



CITY COUNCIL AGENDA

AUGUST 15, 2017

AMENDED AGENDA

CHAPPIE JONES
SERGIO JIMENEZ
RAUL PERALEZ
LAN DIEP
MAGDALENA CARRASCO
VICE MAYOR

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

SAM LICCARDO MAYOR

DEV DAVIS
TAM NGUYEN
SYLVIA ARENAS
DONALD ROCHA
JOHNNY KHAMIS

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
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.
- 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.
- 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. On May 2, 2017, the City Council authorized combining two sections of the Council agenda, Section 10 – General Plan Amendments and Section 11 – Land Use, into a single section labeled Section 10 – Land Use. Section 10 – Land Use indicates whether an item will be heard at 1:30 p.m. or 6:00 p.m. 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=5322>. 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 City.Clerk@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 or (408) 294-9337 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**
 - 9:30 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

- **Invocation (District 7)**
Venerable Thich Hai Tich, Bao Phuoc Church

- **Pledge of Allegiance**

- **Orders of the Day – *To be heard after Ceremonial Items***

* Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting. **Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.**

- **Orders of the Day – *Continued***

ADJOURNMENT: This meeting is adjourned in memory of Pat Dando, who passed away peacefully on July 16, 2017. We recognize her outstanding contributions over a distinguished career at City Hall as a Senior Land Use and Economic Development Advisor to Mayor McEnery, an Assistant to the Executive Director of the San José Redevelopment Agency, a San José City Councilmember representing District 10, and as Vice Mayor of San José. A 30-year resident of San José, Pat was appointed President/CEO of the San José/Silicon Valley Chamber of Commerce in 2005, and also served as Director of Local Government Affairs for Governor Arnold Schwarzenegger. Her colleagues will always remember the grace, passion and dedication with which she served. We extend our deepest condolences to her husband Bob Dando, her children Lesa, Kyle, Todd and their spouses, and each of Pat’s nine beloved grandchildren.
(Mayor)

- **Closed Session Report – *To be heard after Ceremonial Items***

1. CEREMONIAL ITEMS

- 1.1 Presentation of a commendation to Community Health Partnership for its work to expand access and decrease barriers to affordable and accessible healthcare throughout the community, and its designation as “2017 Non Profit of the Year”. (Rocha)
- 1.2 Presentation of a commendation to California State Senator Jim Beall recognizing his leadership in authoring and securing passage of SB 1, the Road Repair and Accountability Act of 2017. (Mayor/Transportation)
- 1.3 Presentation of a commendation to Anna Schweizer, in celebration of her 106th birthday and a lifetime of achievements. (Mayor)

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.

Recommendation: Approval of City Council Minutes:

- (a) Regular Minutes of December 13, 2016.
- (b) Special Joint Meeting with Santa Clara Valley Board of Supervisors Minutes of April 24, 2017.

(Item continued on the next page)

2. CONSENT CALENDAR

2.1 Approval of City Council Minutes. (Cont'd.)

Recommendation:

- (c) Special Joint Meeting with Santa Clara Valley Water District Minutes of April 28, 2017.

CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities. (City Clerk)

2.2 Final Adoption of Ordinances.

Recommendation: Final Adoption of Ordinances:

- (a) ORD NO. 29978 – An ordinance of the City of San José establishing a Community Choice Aggregation Program to allow the City of San José to aggregate the electrical load of San José Municipal needs, residents and businesses to reduce the City’s greenhouse gas footprint and to establish the Community Energy Department. CEQA: Not a Project, File No. PP10-069, City Administrative Activities and File No. PP10-068, General Procedure and Policy Making. (City Manager)

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 Boards and Commissions Appointments.

* **Recommendation:** Approve the following Boards and Commissions appointments:

- (a) Parks and Recreation Commission
 - (1) District 1 Seat: Appoint Daphna Woolfe for the term of 8/15/2017 to 6/30/2021.
- (b) Youth Commission
 - (1) District 3 Seat: Appoint Maren Bick-Maurischat for the term of 8/15/2017 to 5/31/2019.

