



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, Assistant City Manager
Toni Taber, City Clerk
Nora Frimann, City Attorney
Gloria Schmanek, City Manager's Office
Henry Smith, Mayor's Office

Wednesday, September 29, 2021

2:00 PM

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

*** 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. 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](#)
[21-756](#)

Review October 5, 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](#)
[21-757](#)

Review October 12, 2021 Draft Agenda - Cancelled

B. Review of Upcoming Special Meeting Agenda(s)

C. Legislative Update

1. State

2. Federal

D. Meeting Schedules

1. [ROGC
21-762](#) Release Date for Study Session. (City Manager)

Recommendation: Recommend release of the date held for a Study Session on Friday, October 8, 2021.

2. [ROGC
21-759](#) Climate Smart San José Special Meeting. (Environmental Services)

Recommendation: Set a City Council Special Meeting entitled “Climate Smart San José” for Monday, November 8, 2021 from 1:30 p.m. – 4:30 p.m. and approve a draft Special Meeting agenda.

Attachments [Memorandum](#)

E. The Public Record

[ROGC
21-758](#) The Public Record for September 16, 2021 - September 23, 2021.
(City Clerk)

Recommendation: Receive and file the Public Record for September 16, 2021 - September 23, 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
21-760](#) Approval of Domestic Violence Awareness Event, Tower, and Rotunda Lighting 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 Domestic Violence Awareness Event scheduled on October 8-15, 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 October 5, 2021 Council Agenda for action.

Attachments [Memorandum from Carrasco](#)

END OF CONSENT

2. [ROGC](#)
[21-752](#) Compassionate San Jose - Bold Housing Solutions. (Mayor, Peralez,
Jimenez, Foley, Mahan)

Recommendation:

1. To meet the goal of the Community Plan to End Homelessness to double shelter capacity to by 2025, have 1,000 pandemic-era emergency interim housing community (EIHC) units and 300 Homekey motel units under construction or completed by December 2022-including those recently completed-to accelerate our response to our homelessness crisis. This work should include the following tasks necessary to achieve rapid acceleration of our efforts:
 - a. Identify the requisite amount of Homekey, ARPA, HHAP, or other eligible public funding for an additional six EIHCs in every Council District not currently hosting an EIHC or Bridge Housing Community (BHC), and work with the Mayor's Office to identify additional philanthropic support;
 - 1) A single slate of six sites shall be approved at a single Council meeting, no later than June 2022, in a single "up or down" vote on the entire slate. Sites that are ready before June 2022 can be voted on and approved by Council at an earlier date.
 - 2) Site selection will occur collaboratively with the participation of every councilmember and the community, but ultimate decision-making will remain the domain of the entire Council.
 - 3) Any alternative sites suggested by any councilmember must be deemed feasible for near-term housing development by the City Manager prior to qualifying for Council consideration.
 - 4) At least one location shall provide homes for unhoused individuals in employment or training programs, such as SJ Bridge and the Conservation Corps, and at least one location shall provide a home for women and children who have endured domestic violence, with appropriate discretion. Resolve all legal and regulatory issues to enable this.
 - b. Discuss with the County of Santa Clara their willingness to begin to provide basic mental health and addiction treatment services for EIHCs for a specified duration, so that one-time City resources can be better focused on expanding our inventory of units;
 - c. Densify existing sites with the space and non-profit capacity to accommodate additional tenants, such as the existing EIHC at Rue Ferrari, prioritizing unhoused residents in the immediate vicinity;
 - d. Make any modifications to City building code necessary to safely enable multi-story EIHC development;
 - e. Resolve all legal and regulatory issues to enable the City to prioritize EIHCs for unhoused residents in the immediate neighborhoods to ensure that local neighborhoods directly benefit

from the presence of EIHCs;

f. Direct Public Works and Housing staff to work with Caltrans staff, Mayor's Office staff, and philanthropic partners such as Sand Hill Properties, in our joint exploration of creative use of Caltrans-owned land around and under freeway intersections and exits for construction of safe, dignified housing on low-cost land prioritizing districts who have not identified a site;

g. Improve the financial sustainability of EIHC and BHC operational budgets by identifying opportunities for (a) cost efficiencies, (b) partnering with the Santa Clara County Housing Authority to explore program alignment for funding to offset the annual operational cost of these communities, (c) employing work-ready EIHC residents to perform tasks otherwise paid for through contracted companies, such as security, maintenance, shuttle driving, and management;

h. Explore funding opportunities, including any savings identified in the above work on cost efficiencies in the operations budget, for an "enhanced services" program for the surrounding neighborhoods who host EIHCs and BHCs, as outlined in Councilmember Jimenez's 2020 memo that was previously approved by Council;

i. Work with Comcast and other telecommunication partners to include access to internet connectivity on the sites, leveraging the efforts and resources of the Mayor's Office of Technology and Information (MOTI);

j. Explore incentives for private land owners with underutilized surface parking lots willing to host an EIHC, which may include negotiated ground lease revenue, waived fees on the development of the EIHC, or waived parking requirements on their future redevelopment project.

