



CITY COUNCIL MEETING

Amended Agenda

Tuesday, October 8, 2024
1:30 PM

LOCATION:
Council Chambers - 200 E. Santa Clara Street

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

Public Comment in Person Only

MATT MAHAN, MAYOR
ROSEMARY KAMEI, VICE MAYOR, DISTRICT 1
SERGIO JIMENEZ, DISTRICT 2
OMAR TORRES, DISTRICT 3
DAVID COHEN, DISTRICT 4
PETER ORTIZ, DISTRICT 5
DEV DAVIS, DISTRICT 6
BIEN DOAN, DISTRICT 7
DOMINGO CANDELAS, DISTRICT 8
PAM FOLEY, DISTRICT 9
ARJUN BATRA, DISTRICT 10

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

American Disability Act: To request an alternative format agenda under the Americans with Disabilities Act for City-sponsored meetings, events or printer materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.

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
- 應要求提供殘疾人便利設施. 電子郵件 ADA@sanjoseca.gov; 致電 (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 \$250 within the 12 months prior to the City decision. A Participant to a Proceeding may voluntarily report a campaign contribution. Please visit <https://sanjoseca.gov/your-government/appointees/city-clerk/levine-act> for updated forms and information.

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 94302037655. 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

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

6:00 p.m. - Evening Session, Council Chambers, City Hall

*Will not begin until 6pm or until after all afternoon items are heard, whichever is later.

• Pledge of Allegiance

• Invocation (District 9)

Mighty Mike McGee - San José Native & Spoken Word Poet

• 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

• Closed Session Report

To be heard after Ceremonial Items

1. CEREMONIAL ITEMS

1.1 Presentation of a proclamation recognizing October 16, 2024, as Tommie Smith and John Carlos Day, in conjunction with San José State University's recognized day of the same name, celebrating their accomplishments in the 1968 Olympics as members of SJSU's Speed City Track Team, acknowledging the great adversity they faced upon their return, and their courage as leaders in the Civil Rights Movement. (Mayor)

1.2 Presentation of a commendation to Stemmable Inc., for their incredible work in hosting STEM lessons, workshops, and events throughout San José Public Libraries and for teaching the students and future leaders of San José. (Torres)

1.3 Presentation of a commendation recognizing off-duty San José firefighter Antonio Lopez for his heroic acts in helping save the lives of a family trapped in their submerged vehicle. (Candelas)

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.**

2.2 **Final Adoption of Ordinances.**

Recommendation:

(a) Ordinance No. 31123 - An Ordinance of the City of San José Adding Chapter 17.41 to Title 17 of the San José Municipal Code to Require Mandatory Seismic Retrofit of Certain Wood-Frame Target Story (Soft Story) Residential Buildings.

[Passed for Publication on 9/24/2024 - Item 8.3 (24-197279)]

(b) Ordinance No. 31124 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 0.38 Gross Acre Situated on the North Side of Minnesota Avenue Approximately 200 Feet Northeast of the Intersection of Minnesota Avenue and Meridian Avenue (1581 Minnesota Avenue) (APN 429-50-052) from the R-1-8 Single-Family Residence Zoning District to the R-1-8(PD) Planned Development Zoning District.

[Passed for Publication on 9/24/2024 - Item 10.1(a)(1) (24-197280)]

(c) Ordinance No. 31125 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 9.8 Gross Acres Situated on the Westerly Side of South King Road, Approximately 250 Feet South of the Intersection of South King Road and Barberry Lane (2905-2919 South King Road) (APNS 670-12-014 and 670-12-015) from the LI(PD) Planned Development Zoning District to a New LI(PD) Planned Development Zoning District.

[Passed for Publication on 9/24/2024 - Item 10.2(a) (24-197282)]

(d) Ordinance No. 31126 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 1.07 Gross Acres Situated Easterly of the Intersection of Miller Avenue and Tucker Drive (1334 and 1348 Miller Avenue) (APNS 377-25-053 and 377-25-055) from the R-1-8 Single-Family Residential Zoning District to the R-1-8(PD) Planned Development Zoning District.

