



City Council Meeting Agenda

Tuesday, May 6, 2025

1:30 PM

Council Chambers

MATT MAHAN, MAYOR
ROSEMARY KAMEI, DISTRICT 1
PAMELA CAMPOS, DISTRICT 2
CARL SALAS, DISTRICT 3
DAVID COHEN, DISTRICT 4
PETER ORTIZ, DISTRICT 5
MICHAEL MULCAHY, DISTRICT 6
BIEN DOAN, DISTRICT 7
DOMINGO CANDELAS, DISTRICT 8
PAM FOLEY, VICE MAYOR, 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

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

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. For more information:

<https://www.sanjoseca.gov/your-government/appointees/city-clerk/levine-act/-fsiteid-1#!/>

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 915 5718 2016. 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/91557182016>

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

25-460 Closed Session Agenda

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

- **Pledge of Allegiance**
- **Invocation (District 5)**
- **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 May 2025 as Asian American & Pacific Islander Heritage Month in the City of San José. (Kamei & Doan)

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 25-464 Actions Related to the Youth Service Corps Program.

Recommendation: Adopt a resolution:

- (a) Accepting the \$5,645,628 grant from California Volunteers for the Youth Service Corps to continue the Resilience Corps Program in San José; and
- (b) Authorizing the City Manager or her designee to negotiate and execute agreements, and all other necessary and/or ancillary documents, with the San José Conservation Corps, San José Public Library Foundation, Keep Coyote Creek Beautiful, Trash Punx, Our City Forest, Veggielution, San José Downtown Association, Goodwill of Silicon Valley, South Bay Clean Creeks Coalition, and Guadalupe River Park Conservancy to implement the Resilience Corps program in a combined amount not to exceed \$5,178,373.

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. (Library/Parks, Recreation and Neighborhood Services)

2.8 25-465 Approval of “Free Use” of City Hall Rotunda for the Neighborhood Forum, “Collaborative Solutions for Homelessness in San José.”

Recommendation: Adopt a resolution authorizing “Free Use” for the Neighborhood Forum “Collaborative Solutions for Homelessness in San José” held at City Hall Rotunda on Saturday, June 7, 2025 hosted by the Department of Parks, Recreation and Neighborhood Services.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Parks, Recreation and Neighborhood Services).

2.9 25-466 Actions Related to the 8820 - Milligan Parking Lot Project.

Recommendation: Approve an increase to the construction contingency from 15% to 25% for the 8820 - Milligan Parking Lot Project in the amount of \$400,000, for a total contingency of \$1,011,646.

CEQA: Milligan Parking Lot Project Final Supplemental Environmental Impact Report (FSEIR) (Resolution No. 2024-233), and Addenda thereto. Council District 6. (Public Works/Transportation)

• CONVENE THE MEETING OF THE JOINT CITY OF SAN JOSE CITY COUNCIL AND SAN JOSE FINANCING AUTHORITY

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 25-467 Report on Request for Proposals for an Advanced Metering Infrastructure Solution.

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

- (1) Negotiate and execute an agreement with Badger Meter, Inc. (Milwaukee, WI) for equipment, including water-metering products, related accessories, software, related professional services such as pre-installation surveys, installation, training, public outreach, provisioning of a cellular-based network, and maintenance and support for an advanced metering infrastructure (AMI) solution (collectively, AMI Solution) for the Environmental Services Department of the City of San José, with an initial three-year term beginning on or about May 26, 2025, and ending on or about May 25, 2028, or as may be adjusted to align with the renewal term, with a maximum compensation not to exceed \$21,322,261, subject to the appropriation of funds;
- (2) Approve a contingency of \$2,132,226 for unanticipated costs;
- (3) Negotiate and execute amendments and/or change orders related to unanticipated changes in the AMI business reengineering process and related services, subject to the appropriation of funds; and
- (4) Exercise up to four five-year options to extend the term of the agreement for a maximum term of twenty-three years through May 25, 2048, subject to the appropriation of funds.

