



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
Maya Esparza, Member
David Cohen, Member
Dev Davis, Member

Committee Staff
Dave Sykes, City Manager
Toni Taber, City Clerk
Nora Frimann, City Attorney
Gloria Schmanek, City Manager's Office
Henry Smith, Mayor's Office
Ruth Krantz, City Clerk's Office

Wednesday, January 27, 2021

2:00 PM

Virtual Meeting
<https://sanjoseca.zoom.us/j/93828586066>

*** 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 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. 938 2858 6066 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/93828586066>

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](#)
[21-099](#)

Review February 2, 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](#)
[21-101](#)

Review February 9, 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

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 21-098](#) Approval of Teen Dating Violence Awareness Month Sponsored by Council District 8 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Arenas)

- Recommendation:**
1. Approve February 2021 as Teen Dating Violence Awareness Month scheduled on February 9, 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 February 9, 2021 Council Agenda for action.

Attachments [Memorandum from Arenas](#)

END OF CONSENT

2. [ROGC
21-103](#) Urban Greening Implementation Plan. (Davis)

Recommendation:

1. Building on the Green Stormwater Infrastructure Plan, identify equity-focused urban greening projects to promote the rapid incorporation of green streets, and other nature-based strategies (extensive urban tree canopy, California native plantings, re-wilding, rain gardens, etc.) throughout the city.
2. Direct staff to work across departments to prioritize these multi-benefit climate adaptation strategies into major street rehabilitation and redesign projects as well as major development projects.
3. Direct staff to align implementation strategies with other priorities such as Better Bike Plan 2025, Vision Zero, and the urban village plans.
4. Direct staff to advocate for a greater alignment of regional, state, and federal funding to support the construction of these projects and pursue said funding sources.
5. Direct the City Manager to take a coordinated approach - including with the City Manager's Office, Intergovernmental Relations Team, Department of Transportation, Public Works, and Environmental Services Division - to advocate for flexibility in grant requirements and timelines when used for projects with multiple objectives (e.g., repaving combined with urban greening).
6. Consistent with the current 2021-22 Annual Legislative Priorities, advocate for new and more flexible infrastructure funding at the federal level to support urban greening elements.

Attachments [Memorandum from Davis](#)
[Early Consideration Response Form](#)
[Letters from the Public](#)

3. [ROGC
21-108](#) Hazard Pay for Retail Food Workers. (Jimenez)

Recommendation:

1. Direct the City Attorney to draft an urgency ordinance requiring hazard pay for retail food workers. The ordinance shall:
 - a. Guarantee hazard pay of an additional five dollars an hour for retail food workers;
 - b. Apply to retail establishments that sell meats, poultry, dairy products, fresh fruits and vegetables and have at least 300 employees nationwide;
 - c. Allow for a private right of action;
 - d. Include a credit for retail establishments that currently provide pay increases related to the COVID-19 pandemic;
 - e. Commence immediately upon Council approval and continue until the Santa Clara County Health Officer has lifted mandatory directives for implementing the State's Regional Stay at Home Order related to the COVID-19 pandemic.
2. Place the item on the February 2, 2021 Council Agenda for action.

Attachments [Memorandum from Jimenez](#)
[Letters from the Public](#)

4. [ROGC
21-112](#) GIS Analysis for Emergency Housing on Caltrans Land. (Mayor and Mahan)

Recommendation:

- Direct the City Manager to:
1. Conduct a citywide GIS analysis of all vacant properties in San José owned by Caltrans that are at least 1 acre in size where short-term emergency housing may be feasible. The analysis should include but not be limited to the five Caltrans sites identified by the California Department of General Services (DGS) per CA Executive Order N-23-20.
 2. Present the findings of the analysis to the City Council no later than Spring 2021 and seek further Council direction at that time.

Attachments [Memorandum from Mayor and Mahan](#)
[Early Consideration Response Form](#)

H. Review of additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee
2. Neighborhood Services and Education Committee

[ROGC
21-104](#)

Update to the January - June 2021 Neighborhood Services and Education Committee Workplan. (City Manager)

Recommendation: Approve the update to the January - June 2021 Neighborhood Services and Education Committee workplan to drop the Annual Action Plan Funding Priorities Report from the scheduled February 11, 2021 meeting.

Attachments [Memorandum](#)

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.