



City Council Meeting Agenda

Tuesday, August 25, 2026

1:30 PM

Hybrid Meeting - Council Chambers and Virtually -

<https://sanjoseca.zoom.us/j/98221474336>

Closed Session at 9:30 a.m.

MATT MAHAN, MAYOR
ROSEMARY KAMEI, DISTRICT 1
PAMELA CAMPOS, DISTRICT 2
ANTHONY TORDILLOS, 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.

*For live translations in over 50 languages, please go to <https://attend.wordly.ai/join/FAYU-7105> Also visit our language access page at:
<https://www.sanjoseca.gov/your-government/appointees/city-clerk/language-access-for-city-council-and-council-committee-meetings>*

[26-602](#)

Language Access Instructions / Instrucciones de interpretación / Hướng dẫn diễn giải

Attachments [Language Access Page](#)
[How to Use Wordly illustration](#)

American Disability Act

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Accommodations

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

- Adaptaciones para discapacitados serán proporcionadas a pedido. Mande correo electrónico ADA@sanjoseca.gov; Llame (408) 535-8430.
- Bất kỳ ai trong công-đồng cần sự hỗ-trợ xin gửi điện-thư cho Điều-phối-viên ADA theo địa-chỉ ADA@sanjoseca.gov hoặc gọi đến số (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

- 1) Cable Channel 24
 - 2) <https://sanjoseca.gov/news-stories/watch-a-meeting>
 - 3) <https://youtube.com/CityofSanJoseCalifornia>
 - 4) By Phone: (888) 475 4499. Webinar ID is 982 2147 4336. 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/98221474336>
- 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

Members of the public are encouraged to submit written comments to the City Council via email at [city.clerk \(at\) sanjoseca.gov](mailto:city.clerk@sanjoseca.gov). 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.

To ensure comments are published and distributed to the Council prior to the meeting, please submit them no earlier than 10 days before the meeting and no later than 5:00 p.m. on the day before the meeting. Comments received after 5:00 p.m. on the day before the meeting may still be posted before the meeting, depending on the volume of submissions received.

You may speak to the City Council about any discussion item that is on the agenda and under Open Forum for City Business that is not on the agenda.

To Speak in Person: Fill out a 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 and on the screen above you. 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.

To Speak Online: Raise your hand in the Zoom application. Speakers are called in order. When we reach your name, the City Clerk will give you permission to speak and a pop-up will appear on your screen letting you know it’s your turn.

- **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

[26-879](#)

Closed Session Agenda

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

- Pledge of Allegiance
- Invocation (District 7)

Association of Indo Americans

- Orders of the Day

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 declaring August 24-30, 2026, as Silicon Valley Pride Week to recognize the City of San José's vibrant and diverse LGBTQ+ community. (Foley, Tordillos, Cohen)

1.2 Presentation of a commendation recognizing Brian Adams for his longstanding dedication and services to Bellarmine College Preparatory and for his contributions to strengthening the Bellarmine community. (Mulcahy)

1.3 Presentation of a proclamation recognizing August 2026 as Artist Appreciation Month and celebrating the important contributions of artists to the cultural vibrancy, creativity, and diversity of the City of San José. (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.

[26-880](#)

Final Adoption of Ordinances.

Recommendation:

(a) Ordinance No. 31339 - An Ordinance of the City of San José Amending Section 3.48.070 of Chapter 3.48, Title 3 of the San José Municipal Code.

[Passed for Publication on 8/11/2026 - Item 2.9(a) (26-818)]

(b) Ordinance No. 31341 - An Ordinance of the City of San José Amending Sections 2.08.050, 2.08.060, 2.08.820, 2.08.1020, 2.08.1600, 2.08.2140, 2.08.2640, 2.08.2830, 2.08.3240, And Repealing Sections 2.08.1610, 2.08.1650, Part 22 and Part 34 of Chapter 2.08 of Title 2 of the San José Municipal Code to: (1) Streamline the Appointment Process; (2) Sunset the Neighborhoods Commission; and (3) Dissolve the Council Appointment Advisory Commission.

[Passed for Publication on 8/11/2026 - Item 3.8(b) (26-841)]

(c) Ordinance No. 31342 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 5.02-Gross Acres, Situated on the North Side of Rue Ferrari, Approximately 450 Feet West of Silicon Valley Boulevard (5891 Rue Ferrari; APN 678-05-053), from the IP Industrial Park Zoning District to the CIC Combined Industrial/Commercial Zoning District.

[Passed for Publication on 8/11/2026 - Item 10.1(a)(1) (26-838)]

2.3 Approval of Council Committee Minutes.

[26-885](#)

Approval of Council Committee Minutes.

