

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

SAN JOSE, CALIFORNIA

WEDNESDAY, OCTOBER 26, 2016

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 2:02 p.m. in Committee Rooms 118-120, Council Wing, City Hall.

PRESENT: Mayor Sam Liccardo, Chair; Council Member Johnny Khamis, Council Member Chappie Jones and Council Member Magdalena Carrasco, Members.

ABSENT: Herrera. (Excused)

STAFF: City Attorney Richard Doyle, Assistant City Manager David Sykes, Senior Executive Analyst Gloria Schmanek, Mayor's Policy Analyst Candace Le, City Clerk Toni Taber, and Deputy City Clerk Susan Davis.

A. City Council (City Clerk)

1. Review November 1, 2016 Final 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 Council Member Johnny Khamis, seconded by Council Member Magdalena Carrasco and carried unanimously, the Committee accepted the November 1, 2016 Agenda, as amended, a sunshine waiver for Item 2.1(c), Regular Council Minutes of September 27, 2016; Item 2.4, Excused Absence for Council Member Magdalena Carrasco; Item 2.9, Acceptance of the Office of Traffic Safety 2016-2017 Selective Traffic Enforcement Program Grant Funds and Item 2.10, Acceptance of the Fiscal Year 2106 Internet Crimes Against Children Task Force Invited Awards, including sunshine waivers were added to the Agenda and a sunshine waiver for Item 3.5, Council Resolution Policy 0-11. (4-0-1. Absent: Herrera.)

- G. 2. **Review November 8, 2016 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 Council Member Magdalena Carrasco, seconded by Council Member Chappie Jones and carried unanimously, the Committee accepted the November 8, 2016 Agenda. (4-0-1. Absent: Herrera.)

B. Review of Upcoming Study Session Agendas

There were none presented.

C. Legislative Update – Verbal Report

There was none presented.

D. Meeting Schedules

There were none presented.

E. The Public Record

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated October 21, 2016, transmitting the Public Record for the Week of October 14 – October 20, 2016.

Action: Upon motion by Council Member Johnny Khamis, seconded by Council Member Magdalena Carrasco and carried unanimously, the Committee noted and filed the public record. (4-0-1. Absent: Herrera.)

F. Boards, Commissions and Committees

1. Appointments

There were none presented.

2. Work Plans & Annual Reports

a. Airport Commission Work Plan Agenda Additions. (Airport)

- (1) **Add the following topic for discussion and possible action to the Airport Commission agenda of November 14, 2016:**
 - (a) **Council Policy 0-4 Update.**
 - (b) **The amendment of Municipal Code Section 2.08.080.**
 - (c) **Briefing on Airport Strategic Plan.**
- (2) **Add the following topic for discussion and possible action to the Airport Commission agenda of February 13, 2017: 9a) Updated Commission Rules and Regulations for the Conduct of Business (by-laws).**

- F. 2. a. (3) **Add a new standing item to the Airport Commission work plan for staff reports that need to be reviewed by the Commission for recommendation/comment before going to the Council for review.**

Documents Filed: Memorandum from Director of Aviation Services Kimberly J. Becker, dated October 19, 2016, recommending additions to the Airport Commission Work Plan Agendas.

Action: Upon motion by Council Member Johnny Khamis, seconded by Council Member Chappie Jones and carried unanimously, the Committee accepted additions to the Airport Commission Work Plan Agendas. (4-0-1. Absent: Herrera.)