(b) Adopt the following 2024-2025 Appropriation Ordinance amendments in the Water Utility Capital Fund:

- (1) Increase the Advanced Metering Infrastructure Implementation appropriation to the Environmental Services Department by \$1,500,000; and
- (2) Decrease the Unrestricted Ending Fund Balance by \$1,500,000.

CEQA: Categorically Exempt, File No. ER25-032, CEQA Guidelines Section 15301 - Existing Facilities. Council Districts 2, 4, 7, and 8.
(Finance/Environmental Services/City Manager)

4. PUBLIC SAFETY SERVICES

5. TRANSPORTATION & AVIATION SERVICES

5.1 25-468 Guadalupe Gardens Master Plan Amendment. - TO BE HEARD CONCURRENTLY WITH ITEM 10.2

Recommendation: Adopt a resolution amending the Guadalupe Gardens Master Plan to remove four sites from the Guadalupe Gardens Master Plan.

CEQA: General Plan Amendment and Planned Development Rezoning for the Coleman and Hedding Commercial Development Project
Environmental Impact Report, File No. ER23-056. Council District 6.
(Airport)

6. ENVIRONMENTAL & UTILITY SERVICES

7. NEIGHBORHOOD SERVICES

7.1 25-469 Report on the City Charter Regarding Parks.

Recommendation: Accept the report on the historical implementation of Section 1700 of the City Charter (Charter Parks) and site inventory of Charter Parks as outlined in Attachment A of the staff memorandum and memorialize the policy on how Section 1700 on Charter Parks is applied.
CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Parks, Recreation and Neighborhood Services).

7.2 25-470 Code Enforcement Operational Assessment Report.

Recommendation: Accept the Code Enforcement Operational Assessment Report and approve Phase 1 of the Code Enforcement Improvement Workplan.
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, Building and Code Enforcement)

7.3 25-471 Amendment to Title 9 of the San José Municipal Code to Establish Additional Requirements for Mandatory Abandoned Shopping Cart Prevention Plans.

Recommendation: Approve an ordinance amending Section 9.60.330 of Title 9 of the San José Municipal Code to establish additional requirements for Mandatory Abandoned Shopping Cart Prevention Plans.
CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Planning, Building, and Code Enforcement)

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.

OPEN GENERAL PLAN FIRST REVIEW CYCLE FOR 2025 HEARING

10.1 Land Use on Consent Calendar

- (a) **25-472** GPT25-001 - General Plan Text Amendment for Policy IP-5.15 Envision San José 2040 General Plan for Urban Villages.

Recommendation: Adopt a resolution approving a City-Initiated General Plan Text Amendment to amend Policy IP-5.15 of the Envision San José 2040 General Plan to address the need to identify a stable, internal funding source for the urban village planning process.
CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.
Planning Commission recommends _____ (Item 7.a on the 4/23/2025 Planning Commission agenda). (Planning, Building and Code Enforcement)

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

10.2 25-473 GP18-012 & PDC23-009, ER23-056 - City-Initiated General Plan Amendment and City-Initiated Rezonings for Four Sites Located Along Coleman Avenue and West Hedding Street. - TO BE HEARD CONCURRENTLY WITH ITEM 5.1

