



# 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

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Wednesday, October 23, 2024

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: 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](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  
24-722](#)

Review October 29, 2024 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  
24-723](#)

Review November 5, 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](#)

*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  
24-725](#) The Public Record for October 10 - October 17, 2024. (City Clerk)

**Recommendation:** Receive and file the Public Record for October 10 - October 17, 2024.

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

2. [ROGC](#)  
[24-726](#) Update to the August - December 2024 Transportation and Environment Committee Work Plan. (Environmental Services)

**Recommendation:** Approve an amendment to the August - December 2024 Transportation and Environment Committee Work Plan to drop the following item from the November 4, 2024, Transportation and Environment Committee meeting agenda.

Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit Annual Report.

Purpose: Provide an annual report on the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit. (Environmental Services)

**Attachments** [Memorandum](#)

END OF CONSENT

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

1. [ROGC](#)  
[24-727](#) Annual City Council Referral Status Report. (City Manager)

**Recommendation:** (a) Accept the Annual City Council Referral Status Report.  
(b) Drop select City Council Referrals listed in the staff memorandum.  
(c) Defer the City Council Referral listed in the staff memorandum.

**Attachments** [Memorandum](#)

2. [ROGC  
24-724](#) Ordinance Amendment for Sale or Use of Algorithmic Devices for Residential Dwelling Units. (Ortiz, Torres, and Cohen)

**Recommendation:**

1. Consider an ordinance prohibiting the sale or use of algorithmic devices to set rents or manage occupancy levels for residential dwelling units in San José.
2. Add the draft ordinance of the City Council of the City of San José amending San José Municipal Code to prohibit the sale or use of algorithmic devices to set rents or manage occupancy levels for residential dwelling units located in San José to the City Council. [Deferred from 10/2/2024 - Item C.1 (ROGC 24-692)]

**Attachments** [Memorandum from Ortiz, Torres, and Cohen](#)  
[Document presented by Councilmember Ortiz - 9/4/2024](#)  
[Revised Workload Analysis - 10/21/2024](#)  
[Letters from the Public](#)

## 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.

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