[Passed for Publication on 9/24/2024 - Item 10.3(b) (24-197283)]

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 Amendment to Voluntary Employees Beneficiary Association (VEBA) Advisory Committee Quorum and Voting.

Recommendation:

Approve an ordinance amending Sections 2.08.090 and 2.08.095 of Chapter 2.08 of Title 2 of the San José Municipal Code to revise the quorum and voting requirements relating to the Voluntary Employees Beneficiary Association (VEBA) Advisory Committee.

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Human Resources)

2.8 2024 Grant Application to County of Santa Clara All-Inclusive Playgrounds Grant Program Round 3 – Camden Community Center/Camden Park All-Inclusive Playground.

Recommendation:

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

(a) Prepare and submit a grant application to the County of Santa Clara All-Inclusive Grant Program for the design and development of an all-inclusive playground at Camden Community Center/Camden Park (3369 Union Avenue); and

(b) If awarded, negotiate, execute, and submit all documents, including but not limited to agreements, amendments, and payment requests between the City of San José and the County of Santa Clara All-Inclusive Grant Program for up to \$1,513,000.

CEQA: Not a Project, File No. PP17-006, Grant Application with no commitment or obligation to enter into an agreement at the time of application. Council District 9. (Parks, Recreation and Neighborhood Services)

2.9 On-Call Engineering Services for Bridge Maintenance and Rehabilitation.

Recommendation:

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute individual consulting service agreements with ARC Engineering Consultants, Inc., Biggs Cardosa Associates, Inc., and MNS Engineers, Inc. to provide engineering and technical support services for bridge maintenance and rehabilitation from the date of execution with an initial one-year term, and two additional one-year options to extend, for an amount not to exceed \$740,000 per consultant.

CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. (Transportation)

2.10 Grant Acceptance of Caltrans Sustainable Transportation Planning Grant.

Recommendation:

Adopt a “Resolution of Local Support” to receive grant funds from the California Department of Transportation Sustainable Transportation Planning Grant program that indicates the City will:

- (a) Follow all grant program requirements; and
- (b) Authorize the City Manager or her designee to negotiate and execute grant agreements and all documents necessary to effectuate the grant agreements administered by the California Department of Transportation, in an amount not to exceed \$221,325 for the reimbursement for the “San José Travel Models Big Data Update.”

CEQA: Statutorily Exempt, File No. PP17-001, CEQA Guidelines Section 15262, Feasibility and Planning Studies. (Transportation)

2.11 Amended Cooperative Agreement for the Diridon Station Project.

Recommendation:

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a Cooperative Agreement between Peninsula Corridor Joint Powers Board, City of San José, Metropolitan Transportation Commission, California High Speed Rail Authority, and Santa Clara Valley Transportation Authority on the pre-environmental and environmental phases of the Diridon Station Redevelopment Project.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. Council Districts 3 and 6. (Transportation)

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 Approval of the Power Supply Contract and Certain Other Documents in Connection with the Issuance and Sale of One or More Series of California Community Choice Financing Authority Clean Energy Revenue Bonds (Green Bonds).

Recommendation:

Adopt a resolution to approve, in connection with the issuance and sale of the California Community Choice Financing Authority Clean Energy Project Revenue Bonds (Green Bonds) in the not-to-exceed principal amount of \$1,250,000,000 to finance the acquisition of a long-term supply of electricity on a prepaid basis for the City of San José, in substantially final forms, Appendix A to the Official Statement, a Power Supply Contract, a Custodial Agreement, a Letter Agreement, and a Prepaid Energy Project Administration Agreement; and to authorize the City Manager and other authorized officers of the City, to execute and deliver these documents and any other related documents in connection therewith.

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. (Finance/Energy)

3.4 City Council Focus Area Semi-Annual Status Report for Fiscal Year 2023-2024 Third and Fourth Quarters.

Recommendation:

(a) Accept the semi-annual status report on the implementation of the City Council Focus Areas.

(b) Approve the use of the outcome and performance measures identified for each City Council Focus Area.

