



# 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**

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Wednesday, November 2, 2022

2:00 PM

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

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#### **\* COVID-19 NOTICE \***

Consistent with AB 361 and City of San José Resolution Nos. 80628, 80659, 80685 and 80724,  
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](mailto: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  
22-453](#)

Review November 8, 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  
22-454](#)

Review November 15, 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  
22-455](#) Retroactive Approval of Movie Night and Jazz Concert Events Sponsored by Council District 6 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Davis)

**Recommendation:**

1. Retroactively approve Movie Nights and Jazz Concerts at Cahill Park, the Municipal Rose Garden, and Rosemary Gardens Park, that were scheduled on July 23, August 6, August 13, August 27, and October 1, 2022, as a City Council sponsored Special Events and approve the expenditure of funds.
2. Retroactively approve and accept donations from various individuals, businesses or community groups that supported the events.
3. Place the item on the November 8, 2022 Council Agenda for action.

**Attachments** [Memorandum from Davis](#)

2. [ROGC  
22-456](#) Request to Travel. (Jimenez)

**Recommendation:** Approve travel and related travel expenses for Councilmember Sergio Jimenez to attend the Sister Cities International African Regional Summit on February 20-24, 2023 in Cape Town, South Africa.

**Attachments** [Memorandum from Jimenez](#)

3. [ROGC  
22-457](#) Approval of the District 2 Fall Festival Sponsored by Council District 2 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Jimenez)

**Recommendation:**

1. Approve the District 2 Fall Festival scheduled on November 19, 2022 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Approve the expenditure of District 2 office budget funds to purchase gift cards and other prizes not to exceed \$50 for a free raffle.
3. Approve and accept donations from various individuals, businesses or community groups to support the event.
4. Place the item on the November 15, 2022 Council Agenda for action.

**Attachments** [Memorandum from Jimenez](#)

4. [ROGC  
22-458](#) Approval of River Oaks Neighborhood E-Waste Collection and Retroactive Approval of the Day on the Bay 2022 Sponsored by Council District 4 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Cohen)

**Recommendation:**

1. Approve the River Oaks Neighborhood e-Waste Collection scheduled on November 12, 2022 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Retroactively approve Day on the Bay 2022 held on October 8, 2022 as a City Council sponsored Special Event, approve the expenditure of funds, and approve the purchase of gift cards intended as prizes.
3. Approve and accept donations from various individuals, businesses or community groups to support the events.
4. Place the item on the November 8, 2022 Council Agenda for action.

**Attachments** [Memorandum from Cohen](#)

5. [ROGC  
22-459](#) Request to Travel. (Jones)

**Recommendation:** Authorize travel for Vice Mayor Jones to Kansas City, MO. on November 17-19, 2022 for the National League of Cities City Summit Conference.

**Attachments** [Memorandum from Jones](#)  
[Supplemental Memorandum](#)

6. [ROGC  
22-460](#) VEBA Advisory Committee Appointment. (Human Resources)

**Recommendation:**

- (a) Approve the appointment of Aidan Guy, nominated by the San José Police Officers' Association (POA) as the POA's active employee member, to the Voluntary Employees Beneficiary Association Advisory Committee for a partial term beginning December 1, 2022 and ending May 31, 2024.
- (b) Place the item on the November 15, 2022 City Council Agenda for action.

**Attachments** [Memorandum](#)

END OF CONSENT

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

1. [ROGC  
22-461](#) Maximizing Affordable Homes within Projects Receiving City Financing. (Mayor, Jones, and Carrasco)

**Recommendation:** Request that the Rules Committee bring this memorandum forth to the November 15th City Council meeting along with the other housing items currently agendized, with the recommendation to direct the City Manager to:

1. Prioritize Measure E and other City discretionary affordable housing funding for those affordable housing projects that maximize unit count within the constraints of the municipal code, zoning, land use plan, and the City's published design guidelines.
2. Direct the Housing Department to communicate clearly to all affordable housing builders seeking City financing that reductions of project unit count for reasons unsupported by City policy will result in their project being deprioritized for City funding.

**Attachments** [Memorandum from Mayor, Jones, and Carrasco  
Early Consideration Response Form - 11/1/2022](#)

2. [ROGC](#)  
[22-462](#) City-Initiated General Plan Amendment for Public/Quasi-Public Land Use Designation - Defining Permanent Supportive Housing. (Mayor, Jones, and Davis)

**Recommendation:**

1. Direct City Staff to initiate a General Plan text amendment clarifying that “permanent supportive housing” included in the Public/Quasi-Public (PQP) land use designation summary, on page 12 of Chapter 5, shall be defined as “100% deed-restricted affordable housing with at least 25% permanent supportive housing and the remainder rent-restricted low-income housing for households earning 80% Area Median Income or less.”
2. Direct City Staff to bring back any necessary changes to Chapter 20.40 of the City Municipal Zoning Code, which includes the zoning district definition for PQP.
3. City Staff may return to Council with other proposed requirements, relating to density, design, and other elements, to ensure consistency with other City policies and objectives, but shall allow existing applications to proceed where consistent with the above direction.

**Attachments**

[Memorandum from Mayor, Jones, and Davis](#)  
[Early Consideration Response Form - 11/1/2022](#)

**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.