City Council Meeting
Amended Agenda

Tuesday, September 17, 2019

SAM LICCARDO, MAYOR
CHAPPIE JONES, VICE MAYOR, DISTRICT 1
SERGIO JIMENEZ, DISTRICT 2
RAUL PERALEZ, DISTRICT 3
LAN DIEP, DISTRICT 4
MAGDALENA CARRASCO, DISTRICT 5
DEV DAVIS, DISTRICT 6
MAYA ESPARZA, DISTRICT 7
SYLVIA ARENAS, DISTRICT 8
PAM FOLEY, DISTRICT 9
JOHNNY KHAMIS, DISTRICT 10

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.

- **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.

- **Neighborhood Services** - Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.

- **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.

- **Public Safety** - Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

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 or Successor Agency to the Redevelopment Agency Board. If you wish to speak to the City Council, please refer to the following guidelines:

- **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
- 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.

o Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
o 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.

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.

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 http://www.sanjoseca.gov/index.aspx?NID=3549. Council Meetings are televised live and rebroadcast on Channel 26.

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 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. Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for the final document.

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

On occasion the City Council may consider agenda items out of order.

• Call to Order and Roll Call

9:00 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

19-673 Closed Session Agenda

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

- Invocation (District 8)
- Pledge of Allegiance
- 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.

- Closed Session Report

1. CEREMONIAL ITEMS

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, staff, or public 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.

19-808 **Approval of City Council Minutes.**

Recommendation: (a) Special City Council Meeting Minutes of January 24, 2019.
(b) Regular City Council Meeting Minutes of January 29, 2019.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

2.2 Final Adoption of Ordinances.

19-831 **Final Adoption of Ordinances.**

Recommendation: (a) Ord. No. 30305 - An Ordinance of the City of San José Adding Chapter 14.35 to Title 14 of the San José Municipal Code in Order to Adopt a New Diridon Station Area Basic Infrastructure Impact Fee Associated with Implementation of the Diridon Station Area Plan.

2.3 Approval of Council Committee Minutes.

19-809 **Approval of Council Committee Minutes.**

Recommendation: (a) Rules and Open Government Committee Minutes of August 21, 2019.
(b) AD-HOC Committee for Housing Construction & Development Services Minutes of August 22, 2019.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

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 19-790 Terms of Side Letter Agreements Between the City of San José and the Municipal Employees' Federation, AFSCME, Local 101 (MEF) and City Association of Management Personnel, IFPTE, Local 21 (CAMP) and Pay Increase for Employees in the Classification of Principal Planner.

Recommendation: Adopt a resolution to:

(a) Approve the terms of a Side Letter Agreement with the Municipal Employees' Federation, AFSCME, Local 101 (MEF) as follows:

(1) Approve an agreement between the City and MEF to provide employees in the Planner I classification with an approximate 4.39% base pay increase effective the beginning of the pay period after City Council approval;

(2) Approve an agreement between the City and MEF to provide employees in the Planner II classification with an approximate 3.05% base pay increase effective the beginning of the pay period after City Council approval; and

(3) Approve an agreement between the City and MEF to provide employees in the Planner III classification with an approximate 4.42% base pay increase effective the beginning of the pay period after City Council approval.

(b) Approve the terms of a Side Letter Agreement with the City Association of Management Personnel, IFPTE, Local 21 (CAMP) as follows:

(1) Approve an agreement between the City and CAMP to provide employees in the Planner IV classification with an approximate 5.67% base pay increase effective the beginning of the pay period after City Council approval.

(c) Approve an approximate 0.19% base pay increase for employees in the Principal Planner classification (Unit 99) effective the beginning of the pay period after City Council approval.

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

2.8 19-787 Deaccession of Items in City Collections.

Recommendation: Approve the recommendation of the proposed deaccession of items in the City's collections in accordance with the History San José Collections Management Policy.

CEQA: Exempt, CEQA Guidelines Section 15061(b)(3). (Economic Development)

2.9 19-788 Actions Related to the Purchase Order for Microsoft Operating Systems and Platforms Software.

Recommendation: Adopt a resolution authorizing the City Manager to:
(a) Execute purchase orders and Microsoft enrollment documentation with Crayon Software (Dallas, TX) to purchase Microsoft operating system and platform software through the Microsoft Enterprise License Agreement for State and Local Governments ("Enterprise Agreement"), a cooperative agreement administered by the County of Riverside, California on behalf of State and Local public agencies, for an initial three-year term beginning October 1, 2019 and ending September 30, 2022 in an amount not to exceed $853,569, subject to the appropriation of funds; and
(b) Execute additional purchase orders and required enrollment documentation for up to two additional three-year options to extend the term through September 30, 2028, subject to the appropriation of funds; and
(c) Execute amendments, change orders, and enrollment documents as required to cover any unanticipated changes, including additional subscriptions at the Enterprise Agreement discounted rates as may be required, 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)

2.10 19-789 Veggielution Grant Application for Santa Clara County's Historic Grant Program for Emma Prusch Farm Park.

