



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

SAN JOSE, CALIFORNIA

WEDNESDAY, SEPTEMBER 07, 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 2:00 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 Policy Analyst Candace Le, City Clerk Toni J. Taber, and Deputy City Clerk Susan M. Davis.

A. City Council (City Clerk)

- 1. Review September 13, 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 Vice Mayor Rose Herrera seconded by Council Member Magdalena Carrasco and carried unanimously, the Committee accepted the September 13, 2016 Agenda, as amended, a Sunshine Waiver was granted for Item 4.2, Actions Related to Urban Agriculture Incentive Zone and Item 2.18, Independent Police Auditor's Travel was added to the Agenda. (5-0.)

- 2. Review September 20, 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)**

G. 2. Review September 20, 2016 Draft Agenda. (Cont'd.)

Action: Upon motion by Vice Mayor Rose Herrera seconded by Council Member Magdalena Carrasco and carried unanimously, the Committee accepted the September 20, 2016 Agenda, as amended, Closed Session to begin at 9:00 a.m. (5-0.)

B. Review of Upcoming Study Session Agendas

There were none presented.

C. Legislative Update – Verbal Report

There was none presented.

D. Meeting Schedules

**1. City Council Meeting Schedule through December 2016 (City Manager)
Approve the City Council Meeting Schedule through December 2016.**

Documents Filed: Memorandum from Senior Executive Analyst Gloria Schmanek, dated August 31, 2016, recommending approval of the Council Meeting Schedule.

Action: Upon motion by Council Member Johnny Khamis, seconded by Vice Mayor Rose Herrera and carried unanimously, the Committee approved the Council Meeting Schedule through December 2016. (5-0.)

E. The Public Record

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated September 2, 2016, transmitting the Public Record for the Week of August 26 – September 1, 2016.

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

F. Boards, Commissions and Committees

1. Appointments

a. San José Arena Authority Board (Mayor)

Appointment of the following candidates to serve on the San José Arena Authority Board (Mayor):

- (1) Scott Bruner (At Large; full term July 1, 2016 – June 30, 2020)**
- (2) Sarah Finn (At Large; full term July 1, 2016 – June 30, 2020)**
- (3) Vinni Walia (At Large; full term July 1, 2016 – June 30, 2020)**
- (4) Rusty Weekes (At Large; partial term July 1, 2016 – June 30, 2018)**

F. 1. Appointments. (Cont'd.)

Documents Filed: Memorandum from Mayor Sam Liccardo, dated August 29, 2016, appointing the candidates as described previously on Page 2, Item F.1.a.

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

G. Rules Committee Reviews, Recommendations and Approvals

1. Consent Calendar

There were no items on the Consent Calendar.

2. Proposed Gun Violence Prevention Ordinance (Kalra/Peralez)

That the City Manager comes back to Council with a gun safety ordinance including the following provisions:

- a. Require gun owners to safely store firearms that are kept in the home in a locked container or disabled with a trigger lock.**
- b. Require firearms stored in unattended vehicles to be secured in a mounted lock box.**
- c. Require gun owners to report the loss or theft of a firearm within 48 hours of the time that the owner knows or reasonably should know that a firearm is lost or stolen.**
- d. Require ammunition vendors within one year of the effective date of this ordinance to keep records of ammunition sales data in the form of an electronic log.**

Documents Filed: Memorandum from Council Member Ash Kalra and Council Member Raul Peralez, dated September 1, 2016, recommending approval as stated above in Item 2(a-d).

Council Member Ash Kalra presented background information on the memorandum he cosigned with Council Member Raul Peralez pertaining to the Proposed Gun Violence Prevention Ordinance.

Mayor Sam Liccardo opened the floor for public testimony.

Public Comments: Speaking for public safety and support for common sense measures pertaining to the Proposed Gun Violence Prevention Ordinance were Aimee Reedy, Santa Clara County Public Health Department; Louis Pandula, Lareen Jacobs, Lois Fiedler, PhD, Dena Dickinson, Mary Spagnol, Jo Stein, Marilyn Highland, Annette Ladowitz, Irena Olender, Don Veith, Bonita Krasnopl, Safe Cities Coalition; Lenine Umali, representing Congressman Mike Honda; Steve Jacobs, Rabbi Melanie Aron, Congregation Shir Hadash; Amanda Hawes, Ted Smith, Ann Marie Tran, Asian Americans for Community Involvement (AACI); Felisha Ihly, Michelle Cordova, San José Peace and Justice and Camille Llanes-Fontanilla, Somos Mayfair.

G. 2. Proposed Gun Violence Prevention Ordinance. (Cont'd.)

Mayor Sam Liccardo, Vice Mayor Rose Herrera, Council Member Ash Kalra and the Rules and Open Government Committee Members thanked the speakers for their advocacy and commitment.

Action: Upon motion by Vice Mayor Rose Herrera, seconded by Council Member Chappie Jones and carried unanimously, the Committee referred the issue of a Gun Safety Ordinance to Staff for review and evaluate. Staff was directed to return to the Rules and Open Government Committee in two weeks with information on items that can be implemented immediately and the items which Staff deems would require more work would be recommended to be forwarded to the Priority Setting Process. (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**

There were none presented.

I. Open Government

- 1. Appeals of Public Records Act Request**

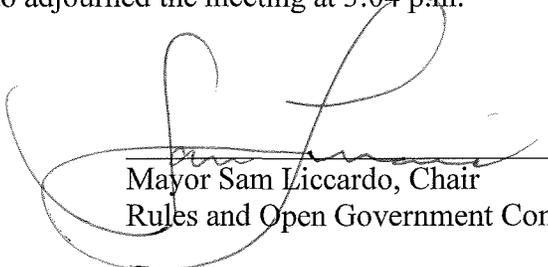
There were none presented.

OPEN FORUM

Blair Beekman opined about the openness, transparency, and surveillance and technology programs.

ADJOURNMENT

Mayor Sam Liccardo adjourned the meeting at 3:04 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/civiccenter>. For information on any ordinance that is not hyperlinked to this document, please contact the Office of the City Clerk at (408) 535-1266.