



CITY COUNCIL MEETING

Amended Agenda

Tuesday, May 14, 2024
1:30 PM

LOCATION:
Council Chambers - 200 E. Santa Clara Street

Attachments and related materials can be viewed [HERE](#)

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)

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Public Comment in Person Only

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

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

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

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- 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
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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

• Pledge of Allegiance

• Invocation (District 5)

Father Jon Pedigo - the Diocese of San José

• Orders of the Day

To be heard after Ceremonial Items

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

• Adjournment

• Closed Session Report

To be heard after Ceremonial Items

1. CEREMONIAL ITEMS

1.1 Presentation of a proclamation declaring May 17, 2024 as World Neurofibromatosis (NF) Awareness Day in the City of San José to recognize and raise awareness for this genetic condition and to ensure that research into NF can continue to make a difference. (Candelas)

1.2 Presentation of a proclamation declaring May 2024 as Asian American and Pacific Islander Heritage Month in the City of San José to recognize the contributions, culture, and heritage of communities in our city from Asia and the Pacific Islands. (Kamei, Doan and Batra)

1.3 Presentation of a proclamation declaring May 2024 as Affordable Housing Month in the City of San José in support of affordable housing solutions in our city and to recognize the efforts of organizations that work toward producing, protecting, and preserving affordable housing. (Mayor, Kamei and Jimenez)

2. CONSENT CALENDAR

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

2.1 **Approval of City Council Minutes.**

2.2 **Final Adoption of Ordinances.**

Recommendation:

(a) Ordinance No. 31073 - An Ordinance of the City of San José Amending Sections 4.47.096 and 4.47.097 of Chapter 4.47 of Title 4 of the San José Municipal Code to Extend the Temporary Partial Suspension of the Commercial-Residential-Mobilehome Park Building Tax At the Rate of 0.5% for Office Uses as Defined by San José Municipal Code Sections 20.200.813 and 20.200.818, until June 30, 2029.

[Passed for Publication on 4/30/2024 - Item 8.1 (24-84729)]

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 Settlement of Eminent Domain Lawsuit for Property Located at 150 North Montgomery Street.

Recommendation:

Approve the settlement of an eminent domain lawsuit brought by Plaintiff City of San José against Defendant Property Owners Rodolfo Duenas, Raul Jimenez, and Yolanda Jimenez in the total amount of \$1,980,470 and authorize the City Attorney to execute a stipulation for entry of judgment.

CEQA: Initial Study/Addendum to the Downtown Strategy 2040 Final Environmental Impact Report (Resolution No. 78942) for the Lot E Parking Structure Project. (City Attorney)

2.8 Consultant Agreement with Raimi and Associates for the Climate Adaptation and Resilience Plan.

Recommendation:

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a consulting agreement with Raimi and Associates to develop the City's Climate Adaptation and Resilience plan for an initial two-year term beginning on or about May 1, 2024, through April 30, 2026, with a total maximum compensation not to exceed \$438,464.

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 Manager)

2.9 San José Clean Energy Non-Residential Customer Energy Services.

Recommendation:

Adopt a resolution amending San José Clean Energy service offerings to include the following service offerings for non-residential customers:

(a) Establish a San José Economic Development Rate set at 12% below Pacific Gas and Electric Company's bundled service generation charges, inclusive of the Power Charge Indifference Adjustment and Franchise Fee Surcharge that will be offered to ratepayers approved to receive PG&E's Economic Development Rate; and

(b) Establish a Green Transportation Product that offers 100% emissions-free power at a discounted rate of \$0.005 per kilowatt-hour to public transportation accounts serving guided rail traction power facilities.

CEQA: Not a Project, File No. PP17-005, Adjustment to Fees, Rates and Fares, resulting in no changes to the physical environment. (Energy)

2.10 Actions Related to the Purchase Order with Waterworks Industries Incorporated for Fountain and Pool Maintenance.

Recommendation:

Adopt a resolution authorizing the City Manager or her designee to exercise up to six one-year options to extend the term of the purchase order with Waterworks Industries Incorporated (Windsor, CA) for fountain and pool maintenance, with the last option ending on or about May 31, 2030, subject to the appropriation of funds.

