
**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
MARGARET LE, MAYOR'S OFFICE**

AGENDA

2:00 P.M.

July 29, 2015

Wing 118-120

- A. City Council (City Clerk)**
1. Review August 4, 2015 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 August 11, 2015 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**
- E. [The Public Record](#)**
- F. Boards, Commissions and Committees**
1. Appointments
 - a. [Work2Future Board Appointment](#)
Approve the appointment of Anil Babbar as a representative on the work2future Board of Directors.
 2. Work Plans
 3. Annual Reports
 - a. [Ethics Commission Annual Report for FY 2014-15 and Workplan for FY 2015-16](#)

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

- a. [Approval of Indian Independence Day Flag Raising sponsored by Council District 2 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event.](#) (Kalra)
 1. Approve Indian Independence Day Flag Raising scheduled on August 12, 2015 as 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 event; and
 3. Place the item on the August 11, 2015 Council Agenda for action
- b. [Approval of Shakespeare in the Park and Opera in the Park sponsored by Council District 6 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event.](#) (Oliverio)
 1. Approve Shakespeare in the Park and Opera in the Park scheduled for June 2016 as 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 event; and
 3. Place the item on the August 4, 2015 Council Agenda for action
- c. [Approval of the San Jose Jazz Flag to be raised at City Hall.](#) (Peralez)
 1. Approve the San Jose Jazz flag to be raised August 3-10, 2015 as City Council sponsored Special Event.
 2. Place the item on the August 4, 2015 Council Agenda for action

END OF CONSENT CALENDAR

2. [Amending Rules of Conduct Resolution Related to Convening Council Meetings.](#) (City Attorney)
 - a. Adopt a resolution amending the Council's Rules for the Conduct of Its Meetings, Superseding Resolution No. 77268, to allow the Mayor, in his or her discretion, to convene any regular City Council meeting or special City Council meeting at the noticed times with at least one other member of the Council present in order to proceed with the Invocation, the Pledge of Allegiance, and Ceremonial Items.
 - b. Place the item on the August 4, 2015 Council Agenda for action.
3. [Approve the Charter of a Bus for 3rd Grade Field Trip to City Hall.](#) (Khamis)

Approve the charter of a bus, at the cost of \$580.00 to Lux Bus, to transport 3rd graders from Los Alamitos Elementary School for an educational trip to City Hall.

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

4. Council Committee and Board and Commission Appointments. (Mayor)
 - a. [Appoint Councilmember Charles "Chappie" Jones](#) as an alternate to the El Camino Real Rapid Transit Policy Advisory Board.
 - b. [Appoint Councilmember Jones](#) to the Federated City Employees Retirement Board as a Non-Voting Member.
 - c. [Appoint Councilmember Manh Nguyen](#) to replace Councilmember Margie Matthews on the following Boards and Commissions:
 1. Recycling and Waste Reduction Commission of Santa Clara County
 2. Recycled Water Policy Advisory Committee
 3. Santa Clara Valley Habitat Agency Governing Board (Alternate)
 4. Santa Clara Valley Habitat Agency Implementation Board (Alternate)
 5. Santa Clara Valley Water District - Water Commission (two year appointment)
 6. SJ/SC Clean Water Financing Authority
 7. SJ/SC Treatment Plant Advisory Committee
 - d. Place the items on the [August 4, 2015 Council Agenda](#) for final approval.
5. [VTA Ballot Measure](#). (Rocha/Peralez/Kalra)
 - a. Agendize City Council consideration of adopting an official City position as to which funding priorities should be included in the 2016 sales tax measure currently under consideration by the Santa Clara Valley Transportation Agency (VTA).
 - b. At the same time as the above discussion comes forward to City Council, direct staff to provide the City Council with an overview of past VTA sales tax measures, for the purpose of providing context on past funding priorities. The overview should include:
 1. A list of prior VTA sales tax measures.
 2. The projects included for funding in those measures.
 3. The total amount actually spent from sales tax increment proceeds on each of those projects, as well as the amount anticipated to be spent on any ongoing or future projects.
 4. An accounting of the total amount spent or anticipated to be spent on the BART project, both from sales tax revenue and from other funding sources. It would be helpful to break down this amount between money that has been spent or is anticipated to be spent on capital expenses, as well as money anticipated to be spent on operating expenses.

H. Review of additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee
 - a. [Approval of the Community and Economic Development Committee Workplan](#) for the period August through December 2015, and setting its meeting schedule on the fourth Monday of each month at 1:30 p.m. in Rooms W118-119.
2. Neighborhood Services and Education Committee
 - a. [Approval of the Neighborhood Services and Education Committee Workplan](#) for the period August through December 2015, and setting its meeting schedule on the second Thursday of each month at 1:30 p.m. in Rooms W118-119.
3. Transportation and Environment Committee
 - a. [Approval of the Transportation and Environment Committee Workplan](#) for the period August through December 2015, and setting its meeting schedule on the 1st Monday of each month at 1:30 p.m. in Rooms W118-119.

H. Review of additions to Council Committee Agendas/Workplans

4. Public Safety, Finance and Strategic Support Committee

- a. [Approval of the Public Safety, Finance, and Strategic Support Workplan](#) for the period August through December 2015, and setting its meeting schedule on the third Thursday of each month at 1:30 p.m. in the City Council Chambers with the exception of the December 10th meeting that will start at 9:30 a.m. and will be held in the Committee Wing Rooms.

5. Rules and Open Government Committee

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**

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 City Hall, 200 E. Santa Clara Street, Office of the City Clerk 2nd Floor Wing, 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 408-535-1252 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.