



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

Joy Rodriguez, Assistant City Clerk

Kevin Fisher, Assistant City Attorney

Rachelle Blattman, City Manager's Office

Wednesday, October 2, 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 8:00 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
24-703](#)

Review October 8, 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
24-704](#)

Review October 15, 2024 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
24-705](#) The Public Record for September 19 - September 26, 2024. (City Clerk)

Recommendation: Receive and file the Public Record for September 19 - September 26, 2024.

Attachments [The Public Record](#)

2. [ROGC
24-706](#) Retroactive Approval of the Lowrider and El Grito Events Sponsored by Council District 3 and Council District 5 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Torres and Ortiz)

- Recommendation:**
1. Retroactively approve the Lowrider Event scheduled on September 1, 2024 and the El Grito Event scheduled on September 15, 2024 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 October 8, 2024 Council Agenda for action.

Attachments [Memorandum from Torres and Ortiz](#)

END OF CONSENT

C. Rules Committee Reviews, Recommendations and Approvals

1. [ROGC
24-692](#) Ordinance Amendment for Sale or Use of Algorithmic Devices for Residential Dwelling Units. (Ortiz, Torres, and Cohen) -
RECOMMEND DEFERRAL

- Recommendation:**
1. Consider an ordinance prohibiting the sale or use of algorithmic devices to set rents or manage occupancy levels for residential dwelling units in San José.
 2. Add the draft ordinance of the City Council of the City of San José amending San José Municipal Code to prohibit the sale or use of algorithmic devices to set rents or manage occupancy levels for residential dwelling units located in San José to the City Council. [Deferred from 9/4/2024 - Item C.2 (ROGC 24-682)]
RECOMMEND DEFERRAL TO 10/9/2024 PER
ADMINISTRATION

Attachments [Memorandum from Ortiz, Torres, and Cohen](#)
[Document presented by Councilmember Ortiz - 9/4/2024](#)
[Letter from the Public - 9/4/2024](#)
[Workload Analysis](#)
[Letter from the Public](#)

2. [ROGC](#)
[24-700](#) Recommendation from the Board of Fair Campaign and Political Practices. (City Clerk)

Recommendation: Discussion and possible action on the recommendation from the Board of Fair Campaign and Political Practices regarding independent committee disclosures.

Attachments [Memorandum](#)

3. [ROGC](#)
[24-707](#) Publishing Public Safety Data by Council District. (Batra)

Recommendation: Direct the City Manager to:

1. At the October Public Safety, Finance and Strategic Support Committee meeting, present a plan and timeline for the monthly publishing of crime statistics by City Council district.

a. These statistics could include but not be limited to the same statistics currently published on the San José Police Department's website.

b. Modify the Public Safety, Finance, and Strategic Support Work Plan for the period of August through December 2024 to incorporate this recommendation.

Attachments [Memorandum from Batra](#)
[Letters from the Public](#)

4. [ROGC](#)
[24-708](#) Proposed Revisions to Council Expenditure Policy 0-38. (City Clerk)

Recommendation: Refer to the City Council for the October 8, 2024 Council agenda to approve revisions to City Council Policy 0-38, City Council Expenditure and Reimbursement Policy, to provide updates for clarification and language consistency; to provide substantive updates to sections entitled Admission to Events, Training and Professional Development (formerly Membership Dues), Employee Recognition, and Unauthorized Expenditure of Public Funds; and to reorganize information for grants, monetary contributions, and in-kind contributions.

Attachments [Memorandum](#)

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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