



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

Wednesday, September 22, 2021

2:00 PM

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

*** 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. 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
21-742](#)

Review September 28, 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
21-743](#)

Review October 5, 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)

- a. [ROGC
21-745](#) Review the September 30, 2021 Pension Obligation Respective Roles and Responsibilities for Policy Development Study Session Agenda. (City Manager)

Attachments [Study Session Agenda - 9/30/2021](#)

C. Legislative Update

1. State
2. Federal

D. Meeting Schedules

E. The Public Record

[ROGC
21-744](#) The Public Record for September 9, 2021 - September 16, 2021. (City Clerk)

Recommendation: Receive and file the Public Record for September 9, 2021 - September 16, 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
21-747](#) Approval of Two Neighborhood Day Events Sponsored by Council District 10 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Event. (Mahan)

- Recommendation:**
1. Retroactive approval of the Orchard Creek Neighbor Day held on September 18, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
 2. Approval of the Peppertree Neighbor Day scheduled on Saturday, October 2, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
 3. Approve and accept donations from various individuals, businesses or community groups to support the event.
 4. Place the item on the September 28, 2021 Council Agenda for action.

Attachments [Memorandum from Mahan](#)

- b. [ROGC
21-748](#) Approval of Laneview 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. Approve the Laneview Dumpster Day scheduled on September 25, 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 28, 2021 Council Agenda for action.

Attachments [Memorandum from Cohen](#)

END OF CONSENT

2. [ROGC](#) Community Violence Prevention and Response. (Perez)
[21-749](#)

Recommendation:

Proactive Workplace Safety & Culture Evaluation

1. Direct the City Manager to a. Conduct an RFP or RFQ for a consultant to do an organization-wide workplace cultural and climate evaluation at the City of San José and the varying impacts from any traumatic experiences on employees.

i. Bargaining units should be solicited for input on the scope of the RFP or RFQ, participate in submissions review and provide recommendations for final award to the City Council.

ii. Return to the City Council a report of the evaluation as well as policy recommendations for consideration.

b. Implement a proactive campaign to promote, encourage and incentivize all existing wellness programs among city employees.

c. Consult or partner with public agencies like the County's Behavioral Health Services Department and the private sector to explore ways towards improving the City's wellness and mental health assistance programs.

Trauma Response & Resiliency

2. Direct the City Manager to explore with the County how to better participate in the development of a countywide Trauma Recovery Center as accepted by the Board of Supervisors on August 31, 2021 and integrate into San José's emergency response infrastructure.

Firearm Violence Prevention

3. Direct the City Auditor to conduct an audit of the City's firearm regulatory processes and policies, including a review of trends in firearm violence in the city, and make recommendations to the City Council for consideration.

4. Agendize at a future Public Safety, Finance & Strategic Support Committee (PSFSS) a report from the Police Department on causes of firearm related deaths and injuries including suicides in San José within the last five years and cross reference to the City Council, preferably with the audit mentioned in recommendation #3.

5. Agendize for a future joint meeting with the County Board of Supervisors (BOS) a study session on firearm safety with a focus on mental health, Intimate Partner Violence (IPV) / Intimate Partner Homicide (IPH) and substance abuse with a diverse panel that includes but is not limited to mental health professionals, social service professionals and firearm experts.

The study session should consider the feasibility of a future program that trains mental health professionals to conduct evaluations for firearm permitting as well as explore updates to existing city and

county gun policies relating to IPV/IPH and substance abuse.
In the event that the County BOS declines or is unable to participate
in such a discussion, schedule the same discussion for a City Council
Study Session.

6. Direct City Manager to include Senator Cortese and District
Attorney Rosen's efforts on expanding and improving California's
Red Flag laws as part of Intergovernmental Affairs' legislative
programming.

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

3. [ROGC
21-750](#) Utilizing Public Lands to End Street Homelessness in Our
Community. (Mahan)

Recommendation:

Direct the City Manager to:

1. Bring back to Council by December 2021 a list of at least six sites within the City of San José that are suitable for quick-build, cost-effective interim housing solutions, including emergency interim housing communities and bridge housing communities, that would be eligible for funding under the State’s Homekey and Homeless Housing, Assistance, and Prevention (HHAP) programs.

a. Consider lands owned by the City, Santa Clara County, Caltrans, VTA, Valley Water and other public agencies, as well as private lands that may be cost-effectively acquired.

b. Consider key feasibility and cost-effectiveness factors, such as accessibility of utilities, proximity to transit and the estimated cost of preparing the site for quickbuild interim housing.

c. The first six sites on the list should be in the six Council districts, including District 10, that do not currently host bridge or emergency interim housing sites.

2. Work with the City Attorney and other relevant partners to design a “local preference” protocol for Council consideration that would, to the extent possible, prioritize serving unhoused residents living in neighborhoods in which new quick-build housing sites are constructed.

3. Request from the Santa Clara County Executive an analysis similar to (1), assessing public lands across the county that would be suitable for quick-build, cost-effective housing for unhoused residents.

a. In addition, specifically request written correspondence from the County Executive regarding the feasibility of a large-scale quick-build housing site at the Santa Clara County Fairgrounds. If the Fairgrounds property is deemed infeasible, request alternative sites that have the potential to provide shelter at a similar scale.

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

H. Review of additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee
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.