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

2.11 Actions Related to the Purchase Order with Stommel, Inc. dba Lehr for Police Vehicle Equipment.

Recommendation:

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

- (a) Amend purchase order OP 64631 with Stommel, Inc dba Lehr (Sacramento, CA) for police vehicle equipment to increase the total compensation by \$200,000, for a maximum compensation not-to-exceed \$850,000 for the period ending February 7, 2025; and
- (b) Exercise up to three additional one-year options to extend the term of the purchase order with the last option ending on or about February 7, 2028, subject to the appropriation of funds.

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

2.12 Report on Request for Proposals for As-Needed Geographic Information System Technical and Professional Services.

Recommendation:

Accept the report on the Request for Proposals and adopt a resolution authorizing the City Manager or her designee to:

- (a) Negotiate and execute agreements with Dewberry Engineers Inc. (New York, New York), and Timmons Group, Inc. (Richmond, Virginia) for as-required professional services related to the City of San José's Environmental Systems Research Institute, Inc. geographic information system for a seven-year term beginning on June 3, 2024 through June 2, 2031, with a maximum aggregate compensation not to exceed \$4,000,000, subject to the appropriation of funds; and
- (b) Negotiate and execute amendments for all agreements as required to address changes in the City geographic information system professional services needs, including associated adjustments in compensation and reallocation of funds between providers, consistent with the procurement and the City's standard terms and conditions, subject to appropriation of funds.

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

2.13 Agreement with Umojo, Inc. for a Curb Digitization and Management Pilot Project.

Recommendation:

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

- (a) Negotiate and execute an agreement with Umojo, Inc. (Chicago, IL) for a Curb Digitization and Management Pilot Project for an initial one-year term, beginning on or about June 1, 2024, and ending on or about May 31, 2025, with maximum compensation not to exceed \$1,700,000, or as may be adjusted to align with the software subscription term, subject to the appropriation of funds; and
- (b) Exercise up to four one-year options to extend the term of the agreement with the last option ending on May 31, 2029, or as may be adjusted to align with the software subscription term, subject to the appropriation of funds.

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

2.14 Approval of “Free Use” of City Hall Rotunda for the 2024 Youth Commission Annual Recognition Awards Event.

Recommendation:

Adopt a resolution authorizing “Free Use” for the private 2024 Youth Commission End of the Year Recognition Awards held at the City Hall Rotunda on June 10, 2024, co-hosted by the Library Department.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to physical environment. (Library)

2.15 Actions Related to the 9405 – SJC Perimeter Protection Re-Bid II Project. – DEFERRED

Recommendation:

(a) Approve an increase in the construction contingency from 10% to 30% for the 9405 – SJC Perimeter Protection Re-Bid II Project in the amount of \$600,000 for a total contingency of \$899,939.

(b) Adopt the following 2023-2024 Appropriation Ordinance amendments in the Airport Renewal and Replacement Fund:

(1) Decrease the Ending Fund Balance appropriation by \$600,000; and

(2) Increase the Perimeter Security Projects appropriation by \$600,000.

CEQA: PP18-103, Environmental Impact Report for the Amendment to the Norman Y. Mineta San José International Airport Master Plan (Resolution No. 79497). (Public Works/Airport/City Manager)

DEFERRED TO 5/21/2024 PER ADMINISTRATION

2.16 Request for Travel Authorization for Mayor's Staff.

Recommendation:

Authorize travel, accept travel payments to the City of San José and designate the Mayor’s Staff, Stephen Caines, as the City representative to attend the Smart Cities Expo USA to participate in a panel on the application of artificial intelligence in managing and maintaining urban infrastructure in New York City from May 21-24, 2024. Source of Fund: Bloomberg Philanthropies, What Works Cities, 501c3 (airfare, lodging, and meals).

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

[Rules Committee referral 5/8/2024 - Item A.1.a]

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 Appeals Hearing Board Interview.**Recommendation:**

(a) Interview applicants and consider appointment to fill one Member-at-Large seat with a term ending December 31, 2025 on the Appeals Hearing Board.

(b) If any vacancies remain, direct the City Clerk to continue recruitment efforts and bring forward additional applicants for consideration.

