

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

SAN JOSE, CALIFORNIA

WEDNESDAY, JUNE 10, 2020

Consistent with the California Governor's Executive Order No. N-29-20, Resolution No. 79450 from the City of San José and the Santa Clara County Health Officer's March 16, 2020 Shelter in Place Order, the City Council meeting was not physically open to the public. Public comments were accepted via eComment, email, by phone/Webinar or online.

The Council meeting was teleconferenced from remote locations and convened at 2:00 p.m.

Present: Councilmembers - Arenas, Davis, Jones, Khamis; Liccardo.

Absent: Councilmembers - All Present.

1. Review June 16, 2020 Final Agenda

- a) Add new items to Final Agenda**
- b) Assign "Time Certain" to Agenda Items (if needed)**
- c) Review of Notice Waiver Requests for Agenda Items or Documents (if needed)**

Public Comments: Blair Beekman advised matters of equity when determining the budget.

Action: Upon motion by Vice Mayor Chappie Jones, seconded by Councilmember Sylvia Arenas and carried unanimously, the Committee accepted the June 16, 2020 Final Agenda, including an 11 a.m. start time. (5-0.)

2. Review June 23, 2020 Draft Agenda

- a) Add new items to Final Agenda**
- b) Assign "Time Certain" to Agenda Items (if needed)**
- c) Review of Notice Waiver Requests for Agenda Items or Documents (if needed)**

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Councilmember Dev Davis, and carried unanimously, the Committee accepted the June 23, 2020 Draft Agenda, including an 11 a.m. start time. (5-0.)

B. Review of Upcoming Meeting Agenda(s)

There were none presented.

C. Legislative Update

1. State
2. Federal

There were none presented.

D. Meeting Schedules

None provided.

E. The Public Record for May 19, 2020 – June 4, 2020. (City Clerk)

Public Comments: Blair Beekman recommended consultation with the City's arborist to determine replacements for the pear trees being removed from the downtown area.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Johnny Khamis, carried unanimously, the Public Record for May 19, 2020 – June 4, 2020 was noted and filed. (5-0.)

F. Boards, Commissions and Committees

None provided.

G. Rules Committee Reviews, Recommendations and Approvals

1. Consent Calendar – None
2. Monthly Report of Activities for May 2020. (City Auditor)

City Auditor Joe Rois presented a report and responded to questions.

Public Comments: Blair presented technology deployment ideas, including facilitating a community meeting process for broadband technology.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis, and carried unanimously, the Auditor's Office Monthly Report of Activities for the month of May 2020 was accepted. (5-0.)

3. Coronavirus Relief Fund Accountability. (Esparza, Jimenez, Khamis)

Councilmember Maya Esparza spoke to the June 4, 2020 memorandum she co-authored with Councilmembers Jimenez and Khamis.

Councilmember Johnny Khamis expressed the need for full accountability of funds.

City Auditor Joe Rois spoke to maximizing funding and navigating CARES rules. Assistant Director of Finance, Luz Cofresi-Howe, offered additional clarification regarding setting up a recovery structure for this and any future events.

3. Coronavirus Relief Fund Accountability. (Cont'd.)

Council discussion followed, and Chief of Staff, Office of the City Manager, Lee Wilcox, noted that business services and an auditing firm will be hired this week. An informational memorandum was requested, and City Auditor Joe Rois agreed that staff would return to Rules in two weeks with additional information to detail this firm's role and their interplay with the auditor's office.

Staff indicated that a Rules and Open Government Meeting would need to be set up for June 24, 2020.

Public Comments: Blair Beekman spoke on rent forgiveness and the importance of equity.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Dev Davis and carried unanimously, staff was directed to return to the Rules and Open Government Committee on June 24, 2020 with more information on enlisting an outside, independent auditor to conduct an audit of our dispersal and use of CARES Act funds to reduce further impacts to staff while ensuring transparency and fiscal accountability in the use of these funds. (5-0.)

H. Review of additions to Council Committee Agendas/Work Plans

- 1. Community and Economic Development Committee - none provided.**
- 2. Neighborhood Services and Education Committee**
- 3. Transportation and Environment Committee – none provided.**
- 4. Public Safety, Finance and Strategic Support Committee**
- 5. Joint Meeting of the Rules and Open Government Committee and Committee of the Whole**
- 6. Smart Cities and Service Improvement Committee**

There were none presented.

I. Open Government

None provided.

OPEN FORUM

1. Robin Roemer spoke on the Council's June 9 determination regarding City's partnership with school districts and the community's lack of support for this project.
2. Blair Beekman asked for community openness and communication when addressing protest responses and the use of force.
3. Martha O'Connell urged the safe operation of Light Rail, enforcement of face coverings and social distancing, opining that the VTA will be opened in a dangerous manner.
4. Eva Cornejo expressed advocacy for the reformation/defunding of the police department.

G. Adjournment

Mayor Sam Liccardo adjourned the Committee meeting at 2:53 p.m.

Approved via email (7/21/20)

Mayor Sam Liccardo, Chair
Rules and Open Government Committee

SL/rmk:rulesmin_6-10-20