



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 30, 2018

2:00 PM

Wing W118-120

A. City Council (City Clerk)

1. Review Final Agenda

[ROGC](#)
[18-314](#)

Review June 5, 2018 Final Agenda

Recommendation:

- 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
18-315](#)

Review June 12, 2018 Draft Agenda

Recommendation:

- 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

- 1. [ROGC
18-317](#) Council Meeting Schedule and Study Session Schedule for August-December 2018.
(City Manager)

Recommendation:

- 1) Approve the City Council Meeting Schedule for the period August-December 2018; and
- 2) Approve the Study Session Schedule for the period August-December 2018.

Attachments [Memorandum](#)

E. The Public Record

[ROGC
18-316](#)

The Public Record for May 18 - May 24, 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](#)
[18-323](#) Approval of District 4 Clean-Up Events Sponsored By Council District 4 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Diep)

Recommendation:

- 1) Approve the District 4 Santa Clara VTA and George Mayne Elementary School Beautification Event scheduled on June 9, 2018 as a City Council sponsored Special Event and approve the expenditure of funds.
- 2) Approve the District 4 Brooktree Elementary and Milpitas Christian Elementary School Dumpster Day scheduled on June 16, 2018 as a City Council sponsored Special Event and approve the expenditure of funds.
- 3) Approve and accept donations from various individuals, businesses or community groups to support the event.
- 4) Place the item on the June 5, 2018 Council Agenda for action.

Attachments [Memorandum](#)

- b. [ROGC](#)
[18-324](#) Approval of Senior Health Fair & Walk Sponsored By Council District 5 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Carrasco)

Recommendation:

- 1.) Approve the Senior Health Fair & Walk scheduled on June 8, 2018 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 June 5, 2018 Council Agenda for action.

Attachments [Memorandum](#)

- c. [ROGC](#) Approval of the Puerto Rican Flag Raising Sponsored By Council District 3 as a City
[18-325](#) Council Sponsored Special Event to Expend City Funds and Accept Donations of
Materials and Services for the Event. (Perez)

Recommendation: 1) Approve the Puerto Rican Flag Raising scheduled on June 8, 2018 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 June 5, 2018 Council Agenda for action.

Attachments [Memorandum](#)

- d. [ROGC](#) Approval of Senior Health Fair Sponsored By Council District 8 as a City Council
[18-326](#) Sponsored Special Event to Expend City Funds and Accept Donations of Materials
and Services for the Event. (Arenas)

Recommendation: 1) Approve the Senior Health Fair scheduled on June 9, 2018 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 June 5, 2018 Council Agenda for action.

Attachments [Memorandum](#)

- e. [ROGC](#) Approval of Community Events Sponsored By Council District 7 as a City Council
[18-327](#) Sponsored Special Event to Expend City Funds and Accept Donations of Materials
and Services for the Event. (Nguyen)

Recommendation: 1) Approve the following District 7 events as City Council sponsored
Special Events and approve the expenditure of funds.
a) Transportation Townhall Meeting on Thursday, June 7, 2018 at
Richardson Park;
b) Ice Cream Social on Friday, June 8, 2018 at SevenTrees Village;
c) Clean Up with Tam on Saturday, June 9, 2018 at Holly Hill
Neighborhood; and
d) Block Party at Tropicana on Saturday, June 23, 2018 at Midfield and
Havana.
2) Approve and accept donations from various individuals, businesses
or community groups to support the event.
3) Place the item on the June 5, 2018 Council Agenda for action.

Attachments [Memorandum](#)

END OF CONSENT

2. [ROGC](#) SB 1152 (Hernandez): Hospital patient discharge process. (Housing)
[18-318](#)

Recommendation: 1) Adopt no position for SB 1152 (Hernandez): Hospital patient discharge process: homeless patients.
2) Place this item on the June 12, 2018 City Council Agenda.

Attachments [Memorandum](#)

3. [ROGC](#) Independent Police Auditor. (Jones/Liccardo)
[18-319](#)

Recommendation: a) Recommendations (Jones):
1) Direct staff to initiate Seal Beach Meet and Confer negotiations with the appropriate bargaining unit and return to Council with an ordinance to give the Independent Police Auditor (IPA) the authority to review the Police Department's Department Initiated Investigations (DII) and Officer Involved Shootings (OIS).
2) Direct staff to return to Council with an analysis to provide the IPA the ability to review the Police Department's Patterns and Practices in relations to use of force, stops, detention, and arrests. The IPA would be limited to reviewing the data at an aggregate level and not individual cases
b) Recommendations (Liccardo):
Direct the City Manager to begin Seal Beach negotiations with the appropriate bargaining units regarding:
1) Possible charter amendments relating to the Office of the Independent Police Auditor;
a) Expanding IPA review authority to encompass officer-involved shootings and uses of force likely to resulting in serious bodily injury;
b) Expanding IPA review authority to encompass Department-Initiated Investigations (DII);
c) Expanding IPA review authority to encompass arrests, uses of force, or enforcement actions by our Parks Rangers.
2) Alternatively, any municipal code changes that might encompass the issues discussed in a., supra.

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

4. [ROGC](#)
[18-322](#) Council Consideration of Mayor Liccardo's Letter to the California Public Utilities Commission (CPUC). (Khamis/Rocha)

Recommendation: That the Rules Committee bring Mayor Liccardo's letter of May 21, 2018 addressed to the CPUC (Attachment A) before the full City Council on June 5, 2018 for the purposes of taking a support position for his request that the CPUC review the proposed San Jose Water Company (SJWC) - Connecticut Water Service Company Merger. Expedited consideration is requested due to the time sensitivity of this matter.

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

5. [ROGC](#)
[18-321](#) Outdoor Special Events on Private Property. (Liccardo/Perez)

Recommendation: Approve a request to agendaize for Council deliberation at the June 19, 2018 City Council meeting, to direct the City Manager to allow an alternate security ratio for outdoor public events on private property with music, such as the Taylor Street Night Market, that would be lower than the current ratio prescribed in the Public Entertainment Permit. An alternate private security ratio of 1:200 or 1:250 patrons should be considered. Events able to utilize an alternate security ratio would be ones that meet the following criteria:

1. Event producer is not an existing Entertainment Permit holder;
2. Event to be held on private property is permitted with a Conditional Use Permit;
3. Event is a public event, open to all ages,
4. Event is exclusively held outdoors;
5. Event is to end by 10:00pm
6. Event only serves beer and wine; and,
7. Event serves or makes food available for sale and food comprises majority of on-site sales.

Attachments [Memorandum](#)

H. Review of additions to Council Committee Agendas/Workplans

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

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