
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.

March 5, 2014

Wing 118-120

A. City Council (City Clerk)

1. Review March 11, 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 March 18, 2014 Draft Agenda
 - a. Add New Items to Draft Agenda
 - b. Assign "Time Certain" to Agenda Items (if needed)
 - c. Review of Items that Meet Exception Rule (if needed)

B. Review of Upcoming Study Session Agenda(s)

C. Legislative Update

1. State
2. Federal

D. Meeting Schedules

1. [Reschedule Workforce Support and Development Study Session](#). (City Manager)
2. [Study Session – Urban Village Implementation](#). (Planning, Building and Code Enforcement)
Set a City Council Study Session entitled *General Plan Implementation: Urban Villages* for April 1, 2014 from 1:30 p.m. to 4:30 p.m. in the Council Chambers.

E. The Public Record

F. Boards, Commissions and Committees

1. [Appointments](#)
Deferred Compensation Advisory Committee Appointments. (Human Resources)
 - a. Approve the appointment of Jamal Fontaine as the representative nominated by the San José Firefighters, Local 230 (IAFF) to the Deferred Compensation Advisory Committee (Committee) for the remainder of the four-year term ending on March 1, 2017. This seat was made vacant by the resignation of the current representative, Darren Wallace.

F. Boards, Commissions and Committees (Cont.)

- b. Approve the appointments of Daniel Earl as the representative nominated by the American Federation of State, County and Municipal Employees (AFSCME), including MEF or CEO bargaining units and Donna Busse as the representative nominated by AEA, AMSP, CAMP, ALP or an employee in Unit 99 (Management Employees) for four-year terms ending March 1, 2018. These two representative's terms expired on March 1, 2014.
 - c. Recommend this item for full Council consideration at the March 11, 2014 Council meeting.
2. Work Plans
 3. Annual Reports

G. Rules Committee Reviews, Recommendations and Approvals

1. Workload Assessment for Council Requests and Referrals.
2. [District 10 Assyrian New Year](#) (Khamis)
Approval of the District 10 Assyrian New Year Flag Raising on March 21, 2014, sponsored as a City Council Special Event and approve expenditure of funds and accepting donations from various individuals, businesses, or community groups to support the event and placing the item on the March 18, 2014 Council Agenda for action.
3. [District 5 Cesar Chavez Day Flag Raising](#) (Campos)
Approval of the District 5 Cesar Chavez Day Flag Raising on March 24, 2014, sponsored as a City Council Special Event and approve expenditure of funds and accepting donations from various individuals, businesses, or community groups to support the event and placing the item on the March 18, 2014 Council Agenda for action.
4. [Districts 2, 9, & 10 SJPD Southern Division ID Symposium](#) (Kalra/Rocha/Khamas)
Approval of the Districts 2, 9, & 10 SJPD Southern Division ID Symposium on April 12, 2014, sponsored as a City Council Special Event and approve expenditure of funds and accepting donations from various individuals, businesses, or community groups to support the event and placing the item on the March 18, 2014 Council Agenda for action.
5. [District 10 Tartan Day Scottish Flag Raising](#) (Khamis)
Approval of the District 10 Tartan Day Scottish Flag Raising on April 8, 2014, sponsored as a City Council Special Event and approve expenditure of funds and accepting donations from various individuals, businesses, or community groups to support the event and placing the item on the March 18, 2014 Council Agenda for action.
6. [Recommendation to Modify the Prohibitions on the Discharge of Projectile Weapons](#) (Chu)
Direct the City Attorney's Office to work with the Department of Parks, Recreation, and Neighborhood Services and the Police Department to amend City ordinances 10.32.140 and 13.44.200 modifying the prohibitions on the discharge of projectile weapons to add an exemption for low velocity pellet gun model watercraft activities. Due to minimal staff time needed to modify the existing ordinance, I recommend that this can be exempt from going through the Council priority setting 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
4. [Public Safety, Finance and Strategic Support Committee](#) (City Manager)
Approve adding an item entitled "Facilities Preventive Maintenance Program Update" to the Public Safety, Finance and Strategic Support Committee Agenda for the March 20, 2014 meeting.
5. Rules and Open Government Committee

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 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.