



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

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, NOVEMBER 29, 2023**

The Committee meeting was held in a hybrid format, both in person in the Council Chambers and teleconferenced from remote locations. The meeting convened at 2:00 p.m.

Present: Councilmembers - Kamei, Davis, Jimenez, Foley.

Absent: Councilmembers - Cohen.

Staff: Assistant City Manager, Lee Wilcox; Assistant City Attorney, Kevin Fisher; City Clerk, Joy Rodriguez; City Manager's Office, Rachele Blattman; and Deputy City Clerk, Grace Turner.

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

**1. Review December 5, 2023 Final Agenda**

Public Comments: Paul Soto offered public comment.

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the final agenda for the City Council meeting on December 5, 2023. (4-0-1; Absent: Cohen)

**2. Review December 12, 2023 Draft Agenda**

Public Comments: Martha O'Connell, Paul Soto, and Glenna Howcroft offered public comments.

Action: Upon motion by Councilmember Dev Davis, seconded by Vice Mayor Rosemary Kamei, and carried unanimously, the Committee approved the draft agenda for the City Council meeting on December 12, 2023, was approved with Land-Use consent to be time certain at 6:00 p.m. (4-0-1; Absent: Cohen)

## B. Consent Calendar

Public Comments: Paul Soto offered public comment.

Action: Upon motion by Councilmember Dev Davis, seconded by Vice Mayor Rosemary Kamei, and carried unanimously, the Consent Calendar was approved, *excluding Item B.6 which was pulled for separate consideration and voted on separately per Brown Act requirements*, the below actions were taken as indicated. (4-0-1; Absent: Cohen)

### **1. The Public Record for November 8 – November 21, 2023. (City Clerk)**

The Public Record for November 8 – November 21, 2023, was received and filed.

### **2. Deferral of Arts, Tourism, and Destination Events Funding Council Study Session. (Economic Development and Cultural Affairs)**

The recommendation to defer the City Council Study Session on Arts, Tourism, and Destination Events Funding currently scheduled for Thursday, November 30, 2023, from 9:00 a.m. to 12:00 p.m. to early 2024, was approved.

### **3. Approval of the World Aids Day Flag Raising and Tower and Rotunda Lighting Sponsored by Council District 9 and Council District 3 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Foley and Torres)**

The World AIDS Day Flag Raising scheduled on December 1, 2023, and Tower and Rotunda Lighting scheduled for November 27 – December 3, 2023, was approved for placement on the December 5, 2023 City Council Agenda.

### **4. Retroactive Approval and Approval of Various District 8 Events as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Candelas)**

The following events were retroactively approved and approved for placement on the December 5, 2023 City Council Agenda: Meadowfair Neighborhood Beautification Day scheduled on October 7, 2023; Old Pleasant Hills Golf Course Community meeting scheduled on October 12, 2023; Norwood Dumpster Day scheduled on October 21, 2023; Autumn Litter Pick Up scheduled on October 21, 2023; Family Fall Festival scheduled on October 28, 2023; Coat Drive Event in District 8 scheduled between November 11 - December 10, 2023; Lake Cunningham Beautification Day scheduled on November 12, 2023; Community Leaders Celebration scheduled on December 7, 2023; Tree lighting at Lake Cunningham scheduled on December 8, 2023; and Santa in the Square scheduled on December 15, 2023.

### **5. Approval of Multiple District 4 Events as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Cohen)**

The Berryessa Arts and Crafts Holiday Boutique that was held on November 18, 2023, was retroactively approved and the following events were approved for placement on the December 5,

2023 City Council Agenda: the Ruskin Drive District 4 Dumpster Day scheduled on December 2, 2023; the Santa Visits Alviso Foundation Event scheduled on December 9, 2023; the Christmas in the Park District 4 Day scheduled on December 14, 2023; and the District 4 Pajama Giveaway scheduled on December 19, 2023.

**6. Annual Merit Increases and Additional Executive Leave for Council Appointees. (Mahan)**

This item was pulled for separate consideration and voted on separately per Brown Act requirements.

Public Comments: None provided.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sergio Jimenez, and carried unanimously, the recommendation to adopt a resolution (a) approving a 2.5% merit increase for the City Manager, City Attorney, City Clerk, and City Auditor retroactively effective to July 1, 2023, and granting an additional forty (40) hours of executive leave to each of these Council appointees for the payroll calendar year 2024, was approved for placement on the December 5, 2023 City Council Agenda for action. (4-0-1; Absent: Cohen)

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

None provided.

**D. Open Forum**

1. Paul Soto spoke on their civil rights and due process and rules regarding restraining orders.
2. Martha O' Connell spoke on challenges related to communicating with Councilmembers and their offices.

**E. Adjournment**

Vice Chair Pam Foley adjourned the Committee meeting at 2:19 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,

*DRAFT- Grace Turner*

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Grace Turner  
Deputy City Clerk, City of San José

Approved at Council on:

Attest By:

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