



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

SAN JOSE, CALIFORNIA

WEDNESDAY, FEBRUARY 12, 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 2:02 p.m. in Wing Rooms W118-120, 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; Joy Rodriguez, Assistant 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)

- Cancelled

2. Review February 25, 2020 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 commented on Item 3.5, city wide infrastructure and deferred maintenance backlog report, noting that good practices develop trust between all parts of the community.

Action: Upon motion by Vice Chair Chappie Jones, seconded by Councilmember Sylvia Arenas, and carried unanimously, the Committee accepted the February 25, 2020 Draft Agenda, including approval of Addsheet with Sunshine Waiver with no changes. (5-0)

(Item Continued on the Next Page)

B. Review of Upcoming Special Meeting Agenda(s)

None presented.

C. Legislative Update.

None presented.

D. Meeting Schedules

Set General Plan City Council Hearing for 2020. (City Manager)

Action: Upon motion by Councilmember Johnny Khamis to move approval, seconded by Vice Chair Chappie Jones, and carried unanimously, the Set General Plan City Council Hearing for 2020 was accepted. (5-0.)

E. The Public Record for January 31, 2020 - February 6, 2020. (City Clerk).

Public comments: Offering comments were: Blair Beekman and Martha O'Connell.

Action: Upon motion by Councilmember Johnny Khamis, 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 Vietnamese Lunar New Year-Tet Festival Community Event 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)
- (b) Approval of Winter Walk and Senior Resource Fair Sponsored by Council District 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)

Public comments: Blair Beekman commented on the lunar new year, and noted that the practices he's a part of, are very good practices that deal with issues-at the local level. We can ask larger questions of our federal government, of the U.N., and other international organizations.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Sylvia Arenas, and carried unanimously, the Committee approved the Consent Calendar, and added to the February 22, 2020 Council Agenda for action. (5-0)

END OF CONSENT

2. Board of Fair Campaign and Political Practices Recommended Revisions to the City's Ethics and Open Government Provisions Under Title 12 of the San José Municipal Code and Resolution No. 79187 Governing the Board's Regulations and Procedures. (City Attorney/City Clerk)

Deputy City Attorney Mark Vanni provided a brief overview of the Board of Fair Campaign and Political Practices recommended revisions to the City Ethics and Open Government Regulations under Title 12 as well as the boards resolution for governing it's hearing procedures.

City Attorney Rick Doyle explained that this a process question which comes to the Rules Committee for comment and feedback, before deciding whether to forward it to City Council. Every two years the commission comes forth with a recommendation.

Action: Upon motion by Vice Mayor Chappie Jones to move approval, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the Board of Fair Campaign and Political Practices Recommended Revisions to the City's Ethics and Open Government Provisions Under Title 12 of the San José Municipal Code and Resolution No. 79187 Governing the Board's Regulations and Procedures, and referred to bi-annual ethics review for hearing in Spring. (5-0)

3. Exploring Procurement of a Polypropylene Plastic Purification and Recycling Plant to Advance Regional Waste Sustainability. (Khamis, Davis, and Foley)

Public comments: Offering comments were: Joel Corona and Blair Beekman.

Councilmember Johnny Khamis explained that these aren't the plastics that are clean and ready to go to China for recycling, but ones that end up being in the landfills and polluting other parts of the City and clogging machinery.

Action: Upon motion by Councilmember Johnny Khamis to move approval, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the Exploring Procurement of a Polypropylene Plastic Purification and Recycling Plant to Advance Regional Waste Sustainability and referred to Council Policy Priority Setting. (5-0)

4. ROGC 20-060 Referral from City Council November 5, 2019 - Zoning Code /Emergency Shelter. (Jimenez)

There was no presentation for this item. Planning, Building, and Code Enforcement Deputy Director Michael Brilliot responded to questions.

Public comments: Offering comments were. Andrea Urton, (representing Homefirst); Paul Soto, (from the Horseshoe); Karen Gillette, Martha O'Connell, Scott Largent, Blair Beekman, Sean Cartwright and Joan Price.

Councilmember Johnny Khamis clarified that the words he used yesterday were words said by County Executive, Jeff Smith. Councilmember Khamis 100 percent do not agree with Mr. Smith's assertion that people who are homeless are homeless by choice.

Action: Upon motion by Councilmember Sylvia Arenas to move approval, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the ROGC 20-060 Referral from City Council November 5, 2019 - Zoning Code/Emergency Shelter and referred to Council Policy Priority Setting. (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.

I. Open Government

None presented.

J. Open Forum

1. Martha O'Connell requested time certain for the Mobilehome item on the March 10, 2020 City Council agenda.
2. Paul Soto quoted Edmund Burke that the only thing for evil to exist is for good men to do nothing.
3. Blair Beekman stated that we are practicing large corporate structures with IOT and technology at this time.
4. Scott Largent noted that, at the County meeting, attendance is not mandatory.

ADJOURNMENT

Mayor Sam Liccardo adjourned the meeting at 3:00PM.

DRAFT

Mayor Sam Liccardo, Chair
Rules and Open Government Committee

SL/lo

Access the video, the agenda, and related reports for this meeting by visiting the City's website at <http://www.sanjoseca.gov/civiccenterv>. For information on any ordinance that is not hyperlinked to this document, please contact the Office of the City Clerk at (408) 535-1266.