



SENT TO COUNCIL:

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City of San Jose

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Gloria Schmanek

**SUBJECT: SCHEDULING OF PUBLIC
HEARINGS (PLANNING ITEMS)**

DATE: August 22, 2012

Approved

Date

8/23/12

INFORMATION

This memorandum provides information on the revised administrative process for scheduling public hearings, typically Planning land use items. The updated process provides the Council more flexibility in scheduling public hearings by permitting the Rules and Open Government Committee ("Rules Committee") to prescribe the time for hearings and matters publicly noticed or ordered to be held by the Council.

Planning Notices which announce the scheduling of public hearings will now conform to a standard of setting public hearings at 1:30 p.m., rather than 7 p.m. This change allows the Rules Committee the flexibility to schedule a Planning item to be heard in the afternoon or the evening, depending on the nature of the particular item. As such, Planning Notices have been revised to advise the public that the scheduled hearing time is "tentative" until the Amended Council Agenda is released. The notification recommends review of the associated Amended Council Agenda, which is available 72 hours before the scheduled hearing date, to confirm the "final" hearing time of the Public Hearing of either 1:30 p.m., or 7 p.m. This change gives the Council and staff the ability to set the final public hearing time after the first review of the applicable Council agenda, without having to defer an item to a later date.

During the development of an agenda, staff will list on the agenda the items recommended to be heard at 7:00 p.m. These recommendations will be based on the status of the item at the Planning Commission Meeting, the nature of a particular item, or public feedback received on the item.

Some changes to the Council Agenda format will be necessary to fully implement the changes to the scheduling of public hearings. We are currently working with the City Clerk and City Attorney's Office to revise Rule 2 of the Council Rules of Conduct (Resolution. 76184) to accommodate these changes. It is anticipated that the revised resolution will be brought to the Rules Committee on September 5 and then to Council for adoption on September 11, 2012.

GLORIA SCHMANEK
Agenda Services Manager

For questions, please contact Gloria Schmanek, Agenda Services Manager, at (408) 535-8133.