



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

SAN JOSE, CALIFORNIA

WEDNESDAY, MAY 3, 2017

The Joint Meeting of the 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: Councilmember Johnny Khamis, Chair ProTempore; Councilmember Dev Davis, Councilmember Chappie Jones, Members.

ABSENT: Mayor Sam Liccardo, Chair (Excused); Vice Mayor Magdalena Carrasco; Vice Chair (Excused).

STAFF: Assistant City Attorney Ed Moran; Assistant City Manager David Sykes; Agenda Services Manager Gloria Schmanek; Mayor's Policy Analyst Candace Le; City Clerk Toni Taber and Legislative Secretary Mykel Jeffrey.

City Clerk Toni Taber called the meeting to order at 2:01 p.m. seeing that neither the Chair nor Vice Chair were present and quorum was met. She recommended a motion to nominate a member of the committee for Chair Pro Tempore for the May 3, 2017 meeting. Councilmember Davis nominated Councilmember Johnny Khamis to Chair Pro Tempore, seconded by Councilmember Chappie Jones and confirmed unanimously, Councilmember Johnny Khamis was appointed Chair Pro-Tempore for the meeting of May 3, 2017. (3-0-2. Absent: Liccardo, Carrasco.)

A. City Council (City Clerk)

1. Review May 9, 2017 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)**

(Item Continued on the Next Page)

1. Review May 9, 2017 Draft Agenda (Cont'd.)

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis and carried unanimously, the Committee accepted the May 9, 2017 Agenda, as amended, Sunshine Waivers granted for Item 2.4 (Mayor and Council Excused Absence Requests) and 3.X (Emergency Medical Services), a 9:00 a.m. Closed Session start time, 7.2 (Municipal Water System Cost of Service Study) to be heard after the Consent Calendar and 4.3 (Actions Related to a Tenant Protection Ordinance with Just Cause Protections) and 4.4 (Extension of the Interim Amendment to the Apartment Rent Ordinance and Removal of Exemption for Apartments with Government Rent Subsidy) to be heard last on the agenda. (3-0-2. Absent: Liccardo, Carrasco.)

2. Review May 16, 2017 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:

1. Davlyn Jones asked the Committee to move the mobile home park items to the evening to accommodate people who live in mobile parks and have to work during the day.
2. Dianna Castillo from the Law Foundation of Silicon Valley, requested the Council change the item titled "Actions Related to Mobilehome Closures" back to "Actions Related to Mobilehome Preservation" as it was previously titled; she also stated that she believed that the description for the Mobilehome park was faulty and stated that the drafts have not been posted and not available to the public.
3. Martha O'Connell, speaking on behalf of GSMHL, requested that the item regarding mobilehome parks be heard first at an evening meeting.
4. Gail Osmer asked the Council to hear the mobilehome item in the afternoon for seniors to be able to attend.
5. Lee Alack asked for an early evening meeting in order to accommodate everyone who would like to testify on the mobilehome park items.
6. Warren Gen requested that the Council hear the items on mobile homes at the evening meeting.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis and carried unanimously, the Committee accepted the May 16, 2017 agenda with the following amendments: Item 4.2 (General Plan Text Amendment: Mobilehome Park Closures) to be changed to Item 10.1 and heard with Item 4.1 (Actions Related to Mobilehome Park Closures) no earlier than 4:00 p.m. and 7.1 (Establish San José Clean Energy) to be heard last. (3-0-2. Absent: Liccardo, Carrasco.)

B. Review of Upcoming Study Session Agenda(s)

None.

C. Legislative Update

1. State
2. Federal

None.

D. Meeting Schedules

None.

E. The Public Record

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated May 5, 2017, transmitting the Public Record for the Week of April 29 – May 4, 2017.

Public Comments: Blair Beekman addressed the committee regarding Seaburn Technology and told the committee he was going to send a letter to the County to see how their surveillance technology can collaborate with the City's technology.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Chappie Jones and carried unanimously, the Committee noted and filed the Public Record. (3-0-2. Absent: Liccardo, Carrasco.)

