



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

SAN JOSE, CALIFORNIA

WEDNESDAY, JUNE 17, 2015

The Joint Rules and Open Government Committee and Committee of the Whole of the City of San José convened in Regular Session at 2:02 p.m. in the Committee Rooms 118-120, Council Wing, City Hall.

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

ABSENT: Councilmember Johnny Khamis.

STAFF: City Attorney Richard Doyle, City Clerk Toni J. Taber, Assistant City Manager Dave Sykes, Communication Policy Analyst for the Mayor Ahmad Chapman, Agenda Services Manager Gloria Schmanek, Assistant City Clerk Tom Graves, and Deputy City Clerk Anh Tran.

CITY COUNCIL (CITY CLERK)

- (1) Review June 23, 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:

- Dave Logan, Operations Manager of Yellow Cab, provided comments on Item 6.1.
- Richard McCoy provided supporting comments on Item 2.27.
- Martha O'Connell provided comments regarding rent control for Item 3.22.
- Shakur Buni, President of the San Jose Airport Taxi Drivers Association, provided comments on Items 6.1 and 6.2.

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: Item 3.22 to be heard after Ceremonials, defer Items 3.21 and 4.5 (not August 4, 2015), Item 3.2.a to be heard at 1:30 p.m., defer 4.5 to an August Council meeting, Items 6.1 and 6.2 to be heard at the end of the meeting, City Manager's Office Add Sheet, Add Sheet, and Item 2.27 to be heard in the afternoon. (4-0-1. Absent: Khamis.)

REVIEW OF UPCOMING STUDY SESSION AGENDA(S)

None.

LEGISLATIVE UPDATE

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

MEETING SCHEDULE

- (1) Cancel June 24 Rules Committee Meeting. (City Clerk)
Cancel the regularly scheduled Rules and Open Government Committee meeting on Wednesday, June 24, 2015.

Documents Filed: Memorandum from City Clerk Toni J. Taber to the Rules and Open Government Committee, dated June 11, 2015, entitled, “Cancel June 24 Rules Committee Meeting.”

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Carrasco and carried unanimously, the recommendation was approved. (4-0-1. Absent: Khamis.)

THE PUBLIC RECORD

Documents Filed: Memorandum from City Clerk Toni J. Taber transmitting the Public Record for the Week of June 5 – June 11, 2015.

Public Comment:

- Martha O’Connell expressed concerns regarding Item (6).

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Carrasco and carried unanimously, the public record was noted and filed. (4-0-1. Absent: Khamis.)

BOARDS, COMMISSIONS AND COMMITTEES

- (1) Appointments – None.
- (2) Work Plans
 - (a) New Arts Commission Meeting Schedule. (Economic Development)
Approve a permanent change of the Arts Commission meeting schedule to the third Monday of each month effective FY 2015-2016.

Documents Filed: Memorandum from Director of Economic Development Kim Walesh to the Rules and Open Government Committee, dated June 10, 2015, entitled, “New Arts Commission Meeting Schedule.”

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Jones and carried unanimously, the recommendation was approved. (4-0-1. Absent: Khamis.)

- (3) Annual Reports – None.

RULES COMMITTEE REVIEWS, RECOMMENDATIONS AND APPROVALS

(1) Consent Calendar

Upon motion by Vice Mayor Herrera, seconded by Councilmember Jones and carried unanimously, the Consent Calendar was approved and the below listed actions were taken as indicated. (4-0-1. Absent: Khamis.)

- (a) Approval of Capitol/Goss Neighborhood Area Beautification/Dumpster Day Sponsored by Council District 5 as a City Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Carrasco)
1. Approve the District 5 Capitol/Goss Neighborhood Area Beautification/Dumpster Day scheduled on August 15, 2015 as a City Council sponsored Special Event and approve the expenditures 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 June 23, 2015 Council Agenda for action

Documents Filed: Memorandum from Councilmember Magdalena Carrasco to the Rules and Open Government Committee, dated June 4, 2015, entitled, "Approval of Capitol/Goss Neighborhood Area Beautification/Dumpster Day Sponsored by Council District 5 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 June 23, 2015 City Council Agenda for final action.

END OF CONSENT CALENDAR

- (2) City Auditor Monthly Report of Activities for May 2015. (City Auditor)
Hear the City Auditor's Office Monthly Report of Activities for the month of May 2015.

Documents Filed: Memorandum from City Auditor Sharon W. Erickson to the Rules and Open Government Committee, dated June 10, 2015, entitled, "Monthly Report of Activities for May 2015."

City Auditor Sharon Erickson introduced new intern Pedro Hernandez-Bachen, provided comments and was available to answer questions from the Committee.

- (3) AB 57 (Quirk) Telecommunications: wireless telecommunication facilities. (City Manager)
- a. Adopt a position of opposition for AB 57 (Quirk).
 - b. Recommend this item be agendaized for the June 23, 2015 City Council Meeting so that the City's Legislative Representative can advocate the City's opposition to AB 57 (Quirk).

