



MINUTES OF THE CITY COUNCIL

SAN JOSE, CALIFORNIA

TUESDAY, JANUARY 06, 2015

The Council of the City of San José convened in Regular Session at 1:33 pm. in the Council Chambers at City Hall.

Present: Council Members - Carrasco, Herrera, Jones, Kalra, Khamis, Nguyen, Oliverio (1:38 p.m.), Peralez, Rocha; Liccardo.

Absent: Council Members - All Present.

Vacant: - District 4.

CEREMONIAL ITEM

- 1.1** Administer Oaths of Office for newly elected Council Member Tam Nguyen and re-elected Council Member Donald Rocha. (City Clerk)

City Clerk Toni J. Taber, CMC, administered the Oath of Office for Council Member Donald Rocha.

INVOCATION

Reverend Jeff Moore, Silicon Valley-San José NAACP offered the Invocation. (District 1)

PLEDGE OF ALLEGIANCE

Mayor Sam Liccardo led the Pledge of Allegiance.

ORDERS OF THE DAY

Upon motion by Council Member Rose Herrera, seconded by Council Member Johnny Khamis and carried unanimously, the Orders of the Day and the Amended Agenda were approved. (10-0.)

CEREMONIAL ITEMS

1.1 Administer Oaths of Office for newly elected Council Member Tam Nguyen and re-elected Council Member Donald Rocha. (City Clerk)

Senator Janet Nguyen administered the Oath of Office for Council Member Tam Nguyen.

The Oaths of office for newly elected Council Members Charles “Chappie” Jones, Raul Peralez, Magdalena Carrasco and newly elected Mayor Sam Liccardo were administered in the evening at the Center for the Performing Arts.

CONSENT CALENDAR

- 2.1 (a) Council by motion waive the 10-day noticing requirement for the following item, consider the following recommendation.
- (b) Approve the Council Appointment(s) for 2015 – 2016.
(Mayor)

Documents Filed: (1) Second replacement memorandum from Mayor Sam Liccardo, dated January 2, 2015, recommending the City Council Committee and Board and Commission Appointments. (2) Memorandum from Council Member Donald Council Member Donald Rocha, dated January 6, 2015, recommending approval of the Mayor’s second replacement memorandum dated January 2, 2015, with amendments.

Motion: Council Member Rose Herrera moved approval of the Mayor’s second replacement memorandum, the memorandum from Council Member Donald Rocha, dated January 6, 2015: to amend the 2015-2016 Council Appointments as follows: (a) Remove Rocha from ABAG Executive Board and replace with Peralez. (b) Remove Peralez from the Silicon Valley Regional Interoperability Project and replace with Rocha, and to direct the City Clerk to bring back to Council an appointment of an alternate to the Habitat Conservation Plan Board. Council Member Johnny Khamis seconded the motion.

Mayor Sam Liccardo requested to amend the motion to strike out the League of California Cities Appointments - Latino Caucus and Women’s Caucus on Exhibit B, Page 1, citing that the City cannot make those two Caucus appointments.

The amendment was accepted by Council Members Herrera and Khamis.

City Attorney Richard Doyle responded to Council questions and concerns.

Council Member Kalra requested to amend the motion to delegate and authorize the City Clerk to determine when to notice an individual Council Committee as a “Committee of the Whole.

The amendment was accepted by Council Members Herrera and Khamis.

2.1 (Cont'd.)

Mayor Sam Liccardo opened the floor for public testimony.

Public Comments: David Wall expressed support to the new format of the Council Committees.

Council Member Donald Rocha requested to amend the motion to direct the City Clerk to check on status of appointments for the Santa Clara County Emergency Operational Council (formerly Emergency Preparedness Council). The amendment was accepted by Council Members Herrera and Khamis.

Mayor Sam Liccardo requested to amend the motion to appoint Council Member Charles “Chappie” Jones as the alternate for the January 7, 2015 Rules and Open Government Committee. The amendment was accepted by Council Members Herrera and Khamis.

Action: On a call for the question, the motion carried unanimously, the 10-day noticing requirement was waived. The second replacement memorandum from Mayor Sam Liccardo, dated January 2, 2015, was approved, approving the following: (1) Eliminate the Ad Hoc Economic Competitiveness Committee and the Ad Hoc Airport Competitiveness Committee. All airport-related issues shall be heard at the Transportation and Environment Committee or at the Community and Economic Development Committee, as the City Manager deems appropriate. (2) Direct the City Auditor to report all audits to the specific committee having jurisdiction for the subject matter of the audit, rather than to the Public Safety, Finance and Strategic Support Committee (except on issues of Public Safety and Finance). (3) Return to Council on January 13, 2015 to amend the applicable Council Resolution to allow five members to vote on the Rules and Open Government Committee. (4) Direct the City Clerk to notice every Rules and Open Government Committee hearing as a “Joint Meeting of Rules/Committee of the Whole” to ensure that individual Council Members wishing to speak about specific items on the agenda can do so freely. (5) Approve the Mayor’s Appointments to each of the Standing Committees (See Exhibit A, attached). (6) Appoint the following Council Members to each of the committees and assignments (See Exhibit B, attached). The following additional amendments were approved: (1) Item (2) from the memorandum from Council Member Donald Rocha, dated January 6, 2015, was approved: Amend the 2015-2016 Council Appointments as follows: (a) Remove Rocha from ABAG Executive Board and replace with Peralez. (b) Remove Peralez from the Silicon Valley Regional Interoperability Project and replace with Rocha. (2) Bring back to Council an appointment of an alternate to the Habitat Conservation Plan Board. (3) On Exhibit B, Page 1: strike out the League of California Cities Appointments - Latino Caucus and Women’s Caucus. (4) The City Clerk was delegated and given authorization to determine when to notice an individual Council Committee as a “Committee of the Whole. (5) The City Clerk was directed to check on status of appointments for the Santa Clara County Emergency Operational Council (formerly Emergency Preparedness Council). (6) Council Member Charles “Chappie” Jones was appointed as the alternate for the January 7, 2015 Rules and Open Government Committee. The Council Resolution for five members will be adopted next week. (11-0.)

OPEN FORUM

- (1) Ross Signorino expressed congratulations to Mayor Sam Liccardo and the new City Council.
- (2) David Wall pointed out areas of illegal dumping and illegally parked motor homes using storm sewers for sanitary sewage disposal in District 3; and urged the Council to carefully consider appointments to the Treatment Plant Advisory Committee.

ADJOURNMENT

The Council of the City of San José was adjourned at 2:17 p.m. in memory of Susan Marsland, teacher and community member in West San José. Her commitment and service to the City and residents of San José will be cherished and remembered. (Jones)

Minutes Recorded, Prepared and Respectfully Submitted by,

Toni J. Taber, CMC
City Clerk

smd/01/06/15 MIN

Access the video, the agenda and related reports for this meeting by visiting the City's website <http://www.sanjoseca.gov/civiccentertv>. For information on any ordinance that is not hyperlinked to this document, please contact the Office of the City Clerk at (408) 535-1266.