- Recommendation:** (a) Adopt a resolution certifying the Coleman and Hedding Commercial Development GPA and PD Rezoning Project Environmental Impact Report (File Nos. GP18-012, PDC23-009, & ER22-056) and making certain findings concerning significant impacts, mitigation measures, and alternatives, and adopting a Mitigation Monitoring and Reporting Plan, in accordance with the California Environmental Quality Act (CEQA), as amended.
- (b) Adopt a resolution approving the General Plan Amendment to amend the Envision San José 2040 General Plan Land Use/Transportation Diagram land use designation from Open Space, Parkland and Habitat and Light Industrial to Combined Industrial Commercial.
- (c) Approve an ordinance rezoning that certain real property situated on the northwest corner of the intersection of West Hedding Street and Ruff Drive (APN 230-38-076) from the OS Open Space Zoning District to the OS(PD) Planned Development Zoning District on an approximately 0.36-gross-acre site (Site 1).
- (d) Approve an ordinance rezoning that certain real property situated on the northeast corner of the intersection of West Hedding Street and Spring Street (APN 230-38-092) from the OS Open Space Zoning District to the OS(PD) Planned Development Zoning District on an approximately 0.37-gross-acre site (Site 2).
- (e) Approve an ordinance rezoning those certain real properties situated between Coleman Avenue, West Hedding Street, Walnut Street and Asbury Street (APN 259-02-131, 259-02-130, 259-08-102, and University Avenue Right-of-Way between Coleman Avenue and Walnut Street) from the no designation, OS Open Space, LI Light Industrial, and R-2 Two-Family Residence Zoning District to the OS(PD) Planned Development Zoning District on an approximately 10.27-gross-acre site (Site 3).
- (f) Approve an ordinance rezoning those certain real properties situated easterly on Coleman Avenue 80 feet south of Asbury Street (APN 259-08-101 [western portion only] and 259-08-072) from the OS Open Space Zoning District to the OS(PD) Planned Development Zoning District on an approximately 0.27-gross-acre site (Site 4).

CEQA: Coleman and Hedding Commercial Development General Plan Amendment and Planned Development Rezoning Project Environmental Impact Report. (File Nos. GP18-012; PDC23-009). Planning Commission recommends approval (9-0) (Item 8.a on the 4/9/2025 Planning Commission agenda). Council District 6. (Planning, Building and Code Enforcement)

10.3 25-474

Burbank 45, C21-034, GP23-001, H23-005, T23-003 & ER23-026 - Annexation, Prezoning, General Plan Amendment, Site Development Permit, and Vesting Tentative Map for Certain Real Property Located at 1921 and 1927 West San Carlos Street and 30-58 Cleveland Avenue.

Recommendation:

- (a) Adopt a resolution adopting the Mitigated Negative Declaration for the 1921-1927 West San Carlos Street Project (File Nos. Burbank 45, C21-034, GP23-001, H23-005, T23-003, ER23-026) and a related Mitigation Monitoring and Reporting Plan, in accordance with the California Environmental Quality Act (CEQA), as amended.
- (b) Adopt a resolution initiating proceedings and scheduling May 6, 2025, for City Council consideration of the reorganization of territory designated as Burbank No. 45, which involves the annexation to the City of San José of approximately 0.912-gross acres of land from Santa Clara County unincorporated territory and the detachment of the same from the appropriate special districts, including the Burbank Sanitary District.
- (c) Approve an ordinance pre-zoning an approximately 0.56-gross acre site in Santa Clara County unincorporated territory designated as Burbank No. 45 into the Urban Village Zoning District.
- (d) Adopt a resolution approving the General Plan Amendment to amend the Envision San José 2040 General Plan Land Use/Transportation Diagram land use designation from Mixed Use Commercial to Urban Village and a Text Amendment to the West San Carlos Urban Village Plan to amend the land use map designation from Mixed Use Commercial to Urban Village.
- (e) Adopt a resolution approving a tentative map to combine five lots to create one approximately 0.56-acre lot to facilitate the proposed mixed-use development.
- (f) Adopt a resolution approving, subject to conditions, a site development permit to allow demolition of five commercial structures totaling approximately 12,500 square feet, and the construction of a seven-story mixed-use development consisting of 94 one hundred percent affordable units, including a manager's unit, and approximately 1,800 square feet of ground floor commercial space, and a Density Bonus request for four concessions and eight waivers on a 0.56-acre site.

CEQA: Mitigated Negative Declaration for 1921 and 1927 West San Carlos Project (File Nos. Burbank 45, C21-034, GP23-001, H23-005, T23-003, ER23-026). Planning Commission recommends approval (9-0) (Item 8.b on the 4/9/2025 Planning Commission agenda). Council District 6. (Planning, Building and Code Enforcement)

CLOSE GENERAL PLAN FIRST REVIEW CYCLE FOR 2025 HEARING

- **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**

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.

