



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

Nora Frimann, Acting City Attorney

Gloria Schmanek, City Manager's Office

Henry Smith, Mayor's Office

Louis Osemwegie/Ruth Krantz, City Clerk's Office

Wednesday, September 16, 2020

2:00 PM

Virtual Meeting
<https://sanjoseca.zoom.us/j/93828586066>

* 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 Committee meeting will not be physically open to the public and the Committee Members 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 Committee 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 Committee 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 Committee 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 is 938 2858 6066. Click *9 to raise a hand to speak. Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free)
- 2) Online at: <https://sanjoseca.zoom.us/j/93828586066>
 - 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](#)
[20-373](#)

Review September 22, 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 [Amended Agenda](#)
[Add Sheet](#)

2. Review Draft Agenda

[ROGC
20-374](#)

Review September 29, 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

1. [ROGC
20-370](#) Date Change for the Study Session on Diridon Station Area Plan/Google Downtown West Mixed-Use Development. (City Manager)

Recommendation: (a) Approval to change the date of the City Council Study Session entitled Diridon Station Area Plan/Google Downtown West Mixed-Use Development from September 24, 2020 to Monday, November 16, 2020 from 1:00 p.m. - 5:00 p.m.
(b) Release the date held for Study Sessions on Thursday, September 24, 2020.
[Deferred from 9/2/2020 - Item D.1 and 9/9/2020 - Item D.1]

Attachments [Memorandum](#)

E. The Public Record

[ROGC
20-375](#)

The Public Record for September 3, 2020 - September 10, 2020. (City Clerk)

Recommendation: Receive and file the Public Record for September 3, 2020 - September 10, 2020.

Attachments [The Public Record](#)

F. Boards, Commissions and Committees

1. Appointments

- a. [ROGC
20-381](#) Boards and Commissions Appointments. (City Clerk)

Recommendation:

1. Approve the Clean Energy Community Advisory Commission Appointments:
 - a. CAAC - Nominated Seat 7: Reappoint Richard Zahner to a term expiring 12/31/2023;
 - b. CAAC - Nominated Seat 3: Appoint Jonathan Fleming to a term expiring 12/31/2023;
 - c. CAAC - Nominated Seat 5: Appoint Victor Niemeyer to a term expiring 12/31/2023.
2. Place the item on September 22, 2020 City Council Agenda for action.

Attachments [Memorandum](#)

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](#)
[20-380](#) Approval of The Domestic Violence Awareness Month Rotunda Lighting on October 1-7, 2020 and Community Event Sponsored by Council District 5 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Carrasco)

Recommendation:

1. Approve October 2020 as Domestic Violence Awareness Month to be recognized 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 Tuesday, September 22, 2020, Council Agenda for action.

Attachments [Memorandum from Carrasco](#)

- b. [ROGC](#)
[20-385](#) Retroactive Approval of the Mexican Flag Raising Community Event Sponsored by Council District 5 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Carrasco)

Recommendation:

1. Retroactively approve the Mexican Independence Day Flag Raising Event scheduled on September 15, 2020, as a City Council sponsored Special Event and approve the expenditure of funds.
2. Retroactively approve and accept donations from various individuals, businesses, or community groups to support the event.
3. Place the item on Tuesday, September 22, 2020, Council Agenda for action.

Attachments [Memorandum from Carrasco](#)

END OF CONSENT

2. [ROGC](#)
[20-376](#) Establishing Encampment Blight and Brush Removal Agreements. (Khamis, Peralez, Davis, Esparza, and Foley)

Recommendation: Direct Staff to coordinate and draft a preliminary agreement with Caltrans for the purpose of enabling the City of San Jose to arrange for blight and brush removal at homeless encampments on Caltrans-owned property within City limits in exchange for cost reimbursement.

[Deferred from 9/2/2020 - Item G.2]

Attachments [Memorandum from Khamis, Peralez, Davis, Esparza & Foley](#)

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

1. [ROGC](#) January-June 2020 Open Government Report. (City Manager)
[20-382](#)

Recommendation: Accept the semi-annual Open Government Report on posting of public calendars, public record request data, and data regarding posting of agendas and minutes of the City Council and decision-making bodies.

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

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.