



# 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**

**Chappie Jones, Vice Chair**

**Sylvia Arenas, Member**

**Dev Davis, 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**

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Wednesday, September 18, 2019

2:00 PM

Wing Rooms W118-120

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#### A. City Council (City Clerk)

##### 1. Review Final Agenda

[ROGC  
19-332](#)

Review September 24, 2019 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** [September 24, 2019 Amended Agenda](#)

##### 2. Review Draft Agenda

- [ROGC](#)  
[19-337](#) Review October 1, 2019 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** [October 1, 2019 Agenda](#)

## **B. Review of Upcoming Special Meeting Agenda(s)**

- [ROGC](#)  
[19-349](#) Review the City Council Study Session Agenda entitled  
Anti-Displacement Strategies

**Recommendation:** Review the City Council Study Session Agenda entitled  
Anti-Displacement Strategies set for Friday, September 27, 2019 from  
9:00 a.m. - Noon in City Hall, Chambers.

**Attachments** [September 27, 2019 Study Session Agenda](#)

## **C. Legislative Update**

1. State
2. Federal

## **D. Meeting Schedules**

## **E. The Public Record**

- [ROGC](#)  
[19-344](#) The Public Record for September 5, 2019 - September 11, 2019

**Recommendation:** Receive and file the Public Record for September 5, 2019 - September  
11, 2019. (City Clerk)

**Attachments** [The Public Record](#)

## **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

END OF CONSENT

2. [ROGC](#)  
[19-325](#) Homeless Task Force Update. (Peralez)

**Recommendation:** Direct the City Manager's Office to provide an update to Council on the progress and timeline for the City's Homeless Task Force by the end of the calendar year.

**Attachments** [Memorandum](#)

3. [ROGC](#)  
[19-328](#) Flavored Tobacco and E-Cigarettes. (Carrasco)

**Recommendation:**

1. Develop an ordinance prohibiting the sale by tobacco retail establishments of electronic cigarettes that require, but have not received, an order from the Food and Drug Administration (FDA) approving their marketing; and prohibiting the sale and distribution to any person in San Jose of flavored tobacco products and electronic cigarettes that require, but have not received, an FDA order approving their marketing.
2. Develop an ordinance that will limit any further overconcentration of tobacco businesses by:
  - a. Limiting the sale of tobacco products near schools and other youth-sensitive areas or/and;
  - b. Limiting the sale of tobacco products near existing businesses that sell tobacco product.
3. Remove the tobacco retail license exemption from the San Jose Municipal Code 6.87.210 that allows eighteen and over tobacco retailers to obtain a City license exemption.
4. Support state and federal legislation to prohibit the sale of e-cigarettes and flavored tobacco products.

**Attachments**

[Memorandum](#)

[Early Consideration Response Form](#)

[Letter from CA Legislature, 9/13/2019](#)

[Letter from County of Santa Clara, Office of the Board of Superv](#)

[Letters from the Public](#)

**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

[ROGC  
19-350](#)

Update to the August - December 2019 Smart Cities and Service  
Improvements Committee Work Plan. (City Manager)

**Recommendation:**

Approve the following changes to the August - December 2019 Smart  
Cities and Service Improvements Committee Work Plan:

(a) Add the following item for October 3, 2019 to the Smart Cities and  
Service Improvements Committee Work Plan: Update on the City's  
Procurement Improvement and Readiness Program. (Finance/Civic  
Innovation)

(b) Drop the following item for October 3, 2019 from the Smart Cities  
and Service Improvements Committee Work Plan: City Website  
Update.

**Attachments** [Memorandum](#)

**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.

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