



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, October 27, 2021

2:00 PM

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

*** COVID-19 NOTICE ***

Consistent with AB 361 and City of San Jose Resolution No. 79485 and Resolution No. 80237, the 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 Committee 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](#)
[21-799](#)

Review November 2, 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](#)
[21-800](#)

Review November 9, 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)

- a. [ROGC 21-801](#) Joint Special Meeting Agenda on Gender-Based Violence and Child Sexual Abuse. (City Manager)

Recommendation: Review November 5, 2021 City of San José Public Safety, Finance and Strategic Support Committee/Committee of the Whole and the County of Santa Clara Children, Seniors, and Families Committee Joint Special Meeting Agenda on Gender-Based Violence and Child Sexual Abuse.

Attachments [Joint Meeting Agenda](#)

C. Legislative Update

1. State
2. Federal

D. Meeting Schedules

- a. [ROGC 21-802](#) Cancellation of the January 4, 2022 City Council Meeting. (City Manager)

Recommendation: Approve the cancellation of the January 4, 2022 City Council Meeting.

Attachments [Memorandum](#)

E. The Public Record

[ROGC 21-803](#) The Public Record for October 14, 2021 - October 21, 2021. (City Clerk)

Recommendation: Receive and file the Public Record for October 14, 2021 - October 21, 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](#)
[21-804](#) Retroactive Approval of Drive and Treat Resource Fair 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 the Drive and Treat Resource Fair at Meyer Elementary School scheduled on October 29, 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 November 2, 2021 Council Agenda for action.

Attachments [Memorandum from Arenas](#)

- b. [ROGC](#)
[21-805](#) Approval of the Music in the Valley Festival Sponsored by Council District 9 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Foley)

Recommendation:

1. Approve the Music in the Valley Festival scheduled on May 1, 2022 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 November 2, 2021 Council Agenda for action.

Attachments [Memorandum from Foley](#)

END OF CONSENT

2. [ROGC
21-807](#) Charter Review Commission Workplan. (Jones and Jimenez)

Recommendation:

1. Direct the City Clerk to provide additional guidance to the Charter Review Commission, and amend the resolution (No. 79722) establishing the Charter Review Commission, to prioritize the two major scopes of work assigned per Council's direction of July 28, 2020:
 - a. Complete all research and recommendations related to the City's governance structure and election cycles for the Mayor and Council Districts by November 29, 2021.
 - b. Have all recommendations related to 1.a submitted to Council by December 14, 2021.
2. Regarding other work being done by Commission:
 - a. Consider additional measures and potential charter amendments as long as they do not duplicate current City efforts and they align with the objective of improving accountability, representation, and inclusion at San José City Hall. As noted in discussion below, duplicative efforts include but are not limited to climate action, public safety and police oversight, housing and land use near the Urban Growth Boundary.
3. Direct the City Clerk to provide additional guidance regarding City resources and funds to support the Charter Review Commission:
 - a. Resources, including assigned staff, are to be prioritized to provide support as it relates to governance structure and election cycles.
 - b. All committee work within the commission shall cease by the end of December 2021 or earlier if deemed appropriate by the Commission. Should additional work be required, it may continue subject to Council's evaluation and approval of additional budget appropriation and extension of the Commission's workplan.
4. Schedule this item to be heard at Council Meeting of November 2, 2021.

Attachments [Memorandum from Jones and Jimenez](#)
[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

- a. [ROGC 21-806](#) Update to the August 2021 - June 2022 Neighborhood Services and Education Committee Work Plan. (Housing)

Recommendation: Approve an amendment to the August 2021 - June 2022 Neighborhood Services and Education Committee Work Plan to drop the following items from the November 4, 2021 meeting:

- (a) Homelessness Annual Report. (Housing)
- (b) Rent Stabilization Program Strategic Plan Report. (Housing)

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.