  
Rules and Open Government Committee

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