

2.3 Approval of Council Committee Minutes.



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

SAN JOSE, CALIFORNIA

WEDNESDAY, MARCH 22, 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 Committee Rooms 118-120, Council Wing, City Hall.

PRESENT: Mayor Sam Liccardo, Chair; Vice Mayor Magdalena Carrasco, Vice Chair; Councilmember Dev Davis, Councilmember Chappie Jones (2:03 p.m.), and Councilmember Johnny Khamis, Members.

ABSENT: None.

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 Anh Tran.

A. City Council (City Clerk)

- 1. Review March 28, 2017 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)**

Action: Upon motion by Vice Mayor Magdalena Carrasco, seconded by Councilmember Chappie Jones and carried unanimously, the Committee accepted the March 28, 2017 amended agenda with the additions and approved Sunshine Waiver: 2.11 (Actions Related to Councilmember Diep's Travel to New York, N.Y.); 2.12 (Amicus Curiae Briefs for Court Cases Challenging Executive Orders on Immigration); 3.3 (Continuation of the Proclamation of the existence of a Local Emergency and Discussion of Current Flood Recovery Efforts); and Item 3.3 not to be heard before 3:00 p.m. (5-0.)

A. City Council (City Clerk) (Cont.)

2. Review April 4, 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 Dev Davis seconded Councilmember Chappie Jones and carried unanimously, the Committee accepted the April 4, 2017 Agenda. (5-0).

B. Review of Upcoming Study Session Agendas

1. Review March 30, 2017 Final "Diridon Station/Regional Rail Project" Study Session Agenda.

Director of Intergovernmental Relations Betsy Shotwell was available to answer Committee questions.

Public Comments: Blair Beekman provided comments about the Diridon Station.

Action: Upon motion by Councilmember Johnny Khamis seconded by Councilmember Dev Davis and carried unanimously, the Committee accepted the March 30, 2017 Study Session Agenda. (5-0.)

C. Legislative Update – Verbal Report

1. State

2. Federal

Director of Intergovernmental Relations Betsy Shotwell was available to answer Committee questions.

Mayor Sam Liccardo opened the floor for public testimony.

Public Comments: Blair Beekman expressed his opinion.

Action: Upon motion by Vice Mayor Magdalena Carrasco seconded by Councilmember Chappie Jones and carried unanimously, the Committee accepted the verbal report. (5-0.)

D. Meeting Schedules

1. Joint Emergency Medical Services Study Session. (City Manager)

- a) Recommend release of date held for Study Session on Monday, March 27, 2017 at 5:00 p.m. to 8:00 p.m.
- b) Set a new Study Session date of Monday, April 24, 2017 at 4:00 p.m. to 8:00 p.m. in the City of San José City Council Chambers, to discuss the *Joint Emergency Medical Services*. (Agenda will be submitted separately for approval).

Action: Upon motion by Vice Mayor Magdalena Carrasco seconded by Councilmember Chappie Jones, and carried unanimously, the Committee accepted the recommendations stated in Item D.1 above. (5-0.)

E. The Public Record

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated March 17, 2017, transmitting the Public Record for the Week of March 10 – March 16, 2017.

Public Comments: Blair Beekman provided further comments on Item E.2.

Action: Upon motion by Councilmember Dev Davis seconded by Councilmember 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

There were none presented.

2. Retroactive Approval of District 2 SAP Grant. (Jimenez)

Approve a request to agendize for City Council deliberation on March 28, 2017 to retroactively approve a \$500 grant to the Santa Teresa Little League to support their upcoming recreational season in San José.

Documents Filed: Memorandum from Councilmember Sergio Jimenez, dated March 16, 2017, forwarding the recommendations to approve the request for retroactive approval of District 2 SAP Grant.

Action: Upon motion by Councilmember Johnny Khamis seconded by Councilmember Dev Davis and carried unanimously, the Committee approved the recommendations placing the Item on the March 28, 2017 Council Agenda for formal action. (5-0.)

