



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

SAN JOSE, CALIFORNIA

WEDNESDAY, April 6, 2022

COVID-19 NOTICE

Consistent with AB 361 and City of San Jose Resolution Nos. 79485, 80237, 80266, 80290, 80323, 80343, 80363, 80400 and 80445, the Council Committee meeting will not be physically open to the public and the 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 - Arenas (2:03 p.m.), Cohen, Davis, Peralez (2:01 p.m.), Jones

Absent: Councilmembers - None

Staff: Assistant City Manager, Lee Wilcox; City Attorney, Nora Frimann; City Clerk, Toni Taber; City Manager's Office, Gloria Schmanek; Nasrine Lakabi, District 1 Council Office; and Deputy City Clerk, Megan Roche.

A. City Council (City Clerk)

1. Review April 12, 2022 Final Agenda

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

Public Comments: None.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember David Cohen, and carried unanimously, the Committee approved the final agenda for the City Council meeting on April 12, 2022 with the Add Sheet. (5-0-0)

2. Review April 19, 2022 Draft Agenda

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

Public Comments: None.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sylvia Arenas, and carried unanimously, the Committee approved the draft agenda for the City Council meeting on April 19, 2022. (5-0-0)

B. Consent Calendar

Public Comments: None.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sylvia Arenas, and carried unanimously, the Consent Calendar was approved. (5-0-0)

1. The Public Record for March 24 – March 30, 2022. (City Clerk)

The Public Record for March 24 – March 30, 2022 was noted and filed.

2. Retroactive Approval of Memorial Bench Ribbon Cutting at Plata Arroyo Park Event Sponsored by Council District 5 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Carrasco)

The Memorial Bench Ribbon Cutting at Plata Arroyo Park Event sponsored by District 5 was approved for placement on the April 12, 2022 City Council agenda.

3. Approval of Cape Colony Dumpster Day Sponsored by Council District 4 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Cohen)

The Cape Colony Dumpster Day sponsored by District 4 was approved for placement on the April 12, 2022 City Council agenda.

4. Approval of Willow Glen Dumpster Day Sponsored by Council District 6 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Davis)

The Willow Glen Dumpster Day sponsored by District 6 was approved for placement on the April 12, 2022 City Council agenda.

5. Retroactive Approval of Trash Talks Sponsored by Council District 6 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Davis)

The community office hours Trash Talks sponsored by District 6 was approved for placement on the April 12, 2022 City Council agenda.

C. Rules Committee Reviews, Recommendations and Approvals

1. Local/Small Business Preferences. (Jones)

Public Comments: None.

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved Councilmember Chappie Jones' memorandum to (1) Direct City Attorney to amend Section 27.06.050(g) of the San José Municipal Code "Procuring Minor Public Works Projects" to increase the preference provided if the Contractor is: (a) a Local Business Enterprise from 2.5% to 5%; and (b) a Local and a Small Business Enterprise from 2.5% to 5%, and (2) Direct City Manager to update procurement preferences for Minor Public Works Contracts accordingly per the approved amendment. This amendment was scheduled for approval on the City Council Agenda of April 26, 2022. (5-0-0)

2. Oppose the Valley Water District Measure Extending Term Limits for Board Members. (Mahan)

Public Comments: None.

Action: Upon motion by Councilmember Dev Davis, and seconded by Councilmember Sylvia Arenas, the Committee approved Councilmember Matt Mahan's memorandum to direct the City Attorney to draft a resolution that: (1) Opposes Santa Clara Valley Water District's (VWD) term limit extension measure and, (2) Calls on other cities in VWD's service area to join in opposing the measure. This item was approved for placement on the April 12, 2022 City Council agenda. (3-2-0; Noes: Cohen, Jones)

D. Open Forum

1. Maxim Kupfer described the difficulties in becoming an informed decisionmaker and alternative goals for making water more efficient instead of placing a measure on the ballot.
2. Brian Darby discussed corruption and the use of misleading tactics within the water industry.
3. Martha O'Connell discussed attempts to contact Environmental Services regarding the plan to electrify buildings in San José and was informed by the State of California that San José is without legal authority to mandate such a program in mobile home parks.
4. Jill Borders requested an update on the General Plan regarding land use and zoning compliance for the mobile home overlay.

E. Adjournment

Vice Mayor Chappie Jones adjourned the Committee meeting at 2:40 p.m.



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Vice Mayor Chappie Jones, Chair
Rules and Open Government Committee

CJ/mr:rulesmin20220406