



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 24, 2020

2:00 PM

Virtual Meeting

Special 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:

- 1) 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
20-252](#)

Review June 30, 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

B. Review of Upcoming Special Meeting Agenda(s)

C. Legislative Update

1. State
2. Federal

D. Meeting Schedules

- [ROGC
20-266](#) Review June 26 & 29, 2020 Special Council Meeting and June 29, 2020 Special Joint City-County Meeting Agendas
- 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 [Memorandum
Agenda for June 26 & 29](#)

E. The Public Record

[ROGC
20-253](#) The Public Record for June 11, 2020 - June 18, 2020. (City Clerk)

Recommendation: Receive and file the Public Record for June 11, 2020 to June 18, 2020

Attachments [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
20-256](#) Approval of Parks and Recreation 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 Parks and Recreation Month to be recognized by the City Council on Tuesday, June 30, 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 Tuesday, June 30, 2020 Council Agenda for action.

Attachments [Memorandum from Arenas](#)

END OF CONSENT

2. [ROGC
20-233](#) Coronavirus Relief Fund Accountability. (Esparza, Jimenez, Khamis)

Recommendation: Direct the City Manager to enlist an outside, independent auditor to conduct an audit of our dispersal and use of CARES Act funds to reduce further impacts to staff while ensuring transparency and fiscal accountability in the use of these funds.
[Deferred from 6/9/2020 - Item G.3 (ROGC20-230)]

Attachments [Memorandum from Esparza, Jimenez, Khamis
Relief Fund Transparency and Accountability Memorandum
Presentation](#)

3. [ROGC
20-242](#) Rent Relief Through Cares Act Emergency Solutions Grant Funding. (Esparza)

Recommendation: Direct the City Manager to return with an expenditure plan for the \$32.8 million in CARES Act Emergency Solutions Grant Round 2 Funding which dedicates fifty percent of this funding for direct rental assistance for our residents who are struggling from the public health and economic crises caused by the COVID-19.

Attachments [Memorandum from Esparza](#)

4. [ROGC
20-243](#) Resolution Proclaiming Black Lives Matter. (Jones)

Recommendation: City Council adopt a resolution proclaiming black lives matter in alignment with Council Policy 0- 11, Council Resolution Policy. Place attached resolution on the June 30, 2020 Council Agenda for action.

Attachments [Memorandum from Jones
Resolution](#)

5. [ROGC
20-261](#) Citizen Oversight Committee. WITHDRAWN

6. [ROGC
20-251](#) Greater Downtown San José Economic Recovery Initiative (Peralez)

Recommendation: Direct the City Manager to agendize for the June 30, 2020 City Council meeting under item 3.1(a) "City Manager's COVID-19 Report Out" a discussion and consideration of the recommendations from the Greater Downtown San José Economic Recovery Task Force.

Attachments [Memorandum from Peralez
Letters from the Public](#)

7. [ROGC](#)
[20-255](#) Improvements to the Public Engagement Process in City Council,
Council Committees and Other City Public Meetings. (Perales)

Recommendation:

Direct the City Manager to report back to the Mayor and Council with recommendations on how to implement the following:

1. Visually display the agenda item number and title on Zoom or any other platforms that host public meetings and remain visible until the item is finalized.
2. The Meeting Chair to verbally announce the agenda item name and number during the following times: a. At the start, prior to discussion on any item b. Before starting public comment.
3. Provide visual directions regarding access to closed captions on Zoom and other platforms that host the City of San José's public meetings.
4. After the vote on an agenda item, visually display on Zoom and other platforms that host San José's public meetings a statement of the final motion (with amendments) and the voting results.
5. Use best practices for translation services and analyze existing effective solutions to do the following:
 - a. A statement regarding translation services will be made before each item on Zoom and other platforms that host San José's public meetings Page 2.
 - b. Visually display a statement in English, Spanish and Vietnamese on Zoom and other platforms that host San José's public meetings and explore a Spanish and Vietnamese translation option as part of their broadcast and as standard practice.
 - c. Meeting agendas and packet information should be translated as a standard practice.
6. Participants shall be given full opportunity to make public comment, taking into account virtual latency time. The Meeting Chair shall provide adequate time (e.g. 30 seconds) after naming the person who appears to be the last in the speaker queue before proceeding to the debate of the body.
7. Issues regarding housing and COVID policies should be agendized for evening council sessions to ensure more essential workers and families can participate.

Attachments [Memorandum from Perales](#)
[Letters from the Public](#)

8. [ROGC
20-263](#) SCA 6 (Dodd): Gambling: Sports Wagering. (City Manager)

Recommendation: 1. Adopt a position of support for SCA 6 (Dodd).
2. Recommend this item be agendaized for the June 30, 2020 City Council Meeting so that the City's Legislative Representative can advocate the City's support for SCA 6 (Dodd).

Attachments [Memorandum from CMO](#)

9. [ROGC
20-262](#) Potential Ballot Measure to Amend the City Charter. (Mayor)

Recommendation: 1. Direct the City Clerk to place an item on the June 30th City Council meeting agenda for consideration of a potential November 2020 ballot measure, to amend the Charter to enhance accountability of City Hall through campaign finance reform, and clearer alignment of mayoral authority and responsibilities.
2. Direct the City Clerk to establish an additional meeting date(s) in the final week of July and/or first week of August, if necessary, for public discussion and input of this measure.

Attachments [Memorandum from Mayor](#)
[Memorandum from Jones, 6/23/2020](#)
[Memorandum from Jimenez, 6/23/2020](#)
[Memorandum from Peralez, 6/24/2020](#)
[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

[ROGC
20-265](#)

Public Safety, Finance, and Strategic Support Committee Work Plan
(Mayor and Peralez)

Recommendation:

1. Approval of the Public Safety, Finance, and Strategic Support Committee Work Plan for the period August through December 2020 and setting its meeting schedule on the third Thursday of each month at 1:30 p.m. in the City Council Chambers, with the exception of the month of December that is set on the second Thursday of that month at 9:30 a.m.
2. Accept the draft Public Safety, Finance, and Strategic Support Committee Work Plan for the period January through June 2021.

Attachments [Memorandum from Mayor and Peralez](#)

5. Joint Meeting of the Rules and Open Government Committee and Committee of the Whole
6. Smart Cities and Service Improvement Committee

[ROGC
20-264](#)

Smart Cities and Service Improvements Committee Workplan (Mayor and Diep)

Recommendation:

1. Approval of the Smart Cities and Service Improvements Committee work plan for the period August through December 2020 and setting its meeting schedule on the first Thursday of each month at 1:30 p.m. in the Council Chambers.
2. Accept the draft Smart Cities and Service Improvements Committee work plan for the period January through June 2021.

Attachments [Memorandum from Mayor and Diep](#)

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.