



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, September 27, 2023

2:00 PM

**Hybrid Meeting - Council Chambers 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](#)
[23-333](#)

Review October 3, 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](#)
[23-334](#)

Review October 10, 2023 Draft Agenda - Cancelled

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 23-335](#) The Public Record for September 14 - September 21, 2023. (City Clerk)

Recommendation: Receive and file the Public Record for September 14 - September 21, 2023.

Attachments [The Public Record](#)

2. [ROGC 23-336](#) Approval of Holiday Event Series Sponsored by Council District 6 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Event. (Davis)

Recommendation:

1. Approve the Holiday Event Series at Evans Lane Interim Housing scheduled on October 26, 2023, November 17, 2023, and December 14, 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 October 3, 2023 City Council Agenda for action.

Attachments [Memorandum from Davis](#)

3. [ROGC](#)
[23-337](#) Retroactive Approval and Approval of Various District 8 Events as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Candelas)

Recommendation:

1. Retroactive approval and approval of the following Various District 8 Events as City Council sponsored Special Events and approve the expenditure of funds:
 - o Creekside Neighborhood Association Dumpster Day on August 19, 2023
 - o Town Hall with Congressman Panetta on August 21, 2023
 - o Community Coffee with Supervisor Arenas on August 25, 2023
 - o Music in the Square on September 1, 2023
 - o Community Coffee with Assemblymember Kalra on September 23, 2023
 - o Fire Safety Workshop at the Villages on September 28, 2023
 - o Interfaith Breakfast on September 30, 2023
 - o PAWS Vaccine Event on October 7, 2023
2. Approve and accept donations from various individuals, businesses, or community groups to support the events.
3. Place the item on the October 3, 2023, City Council Agenda for action.

Attachments [Memorandum from Candelas](#)

4. [ROGC](#)
[23-338](#) Approval of the District 2 Fall Festival 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 from September 30, 2023, 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 and/or community groups to support the event.
4. Place the item on the October 3, 2023, City Council Agenda for action.

Attachments [Memorandum from Jimenez](#)

END OF CONSENT

C. Rules Committee Reviews, Recommendations and Approvals

1. [ROGC](#) Creation of a City Council Policy for Uniform Transitions during
[23-340](#) Changes in Elected Officials. (Doan)

Recommendation:

Direct the City Manager and City Attorney to study and evaluate the feasibility of a City Council policy for Council consideration which addresses the need for a uniform transition during changes in elected officials. We ask that this work will be completed in 90 days and will include, but not be limited to the following:

1. Mayor and City Council Offices to use City-based accounts for ownership and access credentials for social media, website domain registrations, constituent databases, and software subscriptions, as well as require administrative accounts for the Information Technology Department and/or the City Clerk to administer costs, contracts, and transitions when there is a change in elected officials. Data is not to be shared with any other department or office and must be safeguarded.
2. Consistent with Assembly Bill 1637, provide a general plan for the City to adopt “.gov”, coordinate City ownership of registrations by the City’s Information Technology Department and/or the City Clerk and applying security and privacy standards set per City Council policy.
 - a. Any non-.gov may only continue operation as a pointer to a .gov resource.
 - b. All domains are to be City property and not registered as individual property.
 - c. Administrative privileges and credentials must be administered by the City’s Information Technology Department and/or the City Clerk.
3. City-based social media accounts are to be set as business accounts for the use of the office and should be used as the primary account for constituent communications.
4. Optimize a smooth transition experience for outgoing and incoming elected officials to ensure the residents of San José are always served.
5. Ensure the Clerk’s Office maintains a checklist of all City owned and purchased assets, both digital and physical.
6. Anything else related to the transition of elected officials that staff identifies as applicable.
7. Address and evaluate any potential legal issues.
8. Exemptions should apply for the continued use of previously created and in-use social media accounts, as well as for domains/websites of the current Mayor and Councilmembers until a change in elected official occurs, however login credentials and account ownership should be provided to the appropriate city department.

Attachments [Memorandum from Doan](#)
[Early Consideration Response Form, 9/25/2023](#)

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.