Recommendation:

(a) Regular Joint Meeting for the Rules and Open Government Committee Minutes of August 5, 2026.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

Attachments [\(a\) 08/05/2026 ROGCM 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 [26-865](#) Actions Related to the San José Clean Energy SJ Cares Program Expansion.****Recommendation:**

Adopt a resolution:

(a) Expanding San José Clean Energy's SJ Cares program to customers who are residents of affordable apartments as identified by the San José Housing Department, including an additional approximately 2,384 affordable units since the SJ Cares' program creation on February 6, 2024; and

(b) Authorizing the future enrollment in SJ Cares of residents of affordable housing units added to the San José Housing Department's affordable apartments list, 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. (Energy/Housing)

Attachments [Memorandum](#)
 [Resolution](#)

2.8 [26-866](#) Portuguese Organization for Social Services and Opportunities Funding Increase.

Recommendation: (a) Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute the Third Amendment to the Grant Agreement with the Portuguese Organization for Social Services and Opportunities for the Senior Access and Health Support Program to increase compensation by \$200,000 for the July 1, 2026, through June 30, 2027, term, for a total grant award for that term not to exceed \$564,533.70, with the compensation increase effective retroactively to July 1, 2026.
(b) Adopt the following 2026-2027 Appropriation Ordinance amendments in the Multi-Source Housing Fund:
(1) Decrease the Unrestricted Ending Fund Balance by \$200,000; and
(2) Re-establish the HCA Healthcare/Good Sam appropriation to the Housing Department in the amount of \$200,000.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
(Housing/City Manager)

Attachments [Memorandum](#)

2.9 [26-867](#) Amendment to the City Pay Plan.

Recommendation: Adopt a resolution amending the City of San José Pay Plan, effective August 25, 2026, to create the Council Executive Assistant (U) (8025) classification with an annual pensionable salary range of \$79,469.50 to \$104,662.00.
CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no physical changes to the environment.
(Human Resources)

Attachments [Memorandum](#)
 [Resolution](#)

2.10 [26-868](#) Amendment to the Amended and Restated Agreement for the Abatement of Weeds by the County of Santa Clara for the City of San José.

Recommendation: Adopt a resolution authorizing the City Manager, or her designee, to execute a Second Amendment to the Amended and Restated Agreement for the Abatement of Weeds by the County of Santa Clara for the City of San José to:

- (a) Update and streamline the County of Santa Clara’s annual reporting requirements to the City;
 - (b) Clarify and formalize the current process, including the roles and responsibilities of the County of Santa Clara and City of San José, for collecting the County of Santa Clara’s abatement fees through special assessment liens on property tax bills;
 - (c) Add a provision allowing the County of Santa Clara to bill the City of San José for its proportional share of fixed program costs not to exceed \$100,000 if countywide collections are insufficient to cover those costs, unless both parties agree to a different amount.
 - (d) Update Exhibit A entitled “Schedule of Performance” in the Agreement to reflect the revised services and reporting timelines.
- CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
(Planning, Building, and Code Enforcement)

Attachments [Memorandum](#)
 [Agreement](#)

2.11 [26-869](#) Report on Bids and Award of Contract for the 10602 - OBAG 2 Cherry Ave, Federal Project No. STPL-5005 (177).

Recommendation: (a) Report on bids and award of a contract for the construction of 10602 - OBAG 2 Cherry Ave, Federal Project No. STPL-5005 (177) Project to the lowest responsive, responsible bidder, O’Grady Paving, Inc., in the amount of \$1,135,347.40; and
(b) Approve a 10% contingency in the amount of \$113,535.
CEQA: Categorically Exempt, File No. ER24-313, CEQA Guidelines Section 15301(c), Existing Facilities. Council District 9. (Transportation)

Attachments [Memorandum](#)

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 [26-870](#)

2026 General Election Statewide Ballot Measures.

Recommendation:

Adopt a resolution taking the following positions on statewide ballot measures that are qualified for the California general election on November 3, 2026, and authorize the City Manager's Office of Administration, Policy, and Intergovernmental Relations to issue letters of support or opposition in accordance with City Council direction.

(a) Proposition 37: Creates Loan Program for Middle-Income Buyers of Qualified New Homes. Initiative Statute - SUPPORT

(b) Proposition 39 - Prohibits Citizens From Voting Unless They Present Government-Issued Identification. Initiative Constitutional Amendment - OPPOSE

(c) Proposition 43: Limits Voters' Ability to Raise Revenues for Local Government Services. Legislative Constitutional Amendment. - Assembly Constitutional Amendment - OPPOSE

(d) Proposition 45 - Modifies Environmental Review for Certain Projects. Initiative Statute - SUPPORT IN CONCEPT

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

Attachments [Memorandum](#)
[Resolution](#)

3.4 [26-871](#) Grant of Franchise to Tokay Energy Storage 1, LLC for Electric Services for Public Rights-of-Way.

