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

**SAM LICCARDO, CHAIR
VACANT, 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.

January 18, 2017

Wing 118-120

- A. City Council (City Clerk)**
1. Review [January 24, 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)
 2. Review [January 31, 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)**
1. [Review of January 27, 2017 Special Meeting Agenda entitled *Civic Innovation & Digital Strategy*](#)
- C. Legislative Update**
1. State
 2. Federal
- D. Meeting Schedules**
- E. [The Public Record](#)**

F. Boards, Commissions and Committees

1. Appointments

- a. [Deferred Compensation Advisory Committee \(DCAC\) Appointments.](#) (Human Resources)

Approve the following appointments to the DCAC for four year terms ending March 1, 2021:

- 1) Appoint David Woolsey as the representative recommended by the San José Police Officers Association (SJPOA);
- 2) Appoint Jamal Fountaine as the representative recommended by the San José Firefighters, Local 230 (IAFF); and
- 3) Appoint John Reger as the representative recommended by the trades employee organizations (Association of Building, Mechanical and Electrical Inspectors (ABMEI), Operating Engineers Local 3 (OE#3), and International Brotherhood of Electrical Workers (IBEW).
- 4) Place the item on the January 31, 2017 City Council Agenda for action.

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

- a. [Approval of Councilmember Arenas' Inauguration sponsored by Council District 8 as a City Council sponsored Special Event to expend City funds and accept donations of materials and services for the event.](#) (Arenas)

- 1) Approve Councilmember Sylvia Arenas' Inauguration scheduled on January 28, 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 event.
- 3) Place the item on the January 24, 2017 City Council Agenda for action.

END OF CONSENT CALENDAR

2. [SB 1 \(BEALL\), AB 1 \(FRAZIER\) Transportation Infrastructure and Economic Investment Act.](#) (Transportation)

- a. Pursuant to the City's streamlined bill process for responding quickly to legislative proposals, re-affirm a position on SB 1 and AB 1.
- b. Recommend a one-week turnaround, to the January 24, 2017 City Council meeting, so that the City's legislative representatives can continue to advocate the City's position in Sacramento.

3. [Public Calendar Postings.](#) (City Manager)

Accept the semi-annual report on posting of public calendars by City officials on the City's website.

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

4. [Study Session by Independent Police Auditor](#). (Peralez)
 - a. Approve a request to agendaize for City Council deliberation on January 24, 2017 to schedule a study session, led by the Independent Police Auditor and the San José Police Department, by summer of this year to cover the following topics:
 - 1) Overview of the Office of the Independent Police Auditor (IPA), including roles, goals, responsibilities, and future work plan. This overview should also discuss the IPA's oversight on Department Initiated Investigations (DII).
 - 2) A discussion on civilian oversight boards. The discussion should include key goals of civilian oversight boards and the design and effectiveness of such in other, similar cities.
 - 3) A discussion on transparency given the current climate around community policing including community expectations and recommendations for increasing transparency within the role of the IPA.
 - b. If a. above is approved, defer Item 8.1 on the January 24, 2017 City Council agenda (Review and Discuss Independent Police Auditor's 2014 Annual Report Recommendation #2(b) that would require independent civilian oversight of all Police Department-Initiated Investigations) to the proposed study session.

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
[Transportation and Environment Committee Workplan](#). (Mayor/Carrasco)
Approval of the Transportation and Environment Committee Workplan for the period January through June 2017, and setting its meeting schedule on the first Monday of each month at 1:30 p.m. in the Room W118-119.
4. Public Safety, Finance and Strategic Support Committee
[Public Safety, Finance and Strategic Support Committee Workplan](#). (Mayor/Peralez)
Approval of the Public Safety, Finance and Strategic Support Committee Workplan for the period January through June 2017, and setting its meeting schedule on the third Thursday of each month at 1:30 p.m. in the City Council Chambers.
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

RULES AND OPEN GOVERNMENT COMMITTEE AGENDA

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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, 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.

**CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN
THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D.)**

3. Addressing the Council, 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 discussion 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. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Council.
- 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.