



# 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**  
**Chappie Jones, Chair**  
**Raul Peralez, Vice Chair**  
**Sylvia Arenas, Member**  
**David Cohen, Member**  
**Dev Davis, Member**

**Committee Staff**  
**Lee Wilcox, Deputy City Manager**  
**Toni Taber, City Clerk**  
**Nora Frimann, City Attorney**  
**Gloria Schmanek, City Manager's Office**  
**Henry Smith, Mayor's Office**

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Wednesday, September 8, 2021

2:00 PM

Virtual Meeting -  
<https://sanjoseca.zoom.us/j/91241177464>

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#### **\* COVID-19 NOTICE \***

Consistent with the California Governor's Executive Order No. N-29-20, Resolution No. 79485 from the City of San José and the Santa Clara County Health Officer's March 16, 2020 Shelter in Place Order, the City Council Committee meeting will not be physically open to the public and the Committee Members will be teleconferencing from remote locations.

#### **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>

#### **How to submit written Public Comment:**

- 1) By email to [city.clerk@sanjoseca.gov](mailto:city.clerk@sanjoseca.gov) by 9:00 a.m. the day of the meeting.

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

1) By phone 888 475 4499. 91241177464 Click \*9 to raise a hand to speak. Press \*6 to unmute.  
Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free)

2) By online <https://sanjoseca.zoom.us/j/91241177464>

a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.

b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.

c. When the Committee Chair calls for the item on which you wish to speak, click on "raise hand." Speakers will be notified shortly before they are called to speak.

d. When called, please limit your remarks to the time limit allotted.

## A. City Council (City Clerk)

### 1. Review Final Agenda

[ROGC  
21-722](#)

Review September 14, 2021 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  
Add Sheet](#)

### 2. Review Draft Agenda

[ROGC  
21-723](#)

Review September 21, 2021 Draft Agenda

a. Add New Items to Draft 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](#)

## B. Review of Upcoming Special Meeting Agenda(s)

## C. Legislative Update

1. State
2. Federal

#### **D. Meeting Schedules**

#### **E. The Public Record**

[ROGC  
21-724](#)

The Public Record for August 26, 2021 - September 2, 2021. (City Clerk)

**Recommendation:** Receive and file the Public Record for August 26, 2021 - September 2, 2021.

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

#### **F. Boards, Commissions and Committees**

1. Appointments
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. [ROGC  
21-728](#) Retroactive Approval of the Ethiopian Flag Raising as a City Sponsored Special Event to Expend City Funds and Authorization to Accept Donations of Materials and Services for the Event. (Mayor)

**Recommendation:**

1. Retroactively approve the Ethiopian Flag Raising scheduled on September 1-8, 2021 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 September 21, 2021 Council Agenda for action.

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

END OF CONSENT

2. [ROGC  
21-720](#) Pedestrian Safety Pilot at Monterey Rd. and Curtner Ave. (Esparza)

**Recommendation:**

1. Direct the City Manager to allocate resources for a dedicated homeless outreach effort to the encampments near the intersection of Monterey and Curtner, including coordinating with Destination: Home's Lived Experience Advisory Board and County's Community Mobile Response Program.
2. Direct Staff to explore physical barriers on the medians and along the sidewalks at Curtner and Monterey, and other high fatality intersections, to deter pedestrians from crossing outside the designated crosswalks.
3. Direct Staff to pilot recording video cameras at Monterey and Curtner, which will record the intersection in a manner consistent with our current Privacy Policy, including timelimited recording retention as appropriate, and report back to the Transportation and Environment Committee with a report on the pilot program to assess effectiveness.
4. Direct Staff to explore the use of American Rescue Plan or federal infrastructure funding for these efforts.

[Deferred from 9/1/2021 - Item G.2 (ROGC 21-713)]

**Attachments** [Memorandum from Esparza](#)  
[Early Consideration Response Form](#)

3. [ROGC  
21-717](#)

City of San José and Santa Clara Valley Water Efforts Toward Purified Water Project. (Jones, Cohen, and Jimenez)

**Recommendation:**

1. Coordinate with the Santa Clara Valley Water District (Valley Water) to immediately select a mutually agreed upon subject matter expert to facilitate negotiation meetings between the City of San José and Valley Water.
2. Both parties are to enter the first negotiation meeting with a clear, concise, and detailed term sheet which would clarify negotiation outcomes for January 2022.
3. Accept a written letter from Valley Water indicating Valley Water's commitment to pay for City support services for an amount adequate to fund all costs incurred by the City to support negotiation of new agreements including legal services and a facilitator; and authorize the City Manager to negotiate and execute a Master Agreement for Valley Water's payment for City services required to support negotiations related to the purified water project consistent with the City Council's direction from April 13, 2021.
4. Continue to hold check-in meetings, as needed, comprised of elected officials and/or representatives from the San José City Council and Valley Water Board of Directors.
5. Provide verbal reports of progress from San José City staff to the Transportation & Environment Committee and Treatment Plant Advisory Committee.
6. Place this item on the September 14, 2021 Council Agenda for action.

[Deferred from 9/1/2021 - Item G.3 (ROGC 21-714)]

**Attachments**

[Memorandum from Jones, Cohen, and Jimenez](#)  
[Early Consideration Response Form](#)

4. [ROGC  
21-726](#)

Monthly Report of Activities for August 2021. (City Auditor)

**Recommendation:**

Approve the Auditor's Office Monthly Report of Activities for the month of August 2021.

**Attachments**

[Memorandum](#)

5. [ROGC](#)  
[21-727](#) Seamless Transit Principles. (Perez)

**Recommendation:** Agendize for the September 14, 2021 City Council meeting consideration of adopting a resolution supporting the Seamless Transit Principles.

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

6. [ROGC](#)  
[21-730](#) City Manager Appointment and Compensation. (Mayor)

**Recommendation:** 1. Adopt a resolution appointing Ms. Jennifer Maguire as City Manager, effective August 24, 2021, as outlined in the September 3, 2021 letter from Mayor Liccardo (attached).  
2. Place the item on the September 14, 2021 Council meeting for action.

**Attachments** [Memorandum from Mayor](#)  
[Letter from Mayor - 09/03/2021](#)  
[Memorandum - 06/29/2021](#)

## H. Review of additions to Council Committee Agendas/Workplans

### 1. Community and Economic Development Committee

- a. [ROGC](#)  
[21-729](#) Update to the August 2021 - June 2022 Community and Economic Development Committee Work Plan. (City Manager)

**Recommendation:** Approve the following addition to the Community and Economic Development Committee Work Plan for September 27, 2021 meeting as indicated below.  
Team San José Annual Report on Activities and Semi-Annual Performance Measures Update. (Economic Development and Cultural Affairs)

**Attachments** [Memorandum](#)

### 2. Neighborhood Services and Education Committee

### 3. Transportation and Environment Committee

### 4. Public Safety, Finance and Strategic Support Committee

5. Joint Meeting of the Rules and Open Government Committee and Committee of the Whole
6. Smart Cities and Service Improvement Committee

## **I. Open Government**

## **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 City Council.*

## **K. Adjournment**

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.

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 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.