

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

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, FEBRUARY 24, 2021**

*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 1:30 p.m.

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

Absent: Councilmembers - Jones. (Excused)

Staff: Office of the City Manager, Chief of Staff, Lee Wilcox; City Attorney, Nora Frimann; City Clerk, Toni Taber; City Manager's Office, Gloria Schmanek; Henry Smith, Mayor's Office; and Deputy City Clerk Ruth Krantz.

**A. City Council (City Clerk)**

- 1. Review March 2, 2021 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: (1) Paul Soto criticized the confusing 'mish mash' of issues that make up the Council agendas, indicating that it only services to silence the voice of the people. He offered opposition to 'crunching items together' and one-minute time restraints. (2) Blair Beekman spoke against one-minute time limits for speakers, adding that some fluctuation of time would be preferable. He spoke to COVID issues and pedestrian and bike pathways as an equity issue.

Councilmember Raul Peralez addressed the speakers' concerns regarding one-minute time limits, indicating some consideration of how this decision could be addressed. He noted time limits are at the discretion of the Mayor according to a Rules resolution.

## **1. Review March 2, 2021 Final Agenda (Cont'd.)**

City Clerk Toni J. Taber, indicated she would be working with the City Manager to agendize an item regarding restrictions on council speaking per a memorandum from Councilmembers Davis and Cohen.

Arenas recommended a 5:30 p.m. time certain for Item 8.2, the Rental Assistance Program.

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Councilmember Dev Davis, and carried unanimously, the Committee accepted the March 2, 2021 Final Agenda, including a 'time certain' for Item 8.2 of 5:30 p.m. (4-0-1. Absent: Jones.)

## **2. Review March 9, 2021 Draft Agenda**

Public Comment: (1) Blair Beekman thanked everyone for consideration committee members have given to the council meeting process and time allotted speakers and spoke to clean energy concerns. (2) Paul Soto quoted that 'a riot is the language of the unheard', noting that San José must contend with issues of inequity.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember David Cohen, and carried unanimously, the Committee accepted the March 9, 2021 Draft Agenda. (4-0-1. Absent: Jones.)

## **B. Review of Upcoming Meeting Agenda(s)**

### **C. Legislative Update**

#### **1. State**

#### **2. Federal**

There were none presented.

## **D. Meeting Schedules**

## **E. The Public Record for February 11 – February 18, 2021. (City Clerk)**

Public Comments: (1) Blair Beekman spoke to current police chief candidates and need for a sense of change, giving a recommendation of Deputy Mata. He spoke to subsidies and the future of local energy, garbage and water. (2) Paul Soto addressed the importance of the Office of Racial Equity, advocating for a concrete, practical application of equity.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember David Cohen, and carried unanimously, the Public Record for February 25 –March 4, 2021 was noted and filed. (4-0-1. Absent: Jones.)

## **F. Boards, Commissions and Committees**

None provided.

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

None provided.

## **H. Review of Additions to Council Committee Agendas/Workplans**

- 1. Community and Economic Development Committee**
- 2. Neighborhood Services and Education Committee**
- 3. Transportation and Environment Committee**
- 4. Public Safety, Finance and Strategic Support Committee**
- 5. Joint Meeting of the ROGC and Committee of the Whole**
- 6. Smart Cities and Service Improvement Committee**

None provided.

## **I. Open Government**

None provided.

## **J. OPEN FORUM**

1. Blair Beekman advocated for open public policies, good human rights policies, rights and standards, especially by the business community.
2. Martha O'Connell suggested putting forward a memo changing the policy so council majority can change the time limits on public speakers.
3. Paul Soto spoke to supporting each other as a community. He asked for evening the score to allow all members of the community constitutional rights, allowing no more limits and censorship, and the confrontation of red-lining policies.

## **G. Adjournment**

Councilmember Raul Peralez adjourned the Committee meeting at 2:47 p.m.

*approved via email*

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Vice Mayor Chappie Jones, Chair  
Rules and Open Government Committee

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