



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

SAN JOSE, CALIFORNIA

WEDNESDAY, May 24, 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 2:00 p.m.

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

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

A. City Council (City Clerk)

1. Review May 30, 2023 Final Agenda

The May 30, 2023 Meeting is cancelled.

2. Review June 6, 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 offered public comment.

Dev requested that in the event the Meeting is determined to start earlier, that the Invocation and Ceremonial Items be time certain at 1:30 p.m.

Motion: Councilmember Dev Davis moved approval of the Agenda. Vice Mayor Rosemary Kamei seconded this motion.

Friendly Amendment: Councilmember Pam Foley requested to change the start time to 11:00 a.m. to provide sufficient notice to the public. Councilmember Davis and Vice Mayor Kamei approved this amendment.

Action: Upon motion by Councilmember Dev Davis, seconded by Vice Mayor Rosemary Kamei, and carried unanimously, the Committee approved the draft agenda for the City Council meeting on June 6, 2023, with a start time of 11:00 a.m. and the Invocation and Ceremonial items time certain to begin at 1:30 p.m. (4-0-1. Absent: Jimenez.)

B. Consent Calendar

Public Comments: Paul Soto and Martha O’Connell offered public comments.

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

1. The Public Record for May 11 - May 18, 2023. (City Clerk)

The Public Record for May 11 – May 18, 2023 was noted and filed.

2. Set a General Plan Hearing Second Cycle for June 2023. (Planning, Building and Code Enforcement)

The General Plan Second Review Cycle of 2023 for City Council hearing was set beginning on the afternoon of June 20, 2023, to consider City-initiated General Plan amendments associated with the adoption of the 2023-2031 Housing Element and several other City-initiated minor amendments.

3. Update to the January - June 2023 Neighborhood Services and Education Committee Work Plan. (City Manager)

The amendments to the January - June 2023 Neighborhood Services and Education (NSE) Committee Work Plan were approved to: (a) drop the following items from the June 8, 2023, NSE Committee meeting agenda: (i) City Initiatives Roadmap: American Rescue Plan Spending Plan on Child Care Status Report; (ii) Park Destinations, Events and Sports Status Report; and (b) add the following item to the June 8, 2023, NSE Committee meeting agenda: (i) Expanding the Youth Commission and Enhancing Youth Participation in the City Report.

4. Approval of National Night Out as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (City Clerk)

The National Night Out scheduled on August 1, 2023, sponsored by the Office of the City Clerk, was approved for placement on the June 6, 2023 City Council agenda.

5. Approval of Multiple Special Events Sponsored by Council District 4 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Cohen)

The District 4 Penitencia Creek Park Litter Pick-Up Day scheduled on May 24, 2023, the District 4 Penitencia Neighborhood Association Dumpster Day scheduled on May 27, 2023, the District 4 125th Philippine Independence Day Flag Raising Ceremony scheduled on June 12, 2023, and the Ringwood Court District 4 Dumpster Day scheduled on June 17, 2023, sponsored by Council District 4, were approved for placement on the June 6, 2023 City Council agenda.

C. Rules Committee Reviews, Recommendations and Approvals

1. Key to the City Recognition. (Doan)

This Item was dropped by Council District 7.

2. SJPD Event Street Closures. (Jimenez, Torres, Ortiz, and Candelas)

Councilmember Peter Ortiz introduced the May 18, 2023 Joint memorandum co-authored by Councilmembers Jimenez, Torres, Ortiz and Candelas.

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

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Pam Foley, and carried unanimously, the Committee approved the May 18, 2023 Joint memorandum co-authored by Councilmembers Jimenez, Torres, Ortiz and Candelas to do the following:

1. Direct the City Manager to:
 - a. Ensure that the Police Department engages with relevant community partners prior to finalizing operational plans for Cinco de Mayo and similar celebratory occasions which draw large crowds and gatherings of visitors. Engagement should include topics and or recommendations that prevent and manage street closures or other measures that may impact traffic, pedestrian flow, resident movement, and businesses. The following community partners should be included as part of this engagement:
 - i. District Council Office affected by the Department's operational plans.
 - ii. Downtown and East San José resident associations and other resident and business associations in locations affected by the Department's operational plans.
 - iii. Businesses in downtown along East Santa Clara Street, on Alum Rock Avenue, 24th Street/McLaughlin, and other locations that may be affected by the Department's operational plans.
 - iv. Community partners and stakeholders such as the United Lowrider Council of San José and others with a vested interest in making such events accessible and safe for the broader community.
 - b. Ensure the Police Department develops a comprehensive communications plan that effectively communicates the operational approach to Councilmembers, community partners, media outlets, and the general public before future events.
 - i. Ensure outreach materials are in the predominant languages of the area, such as Spanish and Vietnamese.
 - c. Have the Police Department provide an update on these efforts to the City Council in August 2023.
 - d. Direct Staff to explore the creation of a sanctioned City Cinco de Mayo event and come back with their findings by the end of this calendar year.

(4-0-1. Absent: Jimenez.)

D. Open Forum

1. Blair Beekman spoke on the impact of the SJPOA related news on police department recruitment.
2. Paul Soto spoke on FBI reporting of San José police officers and the credibility and legitimacy issues with various police officers' behaviors.
3. Martha O'Connell asked about how to access the entire Housing presentation provided by the Mayor, Vice Mayor, and Councilmember Foley.

E. Adjournment

Chair David Cohen adjourned the Committee meeting at 2:27 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