



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
Chappie Jones, Chair
Raul Peralez, Vice Chair
Sylvia Arenas, Member
David Cohen, Member
Dev Davis, 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, February 3, 2021

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
21-115](#)

Review February 9, 2021 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
21-117](#)

Review February 16, 2021 Draft Agenda - Cancelled

B. Review of Upcoming Special Meeting Agenda(s)

C. Legislative Update

1. State

2. Federal

D. Meeting Schedules

E. The Public Record

[ROGC
21-102](#)

The Public Record for January 21, 2021 - January 28, 2021. (City Clerk)
Receive and file the Public Record for January 21, 2021 - January 28, 2021.

Attachments [The Public Record](#)

F. Boards, Commissions and Committees

1. Appointments

a. [ROGC
21-118](#)

Deferred Compensation Advisory Committee Appointments. (Human Resources) - DEFERRED

Recommendation:

1. Approve the following appointments to the Deferred Compensation Advisory Committee (DCAC) for a four-year term, beginning March 1, 2021 and ending on March 1, 2025:

a. Jason Santos as the nominee by the “trades organizations” consisting of Association of Building, Mechanical & Electrical Inspectors (ABMEI), International Union of Operating Engineers, Local 3 (OE#3) and International Brotherhood of Electrical Workers (IBEW);

b. David Woolsey as the nominee by the Police Officers’ Association (POA); and

c. Jamal Fountaine as the nominee by the International Association of Firefighters, Local 230 (IAFF).

2. Place the item on the February 23, 2021 City Council Agenda for action.

DEFERRED TO 2/10/2021 PER ADMINISTRATION

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
21-122](#) 457 Plan Resolution (Davis)

Recommendation: Direct staff to bring to City Council a resolution to allow current members of City Council who participate in the 457 plan in lieu of CalPERS participation to move prospectively into the City's 401(a) plan and mandate that new Councilmembers and Mayors have the option between the defined benefit CalPERS plan and the defined contribution 401(a) plan.

Attachments [Memorandum from Davis](#)

3. [ROGC
21-126](#) Public Hearing on Proposed San José Water Company Rate Increases (Mayor)

Recommendation:

1. Place on an upcoming Council Agenda a public hearing on San José Water Company's proposed rate increases currently being considered by the California Public Utilities Commission, and invite company representatives to respond to questions about the rate increases sought by the company.
2. Direct the City Attorney to determine to what extent such a hearing might supplement the factual record of the rate case currently before the CPUC, so as to inform the Commission of the concerns of our local residents and businesses.

Attachments [Memorandum from Mayor](#)
[Letters from the Public - 1 of 3](#)
[Letters from the Public - 2 of 3](#)
[Letters from the Public - 3 of 3](#)

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.