

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

SAN JOSE, CALIFORNIA

WEDNESDAY, MARCH 3, 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 2:00 p.m.

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

Absent: Councilmembers - All Present.

Staff: City Manager, David Sykes; Office of the City Manager, Chief of Staff, Lee Wilcox; City Attorney, Nora Frimann; City Clerk, Toni Taber; City Manager's Office, Gloria Schmanek; Mayor's Office, Henry Smith; and City Clerk's Office, Yasmin Garcia.

A. City Council (City Clerk)

1. Review March 9, 2021 Final Agenda

Public Comment: (1) Martha O'Connell addressed the eligibility concerns of rent relief for mobile homeowners. (2) Blair Beekman spoke to the future crane policies, possible consequences to visit Brazil and Southeast Asia, and the ideas of equity. (3) Paul Soto was thankful that Councilmembers Peralez, Arenas, and Esparza spoke on March 3, 2021 regarding the injustices in the Chicano community.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Sylvia Arenas and carried unanimously, the Committee accepted the March 9, 2021 Agenda, as amended, including adds, Sunshine Waivers as required, with a Closed Session start time of 9 a.m. (5-0.)

2. Review March 16, 2021 Draft Agenda

Public Comment: (1) Paul Soto stated the March 16, 2021 Council Agenda was not posted on the website for the public to view. (2) Blair Beekman addressed the Smart Wave technology installation in San José and the need for bridging the digital divide.

Action: Upon motion by Councilmember Raul Perez, seconded by Councilmember Sylvia Arenas and carried unanimously, the Committee accepted the March 16, 2021 Draft Agenda, as amended, including adds, Sunshine Waivers as required, and with a Closed Session start time of 9 a.m. (5-0.)

B. Review of Upcoming Special Meeting Agenda(s)

None provided.

C. Legislative Update

- 1. State**
- 2. Federal**

There were none presented.

D. Meeting Schedules

None provided.

E. The Public Record

Public Comment: (1) Blair Beekman spoke to the agenda items and the schedule. (2) Caller '5140' spoke to the selection process of the SJPd Police Chief, response times for SJPd, and parking violations.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sylvia Arenas and carried unanimously, the Public Record for February 18, 2021– February 25, 2021 was noted and filed. (5-0.)

F. Boards, Commissions and Committees

None provided.

G. Rules Committee Reviews, Recommendations and Approvals

1. Consent Calendar

(Item Continued on the Next Page)

G.1a (Cont'd.)

- a. Approval of Multiple Sclerosis Awareness Month 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)**

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Sylvia Arenas and carried unanimously, the City Council Sponsored Special Event was approved and placed on the March 23, 2021 Council Agenda for action. (5-0.)

2. Illegal Street Racing. (Esparza and Davis)

Public Comment: (1) Caller '5140' spoke on the license plate reader technology. (2) Blair Beekman spoke to his concerns of the car "side shows" and racial profiling. (3) Ricardo resident of the Communication Hills neighborhood stated he is in favor of the item and license plate reader use if used at the appropriate times during the car side shows in his neighborhood. (4) Paul Soto stated he thinks there can be possible abuse of power of the license plate reader technology.

Deputy Chief, Bureau of Field Operations, San Jose Police Department, Heather Randol and Lieutenant, San José Police Department, Todd Trayer spoke on the current plans they have going forward.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember David Cohen and carried unanimously, the Committee approved (green-light) and placed the item on the March 30, 2021 Council Agenda for further discussion with the Department of Transportation to explore the physical barriers at wide intersections upon installations and the San José City Attorneys' Office to discuss the ordinance timeline and privacy policy.

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 Work Plan. (Mayor and Davis)**
- 4. Update to the Public Safety, Finance and Strategic Support Committee Work Plan. (Fire)**
- 5. Joint Meeting of the Rules and Open Government Committee and Committee of the Whole**
- 6. Smart Cities and Service Improvement Committee**

I. Open Government

None provided.

J. Open Forum

1. Paul Soto spoke to his views of SJPD priorities and stated that racist police officers are more dangerous than car side shows.
2. Caller '5140' spoke to the budget and funds being used to have the license plate reader technology implemented.
3. Blair Beekman spoke to the Brown Act regulations, the Santa Clara Valley Transportation Authority (VTA), and inviting the American Civil Liberties Union Organization (ACLU) to be a part of the park community discussions.

K. Adjournment

Vice Mayor Chappie Jones adjourned the Committee meeting at 3:35 p.m.

Approved Via Email

Vice Mayor Chappie Jones, Chair
Rules and Open Government Committee

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