



# City of San José

City of San José  
200 East Santa Clara Street  
San Jose, CA 95113

## Agenda

### **Joint Meeting for the Rules and Open Government Committee and Committee of the Whole**

#### **Committee Members**

**David Cohen, Chair**

**Rosemary Kamei, Vice Chair**

**Pam Foley, Member**

**Bien Doan, Member**

**Domingo Candelas, Member**

#### **Committee Staff**

**Lee Wilcox, Assistant City Manager**

**Joy Rodriguez, Assistant City Clerk**

**Kevin Fisher, Assistant City Attorney**

**Rachelle Blattman, City Manager's Office**

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**Wednesday, February 4, 2026**

**2:00 PM**

**Council Chambers**

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For live translations in over 50 languages, please go to <https://attend.wordly.ai/join/FAYU-7105>

#### **How to observe the Meeting (no public comment):**

- 1) Cable Channel 26,
  - 2) <https://www.sanjoseca.gov/news-stories/watch-a-meeting>, or
  - 3) <https://www.youtube.com/CityofSanJoseCalifornia>
  - 4) By phone 888 475 4499. Webinar ID: 941 1478 1397. Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free)
  - 5) By online <https://sanjoseca.zoom.us/j/94114781397>
- Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 16+.  
Certain functionality may be disabled in older browsers including Internet Explorer.

#### **How to submit written Public Comment for items on the agenda:**

- 1) By email to [city.clerk@sanjoseca.gov](mailto:city.clerk@sanjoseca.gov) by 8:00 a.m. the day of the meeting.

#### **How to provide spoken Public Comment during the Committee Meeting:**

Fill out a Yellow Speaker's Card and submit it to boxes at the bottom of the Chambers.

## A. City Council (City Clerk)

### 1. Review Final Agenda

[ROGC](#)  
[26-043](#)

Review February 10, 2026 Final Agenda.

- a. Add New Items to Final Agenda
- b. Assign "Time Certain" to Agenda Items (if needed)
- c. Review of Notice of Waiver Requirements for Agenda Items or Documents (if needed)

**Attachments** [Agenda for February 10, 2026 \(to be updated on 2/4/26\)](#)

### 2. Review Draft Agenda

[ROGC](#)  
[26-044](#)

Review February 17, 2026 Draft Agenda. - Cancelled

*Notice to the public: There will be no separate discussion of individual Consent Calendar items as they are considered to be routine and will be adopted by one motion. If a member of the Committee requests debate, separate vote or recusal on a particular item, that item may be removed from the Consent Calendar by the Chair and considered separately. The public may comment on the entire Consent Calendar and any items removed from the Consent Calendar by the Chair.*

## B. Consent Calendar

1. [ROGC](#)  
[26-045](#) The Public Record for January 22, 2026 - January 29, 2026. (City Clerk)

**Recommendation:** Receive and file the Public Record for January 22, 2026 - January 29, 2026.

**Attachments** [The Public Record](#)

2. [ROGC](#) [26-052](#) Retroactive Approval of the SJ26 and Bay Area Host Committee Flag Raising Sponsored by the Office Of Mayor Matt Mahan as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Mayor)

**Recommendation:**

1. Retroactively approve the SJ26 and Bay Area Host Committee Flag Raising scheduled on February 3, 2026 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 February 10, 2026 City Council Agenda for action.

**Attachments** [Memorandum from Mayor](#)

END OF CONSENT

### C. Rules Committee Reviews, Recommendations and Approvals

1. [ROGC](#) [26-049](#) Exploration of a Scaled Development Fee Framework and Deferred Development Impact Fees. (Ortiz, Cohen, Mulcahy, and Casey)

**Recommendation:** Direct the City Manager to:

1. Evaluate and return to Council with options for a scaled development fee framework that aligns development fees with project characteristics such as size, affordability, public benefit, and location;
2. Develop a deferred Development Impact Fee (DIF), Public Works Offsite Fee, and other eligible project-related fee payment programs that allow projects to remit these fees at Certificate of Occupancy instead of at earlier entitlement or permitting stages; and
3. Explore aligning the City's Notice of Funding Availability cycle with the State's Business Cycle including but not limited to providing preliminary letters of commitment at time of application for funding that are subject to final Council approval.

[Referred from 1/21/26 - Item C.1 (ROGC 26-028)]

**Attachments** [Memorandum from Ortiz, Cohen, Mulcahy, and Casey](#)

2. [ROGC](#) Support and Collaboration on AB 1633 (Private Detention Facility Tax  
[26-050](#) Law). (Ortiz, Campos, Candelas, Cohen)

**Recommendation:** Request the City Council adopt a position of support for the intent and policy direction of Assembly Bill 1633 (Haney), as introduced on January 26, 2026, as well as similar legislation that advances the same goals, and authorize City staff to take advocacy actions consistent with that intent, including drafting and submitting letters of support and coordinating with the author's office regarding a potential City sponsorship role.

**Attachments** [Memorandum from Ortiz, Campos, Candelas, and Cohen](#)

## D. 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.*

## E. Adjournment

The Code of Conduct (<https://www.sanjoseca.gov/home/showpublisheddocument/12901/636670004966630000>) 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.

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent services, in a positive and timely manner, and in the full view of the public. The City Code of Ethics may be viewed online.

The Levine Act requires a Party in a Proceeding before the City of San José that involves any action related to their contract, license, permit, or use entitlement to disclose any campaign contributions to City elected or appointed officials totaling more than \$500 within the 12 months prior to the City decision. A Participant to a Proceeding may voluntarily report a campaign contribution. Please visit <https://www.sanjoseca.gov/your-government/appointees/city-clerk/levine-act> for updated forms and information.

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.

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Access the video, the agenda and related reports for this meeting by visiting the City's website.