

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

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, September 2, 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, Councilmember Magdalena Carrasco, and Councilmember Johnny Khamis.

**ABSENT:** None.

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

**CITY COUNCIL (CITY CLERK)**

- (1) Review September 8, 2015 Final Agenda**  
**None – Meeting Cancelled**
- (2) Review September 15, 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:

- Martha O'Connell requested a time certain for Item 4.5.

Action: Upon motion by Councilmember Jones, seconded by Vice Mayor Herrera and carried unanimously, the Committee approved the agenda including the following sunshine waivers, additions, and changes: Joint City of San Jose City Council/Finance Authority Agenda to be heard after the Consent Calendar. (5-0)

**REVIEW OF UPCOMING STUDY SESSION AGENDA(S)**

None.

## LEGISLATIVE UPDATE

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

## MEETING SCHEDULE

- (1) Release of Date for Study Session. (City Manager)  
Recommend release of date held for a Study Session on September 8, 2015 at 1:30 p.m.  
– 4:30 p.m.

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

## THE PUBLIC RECORD

Documents Filed: Memorandum from City Clerk Toni J. Taber transmitting the Public Record for the Week of August 21 – August 27, 2015.

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
  - a. Work2Future Board Nominations
    1. Approve the appointment of the following individuals until September 30, 2018:
      - a) Rose Amador-LeBeau – Center for Training and Careers
      - b) Louise Auerhahn – Working Partnerships USA
      - c) Denise Boland – County of Santa Clara
      - d) Janeen Dittrick – State of California Employment Development Department
      - e) Jack Estill – Appian Engineering, Inc.
      - f) Richard Friberg – Grow Strategically
      - g) Jose Gonzalez – Infolink
      - h) Dr. Bob Harper – Campbell Adult and Community Education
      - i) Susan Koepp-Baker – Enviro-Tech Services
      - j) Van Le – State Farm Insurance
      - k) Terry Newman – Gavilan College
      - l) Steve Preminger – County of Santa Clara
      - m) Hermelinda Sapien – Center for Employment Training
      - n) Alex Torres – CPG Consultants
      - o) Steve Wymer – TiVo
    2. Approve the appointment of the following individuals until September 30, 2019:
      - a) Anil Babbar – Pacific Gas and Electric
      - b) Jeff Burrill – Pangenera LLC
      - c) Carl Cimino – U.A. 393 Pipe Trades Training Center

- d) Joe Flynn – Lavante, Inc.
- e) Leslie Gilroy – Career Systems Development Corporation
- f) Olivier Minkowski – SiliconFrench, BrilTX
- g) Pamela Moore – State of California Department of Rehabilitation
- h) Rashad Said – Advanced Vocational Institute
- i) Mitch Schoch – Bentek, Inc.
- j) Bryan VanHuystee – Banc Home Loans
- k) Henri Villalovoz – Sourcewise
- l) Sima Yazdani – Cisco Systems, Inc.; and

Documents Filed: Memorandum from Mayor Sam Liccardo to the Rules and Open Government Committee, dated August 27, 2015, entitled, “Work2Future Board Nominations.”

The City Clerk noted these appointments do not need to go to Council as the Mayor is the appointing authority.

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

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

- (a) Retroactive Approval of the 2nd Annual San Jose-Guadalajara Sister City Reception sponsored by District 5 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event. (Carrasco)
  - 1. Retroactively approve the 2nd Annual San Jose-Guadalajara Sister City Reception that was held on August 28, 2015 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 September 15, 2015 Council Agenda for action

Documents Filed: Memorandum from Councilmember Magdalena Carrasco to the Rules and Open Government Committee, dated August 21, 2015, entitled, “Retroactive Approval of the 2nd Annual San Jose-Guadalajara Sister City Reception sponsored by 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 September 15, 2015 City Council Agenda for final action.

- (b) Approval of the District 2 Village Fest sponsored by District 2 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event. (Kalra)
1. Approve the District 2 Village Fest as a City Council sponsored Event scheduled for September 19, 2015 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 September 15, 2015 Council Agenda for action

Documents Filed: Memorandum from Councilmember Ash Kalra to the Rules and Open Government Committee, dated August 27, 2015, entitled, "Approval of District 2 Village Fest sponsored by District 2 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 September 15, 2015 City Council Agenda for final action.

- (c) Approval of the Ethiopian Flag Raising Ceremony sponsored by the Mayor as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event. (Mayor)
1. Approve the Ethiopian Flag Raising Ceremony as a City Council sponsored Event scheduled for September 9, 2015 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 September 15, 2015 Council Agenda for action

Documents Filed: Memorandum from Mayor Sam Liccardo to the Rules and Open Government Committee, dated August 27, 2015, entitled, "Approval of the Ethiopian Flag Raising Ceremony sponsored by the Mayor 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 September 15, 2015 City Council Agenda for final action.

