



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, June 17, 2020

2:00 PM

Virtual Meeting

*** COVID-19 NOTICE ***

Consistent with the California Governor's Executive Order No. N-29-20, Resolution No. 79485 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/CityofSanJoseCalifornia>

How to submit written Public Comment before 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) 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:

Email during the meeting to councilmeeting@sanjoseca.gov, identifying the Agenda Item Number in the email subject line. Comments received will be included as a part of the meeting record but will not be read aloud during the meeting.

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

- 1) By phone (888) 475-4499. Webinar ID: 788 988 479 Click *9 to raise a hand to speak.
- 2) By online <https://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
20-231](#)

Review June 23, 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 [Add Sheet
Agenda](#)

2. Review Draft Agenda

[ROGC
20-232](#)

Review June 30, 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
20-234](#)

The Public Record for June 5, 2020 - June 11, 2020. (City Clerk)

Recommendation: Receive and file the Public Record for June 5, 2020 to June 11, 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

END OF CONSENT

2. [ROGC
20-236](#) Approval of District 6 Community Outreach Funds for District 6 School. (Davis)

Recommendation: Approve a request to agendaize for City Council deliberation on June 23, 2020, to approve a \$5,000 grant to the Willow Glen Education Foundation, for support due to COVID-19 restrictions, they were unable to host their largest fundraising this year, Tasting and Auction 2020.

Attachments [Memorandum](#)

3. [ROGC
20-237](#) Approval of District 6 Community Outreach Funds for District 6 School. (Davis)

Recommendation: Approve a request to agendaize for City Council deliberation on June 23, 2020, to approve a \$10,000 grant to the Hoover Middle School PTSA, to build positive community for students, teachers and families through such programs as campus beautification, teacher and staff development, and extra-curricular activities for students.

Attachments [Memorandum](#)

4. [ROGC
20-241](#) Approval of District 6 Community Outreach Funds for District 6 School. (Davis)

Recommendation: Approve a request to agendaize for City Council deliberation on June 23, 2020, to approve a \$5,000 grant to the Willow Glen Performing Arts Boosters, for support due to COVID-19 restrictions, they were unable to host their biggest fundraising this year, The Roaring 20's GALA.

Attachments [Memorandum](#)

5. [ROGC
20-238](#) Equity Pledge. (Arenas, Carrasco, Esparza, Jimenez, Peralez)

Recommendation:

1. Agendize for Council discussion and consideration the Equity Pledge, attached to this memo.
2. Direct the City Manager, under the leadership of the forthcoming Office of Equity, to:
 - a. Return to Council with a proposal to update existing processes to make Equity a more explicit part of Council deliberations, including adding a section on Equity Considerations on each Council, Committee, and Commission memo - as previously directed by Council on April 7, 2020.
 - b. Begin the GARE process with a formal convening of our community for public testimony on their personal experiences with discrimination, and San José's history of system racism and targeted persecution. Bring this forward as a Hearing of the San José City Council on Race and Equity in San José.

Attachments [Memorandum from Arenas, Carrasco, Esparza, Jimenez, Peralez
Equity Pledge
Letters from the Public](#)

6. [ROGC](#) Board and Commissioner Terms. (Mayor)
[20-239](#)

Recommendation:

Extend certain volunteer Board and Commissioner terms by six months from June 30, 2020, as follows:

a. Arts Commission:

1. District 5 Seat: Albert Le, for term ending December 31, 2020.
2. District 3 Seat: Juan Carlos Araujo, for term ending December 31, 2020.
3. District 7 Seat: Ron Muriera, for term ending December 31, 2020.
4. District 9 Seat: Ramona Snyder, for term ending December 31, 2020.
5. Citywide Seat: Roma Dawson, for term ending December 31, 2020.
6. District 1 Seat: Smita Garg, for term ending December 31, 2020.

b. Downtown Parking Board:

1. At Large Representative: Tamiko Rast, for term ending December 31, 2020.

c. Historic Landmarks Commission:

1. Citywide Seat: Eric Hirst, for term ending December 31, 2020.

d. Library and Education Commission:

1. Early Childcare Seat 3: Janice Allen, for term ending December 31, 2020.
2. Early Childcare Seat 1: Christina Dunbar, for term ending June 20, 2020.

e. Neighborhoods Commission:

1. District 1 Seat: Gary Cunningham, for term ending December 31, 2020.
2. District 9 Seat: Terry Martin, for term ending December 31, 2020.
3. District 10 Seat: Richard Giammona, for term ending December 31, 2020.
4. District 7 Seat: Jonathan Velasquez, for term ending December 31, 2020.
5. District 6 Seat: James Carter, for term ending December 31, 2020.
6. District 5 Seat: Jewell Buchanan, for term ending December 31, 2020.
7. District 8 Seat: Nichole Edraos, for term ending December 31, 2020.
8. District 10 Seat: Nick Labosky, for term ending December 31,

2020.

9. District 2 Seat: David Wilkins, for term ending December 31, 2020.

10. District 4 Seat: Cassandra Langer, for term ending December 31, 2020.

11. District 3 Seat: Richard Wong, for term ending December 31, 2020.

12. District 1 Seat: Franklin Nguyen, term ending December 31, 2020.

13. District 9 Seat: Michael Young, term ending December 31, 2020.

14. District 2 Seat: Perry Henry, term ending December 31, 2020.

15. District 6 Seat: Olivia Navarro, term ending December 31, 2020.

Attachments [Replacement Memorandum from Mayor](#)
[Letters from the Public](#)

7. [ROGC](#)
[20-240](#) Ban the Use of Rubber Bullets for Crowd Control. (Mayor, Jones, Peralez, Diep, Carrasco)

Recommendation:

1. Direct the City Manager to amend the SJPD Duty Manual, or alternatively, direct the City Attorney to amend San José Municipal Code Section 10.32- to prohibit the use of kinetic impact projectiles (KIP), i.e., rubber or foam bullets, within a dense crowd as a measure of crowd control, and to make this action immediate.
2. Direct the Independent Police Auditor (IPA) to:
 - a. Create an avenue to receive reports from anyone who either attended or were bystanders of the May 29, 2020 through June 4, 2020 protests and were injured by forced police response.
 - b. Return to Council by August 2020 with a special report to Council on the quantity and type of complaints received by the IPA relative to the period of civil unrest and police response beginning on May 29, 2020 and ending when the Council rescinds the Emergency Declaration related to Civil Unrest.

Attachments [Memorandum from Mayor, Jones, Peralez, Diep, Carrasco](#)

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.