



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, May 10, 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 for items on the agenda:

- 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
23-182](#)

Review May 16, 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](#)

2. Review Draft Agenda

[ROGC
23-183](#)

Review May 23, 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](#)

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
23-184](#) The Public Record for April 27 - May 4, 2023. (City Clerk)

Recommendation: Receive and file the Public Record for April 27 - May 4, 2023.

Attachments [The Public Record](#)

2. [ROGC
23-185](#) Update to the January - June 2023 Community and Economic Development Committee Work Plan. (City Manager)

Recommendation: Approve an amendment to the January - June 2023 Community and Economic Development (CED) Committee Work Plan to drop the following item from the June 26, 2023 CED Committee meeting
City Roadmap: Soft-Story Building Earthquake Retrofit Policy Status Report.

Purpose: Provide a status report on the Soft-Story Building Earthquake Retrofit Policy as part of the approved City Initiatives Roadmap for 2022-2023. (Planning, Building, and Code Enforcement/Housing/City Manager - Emergency Management)

Attachments [Memorandum](#)

3. [ROGC
23-186](#) Monthly Report of Activities for April 2023. (City Auditor)

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

Attachments [Memorandum](#)

4. [ROGC
23-187](#) Request to Travel and Excused Absence. (Davis)

Recommendation: Retroactively authorize travel for Councilmember Davis to attend the Reimagining the Civic Commons event in Macon, Georgia from April 10 - 13, 2023.

Attachments [Memorandum from Davis](#)

5. [ROGC
23-188](#) Approval of Almaden Valley Dumpster Day and Azerbaijan Flag Raising Sponsored by Council District 10 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Batra)

- Recommendation:**
1. Approve the Almaden Valley Dumpster Day event scheduled on May 13, 2023 as a City Council sponsored Special Event and approve the expenditure of funds.
 2. Approve the Azerbaijan Flag Raising event scheduled on May 22, 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 events.
 4. Place the item on the May 16, 2023 Council Agenda for action.

Attachments [Memorandum from Batra](#)

6. [ROGC
23-189](#) Approval of Dumpster Day Sponsored by Council District 9 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Foley)

- Recommendation:**
1. Approve the Dumpster Day scheduled on May 20, 2023 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 May 23, 2023 Council Agenda for action.

Attachments [Memorandum from Foley](#)

END OF CONSENT

C. Rules Committee Reviews, Recommendations and Approvals

1. [ROGC
23-190](#) Board of Fair Campaign and Political Practices Recommended Revisions to the City’s Ethics and Open Government Provisions Under Title 12 of the San Jose Municipal and Resolution No. 79187 Governing the Board’s Regulations and Procedures. (City Attorney)

Recommendation: Consider the proposed ordinance and revisions recommended by the Board of Fair Campaign and Political Practices to the City’s Ethics and Open Government Provisions under Title 12 and the Resolution No. 79187 Governing the Board’s Regulations and Procedures.

Attachments [Memorandum from City Attorney](#)
[Draft Ordinance](#)
[Draft Resolution](#)
[Attachments from BFCPP](#)

2. [ROGC
23-191](#) Proposed Ordinance to Amend Title 12 of the San Jose Municipal Code. (City Attorney)

Recommendation: Consider the proposed ordinance to amend Sections 12.06.030 and 12.10.030 of Title 12 of the San Jose Municipal Code to redefine “candidate” and to prohibit service with an independent expenditure committee under the revolving door policy.

Attachments [Memorandum from City Attorney](#)
[Draft Ordinance](#)

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.