



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

SAN JOSE, CALIFORNIA WEDNESDAY, SEPTEMBER 1, 2021

Consistent with the California Governor’s Executive Order No. N-29-20, Resolution No. 79450 from the City of San José and the Santa Clara County Health Officer’s March 16, 2020 Shelter in Place Order, the City Council meeting was not physically open to the public. Public comments were accepted via eComment, email, by phone/Webinar or online.

The Council meeting was teleconferenced from remote locations and convened at 2:0 p.m.

Present: Councilmembers - Jones, Peralez, Arenas, Cohen, Davis.

Absent: Councilmembers - All present.

Staff: City Manager, Jennifer Maguire; Office of the City Manager, Chief of Staff, 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 September 7, 2021 Final Agenda

Cancelled.

2. Review September 14, 2021 Draft Agenda

Public Comment: (1) Blair Beekman spoke to emergency radio services and suggested having a first responder channel accessible to the public for emergencies. (2) Paul Soto spoke to transportation issues, grant writing, the allocation of grant funds, and the Consent Calendar. (3) Martha O’Connell requested an Add Sheet to address the appointment of the Commissioners for the Housing Commission.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sylvia Arenas and carried unanimously, the Committee approved the September 14, 2021 Draft Agenda. (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

a. Release Date for Study Session. (City Manager)

Public Comment: (1) Blair Beekman requested clarification on the study session. (2) Paul Soto requested additional information and details to be made available prior to the study sessions.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Dev Davis and carried unanimously, the recommend release of the date held for a Study Session on Friday, September 17, 2021 was approved. (5-0.)

E. The Public Record

None presented.

F. Boards, Commissions and Committees

None provided.

G. Rules Committee Reviews, Recommendations and Approvals

1. Consent Calendar

- a. Approval of Mexico's Independence Flag Raise Ceremony, Tower and Rotunda Lighting on September 16-22 and Community 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)**
- d. Retroactive Approval of Multiple Special Events Sponsored by Council District 7 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Esparza)**

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G. 1 (Cont'd.)

- e. Approval of Fall Family Festival Community Event Sponsored by Council District 8 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Arenas)**

Public Comment: (1) Blair Beekman addressed his gratitude for Mexico's Independence Flag Raising Ceremony and spoke to gun violence in Mexico. (2) Paul Soto suggested using Mexico's Independence Flag Raising Ceremony to address the important history and culture of Mexico.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sylvia Arenas and carried unanimously, the City Council Sponsored Special Events were approved and retroactively approved, and all were cross-referenced to the September 14, 2021 Council Agenda for action. (5-0.)

- b. Approval of Three Dumpster Days 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)**

- c. Retroactive Approval of Two Dumpster Days 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)**

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sylvia Arenas and carried unanimously, the City Council Sponsored Special Events was approved and cross-referenced to the September 21, 2021 Council Agenda for action. Item G.1c, the event scheduled for September 4, was dropped. (5-0.)

- 2. Pedestrian Safety Pilot at Monterey Rd. and Curtner Ave. (Esparza)**

DEFERRED TO 9/8/21 PER ADMINISTRATION.

- 3. City of San Jose and Santa Clara Valley Water Efforts Toward Purified Water Project. (Jones, Cohen, Jimenez)**

DEFERRED TO 9/8/21 PER ADMINISTRATION.

H. Review of additions to Council Committee Agendas/Workplans

- 1. Community and Economic Development Committee**

2. Neighborhood Services and Education Committee

a. Update to the August 2021-June 2022 Neighborhood Services and Education Committee Work Plan. (Housing)

Public Comment: (1) Blair Beekman spoke to the funding of subsidy programs. (1) Paul Soto spoke to racism, redlining, and generational wealth. (3) Brian suggested making the work plans audible to those with disabilities and audibly translated for those with language barriers. (4) Tessa Woodmansee spoke to housing conversions and spoke to residential and commercial housing and developments.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember David Cohen and carried unanimously, the Committee approved dropping the following from the Neighborhood Services and Education Committee Work Plan for the September 9, 2021 meeting. (a) FY 2020-2021 Consolidated Annual Performance Evaluation Report. (5-0.)

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

a. Update to the August 2021 - June 2022 Smart Cities and Service Improvements Committee Work Plan. (Finance)

Public Comment: (1) Blair Beekman spoke to the procurement process, the Technology Ordinance, and focusing on the humanity aspect of these issues. (2) Paul Soto addressed his concerns with the use of technology and data and stated racism is not detectable in technology. (3) Tessa Woodmansee spoke to pollution and air quality. (4) Brian addressed 311 application issues.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember David Cohen and carried unanimously, the Committee approved the following addition to the Smart Cities and Service Improvements Committee Work Plan for the October 7, 2021 meeting. (a) Procurement Improvement Status Report. (5-0.)

I. Open Government

None provided.

J. Open Forum

1. Paul Soto addressed his refusal of entry into the Council Meeting on August 31, 2021.
2. Gail Anne Osmer spoke to her concerns with the lack of housing or motels for the unhoused community at Columbus Park.
3. Brian thanked the Councilmembers and Staff for all their efforts during the pandemic.
4. Tessa Woodmansee spoke to issues in her neighborhood regarding the General Plan without proper notification.
5. Blair Beekman thanked Mayor Sam Liccardo for addressing the issues with the Santa Clara Sheriff, the economic task force, and reimagining equity.

K. Adjournment

Vice Mayor Chappie Jones adjourned the Committee meeting at 2:49 p.m.

Vice Mayor Chappie Jones, Chair
Rules and Open Government Committee

CJ/yj:rulesmin/9-1-21