



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

SAN JOSE, CALIFORNIA

WEDNESDAY, JANUARY 28, 2015

The Joint 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 the Committee Rooms 118-120, Council Wing, City Hall.

PRESENT: Mayor Sam Liccardo, Vice Mayor Rose Herrera, Councilmember Magdalena Carrasco, Councilmember Johnny Khamis, and Councilmember Chappie Jones.

ABSENT: All present.

STAFF: Interim City Manager Norberto Dueñas, Interim Assistant City Manager Dave Sykes, City Attorney Richard Doyle, City Clerk Toni J. Taber, Mayor's Agenda Assistant Ahmad Chapman, Mayor's Agenda Assistant Margaret Le, Agenda Services Staff Technician Rachelle Blattman, Assistant City Clerk Tom Graves, and Deputy City Clerk Anh Tran.

CITY COUNCIL (CITY CLERK)

- (1) Review February 3, 2015 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)

Public Comment:

- Martha O'Connell offered comments on Item 2.8.
- David Wall offered comments on Item 2.10 and Item 5.3.

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Carrasco and carried unanimously, the Committee approved the agenda including the following sunshine waivers, additions, and changes: addition of Item 3.5 "General Fund Structural Budget Deficit History and Service Restoration Priorities and Strategies" from 1/27/2015 and item to be heard after the Consent Calendar. (5-0.)

CITY COUNCIL (CITY CLERK)

- (2) Review February 10, 2015 Draft Agenda
 - a. Add New Items to Draft Agenda
 - b. Assign "Time Certain" to Agenda Items (if needed)
 - c. Review of Notice Waiver Requests for Agenda Items or Documents (if needed)

Public Comment:

- David Wall spoke on Items 4.1, 4.2, 4.3, 5.1, and 9.1.

Action: Upon motion by Councilmember Khamis, seconded by Councilmember Jones and carried unanimously, the Committee approved the agenda including the following sunshine waivers, additions, and changes: addition of Item 5.1; Item 6.1 to be heard no earlier than 3pm. (5-0.)

REVIEW OF UPCOMING STUDY SESSION AGENDA(S)

None.

LEGISLATIVE UPDATE

- (1) State – None.
- (2) Federal – None.

MEETING SCHEDULE

None.

THE PUBLIC RECORD

Documents Filed: Memorandum from City Clerk Toni J. Taber transmitting the Public Record for the Week of January 16 – 22, 2015.

Action: No action.

BOARDS, COMMISSIONS AND COMMITTEES

- (1) Appointments – None.
- (2) Work Plans – None.
- (3) Annual Reports – None.

RULES COMMITTEE REVIEWS, RECOMMENDATIONS AND APPROVALS

(1) Consent Calendar

Upon motion by Vice Mayor Herrera, seconded by Councilmember Carrasco and carried unanimously, the Consent Calendar was approved and the below listed actions were taken as indicated. (5-0.)

- a. Approve the following City Council sponsored Special Events and place on the February 3, 2014 City Council Agenda for action.
 1. July 4th Fun Festival. (Khamis)
 2. 2015 State of the City. (Mayor)

Documents Filed: 1) Memorandum from Councilmember Johnny Khamis to the Rules and Open Government Committee, dated January 16, 2015, entitled, "Approval of the July 4th Fun Festival Sponsored by Council District 10 as a City Council Sponsored Special Event to Expend Funds and Accept Donations of Materials and Services for the Event"; 2) Memorandum from Mayor Sam Liccardo to the Rules and Open Government Committee, dated January 22, 2015, entitled, "Approval of the State of the City as a City Sponsored Special Event."

Action: The items were placed on the February 3, 2015 City Council Agenda for final action. (5-0.)

- b. Approve the following City Council sponsored Special Events and place on the February 10, 2014 City Council Agenda for action.
 1. Vice Mayor Reception. (Herrera)

Documents Filed: Memorandum from Councilmember Rose Herrera to the Rules and Open Government Committee, dated January 23, 2015, entitled, "Approval of Vice Mayor Reception Sponsored by Council District 8 as a City Council Sponsored Special Event to Expend Funds and Accept Donations of Materials and Services for the Event."

Action: The item was placed on the February 10, 2015 City Council Agenda for final action. (5-0.)

