

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

**SAM LICCARDO, CHAIR  
ROSE HERRERA, VICE CHAIR  
CHAPPIE JONES, MEMBER  
JOHNNY KHAMIS, MEMBER  
MAGDALENA CARRASCO, MEMBER**

**STAFF TONI J. TABER, CITY CLERK  
NORBERTO DUENAS, CITY MANAGER  
GLORIA SCHMANEK, CITY MANAGER'S OFFICE  
RICHARD DOYLE, CITY ATTORNEY  
CANDACE LE, MAYOR'S OFFICE  
SUSAN DAVIS, DEPUTY CITY CLERK**

**AGENDA**

2:00 P.M.

December 14, 2016

Wing 118-120

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- A. City Council (City Clerk)**
1. Review December 20, 2016 Final Agenda  
**None – meeting cancelled**
  2. Review December 27, 2016 Draft Agenda  
**None – meeting cancelled**
  3. Review January 3, 2017 Draft Agenda  
**None – meeting cancelled**
  4. Review January 10, 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)
- B. Review of Upcoming Study Session Agenda(s)**
- C. Legislative Update**
1. State
  2. Federal

**D. Meeting Schedules**

1. [Civic Innovation & Digital Strategy](#). (City Manager)
  - a. Set a Special Meeting of the City Council for Friday, January 27, 2017 from 9:00 a.m. to 12:00 p.m. in the City Council Chambers on *Civic Innovation & Digital Strategy* to cover the following topics:
    - 1) Update on Civic Innovation & Digital Strategy efforts, including a panel discussion on select innovation projects;
    - 2) Request Council accept for the Civic Innovation & Digital Strategy Roadmap;
    - 3) Request Council approval for the membership of Smart Cities & Service Improvements Council Committee with first meeting date targeted for February 2, 2017, and;
    - 4) Request Council approval for the initial Six-Month Workplan to guide the *Smart Cities & Service Improvements Council Committee*.

**E. [The Public Record](#)**

**F. Boards, Commissions and Committees**

1. Appointments
2. Work Plans & Annual Reports
  - a. [Housing and Community Development Commission's FY 2015-16 Accomplishments Report and the Commission's FY 2016-2017 Workplan](#). (Housing)  
Approve the Housing and Community Development Commission's FY 2015-16 Accomplishments Report and the Commission's FY 2016-2017 Workplan.
  - b. [Parks and Recreation Commission; Senior Citizens Commission; and Youth Commission FY 2015-16 Annual Reports and FY 2016-2017 Workplans](#). (Parks, Recreation and Neighborhood Services)  
Approve the 2015-2016 Annual Reports and 2016-2017 Workplans 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

**G. Rules Committee Reviews, Recommendations and Approvals**

**Notice to the public:** There will be no separate discussion of Consent Calendar items as they are considered to be routine and will be adopted by one motion. If a member of the Committee, staff, or public requests discussion on a particular item, that item may be removed from the Consent Calendar and considered separately.

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

1. Consent Calendar

a. [Approval of Community Events sponsored by Council District 7 as City Council sponsored Special Events to expend City funds and accept donations of materials and services for the events.](#) (T. Nguyen)

- 1) Retroactively approve the Iola Williams Holiday Party on Saturday, December 3, 2016 at SevenTrees Community Center as City Council sponsored Special Event and approve the expenditure of funds.
- 2) Retroactively approve the Tully Library Holiday Program on Saturday, December 10, 2016 at Tully Branch Library as City Council sponsored Special Event and approve the expenditure of funds.
- 3) Retroactively approve the Holiday Fun at SevenTrees Library on Saturday, December 17, 2016 at the SevenTrees Branch Library as City Council sponsored Special Event and approve the expenditure of funds.
- 4) Approve the SevenTrees Lunar New Year Celebration on Saturday, January 14, 2017 at SevenTrees Community Center and Tully Lunar New Year Celebration on Saturday, February 4, 2017 at Tully Community Room as City Council sponsored Special Events and approve the expenditure of funds.
- 5) Approve and accept donations from various individuals, businesses or community groups to support the events.
- 6) Place the item on the January 10, 2017 Council Agenda for action.

b. [Approval of African American History Month Flag Raising Ceremony and Reception sponsored by Council District 1 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event.](#) (Jones)

- 1) Approve the African American History Month Flag Raising Ceremony and Reception scheduled on February 3, 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 events.
- 3) Place the item on the January 10, 2017 Council Agenda for action.

**END OF CONSENT CALENDAR**

2. [Coordinated Response To Immigrant Needs.](#) (Mayor/Peralez/Carrasco/Jimenez)

Approve a request to agendize for City Council deliberation on January 10, 2017, to do the following:

- 1) Direct the City Manager to prioritize recommendations #4, #6, #8, #13, and #14 of the Welcoming San José Plan to address the immediate needs that have been identified from the arrival of a new Federal Administration and to coordinate efforts with the Santa Clara County Office of Immigrant Relations.
- 2) Direct the City Attorney's Office to coordinate with the County's Counsel to coordinate legal advocacy efforts with other municipalities nationwide.

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

3. [Legal Analysis of Measure E](#). (Khamis)  
Approve a request to agendize for City Council deliberation on January 10, 2017 to direct the City Attorney to return to the City Council in January 2017 with a legal analysis of Measure E, approved by voters at the November 8, 2016 election. Include the elements in the analysis as noted in the Memorandum.

**H. Review of additions to Council Committee Agendas/Workplans**

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

**I. Open Government**

1. Appeals of Public Records Act Request – None.

**J. Open Forum**

*Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Committee.*

**K. Adjournment**

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public. **The City Code of Ethics may be viewed on-line at [http://www.sanjoseca.gov/clerk/cp\\_manual/CPM\\_0\\_15.pdf](http://www.sanjoseca.gov/clerk/cp_manual/CPM_0_15.pdf)**

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at San José City Hall, Office of the City Clerk, 200 E. Santa Clara Street, 14<sup>th</sup> Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.

To request an accommodation or alternative format for City-sponsored meetings, events or printed materials, please call the Office of the City Clerk 408-535-1260 or 408-294-9337 (TTY) as soon as possible, but at least three business days before the meeting/event.

**Access the video, the agenda and related reports for this meeting by visiting the City's website at <http://sanjoseca.gov/index.aspx?nid=3581>**

## **CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS**

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Successor Agency to the Redevelopment Agency Board (SARA), their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

### **1. Public Meeting Decorum:**

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

### **2. Signs, Objects or Symbolic Material:**

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
  - No objects will be larger than 2 feet by 3 feet.
  - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
  - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

3. Addressing the Council, Successor Agency to the Redevelopment Agency Board (SARA), Committee, Board or Commission:

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
- c) Speakers should discuss topics related to City business on the agenda.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.