CEQA: Not a Project, File No. PP10-069, City Administrative Activities. (City Clerk)

2. CONSENT CALENDAR

2.8 Agreement with Squire Patton Boggs LLP for Federal Legislative Advocacy Services.

Recommendation: Adopt a resolution authorizing the City Manager or designee to negotiate and execute the Second Amendment to Agreement for the one-year current Option Period with Squire Patton Boggs LLP for the period July 1, 2017 to June 30, 2018, in the increased amount not to exceed \$171,600, for a total contract amount of \$459,600, subject to the appropriation of funds. CEQA: Not a Project, File No. PP10-066(e), Agreement & Contracts, Services that involve no physical changes to the environment. (City Manager)

2.9 Actions Related to the Purchase Orders for eBooks, eAudiobooks, and Related Services.

Recommendation: Adopt a resolution authorizing the City Manager to:

- (a) Execute Purchase Orders for the purchase of eBooks, eAudiobooks, and related services for a total aggregate amount not-to-exceed \$650,000 with the following vendors for the initial term of September 1, 2017 through August 31, 2018:
 - (1) Baker & Taylor, LLC (Charlotte, NC)
 - (2) Bibliotheca, LLC (Oakdale, MN)
 - (3) Mackin Book Company (Burnsville, MN)
 - (4) OverDrive, Inc. (Cleveland, OH)
 - (5) Recorded Books, Inc. (Prince Frederick, MD)
- (b) Approve a contingency of \$100,000 in the event that actual usage exceeds the total aggregate estimate during the initial term, subject to the appropriation of funds; and
- (c) Execute up to seven one-year options to renew the purchase orders with the final option year ending August 31, 2025, subject to the annual appropriation of funds. CEQA: Not a Project, File No. PP10-066(a), Agreements & Contracts, Purchase Orders. (Finance)

2.10 Retroactive Approval for International Travel to Toronto, Canada for the Urban Library Council Executive Board Meeting.

Recommendation: Retroactively approve international travel for Jill Bourne, City Librarian to travel to Toronto, Canada from July 26 – 28, 2017 to attend the Urban Library Council Executive Board Meeting. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities, Travel. (Library)

2. CONSENT CALENDAR

2.11 District 10 Community Events.

Recommendation: As recommended by the Rules and Open Government Committee on August 2, 2017:

- (a) Retroactively approve the District 10 Faith Leader Luncheon scheduled on Thursday, June 8, 2017 and the District 10 Leadership Coalition BBQ scheduled on Saturday, July 15, 2017, as City Council sponsored Special Events and approve the expenditure of funds.
- (b) Retroactively approve and accept donations from various individuals, businesses or community groups to support these events.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Khamis)
[Rules Committee referral 8/2/17 – Item G.1.e.]

2.12 Ethiopian Flag Raising Ceremony

Recommendation: As recommended by the Rules and Open Government Committee on August 2, 2017:

- (a) Approve the Ethiopian Flag Raising Ceremony scheduled on Friday, September 8, 2017, as City Council sponsored Special Events and approve the expenditure of funds.
- (b) Approve and accept donations from various individuals, businesses or community groups to support these events.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Mayor)
[Rules Committee referral 8/2/17 – Item G.1.f.]

2.13 SJ Works Graduation and Job Fair.

Recommendation: As recommended by the Rules and Open Government Committee on August 2, 2017:

- (a) Retroactively approve the SJ Works Graduation and Job Fair scheduled on Friday, July 28, 2017, as City Council sponsored Special Events and approve the expenditure of funds.
- (b) Retroactively approve and accept donations from various individuals, businesses or community groups to support these events.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Mayor)
[Rules Committee referral 8/2/17 – Item G.1.g.]

2.14 District 2 Community Events.

* **Recommendation:** As recommended by the Rules and Open Government Committee on August 9, 2017:

- (a) Retroactively approve Movie Night scheduled for August 9, 2017 as a sponsored Special Event and approve the expenditure of funds.

(Item continued on the next page)

2. CONSENT CALENDAR

2.14 District 2 Community Events. (Cont'd.)

Recommendation:

- (b) Retroactively approve the Indian Flag Raising ceremony and reception scheduled for August 11, 2017 as a sponsored Special Event and approve the expenditure of funds.
- (c) Approve Participatory Budgeting award ceremony and reception scheduled for August 23, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (d) Approve Movie Night scheduled for August 25, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (e) Approve Movie Night scheduled for August 30, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.
- (f) Approve and accept donations from various individuals, businesses or community groups to support these events.

