

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

SAN JOSÉ, CALIFORNIA

WEDNESDAY, SEPTEMBER 10, 2025

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

Present: Councilmembers - Cohen, Kamei (*in at 2:02 p.m.*), Doan, Candelas.

Absent: Councilmembers - Foley.

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

A. City Council (City Clerk)

1. Review September 16, 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: None provided.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Domingo Candelas, and carried unanimously, the Committee approved the final agenda for the City Council meeting on September 16, 2025; including the add sheet. (3-0-2; Absent: Foley, Kamei.)

2. Review September 23, 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: None provided.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Domingo Candelas, and carried unanimously, the Committee approved the draft agenda for the City Council meeting on September 23, 2025. (4-0-1; Absent: Foley)

B. Consent Calendar

Public Comment: Brian Darby offered public comment.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Domingo Candelas, and carried unanimously, the Consent Calendar was approved *as a whole*. The below actions were taken as indicated. (4-0-1; Absent: Foley)

1. Monthly Report of Activities for August 2025. (City Auditor)

Approve the Auditor's Office Monthly Report of Activities for the month of August 2025.

Action: The Auditor's Office Monthly Report of Activities for the month of August 2025 was approved. (4-0-1; Absent: Foley)

2. Update to the August – December 2025 Public Safety, Finance and Strategic Support Committee Work Plan. (City Auditor)

Approve an amendment to the August – December 2025 Public Safety, Finance and Strategic Support (PSFSS) Committee Work Plan to add the following item to the December 4, 2025, PSFSS Committee meeting.

Fire Department Inventory Controls over Controlled Substances Audit Report.

Purpose: Provide a report on the audit of the Fire Department's Inventory Controls over Controlled Substances. (City Auditor)

Action: The amendment to the August – December 2025 Public Safety, Finance and Strategic Support (PSFSS) Committee Work Plan was approved. (4-0-1; Absent: Foley)

C. Rules Committee Reviews, Recommendations and Approvals

1. Enhanced Street Closure Noticing Policy. (Doan, Casey, Kamei, and Tordillos)

Direct the City Manager to return to the Community and Economic Development Committee (CED) within six months with recommendations to improve the special event process, especially along highly congested roadways and in heavily populated areas of our city, by reviewing existing guidelines and developing recommendations in the following areas:

1. Improving the effectiveness of noticing requirements including, but not limited to, direct, multilingual outreach to residents and businesses, use of physical mailers or flyers, and coordination with businesses.
2. Improving strategies to improve operational efficiency and minimize negative impacts on traffic flow, residents, and businesses during and after street closures.
3. Providing any additional recommendations to enhance events.

Councilmember Bien Doan introduced the item, bringing forward the recommendation as outlined in the September 4, 2025 joint memorandum co-authored by Councilmember Bien Doan, Councilmember George Casey, Councilmember Rosemary Kamei, and Councilmember Anthony Tordillos.

Public Comment: None provided.

Lee Wilcox, Assistant City Manager, City Manager's Office, confirmed that the Enhanced Street Closure Noticing Policy will not require a Workload Analysis.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Rosemary Kamei, and carried unanimously, the Enhanced Street Closure Noticing Policy was approved to return to the Community and Economic Development Committee (CED) within six months with recommendations to improve the special event process, especially along highly congested roadways and in heavily populated areas of the city. (4-0-1; Absent: Foley)

2. Ordinance Prohibiting Law Enforcement Officers from Concealing their Identities in the City of San José. (Ortiz, Kamei, Cohen, and Campos)

Direct the City Attorney's Office to return within 60 days with proposed language for a draft ordinance that would:

1. Prohibit Concealment of Identity

Prohibit all law enforcement officers, including federal agents operating within the City of San José, from wearing any mask or personal disguise while interacting with the public in the course of their duties within the city.

Appropriate, pre-approved exemptions would apply, including the use of gas masks, fire/smoke protection masks, or medical grade masks, when necessary, as well as exemptions for lawful undercover law enforcement operations and operations predefined by the Chief of Police.

2. Require Visible Identification

All law enforcement officers, including federal agents operating within the City of San José, must wear visible identification and clear agency affiliation while interacting with the public during their duties within the city.

3. Information Sharing

SJPD will report to the City Manager's Office any instance where Police Department Officers respond to an incident involving a federal agency conducting immigration enforcement activity in the city.

The City Manager's Office will share the reports to the Council Offices and will then partner with the council offices to share them with a cross-sector community leadership group. Before undertaking operations that are reasonably likely to involve agency personnel wearing facial coverings, require federal law enforcement agencies to provide advance notice to the San José Police Department.

4. Use CIPC Ordinance as Guiding Framework

The City Attorney's Office shall use the ordinance template prepared by the California Immigrant Policy Center (Attachment) regarding law enforcement officer identification and prohibition of face coverings as a guiding framework when developing the proposed draft ordinance for the City of San José.

Councilmember Peter Ortiz introduced the item, bringing forward the recommendation as outlined in the September 4, 2025 joint memorandum co-authored by Councilmember Peter Ortiz, Councilmember Rosemary Kamei, Councilmember David Cohen, and Councilmember Pamela Campos.

Public Comment: Sameena, Brenda, Brian Darby, Deb St. Julian, Shannon, Kim Guptill, Lori, Bob Brownstein, J. Manuel Herrera, Jeremy Barousse, Jose Abastida, Maria Fuentes, Katie P., Margarita, Marina, Juritz, Derek Grasty, Kimberly Woo, Lawrence, Isabella Vallejo, Citlalmina, Viridiana B., and one anonymous speaker, offered public comment.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Bien Doan, and carried unanimously, the City Attorney's Office is directed to return to City Council within 60 days with proposed language for a draft ordinance prohibiting Law Enforcement Officers from concealing their identities in the City of San José. (4-0-1; Absent: Foley)

D. Open Forum

1. Brian Darby offered public comment regarding recent political violence, a recent local robbery, and concept of global nuclear exchange.

E. Adjournment

Chair David Cohen adjourned the Committee meeting at 3:02 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: 5

Attest by:

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