F. Boards, Commissions and Committees

1. Appointments

- a. Approve the following appointments to City Council Committee, and Commissions and Boards. (Mayor)
 - 1) Appoint Councilmember Dev Davis to the Grand Boulevard Initiative Task Force.
 - 2) Appoint Councilmember Donald Rocha to replace Councilmember Jimenez on the Santa Clara Valley Habitat Agency Governing Board.
 - 3) Appoint Councilmember Sylvia Arenas to replace Councilmember Donald Rocha on the Public Safety, Finance and Strategic Support Committee.

Documents Filed: Memorandum from Mayor Sam Liccardo, dated April 27, 2017 recommending approval of the City Council Committee and Commissions and Boards appointments.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Chappie Jones and carried unanimously, the Committee approved the appointment of the City Council Committee and Commissions and Boards and forwarded the item to the full council for discussion and formal action on the May 9, 2017 Council meeting agenda. (3-0-2. Absent: Liccardo, Carrasco.)

2. Work Plans & Annual Reports

None.

G. Rules Committee Reviews, Recommendations and Approvals

1. Consent Calendar

- a. **Approval of the South Korean Flag Raising sponsored by Council District 1 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event.**
- b. **Approval of Oak Hill Memorial Day Observance sponsored by Council District 10 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event.**

Documents Filed: (1) Memorandum from Councilmember Chappie Jones, dated April 21, 2017 recommending the approval of the Korean flag raising ceremony; (2) Memorandum from Councilmember Johnny Khamis, dated April 25, 2017 recommending the approval of the Oak Hill Memorial Day Observance.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Chappie Jones and unanimously passed, the Committee approved the Consent Calendar. (3-0-2. Absent: Liccardo, Carrasco.)

2. Update of Airport Commission By-Laws.

Documents Filed: Memorandum from Assistant Director of Aviation at Mineta San José International Airport John Aiken, dated April 27, 2017 recommending approval of update on Airport Commission by-laws.

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis and unanimously passed, the Committee approved the update of Airport Commission By-Laws. (3-0-2. Absent: Liccardo, Carrasco.)

3. Monthly Report of Activities for March 2017.

Documents Filed: Memorandum from City Auditor Sharon W. Erickson, dated April 28, 2017 recommending the approval of the Auditor's Office Monthly Report

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis and carried unanimously, the committee approved the Monthly Report of Activities for March 2017. (3-0-2. Absent: Liccardo, Carrasco.)

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. **Joint Meeting of the Rules and Open Government Committee and Committee of the Whole**
6. **Smart Cities and Service Improvements Committee**

None.

I. Open Government

1. Appeals of Public Records Act Request.

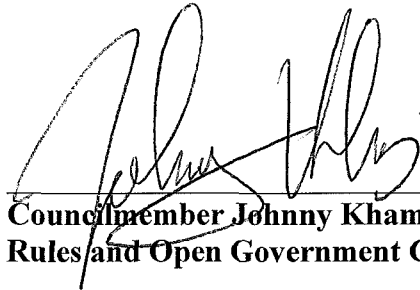
None.

J. Open Forum

1. Blair Beekman voiced objection to 'irritating' billboard ads and suggested City of San José Police Department have local safeguards on data collection.
2. Martha O'Connell asked for the Council to schedule the mobile home park items on the May 16, 2017 agenda during an evening meeting in order for everyone to attend.

K. Adjournment

Councilmember Johnny Khamis adjourned the meeting at 2:38 p.m.



**Councilmember Johnny Khamis, Chair Pro-Tempore
Rules and Open Government Committee**

JK/mj

Access the video, the agenda and related reports for this meeting by visiting the City's website at <http://www.sanjoseca.gov/civiccenter>. For information on any ordinance that is not hyperlinked to this document, please contact the Office of the City Clerk at (408) 535-1268.