



City Council Meeting Amended Agenda

Tuesday, January 28, 2025

1:30 PM

Council Chambers

MATT MAHAN, MAYOR
ROSEMARY KAMEI, DISTRICT 1
PAMELA CAMPOS, DISTRICT 2
VACANT, DISTRICT 3
DAVID COHEN, DISTRICT 4
PETER ORTIZ, DISTRICT 5
MICHAEL MULCAHY, DISTRICT 6
BIEN DOAN, DISTRICT 7
DOMINGO CANDELAS, DISTRICT 8
PAM FOLEY, DISTRICT 9
GEORGE CASEY, DISTRICT 10

Please scroll to the end for information about the City Council Agenda and for the Rules of Conduct of the meeting.

Public Comment in Person Only

For live translations in over 50 languages, please go to <https://attend.wordly.ai/join/FAYU-7105>

American Disability Act

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Accommodations

Any member of the public who needs accommodations should email the ADA Coordinator at ADA@sanjoseca.gov or by calling (408) 535-8430. The ADA Coordinator will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

- Adaptaciones para discapacitados serán proporcionadas a pedido. Mande correo electrónico ADA@sanjoseca.gov; Llame (408) 535-8430
- Nhu cầu cho người khuyết tật được cung cấp theo yêu cầu. Email ADA@sanjoseca.gov; Gọi (408) 535-8430

THE LEVINE ACT

The Levine Act requires a Party in a Proceeding before the City of San José that involves any action related to their contract, license, permit, or use entitlement to disclose any campaign contributions to City elected or appointed officials totaling more than \$500 within the 12 months prior to the City decision. A Participant to a Proceeding may voluntarily report a campaign contribution.

How to observe the Meeting (no public comment):

- 1) Cable Channel 26.
 - 2) <https://sanjoseca.gov/news-stories/watch-a-meeting>
 - 3) <https://youtube.com/CityofSanJoseCalifornia>
 - 4) By Phone: (888) 475 4499. Webinar ID is 943 0203 7655. Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free).
 - 5) Online at: <https://sanjoseca.zoom.us/j/94302037655>
- Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.

How to submit written Public Comment before the City Council Meeting:

By email to city.clerk@sanjoseca.gov by 8:00 a.m. the day of the meeting. Those emails will be attached to the Council Item under “Letters from the Public.” Please identify the Agenda Item Number in the subject line of your email.

How to provide spoken Public Comment during the City Council Meeting:

You may speak to the City Council about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the City Council. Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

Each speaker generally has two minutes to speak per item. The total amount of time allocated for public testimony for each public speakers or for an agenda item may be limited at the Mayor’s discretion, depending on the number of speakers or the length of the agenda. (California Government Code Section 54954.3; Council Policy 0-37)

Fill out a Yellow Speaker’s Card and submit it to boxes at the bottom of the Chambers. Do this before the meeting or before the item is heard. This will ensure that the name on the card is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants by calling speakers in an orderly manner. You may remain anonymous, but please fill out a card so we may call you. You can put “anonymous speaker” or “no name” on the card. When the Council reaches your item on the agenda, the Mayor will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk’s table. To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

- **Call to Order and Roll Call**

9:30 a.m.- Closed Session, Call to Order in Council Chambers

Open Session, Labor Negotiations Update (See Item 3.2)

Adjourn to Closed Session in Council Chambers Conference Room, W133

See Separate Agenda

25-044 Closed Session Agenda

1:30 p.m.- Regular Session, Council Chambers, City Hall

- **Pledge of Allegiance**

- **Invocation (District 1)**

Frank Silverii, Senior Pastor - Bethel Church San José

- **Orders of the Day**

To be heard after Ceremonial Items

Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.

- **Adjournment Recognition**

This meeting will be adjourned in memory of Warren Eric Upton, who passed away on December 25, 2024. Warren Upton, a longtime San José resident and 105-year-old World War II Veteran, was the oldest living survivor of the 1941 attack on Pearl Harbor. Mr. Upton's bravery and dedication to his Naval service exemplify the spirit of service we honor today.