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 Manager)

4. PUBLIC SAFETY

5. TRANSPORTATION & AVIATION SERVICES

5.1 Airport Baggage Handling Conveyor System Services.

Recommendation:

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

(a) Negotiate and execute the fourth amendment to the existing agreement with Vanderlande Industries Inc. (Wilmington, DE) for an additional two years, extending the agreement to October 31, 2026, for the operation, maintenance, and repair of the Airport Baggage Handling Conveyor System in Terminals A and B, including all spare and replacement parts;

(b) Increase the maximum compensation by \$9,550,000 resulting in an increase of the total not to exceed amount from \$27,597,652 to \$37,147,652, subject to the annual appropriation of funds; and

(c) Exercise an additional two one-year options during the two-year extension period, subject to the annual appropriation of funds.

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

6. ENVIRONMENTAL & UTILITY SERVICES**7. NEIGHBORHOOD SERVICES****8. COMMUNITY & ECONOMIC DEVELOPMENT****8.1 Preliminary Actions Required for the Creation of the Monterey Corridor Business Improvement District and Levy Assessments for Fiscal Year 2024-2025.****Recommendation:**

(a) Adopt a resolution:

(1) Declaring the City Council's intention to establish the Monterey Corridor Business Improvement District;

(2) Setting a public meeting for October 29, 2024 at 1:30 p.m. and a public hearing for December 10, 2024 at 1:30 p.m.;

(3) Directing the City Clerk to publish the required notice of the public meeting and public hearings; and

(4) Appointing an Advisory Board to advise the City Council on all issues related to the Monterey Corridor Business Improvement District.

(b) Subject to the establishment of the Monterey Corridor Business Improvement District:

(1) Preliminarily approve the budget report of the Advisory Board for Fiscal Year 2024-2025; and

(2) Adopt a resolution of intention to levy an assessment for Fiscal Year 2024-2025 and set a public hearing for December 10, 2024, at 1:30 p.m. on the levy of assessments for Fiscal Year 2024-2025.

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 impact on the environment. Council District 7. (Economic Development and Cultural Affairs)

8.2 Request for Proposal for Consultant Services for the Eastside Alum Rock Urban Village to Implement Envision San José 2040 General Plan.**Recommendation:**

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a contract for consultants to assist with the development of the City's Eastside Alum Rock Urban Village Plan for a maximum aggregate compensation not to exceed \$360,393, contingent upon the appropriation of the remaining grant funds during the Fiscal Year 2024-2025 Annual Report.

CEQA: Exempt pursuant to CEQA Guidelines Section 15262, Feasibility and Planning Studies. Council District 5. (Planning, Building and Code Enforcement)

[Deferred from 9/24/2024 – Item 8.2]

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

No Land Use Items on Consent Calendar

END OF CONSENT CALENDAR

10. Land Use - Regular Agenda

10.2 PDC22-008, T22-034, PD22-021 & ER22-237 - Planned Development Rezoning, Vesting Tentative Map, and Planned Development Permit for Certain Real Property Located at 3464 Ambum Avenue. – RECOMMEND DEFERRAL

Recommendation:

(a) Adopt a resolution adopting the 3464 Ambum Avenue Residential Subdivision Project Mitigated Negative Declaration, for which an initial study was prepared, all in accordance with the California Environmental Quality Act, as amended, and adopting a related Mitigation Monitoring and Reporting Program.

(b) Approve an ordinance rezoning that certain real property of an approximately 2.59-gross acre site located on the south side of Ambum Avenue, approximately 250 feet westerly from Mitton Drive (3464 Ambum Avenue), from the R-1-5 Single Family Residence Zoning District to the R-1-5(PD) Planned Development Zoning District.

(c) Adopt a resolution approving, subject to conditions, a Vesting Tentative Map to merge two existing parcels into one parcel and subdivide that parcel into four single-family residential parcels on an approximately 2.59-gross-acre site.

(d) Adopt a resolution approving, subject to conditions, a Planned Development Permit to allow the demolition of one single-family residence, one accessory dwelling unit, and five accessory buildings, the removal of 23 ordinance-size and 16 non-ordinance-size trees, and the construction of four detached-single-family residences on an approximately 2.59-gross-acre site.

