

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

SAN JOSÉ, CALIFORNIA

WEDNESDAY, MAY 28, 2025

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

Present: Councilmembers - Cohen, Kamei, Foley, Doan, Candelas.

Absent: Councilmembers - None

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

A. City Council (City Clerk)

1. Review June 3, 2025 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: Blair Beekman offered public comment.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Rosemary Kamei, and carried unanimously, the Committee approved the final agenda for the City Council meeting on June 3, 2025, including the Add Sheet and Sunshine Waiver for agenda item 8.3. (5-0-0)

2. Review June 10, 2025 Draft Agenda

- a) Add New Items to Draft 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: Blair Beekman offered public comment.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Bien Doan, and carried unanimously, the Committee approved the draft agenda for the City Council meeting on June 10, 2025. (5-0-0)

B. Consent Calendar

Public Comment: Blair Beekman offered public comment.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Rosemary Kamei, and carried unanimously, the Consent Calendar was approved as a whole. The below actions were taken as indicated. (5-0-0)

1. The Public Record for May 15, 2025 - May 22, 2025. (City Clerk)

The Public Record for May 15, 2025 - May 22, 2025, was received and filed.

2. Request to Travel. (Mayor)

The request to travel was approved for the Mayor's Office staff.

3. Approval of Free Use on Friday, August 29, 2025, for the Silicon Valley Pride 50th Anniversary Event Co-Hosted by Council District 9 and Silicon Valley Pride as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Foley)

The District 9 Free Use request for the Silicon Valley Pride 50th Anniversary Event was approved.

C. Rules Committee Reviews, Recommendations and Approvals

1. Temporary Moratorium on Smoke Shops. (Ortiz, Campos, Candelas, Cohen, and Casey)

Direct the City Attorney and Planning, Building, and Code Enforcement staff to draft an ordinance enacting a temporary moratorium on approving and establishing new smoke shops citywide, focusing on addressing the overconcentration of such businesses in neighborhoods such as East San José.

Councilmember Peter Ortiz introduced the item, bringing forward the recommendation as outlined in the May 22, 2025 joint memorandum co-authored by Councilmember Ortiz, Councilmember Campos, Councilmember Candelas, Councilmember Cohen, and Councilmember Casey.

Chris Burton, Director, Department of Planning, Building and Code Enforcement; and Rachel Roberts, Deputy Director, Department of Planning, Building and Code Enforcement, responded to questions from the Committee.

Public Comment: Darcie Green and Danny Garza offered public comment.

Motion: Councilmember Bien Doan motioned to include the analysis of the moratorium model from the City of Richmond. The motion failed for lack of a seconder.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Domingo Candelas, and carried unanimously, the City Attorney and Planning, Building, and Code Enforcement staff are directed to draft an ordinance enacting a temporary moratorium on approving and establishing new smoke shops citywide, focusing on addressing the overconcentration of such businesses in

neighborhoods such as East San José; and with a Workload Analysis to return to Rules and Open Government on June 11, 2025. (5-0-0)

D. Open Forum

1. Blair Beekman offered public comment regarding similarities between projects within San Diego and San Jose; and ideas about tech responsibility and staff engagement with the community to seek output.

E. Adjournment

Chair David Cohen adjourned the Committee meeting at 2:37 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,

DRAFT

Daniel Aguilar
Deputy City Clerk, City of San José

Approved at Council on:

Number of actions: 4

Attest by:

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