

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

SAN JOSE, CALIFORNIA

WEDNESDAY, May 4, 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 (2:01 p.m.), Cohen, Peralez, Jones

Absent: Councilmembers - Davis

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 10, 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 Raul Peralez, seconded by Councilmember Sylvia Arenas, and carried unanimously, the Committee approved the final agenda for the City Council meeting on May 10, 2022 with the Add Sheet. (4-0-1; Absent: Davis)

2. Review May 17, 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 David Cohen, seconded by Councilmember Sylvia Arenas, and carried unanimously, the Committee approved the draft agenda for the City Council meeting on May 17, 2022, with the Study Session on Extending Municipal Voting Rights to All Residents deferred to a later date, and with a request for staff to come back to Rules in 2 weeks with alternate dates to hold the study session. (4-0-1; Absent: Davis)

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 Raul Peralez, and carried unanimously, the Consent Calendar was approved. (4-0-1; Absent: Davis)

1. The Public Record for April 21 – April 28, 2022. (City Clerk)

The Public Record for April 21 – April 28, 2022 was noted and filed.

2. Approval of D6 Faith Leaders Breakfast Sponsored by Council District 6 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Davis)

The D6 Better Together Faith Leaders Breakfast scheduled on May 26, 2022, sponsored by Council District 6, was approved for placement on the May 10, 2022 Council agenda.

3. Retroactive Approval of the East San José Leadership 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 East San José Leadership event scheduled on May 6, 2022, sponsored by Council District 5, was approved for placement on the May 10, 2022 Council agenda.

4. Approval of the Eritrean Flag Raising 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)

The Eritrean Flag Raising Event scheduled on May 24, 2022, sponsored by Council District 1, was approved for placement on the May 10, 2022 Council agenda.

5. Update the January - June 2022 Community and Economic Development Committee Work Plan.

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

6. Approval of the San Jose State University Designing Forward 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. (Perez)

The San Jose State University Designing Forward event scheduled on May 19, 2022, sponsored by Council District 3, was approved for placement on the May 10, 2022 Council agenda.

C. Rules Committee Reviews, Recommendations and Approvals

1. Discuss City's Position on SB 9 Lawsuit. (Davis)

Public Comments: The following members of the public provided comments: Blair Beekman, Tobin Gilman, and Sandra.

Action: Councilmember Sylvia Arenas made a motion to move the item forward to a closed session discussion. This motion failed due to a lack of a second.

D. Open Forum

1. Dilza Gonzalez, with SOMOS Mayfair, requested clarification on the scheduling of the study session regarding voting rights.
2. Blair Beekman appreciated Councilmember Cohen's viewpoint on SB 9 and expressed hope for open conversations on the topics of SB 9, the future of green use, East Side projects, and worker rights with relation to energy storage.
3. Misrayn Mendoza requested clarification on the scheduling of the study session regarding voting rights.
4. Sandra provided suggestions regarding the notification process for the study session regarding voting rights.
5. Gabriel Manrique, community organizer with LUNA, requested that the study session regarding voting rights be time certain at 6:30 p.m.
6. Brian Darby expressed concern over a political decent into fascism and encouraged the employment of checks and balances at the local, county, state, regional, and federal levels of government.
7. Ruthie Callahan encouraged the City to contact all broadcast media in order to disseminate notifications regarding the study session regarding voting rights.
8. Martha O'Connell suggested expanding the group of recipients for notifications regarding the study session regarding voting rights.

E. Adjournment

Vice Mayor Chappie Jones adjourned the Committee meeting at 2:33 p.m.



Email: chappie.jones@sanjoseca.gov

Vice Mayor Chappie Jones, Chair
Rules and Open Government Committee

CJ/mr:rulesmin20220504