CEQA: Mitigated Negative Declaration for 3464 Ambum Avenue Residential Project, File No. ER22-237. Planning Commission recommends approval (9-0) (Item 5.a on the 9/11/2024 Planning Commission agenda.) Council District 8. (Planning, Building and Code Enforcement)

RECOMMEND DEFERRAL TO 10/22/2024 PER ADMINISTRATION

10.3 PDC23-006, PD23-002, H24-008 & ER23-005 - Planned Development Rezoning, Planned Development Permit, and Site Development Permit on those Certain Real Properties Located at 250 Hospital Parkway and 6120 Liska Lane (Kaiser Permanente San Jose Medical Center). – NOT TO BE HEARD BEFORE 6:00 P.M.

Recommendation:

(a) Adopt a resolution certifying the Environmental Impact Report (EIR) for the Kaiser Permanente San Jose Medical Center (File No. ER23-005), make certain findings concerning significant impacts, mitigation measures, alternatives, and adopt a related Mitigation Monitoring and Reporting Plan, in accordance with the California Environmental Quality Act (CEQA).

(b) Approve an ordinance rezoning that certain real property of an approximately 39.2-gross-acre campus site situated on the easterly side of Cottle Road, south of Highway 85 (250 Hospital Parkway) from the A(PD) Planned Development Zoning District to a new A(PD) Planned Development Zoning District.

(c) Adopt a resolution approving, subject to conditions, a Planned Development Permit to effectuate the Planned Development Rezoning (File No. PDC23-006) to allow the demolition of the existing approximately 250,000-square-foot hospital at 250 Hospital Parkway (APN 706-05-037), the removal of temporary structures and 59 trees including 32 ordinance-size trees on an approximately 8.45-acre site (APN 706-05-011) located on the northwest corner of Santa Teresa Boulevard and Camino Verde Drive for the construction of a 303-bed, six-story, approximately 685,000-square-foot hospital including a basement, and a new 35,000-square-foot energy center/service yard, and to allow the removal of 56 trees including 14 ordinance-size trees on an approximately 2.46-acre site (APN 706-05-025) located on the northeast corner of Santa Teresa Boulevard and Camino Verde Drive for the construction of a five-level, approximately 350,000-square-foot parking structure, and to allow extended construction hours from 6:00 a.m. to 7:00 p.m., Monday to Friday and on Saturdays between 8:00 a.m. and 5:00 p.m., and certain nighttime construction activities such as concrete pours on an as-needed basis during the construction period.

(d) Adopt a resolution approving, subject to conditions, a Site Development Permit to allow the removal of 16 trees, including seven ordinance-size trees, for the installation of an approximately 18,543-square-foot temporary construction office trailer complex with necessary site improvements within the 0.9-acre area of a 3.96-acre site located on the northeast of Liska Lane, approximately 91 feet north from Cheryl Beck Court (6120 Liska Lane) to support the hospital construction, and to allow the extended construction hours for installing the trailer complex from 6:00 a.m. to 7:00 p.m., Monday to Friday and 8:00 a.m. to 5:00 p.m. on Saturdays for a three-to-four month period.

CEQA: Environmental Impact Report for Kaiser Permanente San Jose Medical Center Project. Planning Commission recommends approval (9-0) (Item 5.b on the 9/11/2024 Planning Commission agenda.). Council District 10. (Planning, Building, Code Enforcement)

NOT TO BE HEARD BEFORE 6:00 P.M.

10.4 PP24-002 – Pleasant Hills Golf Course Guiding Principles. – NOT TO BE HEARD BEFORE 6:00 P.M.

Recommendation:

Consider and accept the Pleasant Hills Golf Course Guiding Principles as recommendations from the community.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. Planning Commission recommends approval (6-3-0; Tordillos, Cantrell and Lardinois opposed) (Item 5.c on the 9/11/2024 Planning Commission agenda). Council District 8. (Planning, Building and Code Enforcement)

NOT TO BE HEARD BEFORE 6:00 P.M.

• 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

• Notice of City Engineer's Pending Decision on Final Maps

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://sanjoseca.primegov.com/public/portal?fromiframe=1> 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://sanjoseca.primegov.com/public/portal?fromiframe=1>. 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.