



CITY COUNCIL MEETING

Amended Agenda

Tuesday, April 9, 2024
1:30 PM

LOCATION:
Council Chambers - 200 E. Santa Clara Street

Interpretation is available in Spanish and Vietnamese. In your webinar controls, select “Interpretation.” Click the language you would like to hear. (Zoom only)

Se dispone de interpretación en español y vietnamita. En los controles de su seminario web, seleccione "Interpretation" (Interpretación). (Zoom solo)

Thông dịch có sẵn bằng tiếng Tây Ban Nha và tiếng Việt. Trong các điều khiển hội thảo trên web của bạn, hãy chọn “Interpretation” (Phiên dịch). (Zoom chỉ một)

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.

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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
- 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 94558095100. 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/94558095100>
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 10:00 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 – Cancelled
*The previously scheduled Evening Session has been cancelled

• Pledge of Allegiance

• Invocation (District 4)

Kathleen MacDonald High School Cheer Team

• 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

This meeting will be adjourned in memory of the incredibly dedicated and gracious soul of Lt. Rich Saito who passed away on Friday March 15, 2024. Lt. Saito was a courageous Police Officer for the City of San José who led with boldness and a passion to provide safety and security for all residents. Lt. Saito's legacy is one that will continue to inspire, motivate, and foster public service. Lt. Saito will be missed dearly, yet always in our hearts and minds.

• Closed Session Report

To be heard after Ceremonial Items

1. CEREMONIAL ITEMS

1.1 Presentation of a commendation to the Peninsula Humane Society and SPCA/South Bay Wildlife Center in recognition for administering care to sick, injured, and orphaned wildlife, as well as providing educational programming for 30 years. (Cohen)

1.2 Presentation of a proclamation declaring April 2024 as Distracted Drivers Awareness Month to raise awareness and implementation of safe driving practices to decrease the number of road-related injuries and fatalities in the City of San José. (Foley)

1.3 Presentation of a proclamation declaring April 13-16, 2024 as Cambodian New Year to join in celebration with the Cambodian community in the City of San José. (Ortiz)

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.**

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 **Agreement with the State of California, Office of Planning and Research, California Volunteers for Phase Two Grant Funding for TogetherSJ.**

Recommendation:

Adopt a resolution authorizing the City Manager or her designee to execute an Agreement between the City of San José and the State of California, Office of Planning and Research, California Volunteers to accept the Phase Two Grant Funding for TogetherSJ in the amount of \$1,000,000 and to negotiate and execute additional amendments and related documents without further City Council action.

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. (City Clerk)

2.8 Pathways to Self-Sufficiency Program.**Recommendation:**

Adopt the following 2023-2024 Funding Sources Resolution and Appropriation Ordinance Amendments in the Workforce Development Fund:

(a) Increase the estimate for revenue from Federal Government appropriation by \$2,700,000; and

(b) Establish the Pathway to Self-sufficiency Program City-Wide Expenses appropriation to the Office of Economic Development and Cultural Affairs by \$2,700,000.

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. (Economic Development and Cultural Affairs/City Manager)

2.9 Actions Related to the Purchase Orders with George Bianchi Construction, Inc. and Granite Rock Company for As-Required Minor Bridge Repair Services.**Recommendation:**

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

(a) Amend purchase orders OP 64582 with George Bianchi Construction, Inc. (San José, CA) and OP 64584 with Granite Rock Company (Watsonville, CA) for as-required minor bridge repair services, to increase the total combined compensation by \$500,000 for a revised maximum total compensation not-to-exceed \$1,200,000 for the period ending on or about January 22, 2025; and

(b) Exercise up to six one-year options to extend the terms of each purchase order, with the last option ending on or about January 22, 2031, subject to appropriation of funds.

CEQA: Categorically Exempt, File No. PP18-029, CEQA Guidelines Section 15301(c), Existing Facilities. (Finance)

2.10 Second Amendment to Master Agreement with SANDIS Civil Engineers Surveyors Planners for Two Central Service Yard Projects: Water Lines Replacement and Fire Sprinkler System Upgrades.**Recommendation:**

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute the Second Amendment to the Master Agreement for consultant services with SANDIS Civil Engineers Surveyors Planners (CPMS Contract No. 9433-A), increasing the maximum compensation amount from \$320,000 to \$420,000 for the sole purpose of completing the two Central Service Yard Projects: Water Lines Replacement and Fire Sprinkler System Upgrades.