### **END OF CONSENT CALENDAR**

- (2) Verbal Report with initial staff analysis on previously recommended direction from the August 13, 2015 memorandum from the Mayor, Councilmember Jones, and Councilmember M. Nguyen.  
[Rules Committee referral 8/19/15 – Item G(7)]

Documents Filed: Memorandum from Mayor Sam Liccardo, Councilmember Chappie Jones, and Councilmember Manh Nguyen to the Rules and Open Government Committee, dated August 13, 2015, entitled, "Minimum Wage Study"; Supplemental

Memorandum from Mayor Sam Liccardo to the Rules and Open Government Committee, dated September 2, 2015, entitled, "Minimum Wage Study."

Director of Intergovernmental Relations Betsey Shotwell and Director of Economic Development and Chief Strategist Kim Welsh provided additional information to the Committee and were available to answer questions from the Committee.

Public Comment:

- Bob Brownstein, Director of Policy and Research of Working Partnerships USA, shared his concerns regarding the Minimum Wage Proposal.
- Martha O'Connell spoke about minimum wage in relation to affordable housing.
- Maria Noel Fernandez, Director of Organizing and Civic Engagement of Working Partnerships USA, spoke in favor of the Minimum Wage Proposal.
- Meghan Fraley, Organizer for the Raise the Wage South Bay/Peninsula Coalition, spoke in favor on the Minimum Wage Proposal and requested a regional and collaborative approach.
- Dianna Zamora Marroquin, Communication Director of South Bay Labor Council, spoke in favor of the Minimum Wage Proposal.

Action: Upon motion by Councilmember Jones, seconded by Vice Mayor Herrera and carried unanimously, the item was approved with the recommendations from the Mayor's Supplemental Memorandum:

1. Hire an independent, widely-regarded economist/economics firm to:
  - a. Assess the net economic benefit of an increase of the minimum wage to current wage earners at or near the minimum wage;
  - b. Assess the net economic impact of a minimum wage increase on San Jose residents with the highest unemployment and underemployment rates, such as residents under 24, residents lacking a college degree, residents having prior criminal convictions, and others with significant barriers to employment, incorporating the experience of local agencies like Work2Future;
  - c. Assess the net economic impact on small businesses;
  - d. Estimate likely aggregate job loss/creation as a result of the increase; and
  - e. Assist the City Council and the region to assess:
    - i. A lower "training wage" for youth under the age of 18, to ensure a pathway to careers for young people needing to get their "foot in the door";
    - ii. An exemption for organizations employing persons, in the "hard-to-employ" such as parolees, homeless, and emancipated foster youth, and providing unique training to those members of our community;
    - iii. A "ramp-up" period for small businesses, e.g., those employers with fewer than 15 employees, and/or earning below a predetermined threshold of gross revenue, or for all businesses;
    - iv. An exemption for the employment of verifiable immediate or extended family members; and
    - v. Other exemptions that might be appropriate.

2. Pending Council determination of prioritization, and prior to spending resources on this effort, return to Council with a report on the status of a statewide initiative is being circulated for signatures now by the SEIU to increase the state of California's minimum wage to \$ 15 by 2021. Where polling suggests likely passage of a statewide measure, assess whether any local ordinance would be unnecessary or duplicative in effort.
3. As part of this effort, enlist the Mayor and Council in active engagement with neighboring cities in Santa Clara County to determine how the Valley can "move together" to raise the minimum wage for the benefit of struggling residents. Work through Councilmember Jones and the Cities Association of Santa Clara County to obtain concurrence of mayors and councils throughout the County, and include the County to ensure consistency in unincorporated areas.

Also, direct the City Manager to develop a Request for Proposal (RFP) to retain professional/expert services for the scope of work outlined in the memorandum and include key stakeholders and subject matter experts on the RFP evaluation panel. The item was placed on the September 15, 2015 City Council Agenda for final action. (4-1. Noes: Khamis)

#### **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.
- (4) Public Safety, Finance and Strategic Support Committee – None.
- (5) Joint Meeting of the Rules and Open Government Committee and Committee of the Whole – None.

#### **OPEN GOVERNMENT**

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

#### **OPEN FORUM**

Documents Filed: Letter from Martha O'Connell to the Mayor and City Council, regarding, "Critical News for All Residents What was confirmed at the meeting on August 24, 2011."

Public Comment:

- Martha O'Connell submitted one document to the Public Record and provided comments regarding an "opt-in" option for mobile home parks.

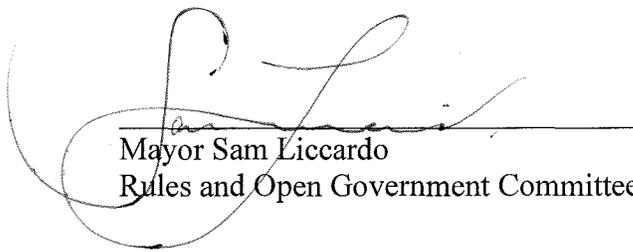
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**ADJOURNMENT**

The meeting adjourned at 2:36 p.m.



Mayor Sam Liccardo  
Rules and Open Government Committee

SL:at

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.