



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

Wednesday, May 11, 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, 80445 and 80481, this 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](#)
[22-205](#)

Review May 17, 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](#)
[22-206](#)

Review May 24, 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
22-207](#) The Public Record for April 28 - May 5, 2022. (City Clerk)

Recommendation: Receive and file the Public Record for April 28 - May 5, 2022.

Attachments [The Public Record](#)

2. [ROGC
22-208](#) Approval of a Flag Raising and Lighting for Pride Month Sponsored by Council District 6 and Council District 9 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Davis and Foley)

Recommendation:

1. Approve the flag raising and lighting for Pride Month to be recognized on June 7, 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 May 17, 2022 Council Agenda for action.

Attachments [Memorandum from Davis and Foley - revised 5/11/2022](#)

3. [ROGC
22-209](#) Approval of Shasta-Hanchett Park 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 Shasta-Hanchett Park Dumpster Day scheduled on May 21, 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 May 17, 2022 Council Agenda for action.

Attachments [Memorandum from Davis](#)

4. [ROGC](#)
[22-210](#) Retroactive Approval of D. J. Meyer Elementary Egg Hunt and Resource Fair 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. Retroactively approve the D. J. Meyer Elementary Egg Hunt and Resource Fair 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 May 17, 2022 Council Agenda for action.

Attachments [Memorandum from Arenas](#)

5. [ROGC](#)
[22-211](#) Monthly Report of Activities for April 2022. (City Auditor)

Recommendation: Approve the Auditor's Office Monthly Report of Activities for the month of April 2022.

Attachments [Memorandum](#)

6. [ROGC](#)
[22-212](#) Retroactive Approval of Senior Zumba and Cafecito 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 Senior Zumba and Cafecito series scheduled on March 3, March 11, March 17, and April 7, 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 May 17, 2022 Council Agenda for action.

Attachments [Memorandum from Carrasco](#)

7. [ROGC](#)
[22-214](#) Update the January - June 2022 Transportation and Environment
Committee Work Plan. (Environmental Services)

Recommendation: Approve an amendment to the January - June 2022 Transportation and
Environment Committee Work Plan to drop the following item from the
June 6, 2022 meeting:
Municipal Regional Stormwater NPDES Permit Semi-Annual Report.

Attachments [Memorandum](#)

8. [ROGC](#)
[22-215](#) SCA 2 (Allen): Repeal Of Article XXXIV. (Housing)

Recommendation: (a) Adopt a position of support for State Constitutional Amendment
(SCA) 2 (Allen), which would repeal Article XXXIV of the State of
California Constitution (Article 34) which requires a public referendum
vote for any publicly-funded housing development with 49% or more
restricted affordable units, and
(b) Agendize this position for the June 7, 2022, City Council meeting so
that the City's Legislative Representative can advocate the City's
support for SCA 2 (Allen).

Attachments [Memorandum](#)

END OF CONSENT

C. Rules Committee Reviews, Recommendations and Approvals

1. [ROGC](#)
[22-213](#) Eliminating the Regulation of Cruising from San José Municipal Code.
(Peralez)

Recommendation: Direct the City Manager to submit a Managers Budget Addendum
(MBA) that will eliminate San José Municipal Code 11.34, Regulation
of Cruising, and fines, fees or signage associated with this.

Attachments [Memorandum from Peralez](#)
[Letters from the Public](#)

2. [ROGC
22-216](#) SB 1100 (Cortese): Open Meetings - Orderly Conduct. (City Manager)

Recommendation: (a) Adopt a position on SB 1100 (Cortese).
(b) Recommend this item be agendized for a May 24, 2022 City Council Meeting so that the City's Legislative Representative can advocate the City's position for SB 1100 (Cortese).

Attachments [Memorandum](#)

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.