CEQA: Categorically Exempt, File No. ER24-019, CEQA Guidelines Section 15301, Existing Facilities; and File No. ER24-020, CEQA Guidelines Section 15302, Replacement or Reconstruction. (Public Works)

2.11 Renewal of the Willow Glen Community Benefit Improvement District.

Recommendation:

(a) Adopt a resolution approving the execution of petitions, as property owner, to expand and renew the Willow Glen Community Benefit Improvement District for an additional 15-year term.

(b) Approve an agreement with the Willow Glen Business Association to fund the City's costs in conducting proceedings to expand and renew the Willow Glen Community Benefit Improvement District in the amount of \$31,366.

(c) Adopt the following 2023-2024 Funding Sources Resolution and Appropriation Ordinance amendments in the Business Improvement Districts Fund:

(1) Establish an estimate for Other Revenue in the amount of \$31,366; and

(2) Increase the Administration Services appropriation to the Public Works Department by \$31,366.

(d) Adopt a resolution:

(1) Stating City Council's intention to expand and renew the Willow Glen Community Benefit Improvement District for an additional 15-year term;

(2) Preliminarily approving the Willow Glen Community Benefit Improvement District Management Plan, including the Engineer's Report; and

(3) Setting a public hearing and the tabulation of the majority protest ballots for June 4, 2024, at 1:30 p.m. or as soon thereafter as the matter may be heard.

(e) Adopt a resolution finding the Willow Glen Business Association remains uniquely situated to manage and oversee the delivery of services specified in the Willow Glen Community Benefit Improvement District Management Plan and Engineer's Report pursuant to San José Municipal Code section 4.12.235, and delegating to the City Manager, or her designee, the authority to negotiate and execute an agreement with the Willow Glen Business Association to provide management of the expanded and renewed Willow Glen Community Benefit Improvement District, if approved by the property owners and formed by City Council on June 4, 2024.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment and 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. Council District 6. (Public Works/City Manager)

2.12 Agreement with RC Design Collaborative for the Reimagining Santa Clara Street Complete Street Plan.

Recommendation:

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a consulting services agreement with RC Design Collaborative (Sitelab Urban Studio) for the Reimagining Santa Clara Street Complete Street Plan from the date of execution through December 30, 2025, for an amount not to exceed \$485,000.

CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. Council Districts 3 and 6. (Transportation)

2.13 Acceptance of California Department of Transportation 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 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 \$345,269 for reimbursement for the Guadalupe River Trail Connections and Crossings Flooding Adaptation Plan.

CEQA: Statutorily Exempt, File No. PP17-001, CEQA Guidelines Section 15262, Feasibility and Planning Studies. Council Districts 3, 4, 6. (Transportation)

2.14 2024 Major Streets Remove and Replace Pavement Project.

Recommendation:

- (a) Report on bids and award a contract for the construction of 10402 – 2024 Major Streets Remove and Replace Pavement Project, to the lowest responsive, responsible bidder, O’Grady Paving, Inc., in the amount of \$1,692,749; and
- (b) Approve a 10% contingency in the amount of \$169,275.

CEQA: Exempt, File No. ER23-009, CEQA Guidelines Section 15301(c), Existing Facilities. (Transportation/Public Works)

2.15 Approval of National Night Out as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

Recommendation:

As recommended by the Rules and Open Government Committee on March 27, 2024:

- (a) Approve the National Night Out scheduled on August 6, 2024 as a City Council sponsored Special Event and approve the expenditure of funds; and
- (b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (City Clerk)
[Rules Committee referral 3/27/2024 - Item B.2]

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 Proposed Ordinances Authorizing the Removal of Vehicles Parked in Violation of Prohibited Large Vehicle Parking Zones and No Overnight Parking Zones.

Recommendation:

(a) Approve an ordinance amending Chapter 11.98 of Title 11 of the San José Municipal Code to add Section 11.98.025 authorizing the removal of large vehicles parked upon a street, or portions thereof, where the parking of large vehicles creates a safety hazard for pedestrians or vehicles; and amending Section 11.98.040 to require the posting of signage authorizing the removal of large vehicles parked in “No Large Vehicle Parking Zones.”

(b) Approve an ordinance amending Chapter 11.36 of Title 11 of the San José Municipal Code to add Section 11.36.255 to prohibit the overnight parking of vehicles upon a street, or portion thereof; and amending Chapter 11.56 of Title 11 of the San José Municipal Code to add Section 11.56.060 authorizing the removal of vehicles parked where the overnight parking of vehicles is prohibited.

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

3.4 Proposed Ordinance Codifying the Existing Encampment Management Program Around Schools and Establishing School Clearance Zones.

Recommendation:

Approve an ordinance amending Chapter 10.20 of Title 10 of the San José Municipal Code to add Part 6 to Chapter 10.20 to establish “School Clearance Zones” which would prohibit certain obstructions within 150 feet of schools.

