

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

**SAN JOSE, CALIFORNIA**

**WEDNESDAY, AUGUST 2, 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 2:19 p.m.

Present: Councilmembers - Jimenez, Foley, Cohen.

Absent: Councilmembers - Davis, Kamei.

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 August 8, 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: None provided.

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember Sergio Jimenez, and carried unanimously, the Committee approved the final agenda for the City Council meeting on August 8, 2023, and cancelled the evening session. (3-0-2; Absent: Davis, Kamei)

**2. Review August 15, 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: None provided.

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember Pam Foley, and carried unanimously, the Committee approved the draft agenda for the City Council meeting on August 15, 2023. (3-0-2; Absent: Davis, Kamei)

## **B. Consent Calendar**

Public Comment: None provided.

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember Pam Foley, and carried unanimously, the Consent Calendar was approved *as a whole*, the below actions were taken as indicated. (3-0-2; Absent: Davis, Kamei)

### **1. The Public Record for June 15 – July 27, 2023. (City Clerk)**

The Public Record for June 15 – July 27, 2023, was noted and filed.

### **2. City Council Governance: Developing Norms and Procedures Study Session. (City Manager)**

The City Council Study Session entitled City Council Governance: Developing Norms and Procedures was set for Thursday, August 24, 2023, from 1:30 p.m.- 4:30 p.m., in the City Council Chambers, including the approved Study Session agenda.

### **3. Community and Economic Development Committee Work Plan. (Mayor and Foley)**

The Community and Economic Development Committee Work Plan for the period of August through December 2023 was approved, setting its meeting schedule on the fourth Monday of each month at 1:30 p.m. in the City Council Chambers. The draft Community and Economic Development Committee Work Plan for the period of January through June 2024, was accepted.

### **4. Request to Travel and Excused Absence. (Foley)**

Travel for Councilmember Pam Foley to attend the Sister Cities International 2023 Leadership and Annual Membership Meeting in Durham, North Carolina, from July 26-28, 2023, was retroactively authorized.

### **5. Retroactive Approval of Pride and Transgender Flag Raisings and Lighting for Pride Month Sponsored by Council District 6 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event. (Davis, Foley, and Torres)**

The Pride and Transgender Flag Raisings and Lighting for Pride Month event scheduled on June 6, 2023, sponsored by Council Districts 3, 6, and 9, were retroactively approved for placement on the August 8, 2023 City Council Agenda.

### **6. Approval of the Indian Independence Day Flag Raising Event Celebration and Tower and Rotunda Lighting Sponsored by Council District 10 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Batra)**

The Indian Independence Day Flag Raising Community Event, scheduled on August 16, 2023, and Indian Independence Day Tower and Rotunda Lighting on August 11-16, 2023, sponsored by Council District 10, were approved for placement on the August 8, 2023 Council Agenda.

**7. 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 Berryessa Courtyard Community Meeting, scheduled on June 26, 2023, and District 4 Creekside Station HOA Community Meeting scheduled on July 10, 2023, sponsored by Council District 4, were retroactively approved for placement on the August 8, 2023 City Council Agenda. The District 4 Moitozo Park Reactivation Day scheduled on August 16, 2023, District 4 Dumpster Day scheduled on August 19, 2023, District 4 Santos Family Car Show scheduled on September 2, 2023, sponsored by Council District 4 were approved for placement on the August 8, 2023 Council Agenda.

**8. Request to Travel. (Mayor)**

The request to travel was authorized, travel payments to the City of San José were accepted, and the designated Mayor's Staff, Michael Lomio, as the City representative to attend the Reimagining the Civic Commons event in Lexington, Kentucky from October 24-26, 2023 was approved.

**9. Retroactive approval of Longevity Walks Sponsored by Council District 6 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events. (Davis)**

The Longevity Walks at Westfield Valley Fair Mall and the Billy DeFrank LGBTQ+ Center scheduled on April 26, 2023 and May 31, 2023, sponsored by Council District 6, were retroactively approved for placement on the August 8, 2023 Council Agenda.

**10. Public Safety, Finance and Strategic Support Committee Work Plan. (Mayor and Jimenez)**

The Public Safety, Finance and Strategic Support Committee Work Plan for the period of August through December 2023, was approved, setting its meeting schedule on the third Thursday of each month at 1:30 p.m. in the City Council Chambers, except for the month of December, setting the meeting on the first Thursday of that month at 1:30 p.m., in the City Council Chambers. The draft Public Safety, Finance and Strategic Support Committee Work Plan for the period of January through June 2024 was accepted.

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

**1. Waiver of Revolving Door Restrictions. (City Attorney)**

Consider the request by Allie Hughes, former Council Policy and Legislative Advisor for Councilmember David Cohen, for a Waiver of the Revolving Door Restrictions for the work described in the memorandum and in Ms. Hughes' June 5, 2023 Waiver Request Letter, and make findings as to whether such waiver is in the best interest of the City and consistent with the purpose of San José Municipal Code Chapter 12.10; and 2. Forward the request and recommendation to the City Council for its consideration on the August 8, 2023 City Council agenda.

Assistant City Attorney Kevin Fisher introduced the item to the committee.

Allie Hughes, Former Council Policy and Legislative Advisor for Councilmember David Cohen introduced her request for a Waive of the Revolving Door Restrictions.

Public Comments: Martha O'Connell offered public comment.

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember Sergio Jimenez, and carried unanimously, the Committee heard and forwarded the request and recommendation to the full City Council for consideration on the August 8, 2023 City Council Agenda. (3-0-2. Absent: Davis, Kamei.)

### **Open Forum**

1. Martha O'Connell spoke on the challenge of locating the meeting's Zoom Web-ID and noted this impacts the visually impaired.

### **Adjournment**

Chair David Cohen adjourned the Committee meeting at 2:29 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,

*DRAFT- Grace Turner*

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Grace Turner  
Deputy City Clerk, City of San José

Approved at Council on:

Attest By:

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