
RULES AND OPEN GOVERNMENT COMMITTEE

CHUCK REED, CHAIR
MADISON P. NGUYEN, VICE CHAIR
PIERLUIGI OLIVERIO, MEMBER
PETE CONSTANT, MEMBER
ROSE HERRERA, ALTERNATE

STAFF TONI J. TABER, CITY CLERK
ED SHIKADA, CITY MANAGER
RICHARD DOYLE, CITY ATTORNEY
AHMAD CHAPMAN, MAYOR'S OFFICE

AGENDA

2:00 P.M.

December 10, 2014

Wing 118-120

- A. City Council (City Clerk)**
1. Review December 16, 2014 Final Agenda
 - a. Add New Items to Final Agenda
 - b. Assign "Time Certain" to Agenda Items (if needed)
 - c. Review of Items that Meet Exception Rule (if needed)
 2. Review December 23, 2014 Draft Agenda
None – Meeting Cancelled
- B. Review of Upcoming Study Session Agenda(s)**
- C. Legislative Update**
1. State
 2. Federal
- D. Meeting Schedules**
1. [City Council Meeting and Study Session Schedule for January – June 2015](#). (City Manager)
 - a. Approve the City Council Meeting Schedule for the period January-June 2015; and
 - b. Approve the Study Session Schedule for the period January-April 2015.
(Deferred from Rules 12/3/14 – Item D.1)
 2. [Set General Plan Hearing](#). (Planning, Building and Code Enforcement)
Schedule a General Plan hearing for City-initiated General Plan Amendments, including but not limited to consideration of the revised draft Housing Element, on January 20, 2015 at 1:30 p.m.
 3. [Rules Meeting Schedule for January 2015](#). (City Clerk)
Approve the Rules and Open Government Committee meeting schedule for January 2015, setting its schedule as every Wednesday in January at 2:00 p.m. in the City Hall Wing Committee Meeting Rooms W118-120.
- E. [The Public Record](#)**

F. Boards, Commissions and Committees

1. Appointments – None.
2. Work Plans – None.
3. Annual Reports – None.

G. Rules Committee Reviews, Recommendations and Approvals

1. Workload Assessment for Council Requests and Referrals.
2. [Public Calendars](#). (City Manager)
 - a. Accept the report on posting of public calendars by City officials on the City’s website; and
 - b. Approve the modification of the bi-annual reporting requirements to identify the reporting period as January – June and July through December periods with the report to be filed with the ROGC within a month following the close of the reporting period.
(Deferred from Rules 12/3/14 – Item G.2)
3. [2015 Legislative Guiding Principles, Priorities and Advocacy Issues](#). (City Manager)
 - a. Accept the 2015 Legislative Guiding Principles and the Legislative Priorities and Advocacy Issues for the first year of the two-year Legislative Session in Sacramento and the 114th Congress.
 - b. A one-week turnaround to the City Council on December 16, 2014 is requested so that the City’s lobbyists can advocate Council direction in Sacramento and in Washington, D.C.
4. [Approval of 2 Community Events Sponsored by Council District 4](#). (Chu)
[Supplemental](#)
 - a. Approve two (2) community event sponsored by Council District 4 as City-sponsored Special Events and approve the expenditure of funds:
 1. Kung Fu Tai chi Day on May 17, 2015; and
 2. The 10th Annual Santos Family Car Show on Saturday, September 3, 2015.
 - b. Approve and accept donations from various individuals, businesses, or community groups to support the event.
 - c. Place the item on the December 16, 2014 Council Agenda for action.
(Deferred from Rules 12/3/14 – Item G.4)
5. [Airport Ground Transportation Program](#). (Herrera/Khamis)
 - a. Implement City Council direction from the March 4, 2014 memorandum regarding demand ground transportation management for the Mineta San José International Airport;
 - b. Modify RFP SJC131415 On-Demand Ground Transportation Management for the SJC Mineta International Airport as follows:
 1. Delete the following language from the RFP: “It is not expected, nor would an option be reviewed and approved by the Airport that calls for an equal/identical number of drivers to be assigned to the Airport per company despite the size of the company.”

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

5. Airport Ground Transportation Program. (Cont'd.)

2. Add the following language to the RFP: “Qualified cab companies will be required to provide an equal number of taxi cabs at the Airport to meet the demand from first to last flight, or from 5:00 a.m. to 12:00 midnight. The cab companies can schedule their drivers by 8 hours or more per day shift to give all of their drivers a chance to work at the Airport.”

6. [Phillips 66 Oil Train Proposal](#). (Kalra)

Direct staff to prepare a letter to be sent on behalf of the City of San José in opposition of the proposed Phillips 66 oil train offloading facility in San Luis Obispo County.

7. [Interim Appointment to Vacant District 4 Seat](#). (Liccardo)

Agendize for the December 16, 2014 City Council meeting the appointment of an interim representative for Council District 4 to serve until a new councilmember has been elected.

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. 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 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.