G. Rules Committee Reviews, Recommendations and Approvals (Cont.)

3. Flood Response. (Rocha)

Approve a request to agendize for City Council deliberation on March 28, 2017 to consider the following suggestions for approaching the City's ongoing Coyote Creek flood recovery efforts and coordination with the Santa Clara Valley Water District on flood prevention, as further detailed in the Memorandum:

- a) Schedule a special meeting or Council agenda Item on the City's Flood Recovery Effort focusing on the following topics:
 - 1) How is responsibility divided between the City and its partners in the flood recovery effort and what kind of assistance are the City and its partners providing to flood victims?
 - 2) Additional Public Testimony
 - 3) Does the City Council need to allocate additional funding to support recovery efforts?
- b) Direct the Office of Emergency Services staff to coordinate with the Santa Clara Valley Water District to conduct a public discussion about flood risk, channel maintenance, and flood prevention project status for all San José waterways.

Documents Filed: Memorandum from Councilmember Donald Rocha, dated March 16, 2017, forwarding the recommendations as stated above in Item G.3.

Action: Upon motion by Councilmember Johnny Khamis seconded by Councilmember Chappie Jones and carried unanimously, the Committee deferred Item G.3 to the March 28, 2017 Council Agenda to be discussed as part of Item 3.3. (5-0.)

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

1. Community and Economic Development Committee
2. Neighborhood Services and Education Committee
 - a) Cancellation of the May 11, 2017 Neighborhood Services and Education Committee Meeting. (City Manager)
Approve the cancellation of the May 11, 2017 Neighborhood Services and Education Committee meeting due to a scheduling conflict with the budget study sessions.

Documents Filed: Memorandum from Deputy City Manager Julie Edmonds-Mares, dated March 13, 2017, forwarding the recommendations as stated above in Item H.2.

Action: Upon motion by Councilmember Johnny Khamis seconded by Councilmember Dev Davis and carried unanimously, the Committee approved the recommendations to cancel the Neighborhood Services and Education Committee Meeting on May 11, 2017. (5-0.)

3. Transportation and Environment Committee
4. Public Safety, Finance and Strategic Support Committee

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

5. Joint Meeting of the Rules and Open Government Committee and Committee of the Whole
6. Smart Cities and Service Improvements Committee
 - a) Cancellation of the April 6, 2017 Smart Cities and Service Improvements Committee Meeting. (City Manager)
Approve the cancellation of the April 6, 2017 Smart Cities and Service Improvements Committee meeting due to Innovation staff work re-prioritized in support of ongoing community restoration efforts following the Coyote Flood event.

Documents Filed: Memorandum from Deputy City Manager Kip Harkness, dated March 13, 2017, forwarding the recommendations as stated above in Item H.6.

Action: Upon motion by Councilmember Chappie Jones seconded by Councilmember Dev Davis and carried unanimously, the Committee approved the recommendations to cancel the Smart Cities and Service Improvements Committee meeting on April 6, 2017. (5-0.)

I. Open Government

1. Appeals of Public Records Act Request

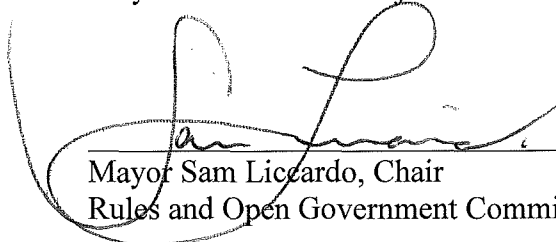
There were none presented.

J. OPEN FORUM

- (1) Martha O' Connell, Warren Gannon, Davlyn Jones, Lee Ellak, Kent Greathouse, and Sherman Adams asked that the Committee place the mobile home enclosure ordinance be heard first on the Council Agenda of April 11, 2017.
- (2) Blair Beekman commented on San José's energy policies.

K. ADJOURNMENT

Mayor Sam Liccardo adjourned the meeting at 2:34 p.m.



Mayor Sam Liccardo, Chair
Rules and Open Government Committee

SL/at/kac