



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

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, FEBRUARY 9, 2022**

**COVID-19 NOTICE**

*Consistent with AB 361 and City of San Jose Resolution Nos. 79485, 80237, 80266, 80290, 80323 and 80343, 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 (2:11 p.m.), Cohen, Davis, Jones, Peralez (2:11 p.m.)

Absent: Councilmembers - All present.

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 February 15, 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: The following members of the public provided comments: Blair Beekman, Tessa Woodmansee, and Brian.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember David Cohen, and carried unanimously, the Committee approved the final agenda and add sheet for the City Council meeting on February 15, 2022, with item 3.3 deferred to a meeting in March. (5-0-0)

## **2. Review February 22, 2022 Draft Agenda- Cancelled.**

### **B. Review of Upcoming Meeting Agenda(s)**

There were none presented.

### **C. Legislative Update**

- 1. State**
- 2. Federal**

There were none presented.

### **D. Meeting Schedules**

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

Public Comments: The following member of the public provided comments: Tessa Woodmansee.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Sylvia Arenas, and carried unanimously, the Committee approved the release of the February 14, 2022 study session date. (5-0-0)

### **E. The Public Record for January 27 – February 3, 2022. (City Clerk)**

Public Comments: The following members of the public provided comments: Blair Beekman and Tessa Woodmansee.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sylvia Arenas, and carried unanimously, the Public Record for January 27 – February 3, 2022 was noted and filed. (5-0-0)

### **F. Boards, Commissions and Committees**

#### **1. Appointments**

##### **(a) VEBA Advisory Committee Appointment. (Human Resources)**

##### **(b) Deferred Compensation Advisory Committee Appointments. (Human Resources)**

At the request of Vice Mayor Jones, items F.1.a and F.1.b were discussed and voted upon as one item.

Public Comments: None.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Raul Peralez, and carried unanimously, the appointments to the VEBA Advisory Committee and Deferred Compensation Advisory Committee were approved for placement on the February 15, 2022 City Council Agenda. (5-0-0)

## **2. Work Plans & Annual Reports**

## **G. Rules Committee Reviews, Recommendations and Approvals**

### **1. Consent Calendar**

- (a) Approval of Two Special Events Sponsored by Council District 4 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Event. (Cohen)**
- (b) Approval of City Hall Lighting Display Sponsored by Council District 1 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Jones)**

Public Comments: The following members of the public provided comments: Tessa Woodmansee and Blair Beekman.

Action: Upon motion Councilmember Dev Davis, seconded by Councilmember Raul Peralez, and carried unanimously, the City Council Sponsored Special Events were approved and cross-referenced to the February 15, 2022 Council Agenda for action. (5-0-0)

### **G.2. Rainbow Chamber Membership. (Foley)**

Public Comments: The following member of the public provided comments: Tessa Woodmansee.

Action: Upon motion Councilmember Dev Davis, seconded by Councilmember David Cohen, and carried unanimously, the Committee approved the use of Council District 9 office funds to purchase membership into the Rainbow Chamber of Commerce Silicon Valley. (5-0-0)

### **G.3. Monthly Report of Activities for January 31, 2022. (City Auditor)**

Public Comments: The following members of the public provided comments: Blair Beekman and Tessa Woodmansee.

Action: Upon motion Councilmember Dev Davis, seconded by Councilmember David Cohen, and carried unanimously, the Committee approved the Auditor's Office Monthly Report of Activities for the month of January 2022. (5-0-0)

### **G.4. Nitrous Oxide Ordinance. (Davis)**

Public Comments: The following member of the public provided comments: Tessa Woodmansee.

Action: Upon motion Councilmember Dev Davis, seconded by Councilmember David Cohen, and carried unanimously, the Committee deferred item G.4 to the Rules and Open Government Committee meeting on February 16, 2022. (5-0-0)

#### **G.5. Amend Rules and Open Government Committee Workplan. (Jones)**

Public Comments: The following members of the public provided comments: Tessa Woodmansee, Blair Beekman, Brian, and Paul Soto.

Action: Upon motion Councilmember David Cohen, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the amended Rules and Open Government Committee workplan for July 2021 through June 2022. (5-0-0)

#### **H. Review of Additions to Council Committee Agendas/Workplans**

- a. Community and Economic Development Committee**
- b. Neighborhood Services and Education Committee Work Plan**
- c. Transportation and Environment Committee**
- d. Public Safety, Finance and Strategic Support Committee**
- e. Joint Meeting of the Rules and Open Government Committee**

None provided.

#### **I. Open Government**

None provided.

#### **J. Open Forum**

1. Blair Beekman spoke of a future with more open democratic practices, more academic processes of government, and more integration of renewable energy over fossil fuels.
2. Brian discussed climate change issues and appreciated how the City tries to meet the needs of everyone.
3. Gail Anne Osmer thanked Councilmember Peralez for the ribbon cutting ceremony, asked where the money from Apple has gone, and expressed concerns over the vacancies at a motel with relation to the unhoused population.
4. Tessa Woodmansee spoke of division stemming from politics, religion, and economics with relation to climate, housing, and food security.
5. Paul Soto discussed the Mexican experience and a power dynamic within government and democracy.

#### **K. Adjournment**

Vice Mayor Chappie Jones adjourned the Committee meeting at 3:04 p.m.

*Chappie Jones*

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Vice Mayor Chappie Jones, Chair  
Rules and Open Government Committee

CJ/mr:rulesmin20220209