

**MINUTES OF THE
JOINT MEETING OF THE RULES AND OPEN GOVERNMENT COMMITTEE AND
COMMITTEE OF THE WHOLE**

SAN JOSE, CALIFORNIA

WEDNESDAY, OCTOBER 27, 2021

COVID-19 NOTICE

Consistent with AB 361 and City of San Jose Resolution Nos. 79485, 80237 and 80266, this meeting will not be physically open to the public and the (Board/Commission/Committee) Members will be teleconferencing from remote locations.

The Council meeting was teleconferenced from remote locations and convened at 2:00 p.m.

Present: Councilmembers - Jones, Peralez, Arenas, Cohen, Davis.

Absent: Councilmembers - All Present.

Staff: Assistant City Manager, Lee Wilcox; City Attorney, Nora Frimann; City Clerk, Toni Taber; City Manager's Office, Gloria Schmanek; Mayor's Office, Henry Smith; and City Clerk's Office, Yasmin Johnson.

A. City Council (City Clerk)

1. Review November 2 , 2021 Final Agenda

Public Comment: (1) Tessa Woodmansee spoke to the Zoom capabilities. (2) Blair Beekman addressed Item 3.3, 3.4, and implementing an accessible subsidy program process.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sylvia Arenas and carried unanimously, the Committee accepted the November 2, 2021 Final Agenda, as amended, including the Add Sheet. (5-0.)

2. Review November 9, 2021 Draft Agenda

Public Comment: (1) Tessa Woodmansee spoke to actions related to construction projects and land use items. (2) Blair Beekman spoke on clean energy, the definition of racial equity, and redistricting.

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A.2 (Cont'd.)

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Sylvia Arenas and carried unanimously, the Committee accepted the November 9, 2021 Draft Agenda, amended to include a staff memorandum with the Department of Racial Equity's discussion on the current definition of racial equity. (5-0.)

B. Review of Upcoming Special Meeting Agenda(s)

1. Joint Special Meeting Agenda on Gender-Based Violence and Child Sexual Abuse. (City Manager)

Public Comment: (1) Blair Beekman spoke to structure of the Peer Review Program, the reporting of sexual abuse cases involving children, and counseling services. (2) Tessa Woodmansee asked for the definition of "Gender-Based Violence" and spoke to the need for community engagement.

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Councilmember Raul Peralez and carried unanimously, the Committee approved the 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. (5-0.)

C. Legislative Update

- 1. State**
- 2. Federal**

There were none presented.

D. Meeting Schedules

1. Cancellation of the January 4, 2022 City Council Meeting. (City Manager)

Public Comment: Tessa Woodmansee addressed her concerns with the cancellation of this meeting.

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Councilmember Dev Davis and carried unanimously, the Committee approved the cancellation of the January 4, 2022 City Council Meeting. (5-0.)

E. The Public Record

Public Comment: (1) Tessa Woodmansee spoke to the land use items, fossil fuels, and the importance of hearing the community's voices. (2) Blair Beekman spoke to the agricultural item and the Vista Montana encampment site process.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sylvia Arenas and carried unanimously, the Public Record for October 14, 2021– October 21, 2021 was noted and filed. (5-0.)

F. Boards, Commissions and Committees

None provided.

G. Rules Committee Reviews, Recommendations and Approvals

1. Consent Calendar

- a. 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)**
- b. 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)**

Public Comment: Tessa Woodmansee spoke to the public voting process and the realignment of the San José districts.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sylvia Arenas and carried unanimously, the City Council Sponsored Special Events were both retroactively approved and approved and placed on the November 2, 2021 Council Agenda for action. (5-0.)

2. Charter Review Commission Workplan. (Jones and Jimenez)

Public Comment: (1) Tessa Woodmansee spoke to the fossil fuel mitigation process. (2) Blair Beekman spoke to open public practices, equity, and green sustainability. (3) Andrew Boone stated the climate action plan needs more discussion and should include pollution, police oversight concerns, and respecting the time and efforts by the public and commission.

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G.2 (Cont'd.)

(4) Mollie M. spoke to reimagining ideas, hearing the voices of those who are disabled in the Charter Review Commission, and stated her opposition of the joint memorandum. (5) Caller '5140' spoke to ideas of reimagining. (6) Kathryn M. spoke to natural spaces, climate issues in San José, and stated the work the Climate Crisis Action Commission's is doing is not duplicate to the work the City is doing. (7) Martha O'Connell and Sandra spoke to their support of the joint memorandum. (9) Ellina; Chris Logan, from The Sacred Heart Organization; Laurie Valdez; Maria Fuentes, a member of the Charter Review Commission; Laverne Foster; Kiana Simmons; Tobin Gilman; Khari Crawford; Veronica Amador; Frederick Ferrer; Louis Barocio; Iheoma Umez-Eronnini; Caller 'RK'; Dr. Sherry Segura; Magnolia Segal; Darcie Green; Caller 'Black Outreach'; and Micael E stated their disagreements with the joint memorandum, the importance of the Charter Review Commission, community oversight, police accountability, continuing the work being done regarding police oversight, and police oversight belonging in the Charter Review Commission.

Vice Mayor, Chappie Jones addressed the public's concerns and spoke to the joint memorandum.

Action: No motion was made by the Committee. The item will not move forward at this time.

H. Review of additions to Council Committee Agendas/Workplans

- 1. Community and Economic Development Committee**
- 2. Update to the August 2021 - June 2022 Neighborhood Services and Education Committee Work Plan. (Housing)**

Public Comment: (1) Tessa Woodmansee spoke on the importance of education. (2) Blair Beekman spoke to rent stabilization program strategies and the homeless annual report. (3) Andrew Boone spoke to the unhoused community, rent stabilization, and displacement. (4) Caller '5140' spoke to the unhoused community.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Dev Davis and carried unanimously, the Committee approved the 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) (4-0-1. Absent: Arenas)

- 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

None provided.

J. Open Forum

1. Tessa Woodmansee spoke to community engagement and the continued efforts of the commission regarding police oversight.
2. Blair Beekman spoke to the public commission process.
3. Andrew Boone spoke to a City community event “Viva Calle”, greenhouse gas emissions, and the need for narrower streets in certain areas of San José.
4. Caller ‘5140’ spoke to his previous public comment.

K. Adjournment

Vice Mayor Chappie Jones adjourned the Committee meeting at 3:55 p.m.

Approved at the 12/14/21 Council Meeting

Vice Mayor Chappie Jones, Chair
Rules and Open Government Committee

CJ/yj/:rulesmin_10-27-21