



# 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**  
**Lee Wilcox, Deputy City Manager**  
**Toni Taber, City Clerk**  
**Nora Frimann, City Attorney**  
**Gloria Schmanek, City Manager's Office**  
**Henry Smith, Mayor's Office**

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Wednesday, April 28, 2021

2:00 PM

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

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#### **\* 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](mailto: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](#)  
[21-472](#)

Review May 4, 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](#)  
[21-473](#)

Review May 11, 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**

#### **E. The Public Record**

[ROGC  
21-474](#)

The Public Record for April 15, 2021 - April 22, 2021. (City Clerk)  
Receive and file the Public Record for April 15, 2021 - April 22, 2021.

**Attachments** [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  
21-471](#) Approval of South Bay Clean Creeks Coalition Commendation Sponsored by Council District 3 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Perez)

##### **Recommendation:**

1. Approve the South Bay Clean Creeks Coalition Commendation scheduled on May 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. Place the item on the May 4, 2021 Council Agenda for action.

**Attachments** [Memorandum from Perez](#)

- b. [ROGC](#)  
[21-493](#) Approval of Melanoma Awareness Month 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 the Melanoma Awareness Month scheduled on May 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. Place the item on the May 4, 2021 Council Agenda for action.

**Attachments** [Memorandum from Carrasco](#)

- c. [ROGC](#)  
[21-489](#) Retroactively Approval of Multiple Dumpster Days and Clean Ups Sponsored by Council District 7 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Esparza)

- Recommendation:**
1. Retroactively approve the Dumpster Day held at 3975 Mira Loma Way scheduled on April 10, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
  2. Retroactively approve the Communications Hill E-Waste Drive scheduled on April 10, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
  3. Retroactively approve the Dumpster Day held at Tuers Road and Alvernaz Drive scheduled on April 17, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
  4. Retroactively approve the Lone Bluff Neighborhood Litter Pick Up scheduled on April 17, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
  5. Approve and accept donations from various individuals, businesses or community groups to support the events.
  6. Place the item on the May 4, 2021 Council Agenda for action.

**Attachments** [Memorandum from Esparza](#)

END OF CONSENT

2. [ROGC](#)  
[21-478](#) AB 367 (Garcia): Menstrual Products. (City Manager)

**Recommendation:**

1. Adopt a position of support for AB 367 (C. Garcia) on supplying no-cost menstrual products.
2. Recommend this item be agendized for the May 4, 2021 City Council Meeting so that the City's Legislative Representative can advocate the City's support for AB 367.

**Attachments** [Memorandum](#)

3. [ROGC](#)  
[21-482](#) H.R. 831 (Peters): Health STATISTICS Act of 2021. (City Manager)

**Recommendation:**

1. Adopt a position of support for H.R. 831 (Peters) on the development of certain public health data standards, epidemiological surveillance grants, and a data linkage demonstration project.
2. Recommend this item be agendized for the May 4, 2021 City Council Meeting so that the City's Legislative Representative can advocate the City's support H.R. 831.

**Attachments** [Memorandum](#)

4. [ROGC](#)  
[21-486](#) H.R. 1985 (Pascrell): Nursing Home Reform Modernization Act. (City Manager)

**Recommendation:**

1. Adopt a position of support for H.R. 1985 (Pascrell).
2. Recommend this item be agendized for the May 4, 2021 City Council Meeting so that the City's Legislative Representative can advocate the City's support for H.R. 1985.

**Attachments** [Memorandum](#)

5. [ROGC 21-497](#) Illegal Dumping Fines and Enforcement. (Jimenez and Peralez)

**Recommendation:**

1. Direct the City Manager to increase illegal dumping fines to \$10,000 for the first and subsequent offenses.
2. Direct the City Manager to prepare an MBA for the current budget cycle that outlines the cost of increased enforcement against illegal dumping, such as purchasing additional cameras to monitor hotspots, utilizing Community Service Officers to patrol identified hotspots, and establishing a community awareness campaign to encourage reporting of illegal dumping.
3. Direct the City Attorney to evaluate whether fines collected can be used to reward residents who provide information leading to a citation and fine for illegal dumping.

**Attachments** [Memorandum from Jimenez and Peralez](#)

#### **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.