



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 10, 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
21-133](#)

Review February 16, 2021 Final Agenda - Cancelled

2. Review Draft Agenda

[ROGC
21-134](#)

Review February 23, 2021 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

[ROGC
21-167](#)

Google Downtown West Mixed-Use Development District Utilities Study Session. (Economic Development)

Recommendation:

Set a City Council Study Session entitled Google Downtown West Mixed-Use Development District Utilities for Thursday, March 25, 2021 from 1:30 p.m. - 5:00 p.m. and approve a draft Study Session agenda.

Attachments [Memorandum](#)

E. The Public Record

[ROGC
21-135](#)

The Public Record for January 28, 2021 - February 4, 2021. (City Clerk)
Receive and file the Public Record for January 28, 2021 - February 4, 2021.

Attachments [The Public Record](#)

F. Boards, Commissions and Committees

1. Appointments

a. [ROGC
21-136](#)

Deferred Compensation Advisory Committee Appointments. (Human Resources)

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 Fontaine 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 from 2/3/2021 - Item F.1.a (ROGC 21-118)]

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 21-145](#) Approval of Dental Health Awareness 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 the Dental Health Awareness Month scheduled in February 2021 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 February 23, 2021 Council Agenda for action.

Attachments [Memorandum from Arenas](#)

- b. [ROGC 21-161](#) Retroactive Approval of Saka Nakodar International Global Awareness Day 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. Retroactively approve Saka Nakodar International Global Awareness Day on Thursday, February 4, 2021 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. Pace the item on the February 23, 2021 Council Agenda for action.

Attachments [Memorandum from Arenas](#)

- c. [ROGC](#)
[21-157](#) Approval of The Winter Walk and Senior Resource Virtual and Drive-Thru Fair Sponsored by Council Districts 10, 9, And 2 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event Recommendation. (Mahan)

- Recommendation:**
1. Approve the 14th Annual Winter Walk and Senior Resource Virtual and Drive-Thru Fair scheduled on Wednesday, February 17, 2021 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 February 23, 2021 Council Agenda for action.

Attachments [Memorandum from Mahan](#)

END OF CONSENT

2. [ROGC](#)
[21-137](#) Monthly Report of Activities for January 2021. (City Auditor)

Recommendation: Approve the Auditor's Office Monthly Report of Activities for the month of January 2021.

Attachments [Memorandum](#)

3. [ROGC](#)
[21-149](#) Laura's Law Update. (Perez)

Recommendation: Direct the City Manager to reaffirm Council's position and provide an update on the advocacy to the County Board of Supervisors and Behavioral Health Department to implement Assisted Outpatient Treatment (Laura's Law).

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

4. [ROGC
21-153](#) Addressing Homelessness through the duration of the COVID-19 pandemic. (Peralez)

Recommendation: Direct the City Manager to report back as soon as possible to the City Council with recommendations for the following:

1. Advocate to the County's Public Health Department to make available COVID-19 vaccinations along with outreach services to unhoused individuals at campsites;
2. Following implementation of 1, immediately resume pre-pandemic encampment management and abatement procedures, prioritizing high impacted locations utilizing reporting data and in coordination with the Council Offices; and
3. Establish a temporary sanctioned encampment on a publicly-owned site for the duration of the Local State of Emergency.

Attachments [Memorandum from Peralez](#)

5. [ROGC
21-141](#) Removal of the Thomas Fallon Statue. (Mayor)

Recommendation: Commence the City process for the removal of the Thomas Fallon Statue.

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