



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 7, 2024

2:00 PM

Council Chambers

For live translations in over 50 languages, please go to <https://attend.wordly.ai/join/FAYU-7105>

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>
 - 4) By phone 888 475 4499. Webinar ID: 964 4134 2315. Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free)
 - 5) By online <https://sanjoseca.zoom.us/j/96441342315>.
- Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 16+. Certain functionality may be disabled in older browsers including Internet Explorer.

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:

Fill out a Yellow Speaker's Card and submit it to boxes at the bottom of the Chambers.

A. City Council (City Clerk)

1. Review Final Agenda

[ROGC
24-630](#)

Review August 13, 2024 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
24-631](#)

Review August 20, 2024 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
24-632](#) The Public Record for June 6 - August 1, 2024. (City Clerk)

Recommendation: Receive and file the Public Record for June 6 - August 1, 2024.

Attachments [The Public Record](#)

2. [ROGC
24-633](#) Update to the August - December 2024 Community and Economic Development Committee Work Plan. (City Manager)

Recommendation: Approve an amendment to the August - December 2024 Community and Economic Development Committee Work Plan to add the following item to the August 26, 2024, Community and Economic Development Committee meeting agenda.

Fire Sprinkler Systems in Qualifying Accessory Dwelling Unit.
Condominiums

Purpose: Provide a status report on requiring fire sprinkler systems in qualifying Accessory Dwelling Units to be sold as condominiums.
(Fire)

Attachments [Memorandum](#)

3. [ROGC
24-634](#) Deferred Compensation Advisory Committee Appointment. (City Manager)

Recommendation:

1. Approve the appointment of Aric Johnson, nominated by the group of employees designated as “Management Employees” consisting of employees in Unit 99 and the Association of Engineers and Architects, IFPTE Local 21 (AEA); Association of Maintenance Supervisory Personnel, IFPTE, Local 21 (AMSP); City Association of Management Personnel, IFPTE, Local 21 (CAMP); and the Association of Legal Professionals of San José (ALP), as the active employee member to the Deferred Compensation Advisory Committee to fill a vacant seat for the remainder of the term, beginning September 1, 2024 and ending on March 1, 2026.
2. Place the item on the August 13, 2024, City Council Agenda for action.

Attachments [Memorandum](#)

4. [ROGC
24-635](#) Diridon Station Study Session. (Transportation)

Recommendation: Set a City Council Study Session entitled Diridon Station Study Session for Friday, August 16, 2024, from 9:30 a.m. to noon and approve the Study Session agenda.

Attachments [Replacement Memorandum](#)

5. [ROGC
24-636](#) Retroactive Approval of Flag Raising Recognizing Juneteenth on June 17-21, 2024 Sponsored by Council District 3 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials for the Event. (Torres)

- Recommendation:**
1. Retroactively approve the Juneteenth Flag Raising scheduled on June 17, 2024 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 13, 2024 Council Agenda for action.

Attachments [Memorandum from Torres](#)

6. [ROGC
24-637](#) 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. Retroactively approve the District 4 Leadership Forum scheduled on June 15, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
 2. Retroactively approve the District 4 Community Office Hours scheduled on June 26, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
 3. Retroactively approve the District 4 Dog Park Grand Opening scheduled on June 29, 2024 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 August 13, 2024 Council Agenda for action.

Attachments [Memorandum from Cohen](#)

7. [ROGC](#) Retroactive Approval and Approval of Various Events Sponsored by
[24-638](#) Council District 5 as City Council Sponsored Special Events to Expend
City Funds and Accept Donations of Materials and Services for the
Events. (Ortiz)

Recommendation:

1. Retroactively approve the Mothers Day Celebration at Gramercy Event scheduled on May 10, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Retroactively approve the Alum Rock Village Dumpster Day scheduled on May 18, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
3. Retroactively approve the Poco Way Beautification Event scheduled on May 25, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
4. Retroactively approve the Cafe Para Todos Event scheduled on May 30, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
5. Retroactively approve the Alum Rock Park Road Reopening Event scheduled on June 14, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
6. Retroactively approve the Snack with Matt Event scheduled on June 25, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
7. Retroactively approve the Capitol Park Dumpster Day scheduled on June 29, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
8. Approve the San José Lowrider Day Event scheduled on September 1, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
9. Approve the Grito de Independencia Event scheduled on September 14, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
10. Approve the Culture Fest Event scheduled on October 12, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
11. Approve the District 5 Christmas Tree Giveaway and Holiday Celebration Event scheduled on December 4, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
12. Approve the Cinco de Mayo Parade and Festival Event scheduled on May 4, 2025 as a City Council sponsored Special Event and approve the expenditure of funds.
13. Place the item on the August 13, 2024 Council Agenda for action.

