



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 18, 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
22-223](#)

Review May 24, 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
22-224](#)

Review May 31, 2022 Draft Agenda - Cancelled

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
22-225](#) The Public Record for May 5 - May 12, 2022. (City Clerk)

Recommendation: Receive and file the Public Record for May 5 - May 12, 2022.

Attachments [The Public Record](#)

2. [ROGC
22-226](#) VEBA Advisory Committee Appointment. (Human Resources)

Recommendation: (a) Approve the following appointment to the VEBA Advisory Committee for a four-year term, beginning June 1, 2022 and ending on May 31, 2026:

(1) Shane Curtain, as the representative nominated by the Federated unions.

(b) Place the item on the May 24, 2022 City Council agenda for action.

Attachments [Memorandum](#)

3. [ROGC
22-227](#) Retroactive Approval of the Dia Del Niño 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 Dia Del Niño event scheduled on April 30, 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 24, 2022 Council Agenda for action.

Attachments [Memorandum from Carrasco](#)

4. [ROGC
22-228](#) Approval of the Azerbaijan Flag Raising Event Sponsored by Council District 1 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Jones)

- Recommendation:**
1. Approve the Azerbaijan Flag Raising Event scheduled on June 3, 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 24, 2022 Council Agenda for action.

Attachments [Memorandum from Jones](#)

5. [ROGC
22-229](#) Approval of Juneteenth Day City Hall Lighting Display and Flag Raising Sponsored by Council District 1 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Jones)

- Recommendation:**
1. Approve the City Hall Lighting Display and Flag Raising Event for Juneteenth Day scheduled on June 13, 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 24, 2022 Council Agenda for action.

Attachments [Memorandum from Jones](#)

6. [ROGC](#)
[22-230](#) Retroactive Approval of Penitencia Neighborhood Association Dumpster Day and Baypointe Park Activation and Neighborhood Celebration, and Approval of Alviso Dumpster Day and Vista Montana Neighborhood Celebration Sponsored by Council District 4 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Cohen)

Recommendation:

1. Retroactively approve the Penitencia Neighborhood Association Dumpster Day scheduled on May 14, 2022 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Retroactively approve the Baypointe Interim Park Activation and Neighborhood Celebration scheduled on May 18, 2022 as a City Council sponsored Special Event and approve the expenditure of funds.
3. Approve the Alviso Dumpster Day scheduled on June 4, 2022 as a City Council sponsored Special Event and approve the expenditure of funds.
4. Approve the Vista Montana Neighborhood Celebration scheduled on June 11, 2022 as a City Council sponsored Special Event and approve the expenditure of funds.
5. Approve and accept donations from various individuals, businesses or community groups to support the events.
6. Place the item on the May 24, 2022 Council Agenda for action.

Attachments [Memorandum from Cohen](#)

7. [ROGC](#)
[22-231](#) Extending Municipal Voting Eligibility to all City Residents (Non-citizen voting) Study Session. (City Clerk)

Recommendation: Set the Study Session for the Extending Municipal Voting Eligibility to all City Residents for September 6, 2022 at 6:00 p.m.

Attachments [Study Session Agenda](#)
[Letters from the Public](#)

END OF CONSENT

C. Rules Committee Reviews, Recommendations and Approvals

1. [ROGC
22-232](#) Protecting Reproductive Rights in the City of San Jose. (Davis, Carrasco, Esparza, Arenas, and Foley)

Recommendation:

1. Agendize a discussion of creating public safety protections for women seeking abortion procedures, anyone assisting the individual seeking an abortion, as well as protection for providers of abortion services in the City of San Jose for the June 7, 2022, City Council meeting.
2. Direct the City Attorney's office to research and recommend the best legal protection that our city can provide beyond a ceremonial sanctuary city status, as well as potential land use protections for providers of abortion services, and return to council with (a) recommendation(s).

Attachments [Memorandum from Davis, Carrasco, Esparza, Arenas, and Foley](#)
[Letters from the Public](#)

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.