- **Closed Session Report**

To be heard after Ceremonial Items

1. CEREMONIAL ITEMS

1.1 Presentation of a proclamation recognizing January 27, 2025, as International Holocaust Remembrance Day in the City of San José, in honor of holocaust survivors and victims. (Cohen)

1.2 Presentation of a proclamation declaring January 29, 2025 as Vietnamese (Tet Celebration) New Year to recognize the Vietnamese population in San José and welcome the Lunar New Year. (Doan)

1.3 Presentation of a commendation recognizing the San José Symphonic Choir for 100 years of enriching, educating, and entertaining our city through music. (Foley)

2. CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council requests discussion on a particular item, that item may be removed from the Consent Calendar and considered separately.

2.1 Approval of City Council Minutes.

25-078 Approval of City Council Minutes.

Recommendation: (a) Regular City Council Meeting Minutes of December 5, 2023.
(b) Regular City Council Meeting Minutes of January 9, 2024.
(c) Regular City Council Meeting Minutes of January 30, 2024.
(d) Regular City Council Meeting Minutes of February 27, 2024.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

2.2 Final Adoption of Ordinances.**2.3 Approval of Council Committee Minutes.****2.4 Mayor and Council Excused Absence Requests.****2.5 City Council Travel Reports.****2.6 Report from the Council Liaison to the Retirement Boards.****2.7 25-045 Amendment to the Lease and Specialized Aviation Service Operations Agreement with SJC Hangars, LLC.**

Recommendation: Approve the first amendment to the lease and specialized aviation service operations agreement between the City of San José and SJC Hangars LLC (dba Sky Harbour) to include provisions to address potential construction delays if the required approvals and associated environmental review to build additional hangar space are not received within the first two years of the executed agreement.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
(Airport)

2.8 25-046 Terms of a Side Letter Agreement Between the City of San José and the City Association of Management Personnel and Amending the City of San José Pay Plan.

Recommendation: Adopt a resolution:

- (a) Approving the terms of a Side Letter Agreement with the City Association of Management Personnel, IFPTE, Local 21 (CAMP) to provide employees in the Senior Hazardous Materials Inspector classification with an approximate 15.75% pensionable base pay increase consistent with the Side Letter Agreement that all parties have signed; and
- (b) Amending the City of San José Pay Plan effective February 2, 2025, to increase the pensionable salary range of the classifications of Senior Hazardous Materials Inspector (2323) to \$130,998.40 - \$159,681.60 annually.

CEQA: Not a Project, File No. PP17-010, General Procedure and Policy Making resulting in no changes to the physical environment.
(City Manager)

2.9 25-047 Prevention, Awareness, and Wellness Support Program for the Bureau of Field Operations in the San José Police Department.

Recommendation: Adopt a resolution approving the terms of a Side Letter Agreement between the City of San José and the San José Police Officers' Association for the implementation of the Prevention, Awareness, and Wellness Support Program in the San José Police Department's Bureau of Field Operations effective as soon as practicable.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment). (City Manager)

2.10 25-048 Master Consultant Agreement with Luhdorff & Scalmanini Consulting Engineers, Inc. for Water Supply Support Services.

Recommendation: Approve a three-year term master consultant agreement with Luhdorff & Scalmanini Consulting Engineers, Inc. effective January 1, 2025, for as-needed water supply support services, with a total agreement amount not to exceed \$800,000, subject to the appropriation of funds.
CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. (Environmental Services)

2.11 25-049 Master Consultant Agreement with Woodard & Curran, Inc. for Water Supply Support Services.

Recommendation: Approve a three-year term master consultant agreement with Woodard & Curran, Inc. for as-needed water supply support services, with a total agreement amount not to exceed \$800,000, subject to the appropriation of funds.
CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. (Environmental Services)

2.12 25-050 Amendment to the City Pay Plan for Various Classifications.

Recommendation: (a) Adopt a resolution amending the City of San José Pay Plan effective January 28, 2025, to create the following classifications:

- (1) Chief Water Systems Operator U (3649) with an annual pensionable salary range of \$146,000.00 - \$220,000.00; and
- (2) Chief Park Ranger (2429) classification with an annual pensionable salary range of \$131,060.80 - \$159,723.20.

(b) Approve the following position change in the Environmental Services Department:

- (1) Add 1.0 Chief Water Systems Operator.