Attachments [Memorandum from Ortiz](#)

8. [ROGC
24-639](#) Approval of Free Use on August 21, 2024 for the USPS San Jose Postmaster's Installation Event Co-Hosted by Council District 9 and USPS Postmaster's Office as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Foley)

Recommendation:

1. Adopt a resolution authorizing "Free Use" for the private, invitation-only USPS San Jose Postmaster's Installation event held at City Hall Rotunda on Wednesday, August 21, 2024.
1. Approve the USPS San Jose Postmaster's Installation Event scheduled on August 21, 2024 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 13, 2024 Council Agenda for action.

Attachments [Memorandum from Foley](#)

9. [ROGC](#)
[24-640](#) Retroactive Approval and Approval of Special Events Sponsored by Council District 10 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Event. (Batra)

Recommendation:

1. Retroactively approve the Dumpster Day at Greystone Park scheduled on August 3, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Approve the Indian Independence Day Cultural Event scheduled on August 15, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
3. Approve the Housing Town Hall with Housing Director Erik Solivan scheduled on August 17, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
4. Approve the Shredding and eWaste Day scheduled on August 24, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
5. Approve the Blossom Valley Dumpster Day scheduled on September 14, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
6. Approve the In-Person Talk with Batra scheduled on September 21, 2024 as a City Council sponsored Special Event and approve the expenditure of funds.
7. Approve and accept donations from various individuals, businesses or community groups to support the events.
8. Place the item on the August 13, 2024 Council Agenda for action.

Attachments [Memorandum from Batra](#)

END OF CONSENT

C. Rules Committee Reviews, Recommendations and Approvals

1. [ROGC
24-641](#) Janet Gray Hayes Rotunda Naming. (Davis)

Recommendation:

1. In celebration of the 50th anniversary of the November 1974 election of Janet Gray Hayes as the first female mayor of San José and the first female mayor of a major American city, and in honor of her accomplishments and contributions to San José, name the City Hall Rotunda the Janet Gray Hayes Rotunda.
 - a. Add the name to the wayfinding signs in the Civic Center Plaza and Facilities.
 - b. Affix the name "Janet Gray Hayes Rotunda" and one of her Alexander Calder logos, if approved by the artist's foundation, inside the rotunda and the outside the rotunda in the areas noted in the attached photos.
 - c. Permit the installation of a memorial plaque in honor of Janet Gray Hayes inside the rotunda.
 - d. Direct staff to report back in 30 days with the cost of installing the lettering and logo, signage, and plaque with a budget recommendation on source of funding.
2. In celebration of the approaching 50th anniversary of the 1978 voter approval of district elections in San José, approve the use of wall space inside the rotunda for a rotating photographic exhibition of neighborhoods from each of the council districts in San José and the installation of a plaque regarding the creation of district elections.

Attachments

- [Memorandum from Davis](#)
[Nomination Form from Congresswoman Zoe Lofgren](#)
[Nomination Forms](#)

2. [ROGC](#)
[24-642](#) Request to Add Resolution on Federal Recognition for Muwekma Ohlone Tribe to the City Council Meeting Agenda of August 13, 2024. (Ortiz, Davis, Cohen, Candelas, and Doan)

Recommendation:

1. Consider a resolution of the City Council of the City of San José declaring the City’s support of federal recognition of the Muwekma Ohlone Tribe.
2. Add the draft resolution of the City Council of the City of San José declaring the City’s support of federal recognition of the Muwekma Ohlone Tribe to the City Council Agenda for its regular meeting of August 13, 2024.

Attachments [Memorandum from Ortiz, Davis, Cohen, Candelas, and Doan](#)
[Letter from Congresswoman Lofgren](#)
[Letters from the Public](#)

3. [ROGC](#)
[24-643](#) Proposition 5 - Local Government Financing: Affordable Housing and Public Infrastructure: Voter Approval. (Cohen, Candelas, Jimenez, and Ortiz)

Recommendation:

1. Adopt a position of support for Proposition 5 on the November 5, 2024 California General Election Ballot.

Attachments [Memorandum from Cohen, Candelas, Jimenez, and Ortiz](#)

4. [ROGC](#)
[24-644](#) Study Session on the Prevention of Illegal Fireworks. (Batra)

Recommendation:

Direct the City Clerk and City Manager to schedule a Council Study Session titled “Prevention of Illegal Fireworks” with a focus on the City’s current work plan and strategies.

Attachments [Memorandum from Batra](#)
[Request for Policy Analysis - 8/7/2024](#)

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 Committee.

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.

The Levine Act requires a Party in a Proceeding before the City of San José that involves any action related to their contract, license, permit, or use entitlement to disclose any campaign contributions to City elected or appointed officials totaling more than \$250 within the 12 months prior to the City decision. A Participant to a Proceeding may voluntarily report a campaign contribution. Please visit <https://www.sanjoseca.gov/your-government/appointees/city-clerk/levine-act> for updated forms and information.

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.

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Access the video, the agenda and related reports for this meeting by visiting the City's website.