

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

SAN JOSE, CALIFORNIA

WEDNESDAY, NOVEMBER 10, 2021

COVID-19 NOTICE

Consistent with AB 361 and City of San Jose Resolution Nos. 79485, 80237 and 80266, this meeting will not be physically open to the public and the (Board/Commission/Committee) Members will be teleconferencing from remote locations.

The Council meeting was teleconferenced from remote locations and convened at 2:02 p.m.

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

Absent: Councilmembers - All present.

Staff: Assistant City Manager, Lee Wilcox; City Attorney, Nora Frimann; City Clerk, Toni Taber; City Manager's Office, Gloria Schmanek; Henry Smith, Mayor's Office; and Deputy City Clerk Ruth Krantz.

A. City Council (City Clerk)

1. Review November 16, 2021 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: (1) Paul Soto expressed concerns that too many items are relegated to the Consent Calendar and should be given greater consideration. (2) Gail Mormon spoke to Item 10.2 regarding property on Winchester Blvd. and discouraged the proposed rezoning. (3) Blair Beekman urged a representational process and commented on the City Roadmap, Item 3.7.

Councilmember Raul Peralez suggested a time certain of 5 p.m. for Item 10.3

Action: Upon motion by Councilmember Raul Peralez seconded by Councilmember Dev Davis and carried unanimously, the Committee accepted the November 16, 2021 Final Agenda with a time certain of 5 p.m. for Item 10.3 (Coyote Valley). (5-0.)

2. Review November 23, 2021 Draft Agenda – Meeting Canceled

B. Review of Upcoming Meeting Agenda(s)

None provided.

C. Legislative Update

1. State

2. Federal

There were none presented.

D. Meeting Schedules

(a) Schedule General Plan Four-Year Review Hearing for Fall 2021. (PBCE)

Public Comments: (1) Blair Beekman spoke to open public policies in data collection. (2) Paul Soto addressed land use and red-lining.

Action: Upon motion by Councilmember David Cohen seconded by Councilmember Dev Davis and carried unanimously, a General Plan City Council hearing on the afternoon of November 16, 2021, was scheduled for the City Council to consider City-initiated General Plan amendments as part of the Four-Year Review of the General Plan process. (5-0.)

E. The Public Record for October 28 – November 4, 2021. (City Clerk)

Public Comments: (1) Blair Beekman spoke to single-family zoning and the need for mixed-income housing. (2) Paul Soto opined censorship against compelled speech illegitimizes democracy. (3) Martha O’Connell addressed the letter she provided regarding free speech and need for a broad representation of viewpoints.

Action: Upon motion by Councilmember Dev Davis seconded by Councilmember Sylvia Arenas and carried unanimously, the Public Record for October 28 – November 4, 2021 was noted and filed.

F. Boards, Commissions and Committees

None provided.

G. Rules Committee Reviews, Recommendations and Approvals

1. Consent Calendar

(a) Approval of Safe Neighbor Community Safety Training Sponsored by Council District 4 as City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Cohen)

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G.1.(a) Consent Calendar (Cont'd.)

Action: Upon motion Councilmember Dev Davis seconded by Councilmember Raul Peralez and carried unanimously, the City Council Sponsored Special Event was approved and cross-referenced to the November 16, 2021 Council Agenda for action. (5-0.)

- (b) Approval of District 3 Night at Christmas in the Park Sponsored by Council District 3 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Event. (Peralez)**
- (c) Approval of the Free Christmas Tree Giveaway Sponsored by Council District 3 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Event. (Peralez)**
- (d) Retroactive Approval of the Apology Ceremony to the Chinese American Community as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Event. (Peralez)**
- (e) Retroactive Approval of Multiple Special Events Sponsored by Council District 3 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Peralez)**

Public Comments: (1) Blair Beekman addressed the Apology Ceremony to the Chinese American Community and indicated the need to learn lessons regarding 'English only' practices. (2) Paul Soto spoke to the premise for opening the Office for Racial Equity and need to hear all voices.

Action: Upon motion Councilmember Dev Davis seconded by Councilmember Raul Peralez and carried unanimously, the City Council Sponsored Special Events were approved and cross-referenced to the November 30, 2021 Council Agenda for action. (5-0.)

H. Review of Additions to Council Committee Agendas/Workplans

- 1. Community and Economic Development Committee**
- 2. Neighborhood Services and Education Committee Work Plan**
- 3. Transportation and Environment Committee**
- 4. Public Safety, Finance and Strategic Support Committee**
- 5. Joint Meeting of the Rules and Open Government Committee**

None provided.

OPEN FORUM

1. Blair Beekman spoke to the “English only” laws and need for openness in debate, progressiveness and respect for each other.
2. Paul Soto addressed comments to Councilmember Dev Davis and thanked her for her humility in expressing herself at yesterday’s Council meeting.
3. Brian Darby spoke to powerlessness felt by those without money and with disabilities.
4. Scott Largent spoke on research he is doing on eminent domain and the Spring Street – West Hedding homeless encampment.

G. Adjournment

Vice Mayor Chappie Jones adjourned the Committee meeting at 2:37 p.m.

Vice Mayor Chappie Jones, Chair
Rules and Open Government Committee

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