



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

Wednesday, May 12, 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](#)
[21-545](#)

Review May 18, 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](#)

2. Review Draft Agenda

[ROGC](#)
[21-546](#)

Review May 25, 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](#)
[21-544](#)

The Public Record for April 29, 2021 - May 6, 2021. (City Clerk)
Receive and file the Public Record for April 29, 2021 - May 6, 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](#)
[21-547](#) Approval of Two Proclamations for Asian Pacific American Heritage Month and Affordable Housing 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 Asian Pacific American Heritage Month scheduled on May 18, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Approve Affordable Housing Month scheduled on May 18, 2021 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 May 18, 2021 Council Agenda for action.

Attachments [Memorandum from Carrasco](#)

- b. [ROGC](#)
[21-549](#) Approval of Townsend Park Dumpster Day Sponsored by Council District 4 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Cohen)

Recommendation:

1. Approve the Townsend Park Dumpster Day scheduled on May 22, 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 18, 2021 Council Agenda for action.

Attachments [Memorandum from Cohen](#)

- c. [ROGC](#) Approval of Safe Neighbor Community Service Training Sponsored by
[21-550](#) Council District 4 as a City Council Sponsored Special Event to Expend
City Funds and Accept Donations of Materials and Services for the
Event. (Cohen)

Recommendation:

1. Approve the Safe Neighbor Community Service Training event scheduled on May 15, 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 18, 2021 Council Agenda for action.

Attachments [Memorandum from Cohen](#)

- d. [ROGC](#) Approval of May as Food Allergy Awareness Month Sponsored by
[21-554](#) Council District 10 as a City Council Sponsored Special Event to
Expend City Funds and Accept Donations of Materials and Services for
the Event. (Mahan)

Recommendation:

1. Approve May 2021 as Food Allergy Awareness Month scheduled on May 18, 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 18, 2021 Council Agenda for action.

Attachments [Memorandum from Mahan](#)

END OF CONSENT

2. [ROGC](#) Monthly Report of Activities for April 2021. (City Auditor)
[21-548](#)

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

Attachments [Memorandum](#)

3. [ROGC](#)
[21-552](#) Bill of Rights for Children and Youth Audit. (Arenas)

Recommendation:

- 1) Direct the City Auditor to add to their upcoming 2021/2022 workplan an audit of the City of San Jose's adherence to and implementation of the San Jose Bill of Rights for Children and Youth.
- 2) Bring this report to the Neighborhood Services and Education Committee (and cross-list to Council) and add an annual report on its implementation to the NSE workplan.

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

4. [ROGC 21-553](#) Hybrid Public Meetings (Mahan, Liccardo, Jones, Jimenez, Foley)

Recommendation:

As part of the City Manager's COVID-19 Update in June 2021, direct the City Manager to:

1. Return to the City Council with a plan for hosting hybrid public meetings that allow both in-person and virtual public participation with special consideration for:
 - a. Start date and timeline for transition,
 - b. Pros and cons of including standing and ad-hoc City Committees and Commissions in the new meeting protocols,
 - c. Pros and cons of allowing members of Council, City Committees and Commissions to participate remotely under certain circumstances,
 - d. Potential modification of certain Commissions' and Committees' requirements that meetings be held in person in different parts of the city given the City's new ability to facilitate virtual public participation from any location,
 - e. Staffing capacity and needs of the various City departments involved in completing the transition and providing ongoing support services,
 - f. Cost breakdowns for both required and potential support services, including staff time, language translation and expansion to city commissions and boards,
 - g. And success metrics for public participation that would allow Council to assess the effectiveness of the new model over time, to include which model most advances civic engagement, such as equitable access, unique participants, and overall experience for residents providing input and feedback on council items
2. Seek Council direction during the June 2021 presentation on final adoption of the transition plan prior to the July 2021 legislative recess.

Attachments [Memorandum from Mahan, Liccardo, Jones, Jimenez, and Foley](#)

5. [ROGC](#) Imperfect Foods Resolution. (Jimenez and Perez)
[21-555](#)

Recommendation: Adopt a resolution supporting the rights of workers at Imperfect Foods to unionize and negotiate a fair contract, and place the resolution on the May 25, 2021 City Council agenda for action.

Attachments [Memorandum from Jimenez and Perez](#)

H. Review of additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee
2. Neighborhood Services and Education Committee

[ROGC](#) Update to the January - June 2021 Neighborhood Services and
[21-551](#) Education Committee Work Plan. (Housing)

Recommendation: Approve the following amendment to the Neighborhood Services and Education Committee Work Plan to drop the following item from the May 20, 2021 meeting: Rent Stabilization Program Strategic Plan Report for 2021-2024.

Attachments [Memorandum](#)

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.