



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 24, 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](#)
[23-204](#)

Review May 30, 2023 Final Agenda - Cancelled

2. Review Draft Agenda

[ROGC](#)
[23-205](#)

Review June 6, 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
23-206](#) The Public Record for May 11 - May 18, 2023. (City Clerk)

Recommendation: Receive and file the Public Record for May 11 - May 18, 2023.

Attachments [The Public Record](#)

2. [ROGC
23-207](#) Set a General Plan Hearing Second Cycle for June 2023. (Planning, Building and Code Enforcement)

Recommendation: Set the General Plan Second Review Cycle of 2023 for City Council hearing beginning on the afternoon of June 20, 2023, to consider City-initiated General Plan amendments associated with the adoption of the 2023-2031 Housing Element and several other City-initiated minor amendments.

Attachments [Memorandum](#)

3. [ROGC
23-208](#) Update to the January - June 2023 Neighborhood Services and Education Committee Work Plan. (City Manager)

Recommendation:

Approve amendments to the January - June 2023 Neighborhood Services and Education (NSE) Committee Work Plan to:

a. Drop the following items from the June 8, 2023, NSE Committee meeting agenda:

i. City Initiatives Roadmap: American Rescue Plan Spending Plan on Child Care Status Report.

Purpose: Provide a status report on the American Rescue Plan spending plan on child care, including programs, activities, and initiatives as part of the approved City Initiatives Roadmap for 2022-2023.

(City Manager/Parks, Recreation and Neighborhood Services/Library/Housing)

ii. Park Destinations, Events and Sports Status Report.

Purpose: Provide a status update on the parks destinations, events and sports programs and facilities.

(Parks, Recreation and Neighborhood Services)

b. Add the following item to the June 8, 2023, NSE Committee meeting agenda:

i. Expanding the Youth Commission and Enhancing Youth Participation in the City Report.

Purpose: Provide a report on the Youth Commission's findings on the Elevating Youth Voices on Commission recommendations.

(Library/City Manager)

Attachments [Memorandum](#)

4. [ROGC
23-210](#) Approval of National Night Out as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (City Clerk)

Recommendation:

1. Approve the National Night Out scheduled on August 1, 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 June 6, 2023 Council Agenda for action.

Attachments [Memorandum from City Clerk](#)

5. [ROGC
23-211](#) Approval of Multiple Special Events 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 District 4 Penitencia Creek Park Litter Pick-Up Day scheduled on May 24, 2023 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Approve the District 4 Penitencia Neighborhood Association Dumpster Day scheduled on May 27, 2023 as a City Council sponsored Special Event and approve the expenditure of funds.
3. Approve the District 4 125th Philippine Independence Day Flag Raising Ceremony scheduled on June 12, 2023 as a City Council sponsored Special Event and approve the expenditure of funds.
4. Approve the Ringwood Court District 4 Dumpster Day scheduled on June 17, 2023 as a City Council sponsored Special Event and approve the expenditure of funds.
5. Approve and accept donations from various individuals, businesses or community groups to support the events.
6. Place the item on the June 6, 2023 Council Agenda for action.

Attachments [Memorandum from Cohen](#)

END OF CONSENT

C. Rules Committee Reviews, Recommendations and Approvals

1. [ROGC
23-212](#) Key to the City Recognition. (Doan)

Recommendation: Approve the purchase of Key to the City awards from District 7 Council Office Funds.
[Deferred from 5/17/2023 - Item C.1 (ROGC 23-202)]

Attachments [Memorandum from Doan](#)

2. [ROGC
23-213](#) SJPD Event Street Closures. (Jimenez, Torres, Ortiz, and Candelas)

Recommendation:

1. Direct the City Manager to:
 - a. Ensure that the Police Department engages with relevant community partners prior to finalizing operational plans for Cinco de Mayo and similar celebratory occasions which draw large crowds and gatherings of visitors. Engagement should include topics and or recommendations that prevent and manage street closures or other measures that may impact traffic, pedestrian flow, resident movement, and businesses. The following community partners should be included as part of this engagement:
 - i. District Council Office affected by the Department's operational plans.
 - ii. Downtown and East San José resident associations and other resident and business associations in locations affected by the Department's operational plans.
 - iii. Businesses in downtown along East Santa Clara Street, on Alum Rock Avenue, 24th Street/McLaughlin, and other locations that may be affected by the Department's operational plans.
 - iv. Community partners and stakeholders such as the United Lowrider Council of San José and others with a vested interest in making such events accessible and safe for the broader community.
 - b. Ensure the Police Department develops a comprehensive communications plan that effectively communicates the operational approach to Councilmembers, community partners, media outlets, and the general public before future events.
 - i. Ensure outreach materials are in the predominant languages of the area, such as Spanish and Vietnamese.
 - c. Have the Police Department provide an update on these efforts to the City Council in August 2023.
 - d. Direct Staff to explore the creation of a sanctioned City Cinco de Mayo event and come back with their findings by the end of this calendar year.

Attachments [Memorandum from Jimenez, Torres, Ortiz, and Candelas](#)
[Early Consideration Response Form - 05/24/2023](#)

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.