

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

SAN JOSE, CALIFORNIA

WEDNESDAY, September 28, 2022

COVID-19 NOTICE

Consistent with AB 361 and City of San Jose Resolution Nos. 80628, 80659, and 80685, Committee Members may have teleconferenced from remote locations.

The Committee meeting was held in a hybrid format, both in person in the Council Chambers and teleconferenced from remote locations. The meeting convened at 2:01 p.m.

Present: Councilmembers- Arenas, Cohen, Davis, Peralez, Jones

Absent: Councilmembers- None

Staff: Assistant City Manager, Lee Wilcox; City Attorney, Nora Frimann; City Clerk, Toni Taber; City Manager's Office, Rachelle Blattman; and Deputy City Clerk, Megan Roche.

A. City Council (City Clerk)

1. Review October 4, 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 Sandra.

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 October 4, 2022 with the Add Sheet. (5-0-0)

2. Review October 11, 2022 Draft Agenda - Cancelled

B. Consent Calendar

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

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

1. The Public Record for September 15 – September 22, 2022. (City Clerk)

The Public Record for September 15 – September 22, 2022 was noted and filed.

2. Request to Travel. (Jones)

The travel request was approved to authorize travel for Vice Mayor Jones to Washington, DC on September 28 - 30, 2022 for the 51st Annual Legislative Conference hosted by the Congressional Black Caucus Foundation.

3. Request for Travel for Mayor's Office Staff. (Mayor)

The travel request was approved to authorize travel, accept travel payments to the City of San José, and designate Mayor's Office staff, Sheyla Tupua, as the City representative to attend the Mayor's Education Policy Advisors (EPAN) Annual Meeting and Postsecondary Success Summit in Washington, DC from October 10-14, 2022.

4. Approval of District 5 SAP Grant for University Preparatory Academy. (Carrasco)

A recommendation to approve a \$1,000 SAP grant from Council District 5 to support University Preparatory Academy's Latino/a Club was approved to be forwarded to the City Council.

5. Approval of the Domestic Violence Awareness Walk & Light Up City Hall and Philippines Flag Raising Events Sponsored by Council District 5 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Event. (Carrasco)

The Domestic Violence Awareness Walk & Light Up City Hall event scheduled on October 7, 2022 and the Philippines Flag Raising event scheduled on October 14, 2022, both sponsored by Council District 5, were approved for placement on the October 4, 2022 City Council agenda.

6. Approval of Hacienda Dumpster Day Event 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)

The Hacienda Dumpster Day Event scheduled on October 29, 2022, sponsored by Council District 9, was approved for placement on the October 4, 2022 City Council agenda.

C. Rules Committee Reviews, Recommendations and Approvals

1. Actions Related to RVs in the City of San José. (Jones, Foley, Jimenez, and Mahan)

Public Comments: The following members of the public provided comments: Blair Beekman and Gail Anne Osmer.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the memorandum from Councilmembers Jones, Foley, Jimenez, and Mahan, as well as the Memorandum from Councilmember Cohen, with direction given to the City Manager's office to determine a timeline for implementation. (5-0-0)

Memorandum from Councilmembers Jones, Foley, Jimenez, and Mahan: (1) Direct administration to explore cost and strategy required to conduct a comprehensive count and inquiry of RVs throughout the City of San José to gain a deeper understanding of factors such as location, demographic information, whether the RVs are operable versus inoperable, and the goals of individuals dwelling in RVs. (2) Based on findings, identify level and type of services and funding needed to assist individuals living in RVs to establish their desired stability in a location safe and appropriate for their RV or other appropriate housing option. (3) Leverage existing efforts to identify locations for emergency interim housing or other uses to support unhoused people by considering these locations as potential RV safe parking sites and explore other options for RV safe parking including expansion of faith-based organization property usage, city-owned land, and affordable housing lots that have yet to receive entitlements. (4) Direct administration to prioritize siting of RV facilities first in districts that have both (a) need as evidenced by existing RVs parked on streets, and (b) specific identified sites that have been approved by the Council office in which the site is located as suitable for an RV safe parking facility. Further priority will go to sites that meet this criteria and sites where the City has or can directly acquire site control. (5) Ensure sufficient community outreach is conducted, consistent with the council outreach policy, to inform neighbors and incorporate community feedback prior to approval of sites.

Memorandum from Councilmember Cohen: (1) Accept the recommendations from the memorandum from Vice Mayor Jones and Councilmembers Foley, Jimenez and Mahan with the following additions: (a) Direct the City Manager to explore ordinance options that standardize acceptable parking rules to ensure safety where RVs remain parked on city streets. (b) Direct the City Manager to explore RV program options such as a vehicle repair and/or buyout program for non-operational vehicles including recommendations for staffing and budget necessary to assist vehicle owners make the small repairs that are impeding them from being able to participate in a safe RV parking program.

2. Housing Element. (Jimenez and Cohen)

Public Comments: The following members of the public provided comments: Brian Schmidt, Roma Dawson, Emily Ann Ramos, Aaron Eckhouse, Blair Beekman, Carol Watts, and Keith Diggs.

Action: Councilmember Dev Davis made a motion, which was seconded by Councilmember Raul Peralez, to direct staff to come back to the Rules Committee with an informational memorandum after comments from the Housing and Community Development Commission (HCD) are made, and after engaging in a community outreach/input process.

Action: Councilmember David Cohen requested a friendly amendment to the motion made by Councilmember Dev Davis, to keep the option open to return to City Council for discussion, and for the item to return to the Rules and Open Government Committee after feedback is obtained in order

to make a final determination. The friendly amendment was accepted by Councilmembers Dev Davis and Raul Perez.

Final Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Raul Perez, and carried unanimously, the Committee directed staff to come back to the Rules Committee with an informational memorandum after comments from the Housing and Community Development Commission (HCD) are made, and after engaging in a community outreach/input process. The item is to return to the Rules and Open Government Committee after feedback is obtained in order to make a final determination, and the possibility to return to City Council for discussion was maintained. (5-0-0)

D. Open Forum

1. Blair Beekman hoped that ideas of good civil protections, openness, clearness, and honesty with data collection will be first and foremost for San José's City government this fall, he cited an example of data collection spurring civil protections in the City of Berkeley, and hoped that San José will develop its own ideas of civil rights and civil protection regarding data collection for the community.
2. Sandra described power grid unreliability, asked that the City and San José Clean Energy submit complaints to the PUC on behalf of San José residents, and that the two entities use their leverage and influence to improve power sources from PG&E by both securing better infrastructure and requiring cell towers and areas with frequent power outages to have backup generators or batteries.
3. Martha O'Connell, speaking on behalf of mobile home residents, requested that the mobile home park land use designation item on the City Council meeting agenda for October 18, 2022 be scheduled as "time certain" or "not before" the late afternoon or early evening, and also requested that staff remind Zoom speakers of the alternate options available for participation in meetings.

E. Adjournment

Vice Mayor Chappie Jones adjourned the Committee meeting at 3:09 p.m.

Chappie Jones

Email: chappie.jones@sanjoseca.gov
Date: 12/12/2022 GMT

Vice Mayor Chappie Jones, Chair
Rules and Open Government Committee

CJ/mr:rulesmin20220928