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

3.4 Public Hearing on the 2024-2025 Proposed Operating and Capital Budgets and the 2024-2025 Proposed Fees and Charges for the City of San José, including a Revision of Percentage Allocations of Measure E Real Property Transfer Tax Revenues.**Recommendation:**

Conduct a Public Hearing on the Proposed Operating and Capital Budgets for the Fiscal Year July 1, 2024 to June 30, 2025, the Proposed Five-Year Capital Improvement Program for 2025-2029, the Proposed Fees and Charges Report for the Fiscal Year 2024-2025, and a Revision of Percentage Allocations of Measure E Real Property Transfer Tax Revenues for the Fiscal Year 2024-2025.

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

3.5 Amendment to Chapter 2.04 of Title 2 of the San José Municipal Code for the Office of Racial and Social Equity and Amendment to the Council Policy to Add Equity Values and Standards Policy.**Recommendation:**

(a) Approve an ordinance amending Chapter 2.04 of Title 2 of the San José Municipal Code to add a new Part 43 establishing the Office of Racial and Social Equity.

(b) Adopt a resolution approving the proposed Equity Values and Standards Policy that establishes a framework for advancing racial and social equity.

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

3.6 Public Hearing on Recording Liens on Properties for the Reimbursement of the Cost of Sidewalk Repairs to be Placed on the Fiscal Year 2024-2025 Santa Clara County Secured Property Tax Bill.**Recommendation:**

(a) Conduct a Public Hearing on recording liens on properties for the reimbursement of the cost of sidewalk repairs.

(b) Adopt a resolution confirming the report from the Director of Finance concerning the delinquent sidewalk repair costs and the assessments contained in the report.

(c) Direct the recording of liens and the placement of charges as set forth therein on the 2024-2025 Santa Clara County Secured Property Tax Bill for the cost of sidewalk repairs.

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)

4. PUBLIC SAFETY

4.1 Cannabis Regulation of Tobacco Retailers Status Report.

Recommendation:

As recommended by the Public Safety, Finance and Strategic Support Committee on April 18, 2024, accept the status report on the possibility of expanding the San José Police Department Division of Cannabis Regulation's responsibilities to include regulating licensed tobacco retailers.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Police/Planning, Building and Code Enforcement)

[Public Safety, Finance and Strategic Support Committee referral – 4/18/2024 Item (d)3]

5. TRANSPORTATION & AVIATION SERVICES

6. ENVIRONMENTAL & UTILITY SERVICES

6.1 Republic Services Solid Waste Services Rates.

Recommendation:

(a) Conduct a Public Hearing to confirm that the proposed Maximum Commercial Solid Waste Services Rates for 2024-2025 are consistent with the terms of the Commercial Solid Waste and Recyclable Materials Collection Franchises Agreement between the City of San José and Allied Waste Services of North America, LLC, dba Republic Services.

(b) Adopt a resolution to increase the Maximum Commercial Solid Waste Services Rates in the City of San José for 2024-2025 by 2.32 percent pursuant to the Commercial Solid Waste and Recyclable Materials Collection Franchises Agreement between the City of San José and Allied Waste Services of North America, LLC, dba Republic Services, including the total costs for organics processing services.

CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, adjustments to fees, rates and fares without changes to or expansion of services. (Environmental Services)

7. NEIGHBORHOOD SERVICES

8. COMMUNITY & ECONOMIC DEVELOPMENT

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

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

10.1 Land Use on Consent Calendar

- (a) **ER20-049 - Supplemental Environmental Impact Report (SEIR) for the Milligan Parking Lot Project Located at 405, 407 and 447 W. St. John Street and 130 and 150 Autumn Street. - DROP**

Recommendation:

Supplemental Environmental Impact Report for the Milligan Parking Lot Project located at 405, 407 and 447 W. St. John Street and 130 and 150 Autumn Street to demolish all buildings on site and construct an approximately 300-space interim surface parking lot. CEQA: Supplemental Environmental Impact Report to the Coleman Avenue/Autumn Street Improvement Project Final Focused Environmental Impact Report (Resolution 74870) and the Downtown Strategy 2040 Final Environmental Impact Report (Resolution 78942) for the Milligan Parking Lot Project. Council District 6. (Planning, Building and Code Enforcement)

DROP TO BE CONSIDERED ON JUNE 11, 2024 WITH THE DEPARTMENT OF PUBLIC WORKS ACTIONS RELATED TO THE 8820 – MILLIGAN PARKING LOT

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

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.