END OF CONSENT CALENDAR

RULES COMMITTEE REVIEWS, RECOMMENDATIONS AND APPROVALS

(2) Monthly Report of Activities for December 2014. (City Auditor)

Accept the Auditor's Monthly Report of Activities for the month of December 2014.

Documents Filed: Memorandum from City Auditor Sharon Erickson to the Rules and Open Government Committee, dated January 22, 2015, entitled, "Monthly Report of Activities for December 2014."

City Auditor Sharon Erickson was available to answer questions from the Committee.

Public Comment: None.

Action: Upon motion by Councilmember Khamis, seconded by Vice Mayor Herrera and carried unanimously, the Auditor's Monthly Report of Activities for December 2014 was approved. (5-0.)

(3) District 10 SAP Grant to Kiwanis Club of Almaden. (Khamis)

Forward a recommendation to the City Council to approve a grant of \$1,000 to the Almaden Kiwanis TAS Scholarship Fund to be paid from the budgeted District 10 SAP Center at San José allocation, which is funded by the Arena Community Fund City-wide appropriation.

Documents Filed: Memorandum from Councilmember Johnny Khamis to the Rules and Open Government Committee, dated January 21, 2015, entitled, "Approval of District 10 SAP Grant to Kiwanis Club of Almaden."

Councilmember Khamis was available to answer questions from the Committee.

Public Comment: None.

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Carrasco and carried unanimously, the item was placed on the February 03, 2015 City Council Agenda for final action. (4-0-0-1. Abstain: Khamis.)

(4) Interim City Manager Compensation.

Agendize for the February 3, 2015 City Council meeting:

- a. Adopt a resolution approving compensation and benefits for Interim City Manager Norberto Dueñas, effective January 1, 2015, as outlined in the letter from Mayor Liccardo.
- b. Authorize the City Clerk to execute an agreement between the City of San Jose and Mr. Dueñas for services as Interim City Manager as outlined in the attached letter.

Documents Filed: Memorandum from Mayor Sam Liccardo to the Rules and Open Government Committee, dated January 15, 2015, entitled, "Interim City Manager Compensation."

Vice Mayor Herrera and Councilmember Khamis thanked Interim City Manager Norberto Dueñas for his service to the City.

Public Comment: David Wall provided comments.

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Carrasco and carried unanimously, the item was placed on the February 3, 2015 City Council Agenda for final action. (5-0.)

REVIEW OF ADDITIONS TO COUNCIL COMMITTEE AGENDAS/WORKPLANS

- (1) Community and Economic Development Committee
 - a. As referred by the Rules and Open Government Committee on January 21, 2015, consider deletion of, "Citywide Homeless Housing and Services Update," from the Community and Economic Development Committee workplan. (Verbal Report)

Interim City Manager Norberto Dueñas reported that the item would be kept on the Community and Economic Development Committee's workplan.

Action: No action required.

- (2) Neighborhood Services and Education Committee – None.
- (3) Transportation and Environment Committee – None.
- (4) Public Safety, Finance and Strategic Support Committee – None.
- (5) Rules and Open Government Committee – None.

OPEN GOVERNMENT

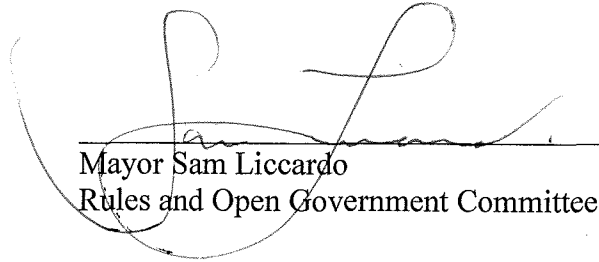
- (1) Appeals of Public Records Act Request – None.

OPEN FORUM

- Martha O'Connell voiced concerns related to the Board and Commission appointment process. Vice Mayor Herrera requested the City Clerk look into the matter.
- David Wall spoke regarding the growing homeless encampment near the PG&E substation on Santa Teresa, and offered comments related to the Sanitary Flow Study Update.

ADJOURNMENT

The meeting adjourned at 2:29 p.m.



Mayor Sam Liccardo
Rules and Open Government Committee

SL:at