



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

Wednesday, April 20, 2022

2:00 PM

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

*** 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 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](#)
[22-167](#)

Review April 26, 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](#)

2. Review Draft Agenda

[ROGC](#)
[22-168](#)

Review May 3, 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 22-169](#) The Public Record for April 7 - April 14, 2022. (City Clerk)

Recommendation: Receive and file the Public Record for April 7 - April 14, 2022.

Attachments [The Public Record](#)

2. [ROGC 22-170](#) Update the January - June 2022 Transportation and Environment Committee Work Plan. (Transportation)

Recommendation: Approve an amendment to the January - June 2022 Transportation and Environment Committee Work Plan to add the following item to the May 2, 2022 meeting:
Council Policy 5-1: Transportation Analysis Policy Report.
(Transportation)

Attachments [Memorandum](#)

3. [ROGC 22-171](#) Schedule General Plan Hearing. (Planning, Building and Code Enforcement)

Recommendation: Set a General Plan Hearing for the afternoon of May 3, 2022, to consider City-initiated General Plan amendments related to the North San José Area Development Policy.

Attachments [Memorandum](#)

4. [ROGC 22-172](#) Approval of City Hall Free Use for the Safer Streets Town Hall Event Sponsored by Council District 3 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Perez)

Recommendation:

1. Adopt a resolution authorizing “Free Use” for events and activities held at City Hall on Saturday, May 7, 2022 for the Safer Streets Town Hall hosted by the Council District 3 Office.
2. Approve the Safer Streets Town Hall scheduled on May 7, 2022 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 April 26, 2022 Council Agenda for action.

Attachments [Memorandum from Perez](#)

5. [ROGC](#) Agendize San José Youth Commission Report to the Neighborhood
[22-173](#) Services and Education Committee. (Perales and Arenas)

Recommendation: Direct staff to update the Neighborhood Services and Education
Committee Work Plan January - June 2022 and agendize a verbal
report of the San José Youth Commission by June 2022 before current
Youth Commissioners term out.

Attachments [Memorandum from Perales and Arenas](#)

6. [ROGC](#) Retroactive Approval of National Donate Life Month Tower and
[22-174](#) Rotunda Lighting on April 19 - 25, 2022 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 April as National Donate Life Month to be
recognized 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 26, 2022 Council Agenda for action.

Attachments [Memorandum from Carrasco](#)

7. [ROGC](#) Extending Municipal Voting Eligibility to all City Residents Study
[22-175](#) Session. (City Clerk)

Recommendation: Approve the April 29, 2022 Final Agenda for the Extending Municipal
Voting Eligibility to all City Residents Study Session.

Attachments [Study Session Agenda](#)

END OF CONSENT

C. Rules Committee Reviews, Recommendations and Approvals

1. [ROGC 22-176](#) The Future of San Pedro Square and Post Street. (Perales)

Recommendation: Agendize for the April 26, 2022 City Council discussion the following:

1. Direct City Staff to
 - a. Fully convert the existing Al Fresco closure of San Pedro Street between W. Santa Clara Street and St. John Street to a permanent closure including procuring permanent infrastructure to safely facilitate the closure.
 - b. Commence by summer of this year a weekly closure of Post Street between S. First Street and Lightston Alley from Thursday evening to Sundays and procure all relevant permanent infrastructure to safely facilitate the closure.
 - i. Return to City Council after one year of commencement of weekly closures to evaluate and consider expanding the closure.
 - c. Include reasonable design guidelines to maintain consistent aesthetic and operations throughout each of the respective corridors.
2. Direct the City Manager and City Attorney to extend the local emergency order affecting San José Al Fresco to March 31, 2023 to allow for adequate time for implementation of Recommendation #1.

Attachments [Memorandum from Perales](#)
[Letters from the Public](#)
[Early Consideration Response Form](#)

2. [ROGC 22-177](#) Charter Amendment Recommendation. (Carrasco)

Recommendation: Direct the City Manager and the City Attorney to:

1. Return with language that will amend the Charter to state, “The Council may remove members of the Planning Commission at any time, with or without cause after giving the member an opportunity to be heard before the Council.”
2. Place on the November 2022 ballot that will amend the charter to align the Planning Commission, with the exception of the Salary Setting Commission, with the City commissions regarding removal of planning commissioners.

Attachments [Memorandum from Carrasco](#)

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.