



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, City Attorney

Gloria Schmanek, City Manager's Office

Henry Smith, Mayor's Office

Ruth Krantz, City Clerk's Office

Wednesday, October 21, 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:

- 1) By email to city.clerk@sanjoseca.gov by 9:00 a.m. the day of the meeting.

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

1) By phone 888 475 4499. 938 2858 6066 Click *9 to raise a hand to speak. Press *6 to unmute.
Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free)

2) By online <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 Committee Chair 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](#)
[20-449](#)

Review October 27, 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](#)
[20-450](#)

Review November 3, 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

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 20-456](#) Approval of October as the 75th Anniversary of National Disability Employment Awareness Month and 2020 as the 30th Anniversary of the Americans with Disabilities Act Sponsored by Council District 9 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Foley)

- Recommendation:**
1. Approve October as the 75th Anniversary of National Disability Employment Awareness Month and 2020 as the 30th Anniversary of the Americans with Disabilities Act 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 October 27, 2020 Council Agenda for action.

Attachments [Memorandum from Foley](#)

- b. [ROGC
20-455](#) Approval of Drive and Treat Resource Fair 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 Drive and Treat Resource Fair at Meyer Elementary School scheduled on October 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 October 27, 2020 Council Agenda for action.

Attachments [Memorandum from Arenas](#)

- c. [ROGC
20-461](#) Approval of November 2020 as Sikh American Awareness & Appreciation Month Community Event 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 November 2020 as Sikh American Awareness & Appreciation Month to be recognized on November 3, 2020 as a City Council sponsored Special Event and approve the expenditure of funds; and
 2. Approve and accept donations from various individuals, businesses, or community groups to support the event.
 3. Place the item on the October 27, 2020 Council Agenda for action.

Attachments [Memorandum from Arenas](#)

- d. [ROGC
20-462](#) Approval of the Faith Leaders Appreciation Month Event 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 October 2020 Faith Leaders Appreciation Month 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, October 27, 2020 Council Agenda for action.

Attachments [Memorandum from Arenas](#)

END OF CONSENT

2. [ROGC
20-448](#) Monthly Report of Activities for September 2020. (City Auditor)

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

Attachments [Memorandum](#)

3. [ROGC
20-460](#) City Clerk Update on Public Engagement Process. (City Clerk)

Recommendation: Approve a verbal interpretation services plan for City Council meetings to provide Spanish and Vietnamese interpreters upon request or only for specific agenda items of interest with a “not before” time on the agenda in alignment with actions included in the 2019-2020 Annual Report that recommends \$50,000 for interpretation services.

Attachments [Memorandum](#)

4. [ROGC
20-463](#) Approval of City Hall Free Use on November 17, 2020 to November 21, 2020, by the Mayor's Office for the Projecting Hope Event as a City Council Sponsored Special Event, to Expend City Funds and Accept Donations of Materials and Services For The Event. (Mayor)

Recommendation:

1. Adopt a resolution authorizing “Free Use” for projecting images on the exterior City Hall North Tower Wall located on the East Plaza from November 17-21, 2020 to honor the houseless individuals that have died unsheltered on the streets of San Jose, bring awareness to the tragedy of homelessness and build community support for compassionate solutions to our City's homeless crisis, hosted by the Mayor's Office and WeHOPE.
2. Approve the Mayor's WeHOPE Projecting Hope Event from November 17, 2020 to November 21, 2020 as a City Council sponsored Special Event and approve the expenditure of funds.
3. Approve and accept donations from various individuals, businesses or community groups to support the event.
4. Place the item on the October 27, 2020 Council Agenda for action.

Attachments [Memorandum from Mayor](#)

5. [ROGC](#)
[20-464](#) Pension Obligation Bonds. (Mayor)

Recommendation:

1. Initiate the process for possible issuance of pension bond obligation to fund unfunded actuarial liability of the Federated and Police and Fire Retirement Plans, including:
 - a. Develop a workplan of required validation actions, documentation, and filings along with an estimated timeline for achieving key milestones;
 - b. Secure needed advisory and legal services;
 - c. Develop required bond documentation for City Council approval to initiate the validation process which would allow the City to move quickly if it decides to issue POBs at a future date.
2. Conduct other preparatory work that will enable the Council in 2021 to make a fully informed decision about the merits and risks of this option as a means of reducing our multi-billion-dollar unfunded actuarial liability with an arbitrage strategy in a very low interest rate environment, including:
 - a. Complete research on the prevalence and performance of pension obligation bonds in other municipalities that includes contextual information on structures, sizing, risk considerations, credit implications, fiscal impact, and market conditions contributing to success or failure;
 - b. Study and report on the impact on the City's credit ratings in consultation with our advisors and review of rating metrics;
 - c. Perform a sensitivity analyses on the potential size of the bond issuance, assessing various risk tolerance levels and the projected cost-benefit to the City, including potential for series of bonds issued over time;
 - d. Assess the impact of different strategies for recognizing and applying the savings from the pension obligation bond strategy;
 - e. Conduct a public study session with the Council to fully vet questions and issues, and invite relevant consultants and experts to testify;
 - f. If Council offers a favorable response after that study session, develop the required documentation for City Council to consider proceeding with the validation and subsequent authorization for the issuance of pension obligation bonds.

Attachments [Memorandum from Mayor](#)
[POB Early Consideration Response Form](#)

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.