



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, Assistant City Manager
Toni Taber, City Clerk
Nora Frimann, City Attorney
Rachelle Blattman, City Manager's Office

Wednesday, October 19, 2022

2:00 PM

Hybrid Meeting - Council Chambers and Virtually -
<https://sanjoseca.zoom.us/j/83768347029>

*** COVID-19 NOTICE ***

Consistent with AB 361 and City of San Jose Resolution Nos. 80628, 80659 and 80685, Committee Members may 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 Committee Meeting:

1) By phone 888 475 4499. Webinar ID: 83768347029. 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/83768347029>

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](#)
[22-442](#)

Review October 25, 2022 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](#)
[22-443](#)

Review November 1, 2022 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 22-444](#) The Public Record for October 6 - October 13, 2022. (City Clerk)

Recommendation: Receive and file the Public Record for October 6 - October 13, 2022.

Attachments [The Public Record](#)

END OF CONSENT

C. Rules Committee Reviews, Recommendations and Approvals

1. [ROGC 22-445](#) Cannabis Business Ordinance Revisions. (Jones, Peralez, Carrasco, and Foley)

Recommendation: Direct the City Manager to amend the Cannabis Business Ordinance with the following changes.

1. Adjust distance requirements for new cannabis storefronts citywide from K-12 Schools, Daycare Centers, and Youth Centers, replacing the current distance requirements, as follows:
 - a. Establish a 1,000-foot distance buffer measured as path of travel from the public entrance of the cannabis business to the public entrance of the school, daycare, or youth center (path of travel).
 - b. Establish a minimum 500-foot distance buffer measured as a straight line from the property line with the cannabis business to the property line of the sensitive use (parcel to parcel).
2. Eliminate the distance requirements from other cannabis storefronts.
3. Adjust distance requirements for new cannabis storefronts outside of Downtown or Urban Villages from Community Centers, Recreation Centers, and Parks as follows, replacing the current distance requirement:
 - a. Establish a 500-foot distance buffer measured as parcel to parcel.
4. Retain current distance requirements to sensitive uses for Rehab Centers, Emergency Residential Shelters, and Residential Uses.
5. Remove the crime overlay restriction on new cannabis storefronts.

Attachments [Memorandum from Jones, Peralez, Carrasco, and Foley](#)
[Early Consideration Response Form - 10/19/2022](#)

2. [ROGC 22-446](#) Safe Routes to School. (Mayor, Jones, Cohen, and Foley)

Recommendation:

1. Direct the City Manager to expand traffic safety programs to prioritize Safe Routes to School to deliver the following outcomes:
 - a. Request that the Vision Zero Task Force incorporate safe routes to school and safety near school sites into their work plan. As deemed appropriate, the Vision Zero Task Force may establish subcommittees or hold additional meetings for school safety.
 - b. Accelerate filling vacancies for budgeted school crossing guard positions by investigating hiring incentives and engaging school communities to find applicants.
 - c. Provide quantitative and qualitative metrics that measure the success of the program.
 - d. Identify and pursue competitive grant programs at the regional, state or federal level that can support expansion of traffic safety programs - and ultimately sustain these efforts.
 - e. Bring forward recommendations on how to streamline the process for implementing speed humps near schools, including evaluating opportunities to leverage the pavement program. Present the costs and anticipated impact of, as one option for consideration, an annual citywide deployment of dozens of speed humps near elementary and middle schools, starting with the most hazardous schools for walking or biking students.
 - f. Provide the method and schedule by which to update the Council with status.
2. Direct the City Manager to prepare recommendations for budget actions that can be taken in the FY 23-24 budget process, and beyond, to make the systemic changes to the City's Traffic Safety Program that will increase the program's reach to be able to support every school district in San Jose. If there are immediate opportunities and or critical needs to improve traffic safety near schools, staff should bring those forward for Council consideration at the Mid-year budget review.
3. Direct the Police Chief in collaboration with the City Manager to investigate ways to increase enforcement and education of traffic regulations at schools.

Attachments [Memorandum from Mayor, Jones, Cohen, and Foley](#)
[Early Consideration Response Form - 10/19/2022](#)

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 City Council.

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.

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.