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

SAM LICCARDO, CHAIR
ROSE HERRERA, VICE CHAIR
CHAPPIE JONES, MEMBER
JOHNNY KHAMIS, MEMBER
MAGDALENA CARRASCO, MEMBER

STAFF TONI J. TABER, CITY CLERK
NORBERTO DUENAS, INTERIM CITY MANAGER
RICHARD DOYLE, CITY ATTORNEY
MARGARET LE, MAYOR'S OFFICE

AGENDA

2:00 P.M.

April 8, 2015

Wing 118-120

- A. City Council (City Clerk)**
1. Review April 14, 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)
 2. Review April 21, 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)
- B. Review of Upcoming Study Session Agenda(s)**
1. [Set a City Council Study Session entitled *The History of San José's Medical Marijuana Program, An Update on the City's Implementation of the Program and A Comparison with the Initiative Filed by Medical Marijuana Advocates to Replace the Program for Monday, April 20, 2015 from 1:30 p.m. - 4:30 p.m., in City Council Chambers and approve the study session agenda.* \(City Manager\)](#)
- C. Legislative Update**
1. State
 2. Federal
- D. Meeting Schedules**
- E. [The Public Record](#)**
- F. Boards, Commissions and Committees**
1. Appointments
 - (a) [Work2Future Board Nomination.](#) (Mayor)
Approve the appointment of Carl Cimino as a representative on the work2future Board of Directors.

F. Boards, Commissions and Committees

2. Work Plans – None.
3. Annual Reports – None.

G. Rules Committee Reviews, Recommendations and Approvals

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine and will be adopted by one motion. If a member of the Committee, staff, or public requests discussion on a particular item, that item may be removed from the Consent Calendar and considered separately.

1. Consent Calendar
None.
2. [City of San Jose Actions in Opposition to State of Indiana’s Religious Freedom Restoration Act.](#) (Kalra/Peralez/Matthews/Carrasco)
Consider a recommendation to the City Council to direct the City Manager to expedite the preparation of a resolution with the following goals:
 - a. Ban all City travel and business with the State of Indiana unless the State through legislative or executive action repeals the Religious Freedom Restoration Act;
 - b. Ban travel to any other State which passes similar legislation;
 - c. Call on Governor Brown and California Legislature to follow the lead of other States and a number of other California municipalities and corporations in condemning the actions of the State of Indiana.
3. [Approval of District 10 SAP Grant to Andres Castellero Middle School Education Foundation.](#) (Khamis)
Forward a recommendation to the City Council to approve a grant of \$500.00 to the Andres Castellero Middle School Education Foundation, an IRS-recognized 501(c)(3) public charity in good standing with the IRS and the California Secretary of State, to be paid from the budgeted District 10 SAP Center at San José allocation, which is funded by the Arena Community City-Wide appropriation.
4. [Building Inspection Staffing.](#) (Mayor)
Place an item on the April 21, 2015 City Council Agenda to direct the City Manager to bring forward recommendations for pay and classification changes for building inspectors that will bolster the ability of the Department of Planning, Building, and Code Enforcement to retain and attract high-caliber members of our Building Inspection Division team.
5. [Police Officer Equipment & Safety.](#) (Peralez)
Consider a recommendation to the City Council to direct the City Manager to:
 - a. Conduct an immediate review of the performance and functionality of the mobile data terminals (MDT’s) that our police officers use, including how often the system malfunctions, slows down, or has failures, and report back in 14 days to the extent possible; and
 - b. Present Council with immediate solutions that can be implemented, if the review concludes that the MDT’s currently used are underperforming.

G. Rules Committee Reviews, Recommendations and Approvals (Cont'd.)

6. [Support for SB 11 & SB 29 \(Beall\) – Behavioral Health Training for California Peace Officers](#). (Rocha)

Agendize Council consideration of taking a support position for SB 11 and SB 29 (Beall), pertaining to behavioral health training for California peace officers for the April 21, 2015 City Council meeting.

H. Review of additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee
2. Neighborhood Services and Education Committee
3. Transportation and Environment Committee
4. Public Safety, Finance and Strategic Support Committee
5. Rules and Open Government Committee

I. Open Government

1. Appeals of Public Records Act Request – None.

J. Open Forum

Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Committee.

K. Adjournment

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public. **The City Code of Ethics may be viewed on-line at http://www.sanjoseca.gov/clerk/cp_manual/CPM_0_15.pdf**

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at City Hall, 200 E. Santa Clara Street, Office of the City Clerk 2nd Floor Wing, San José, Ca 95113 at the same time that the public records are distributed or made available to the legislative body.

To request an accommodation or alternative format for City-sponsored meetings, events or printed materials, please call the Office of the City Clerk 408-535-1252 or 408-294-9337 (TTY) as soon as possible, but at least three business days before the meeting/event.

Access the video, the agenda and related reports for this meeting by visiting the City's website at <http://sanjoseca.gov/index.aspx?nid=3581>

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Successor Agency to the Redevelopment Agency Board (SARA), their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

3. Addressing the Council, Successor Agency to the Redevelopment Agency Board (SARA), Committee, Board or Commission:

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
- c) Speakers should discuss topics related to City business on the agenda.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.