



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

SAN JOSE, CALIFORNIA

WEDNESDAY, MARCH 4, 2015

The Joint Rules and Open Government Committee and Committee of the Whole of the City of San José convened in Regular Session at 2:00 p.m. in the Committee Rooms 118-120, Council Wing, City Hall.

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

ABSENT: None.

STAFF: City Attorney Richard Doyle, City Clerk Toni J. Taber, Interim Assistant City Manager Dave Sykes, Mayor's Agenda Assistant Margaret Le, Agenda Services Manager Gloria Schmanek, and Deputy City Clerk Anh Tran.

CITY COUNCIL (CITY CLERK)

- (1) Review March 10, 2015 Final 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 provided comments on Items 2.8, 2.9, 3.6, and 4.2.

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Jones and carried unanimously, the Committee approved the agenda including the following sunshine waivers, additions, and changes: None. (4-1. Noes: Khamis.)

- (2) **Review March 17, 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 provided comments on Items 3.2 and 3.3.

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Khamis and carried unanimously, the Committee approved the agenda including the following sunshine waivers, additions, and changes: None. (5-0.)

REVIEW OF UPCOMING STUDY SESSION AGENDA(S)

- (1) Review of final agenda for the City of San Jose’s Neighborhood Association/Youth Commission 2015-2016 Priority Setting Session on Saturday, March 7, 2015 from 9:00 a.m. to 11:30 a.m. (Mayor)

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Carrasco and carried unanimously, the study session’s final agenda was approved. (5-0.)

LEGISLATIVE UPDATE

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

MEETING SCHEDULE

- (1) Set a Study Session on the Current Status of Pension Systems and Retirement Reform Ballot Measure (Measure B) Implementation for Monday, March 16, 2015 from 1:30 p.m. to 4:30 p.m. in City Council Chambers and approve the draft Study Session agenda. (City Manager)

Documents Filed: (1) Memorandum from Interim City Manager Norberto L. Dueñas, dated February 26, 2015, entitled “Current Status of Pension Systems and Retirement Reform Ballot Measure (Measure B) Implementation;” (2) Memorandum from Councilmember Donald Rocha, dated March 3, 2015, entitled “Tier 2 Cost Estimates.”

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Khamis and carried unanimously, the Committee approved the recommendation including the addition of the recommendation from Councilmember Donald Rocha’s memorandum, and setting the Study Session on the Current Status of Pension Systems and Retirement Reform Ballot Measure (Measure B) Implementation for Monday, March 16, 2015 from 1:30 p.m. to 4:30 p.m. (5-0.)

THE PUBLIC RECORD

Documents Filed: (1) Memorandum from City Clerk Toni J. Taber transmitting the Public Record for the Week of February 13 – February 19, 2015; (2) Document from Martha O’Connell, dated March 3, 2015, entitled “City of San Jose – BOARDS and COMMISSIONS.”

Public Comment:

- Martha O’Connell submitted a document and provided comments on Item 5.
- David Wall provided comments Item 4.

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Jones and carried unanimously, the public record was noted and filed. (5-0.)

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 Khamis and carried unanimously, the Consent Calendar was approved and the below listed actions were taken as indicated. (5-0.)

- (a) Approval of the Great American Litter Pick-Up as a City-Sponsored Special Event, to expend City funds, and Accept Donations of Materials and Services for the Event. (City Clerk)
 1. Approve the Great American Litter Pick-Up as a City Council sponsored Special Event and approve the expenditure of funds;
 2. Approve and accept donations from various individuals, businesses or community groups to support the event; and
 3. Place the item on the March 17, 2015 Council Agenda for action

City Clerk Toni Taber provided CEQA clarification as File number PP13-056. This is a Public Project exemption for activities associated with citywide litter clean-up activities.

Documents Filed: Memorandum from City Clerk Toni Taber, dated February 24, 2015, entitled, “Approval of the Great American Litter Pick-Up as a City Sponsored Special Event, to Expend City Funds and Authorization to Accept Donations of Materials and Services for the Event.”

Action: The item was placed on the March 17, 2015 City Council Agenda for final action. (5-0.)

RULES COMMITTEE REVIEWS, RECOMMENDATIONS AND APPROVALS

- (b) Approval of Assyrian New Year (Assyrian Flag Raising) Sponsored by Council District 10 as a City-Sponsored Special Event, to expend City funds, and Accept Donations of Materials and Services for the Event. (Khamis)
1. Approve the Assyrian New Year (Assyrian Flag Raising) as a City Council sponsored Special Event and approve the expenditure of funds;
 2. Approve and accept donations from various individuals, businesses or community groups to support the event; and
 3. Place the item on the March 10, 2015 Council Agenda for action

Documents Filed: Memorandum from Councilmember Johnny Khamis, dated February 25, 2015, entitled, "Approval of Assyrian New Year (Assyrian Flag Raising) Sponsored by Council District 10, as a City Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event."

