



# 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**  
**Nasrine Lakabi, District 1 Council Office**

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Wednesday, April 6, 2022

2:00 PM

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

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#### **\* COVID-19 NOTICE \***

Consistent with AB 361 and City of San Jose Resolution Nos. 79485, 80237, 80266, 80290, 80323, 80343, 80363, 80400 and 80445, 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](mailto: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](#)  
[22-136](#)

Review April 12, 2022 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](#)  
[22-137](#)

Review April 19, 2022 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](#)

*Notice to the public: There will be no separate discussion of individual Consent Calendar items as they are considered to be routine and will be adopted by one motion. If a member of the Committee requests debate, separate vote or recusal on a particular item, that item may be removed from the Consent Calendar by the Chair and considered separately. The public may comment on the entire Consent Calendar and any items removed from the Consent Calendar by the Chair.*

## B. Consent Calendar

1. [ROGC 22-138](#) The Public Record for March 24 - March 30, 2022. (City Clerk)

**Recommendation:** Receive and file the Public Record for March 24 - March 30, 2022.

**Attachments** [The Public Record](#)

2. [ROGC 22-139](#) Retroactive Approval of Memorial Bench Ribbon Cutting at Plata Arroyo Park 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. Retroactively approve the Memorial Bench Ribbon Cutting at Plata Arroyo Park Event scheduled on March 4, 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 April 12, 2022 Council Agenda for action.

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

3. [ROGC 22-140](#) Approval of Cape Colony 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 Cape Colony Dumpster Day scheduled on April 16, 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 April 12, 2022 Council Agenda for action.

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

4. [ROGC 22-141](#) Approval of Willow Glen Dumpster Day Sponsored by Council District 6 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Davis)

**Recommendation:**

1. Approve the Willow Glen Dumpster Day scheduled on April 16, 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 April 12, 2022 Council Agenda for action.

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

5. [ROGC 22-142](#) Retroactive Approval of Trash Talks Sponsored by Council District 6 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Davis)

**Recommendation:**

1. Retroactively approve the community office hours Trash Talks scheduled on March 19, 2022 and April 2, 2022 as City Council sponsored Special Events and approve the expenditure of funds.
2. Approve and accept donations from various individuals, businesses or community groups that supported the events.
3. Place the item on the April 12, 2022 Council Agenda for action.

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

END OF CONSENT

### C. Rules Committee Reviews, Recommendations and Approvals

1. [ROGC  
22-143](#) Local/Small Business Preferences. (Jones)

**Recommendation:**

1. Direct City Attorney to amend Section 27.06.050(g) of the San José Municipal Code “Procuring Minor Public Works Projects” to increase the preference provided if the Contractor is:
  - a. a Local Business Enterprise from 2.5% to 5%; and
  - b. a Local and a Small Business Enterprise from 2.5% to 5%.
2. Direct City Manager to update procurement preferences for Minor Public Works Contracts accordingly per the approved amendment. Schedule this amendment for approval on the City Council Agenda of April 26, 2022.

**Attachments** [Memorandum from Jones](#)  
[Section 27.06.050\(g\) of the San José Municipal Code](#)  
[Early Consideration Response Form](#)

2. [ROGC  
22-144](#) Oppose the Valley Water District Measure Extending Term Limits for Board Members. (Mahan)

**Recommendation:**

1. Direct the City Attorney to draft a resolution that:
  1. Opposes Santa Clara Valley Water District’s (VWD) term limit extension measure and,
  2. Calls on other cities in VWD’s service area to join in opposing the measure.
2. Place the item on the April 12, 2022 City Council Agenda for Council discussion and action.

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

## D. 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.*

## E. Adjournment

The Code of Conduct (<https://www.sanjoseca.gov/home/showpublisheddocument/12901/636670004966630000>) is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

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.