Recommendation: Adopt a resolution approving Veggielution's application to the County of Santa Clara's Historic Grant Program to add non-permanent educational interpretive displays in and around the orchard, farm fields, and greenhouses at Emma Prusch Farm Park, and make all required grant assurances.
CEQA: Categorically Exempt, File No. PP19-070, CEQA Guidelines Section 15301, Existing Facilities. Council District 5. (Parks, Recreation and Neighborhood Services)

3. STRATEGIC SUPPORT

3.1 Report of the City Manager, David Sykes (Verbal Report)

3.2 Labor Negotiations Update.

3.3 19-803 Planning Commission Appointment.

Recommendation: (a) Interview applicants for appointment to the Planning Commission.
(b) Appoint one (1) applicant for an unexpired term ending June 30, 2020.
CEQA: Not a Project, File No. PP17-010, City Administrative Activities, resulting in no changes to the physical environment. (City Clerk)

3.4 19-791 Approval of the Terms of an Agreement with the International Union of Operating Engineers, Local Union No. 3 (OE#3) for the Term of October 1, 2019 Through June 30, 2021.

Recommendation: Adopt a resolution approving the terms of a collective bargaining agreement between the City and the International Union of Operating Engineers, Local Union No. 3 (OE#3) for the term of October 1, 2019 through June 30, 2021, and authorizing the City Manager to execute the agreement with those terms.
CEQA: Not a Project, File No. PP17-008, General Procedure & Policy Making resulting in no changes to the physical environment. (City Manager)

3.5 19-792 Response to the Santa Clara County Civil Grand Jury Report Entitled "*San José - Unfunded Pension Liabilities - A Growing Concern.*"

Recommendation: Accept staff's response to the June 18, 2019, 2018-2019 Santa Clara County Civil Grand Jury Report entitled "San José - Unfunded Pension Liabilities - A Growing Concern."
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (City Manager)

3.6 19-793 Privacy Policy Update.

Recommendation: As recommended by the Smart Cities and Service Improvements Committee on June 6, 2019:
(a) Accept the report on the City's approach to digital privacy policy and citywide privacy principles.
(b) Adopt a resolution approving the City-Wide Privacy Principles.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (City Manager)
[Smart Cities and Service Improvements Committee referral 6/6/19 - Item (d)2]
[Deferred from 8/13/19 - Item 3.3 (19-622)]

3.7 19-794 Approval of Citywide Insurance Renewals.

Recommendation: Adopt a resolution authorizing the Director of Finance to:
(a) Select and purchase City property and liability insurance policies for the period October 1, 2019 to October 1, 2020, at a total cost not to exceed $2,250,000, as well as an 18.0% contingency for additional property or assets scheduled, subject to the appropriation of funds with the following insurance carriers:

(1) Factory Mutual Insurance Company for Property Insurance, including Boiler & Machinery and TRIA Coverage.

(2) Beazley Syndicate 2623/623 at Lloyd's for Terrorism Insurance.

(3) Old Republic Insurance Company, for Airport Owners and Operators Liability including War Risks & Extended Perils Coverage (including Excess Automobile and Employers' Liability) and Police Aircraft Hull & Liability including War Risks & Extended Perils Coverage.

(4) QBE Specialty Insurance Company for Secondary Employment Law Enforcement Professional Liability.

(5) Hartford Life and Accident Insurance Company for Accidental Death, Accidental Dismemberment, and Paralysis Policy for the Police Air Support Unit.

(6) Berkley Insurance Company for Government Fidelity/Crime Coverage.

(b) Select and purchase additional insurance coverage not-to-exceed $450,000 for the following products:

(1) Up to $15 million in excess property coverage for the flood peril for locations in high and moderate hazard flood zones for the period October 1, 2019, to October 1, 2020, at a cost not to exceed $150,000, subject to the appropriation of funds.

(2) Auto Liability insurance for Airport fleet vehicles including Shuttle Buses; Regional Wastewater Facility fleet vehicles; and Airport Shuttle Bus physical damage for the period October 1, 2019, to October 1, 2020, at a cost not to exceed $120,000 for the Airport and $100,000 for the Regional Wastewater Facility, subject to the appropriation for funds.