Recommendation: (a) Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute a Memorandum of Understanding to secure a performance and partnership agreement and a Community Benefit Agreement.

(b) Conduct a Public Hearing and approve an ordinance granting a franchise to Tokay Energy Storage 1, LLC for the purpose of transmitting electric service in the City's public rights-of-way.

CEQA: Community Plan Exemption, File No. CP24-015, CEQA Guidelines Section 15183, Projects Consistent with a Community Plan or Zoning. Council District 10. (Public Works)

Attachments [Memorandum](#)
 [Resolution](#)
 [Ordinance](#)

4. PUBLIC SAFETY SERVICES

5. TRANSPORTATION & AVIATION SERVICES

5.1 [26-872](#) Agreement for Professional Consultant Services for On-Call Planning and Environmental Services at San José Mineta International Airport.

Recommendation: Adopt a resolution authorizing the City Manager or her designee to negotiate and execute three Master Consultant Agreements with Landrum and Brown, Incorporated, HNTB Corporation, and Ricondo & Associates, Inc. for on-call planning and environmental services at San José Mineta International Airport, in an amount not to exceed \$10,000,000 for each agreement for a term of five years from the date of execution by the City and for a total expenditure for all executed Master Consultant Agreements not to exceed \$10,000,000.

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 District 6. (Airport)

Attachments [Memorandum](#)

**5.2 [26-873](#) Response to the Santa Clara County Civil Grand Jury Report Entitled
“Pothole Damage: Improving claims processes within Santa Clara County.”**

Recommendation: Approve the City Attorney’s Office’s response to the June 12, 2026, Santa Clara County Civil Grand Jury Report entitled, “Pothole Damage: Improving claims processes within Santa Clara County.”
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, and Annual Reports, and Informational Memos that involve no approvals of any City action. (City Attorney)

Attachments [Memorandum](#)

**5.3 [26-874](#) Response to Santa Clara County Civil Grand Jury Report Entitled “VTA’s
Management and Oversight of BART Silicon Valley Phase II.”**

Recommendation: Approve the Department of Transportation’s response to the June 17, 2026, Santa Clara County Civil Grand Jury Report entitled, “VTA’s Management and Oversight of BART Silicon Valley Phase II.”
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, and Annual Reports, and Informational Memos that involve no approvals of any City action. (Transportation)

Attachments [Memorandum](#)

6. ENVIRONMENTAL & UTILITY SERVICES

6.1 [26-875](#) Amendments to the Fish Lake Geothermal Power Purchase Agreement.

Recommendation: Adopt a resolution authorizing the Director of the Energy Department or her designee to negotiate and execute any necessary documents to continue the City of San José’s participation in the Fish Lake Geothermal project pursuant to the terms of the First Amendment to California Community Power’s Power Purchase Agreement with Fish Lake Geothermal LLC, with any non-material modifications developed, as appropriate, in consultation with the City Attorney, and subject to the annual appropriation of funds, in an amount not to exceed \$3,200,000 annually (previously \$1,900,000) and \$64,000,000 in aggregate (previously \$38,000,000) in Calendar Years 2027 through 2047.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Energy)

Attachments [Memorandum](#)

7. NEIGHBORHOOD SERVICES

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 [26-876](#) Exclusive Negotiation Agreement and Right of Entry with LH Housing for the Development of Affordable Housing at 71 Vista Montana.

Recommendation: Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute a:

(a) Two-year Exclusive Negotiation Agreement with the possibility of two six-month extensions, at the City's discretion, and any ancillary documents with LH Housing or its affiliates for the final proposal of an affordable housing development project on the 71 Vista Montana property;

(b) Right of Entry Agreement with LH Housing or its affiliates to allow access to the 71 Vista Montana property to conduct the due diligence necessary to satisfy the milestones to be set forth in the Exclusive Negotiation Agreement; and

(c) Two-year Exclusive Negotiation Agreement with the possibility of two six-month extensions, at the City's discretion, and any other ancillary documents, including a Right-of-Entry Agreement with the second highest scoring applicant, Propertyworx LLC or its affiliates for the final proposal of an affordable housing development project on the 71 Vista Montana property, if LH Housing is unable to successfully execute an agreement with the City or does not comply in a timely and diligent manner with any material obligation under the Exclusive Negotiation Agreement.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
Council District 4. (Housing)

8.2 [26-877](#) Multifamily Housing Incentive Program Residential Tax and Fee Waiver for the Development Project Located at 210 Baypointe Parkway.

