



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

Mackenzie Mossing, Mayor's Office

Louis Osemwegie, City Clerk's Office

Wednesday, December 12, 2018

2:00 PM

Council Chambers

A. City Council (City Clerk)

1. Review Final Agenda

[ROGC](#)
[18-684](#)

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

2. Review Draft Agenda- NONE

B. Review of Upcoming Special Meeting Agenda(s)

C. Legislative Update

[ROGC](#)
[18-687](#)

State Legislative and Regulatory Update. (City Manager)

Recommendation: Accept the attached report from the City's state legislative advocacy firm of Cruz Strategies.

Attachments [Memorandum](#)

1. State
2. Federal

D. Meeting Schedules

E. The Public Record

[ROGC](#)
[18-685](#)

The Public Record for November 30 - December 6, 2018.

Recommendation: Receive and file the Public Record for November 30 - December 6, 2018. (City Clerk)

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](#)
[18-673](#) Approval of K R Smith Elementary Holiday Celebration Sponsored By Council District 8 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Arenas)

Recommendation:

1. Approve the K R Smith Elementary Holiday Celebration scheduled on December 19, 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 December 18, 2018 Council Agenda for action.

Attachments [Memorandum](#)

- (b) [ROGC](#)
[18-680](#) 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. Retroactive approval of the following District 7 event as a City Council sponsored Special Event and approve the expenditure of funds:
 - (a) SevenTrees Neighborhood Association Holiday Potluck on Wednesday, December 5, 2018 at the Seven Trees Community Center.
2. Approve of the following District 7 event as a City Council sponsored Special Event and approve the expenditure of funds:
 - (a) RockSprings Neighborhood Association Christmas Celebration on Thursday, December 20, 2018 at Paseo Center Community Room.
3. Approve and accept donations from various individuals, businesses or community groups to support the event.
4. Place the item on the December 18, 2018 Council Agenda for action.

Attachments [Memorandum](#)

- (c) [ROGC](#) Retroactive Approval of December 1 Gun Buy Back as a City Council
[18-683](#) Sponsored Special Event to Expend City Funds and Accept Donations
of Materials and Services for the Event. (Liccardo)

Recommendation:

1. Approve the Gun Buy Back held on December 1, 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 December 18, 2018 Council Agenda for action.

Attachments [Memorandum](#)

- (d) [ROGC](#) Approval of District 2 Holiday Appreciation Party at Southside
[18-686](#) Community Center Sponsored By Council District 2 as a City Council
Sponsored Special Event to Expend City Funds and Accept Donations
of Materials and Services for the Event. (Jimenez)

Recommendation:

1. Approve the District 2 Holiday Appreciation Party at Southside Community Center scheduled on December 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 December 18, 2018 Council Agenda for action.

Attachments [Memorandum](#)

END OF CONSENT

2. [ROGC](#) Micromobility Permits: Prompting Innovation for Safer Streets
[18-681](#) (Liccardo, Peralez,Davis)

Recommendation:

Restrict the issuance of electric scooter permits to companies that will include the following elements with their service:

1. Geo-Fencing for E-scooter Operations: In addition to complying with standard permit requirements, companies will be required to deploy technology that in designated areas-primarily sidewalks with high pedestrian activity like Downtown and transit station areas-either (a) halts, or (b) adjusts e-scooters to substantially lower speeds no faster than a casual walking pace (approx. 5 mph). On such pedestrian-dense streets, scooters may only be operated at full speeds within bike lanes and shared lanes (“sharrows”).

a. Staff is directed to immediately conduct outreach to companies that are operating, or seeking to operate, to assess technology safety solutions and the path for expedited implementation.

b. The permit program will begin in February of 2019. By July 1, 2019, any company that is unable, or unwilling, to implement the technology required to ensure the safety of our community must cease operations in San Jose as of that date. Through the City Manager, the Director of Transportation may modify that date as necessary for successful implementation of the program. In the intervening period, companies are invited to test and/or pilot safety technology solutions in San Jose in coordination with the Department of Transportation.

c. The City would work with the applicants to define pedestrian-dense areas, such as Downtown core, or parts of Willow Street in Washington-Guadalupe, Jackson Street in Japantown, or Lincoln Avenue in Willow Glen, where suitable bike infrastructure is also present.

d. Applicants will be responsible for the installation, maintenance and removal of sensors or other infrastructure needed for the deployment of their technology, facilitated by the Department of Transportation.

e. If the technology warrants the use of city streets and poles, the City Manager may restrict access with exclusive agreements to minimize street clutter, provided that shared-use agreements can enable fair competition among companies.

2. Geo-Fencing for E-scooter Parking: In pedestrian-dense areas, the City may mandate scooter parking areas to ensure that the City can avoid tripping hazards, obstructing transit boarding, and blocking of sidewalks for residents with limited mobility or disabilities. Permitted companies must deploy suitable technology to

ensure compliance.

3. Data sharing: Permitted companies must provide data-with appropriate restrictions to protect personal information and proprietary data from competitors- with the City to allow Department of Transportation and the Valley Transportation Authority staff to gather insights about frequency of usage and routes to assist with infrastructure planning, monitoring first and last mile connections, and with e-scooter monitoring and compliance. Operators should also enable third-party Mobility as a Service (MaaS)

providers to integrate scooters into their apps, including availability data and support for transactions, allowing for scooter use by a wider population.

4. Safety-reporting capability: Permitted companies must enable residents to readily report unsafe riding (e.g. riding on sidewalks in ways menacing to pedestrians, weaving through traffic, riding in bike lanes in the wrong direction, etc.), defective scooters, and scooters left on private property with an easy-to-use app feature. City staff should also work with permitted companies to explore options for reporting by non-smartphone users.

5. Safety Messaging and Prevention: Permitted companies must display prominent messaging to riders at the beginning of each ride that educates them about San Jose's rules and safe riding practices.

Attachments [Memorandum](#)

3. [ROGC](#)
[18-682](#) Public Wayfinding & Information Kiosks within the Downtown Sign Zone. (Khamis, Peralez)

Recommendation:

1. Direct staff to bring to the Community and Economic Development Committee, for later cross-reference to the City Council, appropriate amendments to City code to allow the Downtown Association to place kiosks in the public right-of-way that operate as public wayfinding and information portals within the downtown sign zone, at no cost to the City and that ensure consistency of kiosks with the City's existing initiatives around wayfinding, including design standards and stakeholder access.
2. Add "Wayfinding & Information Kiosks Sign Code Changes" to the 2019 January-June work plan of the Community and Economic Development Committee.

Attachments [Memorandum](#)

H. Review of additions to Council Committee Agendas/Workplans

- (a) [ROGC](#)
[18-654](#) Rules and Open Government Committee Workplan. (Mayor Liccardo)

Recommendation: Approve the Rules and Open Government Committee workplan for the period from January through June 2019 and setting its meeting schedule as every Wednesday at 2:00 p.m. in the City Hall Wing Committee Meeting Rooms 118-120. The agendas will be posted as the Joint Rules and Open Government Committee and Committee of the Whole.

Attachments [Memorandum](#)

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