

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

SAN JOSE, CALIFORNIA

WEDNESDAY, OCTOBER 14, 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 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 - Liccardo, Jones, Arenas, Khamis, Davis

Absent: Councilmembers - All present.

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 Yasmin Garcia/Ruth Krantz, City Clerks Office.

A. City Council (City Clerk)

- 1. Review October 20, 2020 Final Agenda**
 - a. Add New Items to Final Agenda**
 - b. Assign "Time Certain" to Agenda Items (if needed)**
 - c. Review of Notice of Waiver Requirements for Agenda Items or Documents (if needed)**

Public Comments: (1) A speaker spoke on the Democratic party and voting. (2) Blair Beekman offered comments on COVID-19 vaccinations.

Office of the City Manager, Chief of Staff, Lee Wilcox, recommended Add Sheet items 8.2 and 8.3 move forward to the October 20th agenda, instead of the 27th.

Vice Mayor Chappie Jones further inquired about having a fifteen-minute time limit display during meetings.

1. (Cont'd.)

Staff offered to further explore whether Zoom could simultaneously display the time clock as well as viewing the Committee members speaking.

Action: Upon motion by Vice Mayor Jones, seconded by Councilmember Davis, and carried unanimously, the Committee accepted the October 20, 2020 Final Agenda, including the Add Sheet items 8.2 and 8.3. (5-0.)

2. Review October 27, 2020 Draft Agenda

a. Add New Items to Draft Agenda

b. Assign "Time Certain" to Agenda Items (if needed)

c. Review of Notice of Waiver Requirements for Agenda Items or Documents (if needed)

Public Comments: (1) Blair Beekman spoke on demilitarization and fair accountability practices for police officers. (2) A speaker spoke on police technology, such as police body worn cameras.

Vice Mayor Chappie Jones requested consideration regarding Item 7.1 not being discussed before 5 p.m. due to the growing interest on the item.

Action: Upon motion by Councilmember Davis, seconded by Vice Mayor Jones, and carried unanimously, the Committee accepted the October 27, 2020 Draft Agenda, including that Item 7.1 not be heard before 5 p.m. (5-0.)

B. Review of Upcoming Meeting Agenda(s)

There were none presented.

C. Legislative Update

1. State

2. Federal

There were none presented.

D. Meeting Schedules

There were none presented.

E. The Public Record

1. The Public Record for October 1, 2020 - October 8, 2020. (City Clerk)

Public Comments: (1) Blair Beekman spoke to efforts on low-income housing practices and police defunding addressed in the City of Fremont Council Meetings.

1. (Cont'd.)

Mayor Sam Liccardo addressed the Winchester Neighborhood Advisory Committee (WNAC) letter submitted and encouraged submissions of recommendations/ information from the public regarding the engineering and cost for capping the I-280 /Winchester Boulevard freeway.

Action: Upon motion by Councilmember Davis, seconded by Vice Mayor Jones, and carried unanimously, the Public Record for October 1, 2020 - October 8, 2020 was noted and filed. (5-0.)

F. Boards, Commissions and Committees

1. Appointments

2. Work Plans & Annual Reports

G. Rules Committee Reviews, Recommendations and Approvals

1. Consent Calendar

- a.) Approval of Filipino American History Month Community Event Sponsored by Council District 7 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Esparza)**
- b.) Approval of Filipino American History Month Event 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)**

Public Comments: (1) Blair Beekman spoke about Filipino American History Month. (2) A speaker addressed floods and fires in California, spoke on Filipino American History month, and how he appreciated the Filipino culture.

Action: Upon motion by Vice Mayor Jones, seconded by Councilmember Khamis, and carried unanimously, Filipino American History Month was approved as City Council sponsored Special Events. The expenditure of funds and donations from businesses/community groups to support the events were also approved and referenced on the Tuesday, October 20, 2020 Council Agenda. (5-0.)

2. Redistricting Commission. (City Clerk)

Public Comments: (1) Helen Grieco with the “Common Cause” organization, offered an approach for an independent redistricting process, banning commissioners from having ex parte communications on redistricting, and local outreach. (2) A speaker from “Working Partnerships USA”, addressed his concern with point #5 in the Mayor’s October 9th memo limiting a fair and representative redistricting process. (3) Mayra Pelagio from, “Latinos United for a New America” in the East Side of San José, addressed concerns with point #5 of the Mayor’s October 9th memo limiting the public to comment on concerns regarding redistricting. (4) JT spoke to

2. (Cont'd.)

issues regarding the Gardner St. neighborhood in San José. (5) Blair Beekman offered encouragement and well wishes addressing this issue. (6) A speaker spoke against point #5 in the Mayor's October 9th memo on redistricting. (7) A speaker addressed concerns of District 9 issues.

Mayor Sam Liccardo requested approval to incorporate his proposed memorandum dated October 9, 2020 recommending reforms by California Common Cause to maximize the diversity, openness and effectiveness of San José's Redistricting Commission process to the full Council for consideration.

Councilmember Arenas requested if an analysis identifying the local members of Common Cause and their ties to Council could be developed, based primarily on recommendations from California Common Cause, adopting some reforms with recommendations from the City Clerk's memorandum.

City Attorney, Nora Frimann, offered clarification on recommendations coming before Council in January 2021.

The City Clerk offered to present a supplemental analysis of recommendations to be presented to Council on October 27, 2020 including identification of the local members of California Common Cause and their ties to Council.

Motion: Councilmember Sylvia Arenas moved staff recommendations and the October 9, 2020 memorandum from Mayor Sam Liccardo to the City Council for discussion indicated below in "Action". Vice Mayor Chappie Jones seconded the motion.

Action: On a call for the question, the motion carried unanimously, with Staff's recommendations as outlined in the City Clerk's memorandum regarding the Redistricting Commission, dated September 25, 2020 approved, including Mayor Sam Liccardo's memorandum dated October 9, 2020; with Staff to provide a supplemental analysis of recommendations to be presented to Council on October 27, 2020 including identification of the local members of California Common Cause and their ties to Council. (5-0.)

H. Review of Additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee Update to the August-December 2020 Community and Economic Development Committee Work Plan. (City Manager's Office)

Action: Upon motion by Vice Mayor Jones, seconded by Davis, and carried unanimously, the August-December 2020 Community and Economic Development Committee Work Plan Updates (City Manager's Office) were approved. (5-0.)

2. Neighborhood Services and Education Committee

3. Transportation and Environment Committee

4. Public Safety, Finance and Strategic Support Committee

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

Public Comments: (1) Blair Beekman referenced East Bay nuclear energy decisions and speaking on deferred items. (2) A speaker spoke to having open meeting sessions and Christmas in the Park.

G. Adjournment

Mayor Sam Liccardo adjourned the Committee meeting at 2:50 p.m.

Approved via email

Mayor Sam Liccardo, Chair
Rules and Open Government Committee

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