



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, August 2, 2023

2:00 PM

**Hybrid Meeting - City Hall Wing Rooms W118-W120
and Virtually -**

<https://sanjoseca.zoom.us/j/85991848944>

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: 85991848944. 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/85991848944>.

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](#)
[23-245](#)

Review August 8, 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](#)
[23-246](#)

Review August 15, 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
23-247](#) The Public Record for June 15 - July 27, 2023. (City Clerk)

Recommendation: Receive and file the Public Record for June 15 - July 27, 2023.

Attachments [The Public Record](#)

2. [ROGC
23-257](#) City Council Governance: Developing Norms and Procedures Study Session. (City Manager)

Recommendation: Set a City Council Study Session entitled City Council Governance: Developing Norms and Procedures for Thursday, August 24, 2023 from 1:30 p.m. - 4:30 p.m. in the City Council Chambers and approve the Study Session agenda.

Attachments [Memorandum](#)

3. [ROGC
23-248](#) Community and Economic Development Committee Work Plan. (Mayor and Foley)

Recommendation: a) Approve the Community and Economic Development Committee Work Plan for the period of August through December 2023 and setting its meeting schedule on the fourth Monday of each month at 1:30 p.m. in the City Council Chambers.
b) Accept the draft Community and Economic Development Committee Work Plan for the period of January through June 2024.

Attachments [Memorandum from Mayor and Foley](#)

4. [ROGC
23-249](#) Request to Travel and Excused Absence. (Foley)

Recommendation: Retroactively authorize travel for Councilmember Pam Foley to attend the Sister Cities International 2023 Leadership and Annual Membership Meeting in Durham, North Carolina from July 26-28, 2023.

Attachments [Memorandum from Foley](#)

5. [ROGC](#) Retroactive Approval of Pride and Transgender Flag Raisings and
[23-250](#) Lighting for Pride Month Sponsored by Council District 6 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Davis, Foley, and Torres)

Recommendation:

1. Retroactively approve the Pride and Transgender Flag Raisings and Lighting for Pride Month event scheduled on Tuesday, June 6, 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 August 8, 2023 Council Agenda for action.

Attachments [Memorandum from Davis, Foley, and Torres](#)

6. [ROGC](#) Approval of the Indian Independence Day Flag Raising Event
[23-251](#) Celebration and Tower and Rotunda Lighting 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 Indian Independence Day Flag Raising Community Event scheduled on Wednesday, August 16, 2023 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Approve the Indian Independence Day Tower and Rotunda Lighting on August 11-16, 2023.
3. Approve and accept donations from various individuals, businesses or community groups to support the events.
4. Place the item on the August 8, 2023 Council Agenda for action.

Attachments [Memorandum from Batra](#)

7. [ROGC](#) Approval of Multiple Special Events Sponsored by Council District 4 as
[23-252](#) City Council Sponsored Special Events to Expend City Funds and
Accept Donations of Materials and Services for the Events. (Cohen)

Recommendation:

1. Retroactively approve the District 4 Berryessa Courtyard Community Meeting scheduled on Monday, June 26, 2023 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Retroactively approve the District 4 Creekside Station HOA Community Meeting scheduled on Monday, July 10, 2023 as a City Council sponsored Special Event and approve the expenditure of funds.
3. Approve the District 4 Moitozo Park Reactivation Day scheduled on Wednesday, August 16, 2023 as a City Council sponsored Special Event and approve the expenditure of funds.
4. Approve the District 4 Dumpster Day scheduled on Saturday, August 19, 2023 as a City Council sponsored Special Event and approve the expenditure of funds.
5. Approve the District 4 Santos Family Car Show scheduled on Saturday, September 2, 2023 as a City Council sponsored Special Event and approve the expenditure of funds.
6. Approve and accept donations from various individuals, businesses or community groups to support the events.
7. Place the item on the August 8, 2023 Council Agenda for action.

Attachments [Memorandum from Cohen](#)

8. [ROGC](#) Request to Travel. (Mayor)
[23-253](#)

Recommendation: Authorize travel, accept travel payments to the City of San José, and designate Mayor's Staff, Michael Lomio, as the City representative to attend the Reimagining the Civic Commons event in Lexington, Kentucky from October 24-26, 2023.

Attachments [Memorandum from Mayor](#)

9. [ROGC](#) Retroactive approval of Longevity Walks Sponsored by Council District
[23-255](#) 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 the Longevity Walks at Westfield Valley Fair
Mall and the Billy DeFrank LGBTQ+ Center scheduled on April 26,
2023 and May 31, 2023 as City Council sponsored Special Events and
approve the expenditure of funds.
2. Approve and accept donations from various individuals, businesses
or community groups to support the events.
3. Place the item on the August 8, 2023 Council Agenda for action.

Attachments [Memorandum from Davis](#)

10. [ROGC](#) Public Safety, Finance and Strategic Support Committee Work Plan.
[23-256](#) (Mayor and Jimenez)

Recommendation: a) Approve the Public Safety, Finance and Strategic Support Committee
Work Plan for the period of August through December 2023 and setting
its meeting schedule on the third Thursday of each month at 1:30 p.m.
in the City Council Chambers, with the exception of the month of
December, setting the meeting on the first Thursday of that month at
1:30 p.m. in the City Council Chambers.
b) Accept the draft Public Safety, Finance and Strategic Support
Committee Work Plan for the period of January through June 2024.

Attachments [Memorandum from Mayor and Jimenez](#)

END OF CONSENT

C. Rules Committee Reviews, Recommendations and Approvals

1. [ROGC
23-254](#) Waiver of Revolving Door Restrictions. (City Attorney)

Recommendation:

1. Consider the request by Allie Hughes, former Council Policy & Legislative Advisor for Councilmember David Cohen, for a Waiver of the Revolving Door Restrictions for the work described in the memorandum and in Ms. Hughes' June 5, 2023 Waiver Request Letter, and make findings as to whether such waiver is in the best interest of the City and consistent with the purpose of San José Municipal Code Chapter 12.10; and
2. Forward the request and recommendation to the City Council for its consideration on the August 8, 2023 City Council agenda.

Attachments [Memorandum
Hughes Request for Waiver of San Jose Revolving Door Ordinan](#)

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.