(c) Approve the following position changes in the Parks, Recreation, and Neighborhood Services Department:

- (1) Delete 1.0 Parks Manager; and
- (2) Add 1.0 Chief Park Ranger.

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Environmental Services/Human Resources/Parks, Recreation, and Neighborhood Services/City Manager)

2.13 25-051 Actions Related to the Purchase Orders with FFBH Motors, LLC and Sunnyvale Ford, Inc. for Ford Repairs, Maintenance, and Parts.

Recommendation: Adopt a resolution authorizing the City Manager or her designee to:

- (a) Amend purchase orders OP 65806 with FFBH Motors, LLC (Santa Clara, CA), and OP 65807 with Sunnyvale Ford, Inc. (Sunnyvale, CA), for Ford repairs, maintenance, and parts to increase the total compensation by \$500,000, for a maximum compensation not-to-exceed \$1,200,000 for the period ending October 1, 2025; and
- (b) Exercise up to six one-year options to extend the term of the purchase orders with the last option ending on or about October 1, 2031, subject to the appropriation of funds.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Finance)

2.14 25-052 Actions Related to the Purchase Orders with Tom Lopes Distributing, Inc. dba Western States Oil Co. and Bosco Oil, Inc. dba Valley Oil Company for Fuel and Petroleum Products.

Recommendation: Adopt a resolution authorizing the City Manager or her designee to negotiate and execute purchase orders with Tom Lopes Distributing, Inc., dba Western States Oil Co. (San José, CA) and Bosco Oil, Inc., dba Valley Oil Company (Mountain View, CA) for fuel and petroleum products to extend services for one additional one-year option term for a total of ten options through January 31, 2026, subject to the appropriation of funds.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
(Finance)

2.15 25-053 Actions Related to the Purchase Order with Hi-Tech Emergency Vehicle Service, Inc. for Fire Apparatus Repairs, Preventative Maintenance, and Parts.

Recommendation: Adopt a resolution authorizing the City Manager or her designee to:
(a) Amend purchase order OP 65674 with Hi-Tech Emergency Vehicle Service, Inc. (Oakdale, CA), for fire apparatus repairs, preventive maintenance, and parts to increase the total compensation by \$1,650,000, for a maximum compensation not-to-exceed \$2,000,000 for the period ending October 14, 2025; and
(b) Exercise up to six one-year options to extend the term of the purchase order with the last option ending on or about October 14, 2031, subject to the appropriation of funds.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
(Finance)

2.16 25-054 Approval of Exception to the City Council Multifamily Housing Revenue Bond Policy and Authorizing the Finance Department to Hold Tax Equity and Fiscal Responsibility Act of 1986 Public Hearings.

Recommendation: Adopt a resolution:

(a) Authorizing exceptions to the City Council's Multifamily Housing Revenue Bond Policy, City Council Policy 1-16, for the issuance of Multifamily Housing Revenue Bonds due to special circumstances, thereby allowing the California Municipal Finance Authority to issue the bonds for the following developments:

(1) Paseo Senter I, located at 1898 Senter Road;

(2) Moreland Apartments, located at 4375 Payne Avenue; and

(3) Eden Palms Apartments, located at 5398 Monterey Road.

(b) Authorizing the Director of Finance to hold the Tax Equity and Fiscal Responsibility Act public hearings for Paseo Senter I, Moreland Apartments, and Eden Palms Apartments upon the receipt of California Debt Limit Allocation Committee debt allocations and the California Municipal Finance Agency's recycled bond allocations.

CEQA: Paseo Senter I, Moreland Apartments, and Eden Palms Apartments: Categorically Exempt, File No. ER24-246 (Exemption for Housing Rehabilitation Projects), CEQA Guidelines Section 15301, Existing Facilities. Council Districts 1, 2, and 7. (Housing/Finance)

2.17 25-055 Acceptance of the Bureau of Justice Assistance Fiscal Year 2024 National Sexual Assault Kit Initiative Grant.

Recommendation: (a) Adopt a resolution accepting the 2024 Bureau of Justice Assistance National Sexual Assault Kit Initiative grant in the amount of \$2,500,000 and authorizing the City Manager or her designee to execute the grant agreement, additional amendments, and all related documents, including online certifications at time of award acceptance and reimbursement requests, without further City Council action.

