



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

Sam Liccardo, Chair

Magdalena Carrasco, Vice Chair

Dev Davis, Member

Chappie Jones, Member

Johnny Khamis, Member

Committee Staff

Dave Sykes, City Manager

Toni Taber, City Clerk

Richard Doyle, City Attorney

Gloria Schmanek, City Manager's Office

Nicole Inamine, Mayor's Office

Louis Osemwegie, City Clerk's Office

Wednesday, May 2, 2018

2:00 PM

Wing W118-120

A. City Council (City Clerk)

1. Review Final Agenda

[ROGC](#)

[18-264](#)

Review May 8, 2018 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](#)
[18-265](#)

Review May 15, 2018 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](#)

B. Review of Upcoming Special Meeting Agenda(s)

C. Legislative Update

- 1. State
- 2. Federal

D. Meeting Schedules

E. The Public Record

[ROGC](#)
[18-266](#)

The Public Record for April 20-April 26, 2018.

Attachments [Memorandum](#)

F. Boards, Commissions and Committees

- 1. Appointments
- 2. Work Plans & Annual Reports

G. Rules Committee Reviews, Recommendations and Approvals

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine and will be adopted by one motion. If a member of the Committee, staff, or public requests discussion on a particular item, that item may be removed from the Consent Calendar and considered separately.

1. Consent Calendar

- a. [ROGC](#)
[18-267](#) **Retroactive Approval and Approval of Community Events Sponsored
By Council District 7 as a City Council Sponsored Special Event to
Expend City Funds and Accept Donations of Materials and Services for
the Event. (Nguyen)**

Recommendation:

1. Retroactively approve the Meet and Greet with Tuscany Hills HOA on Saturday, April 28, 2018 at Viera Park as a City Council Sponsored Special Event and approve the expenditure of funds.
2. Retroactively approve the Clean Up With Tam on Saturday, April 28, 2018 at College Connection Academy at Yerba Buena High School as a City Council Sponsored Special Event and approve the expenditure of funds;
3. Approve the following District 7 events as City Council sponsored Special Events and approve the expenditure of funds:
 - a. Ice Cream Social at Casa Real Apartments on Thursday, May 3, 2018 at Casa Real Apartments;
 - b. Cinco De Mayo at Santee on Friday, May 4, 2018 at Franklin McKinley Children's Initiative;
 - c. District 7 Youth Commission Appreciation BBQ on Sunday, May 6, 2018 at Emma Prusch Farm Park;
 - d. Clean Up With Tam on Saturday, June 23, 2018 at Fontaine Road Neighborhood;
 - e.. Dump Your Junk on Saturday, August 18, 2018 at Windmill Springs Elementary School;
 - f. Dump Your Junk on Saturday, September 29, 2018 at Dahl Elementary School.
4. Approve and accept donations from various individuals, businesses or community groups to support the event.
5. Place the item on the May 15, 2018 Council Agenda for action.

Attachments [Memorandum](#)

END OF CONSENT

2. [ROGC](#) **SB 818 (Beall) Homeowner Bill of Rights Act 2018. (Housing)**
[18-261](#)

Recommendation: 1) Pursuant to the City's streamlined bill process for responding quickly to legislative proposals, re-affirm a position of support for SB 818 (Beall) Homeowners Bill of Rights 2018.
2) Recommend a one-week turnaround to the May 8, 2018, City Council meeting so that the City's legislative representative can continue to advocate the City's position in support of SB 818.

Attachments [Memorandum](#)

3. [ROGC](#) **Recycling Contracts. (Davis/Jimenez/Arenas)**
[18-268](#)

Recommendation: That the Rules Committee approve the following recommendation:
When Environmental Services staff return to Council in May for an update on residential solid waste contracts, staff is directed to report and give recommendations on a range of options to the Council on the following issues:
1. Staff's assessment of the potential impact of changes to China's import rules and/or tariffs on any current recycled materials on San Jose's recycling program, and an assessment of whether altered contract terms, both in current residential waste contracts and in future contracts, are needed to ensure that contractors are not unfairly penalized for market developments beyond their control.
2. Conduct new independent waste characterization study as requested by at least one recycling hauler and explore feasibility of cost-sharing with haulers.
3. The possibility of eliminating the diversion penalty until such time as a waste characterization study has been completed and its results have been evaluated within the context of the market considerations referenced in Recommendation #1 and in consultation with recycling haulers.

Attachments [Memorandum](#)

4. [ROGC](#) **Priority-Setting Nomination: Beverage Straws Upon Request.**
[18-269](#) **(Khamis)**

Recommendation: For the City Council Priority Setting Session, to include the development of a “beverage straws upon request ordinance” including, but not limited to:

1. Requiring vendors such as restaurants, bars, and cafes to provide customers with a single-use beverage straw only when a straw is requested;
2. Promoting the act of going straw-less or the use of alternative, re-usable straw materials, e.g. glass, steel, silicone, etc.; and
3. Providing an exemption for drive-thru food orders.

Attachments [Memorandum](#)
[Letter\(s\) from the Public](#)

5. [ROGC](#) **Reducing Crime and Keeping California Safe Act of 2018. (Khamis)**
[18-270](#)

Recommendation:

1. Declare a support position for the Reducing Crime and Keeping California Safe Act of 2018.
2. Place the item on the May 15, 2018 Council Agenda for action.

Attachments [Memorandum](#)
[Letter\(s\) from the Public](#)

H. Review of additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee
2. Neighborhood Services and Education Committee

- a. [ROGC](#)
[18-263](#) **Update to the Neighborhood Services & Education Committee Work Plan. (City Manager)**

Recommendation:

Approve the following changes to the Neighborhood Services & Education Committee Work Plan:

Drop the following items from the Neighborhood Services & Education (NSE) Committee Work Plan for June 14, 2018 and direct the Administration to instead place the items on the August - December 2018 NSE Committee Workplan that will be subject to Rules and Open Government Committee final approval at a later date:

1) Schools/City Collaborative Council Policy Update (Library)

Purpose: To provide the Committee with proposed revisions to the Schools/City Collaborative policy for review, approval, and referral to the City Council.

2) 2018-2019 Library and Early Education Commission Workplan (Library)

Purpose: To provide the Committee with the Library and Early Education Commission's 2017-2018 accomplishments and the Commission's 2018-2019 workplan and goals for review and approval.

3) PRNS Afterschool Program Update (Parks, Recreation and Neighborhood Services)

Purpose: To provide the Committee with an overview of PRNS' citywide holistic after school R.O.C.K. and ASES model that supports the community safety net and growth in positive developmental assets.

Attachments [Memorandum](#)

3. Transportation and Environment Committee
4. Public Safety, Finance and Strategic Support Committee

- a. [ROGC](#) **Update to the Public Safety, Finance, and Strategic Support**
[18-262](#) **Committee Work Plan. (City Manager)**

Recommendation: Approve the following change to the Public Safety, Finance, and Strategic Support Committee Work Plan:
1) Add the following item to the Public Safety, Finance, and Strategic Support (PSFSS) Committee May 17, 2018 Agenda.
Mayor's Gang Prevention Task Force Strategic Work Plan 2018-2020 (Parks, Recreation and Neighborhood Services)
Purpose: To present the Mayor's Gang Prevention Task Force Strategic Work Plan 2018-2020.

Attachments [Memorandum](#)

5. Joint Meeting of the Rules and Open Government Committee and Committee of the Whole
6. Smart Cities and Service Improvement Committee

I. Open Government

J. 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.

K. Adjournment

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.

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