



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

Henry Smith, Mayor's Office

Louis Osemwegie, City Clerk's Office

Wednesday, April 15, 2020

2:00 PM

Virtual Meeting

*** COVID-19 NOTICE ***

Consistent with the California Governor's Executive Order No. N-29-20, Resolution No. 79450 from the City of San José and the Santa Clara County Health Officer's March 16, 2020 Shelter in Place Order, the City Council meeting will not be physically open to the public and the City Council will be teleconferencing from remote locations.

How to observe the Meeting (no public comment):

- 1) Cable Channel 26,
- 2) <https://www.sanjoseca.gov/news-stories/watch-a-meeting>, or
- 3) <https://www.youtube.com/channel/UCeDiMzJEUbPgaruDcXnD4Cg>

How to submit written Public Comment before the City Council Meeting:

1) Use

https://sanjose.granicusideas.com/meetings/3850-joint-meeting-for-the-rules-and-open-government-committee-and-committee-of-the-whole/agenda_items. eComments are also directly sent to the iLegislate application used by City Council and staff.

2) By email to city.clerk@sanjoseca.gov by 12:00 p.m. the day of the meeting. Those emails will be attached to the Council Item under “Letters from the Public.” Please identify the Agenda Item Number in the subject line of your email.

How to submit written Public Comment during the City Council Meeting:

1) Use the eComment tab located on the City Council Agenda page. eComments are also directly sent to the iLegislate application used by City Council and staff.

2) Email during the meeting to councilmeeting@sanjoseca.gov, identifying the Agenda Item Number in the email subject line to have the comments verbally read into the record, with a maximum of 250 words, which corresponds to approximately 2 minutes per individual comment, subject to the Mayor’s discretion.

Comments received after the agenda item is heard but before the close of the meeting will be included as a part of the meeting record but will not be read into the record.

How to provide spoken Public Comment during the City Council Meeting:

1) By phone (888) 788-0099. Meeting ID: 788 988 479. Click *9 to raise a hand to speak.

2) By online: <https://sanjoseca.zoom.us/j/788988479>.

a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.

b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.

c. When the Mayor calls for the item on which you wish to speak, click on “raise hand.” Speakers will be notified shortly before they are called to speak.

d. When called, please limit your remarks to the time limit allotted.

A. City Council (City Clerk)

1. Review Final Agenda

[ROGC](#)
[20-137](#)

Review April 21, 2020 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](#)
[20-138](#)

Review April 28, 2020 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](#)
[20-139](#)

The Public Record for April 2, 2020 - April 9, 2020. (City Clerk)

Recommendation: Receive and file the Public Record for April 2, 2020 to April 9, 2020

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

- (a) [ROGC 20-152](#) Approval of Stress Awareness Month 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 Stress Awareness Month scheduled on April 21, 2020 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 April 21, 2020 Council Agenda for action.

Attachments [Memorandum](#)

END OF CONSENT

2. [ROGC](#)
[20-148](#) **Modify City Sunshine Resolution and Procedures for Agenda Items
Submitted After Rules Committee. (Mayor/Khamis/Davis)**

Recommendation: (1) Discussion of and possible direction to staff to amend:
 (a) Resolution No. 79450, which modified public meetings, noticing
 and document posting in the City's Sunshine Procedures, to allow
 only staff, not Mayor and Council Offices, to place matters on the
 Council agenda after Rules Committee, but at least 72 hours prior to
 the meeting, in compliance with the Council Rules of Conduct
 Resolution No. 79367 Rule 3(d), which requires 2/3 vote of Council
 to add items after Rules.
 (b) Consolidated Open Government and Ethics Resolution No.
 77135, Section 2.3.2.1.E to allow items to be added to the Council
 agenda after Rules Committee, but at least 72 hours prior to the
 meeting, only by the Mayor, City Manager, City Attorney and/or
 City Clerk.
 (2) Place this item on the April 21, 2020 City Council agenda for
 action.

Attachments [Memorandum](#)
 [Memorandum from Khamis and Davis, 4/10/2020](#)

3. [ROGC](#)
[20-144](#) **Monthly Report of Activities for March 2020. (City Auditor)**

Recommendation: Approve the Auditor's Office Monthly Report of Activities for the
 month of March 2020.

Attachments [Memorandum](#)

4. [ROGC](#) **Resolution Condemning Xenophobia Against the Asian Pacific
20-143 Islander Community Stemming from the COVID-19 Crisis and
Related Actions. (Perez)**

Recommendation: Agendize for the April 21, 2020 City Council meeting the following:
(1) Adopt a resolution condemning all xenophobic and discriminatory
behavior towards the Asian Pacific Islander (API) Community
arising from the COVID-19 pandemic and affirm the well-being and
safety of the API community; and
(2) Direct the City Manager to include in a future report what
strategies will be implemented to combat xenophobia against all
communities post-COVID-19.

Attachments [Memorandum](#)
[Memorandum from Mayor, Jones & Diep, 4/14/2020](#)
[Letter from Assemblymember Kalra](#)
[Letters from the Public](#)

5. [ROGC](#) **Almaden Winery Building (Khamis)**
[20-156](#)

Recommendation: Agendize the following item for the April 28th City Council meeting:
Direct the Administration to include California's historic Almaden
Winery Building as part of the historic inventory by adding it to the
agreement with History San José.

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.

To request an accommodation or alternative format for City-sponsored meetings, events or printed materials, please call the Office of the City Clerk 408-535-1260 as soon as possible, but at least three business days before the meeting/event.

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