(b) Adopt the following Appropriation Ordinance and Funding Sources Resolution Amendments in the General Fund:

(1) Establish the 2024 National Sexual Assault Kit Initiative City-Wide Expenses appropriation to the Police Department in the amount of \$702,138; and

(2) Increase the estimate for Revenue from Federal Government by \$702,138.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (Police/City Manager)

2.18 25-056 Actions Related to the 2024 California Governor's Office of Emergency Services Internet Crimes Against Children Task Force Grant.

Recommendation: (a) Adopt a resolution accepting the 2024 California Governor's Office of Emergency Services Internet Crimes Against Children Task Force Grant in the amount of \$950,000; and authorize the City Manager or her designee to execute any grant agreements, amendments, and all related documents, including online certifications at time of award acceptance and reimbursement requests, without further City Council action.

(b) Adopt the following 2024-2025 Appropriation Ordinance and the Funding Sources Resolution amendments in the General Fund:

(1) Establish the Internet Crimes Against Children State Grant 2024-2025 City-Wide Expenses appropriation to the Police Department in the amount of \$759,783; and

(2) Increase the estimate for Revenue from the State of California by \$759,783.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (Police/City Manager)

2.19 25-057 Report on Bids and Award of Contract for the 10293-Sanitary Sewer Repairs Fiscal Year 2023-2024 Package II Project.

Recommendation: (a) Report on bids and award of contract for the construction of 10293-Sanitary Sewer Repairs Fiscal Year 2023-2024 Package II Project, to the lowest responsive, responsible bidder, Nor-Cal Pipeline Services, Inc., in the amount of \$3,368,542; and

(b) Approve a 10% contingency in the amount of \$336,854.

CEQA: Exempt, File No. ER23-189, CEQA Guidelines Sections 15301(b) Existing Facilities and 15302(c) Replacement or Reconstruction. Council Districts 3, 5, and 6. (Public Works)

3. STRATEGIC SUPPORT

3.1 Report of the City Manager, Jennifer Maguire (Verbal Report)

3.2 Labor Negotiations Update.

Accept Labor Negotiations Update.
TO BE HEARD AT 9:30 A.M.

3.3 25-038 Appointment of Vice Mayor.

Recommendation: Approve the appointment of Councilmember Pam Foley as Vice Mayor.
CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Mayor)

3.4 25-058 Annual Report on City Services 2023-2024.

Recommendation: Accept the Annual Report on City Services for 2023-2024.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (City Auditor)

3.5 25-059 Interim Appointment to Council District 3. - TO BE HEARD LAST

Recommendation: (a) Interview candidates for the interim appointment to Councilmember for District 3 on the San José City Council.
(b) Consideration of appointment of candidate to a term as the Councilmember for District 3, to begin February 2, 2025 and end when a candidate has been duly elected in the next regularly scheduled election and the results of the election have been officially certified.
CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (City Clerk)
TO BE HEARD LAST

4. PUBLIC SAFETY SERVICES**5. TRANSPORTATION & AVIATION SERVICES**

5.1 25-060 Airport Parking Garage and Surface Lot Management Services at the San José Mineta International Airport. - TO BE HEARD IMMEDIATELY AFTER ITEM 10.1

Recommendation: Adopt a resolution authorizing the City Manager or her designee to:

- (a) Negotiate and execute the third amendment to the existing agreement with SP Plus Corporation (Chicago, IL) for Airport Parking Garage and Surface Lot Maintenance Services at San José Mineta International Airport;
- (b) Increase the maximum compensation by \$32,172,222 resulting in an increase of the total not to exceed amount from \$25,157,809 to \$57,330,031, subject to the appropriation of funds;
- (c) Negotiate and execute amendments and/or change orders with a not-to-exceed amount for contingencies of \$3,217,222 for unanticipated changes such as changes to the list of parking facilities, service levels, and in-scope augmentations to the service offerings, subject to the appropriation of funds; and
- (d) Extend the term of the agreement and exercise five additional one-year option terms, resulting in a total of five one-year options to extend the potential term of the agreement starting on February 1, 2025 and ending on or about January 31, 2030, subject to the appropriation of funds.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.

