
**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
RICHARD DOYLE, CITY ATTORNEY
AHMAD CHAPMAN, MAYOR'S OFFICE
SUSAN DAVIS, DEPUTY CITY CLERK**

AGENDA

2:00 P.M.

May 4, 2016

Wing 118-120

- A. City Council (City Clerk)**
1. [Review May 10, 2016 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)
 2. [Review May 17, 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)
- B. Review of Upcoming Study Session Agenda(s)**
- C. Legislative Update**
1. State (Verbal)
 2. Federal
- D. Meeting Schedules**
- E. [The Public Record](#)**
- F. Boards, Commissions and Committees**
1. Appointments
 2. Work Plans & Annual Reports

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.

1. Consent Calendar – No items

END OF CONSENT CALENDAR

2. [AB 1928 \(Campos\) – Water Efficiency: Landscape Irrigation Equipment](#)
(Environmental Services)
 - a) Adopt a position of support for AB 1928 (Campos).
 - b) Recommend this item be agendaized for the May 10, 2016 City Council Meeting so that the City's Legislative Representative can advocate the City's support for AB 1928 (Campos).
3. [SB 1213 \(Wieckowski\) – Renewable Energy: Biosolids: Matching Grants](#)
(Environmental Services)
 - a) Adopt a position of support for SB 1213 (Wieckowski).
 - b) Recommend this item be agendaized for the May 10, 2016 City Council Meeting so that the City's Legislative Representative can advocate the City's support for SB 1213 (Wieckowski).
4. [Vietnamese American Community Center.](#) (Mayor/M. Nguyen/T. Nguyen)
[Vietnamese American Community Center](#) (Vietnamese)
Direct the City Manager to:
 - a) Negotiate and execute new lease terms with the Office of Economic Development with the intent to share the space at the Shirakawa Community Center until June 30, 2018 as currently contemplated, and that may include future relocation(s) of the Work2Future program to other Re-Use sites in the City of San José;
 - b) Approve the use of a portion of the Shirakawa Community Center for an interim Vietnamese American community center by October 2016, while exploring an option for gradual transition to full occupancy by June 30, 2018 or sooner;
 - c) Identify additional funding required for the initial operations for the Vietnamese American community center, with the City of San José as the lead operator;
 - d) Begin a Request for Qualifications (RFQ) process similar to the current PRNS Re-Use RFQ process that solicits interest from community based organizations that are interested in collaboratively providing services at the Center;
 - e) Conduct outreach to gather input on possible services and programs that the community would like to see at the Vietnamese American community center in parallel with the RFQ process;
 - f) Approve and accept donations from various individuals, business or community groups to support the effort;
 - g) Develop a fundraising plan for improvements at the Lucretia Avenue location or for construction of a new center as part of the \$300,000 identified in the Mayor's March Budget Message;
 - h) Place the item on the May 10, 2016 Council Agenda for action.

5. [Resolution to Ban All Non-Essential City Travel or Business with North Carolina and Mississippi.](#) (T. Nguyen/Kalra/Carrasco)

Direct the City Manager to:

- a) Bring forward a resolution to ban non-essential city travel and business within the states of North Carolina and Mississippi.
- b) Draft a measure for consideration by the City Council prohibiting the use of City funds in travel to North Carolina and Mississippi for attendance of conventions, meetings, or other event there.
- c) Draft a measure for consideration by the City Council to the extent practicable, and in instances where there is no conflict with law, to refrain from entering into any new or amended City contracts to purchase goods or services from any company that is headquartered in North Carolina and Mississippi.

Such measures would remain in effect until a legislative or judicial change to overturn existing discriminatory policies on sexual orientation is passed.

H. Review of additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee

- a) [Community and Economic Development Committee Workplan Addition](#) (Economic Development)

Approve an addition to the June 27, 2016 Community and Economic Development Committee meeting: Report on Team San José Performance Measures.

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

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**

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, 14th 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.