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

- (c) Approval of Annual Greek Flag Raising Event Sponsored by Council District 10 as a City-Sponsored Special Event, to expend City funds, and Accept Donations of Materials and Services for the Event. (Khamis)
1. Approve the Annual Greek Flag Raising Event as a City Council sponsored Special Event and approve the expenditure of funds;
 2. Approve and accept donations from various individuals, businesses or community groups to support the event; and
 3. Place the item on the March 10, 2015 Council Agenda for action

Documents Filed: Memorandum from Councilmember Johnny Khamis, dated February 25, 2015, entitled, "Approval of Annual Greek Flag Raising Event Sponsored by Council District 10 as a City Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event."

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

- (d) Approval of Shakespeare in the Park Sponsored by Council District 6 as a City-Sponsored Special Event, to expend City funds, and Accept Donations of Materials and Services for the Event. (Oliverio)
1. Approve the Shakespeare in the Park as a City Council sponsored Special Event and approve the expenditure of funds;
 2. Approve and accept donations from various individuals, businesses or community groups to support the event; and
 3. Place the item on the March 10, 2015 Council Agenda for action

RULES COMMITTEE REVIEWS, RECOMMENDATIONS AND APPROVALS

- (d) Documents Filed: Memorandum from Councilmember Pierluigi Oliverio, dated February 25, 2015, entitled, "Approval of Shakespeare in the Park Sponsored by Council District 6 as a City Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event."

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

END OF CONSENT CALENDAR

- (2) **Boards and Commissions Structural Improvements Project Update. (City Clerk)**
- a. Provide direction on proposed improvements to the City's Boards and Commissions program including:
 1. Revise Housing and Community Development Commission structure
 2. Revise appointment process by eliminating the Council Appointment Advisory Committee and delegate its duties to the Council liaison
 - b. Direct the City Clerk and City Attorney to return to the Council with actions to revise the appropriate policies and municipal code sections.

Documents Filed: (1) Memorandum from City Clerk Toni Taber, dated February 24, 2015, entitled, "Boards and Commissions Structural Improvements Project Update;" (2) Memorandum from Interim Director of Housing Jacky Morales-Ferrand, dated March 2, 2015, entitled "Boards and Commissions Structural Improvements Project Update;" (3) Memorandum from Councilmember Donald Rocha, dated March 4, 2015, entitled "Boards and Commissions;" (4) Memorandum from Councilmember Raul Peralez, dated March 4, 2015, entitled "Actions Regarding Boards and Commissions."

Public Comment:

- Joyce Rabourn, Warren Gannon, Marie Hayter, Richard McCoy, Martha O'Connell, and David Wall opposed Recommendation A.1.
- Gail Osmer spoke in support for Recommendation A.1.

Councilmember Peralez provided comments.

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Khamis and carried unanimously, the item was deferred for two weeks to March 18, 2015. (5-0.)

REVIEW OF ADDITIONS TO COUNCIL COMMITTEE AGENDAS/WORKPLANS

- (1) Community and Economic Development Committee – None.
- (2) Neighborhood Services and Education Committee – None.
- (3) Transportation and Environment Committee – None.

REVIEW OF ADDITIONS TO COUNCIL COMMITTEE AGENDAS/WORKPLANS

- (4) Public Safety, Finance and Strategic Support Committee
a. Approve an amendment to the 2014-2015 Workplan for the Public Safety, Finance and Strategic Support Committee to add a report on the "San Jose Fire Department Strategic Business Plan (20/20 Vision)" to the April 16, 2015 meeting agenda. (Fire)

Documents Filed: Memorandum from Interim Fire Chief Curtis Jacobson, dated February 19, 2015, entitled, "Public Safety, Finance and Strategic Support Committee Workplan Addition."

Public Comment: David Wall provided comments.

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Khamis and carried unanimously, the recommendation was approved. (5-0.)

- (5) Rules and Open Government Committee – None.

OPEN GOVERNMENT

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

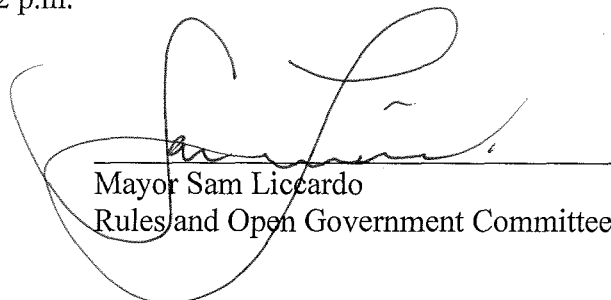
OPEN FORUM

Documents Filed: (1) Letter from David Wall, dated March 4, 2015, entitled "SMARTER GOVERNMENT should permit bicyclist ability to bring bicycles into cubicles and offices!;" (2) Letter from David Wall, dated March 4, 2015, entitled "The Treatment Plant Advisory Committee meetings should be moved to the Wing under the authority of the Office of the City Clerk;" (3) Letter from David Wall, dated March 4, 2015, entitled "Have ESD Managers conferred an inappropriate benefit to the BART Expansion by accepting their 'Dirt?'"

Public Comment: David Wall submitted letters and offered comments on various issues.

ADJOURNMENT

The meeting adjourned at 2:42 p.m.



Mayor Sam Liccardo
Rules and Open Government Committee

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