



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

SAN JOSE, CALIFORNIA

WEDNESDAY, MAY 10, 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: Vice Mayor Magdalena Carrasco, Chair; Councilmember Dev Davis, Councilmember Chappie Jones, and Councilmember Johnny Khamis, Members.

ABSENT: Mayor Sam Liccardo. (Excused)

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

A. City Council

1) 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)**

Documents Filed: Postcards from Linda Hutchings-Knowles, in support of the San José Community Clean Energy initiative.

Public Comments:

1. Ruth Marino addressed the Committee in support of San Jose Clean Energy and asked the item to be heard in the early afternoon.
2. Gail Osmer requested the start time of the mobilehome park item be heard at 3:30 so seniors can attend.
3. Linda Hutchins-Knowles spoke in support of Community Choice Energy.

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1) Review May 16, 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 16, 2017 Agenda with the following amendments: additions of and Sunshine waivers for Item 2.4 (Mayor and Council Excused Absence Requests) and Item 2.13 (Waive Permit Fee for Block Parties on July 4, 2017); Item 7.1 (Establish San José Clean Energy) to be heard following items 9.1 (Actions Related to the Reinstatement of Loan Agreement for Parking Fund Loans) and 9.2 (Actions Related to the Sale and Issuance of Bonds and Related Bond Documents for Multiple Series of Tax Allocation Refunding Bonds), which are to be heard after the Consent Calendar. (4-0-1. Absent: Liccardo.)

2) Review May 23, 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)**

Action: Upon motion by Councilmember Chappie Jones, seconded by Councilmember Dev Davis and carried unanimously, the Committee accepted the May 23, 2017 Agenda as amended, including removing item 2.18 (Amendment to Title 11 for Residential Permit Parking) from the Consent Calendar and reordering it to item 6.3 on the agenda. (4-0-1. Absent: Liccardo.)

B. Review of Upcoming Study Session Agenda(s)

None.

C. Legislative Update

- 1) **State**
- 2) **Federal**

None.

D. Meeting Schedules

1) Set General Plan Hearings for May 2017. (Planning, Building and Code Enforcement)

Documents Filed: Memorandum from Director of Planning, Building and Code Enforcement Harry Freitas, dated May 3, 2017, recommending the approval of a General Plan City Council hearing beginning the afternoon of May 16, 2017.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones and carried unanimously, the Committee approved the General Plan Hearings for May 2017. (4-0-1. Absent: Liccardo.)

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.

Action: Motion by Councilmember Chappie Jones, second by Councilmember Johnny Khamis and carried unanimously, the Committee noted and filed the public record. (4-0-1. Absent: Liccardo.)

F. Boards, Commissions and Committees

- 1) **Appointments**
- 2) **Work Plans & Annual Reports**

None.

G. Rules Committee Reviews, Recommendations and Approvals

1) Consent Calendar

- a) **Approval of the SVCTBA Smart City Conference 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. (Khamis)**

Documents Filed: Memorandum from Councilmember Johnny Khamis, dated May 4, 2017, recommending approval of the SVCTBA Smart City of José Conference sponsored by Council District 10 as a City of San José Council sponsored special event to expend city funds and accept donations of materials and services for the event.

Public Comment: Blair Beekman expressed concern about the proposed “data lake” from the Smart Cities Committee.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones and carried unanimously, the Committee approved the Consent Calendar. (4-0-1. Absent: Liccardo.)

2) Board of Fair Campaign and Political Practices Response to September 27, 2016 Council Referral Regarding Legal Defense Funds, and Campaign and Officeholder Contributions for Election Contest or Recounts. (City Clerk)

Documents Filed: Memorandum from City Clerk Toni Taber, dated May 4, 2017, recommending the acceptance of the Board of Fair Campaign and Political Practices report.

Action: Upon motion by Councilmember Johnny Khamis seconded by Councilmember Chappie Jones and carried unanimously, the Committee accepted the Board of Fair Campaign and Political Practices report and agendized it for the May 16, 2017 City Council Meeting for action. (4-0-1. Absent: Liccardo.)

- 3) **SB 5 (De Leon) – California Drought, Water, Parks, Climate, Coastal Protection, And Outdoor Access for All Act of 2018; and AB 18 (Garcia) – California Clean Water, Climate, Coastal Protection and Outdoor Access for All Act of 2018.**

Document Filed: City Council Action Request from Director of Parks, Recreation & Neighborhood Services Angel Rios recommending adopting a position of support for Senate Bill 5.

Director of Intergovernmental Relations Betsy Shotwell and Director of Parks, Recreation & Neighborhood Services Angel Rios gave a verbal presentation on SB 5 and answered the Committee's questions.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis and carried unanimously, the Committee approved the recommendation to support SB 5 and agendized the item for the May 16, 2017 City Council Meeting. (4-0-1. Absent: Liccardo.)

- 4) **Approval of District 9 Grant for District 9 School.**

Documents Filed: Memorandum from Councilmember Donald Rocha, dated May 3, 2017, recommending the approval of a grant for Ida Price Middle School.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis and carried unanimously, the Committee approved the request to place the item on the May 16, 2017 City Council Agenda. (4-0-1. Absent: Liccardo.)

H. Review of additions to Council Committee Agendas/Workplans

- 1) **Community and Economic Development Committee**

None.

- 2) **Neighborhood Services and Education Committee**

- a) **Update to the Neighborhood Services and Education Committee Workplan. (Housing)**

Documents Filed: Memorandum from Director of Housing Jacky Morales-Ferrand, dated May 3, 2017, recommending approval of the amendment to the Neighborhood Services and Education Committee Workplan.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis and carried unanimously, the Committee approved the recommended amendment for the June 8, 2017 Neighborhood Services and Education Committee Agenda. (4-0-1. Absent: Liccardo.)

- 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. Mark Womack addressed the Council about parking in the Eden neighborhood.
2. Mariana Damian spoke to the Committee regarding parking in her neighborhood.
3. Cynthia Riley from the Eden neighborhood addressed the council regarding parking in her neighborhood.
4. Mark Jensen spoke to parking issues in his neighborhood.
5. Blair Beekman addressed the committee on data collection in the City.

K. Adjournment

Vice Mayor Magdalena Carrasco adjourned the meeting at 2:42 p.m.



**Vice Mayor Magdalena Carrasco, Chair
Rules and Open Government Committee**

MC/mj