(3) Up to $25 million in Excess Auto Liability insurance for Airport fleet vehicles including Shuttle Buses for the period October 1, 2019, to October 1, 2020, at a cost not to exceed $80,000, 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)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 19-786 Amendment to the Agreement with Brush Design, LLC for Illuminated Façade Enhancement at the Market/San Pedro Street Parking Garage Located at 45 N Market Street.

Recommendation: Approve an Amendment to the Agreement with Brush Design, LLC to design, fabricate and install an illuminated façade enhancement at the Market/San Pedro Street Parking Garage, not to exceed $1,970,000. CEQA: Categorically Exempt, File No. PP16-006, CEQA Guidelines Section 15301, Existing Facilities. Council District 3. (Economic Development)

4.2 19-796 Approval of the Issuance of Tax-Exempt Multifamily Housing Revenue Bonds and the Loan of the Proceeds Thereof and Approval of Related Documents and Changes to Existing Loan and Grant Terms for the Markham Plaza I Project.

Recommendation: (a) Adopt a resolution:

(1) Authorizing the issuance of (a) tax-exempt multifamily housing revenue bonds designated as "City of San José Multifamily Housing Revenue Bonds (Markham Plaza I), Series 2019B-1" (the "Series 2019B-1 Bonds") and "City of San José Multifamily Housing Revenue Bonds (Markham Plaza I), Subordinate Series 2019B-2" (the "Series 2019B-2 Bonds" and with the "Series 2019B-1 Bonds, the "2019B Bonds") in an aggregate principal amount not to exceed $23,000,000;

(2) Approving the loan of the proceeds of the 2019B Bonds to Markham Plaza I, L.P. a California limited partnership created by Core Development, Inc., a California corporation, to finance the acquisition and rehabilitation of a 153-unit multifamily project known as the Markham Plaza I apartments (formerly known as Tully Gardens I) located at 2000 Monterey Road, in San José (the "Development");

(3) Approving in substantially final form the Indenture of Trust, Subordinate Indenture of Trust, the Loan Agreement, the Subordinate Loan Agreement and Regulatory Agreement, and Declaration of Restrictive Covenants (the "Series 2019B Bond Documents"); and

(4) Authorizing and directing the City Manager, Director of Housing, Director of Finance or the Assistant Director of Finance, or their designees, to execute and deliver the Series 2019B Bond Documents together with any documents ancillary to the Series 2019B Bond Documents.

(b) Adopt a resolution approving changes in terms for the City's outstanding $4,836,559 loan and outstanding $4,866,000 grant for the Development, approving a loan to value ratio in excess of 100% and authorizing the Director of Housing to negotiate and execute documents and amendments related to those changes.

CEQA: Categorically Exempt, File No. PP19-057, CEQA Guideline Section 15301, Existing Facilities. Council District 7. (Housing/Finance)

4.3 19-797 Approval of the Issuance of Tax-Exempt Multifamily Housing Revenue Note and the Loan of Note Proceeds, Approval of Related Documents, and Modification of an Existing Loan from the City of San José for the Vista Park I Development.

Recommendation: Adopt a resolution of the City Council:

(a) Authorizing the issuance of tax-exempt multifamily housing revenue note designated as "City of San José Multifamily Housing Revenue Note (Vista Park I Apartments), Series 2019C in a principal amount not to exceed $18,150,896 (the "2019C Note");

(b) Approving a loan of the proceeds of Series 2019C to Vista Park I, L.P. a California limited partnership sponsored by EAH, Inc., a California nonprofit corporation, to finance the acquisition and rehabilitation of the 83-unit multifamily rental housing Development known as Vista Park I Apartments located at 3955 Vistapark Drive in San José;

(c) Approving in substantially final form the Funding Loan Agreement, Construction and Permanent Loan Agreement, and Regulatory Agreement and Declaration of Restrictive Covenants (the "Series 2019C Note Documents");

(d) Authorizing and directing the City Manager, Director of Housing, Director of Finance, the Assistant Director of Finance, or their designees, to execute and, deliver the Series 2019C Note Documents and related documents as necessary; and

(e) Authorizing the Director of Housing to negotiate and execute amendments to existing City loan documents for a loan in an amount of up to $5,000,000 relating to the Vista Park I Apartments consistent with the terms described below.

CEQA: Categorically Exempt, File No. PP19-064, CEQA Guidelines Section 15301 for Existing Facilities. Council District 10. (Housing/Finance)

4.4 19-798 Approval of the Issuance of Tax-Exempt Multifamily Housing Revenue Note and the Loan of Note Proceeds; and Approval of Related Documents and Modification of an Existing Loan from the City of San José for the Palm Court Development.