Recommendation:

(a) Conduct a public hearing to approve an economic development tax and fee waiver in connection with a reduction in construction taxes and a reduction of the Inclusionary Housing Ordinance in-lieu fee for the residential development located at 210 Baypointe Parkway, which meets the requirements of the Multifamily Housing Incentive Program enacted by the City Council on December 10, 2024, and extended on May 13, 2025 and January 27, 2026, in an amount up to \$5,130,775 pursuant to California Government Code Section 53083 and Open Government Resolution No. RES2024-99 Section 2.3.2.6.C.

(b) Adopt a resolution approving the tax and fee waiver in an amount up to \$5,130,775 for the 210 Baypointe Parkway residential development and authorizing the Housing Director, or their designee, to negotiate and execute documents and document amendments related to implementing the Multifamily Housing Incentive Program, such as construction progress agreements.

CEQA: Environmental Impact Report for 210 Baypointe Residential Development Project, adopted by the Director of Planning, Building and Code Enforcement on October 9, 2024 (Planning Director Resolution 24-031), File No. H22-037. Council District 4. (Housing)

Attachments [Memorandum](#)
 [Resolution](#)

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 [26-878](#) CP25-025 & ER25-026 - Conditional Use Permit for Certain Real Property
Located at 163 West Santa Clara Street (San Pedro Social).**

Recommendation: Adopt a resolution denying a Conditional Use Permit to allow a nightclub/bar use with late-night hours until 2:00 A.M. in an existing approximately 15,600-square-foot tenant space on an approximately 0.25-gross-acre site, on the north side of West Santa Clara Street, approximately 140 feet from Almaden Avenue (163 West Santa Clara Street) (APN259-35-062).
CEQA: Exempt under CEQA Guidelines Section 15270 Projects Which are Disapproved. Council District 3. (Planning, Building, and Code Enforcement)

Attachments [Memorandum](#)
[Resolution](#)

- **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 city.clerk@sanjoseca.gov.

ABOUT THE AGENDA

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

Welcome to the San José City Council meeting!

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

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

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

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <https://sanjose.legistar.com/Calendar.aspx>. Council Meetings are televised live and rebroadcast on Channel 24.

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 discussion and debate of public policy in an atmosphere of fairness, courtesy, and respect for differing points of view. All participants shall comply with this policy regardless of the format of the meeting.

1. **Public Meeting Decorum:**

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This includes 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, including conduct prohibited by City Administrative Manual Policy 1.1.1, Discrimination and Harassment.
- c) Cellular phones and electronic devices must be silenced. Use of such devices shall not interfere with or disrupt the conduct of the meeting.
- d) Appropriate attire, including shoes, shirts, and lower body garments 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 security screening.

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:
 - Maximum size: 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 reasonably determined by security personnel to present a legitimate safety risk. 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, Successor Agency Board, Committee, Board or Commission:**

- a) Persons wishing to speak on an agenda item or during open forum are requested to follow

- established sign-up procedures.
- b) Meeting attendees are usually given one (1) minute to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
 - c) The Chair may limit overall time allotted to public comments, pursuant to California Government Code Section 54954.3(b)(1).
 - d) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum in which case comments must be under the subject matter jurisdiction of the applicable legislative body.
 - e) Speakers' comments should be addressed to the full body. Speakers may be reminded to direct comments to the full body rather than engaging individual Mayor, Council Members, Board Members, Commissioners or Staff in conversation
 - f) Speakers may not engage in conduct that actually disrupts, delays, or materially interferes with the orderly conduct of the meeting or the ability of others to attend, listen, observe, or participate in the meeting. Any person engaging in any of the following conduct may, after warning when feasible, forfeit the remainder of their speaking time, be muted, removed from the meeting, or excluded from further participation as authorized by law:
 - True threats of violence or unlawful intimidation;
 - Conduct that materially interferes with another person's ability to attend, listen to, observe, or provide public comment;
 - Repeated or intentional abuse of meeting procedures or speaking processes in a manner that disrupts the orderly conduct of the meeting;
 - Technologically disruptive conduct, including blasting audio, generating excessive noise or feedback, repeated attempts to rejoin after lawful removal, use of automated or coordinated means to disrupt participation, or other conduct intended to substantially disrupt, derail, or prevent the orderly continuation of the meeting; or
 - Refusal to comply with lawful time, place, and manner rules after warning when feasible.
 - g) 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.
 - h) 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.
 - i) 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.