

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

SAN JOSE, CALIFORNIA

WEDNESDAY, OCTOBER 2, 2024

The Committee meeting was held in the Council Chambers. The meeting convened at 2:02 p.m.

Present Councilmembers: - Cohen, Foley, Jimenez, and Davis.

Absent Councilmembers: - Kamei.

Staff: Assistant City Manager, Lee Wilcox; City Attorney, Nora Frimann ; City Clerk, Joy Rodriguez; City Manager's Office, Rachelle Blattman; and Deputy City Clerk, Daniel Aguilar.

A. City Council (City Clerk)

1. Review October 8, 2024 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 provided public comment.

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the draft agenda for the City Council meeting on October 8, 2024, including the add sheet. (4-0-1; Absent: Kamei)

2. Review October 8, 2024 Draft Agenda – *Meeting Cancelled.*

B. Consent Calendar

Public Comment: Blair Beekman provided public comment.

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember Dev Davis and carried unanimously, the Consent Calendar was approved with the below actions taken as indicated. (4-0-1; Absent: Kamei)

1. The Public Record for September 19 – September 26, 2024 (City Clerk)

The Public Record for September 19 – September 26, 2024, was noted and filed.

2. Retroactive Approval of the Lowrider and El Grito Events Sponsored by Council District 3 and Council District 5 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Torres and Ortiz)

The Special Events sponsored by Council District 3 and Council District 5 were retroactively approved, to be placed on the October 8, 2024, Council Agenda for action.

C. Rules Committee Reviews, Recommendations and Approvals

1. Ordinance Amendment for Sale or Use of Algorithmic Devices for Residential Dwelling Units. (Ortiz, Torres, and Cohen) - RECOMMEND DEFERRAL

1. Consider an ordinance prohibiting the sale or use of algorithmic devices to set rents or manage occupancy levels for residential dwelling units in San José.
2. Add the draft ordinance of the City Council of the City of San José amending San José Municipal Code to prohibit the sale or use of algorithmic devices to set rents or manage occupancy levels for residential dwelling units located in San José to the City Council. [Deferred from 9/4/2024 - Item C.2 (ROGC 24-682)] RECOMMEND DEFERRAL TO 10/9/2024 PER ADMINISTRATION

Public Comment: Blair Beekman provided public comment.

Erik Solivan, Director, Housing Department, responded to questions from the Committee.

Motion: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember David Cohen, the deferral of item C.1 was *not* approved. (2-2-1; Noes: Davis, Foley; Absent: Kamei)

Item C.1 was then scheduled to be heard on the agenda.

Action to be provided.

2. Recommendation from the Board of Fair Campaign and Political Practices. (City Clerk)

Discussion and possible action on the recommendation from the Board of Fair Campaign and Political Practices regarding independent committee disclosures.

Action minutes to be provided.

3. Publishing Public Safety Data by Council District. (Batra)

Direct the City Manager to: 1. At the October Public Safety, Finance and Strategic Support Committee meeting, present a plan and timeline for the monthly publishing of crime statistics by City

Council district. a. These statistics could include but not be limited to the same statistics currently published on the San José Police Department's website. b. Modify the Public Safety, Finance, and Strategic Support Work Plan for the period of August through December 2024 to incorporate this recommendation.

Action minutes to be provided.

4. Proposed Revisions to Council Expenditure Policy 0-38. (City Clerk)

Refer to the City Council for the October 8, 2024 Council agenda to approve revisions to City Council Policy 0-38, City Council Expenditure and Reimbursement Policy, to provide updates for clarification and language consistency; to provide substantive updates to sections entitled Admission to Events, Training and Professional Development (formerly Membership Dues), Employee Recognition, and Unauthorized Expenditure of Public Funds; and to reorganize information for grants, monetary contributions, and in-kind contributions.

Action minutes to be provided.

D. Open Forum

1. Blair Beekman offered public comment.
2. James Campbell offered public comment.

E. Adjournment

Chair Cohen adjourned the Committee meeting at 3:12 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: 7

Attest By:

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