

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

**SAN JOSÉ, CALIFORNIA**

**WEDNESDAY, NOVEMBER 13, 2024**

The Committee meeting was held in the Council Chambers. The meeting convened at 2:00 p.m.

Present: Councilmembers - Cohen, Foley, Jimenez, and Davis.

Absent: Councilmembers - Kamei.

Staff: Assistant City Manager, Lee Wilcox; Assistant City Attorney, Kevin Fisher; Assistant City Clerk, Joy Rodriguez; City Manager's Office, Rachelle Blattman; and Deputy City Clerk, Daniel Aguilar.

**A. City Council (City Clerk)**

**1. Review November 19, 2024 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)

Public Comment: None provided.

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the final agenda for the City Council meeting on November 19, 2024; including the add sheet, and Item 10.2 (PDC22-132 & ER23-041 - Planned Development Rezoning of the Good Samaritan Hospital Site on Certain Real Property Located at 2333 and 2425 Samaritan Drive), to be heard *not before* 6 p.m. (4-0-1; Absent: Kamei)

**2. Review November 26, 2024 Draft Agenda - *Meeting Cancelled.***

**B. Consent Calendar**

Public Comments: None provided.

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember Sergio Jimenez, and carried unanimously, the Consent Calendar was approved as a whole. The below actions were taken as indicated. (4-0-1; Absent: Kamei)

### **1. City Council Appointments. (Mayor)**

The appointment of Councilmember Candelas to the Valley Transportation Agency (VTA) Board in the Alternate position was approved, and to be placed on the November 19, 2024 Council Agenda for action.

### **2. Update to the August - December 2024 Transportation and Environment Committee Work Plan. (Public Works/Energy)**

The amendment to the August - December 2024 Transportation and Environment Committee Work Plan was approved.

### **3. Release Date for Study Session. (City Manager)**

The release of date held for a Study Session on Friday, December 6, 2024 was approved.

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

### **1. Annual Merit Increases and Additional Executive Leave for Council Appointees. (Mayor)**

Adopt a resolution:

A. Approving a 2.5% merit increase for the City Manager, City Attorney, and City Auditor retroactively effective to July 1, 2024, and granting an additional forty (40) hours of executive leave to each of these Council Appointees for the payroll calendar year 2025; and approving a 1% merit increase for the City Clerk retroactively effective to July 1, 2024, and granting an additional twenty-four (24) hours of executive leave for the payroll calendar year 2025.

B. Place this item on the November 19, 2024 Council Agenda for action.

Public Comment: None provided.

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember Sergio Jimenez, and carried unanimously, the 2.5% merit increases for the City Manager, City Attorney, City Auditor, and City Clerk were approved for placement on the November 19, 2024 Council Agenda for action. (4-0-1; Absent: Kamei)

### **2. Filling District 3 Council Vacancy. (Jimenez)**

1. Direct the City Clerk to agendize for the November 19, 2024, City Council Meeting a conversation on an appointment process for replacing resigned Councilmember Omar Torres.
2. Direct the City Clerk to schedule a special Council meeting on or before December 27, 2024, for the Council to interview qualified candidates and make an appointment.

Public Comment: Tina Morrill offered public comment.

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember Dev Davis, and carried unanimously, (1) a conversation on an appointment process is to be agendized for the November

19, 2024 City Council Meeting; (2) a special Council meeting on or before December 27, 2024, for the Council to interview qualified candidates and make an appointment is to be scheduled; and memorandums from Councilmember Sergio Jimenez dated November 6, 2024, and the joint memorandum from Mayor Mahan, Councilmember David Cohen and Councilmember Pam Foley, dated November 8, 2024, so moved. (4-0-1; Absent: Kamei)

#### **D. Open Forum**

1. Tina Morrill requested to agendize a discussion to allow the public to provide public comment during meetings without having to be physically present in Council Chambers.
2. Gail provided public comment regarding an unhoused senior living on the street, the tragedy of homelessness in the City, and offered recognition of some recent positive assistance.

#### **E. Adjournment**

Chair David Cohen adjourned the Committee meeting at 2:11 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,

*Daniel Aguilar*

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Daniel Aguilar  
Deputy City Clerk, City of San José

Approved at Council on:

Number of actions: 4

Attest By:

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Toni J. Taber, MMC  
City Clerk, City of San José