



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

SAN JOSE, CALIFORNIA

WEDNESDAY, APRIL 22, 2020

Consistent with the California Governor's Executive Order No. N-29-20, Resolution No. 79450 from the City of San José and the Santa Clara County Health Officer's March 16, 2020 Shelter in Place Order, the City Council meeting was not physically open to the public. Public comments were accepted via eComment, email, by phone/Webinar or online.

The Council meeting was teleconferenced from remote locations and convened at 2:02 p.m.

Present: Councilmembers - Arenas, Davis, Jones, Khamis; Liccardo.

Absent: Councilmembers - All Present.

1. Review April 28, 2020 Final Agenda

- a) Add new items to Final Agenda**
- b) Assign "Time Certain" to Agenda Items (if needed)**
- c) Review of Notice Waiver Requests for Agenda Items or Documents (if needed)**

Councilmember Sylvia Arenas requested that an update be provided by Chief of Police Edgardo Garcia as part of Item 4.1 relating to aggravated/sexual assault.

Staff recommended an 11 a.m. start time due to the number of topics to be covered.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sylvia Arenas and carried unanimously, the Committee accepted the April 28, 2020 Final Agenda, including a Sunshine waiver for late posting of Councilmember Sylvia Arenas' memorandum for Item 4.1, and with an 11 a.m. start time approved. (5-0.)

2. Review May 5, 2020 Draft Agenda

- a) Add new items to Final Agenda**
- b) Assign "Time Certain" to Agenda Items (if needed)**
- c) Review of Notice Waiver Requests for Agenda Items or Documents (if needed)**

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2. Review May 5, 2020 Draft Agenda (Cont'd.)

Public Comments: Blair Beekman advocated for good sustainability practices and accountability regarding 5G technology and surveillance upgrades.

Action: Upon motion by Vice Mayor Chappie Jones, seconded by Councilmember Dev Davis, and carried unanimously, the Committee accepted the May 5, 2020 Draft Agenda. (5-0.)

B. Review of Upcoming Meeting Agenda(s)

There were none presented.

C. Legislative Update

1. State
2. Federal

There were none presented.

D. ROGC Revised 2019-2020/2020-2021 City Budget Calendar. (City Manager)

City Manager, David Sykes outlined the revised budget calendar, and Budget Director, Jim Shannon followed up with more details. A one-week shift was noted, with the Budget Study Sessions consolidated into two days.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Johnny Khamis, and carried unanimously, the revised 2019-2020/2020-2021 City Budget Calendar as presented in Attachment A of the staff memorandum and the schedule for City Council Budget Study Sessions for the 2020-2021 Operating Budget, 2020-2021 Capital Budget and 2021-2025 City Capital Improvement Program, and 2020-2021 Fees and Charges Report as presented in Attachment B and explained in the staff memorandum were accepted, and this item was placed on the April 28, 2020 City Council Agenda for adoption. (5-0.)

E. The Public Record

Public Comments: Blair Beekman urged openness and accountability in the process for placement of 5G towers and noted the need for graffiti abatement.

Action: Upon motion by Vice Mayor Chappie Jones, seconded by Councilmember Johnny Khamis and carried unanimously, the Public Record for April 10, 2020 – April 16, 2020 was noted and filed. (5-0.)

F. Boards, Commissions and Committees

None provided.

G. Rules Committee Reviews, Recommendations and Approvals

- 1. Consent Calendar – None**
- 2. Cancellation of City Council Committee, Board, and Commission Meetings, with a Few Exceptions, and Updates to the January – June 2020 City Council Committee Workplans. (City Manager)**

Action: Upon motion by Vice Mayor Chappie Jones, seconded by Councilmember Dev Davis and carried unanimously, the Cancellation of Meetings, with exceptions as noted and updates to the Work Plans, were accepted. (5-0.)

- 3. Back to Work, Safely: Preparing A Protected, Prudent Path. (Mayor)**

Public Comments: Thirteen members of the public addressed public safety in light of COVID-19, expressing the need to partner with other government agencies to track, contain and isolate the virus, without a redundancy of efforts. Members of labor organizations and the Building and Construction Trades Council expressed safety concerns and the need for health care.

Mayor Sam Liccardo spoke to the guidelines set forth in his memorandum.

Councilmember Johnny Khamis moved approval of the Mayor's recommendations.

Councilmember Sylvia Arenas requested a friendly amendment, to include a backup plan with employer-paid family health care coverage and a strong whistle-blower protection for anyone reporting health and safety violations. Councilmember Johnny Khamis respectfully declined the friendly amendment, indicating he feels that would involve much broader issues than what the City can take on at this time.

Action: On a call for the question, the motion carried, with the City Manager and City Attorney directed to return to Council at the earliest opportunity to describe the Emergency Operations Center's response to any of these views under the City Manager's Report, Item 3.1 on the Council Agenda, and agendize for action as necessary, the following, as further described in the Mayor's April 15, 2020 memorandum: 1. Setting the Goal by Defining the Threshold; 2. Ramping Up Contact Tracing; 3. Identifying Lower-Risk Occupations; 4. Facilitating Construction; 5. Clarifying State Authority; and 6. Clearing Backlogs. (4-1. Noes: Arenas.)

- H. Review of additions to Council Committee Agendas/Work Plans**
 - 1. Community and Economic Development Committee - none provided.**
 - 2. Neighborhood Services and Education Committee**
 - 3. Transportation and Environment Committee – none provided.**
 - 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**
- There were none presented.

I. Open Government

None provided.

OPEN FORUM

Blair Beekman asked that a continuous dialog between the City and constituents ensue in spite of the difficulties we are now facing.

G. Adjournment

Mayor Sam Liccardo adjourned the Committee meeting at 3:18 p.m.



Mayor Sam Liccardo, Chair
Rules and Open Government Committee

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