



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

SAN JOSE, CALIFORNIA WEDNESDAY, JANUARY 26, 2022

COVID-19 NOTICE

Consistent with AB 361 and City of San Jose Resolution Nos. 79485, 80237, 80266, 80290, 80323, and 80343, this meeting will not be physically open to the public and the Joint Meeting of the Rules and Open Government 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: Office of the City Manager, 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 February 1, 2022 Final Agenda

Public Comment: Paul Soto, Blair Beekman, and Brian provided public testimony.

City Clerk, Toni Taber requested interpreters for the February 1, 2022 meeting.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Dev Davis and carried unanimously, the Committee approved the February 1, 2022 Final Agenda, as amended, including the Add Sheet; the Council Meeting will be held virtually. (5-0.)

2. Review February 8, 2022 Draft Agenda

Public Comment: Paul Soto and Blair Beekman offered public comment regarding the item.

City Clerk, Toni Taber requested interpreters for the February 8, 2022 meeting.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Raul Peralez and carried unanimously, the Committee approved the February 8, 2022 Draft Agenda; the Council Meeting will be held virtually. (5-0.)

B. Review of Upcoming Special Meeting Agenda(s)

None provided.

C. Legislative Update

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

There were none presented.

D. Meeting Schedules

E. The Public Record

Public Comment: Blair Beekman, Paul Soto, Brian, and Jill Borders provided public testimony.

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Councilmember Raul Peralez and carried unanimously, the Public Record for January 13– January 20, 2022 was noted and filed. (5-0.)

F. Boards, Commissions and Committees

None provided.

G. Rules Committee Reviews, Recommendations and Approvals

1. Consent Calendar

None provided.

2. Communicating District Changes to Residents. (Mayor, Jimenez, Cohen, Foley, and Mahan)

Public Comment: Blair Beekman and Paul Soto offered public comment regarding the item.

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Councilmember Dev Davis and carried unanimously, the Committee directed the City Manager to identify the cost of communicating to San Jose residents affected by boundary line changes through the redistricting process and return with a recommendation for Council consideration in the FY 21-22 mid-year budget hearing; and directed the City Clerk if Council allocates funding for this purpose in February, to work with the City Manager's Office of Communications to disseminate information in an easily understandable manner to residents in the multiple languages spoken in the respective neighborhoods affected by redistricting. The item was green-lit. (4-0-1. Absent: Davis)

H. Review of additions to Council Committee Agendas/Workplans

- 1. Community and Economic Development Committee**
 - 2. Neighborhood Services and Education Committee**
 - 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**
- a. Public Records Appeal - Katherine Weiland. (Police) - HEARD FIRST**

Victim Advocate, Amanda Gould, read a statement on behalf of Katherine Weiland.

Public Comment: Paul Soto, Brian, Blair Beekman, Cindi Hunter from Next Door Solutions, and Ester Peralez from Next Door Solutions provided public testimony regarding the Public Records Appeal.

Councilmember Raul Peralez requested to hear from the requestor (Katherine Weiland) before allowing the records to be made public.

(Item Continued on the Next Page)

I.a (Cont'd)

City Attorney, Nora Frimann advised the Committee that the decision could be made conditional.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Sylvia Arenas and carried unanimously, the Committee conditionally approved the appeal dependent on the appellants decision by the requestor (Katherine Weiland) to receive the footage and allow the records to be made public. (5-0.)

J. Open Forum

1. Blair Beekman spoke to open communication practices, voting rights issues, and electronic voting ideas.
2. Brian spoke to the Gun Harm Reduction Ordinance Item at yesterday's Council Meeting.
3. Paul Soto applauded Katherine Weiland for her bravery and public safety concerns.
4. Martha O'Connell addressed her concerns with Members of Boards and Commissions being required to divulge their vaccination status.
5. Eric Beckmann addressed his concerns with the Gun Harm Reduction Ordinance adopted yesterday.
6. Jill Borders spoke to her concerns with non-profits possibly being connected to local government policies and renters being able to see the tax bill on where their taxes go.

K. Adjournment

Vice Mayor Chappie Jones adjourned the Committee meeting at 4:56 p.m.

Vice Mayor Chappie Jones, Chair
Rules and Open Government Committee

CJ/yj:rulesmin-1-26-22