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Jimenez)
[Rules Committee referral 8/9/17 – Item G.1.a.]

3. STRATEGIC SUPPORT

3.1 Report of the City Manager, Norberto Dueñas (Verbal Report).

3.2 Labor Negotiations Update.

Recommendation: Accept Labor Negotiations Update.
TO BE HEARD AT 9:30 A.M.

3.3 Change to Council Meeting Schedule.

Recommendation: As recommended by the Rules and Open Government Committee on June 21, 2017, change the City Council's meeting schedule for August-December 2017 where Council Meetings, especially evening sessions, shall have a 12:00 a.m. curfew with a continuance to be determined.

CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities. (Jones/Davis)

[Rules Committee referral 6/21/17 – Item D(3)]
(Deferred from 8/8/17 – Item 2.11)

3. STRATEGIC SUPPORT

3.4 Action Related to Board of Fair Campaign and Political Practices Recommendations for Changes to the City's Gift Ordinance.

Recommendation:

- (a) Consider the recommended revisions of the Board of Fair Campaign and Political Practices to the City's Gift Ordinance.
- (b) Provide direction to the City Attorney to draft an ordinance amending Title 12 of the San José Municipal Code to align the City's Gift Ordinance with the gift regulations under the California Political Reform Act.

CEQA: Not a Project, File No. PP10-068(b), General Procedure & Policy Making, Municipal Code or Policy. (City Attorney)
(Deferred from 8/8/17 – Item 3.3)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Actions Related to the 6914 – Police and Communications Building Uninterruptible Power Supply System Upgrade - Phase II [Re-Bid] Project.

Recommendation:

- (a) Report on bids and award of contract for the Police and Communications Building Uninterruptible Power Supply System Upgrades – Phase II [Re-Bid] project to the low bidder Cupertino Electric, Inc. in the amount of \$2,299,440, and approval of a 15 percent contingency in the amount of \$344,900.
- (b) Adopt a resolution authorizing the Director of Public Works to negotiate and execute any single and/or multiple change orders in excess of \$100,000 up to the amount of the contingency.

CEQA: Exempt, File No. PP17-044, CEQA Guidelines Section 15301, Existing Facilities. Council District 3. (Public Works)

4.2 AB 1505 (Bloom, Chiu and Gloria) – Land Use: Zoning Regulations; SB 277 (Bradford) – Land Use: Zoning Regulations.

- * **Recommendation:** As recommended by the Rules and Open Government Committee on August 9, 2017, adopt a position of support for AB 1505 (Bloom, Chiu and Gloria) and SB 277 (Bradford), which would strengthen the City's Inclusionary Housing Ordinance, so that the City's Legislative Representatives can advocate the City's support for AB 1505 (Bloom, Chiu and Gloria) and SB 277 (Bradford). CEQA: Not a Project, File No. PP10-069(d), City Organizational & Administrative Activities, Legislative Positions. (Housing)
[Rules Committee referral 8/9/17 – Item G.2.]

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

6.1 Actions Related to the Metropolitan Transportation Commission Grant Funding for the One Bay Area Grant Cycle 2 Program and the Vehicle Emissions Reductions Based at Schools Program.