G. Rules Committee Reviews, Recommendations and Approvals

1. Consent Calendar

- a. **Approval of San José Gun Buyback sponsored by Council District 2 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services. (Kalra)**
- (1) **Approve the San José Gun Buy Back scheduled on December 3, 2016 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.**
 - (3) **Place the item on the November 8, 2016 Council Agenda for action.**
- b. **Approval of the Westfield Oakridge Winter Walk (WOWW) sponsored by Council Districts 10, 9, and 2 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event. (Khamis)**
- (1) **Approve the Westfield Oakridge Winter Walk (WOWW) scheduled on Friday, February 24, 2017 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.**
 - (3) **Place the item on the November 1, 2016 Council Agenda for action.**

Documents Filed: (1) Memorandum from Council Member Ash Kalra, dated October 19, 2016, requesting approval of the City Council Sponsored Special Event and to place it on the November 8, 2016 Agenda for action. (2) Memorandum from Council Member Johnny Khamis, dated October 20, 2016, requesting approval of the City Council Sponsored Special Event and to place it on the November 1, 2016 Agenda for action.

Action: Upon motion by Council Member Chappie Jones, seconded by Council Member Magdalena Carrasco and carried unanimously, the Committee accepted the Consent Calendar and agendaized the Westfield Oakridge Winter Walk on the November 1, 2016 Agenda and the San José Gun Buyback on the November 8, 2016 Council Agenda. (4-0-1. Absent: Herrera.)

- G. 2. **Retirement Plan Report and Briefing. (Mayor)**
Agendize the “FY 2015-2016 Retirement Plan Investments Annual Report,” currently scheduled for the Public Safety, Finance, and Strategic Support Committee on December 15, 2016, for the full City Council on November 15, 2016. In addition, the scope of the report should be broadened to include an analysis for FY 2013-2014 and FY 2014-2015 and information regarding the timing of projections for future rates focusing on assumed rates of return and impacts to the City’s contribution rate for next five years.

Documents Filed: Memorandum from Mayor Sam Liccardo, dated October 20, 2016, recommending as indicated below in “Action”.

Action: Upon motion by Council Member Johnny Khamis, seconded by Council Member Magdalena Carrasco and carried unanimously, the Committee agendized the “FY 2015-2016 Retirement Plan Investments Annual Report,” currently scheduled for the Public Safety, Finance, and Strategic Support Committee on December 15, 2016, for the full City Council on November 15, 2016. In addition, the scope of the report should be broadened to include an analysis for FY 2013-2014 and FY 2014-2015 and information regarding the timing of projections for future rates focusing on assumed rates of return and impacts to the City’s contribution rate for next five years. (4-0-1. Absent: Herrera.)

3. **Approval of District 9 SAP Grant for District 9 School. (Rocha)**
(a) **Approve grant for Bagby Elementary School for their Home and School Club to support student programs and activities. To be paid by the Arena Community Funds City-Wide appropriation in the amount of \$750.00.**
(b) **Place the item on the November 1, 2016 Council Agenda for action.**

Documents Filed: Memorandum from Council Member Donald Rocha, dated October 12, 2016, recommending approval of the grant and to place the item on the November 1, 2016 Council Agenda for action.

Action: Upon motion by Council Member Chappie Jones, seconded by Council Member Magdalena Carrasco and carried unanimously, the Committee approved the item and agendized it on the November 1, 2016 Council Agenda for action. (4-0-1. Absent: Herrera.)

- H. **Review of additions to Council Committee Agendas/Work Plans**
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**

There were none presented.

I. Open Government

1. Appeals of Public Records Act Request

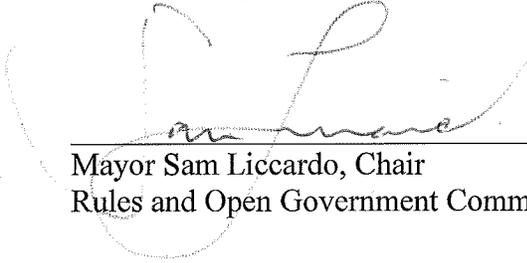
There were none presented.

OPEN FORUM

Blair Beekman presented his own personal thoughts about helping the homeless community in the City of San José.

ADJOURNMENT

Mayor Sam Liccardo adjourned the meeting at 2:11 p.m.



Mayor Sam Liccardo, Chair
Rules and Open Government Committee

SL/smd