



# 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, September 1, 2021

2:00 PM

Virtual Meeting -  
<https://sanjoseca.zoom.us/j/91241177464>

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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. 91241177464 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/91241177464>

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](#)  
[21-705](#)

Review September 7, 2021 Final Agenda - Cancelled

### 2. Review Draft Agenda

[ROGC](#)  
[21-706](#)

Review September 14, 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

- a. [ROGC  
21-707](#) Release Date for Study Session. (City Manager)

**Recommendation:** Recommend release of the date held for a Study Session on Friday, September 17, 2021.

## 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  
21-708](#) Approval of Mexico's Independence Flag Raise Ceremony, Tower and Rotunda Lighting on September 16-22 and Community Event 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 Mexico's Independence Flag Raise Ceremony scheduled on September 16-22, 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 September 14, 2021 Council Agenda for action.

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

- b. [ROGC](#)  
[21-709](#) Approval of Three Dumpster Days 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 Dumpster Day scheduled on September 25, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Approve the Dumpster Day scheduled on October 8, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
3. Approve the Dumpster Day scheduled on October 23, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
4. Approve and accept donations from various individuals, businesses or community groups to support the event.
5. Place the item on the September 21, 2021 Council Agenda for action.

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

- c. [ROGC](#)  
[21-710](#) Retroactive Approval of Two Dumpster Days 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. Retroactively approve the Dumpster Day Event scheduled on September 4, 2021 as a City Council sponsored Special Event and approve the expenditure of funds. - DROP
2. Retroactively approve the Dumpster Day Event scheduled on September 11, 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 September 21, 2021 Council Agenda for action.

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

- d. [ROGC](#)  
[21-711](#) Retroactive Approval of Multiple Special Events 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 Dahl Kindergarten Promotion scheduled on June 14, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Retroactively approve the Dahl 6th Grade Promotion scheduled on June 15, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
3. Retroactively approve the Owsley Community Safety Meeting scheduled on June 16, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
4. Retroactively approve the Hubbard Movie Night scheduled on July 9, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
5. Retroactively approve the Dumpster Day on Flory Drive scheduled on July 10, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
6. Retroactively approve the Bellevue Soccer Clinic at Bellevue Park scheduled on July 17, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
7. Retroactively approve the Owsley Movie Night at McLaughlin Park scheduled on July 17, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
8. Retroactively approve the Owsley Movie Night at McLaughlin Park scheduled on August 6, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
9. Retroactively approve the Rocksprings Zumba scheduled on August 7, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
10. Retroactively approve the Fair Swim Center Pool Party at the Fair Swim Center scheduled on August 13, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
11. Retroactively approve the Communications Hill Movie Night scheduled on August 14, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
12. Retroactively approve the Dumpster Day on Feldspar Drive scheduled on August 21, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
13. Retroactively approve the First Responders Cup scheduled on August 21, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
14. Retroactively approve the Seven Trees Litter Pick Up scheduled on

August 21, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.

15. Retroactively approve the Dumpster Day on Perrymont Avenue scheduled on August 28, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.

16. Approve and accept donations from various individuals, businesses or community groups to support the events.

17. Place the item on the September 14, 2021 Council Agenda for action.

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

- e. [ROGC](#)  
[21-712](#) Approval of Fall Family Festival 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 Fall Family Festival scheduled on October 24, 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 September 14, 2021 Council Agenda for action.

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

END OF CONSENT

2. [ROGC](#)  
[21-713](#) Pedestrian Safety Pilot at Monterey Rd. and Curtner Ave. (Esparza)  
- DEFERRED

**Recommendation:**

1. Direct the City Manager to allocate resources for a dedicated homeless outreach effort to the encampments near the intersection of Monterey and Curtner, including coordinating with Destination: Home's Lived Experience Advisory Board and County's Community Mobile Response Program.
  2. Direct Staff to explore physical barriers on the medians and along the sidewalks at Curtner and Monterey, and other high fatality intersections, to deter pedestrians from crossing outside the designated crosswalks.
  3. Direct Staff to pilot recording video cameras at Monterey and Curtner, which will record the intersection in a manner consistent with our current Privacy Policy, including timelimited recording retention as appropriate, and report back to the Transportation and Environment Committee with a report on the pilot program to assess effectiveness.
  4. Direct Staff to explore the use of American Rescue Plan or federal infrastructure funding for these efforts.
- DEFERRED

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



3. [ROGC](#)  
[21-714](#) City of San Jose and Santa Clara Valley Water Efforts Toward Purified Water Project. (Jones, Cohen, Jimenez) - DEFERRED

**Recommendation:**

1. Coordinate with the Santa Clara Valley Water District (Valley Water) to immediately select a mutually agreed upon subject matter expert to facilitate negotiation meetings between the City of San José and Valley Water.
  2. Both parties are to enter the first negotiation meeting with a clear, concise, and detailed term sheet which would clarify negotiation outcomes for January 2022.
  3. Accept a written letter from Valley Water indicating Valley Water's commitment to pay for City support services for an amount adequate to fund all costs incurred by the City to support negotiation of new agreements including legal services and a facilitator.
  4. Continue to hold bi-monthly check-in meetings comprised of elected officials and/or representatives from the San José City Council and Valley Water Board of Directors.
  5. Provide verbal reports of progress from San José City staff to the Transportation & Environment Committee and Treatment Plant Advisory Committee.
- DEFERRED TO 9/8/2021

**Attachments** [Memorandum from Jones, Cohen, and Jimenez](#)

**H. Review of additions to Council Committee Agendas/Workplans**

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

- a. [ROGC](#)  
[21-715](#) Update to the August 2021-June 2022 Neighborhood Services and Education Committee Work Plan. (Housing)

**Recommendation:**

Approve the following drop from the Neighborhood Services and Education Committee Work Plan for the September 9, 2021 meeting.  
(a) FY 2020-2021 Consolidated Annual Performance Evaluation Report.

**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

- a. [ROGC](#)  
[21-716](#) Update to the August 2021 - June 2022 Smart Cities and Service  
Improvements Committee Work Plan. (Finance)

**Recommendation:** Approve the following addition to the Smart Cities and Service  
Improvements Committee Work Plan for the October 7, 2021 meeting.  
(a) Procurement Improvement Status Report.

**Attachments** [Memorandum](#)

## 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.