



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

Pam Foley, Vice Chair

Sergio Jimenez, Member

Dev Davis, Member

Rosemary Kamei, Member

Committee Staff

Lee Wilcox, Assistant City Manager

Joy Rodriguez, Assistant City Clerk

Kevin Fisher, Assistant City Attorney

Rachelle Blattman, City Manager's Office

Wednesday, November 6, 2024

2:00 PM

Council Chambers

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: 964 4134 2315. 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/96441342315>.
- 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 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
24-741](#)

Review November 12, 2024 Final Agenda. - Cancelled.

2. Review Draft Agenda

[ROGC
24-742](#)

Review November 19, 2024 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](#)
[Memorandum from Ortiz re: Good Samaritan Land Use Item](#)
[Letters from the Public](#)

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
24-743](#) The Public Record for October 24 - October 31, 2024. (City Clerk)

Recommendation: Receive and file the Public Record for October 24 - October 31, 2024.

Attachments [The Public Record](#)

2. [ROGC](#)
[24-748](#) Update to the August - December 2024 Public Safety, Finance, and Strategic Support Committee Work Plan. (City Manager)

Recommendation: Approve an amendment to the August – December 2024 Public Safety, Finance, and Strategic Support Committee Work Plan to drop the following item from the November 21, 2024, Public Safety, Finance, and Strategic Support Committee meeting agenda:

Regulation of Vape and Smoke Shops Status Report.

Purpose: Provide a status report on establishing vape and smoke shops as an enumerated use within the City’s land use tables and creating related regulatory programs to reduce illegal cannabis sales. (Police/Planning, Building, and Code Enforcement)

Attachments [Memorandum](#)

3. [ROGC](#)
[24-749](#) Code Enforcement Operations Study Session. (Planning, Building, and Code Enforcement)

Recommendation: Set a City Council Study Session entitled Code Enforcement Operations for Friday, December 6, 2024, from 9:30 a.m. to 12:00 p.m. in the City Council Chambers and approve the Study Session agenda.

Attachments [Memorandum](#)

4. [ROGC](#)
[24-744](#) Monthly Report of Activities for October 2024. (City Auditor)

Recommendation: Approve the Auditor's Office Monthly Report for the month of October 2024.

Attachments [Memorandum](#)

5. [ROGC
24-745](#) Approval of the World Aids Day Flag Raising, Quilt Display, and Tower and Rotunda Lighting Sponsored by Council District 9 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Foley)

- Recommendation:**
1. Approve the World AIDS Day Flag Raising scheduled on December 3, 2024, Tower and Rotunda Lighting scheduled for December 1 - December 7, 2024, and special use of the Rotunda for December 1 and December 3, 2024, as City Council sponsored Special Events and approve the expenditure of funds.
 2. Approve and accept donations from various individuals, businesses or community groups to support the events.
 3. Place the item on the November 19, 2024 Council Agenda for action.

Attachments [Memorandum from Foley](#)

6. [ROGC](#)
[24-750](#) Retroactive Approval and Approval of Various Special Events
Sponsored by Council District 8 as City Council Sponsored Special
Events to Expend City Funds and Accept Donations of Materials and
Services for the Events. (Candelas)

Recommendation:

1. Retroactively approve and approve various District 8 events as City Council sponsored Special Events and approve the expenditure of funds. These events are as follows:
 - i. Clarice Drive Beautification scheduled on July 13, 2024
 - ii. District 8 CERT M&G scheduled on July 18, 2024
 - iii. San Rivas Rd. Neighborhood Ice Cream Social scheduled on July 21, 2024
 - iv. Dumpster Day at Millbrook Elementary scheduled on July 27, 2024
 - v. Boulevard Bombs Back to School Drive scheduled on August 3, 2024
 - vi. Evergreen Little League Movie Night scheduled on August 15, 2024
 - vii. John J Montgomery SJFD Backpack Drive scheduled on August 16, 2024
 - viii. KR Smith Back to School BBQ scheduled on August 16, 2024
 - ix. Sharky's Coffee Back to School Drive scheduled on August 17, 2024
 - x. Dumpster Day at Evergreen Estates scheduled on August 24, 2024
 - xi. SV Pride Parade scheduled on August 25, 2024
 - xii. La Raza Invocation scheduled on September 10, 2024
 - xiii. Creekside Neighborhood Association Bridge Painting scheduled on September 14, 2024
 - xiv. Music in the Villages scheduled on September 20, 2024
 - xv. Dumpster Day at The Ranch/The Meadowlands scheduled on September 21, 2024
 - xvi. Binational Health Week Kickoff scheduled on October 5, 2024
 - xvii. Meadowfair NA Litter Pickup scheduled on October 5, 2024
 - xviii. Dumpster Day at Brigadoon Park scheduled on October 12, 2024
 - xix. Tom Matsumoto Elementary School Trunk or Treat scheduled on October 24, 2024
 - xx. Holly Oak Harvest Festival scheduled on October 24, 2024
 - xxi. Evergreen Elementary Fall Festival scheduled on October 25, 2024
 - xxii. Pack 264 Trunk or Treat scheduled on October 25, 2024
 - xxiii. Family Fall Festival scheduled on October 26, 2024
 - xxiv. Bon Bon Halloween Party scheduled on October 26, 2024
 - xxv. Blessed Side Trunk or Treat scheduled on October 26, 2024

- xxvi. Fire Station 31 Trick or Treating scheduled on October 31, 2024
 - xxvii. Diwali Celebration at Evergreen Community Center scheduled on November 1, 2024
 - xxviii. Dia de los Muertos Celebration scheduled on November 1, 2024
 - xxix. Coat Drive scheduled on November 15, 2024
 - xxx. Holiday in the Square at Evergreen Village Square scheduled on December 13, 2024
2. Approve and accept donations from various individuals, businesses or community groups to support the events.
 3. Place the item on the November 19, 2024 Council Agenda for action.

Attachments [Memorandum from Candelas](#)

7. [ROGC 24-747](#) Retroactive Approval of the District 4 Dumpster Day Sponsored by Council District 4 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Cohen)

- Recommendation:**
1. Retroactively approve the District 4 Dumpster Day scheduled on September 28, 2024 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 November 19, 2024 Council Agenda for action.

Attachments [Memorandum from Cohen](#)

C. Rules Committee Reviews, Recommendations and Approvals

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 \$250 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.

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.