

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

SAN JOSE, CALIFORNIA

WEDNESDAY, April 13, 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 (2:20 p.m.), Cohen, Davis, Peralez (2:02 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; and Deputy City Clerk, Megan Roche.

A. City Council (City Clerk)

1. Review April 19, 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 and Kirk Vartan.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Raul Peralez, and carried unanimously, the Committee approved the final agenda for the City Council meeting on April 19, 2022 with the Add Sheet. (4-0-1; Absent: Arenas)

2. Review April 26, 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: The following member of the public provided comments: Blair Beekman.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Raul Peralez, and carried unanimously, the Committee approved the draft agenda for the City Council meeting on April 26, 2022. (4-0-1; Absent: Arenas)

B. Consent Calendar

Public Comments: The following member of the public provided comments: Blair Beekman.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Dev Davis, and carried unanimously, the Consent Calendar was approved. (4-0-1; Absent: Arenas)

1. The Public Record for March 30 – April 7, 2022. (City Clerk)

The Public Record for March 30 – April 7, 2022 was noted and filed.

2. Monthly Report of Activities for March 2022. (City Auditor)

The Monthly Report of Activities for March 2022 was approved.

3. Approval of Earth Day Tree Planting Event 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 Earth Day Tree Planting Event sponsored by District 4 was approved for placement on the April 19, 2022 City Council agenda.

4. Approval of City Hall Free Use on Saturday, April 30, 2022, and the Vietnamese Heritage and Freedom Flag Raising From April 29 - May 5, 2022 for the Black April Commemoration Event Sponsored by Council District 3 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Peralez)

"Free Use" was approved for events and activities held at City Hall on April 30, 2022 for the Black April Commemoration Event co-hosted by the Council District 3 Office and the Vietnamese American Roundtable. It was also approved for the Vietnamese Heritage and Freedom Flag to be raised at City Hall on April 29 - May 5, 2022 as a City Council sponsored Special Event. This item was approved for placement on the April 19, 2022 City Council agenda.

5. Retroactive Approval of Comanche Blossom Valley Neighborhood Association Neighbor Day Event Sponsored by Council District 10 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Mahan)

The Comanche Blossom Valley Neighborhood Association Neighbor Day dumpster event sponsored by District 6 was approved for placement on the April 19, 2022 City Council agenda.

6. Approval of District 5 Earth Day Litter Pickup 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 Earth Day Litter Pickup Event sponsored by Council District 5 was approved for placement on the April 19, 2022 City Council agenda.

7. Update the January - June 2022 Community and Economic Development Committee Work Plan. (Planning, Building and Code Enforcement)

The amendment to the January – June 2022 Community and Economic Development Committee Work Plan was approved.

8. Update the January - June 2022 Transportation and Environment Committee Work Plan. (Environmental Services)

The amendment to the January - June 2022 Transportation and Environment Committee Work Plan was approved.

C. Rules Committee Reviews, Recommendations and Approvals

1. Addressing Rising Crime and Expanding Treatment for Arrestees in San José. (Mayor, Carrasco, and Mahan)

Public Comments: The following members of the public provided comments: Blair Beekman and Kirk Vartan.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember David Cohen, and carried unanimously, the Committee deferred this item for two weeks to request that staff provide more information. (5-0-0)

D. Open Forum

1. Blair Beekman expressed hope for continuing peace negotiations in the Ukraine-Russia area, discussed policies on addressing crime, and also the possibility of ending certain homeless encampment laws.
2. Martha O'Connell discussed attempts to acquire documents from Environmental Services regarding the plan to electrify buildings in San José and offered that both improved outreach and increased accessibility are needed to increase community involvement.
3. Kirk Vartan expressed concern over planned engagement with the community regarding gun ordinances that did not occur and the potential to bypass the Rules and Open Government Committee when items are fast-tracked by City Council.

E. Adjournment

Vice Mayor Chappie Jones adjourned the Committee meeting at 2:32 p.m.

A handwritten signature in blue ink, appearing to read 'Chappie Jones', is positioned above a horizontal line.

Vice Mayor Chappie Jones, Chair
Rules and Open Government Committee

CJ/mr:rulesmin20220413