



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

Toni Taber, City Clerk

Nora Frimann, City Attorney

Rachelle Blattman, City Manager's Office

Wednesday, April 12, 2023

2:00 PM

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

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](#)
[23-147](#)

Review April 18, 2023 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](#)
[23-148](#)

Review April 25, 2023 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](#)
[Memorandum from Ortiz - 4/12/2023](#)
[Letters from the Public](#)

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 23-149](#) The Public Record for March 29 - April 6, 2023. (City Clerk)

Recommendation: Receive and file the Public Record for March 29 - April 6, 2023.

Attachments [The Public Record](#)

2. [ROGC 23-150](#) Update to the January - June 2023 Community and Economic Development Committee Work Plan. (City Manager)

Recommendation: Approve two amendments to the January - June 2023 Community and Economic Development (CED) Committee Work Plan to:

(a) Drop the following item from the April 24, 2023, CED Committee meeting:

Parks Development Impact Fee Study Status Report.

Purpose: Provide a status report on the Parks Development Impact Fee Study. (Parks, Recreation, and Neighborhood Services)

(b) Drop the following item from the May 22, 2023, CED Committee meeting:

Downtown and Regional Wayfinding Status Report.

Purpose: Provide a status report on Downtown and Regional Wayfinding efforts. (Transportation/Economic Development and Cultural Affairs)

Attachments [Memorandum](#)

3. [ROGC](#) Update to the January - June 2023 Public Safety, Finance and Strategic
[23-151](#) Support Committee Work Plan. (City Manager)

Recommendation: Approve an amendment to the January - June 2023 Public Safety, Finance and Strategic Support (PSFSS) Committee Work Plan to move the following item from the April 20, 2023 PSFSS Committee meeting agenda to the June 15, 2023 PSFSS Committee meeting agenda:

Response to the Investigations of Police Misconduct in San José Report by Moeel, Lah, Fakhoury, LLP.

Purpose: Provide a report responding to the Investigations of Police Misconduct in San José report by Moeel, Lah, Fakhoury, LLP. (City Manager/Independent Police Auditor)

Attachments [Memorandum](#)

4. [ROGC](#) Monthly Report of Activities for March 2023. (City Auditor)
[23-152](#)

Recommendation: Approve the Auditor's Office Monthly Report of Activities for the month of March 2023.

Attachments [Memorandum](#)

5. [ROGC](#) Retroactive Approval of Events Sponsored by Council District 3 as City
[23-153](#) Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Torres)

Recommendation:

1. Retroactively approve the Business Safety Meeting event scheduled on February 22, 2023 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Retroactively approve the Cafecito event scheduled on March 2, 2023 as a City Council sponsored Special Event and approve the expenditure of funds.
3. Retroactively approve the Community Swearing In event scheduled on March 16, 2023 as a City Council sponsored Special Event and approve the expenditure of funds.
4. Approve and accept donations from various individuals, businesses or community groups to support the events.
5. Place the item on the April 18, 2023 Council Agenda for action.

Attachments [Memorandum from Torres](#)

6. [ROGC](#) Approval of City Hall Free Use on April 29, 2023 for the Trans Day of
[23-154](#) Visibility Event Sponsored by Council Districts 9 and 6 as a City
Council Sponsored Special Event to Expend City Funds and Accept
Donations of Materials and Services for the Event. (Foley and Davis)

- Recommendation:**
1. Adopt a resolution authorizing “Free Use” for events and activities held on Saturday, April 29, 2023 for the Trans Day of Visibility event.
 2. Approve the Trans Day of Visibility event scheduled on April 29, 2023 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 April 18, 2023 Council Agenda for action.

Attachments [Memorandum from Foley and Davis](#)

END OF CONSENT

C. Rules Committee Reviews, Recommendations and Approvals

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.