

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

SAN JOSE, CALIFORNIA

WEDNESDAY, April 27, 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, Cohen, Davis, Peralez (2:01 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 May 3, 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 Dev Davis, and carried unanimously, the Committee approved the final agenda for the City Council meeting on May 3, 2022 with the Add Sheet. (5-0-0)

2. Review May 10, 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 Sylvia Arenas, seconded by Councilmember David Cohen, and carried unanimously, the Committee approved the draft agenda for the City Council meeting on May 10, 2022. (5-0-0)

B. Consent Calendar

Public Comments: None

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Sylvia Arenas, and carried unanimously, the Consent Calendar was approved. (5-0-0)

1. The Public Record for April 14 – April 21, 2022. (City Clerk)

The Public Record for April 14 – April 21, 2022 was noted and filed.

2. Retroactive Approval of a Dumpster Day Sponsored by Council District 9 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Foley)

Dumpster Day held at the Cambrian Park Plaza, sponsored by Council District 9, was approved for placement on the May 3, 2022 Council agenda.

3. 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)

Three Dumpster Days scheduled for May 7, May 21, and June 4, 2022, sponsored by Council District 5, were approved for placement on the May 3, 2022 Council agenda.

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: Call-In User_1, Audin Leung, Blair Beekman, and Tyler Haskell.

Action: Councilmember Raul Peralez made a motion, which was seconded by Councilmember David Cohen, to refer the memorandum from Mayor Liccardo and Councilmembers Carrasco and Mahan to the Public Safety, Finance & Strategic Support Committee, with a commitment to collaborate on a joint hearing with the County's Public Safety and Justice Committee.

Action: Councilmember Dev Davis proposed a friendly amendment to recommend the formation of a task force which would be co-directed by the City Manager and Mayor, based on the following section of the joint memorandum: "Direct the City Manager to participate in meetings with the Mayor's Office, SJPd, and key decision makers with other agencies to establish an approach for addressing the public safety challenges posed by high rates of recidivism and methamphetamine

addiction among pretrial releases of arrestees in Santa Clara County.” It was included in Councilmember Dev Davis’ friendly amendment to refer the formation of the task force to the City Council for approval. This friendly amendment was not accepted by Councilmember Raul Peralez.

Action: Councilmember Dev Davis proposed a substitute motion to refer the memorandum from Mayor Liccardo and Councilmembers Carrasco and Mahan to the Public Safety, Finance & Strategic Support Committee, with a commitment to collaborate on a joint hearing with the County’s Public Safety and Justice Committee, and for a referral to the City Council for specific direction to the City Manager to co-lead meetings with the Mayor’s office on the topics outlined in the joint memorandum. This motion failed due to a lack of a second.

Final Action: Councilmember Raul Peralez made a motion, which was seconded by Councilmember David Cohen, to refer the memorandum from Mayor Liccardo and Councilmembers Carrasco and Mahan to the Public Safety, Finance & Strategic Support Committee, with a commitment to collaborate on a joint hearing with the County’s Public Safety and Justice Committee, and with authorization for the Mayor to apply for state funding under California’s Behavioral Health Continuum Infrastructure Program (BHCIP) and Community Care Expansion (CCE). (5-0-0) Councilmember Raul Peralez encouraged the San José Police Department to apply for available grant funding.

D. Open Forum

1. Blair Beekman discussed the lack of public commenting opportunities on both the City Attorney’s Closed Session Report and the City Manager’s Report on the future of green energy ideas, and also recommended a one-minute public comment opportunity for future items of this nature.
2. Call-In User_1 recommended that the Police Department institute more overnight patrols for crime prevention and commented on the focus of City Council.

E. Adjournment

Vice Mayor Chappie Jones adjourned the Committee meeting at 3:32 p.m.



Email: chappie.jones@sanjoseca.gov

Vice Mayor Chappie Jones, Chair
Rules and Open Government Committee

CJ/mr:rulesmin20220427