



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

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, APRIL 15, 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 Committee meeting will not be physically open to the public and the Committee will be teleconferencing from remote locations.

**PRESENT:** Mayor Sam Liccardo, Chair; Vice Mayor Chappie Jones, Vice Chair; Councilmember Sylvia Arenas, Councilmember Dev Davis, and Councilmember Johnny Khamis.

**ABSENT:** All present

**STAFF:** David Sykes, City Manager; Toni Taber, City Clerk; Richard Doyle, City Attorney; Gloria Schmanek, Senior Executive Analyst; Mackenzie Mossing, Mayor's Office Agenda Service, and Louis Ósémwegie, City Clerk's Office.

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

- 1. Review April 21, 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 questioned the need for more technology surveillance at this time and why the current wi-fi program has been deferred until August.

Action: Upon motion by Vice Mayor Chappie Jones to move approval, seconded by Councilmember Sylvia Arenas, and carried unanimously, the Committee accepted the April 15, 2020 Agenda, including Addsheet with Sunshine for waivers for all items. (5-0)

**A. City Council (City Clerk) (Cont'd)**

**2. Review April 28, 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 Vice Mayor Chappie Jones, seconded by Councilmember Johnny Khamis, and carried unanimously, the Committee accepted the April 28, 2020 Draft Agenda with intent to revise Item 3.3 to discussion on School Wi-Fi Strategy. (5-0)

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

None presented.

**C. Legislative Update.**

None presented.

**D. Meeting Schedules**

None presented.

**E. The Public Record for April 2, 2020 - April 9, 2020. (City Clerk).**

Public comments: Blair Beekman thanked all those who wrote letters this week for the public record on the issues of surveillance technology and wi-fi being deferred to August.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Vice Mayor Chappie Jones, and carried unanimously, the Committee noted and filed the Public Record. (5-0)

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

**1. Appointments**

None presented.

**2. Work Plans and Annual Reports**

None presented.

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

**1. Consent Calendar**

- a. Approval of Stress Awareness Month Sponsored by Council District 8 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Arenas)**

Action: Upon motion by Councilmember Sylvia Arenas to move approval, seconded by Vice Mayor Chappie Jones, and carried unanimously, the Committee approved the Consent Calendar; and added to the Apr. 21, 2020 City Council Agenda for action. (5-0)

**END OF CONSENT**

**2. Modify City Sunshine Resolution and Procedures for Agenda Items Submitted After Rules Committee.** (Mayor/Khamis/Davis)

Assistant City Attorney, Ed Moran explained that an emergency would require eight votes under the Brown Act, 72 hours is what the City has imposed on itself with regards to Orders of the Day.

Public comments: Blair Beekman commented on sunshine waivers in relation to accountability.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Vice Chair Chappie Jones, and carried unanimously, the Modify City Sunshine Resolution and Procedures for Agenda Items Submitted After Rules Committee was approved. (5-0)

**3. Monthly Report of Activities for March 2020.** (City Auditor.)

City Auditor Joe Rois gave a presentation and responded to question.

Public comments: Blair Beekman commented on technology issues in the monthly report and stated there's a reliance on technology deployment.

Action: Upon motion by Vice Mayor Chappie Jones, seconded by Councilmember Sylvia Arenas, and carried unanimously, the Committee approved the Monthly Report of Activities for March 2020. (5-0)

**4. Resolution Condemning Xenophobia Against the Asian Pacific Islander Community Stemming from the COVID-19 Crisis and Related Actions.** (Perez.)

Councilmember Raul Perez commented on discrimination against Americans of Asian-Pacific descent because of COVID-19, which has been referred to as China virus or Kong-flu

Public comments: Blair Beekman commented on shock doctrine and disaster capitalism based on methods of mass death and harm.

Action: Upon motion by Vice Mayor Chappie Jones, seconded by Councilmember Johnny Khamis, and carried unanimously, the Committee approved the Resolution Condemning Xenophobia Against the Asian Pacific Islander Community Stemming from the COVID-19 Crisis and Related Actions with direction to be agendaized for the Apr. 21, 2020 City Council Agenda for action. (5-0)

**5. Almaden Winery Building.** (Khamis.)

Councilmember Johnny Khamis offered to drop his memo related to this item until the aftermath of the COVID-19 situation and have it re-agendaized at a later date.

Action: Upon motion by Councilmember Johnny Khamis to drop the item, seconded by Councilmember Dev Davis, and carried unanimously, the Almaden Winery Building was dropped, to be agendaized by staff for Council action in Fall 2020. (5-0)

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

1. Community and Economic Development Committee Workplan.

None presented.

**2. Neighborhood Services and Education Committee**

None presented.

**3. Transportation and Environment Committee.**

None presented.

**4. Public Safety, Finance, and Strategic Support Committee.**

None presented.

**5. Joint Meeting of the Rules and Open Government Committee and Committee of the Whole.**

None presented.

**6. Smart Cities and Service Improvements Committee.**

None presented.

**I. Open Government**

None presented.

**J. Open Forum**

1. Blair Beekman commented on the housing issues during last night's meeting and urged the Committee to discuss it in-depth.

**ADJOURNMENT**

Mayor Sam Liccardo adjourned the meeting at 3:00PM.

**DRAFT**

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Mayor Sam Liccardo, Chair  
Rules and Open Government Committee

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Access the video, the agenda, and related reports for this meeting by visiting the City's website at <http://www.sanjosca.gov/civiccenterv>. For information on any ordinance that is not hyperlinked to this document, please contact the Office of the City Clerk at (408) 535-1266.