Recommendation: Adopt a resolution:

(a) Authorizing the issuance of tax-exempt multifamily housing revenue note designated as "City of San José Multifamily Housing Revenue Note (Palm Court Apartments), Series 2019D in a principal amount not to exceed $16,000,000 (the "2019D Note");

(b) Approving a loan of the proceeds of the Series 2019D Note to Palm Court San José, L.P. a California limited partnership sponsored by EAH, Inc., a California nonprofit corporation, to finance the acquisition and rehabilitation of the 66-unit multifamily rental housing Development known as the Palm Court Apartments located at 1200 Lick Avenue in San José;

(c) Approving in substantially final form the Funding Loan Agreement, Construction and Permanent Loan Agreement, and Regulatory Agreement and Declaration of Restrictive Covenants (the "Series 2019D Note Documents");

(d) Authorizing and directing the City Manager, Director of Housing, the Director of Finance, the Assistant Director of Finance or their designees, to execute and, deliver the Series 2019D Note Documents and related documents as necessary; and

(e) Authorizing the Director of Housing to negotiate and execute amendment and restatement of existing City loan documents for a loan in an amount of up to $4,600,000 relating to the Palm Court Apartments consistent with the terms described below.

CEQA: Categorically Exempt, File No. PP19-066, CEQA Guidelines Section 15301, Existing Facilities. Council District 3. (Housing/Finance)

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

7. ENVIRONMENTAL & UTILITY SERVICES

7.1 19-801 Approval of a Design-Build Contract with Walsh Construction Company LLC, for the Digested Sludge Dewatering Facility Project at the San José-Santa Clara Regional Wastewater Facility.

Recommendation: (a) Adopt a resolution adopting an Addendum to the Environmental Impact Report for the San José-Santa Clara Water Pollution Control Plant Master Plan Project, in which an Initial Study was prepared, in accordance with the California Environmental Quality Act (CEQA), as amended, and adopting a related Mitigation Monitoring and Reporting Program.

(b) Approve the design-build contract with Walsh Construction Company, LLC for the Digested Sludge Dewatering Facility at the RWF in an amount not to exceed $7,492,564 for the performance of Preliminary Services under the contract.

(c) Approve a design contingency in the amount of $749,256 for City-approved changes to the scope of Preliminary Services.

(d) Adopt a resolution authorizing the City Manager or his designee to:

(1) Negotiate and execute separate amendments to the contract to direct Walsh Construction to repair critically deteriorated infrastructure that requires immediate repair, which may be discovered during subsurface investigations, in an amount not to exceed $500,000.

(2) Negotiate and execute separate amendments to the contract to allow Walsh Construction to proceed with discrete portions of the Design-Build Work (referred to as "Early Work Packages") prior to the City's execution of the Definitive Contract Amendment in an amount not to exceed $10,800,000, which amounts will be subject to the base Guaranteed Maximum Price; and

(3) Negotiate and execute change orders in excess of $100,000 up to the amount of the approved contingency for changes to the scope of the Preliminary Services and/or Early Work Packages.

CEQA: San José-Santa Clara Regional Wastewater Facility Digested Sludge Dewatering Facility Project Addendum, File No. PP18-018. (Public Works/Environmental Services)

7.2 19-802 Building Reach Code for New Construction.

Recommendation: As recommended by the Transportation and Environment Committee on September 9, 2019:
(a) Approve an ordinance amending various sections of Title 24 (Technical Codes) to adopt Provisions of the 2019 California Green Building Standards and California Building Energy Efficiency Standards with certain exceptions, modifications, and additions which serve as a reach code to increase building efficiency, mandate solar readiness, and increase requirements related to electric vehicle charging stations;
(b) Accept findings related to local modifications based upon local geographical, topographical, and climatic conditions and cost effectiveness; and
(c) Authorize the City Manager to submit a reach code submittal package to the California Energy Commission for its approval as required by law.
CEQA: Categorically Exempt, File No. PP19-067, CEQA Guidelines Section 15308, Actions by Regulatory Agencies for Protection of the Environment. (Planning, Building, and Code Enforcement/Environmental Services)
[Transportation and Environment Committee referral 9/9/19 (d)3]

8. PUBLIC SAFETY

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, staff, or public requests discussion on a particular item, that item will be removed from the Land Use Consent Calendar (Item 10.1) and considered separately.

10.1 Land Use on Consent Calendar

No Land Use items on Consent Calendar.

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

- Open Forum

Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the City Council.

- Adjournment

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.

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D.)

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 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. 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 topics related to City business 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.