



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

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, April 5, 2023**

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 2:03 p.m.

Present: Councilmembers - Davis, Jimenez, Foley, Cohen .

Absent: Councilmembers - Kamei.

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

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

**1. Review April 11, 2023 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: Blair Beekman and Paul Soto offered public comments.

Councilmember David Cohen noted the beginning of Item 10.2 to come before Item 10.1. and the joint City of San José City Council and Housing Authority meeting to occur at the end of the regular Council Meeting.

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the final agenda for the City Council meeting on April 11, 2023 with the Add Sheet. (4-0-1. Absent: Kamei.)

**2. Review April 18, 2023 Draft Agenda**

- a) Add new items to Draft 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: Blair Beekman, Paul Soto, Jill Borders, and Martha O'Connell offered public comments.

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember Dev Davis, and carried unanimously, the Committee approved the final agenda for the City Council meeting on April 18, 2023. (4-0-1. Absent: Kamei.)

## **B. Consent Calendar**

Public Comments: Blair Beekman and Paul Soto offered public comments.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sergio Jimenez, and carried unanimously the Consent Calendar was approved. (4-0-1. Absent: Kamei.)

### **1. The Public Record for March 23 - March 29, 2023. (City Clerk)**

The Public Record for March 23 – March 29, 2023 was noted and filed.

### **2. Update to the January - June 2023 Neighborhood Services and Education Committee Work Plan. (Library)**

An amendment to the January - June 2023 Neighborhood Services and Education (NSE) Committee Work Plan was approved, to drop the following item from the April 13, 2023, NSE Committee meeting agenda: City Initiatives Roadmap: Digital Empowerment: Program Strategies to Maximize Affordable Connectivity Options for Residents.

### **3. Retroactive Approval of the Persian New Year, Nevruz, Celebration Sponsored by Council District 10 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Batra)**

The Persian New Year, Nevruz, Celebration event scheduled on March 18, 2023, sponsored by Council District 10, was approved for placement on the April 11, 2023 City Council agenda.

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

### **1. Signia Hotel. (Torres)**

Councilmember Omar Torres provided a brief overview of their March 29, 2022 memorandum. Deputy City Manager Rob Lloyd offered further details on the Early Consideration Form and Director of Economic Development and Cultural Affairs Nanci Klein responded to questions.

Public Comments: Enrique Fernandez (UNITE HERE Local 19), Jeffrey Buchanan (Working Partnerships USA), Samuel Rasheed (UNITE HERE Local 19), Mitra Elie (UNITE HERE Local 19), Sarah McDermott (speaking on behalf of Ramil Malvar), Paul Soto, Usha Srinivasan (Mosaic America), Blair Beekman, Eda Benites (Movimiento de Arte y Cultura Latino Americana), Brendan Rawson (San José Jazz) offered public comments.

Motion: Councilmember Jimenez moved to approve the March 29, 2023 memorandum authored by Council member Omar Torres and added the following language to the memo: Analysis of any actions the council has at its disposal, to require the council's approval before allowing potential conversion of downtown hotel rooms to other uses such as extended stay and short-term rental.

Friendly Amendment: Councilmember David Cohen seconded this motion with a request for a friendly amendment for staff to return as soon as possible but no later than August. Jimenez approved this amendment.

*(Item continued on next page)*

### C.1 (Cont'd.)

Action: Upon motion by Councilmember Sergio Jimenez and Seconded by Councilmember David Cohen, and carried unanimously, the March 29, 2023 memorandum authored by Councilmember Omar Torres was approved with the following changes: (1) Inclusion of the language, "Analysis of any actions the council has at its disposal, to require the council's approval before allowing potential conversion of downtown hotel rooms to other uses such as extended stay and short-term rental," and (2) direct to staff to return to Council as soon as possible but no later than August.  
(4-0-1. Absent: Kamei)

### D. Open Forum

1. Blair Beekman spoke on the potential ideas the Hispanic Chamber of Commerce can offer on invigorating the downtown area. He also spoke on the SJPOA situation and the importance of developing community processes and oversight.
2. Paul Soto spoke on his family's US military service to protect the constitutional right to speak and expressed criticism on the response to his public comments. Paul also spoke on identity, legacy, and history their personal experience with the San José Police Department.
3. Jill Borders commented on the bulldozing of the Fish Market and stated on Nextdoor that a lot of people were asking for more information. She expressed a wish for city engagement to become more accessible and explore more avenues to share neighborhood specific information.
4. Martha O'Connell quoted, "Watch your words, because they become actions," and spoke on the ways survivors of domestic violence and particularly women are sensitive to aggressive language. She expressed hope that comments continue in a calm and rational manner on specific discussion so that everyone feels comfortable engaging.

### E. Adjournment

Chair David Cohen adjourned the Committee meeting at 2:40 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,



---

Grace Turner

Deputy City Clerk, City of San José

Approved at Council on:

Attest By:

---

Toni J. Taber, CMC  
City Clerk, City of San José

Number of actions: 4