



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

SAN JOSE, CALIFORNIA

WEDNESDAY, AUGUST 3, 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; 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, Senior Executive Analyst Gloria Schmanek, Mayor's Assistant Ahmad Chapman, Mayor's Policy Analyst Candace Le, City Clerk Toni J. Taber, and Deputy City Clerk Susan M. Davis.

A. City Council (City Clerk)

- 1. Review August 9, 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)**

Mayor Sam Liccardo opened the floor for public testimony.

Public Comments: Shani Kleinhaus, Santa Clara Valley Audubon Society expressed support to deferring actions related to the Riparian Bird-Safe Design Policy for two weeks. David Wall voiced comments concerning various items on the Agenda. Richard McCoy proposed reduced Small Business taxes for senior citizens. Ed Rast presented his views pertaining to the City's openness and transparency to the public.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Council Member Magdalena Carrasco and carried unanimously, the Committee accepted the June 28, 2016 Agenda, as amended, Item 4.2, Amendments to Title 20 and Title 23 was deferred for two weeks and Sunshine Waivers granted for the Ballot Measures on Item 3.13, Potential Business Tax Modernization Measure and 3.14, Proposed Ballot Measure – Alternative Pension Reform Act. (5-0.)

- A. **City Council (City Clerk)**
 - 2. **Review August 16, 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)**
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Mayor Sam Liccardo opened the floor for public testimony.

Public Comments: David Wall presented varied comments. Ed Rast offered his views pertaining to homelessness and the Evans Lane Interim Community Housing Project.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Council Member Chappie Jones and carried unanimously, the Committee accepted the June 28, 2016 Agenda, as amended, with Item 4.1, Actions Related to Leasing Property to Abode Services and Predevelopment Funding for the Evans Lane Interim Community Housing Project to be heard following the Public Hearings Consent Calendar. (5-0.)

B. Review of Upcoming Study Session Agendas

There were none presented.

C. Legislative Update – Verbal Report

- 1. **State**
- 2. **Federal**

There were none presented.

D. Meeting Schedules

There were none presented.

E. The Public Record

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated July 29, 2016, transmitting the Public Record for the Week of July 22 – July 28, 2016.

Mayor Sam Liccardo opened the floor for public testimony.

Public Comments: David Wall expressed his views concerning the recent murder of his neighbor.

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

- F. Boards, Commissions and Committees**
- 1. Appointments**
 - 2. Work Plans & Annual Reports**

There were none presented.

- G. Rules Committee Reviews, Recommendations and Approvals**
- 1. Consent Calendar**

No Consent Calendar Items.

- 2. Approval of Amendments to Planning Commission Bylaws.**

Documents Filed: Memorandum from City Attorney Richard Doyle, dated July 28, 2016, regarding the approval of Planning Commission Bylaws Amendments.

City Attorney Richard Doyle responded to questions and concerns from the Committee.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Council Member Chappie Jones and carried unanimously, the Committee approved the Planning Commission Bylaws Amendments. (5-0.)

- 3. Priority Response to SPUR and Staff Identified Work Items.**

Documents Filed: Memorandum from Director of Planning, Building and Code Enforcement Harry Freitas and Director of Transportation James Ortbal, dated July 27, 2016, recommending acceptance of the report on Priority Response to SPUR and Staff Identified Work Items.

Assistant Director of Planning, Building and Code Enforcement Rosalynn Hughey offered the report.

Mayor Sam Liccardo opened the floor for public testimony.

Public Comments: David Wall expressed his opposition to SPUR. Teresa Alvarado, Director, SPUR, provided highlights of the merits of SPUR. Blair Beekman commented on oversight and transparency.

Committee discussion ensued.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Council Member Magdalena Carrasco and carried unanimously, the Committee accepted the report. City Policies Regarding Transportation Impact Analysis and Evaluation was accepted by the Committee and will be sent to Council. The following items were sent to the prioritization process: (1) Zoning Code Revisions in Downtown and Urban Villages. (2) Citywide Urban Design Guidelines. (3) Downtown Historic Preservation. (4) Downtown Parking Management Plan and Code Reform. (5) Downtown Circulation and Access Study. (5-0.)

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**
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There were none presented.

I. Open Government

1. **Appeals of Public Records Act Request**

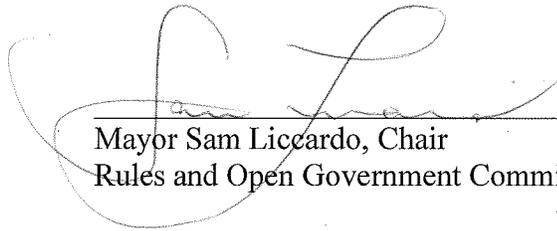
There were none presented.

OPEN FORUM

- (1) Blair Beekman presented his own views on various societal issues.
- (2) David Wall suggested that California should enforce a higher penalty for littering.
- (3) Ed Rast pointed out that since the Lincoln Avenue Road Diet has been implemented there have been major problems with people violating various traffic laws, e.g. illegal U-Turns.

ADJOURNMENT

Mayor Sam Liccardo adjourned the meeting at 2:58 p.m.



Mayor Sam Liccardo, Chair
Rules and Open Government Committee

SL/smd