(Finance/Airport)

TO BE HEARD IMMEDIATELY AFTER ITEM 10.1

6. ENVIRONMENTAL & UTILITY SERVICES

7. NEIGHBORHOOD SERVICES

8. COMMUNITY & ECONOMIC DEVELOPMENT

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

Notice to the public: There will be no separate discussion of Land Use Consent Calendar (Item 10.1) as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council requests discussion on a particular item, that item will be removed from the Land Use Consent Calendar (Item 10.1) and considered separately.

10.1 Land Use on Consent Calendar

- (a) **25-061 C23-118 & H23-035 - Conforming Rezoning and a Site Development Permit for Certain Real Property Located at 130 Stockton Avenue. - TO BE HEARD IMMEDIATELY AFTER CONSENT**

Recommendation: (1) Adopt a resolution adopting an Addendum to the Downtown Strategy 2040 Final Environmental Impact Report, in accordance with the California Environmental Quality Act, as amended.
(2) Approve an ordinance rezoning that certain real property of an approximately 1.72-gross-acre site located on the northeasterly side of Stockton Avenue approximately 230 feet northwest of West Santa Clara Street (130 Stockton Avenue; APN: 259-28-046) from the A(PD) Planned Development Zoning District to the DC Downtown Primary Commercial Zoning District.
(3) Adopt a resolution approving, subject to conditions, a Site Development Permit to allow the conversion of approximately 22,051 square feet of existing upper-level commercial space into 16 new multifamily residential units (including 10 live/work units) within an existing seven-story mixed-use residential building on an approximately 1.72-gross-acre site.
CEQA: Addendum to the Downtown Strategy 2040 Final Environmental Impact Report. Council District 6. (Planning, Building and Code Enforcement)
TO BE HEARD IMMEDIATELY AFTER CONSENT

END OF CONSENT CALENDAR**10 Land Use - Regular Agenda**

- **Open Forum**

Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the City Council. Members of the public may only speak at Open Forum once.

- **Adjournment**

This meeting will be adjourned in memory of Warren Eric Upton, who passed away on December 25, 2024. Warren Upton, a longtime San José resident and 105-year-old World War II Veteran, was the oldest living survivor of the 1941 attack on Pearl Harbor. Mr. Upton's bravery and dedication to his Naval service exemplify the spirit of service we honor today.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection online at <https://sanjose.legistar.com/Calendar.aspx> or at the Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street, Tower 14th Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Please go to the Clerk's Records Database <https://records.sanjoseca.gov/Pages/Search.aspx> for the final document, or you may also contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov.

ABOUT THE AGENDA

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- **Strategic Support** - The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- **Public Safety** - Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.
- **Transportation & Aviation Services** - A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- **Environmental and Utility Services** - Manage environmental services and utility systems to ensure a sustainable environment for the community.
- **Neighborhood Services** - Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- **Community & Economic Development** - Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.

The San José City Council meets every Tuesday at 1:30 p.m. and Tuesday at 6 p.m. as needed, unless otherwise noted. The City Council, or less than a quorum, may adjourn any regular, special or adjourned meeting to a later date, time and place specified in the order of adjournment. If all members are absent, the City Clerk may declare the meeting adjourned to a stated date, time and place. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <https://sanjose.legistar.com/Calendar.aspx>. Council Meetings are televised live and rebroadcast on Channel 26.

**CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN
THE COUNCIL CHAMBERS AND COMMITTEE ROOMS**

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- (a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- (b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- (c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- (d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- (e) Persons in the audience will not place their feet on the seats in front of them.
- (f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- (g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- (a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions: § No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- (b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- (c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

3. Addressing the Council, Committee, Board or Commission:

- (a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- (b) Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the total amount of time allocated for public testimony for each public speaker or for an agenda item is in the discretion of the Chair of the meeting and may be limited when appropriate. (California Government Code Section 54954.3; Council Policy 0-37) Applicants and appellants in land use matters are usually given more time to speak. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Council, Committee, Board or Commission.
- (c) Speakers should discuss only the agenda item when called to speak for that item, and only topics related to City business when called to speak during open forum on the agenda.
- (d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- (e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.'
- (f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- (g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.