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

3.5 Language Accessibility Audit Report.

Recommendation:

As recommended by the Public Safety, Finance, and Strategic Support Committee on March 21, 2024, accept the report on the language accessibility audit.

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)

[Public Safety, Finance, and Strategic Support Committee referral – 3/21/2024 – Item (d)2]

3.6 Amendments to Consolidated Open Government and Ethics Resolution No. 77135 (Section 4.3.2.5 C), Code of Ethics for Officials and Employees of the City of San José Policy, Code of Ethics Policy, Investigation Principles Policy, and Discipline Policy.

Recommendation:

(a) Adopt a resolution to amend the City of San José's Consolidated Open Government and Ethics Resolution No. 77135 (Section 4.3.2.5 C) to document circumstances under which disciplinary actions taken against regular Classified Civil Service Employees may be subject to disclosure due to serious misconduct and supersede Resolution No. 77135.

(b) Adopt a resolution to amend:

(1) Council Policy 0-15, Code of Ethics for Officials and Employees of the City of San José in the Council Policy Manual; and

(2) City's Code of Ethics Policy in the City Administrative Policy Manual.

(c) Accept the update regarding revisions made to the City's Investigation Principles Policy and Discipline Policy in the City Administrative Policy Manual.

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

3.7 Adoption of Ordinances to Establish 14 New Rule 20A Underground Utility Districts.

Recommendation:

Conduct Public Hearings and approve ordinances to establish Rule 20A Underground Utility Districts along Willow Street, East San Salvador Street, Empire Street, Hensley Street, North First Street, North Second Street, North Third Street, North Fourth Street, White Road, Story Road, Felipe Avenue, Coyote Road, San Felipe Road, Branham Lane, Almaden Road, Almaden Expressway, Coleman Road, Blossom Hill Road, Snell Avenue, Saratoga Avenue, Umbarger Road, and North Taylor Street.

CEQA: Categorically Exempt, File No. ER24-011, Exempt pursuant to CEQA Guidelines Section 15301(b) Existing Facilities and 15302(d) Conversion of Overhead Electric Facilities. (Public Works)

4. PUBLIC SAFETY

5. TRANSPORTATION & AVIATION SERVICES

5.1 City of San José Community Forest Investment Project.

Recommendation:

(a) Accept and receive United States Forest Service funds awarded for the Community Forest Investment Project.

(b) Adopt a resolution authorizing the City Manager or her designee to enter into a grant agreement with the United States Forest Service for an amount not to exceed \$5,644,300 as part of the Community Forest Investment Project via the Inflation Reduction Act of 2022.

CEQA: Categorically Exempt, File No. ER23-151, CEQA Guidelines Section 15301(h), Existing Facilities. (Transportation)

6. ENVIRONMENTAL & UTILITY SERVICES

6.1 San José Clean Energy Programs Roadmap Status Report. – RECOMMEND DEFERRAL

Recommendation:

As recommended by the Transportation and Environment Committee on March 4, 2024, accept the status report on the San José Clean Energy’s Programs Roadmap, and authorize the City Manager or her designee to fund consultant(s) to implement the heap pump incentive and on-bill financing program and allocate \$495,000 in community development funds received to date to workforce development programs to be developed in fall 2024. CEQA: Statutorily Exempt, ER24-021, CEQA Guidelines Section 15601(b)(3), Review for Exemption; and Categorically Exempt, File No. ER24-021, CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures. (Energy)

[Transportation and Environment Committee referral – 3/4/2024 – Item (d)2]

RECOMMEND DEFERRAL TO 4/23/2024 PER ADMINISTRATION

7. NEIGHBORHOOD SERVICES

7.1 Children and Youth Services Master Plan Status Report. – TO BE HEARD AT 5:30 P.M.

Recommendation:

As recommended by the Neighborhood Services and Education Committee on February 8, 2024, accept the status report on the Children and Youth Services Master Plan, including the American Rescue Plan spending plan for children and youth services.

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/Library/Parks, Recreation and Neighborhood Services)

[Neighborhood Services and Education Committee referral – 2/8/2024 – Item (d)2]

TO BE HEARD AT 5:30 P.M.

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

No Land Use Items on Consent Calendar

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.

• Adjournment

This meeting will be adjourned in memory of the incredibly dedicated and gracious soul of Lt. Rich Saito who passed away on Friday March 15, 2024. Lt. Saito was a courageous Police Officer for the City of San José who led with boldness and a passion to provide safety and security for all residents. Lt. Saito's legacy is one that will continue to inspire, motivate, and foster public service. Lt. Saito will be missed dearly, yet always in our hearts and minds.

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.