



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

SAN JOSE, CALIFORNIA

WEDNESDAY, OCTOBER 28, 2015

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 Committee Rooms 118-120, Council Wing, City Hall.

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

ABSENT: All Present.

STAFF: City Attorney Richard Doyle, Assistant City Manager David Sykes, City Clerk Toni J. Taber, Agenda Services Manager Gloria Schmanek, Mayor's Assistant Margaret Le and Deputy City Clerk Susan M. Davis.

A. City Council (City Clerk)

- 1. Review November 03, 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)**

Assistant City Manager David Sykes provided an update on Item 6.1 Actions Related to the Agreement with Taxi San José for the On-Demand Ground Transportation Program.

Mayor Sam Liccardo opened the floor for public testimony.

Public Comments: Expressing concern relating to the Agreement with Taxi San José and the Management and Operating Plan for the Transportation Network Companies at the Airport were Dave Logan, Yellow Cab; Kirpal Bajwa, Tesfalem, Rahul Mlik, Taxi Workers Alliance of Silicon Valley; Engidie Tegregwe, Shakur Buni, Marvin Cuaresma, Silver Cab/Silicon Valley Taxi Union and Seyoum Asnat.

A. 1. Review November 03, 2015 Final Agenda. (Cont'd.)

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Council Member Johnny Khamis and carried unanimously, the Committee accepted the November 03, 2015 Final Agenda, as amended, with Items 6.1 and 6.2 deferred to November 10, 2015, with Staff directed to provide a supplemental memorandum. (4-0-1, Absent: Carrasco.)

A. 2. Review November 10, 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)

Action: Upon motion by Council Member Johnny Khamis, seconded by Vice Mayor Rose Herrera and carried unanimously, the Committee accepted the November 10, 2015 Draft Agenda, as amended, with Item 5.1 to be heard immediately following the Consent Calendar. (5-0.)

B. Review of Upcoming Study Session Agendas

1. Review November 9, 2015 Final Agenda for the *City Council Emergency Management Training Study Session. (Fire)*

Action: Upon motion by Council Member Johnny Khamis, seconded by Vice Mayor Rose Herrera and carried unanimously, the Committee approved the Study Session. (5-0.)

C. Legislative Update

1. State
2. Federal

There was no Legislative Update.

D. Meeting Schedules

There were none presented.

E. The Public Record

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated October 23, 2015, transmitting the Public Record for the Week of October 16 – October 22, 2015.

Mayor Sam Liccardo opened the floor for public testimony.

Public Comments: Martha O'Connell, Homeowner's Organized to Maintain Equity, expressed concern about the rising cost of the Sewer Service and Use Rate Charges and how it impacts the Seniors.

E. The Public Record. (Cont'd.)

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Council Member Chappie Jones and carried unanimously, the Committee noted and filed the public record. (5-0.)

F. Boards, Commissions and Committees

1. Appointments

2. Work Plans and Annual Reports

a. Parks, Recreation and Neighborhood Services Commissions' Annual Reports and Work Plans. (Parks, Recreation and Neighborhood Services)

Accept the 2014-2015 Annual Reports and 2015-2016 Work Plans submitted by the following commissions working in collaboration with the Department of Parks, Recreation and Neighborhood Services and in alignment with commission duties as per Municipal Code:

- (1) Parks and Recreation Commission.**
- (2) Senior Citizens Commission.**
- (3) Youth Commission.**

Documents Filed: Memorandum from Director of Parks, Recreation and Neighborhood Services Angel Rios, Jr., dated October 21, 2015, recommending acceptance of the Work Plans and Annual Reports.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Council Member Magdalena Carrasco and carried unanimously, the Committee accepted the Work Plans and Annual Reports. (5-0.)

G. Rules Committee Reviews, Recommendations and Approvals

1. Consent Calendar

a. Approval of the District 5 Community Health Resource Fair 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) Approve the District 5 Community Health Resource Fair scheduled on November 14, 2015 as a City Council sponsored 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 10, 2015 Council Agenda for action.**

b. Approval of the East San José Infant Clothing Drive 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)

- G. 1. b. (1) Approve the East San José Infant Clothing Drive scheduled on November 16, 2015 until November 27, 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.
- (3) Place the item on the November 10, 2015 Council Agenda for action.
- c. Approval of Code for San José – Civic Hack Night 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 Code for San José – Civic Hack Night scheduled on November 12, 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.
 - (3) Place the item on the November 10, 2015 Council Agenda for action.

Documents Filed: (1) Memoranda from Council Member Magdalena Carrasco, both dated October 21, 2015, recommending approval of the District 5 Community Health Resource Fair and the East San José Infant Clothing Drive and placement of both events on the November 10, 2015 Agenda. (2) Memorandum from Mayor Sam Liccardo, dated October 22, 2015, recommending approval of Civic Hack Night and placement on the November 10, 2015 Agenda.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Council Member Johnny Khamis and carried unanimously, the Committee accepted the Consent Calendar and added it to the November 10, 2015 Agenda. (5-0.)

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

3. Transportation and Environment Committee

(a) Transportation and Environment Committee Work Plan Update. (Airport)

Approve an amendment to the August – December 2015 Work Plan for the Transportation and Environment Committee: Add “Briefing on Upcoming Airport Projects” as an item for presentation to the December 7, 2015 agenda.

(b) Transportation and Environment Committee Work Plan Update. (Environmental Services)

Approve an amendment to the August – December 2015 Work Plan for the Transportation and Environment Committee: Drop “Community Choice Aggregation Update” from the November 2, 2015 agenda.

H. Review of additions to Council Committee Agendas/Work Plans. (Cont'd.)

Documents Filed: (1) Memorandum from Assistant Director of Aviation John Aitken, dated October 21, 2015, recommending approval of an addition of Briefing on Upcoming Airport Projects to the December 7, 2015 Agenda. (2) Memorandum from Director of Environmental Services Kerrie Romanow, dated October 19, 2015, recommending dropping Community Choice Aggregation Update from the November 2, 2015 Agenda. (3) Letter from Ruth Merino, Chair, San José Community Energy, dated October 28, 2015, regarding the Community Choice Aggregation Update.

Mayor Sam Liccardo opened the floor for public testimony.

Public Comments: Ruth Merino, Chair, San José Community Energy advocated for Community Choice Aggregation and expressed support to the placement of the item on the February 2016 Transportation and Environment Committee Work Plan.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Council Member Johnny Khamis and carried unanimously, the Committee accepted the amendments to the Work Plan for the Transportation and Environment Committee. (5-0.)

I. Open Government

1. Appeals of Public Records Act Request

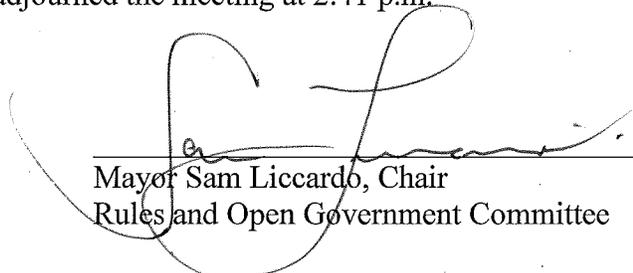
There were none presented.

OPEN FORUM

There was no public testimony from the floor.

ADJOURNMENT

Mayor Sam Liccardo adjourned the meeting at 2:41 p.m.



Mayor Sam Liccardo, Chair
Rules and Open Government Committee

SL/smd

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