* **Recommendation:**

- (a) Adopt a resolution to:
 - (1) Accept grant funding from the MTC for each of the submitted applications and authorize the City Manager or designee to negotiate and execute any documents to accept the grant funds, including the authority to negotiate and execute any documents that increase the amount of the grant award or require an increase of local matching funds, subject to the appropriation of such funds;
 - (2) Commit the City to provide the required local match and to pay for any additional cost to complete each of the projects listed below:
 - (a) OBAG - Road Rehabilitation and Complete Streets "Guarantee" Program:
 - (1) \$14,597,000 for the Pavement Maintenance – Federal (OBAG2) Project. The local match in the amount of \$1,891,000 is included in the Pavement Maintenance – City appropriation;
 - (b) OBAG - Complete Streets Competitive Program:
 - (1) \$11,952,000 for the McKee Road - San Jose Vision Zero Safety Improvement Project, which is inclusive of the required local match and other non-grant reimbursable project cost elements of \$3,329,000;
 - (2) \$11,919,000 for the Tully Road - San Jose Vision Zero Safety Improvement Project which is inclusive of the required local match and other non-grant reimbursable project cost elements of \$3,320,000; and
 - (3) \$10,994,000 for the West San Carlos - A Corridor Safety Improvement Project which is inclusive of the required local match and other non-grant reimbursable project cost elements of \$3,062,000.
- (b) Make the necessary assurances that each of the projects will be completed in compliance with the submitted applications, MTC's Regional Funding Delivery Policy, and the grant program requirements.
- (c) Adopt the following 2017-2018 Funding Sources Resolution and Appropriation Ordinance amendments in the Construction Excise Tax Fund:
 - (1) Increase the revenue estimate for Federal Government in the amount of \$1,000,000;

(Item continued on the next page)

6. TRANSPORTATION & AVIATION SERVICES

6.1 Actions Related to the Metropolitan Transportation Commission Grant Funding for the One Bay Area Grant Cycle 2 Program and the Vehicle Emissions Reductions Based at Schools Program. (Cont'd.)

Recommendation:

- (c) (2) Establish the Mount Pleasant Schools Area Bike/Ped Safety Improvements appropriation to the Department of Transportation in the amount of \$1,210,000; and
 - (3) Decrease the Transportation Grants Reserve in the amount of \$210,000.
- CEQA: Exempt, File No. PP13-037, Section 15301(c) Citywide Bicycle and Pedestrian Public Right-of-Way Improvements; Exempt, File No. PP14-069, Section 15301(c) Citywide Street Maintenance, Repair and Improvement; Exempt, File No. PP14-017, Section 15301 Citywide Exemption for Traffic Flow Management and Operations. Council Districts 5, 6, 7, & 8. (Transportation/City Manager)
(Deferred from 8/8/17 – Item 6.1)

7. ENVIRONMENTAL & UTILITY SERVICES

7.1 Amendment to the Agreement with Allied Waste Services for the Commercial Solid Waste and Recyclables Collection Franchises.

Recommendation:

- (a) Approve the Cooperative Agreement and Fourth Amendment to the Franchises Agreement with Allied Waste Services of North America, LLC to resolve a dispute about the living wage requirements in the Commercial Solid Waste and Recyclables Collection Franchises Agreement for sorters and housekeepers at the Newby Island Recyclery.
- (b) Adopt a resolution setting Maximum Commercial Solid Waste Services Rates in the City of San José pursuant to the Cooperative Agreement and Fourth Amendment 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 organic processing services.

CEQA: Not a Project, File No. PP10-067(a), Non-Specific Funding Mechanism, Increase or Adjustment to Fees, Rates & Fares. (Environmental Services/Public Works/City Attorney)

(Deferred from 6/27/17 – Item 7.1(a) and 8/8/17 – Item 7.1)

8. PUBLIC SAFETY

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

- 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

This meeting is adjourned in memory of Pat Dando, who passed away peacefully on July 16, 2017. We recognize her outstanding contributions over a distinguished career at City Hall as a Senior Land Use and Economic Development Advisor to Mayor McEnery, an Assistant to the Executive Director of the San José Redevelopment Agency, a San José City Councilmember representing District 10, and as Vice Mayor of San José. A 30-year resident of San José, Pat was appointed President/CEO of the San José/Silicon Valley Chamber of Commerce in 2005, and also served as Director of Local Government Affairs for Governor Arnold Schwarzenegger. Her colleagues will always remember the grace, passion and dedication with which she served. We extend our deepest condolences to her husband Bob Dando, her children Lesa, Kyle, Todd and their spouses, and each of Pat's nine beloved grandchildren. (Mayor)

- Notice of City Engineer's Pending Decision on Final Maps

In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer's receipt of the following Final Maps for review:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>
10419	Block bordered by W. Julian St., Terraine Street, W. St. James Street and N. San Pedro St.	3	Successor Agency to the Redevelopment Agency of the City of San Jose, the City of San Jose, City Heights Development, LLC	14 / 0	Financing Map

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.
- 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.