



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, September 12, 2018

2:00 PM

Wing W118-120

LOCATION CHANGE

The meeting will be held in the Council Chambers

A. City Council (City Clerk)

1. Review Final Agenda

[ROGC](#)
[18-505](#)

Review September 18, 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 [Council Agenda September 18, 2018](#)
[Add Sheet](#)

2. Review Draft Agenda

[ROGC](#)
[18-506](#)

- Review September 25, 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 [Council Agenda September 25, 2018](#)

B. Review of Upcoming Special Meeting Agenda(s)

C. Legislative Update

1. State
2. Federal

D. Meeting Schedules

1. [ROGC](#)
 [18-501](#) Release Date for Study Session (City Manager)

Recommendation: Recommend release of date held for a Study Session on Friday, September 17, 2018 from 1:30 p.m. – 4:30 p.m.

E. The Public Record

[ROGC](#)
[18-508](#)

The Public Record for August 30 - September 7, 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](#)
[18-482](#) Retroactive Approval of Ethiopian Flag Raising Ceremony as a City Council Sponsored Special Event, to Expend City Funds and Authorization to Accept Donations of Materials and Services for the Event. (Mayor Liccardo)

Recommendation:

1. Retroactively Approve the Ethiopian Flag Raising Ceremony to be held on September 10, 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 September 25, 2018 Council Agenda for action.

Attachments [Memorandum](#)

- (b) [ROGC](#)
[18-484](#) Retroactive Approval of the September 12th Caltrans-City of San José Litter Day as a City Council Sponsored Special Event, to Expend City Funds and Authorization to Accept Donations of Materials and Services for the Event. (Mayor Liccardo)

Recommendation:

1. Retroactively approve the CalTRANS - City of San José Litter Clean-up Day to be marked on September 12, 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 September 25, 2018 Council Agenda for action.

Attachments [Memorandum](#)

- (c) [ROGC](#)
[18-486](#) Retroactive 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 La Ragione and Tully Road Streetlight Ribbon Cutting Ceremony scheduled on Monday, September 10, 2018 at corner of Tully and La Ragione Road as a City Council sponsored Special Event and approve the expenditure of funds.
2. Approve the following District 7 events as City Council sponsored Special Events and approve the expenditure of funds:
 - a. District 7 Townhall Meeting on Public Safety on Monday, September 24, 2018 at the Tully Branch Library and Community room;
 - b. 2nd Annual Anniversary Celebration of the Vietnamese American Cultural Center on Saturday, September 29, 2018 at the Vietnamese Cultural Center;
 - c. Mid-Autumn Festival on Saturday, September 29, 2018 at the Vietnamese American Cultural Center;
 - d. National Hispanic Celebration at SevenTrees on Saturday, October 6, 2018 at the SevenTrees Library and Community Center;
 - e. National Hispanic Celebration at Tully Library on Saturday, October 13, 2018 at the Tully Branch Library.
3. Approve and accept donations from various individuals, businesses, or community groups to support the events.
4. Place the item on the September 18, 2018 Council Agenda for action.

Attachments [Memorandum](#)

- (d) [ROGC](#) Approval of the Keep Coyote Creek Beautiful Events as a City Council
[18-495](#) Sponsored Special Event Series, to Expend City Funds and
Authorization to Accept Donations of Materials and Services for the
Event. (Mayor Liccardo)

Recommendation:

1. Approve the Keep Coyote Creek Beautiful even series, regarding Coyote Meadows and ranging from September of 2018 to July of 2019 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 September 25th Council Agenda for action.

Attachments [Memorandum](#)

- (e) [ROGC](#) Approval of the Capitol Park Dumpster Day Sponsored By Council
[18-496](#) District 5 as a City Council Sponsored Special Event to Expend City
Funds and Accept Donations of Materials and Services for the Event.
(Vice Mayor Carrasco)

Recommendation:

1. Approve the Capitol Park Dumpster Day scheduled on September 22, 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 September 18, 2018, Council Agenda for action.

