

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

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, May 18, 2022**

**COVID-19 NOTICE**

*Consistent with AB 361 and City of San Jose Resolution Nos. 79485, 80237, 80266, 80290, 80323, 80343, 80363, 80400, 80445 and 80481, this 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 - 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 May 24, 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 Dev Davis, seconded by Councilmember David Cohen, and carried unanimously, the Committee approved the final agenda for the City Council meeting on May 24, 2022 with the Add Sheet. (4-0-1; Absent: Arenas)

**2. Review May 31, 2022 Draft Agenda - Cancelled**

**B. Consent Calendar**

Public Comments: The following members of the public provided comments: Chris Dunlap, Blair Beekman, Elizabeth Agramont-Justiniano, Angelita Echeveste, Jennifer Parra, Gabriel Manrique, Celia Alvarez, Kim Gupitill, Victor Vasquez, Dilza Gonzalez, Chelsey, David

Vivanco, Rosa Cordova, Tony Romero, Misrayn (Gabby) Mendoza, Juan A. Lujano, Maria Martinez, Arturo Munoz, Andrea Portillo, Guadalupe Perez, Jessica Trejo, Sonia Solano, Jill Anderson, Sigrid Jacobsen, Ellina Yin, Mayra Pelagio, Italia, Gustavo Flores, Eva, Alexandra, Maria Lomeli, Veronica Avendano, Lettya, Trujillo Miguel Vazquez, Angelica, Socorro, Nayeli Sedano, Marilu Zepeda, Yurina, Saul Ramos, Matt Gustafson, Rita Birrueta, Daniel Vazquez, and Brenda Garcia.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Dev Davis, and carried unanimously, the Consent Calendar was approved, with direction to the City Clerk to report back in two weeks with any possible sooner dates to hold the Extending Municipal Voting Eligibility to all City Residents (Non-citizen voting) Study Session. (4-0-1; Absent: Arenas)

**1. The Public Record for May 5 – May 12, 2022. (City Clerk)**

The Public Record for May 5 – May 12, 2022 was noted and filed.

**2. VEBA Advisory Committee Appointment. (Human Resources)**

Shane Curtain's appointment to the VEBA Advisory Committee was approved and the item was approved for placement on the May 24, 2022 Council agenda.

**3. Retroactive Approval of the Dia Del Niño 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 Dia Del Niño event scheduled on April 30, 2022, sponsored by Council District 5, was approved for placement on the May 24, 2022 Council agenda.

**4. Approval of the Azerbaijan Flag Raising Event 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 Azerbaijan Flag Raising Event scheduled on June 3, 2022, sponsored by Council District 1, was approved for placement on the May 24, 2022 Council agenda.

**5. Approval of Juneteenth Day City Hall Lighting Display and 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 City Hall Lighting Display and Flag Raising Event for Juneteenth Day scheduled on June 13, 2022, sponsored by Council District 1, was approved for placement on the May 24, 2022 Council agenda.

**6. Retroactive Approval of Penitencia Neighborhood Association Dumpster Day and Baypointe Park Activation and Neighborhood Celebration, and Approval of Alviso Dumpster Day and Vista Montana Neighborhood Celebration Sponsored by Council District 4 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and**

### **Services for the Events. (Cohen)**

The Penitencia Neighborhood Association Dumpster Day scheduled on May 14, 2022, the Baypointe Interim Park Activation and Neighborhood Celebration scheduled on May 18, 2022, the Alviso Dumpster Day scheduled on June 4, 2022, and the Vista Montana Neighborhood Celebration scheduled on June 11, 2022, all sponsored by Council District 4, were approved for placement on the May 24, 2022 Council agenda.

### **7. Update Extending Municipal Voting Eligibility to all City Residents (Non-citizen voting) Study Session. (City Clerk)**

The Study Session for the Extending Municipal Voting Eligibility to all City Residents was set for September 6, 2022 at 6:00 p.m., with direction to the City Clerk to report back in two weeks with any possible sooner dates to hold the study session.

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

### **1. Protecting Reproductive Rights in the City of San Jose. (Davis, Carrasco, Esparza, Arenas, and Foley)**

Public Comments: The following members of the public provided comments: Blair Beekman, Diana Zamora-Marroquin, and Victor Vasquez.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember David Cohen, and carried unanimously, a discussion of creating public safety protections for women seeking abortion procedures, anyone assisting the individual seeking an abortion, as well as protection for providers of abortion services in the City of San José was agendized for the City Council meeting on June 7, 2022. The City Attorney's office was directed to research and recommend the best legal protection that our City can provide beyond a ceremonial sanctuary city status, as well as potential land use protections for providers of abortion services, and return to council with (a) recommendation(s). (4-0-1; Absent: Arenas)

## **D. Open Forum**

1. Blair Beekman expressed sadness over the recent shooting that occurred in Buffalo and discussed inclusivity as a process in which the entire community should be included.

## **E. Adjournment**

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

*Chappie Jones*

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Vice Mayor Chappie Jones, Chair  
Rules and Open Government Committee

CJ/mr:rulesmin20220518