JOINT CITY OF SAN JOSE CITY COUNCIL AND SAN JOSE FINANCING AUTHORITY**1:30 p.m.****May 6, 2025****Council Chambers**

- **Call to Order and Roll Call**

1. 25-475 Actions Related to the City of San José Financing Authority's Commercial Paper Program. - TO BE HEARD CONCURRENTLY WITH SJFA ITEM 2

Recommendation: (a) City Council adopt a resolution:

(1) Authorizing the City Manager, the Director of Finance or their designees to negotiate, execute, and deliver a Letter of Credit and Reimbursement Agreement and a Fee Agreement with TD Bank, N.A., the Eighth Supplement to the Amended and Restated Trust Agreement, and other financing documents to support the City of San José Financing Authority's Lease Revenue Commercial Paper Notes Program; and authorize the execution and delivery of a Sixth Amendment to the Site Lease, a Sixth Amendment to the Sublease, and other related actions pertaining to the Authority's Lease Revenue Commercial Paper Program in order to provide for the substitution of certain components of the property under the Site Lease and Sublease.

(2) Authorizing the negotiation, execution, and delivery of one or more extensions of such Letter of Credit based on substantially the same terms and conditions for a duration of time that the City's Designated Officers deem necessary, advisable or prudent, provided that no such extension shall require an annual fee in excess of 1.00% of the stated amount of the Letter of Credit without the approval of the City Council.

(b) City of San José Financing Authority Board adopt a resolution:

(1) Authorizing the Executive Director, the Treasurer of the Authority or their designees to negotiate, execute, and deliver a Letter of Credit and Reimbursement Agreement and a Fee Agreement with TD Bank, N.A., the Eighth Supplement to the Amended and Restated Trust Agreement, and other financing documents to support the City of San José Financing Authority's Lease Revenue Commercial Paper Notes Program; and authorize the execution and delivery of a Sixth Amendment to the Site Lease, a Sixth Amendment to the Sublease, and other related actions pertaining to the Authority's Lease Revenue Commercial Paper Program in order to provide for the substitution of certain components of the property under the Site Lease and Sublease.

(2) Authorizing the negotiation, execution and delivery of one or more extensions of such Letter of Credit based on substantially the same terms and conditions for a duration of time that the Authority's Designated Officers deem necessary, advisable or prudent, provided that no such extension shall require an annual fee in excess of 1.00% of the stated amount of the Letter of Credit without the approval of the Authority Board.

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)

2. 25-476 Issuance of City of San José Financing Authority Commercial Paper for the Advanced Metering Infrastructure System. - TO BE HEARD CONCURRENTLY WITH SJFA ITEM 1

Recommendation: (a) Conduct a public hearing in accordance with Section 6586.5 of the California Government Code, to hear and consider information concerning the approval by the City of San José of a lease financing by the City of San José Financing Authority and the City for certain public capital improvements of the City, consisting of the Advance Metering Infrastructure project (AMI Project), a system-wide upgrade of approximately 27,000 water meters to a cellular based advanced metering infrastructure system within the City of San José Municipal Water System, through the issuance of lease revenue commercial paper notes by the City of San José Financing Authority, and the significant public benefit of such financing by the City of San José Financing Authority in accordance with the criteria specified in Section 6586 of the California Government Code.

(b) Adopt a resolution of the City of San José Financing Authority approving and authorizing the issuance of lease revenue commercial paper notes in the amount not to exceed \$23,000,000 to finance the purchase and installation of the AMI Project for the City of San José Environmental Services Department Water Resources Division.

(c) Adopt a resolution of the City of San José approving and authorizing the issuance of City of San José Financing Authority lease revenue commercial paper notes in the amount not to exceed \$23,000,000 to finance the purchase and installation of the AMI Project for the City of San José Environmental Services Department Water Resources Division.

CEQA: Categorically Exempt, File No. ER25-032, CEQA Guidelines Section 15301, Existing Facilities. (Finance/Environmental Services)

- Open Forum
- Adjournment

**ADJOURN THE MEETING OF THE JOINT CITY OF SAN JOSE
CITY COUNCIL AND SAN JOSE FINANCING AUTHORITY AND
RECONVENE THE MEETING OF THE CITY COUNCIL**

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.