2. In response to the Biden Administration's plea for leading cities to identify clear goals for addressing homelessness by December 2022 of (a) "the number of people experiencing homelessness to be placed into stable housing," and (b) "the number of new units of ...housing serving people experiencing homelessness to be added to the development pipeline," by 2022, report the following specific goals for the next 16 months:

a. Rehousing: Housing 1,500 San Jose residents by December 31, 2022

This goal reflects the funding capacity we have estimated for housing individuals with the assistance of San Jose Emergency Housing Vouchers (369), anticipated County Emergency Housing

Vouchers allocated for San Jose residents (455), Rapid-Rehousing slots (300), and units of completed PSH housing (200), and if HUD allows consideration of new completed EIHC housing (300+).

b. Homeless-Serving New Units: Providing a total of 2,300 new permanent and transitional units serving homeless individuals that will be under development or construction by December 31, 2022. This goal reflects the approximately 1,384 units we believe can emerge from new permanent supportive projects funded by the City and County, 239 units from two hotels for which we are submitting Project Homekey applications, and 683 units from EIHCs that will be in the pipeline.

3. Continue to partner with Councilmember Jimenez to temporarily locate a “safe parking” RV site at or near the future police training facility in his district. Determine how a registry or other mechanism could help ensure that the facility will provide primary priority to serve Council District 2 residents, rather than merely attracting RVs from other communities unwilling to serve RV residents in their area.

4. To facilitate the identification and implementation of drug treatment options, explore with the County of Santa Clara the creation of a detention facility for individuals arrested for minor criminal offenses-such as disturbing the police, simple assault, public indecency, or vandalism-where the person:

- a. is under the influence of methamphetamine or another stimulant or psychoactive substance at the time of their arrest;
- b. poses a safety or crime risk that makes the person inappropriate for voluntary detention in the County’s Mission Street Recovery Center/ Sobering Center;
- c. is kept a sufficient duration to enable the individual to become free of the influence of the substance prior to release, within the duration proscribed by the courts and the Due Process Clause; and
- d. is provided information about treatment options.

Potential sites for such a facility might include either of the existing jails or Mission Street Recovery Center/ Sobering Center, among others.

5. Direct City Staff to outreach to County staff to coordinate on joint efforts to:

- a. provide drug treatment, mental health, and related services at EIHCs, described supra;
- b. identify and lease sites under County control for future development of EIHCs;

c. create a drug detention facility, as described supra

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

3. [ROGC](#)
[21-753](#) Cleaner San Jose. (Mayor, Davis, Foley, Cohen, Mahan)

Recommendation:

Direct the City Manager to:

1. Further expand employment opportunities for our unhoused residents in cleaning and beautifying our City by returning to Council with a cost estimate and proposed program sufficiently timely to enable Council's allocation of up to \$4 million American Recovery Plan Act dollars in November.

a. The program should enable employment of another 100 unhoused individuals in the San Jose Bridge Transitional Jobs Program by adding funding to the program served by the pending Request for Proposal (RFP), if responses to the RFP demonstrate sufficient nonprofit capacity for expansion of the program, and with Council approval of sufficient ARPA funding allocations.

b. Establish outcomes to dramatically improve the appearance of public spaces for our community over the next 18 months, such as:

i. Targeting an additional 50 litter hotspots for frequent (2x /month) cleanups

ii. Targeting an additional 200 lower-priority hotspots for less frequent (1x/month) cleanups

c. Prioritize high-need neighborhoods, with a focus on blighted streets, parks, and other public spaces most frequently and visibly encountered by our residents.

2. Report to the Council by November 2021 in person or with an information memo(s), with:

a. Introduction of a monetary reward for information and/ or evidence resulting in the successful citation of any individuals, companies, or subcontractors engaging in illegal dumping, such that reporting witnesses can receive a percentage of penalties collected in successful enforcement actions based on witness reports.

b. Update on the deployment of cameras at illegal dumping "hot spots" to enable citation of people engaged in illegal dumping, and that the update include the number of reports made using the cameras, citations that have been issued using evidence from the cameras, number of cameras in operation across all City Departments, and funding options for purchase, deployment, operations, maintenance, and administration of additional cameras.

c. Update on the current hybrid vehicle abatement approach (proactive & reactive), focusing on these metrics:

i. a comparison of the number of vehicles reported by the public, vehicles proactively noticed, and vehicles abated between March 2018 and October 2021,

- ii. the status of the use of Funds, including the American Rescue Plan Fund to support the program,
- iii. an explanation of how SJ311 resident requests are being processed, prioritized and decisions communicated back to the community, and
- iv. an update on when the Administration intends to return to a full vehicle abatement program that responds to SJ311 resident requests.

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

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

- a. [ROGC](#) Update to the August 2021 - June 2022 Transportation and
[21-761](#) Environment Committee Work Plan. (Environmental Services)

Recommendation: Approve an amendment to the Transportation and Environment Committee Work Plan to drop “City Roadmap: Climate Smart San José Plan Semi-Annual Report” from the November 1, 2021 meeting agenda.

Attachments [Memorandum](#)

- 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.