Attachments [Memorandum](#)

- (f) [ROGC](#)
[18-497](#) Approval of the October 6, 2018 Mayor's Gang Prevention Task Force Crime and Gang Prevention Summit as a City Council Sponsored Special Event, to Expend City Funds and Authorization to Accept Donations of Materials and Services for the Event. (Mayor Liccardo)

Recommendation:

1. Approve the Mayor's Gang Prevention Task Force Crime and Gang Prevention Summit to be held on October 6th 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 September 25, 2018 Council Agenda for action.

Attachments [Memorandum](#)

- (g) [ROGC](#)
[18-499](#) Retroactive Approval of the September 12th Global Climate Action Summit Affiliate Event as a City Council Sponsored Special Event, to Expend City Funds and Authorization to Accept Donations of Materials and Services for the Event. (Mayor Liccardo)

Recommendation:

1. Retroactively Approve the Global Climate Action Summit Affiliate Event to be marked on September 12, 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 September 25, 2018 Council Agenda for action.

Attachments [Memorandum](#)

- (h) [ROGC](#) Approval of the September 15th Ethiopian New Year Event as a City
[18-498](#) Council Sponsored Special Event, to Expend City Funds and
Authorization to Accept Donations of Materials and Services for the
Event. (Mayor Liccardo)

Recommendation: 1. Approve the Ethiopian New Year event scheduled on September 15,
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 September 25, 2018 Council Agenda for
action.

Attachments [Memorandum](#)

- (i) [ROGC](#) January-June 2018 Open Government Report. (City Manager)
[18-502](#)

Recommendation: Accept this semi-annual Open Government Report on posting of public
calendars, public record request data, and data regarding posting of
agendas and minutes of the City Council and decision-making bodies.

Attachments [Memorandum](#)

- (j) [ROGC](#) Approval of College Football Playoff Flag Raising Sponsored By
[18-509](#) Council District 6 as a City Council Sponsored Special Event to Expend
City Funds and Accept Donations of Materials and Services for the
Event. (Davis)

Recommendation: 1. Approve the College Football Playoff 100 days to playoff scheduled
on 9/28/18 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 9/26/18 Council Agenda for action.

Attachments [Memorandum](#)

END OF CONSENT

2. [ROGC](#) Monthly Report of Activities for July and August 2018. (City
[18-485](#) Auditor)

Recommendation: Approve the City Auditor's Office Monthly Report of Activities for the month of July and August 2018.

Attachments [Memorandum](#)

3. [ROGC](#) Response to Federal Administration Actions on Immigration
[18-500](#) (Peralez)

Recommendation:

1. Adoption of a resolution denouncing the U.S. Department of Justice's (DOJ) Zero Tolerance Policy that resulted in the inhumane separation of families and a call for the immediate reunification of existing separated families, and,
2. Direct the City Manager to review and comment on the U.S. Department of Homeland Security (DHS) and Health and Human Services' (HHS) proposed new regulation to implement the Flores Settlement Agreement (FSA).

Attachments [Memorandum](#)
[Memorandum from Kalra](#)

4. [ROGC](#) Civic Center Rezoning (Rocha)
[18-507](#)

Recommendation: Direct staff to provide City Council with analysis on the feasibility of fast tracking a zoning designation change for the old city hall annex parcel:

1. Can City Council fast track this zoning designation change and the general plan amendment process?
2. If it can, how would City Council go about it?

Attachments [Memorandum](#)

5. [ROGC](#) Proposition 6, Transportation Tax Repeal Initiative (Transportation)
[18-503](#)

Recommendation:

- (a) Adopt an oppose position for Proposition 6 on the November 6, 2018 statewide ballot.
- (b) Recommend this item be agendaized for the September 18, 2018 City Council Meeting.

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

[ROGC](#)
[18-504](#)

Appeals of Public Records Act Request. (City Manager)

Recommendation: 1. Katherine Ellis appeal of public records act request response.

Attachments [Memorandum](#)

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.

ADD TEXT AND MOVE AS NEEDED

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