Documents Filed: Memorandum from Director of Intergovernmental Relations Betsy Shotwell to the Rules and Open Government Committee, dated June 10, 2015, entitled, "AB 57 (Quirk) Telecommunications: wireless telecommunication facilities."

Public Comment:

- Blair Beekman provided comments regarding this item and transparency of cell phone towers.

Director of Intergovernmental Relations Betsy Shotwell provided comments and was available to answer questions from the Committee.

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Jones and carried unanimously, the item was forwarded to City Council for final action on June 23, 2015. (4-0-1. Absent: Khamis.)

- (4) Agreement with Squire Patton Boggs LLP for Federal Legislative Advocacy Services. (City Manager)
- a. Adopt a resolution authorizing the City Manager to negotiate and execute an agreement with Squire Patton Boggs LLP, for legislative representation services in Washington, D.C. for the period July 1, 2015 through June 30, 2019 for a total not to exceed \$576,000, subject to the appropriation of funds.
 - b. Place the item on the June 23, 2015 Council Agenda for action

Documents Filed: Memorandum from Director of Intergovernmental Relations Betsy Shotwell to the Rules and Open Government Committee, dated June 10, 2015, entitled, "Agreement with Squire Patton Boggs LLP for Federal Legislative Advocacy Services."

Director of Intergovernmental Relations Betsy Shotwell provided comments and was available to answer questions from the Committee.

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Jones and carried unanimously, the item was forwarded to City Council for final action on June 23, 2015. (4-0-1. Absent: Khamis.)

- (5) Mobile Home Drought Response Regulation. (Herrera)
- Direct the City Attorney to return to the Transportation and the Environment Committee and the Housing and Community Development Commission with clarification on:
- a. Which water regulations apply to mobile homes and who is responsible for enforcing them; and
 - b. How this in turn affects the City's Mobile Home Ordinance.

Documents Filed: Memorandum from Vice Mayor Rose Herrera to the Mayor and City Council, dated June 4, 2015, entitled, "Mobile Home Drought Response Regulation"; Letter from the Housing and Community Development Commission to the Mayor and City Council, dated June 16, 2015, entitled, "Ceasing operation of mobilehome car wash stations during California drought emergency."

Public Comment:

- Martha O'Connell shared concerns related to this item.
- Mike Connolly shared concerns regarding the California drought.

Senior Deputy City Attorney Shasta Greene was available to answer questions from the Committee.

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Jones and carried unanimously, the recommendation was approved. (4-0-1. Absent: Khamis.)

- (6) Sponsored Tour of Hetch Hetchy Water System. (Mayor)
- Direct the City Attorney to return to the Transportation and the Environment Committee and the Housing and Community Development Commission with clarification on:
- a. Accept invitation from the Bay Area Water Supply and Conservation Agency (BAWSCA) to attend an educational tour of the Hetch Hetchy Reservoir and San Francisco Public Utilities Commission (SFPUUC) key facilities from June 24-25. As organized, BAWSCA will pay for the cost for travel, lodging, and meals.
 - b. Approve travel to the Hetch Hetchy Reservoir for Weston Starbird as the Mayor of San Jose's representative on the tour.

Documents Filed: Memorandum from Mayor Sam Liccardo to the Rules and Open Government Committee, dated June 11, 2015, entitled, "Sponsored Tour of Hetch Hetchy Water System."

Action: Upon motion by Vice Mayor Herrera, seconded by Councilmember Jones and carried unanimously, the item was forwarded to City Council for final action on June 23, 2015. (4-0-1. Absent: Khamis.)

REVIEW OF ADDITIONS TO COUNCIL COMMITTEE AGENDAS/WORKPLANS

- (1) Community and Economic Development Committee
- a. Approve an addition to the January – June 2015 Community and Economic Development (CED) Committee Work Plan as indicated below:
 1. For the June 22, 2015 meeting, add "*Report on the Progress of Leasing City Facilities for Telecommunication Providers*" to the agenda.

Documents Filed: Memorandum from the Director of Economic Development Kim Welsh to the Rules and Open Government Committee, dated June 10, 2015, entitled, "Community and Economic Development Committee Workplan Addition."

Action: Upon motion by Councilmember Jones, seconded by Vice Mayor Herrera and carried unanimously, the recommendation was approved. (4-0-1. Absent: Khamis.)

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- (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

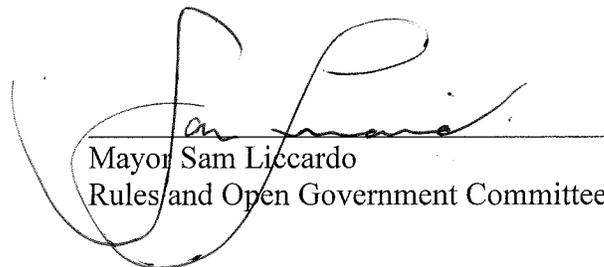
- (1) Appeals of Public Records Act Request – None.

OPEN FORUM

None.

ADJOURNMENT

The meeting adjourned at 2:50 p.m.



Mayor Sam Liccardo
Rules and Open Government Committee

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