

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

SAN JOSE, CALIFORNIA

WEDNESDAY, April 20, 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 2:02 p.m.

Present: Councilmembers - Cohen, Davis, Peralez (2:03 p.m.), Jones

Absent: Councilmembers - Arenas

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 26, 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 David Cohen, seconded by Councilmember Raul Peralez, and carried unanimously, the Committee approved the final agenda for the City Council meeting on April 26, 2022. (4-0-1; Absent: Arenas)

2. Review May 3, 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 David Cohen, and carried unanimously, the Committee approved the draft agenda for the City Council meeting on May 3, 2022. (4-0-1; Absent: Arenas)

B. Consent Calendar

Public Comments: The following members of the public provided comments: Martha O'Connell, Blair Beekman, Veronica Amador, Blair Carson, Misrayn Mendoza, Arturo Munoz, Araceli M. Gutierrez, Gustavo Flores, David Vivanco, Yurina, Nancy Robles, Jeremy Barousse, Letty Alvarez, Dilza González, Fernanda Perdomo-Arciniegas, Daniel Vazquez, LUNA (Gabriel Manrique), Jennifer Parra, Italia, Yolanda Chavez Ya, Fermina Reyes, a caller with the phone number ending in 1541, Eva, Teresita, Tony Romero, Gabriela Gutiérrez, Rosario Aguirre, Latinos Unidos (Mayra Pelagio), Esperanza A., Alexandra Rodriguez, Cecilio Villafana, Paola, Liliana Nunez, Rosa Cordova, and Maria Gonzalez.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Dev Davis, and carried unanimously, the Consent Calendar was approved, with the date and time for item B.7, the Study Session regarding Extending Municipal Voting Eligibility to all City Residents, revised to May 17, 2022 in the evening. (4-0-1; Absent: Arenas)

1. The Public Record for April 7 – April 14, 2022. (City Clerk)

The Public Record for April 7 – April 14, 2022 was noted and filed.

2. Update the January - June 2022 Transportation and Environment Committee Work Plan. (Transportation)

The January - June 2022 Transportation and Environment Committee Work Plan was amended to add the following item to the May 2, 2022 meeting: Council Policy 5-1: Transportation Analysis Policy Report. (Transportation)

3. Schedule General Plan Hearing. (Planning, Building and Code Enforcement)

A General Plan Hearing was scheduled for the afternoon of May 3, 2022, to consider City-initiated General Plan amendments related to the North San José Area Development Policy.

4. Approval of City Hall Free Use for the Safer Streets Town Hall 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)

City Hall "Free Use" was approved for the Safer Streets Town Hall on May 7, 2022, hosted by the Council District 3 Office. The Safer Streets Town Hall was approved as a City Council sponsored Special Event. This item was approved for placement on the April 26, 2022 City Council agenda.

5. Agendize San José Youth Commission Report to the Neighborhood Services and Education Committee. (Peralez and Arenas)

Staff was directed to update the Neighborhood Services and Education Committee Work Plan for January - June 2022 and agendize a verbal report of the San José Youth Commission by June 2022 before current Youth Commissioners term out.

6. Retroactive Approval of National Donate Life Month Tower and Rotunda Lighting on April 19 - 25, 2022 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)

April was approved as National Donate Life Month, as a City Council sponsored Special Event; the Tower and Rotunda Lighting on April 19 - 25, 2022 was approved as well. This item was approved for placement on the April 26, 2022 City Council agenda.

7. Extending Municipal Voting Eligibility to all City Residents Study Session. (City Clerk)

The April 29, 2022 Final Agenda for the Extending Municipal Voting Eligibility to all City Residents Study Session was approved, with the date and time of the meeting revised to May 17, 2022 in the evening.

C. Rules Committee Reviews, Recommendations and Approvals

1. The Future of San Pedro Square and Post Street. (Perez)

Public Comments: The following members of the public provided comments: Nate LeBlanc, Eric Nielsen, and Blair Carson.

Action: Upon motion by Councilmember Raul Perez, seconded by Councilmember Dev Davis, and carried unanimously, the Committee moved the memorandum from Councilmember Raul Perez to agendize for the April 26, 2022 City Council discussion the following: (1) Direct City Staff to (a) Fully convert the existing Al Fresco closure of San Pedro Street between W. Santa Clara Street and St. John Street to a permanent closure including procuring permanent infrastructure to safely facilitate the closure. (b) Commence by summer of this year a weekly closure of Post Street between S. First Street and Lightston Alley from Thursday evening to Sundays and procure all relevant permanent infrastructure to safely facilitate the closure. (i) Return to City Council after one year of commencement of weekly closures to evaluate and consider expanding the closure. (c) Include reasonable design guidelines to maintain consistent aesthetic and operations throughout each of the respective corridors. (2) Direct the City Manager and City Attorney to extend the local emergency order affecting San José Al Fresco to March 31, 2023 to allow for adequate time for implementation of Recommendation #1. (4-0-1; Absent: Arenas)

2. Charter Amendment Recommendation. (Carrasco)

Public Comments: The following members of the public provided comments: Martha O'Connell and Blair Beekman.

Action: Councilmember Raul Perez proposed that a discussion regarding the removal of members from the City commissions or boards upon which they are seated, including those that serve on the Planning Commission, be added to the Proposed Roadmap for the Budget Study Session City Council meeting on May 16, 2022. This item failed to move forward due to a lack of a second.

D. Open Forum

1. Blair Beekman inquired about City coordination of different May Day celebrations and hoped that City Council meetings can permanently allow Zoom accessibility.
2. Call-In User_3 predicted that the Mayor's gun control measures will be deemed illegal and expressed dissatisfaction with the San José Police Department.
3. Erika Pinto, on behalf of SPUR, expressed strong support for Councilmember Peralez' memo regarding the future of San Pedro Square and Post Street, which aligns with the goals of making San José more livable, equitable, and sustainable.

E. Adjournment

Vice Mayor Chappie Jones adjourned the Committee meeting at 3:52 p.m.



Email: chappie.jones@sanjoseca.gov

Vice Mayor Chappie Jones, Chair
Rules and Open Government Committee

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