



CITY COUNCIL AGENDA

FEBRUARY 9, 2010

AMENDED AGENDA

PETE CONSTANT
ASH KALRA
SAM LICCARDO
KANSEN CHU
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

CHUCK REED MAYOR

PIERLUIGI OLIVERIO
MADISON P. NGUYEN
ROSE HERRERA
JUDY CHIRCO, VICE MAYOR
NANCY PYLE

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

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 Services*** — 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.
- ***Environment and Utility Services*** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- ***Public Safety Services*** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

Items listed in Section 9 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any 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 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, Mayor Reed 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 every first and third Tuesday at 7 p.m., unless otherwise noted. 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 www.sanjoseca.gov/clerk/agenda.asp. 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, Council Wing, 2nd 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 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
Adjourn to Closed Session in Council Chambers Conference Room, W133

[See Separate Agenda](#) [See RDA Agenda](#)

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

- **Invocation (District 2)**

Pastor Anne Carlson from New Creation Lutheran Church

- **Pledge of Allegiance**

- **Orders of the Day**

* Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting.

ADJOURNMENT: This meeting will be adjourned in the memory of Juan Manuel Flores, longtime resident of the Northside, 1954 graduate of Bellarmine College Prep, proud owner of the Guadalajara Market #2 for over 40 years, active member of Holy Cross Church, and loving husband, father, uncle, and grandfather. (Liccardo)

* This meeting will be adjourned in the memory of Juanita Serrato-Lopez who passed away on January 26, and Diana Pena Lopez who passed away on January 30, both residents of San Jose. They are survived by loving husband and son, Robert Lopez, a City of San Jose Housing Department employee. (City Manager's Office)

- Orders of the Day (Cont'd.)

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

* ITEM 3.5 “Mayor’s Budget Prioritization Survey Results” WILL BE HEARD IMMEDIATELY FOLLOWING THE CONSENT CALENDAR.

- Closed Session Report

1. CEREMONIAL ITEMS

1.1 Presentation of a proclamation declaring the Month of February 2010 as “American Heart Month” in the City of San José. (Kalra/Campos)

1.2 Presentation of a proclamation declaring the Month of February 2010 as “African American History Month” in the City of San José. (Kalra/Nguyen)

* (Rules Committee referral 2/3/10)

1.3 Presentation of a proclamation recognizing February 7 – 13, 2010 as Future Business Leaders of America – Phi Beta Lambda Week. (Mayor)

* (Rules Committee referral 2/3/10)

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 will be removed from the Consent Calendar and considered separately.

2.1 Approval of Minutes.

Recommendation: Approval of minutes.

(a) [Regular Minutes of December 1, 2009](#)

(b) [Special Minutes of December 3, 2009](#)

(c) [Regular Minutes of December 8, 2009](#)

(d) [Joint Council/San José Financing Authority Minutes of December 8, 2009](#)

(e) [Regular Minutes of December 15, 2009](#)

2. CONSENT CALENDAR

2.2 Final adoption of ordinances.

Recommendation: Final adoption of ordinances.

- (a) [ORD. NO. 28695](#) – Rezoning certain real property situated on the southeast corner of Lincoln Avenue and Willow Street (1098 Lincoln Avenue), from CP Commercial Pedestrian to CP(PD) Planned Development Zoning District. PDC09-016
- (b) [ORD. NO. 28696](#) – Rezoning certain real property situated on the east side of Monterey Road, approximately 700 feet north of Tully Road (2112 Monterey Road), from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District. PDC09-015
- (c) [ORD. NO. 28697](#) – Rezoning certain real property situated on the east side of Almaden Expressway, approximately 300 feet north of Redmond Avenue (16430 Almaden Road) from R-1-1 Single-Family Residence Zoning District to A(PD) Planned Development Zoning District. PDC08-051

2.3 Approval of Council Committee Reports.

Recommendation: Approval of Council Committee Reports.

- (a) [Rules and Open Government Committee Report of January 20, 2010.](#) (Mayor)
- (b) Rules and Open Government Committee Report of January 13, 2010. (Mayor)
* [Deferred from 2/2/10 – Item 2.3(a)]
- (c) [Transportation and Environment Committee Report of January 11, 2010.](#) (Liccardo)
* [Deferred from 1/26/10 – Item 6.1 and 2/2/10 – Item 2.3(d)]

2.4 Mayor and Council Excused Absence Requests.

Recommendation:

- (a) [Request for an excused absence for Vice Mayor Chirco from the Regular Meeting](#) of the Rules and Open Government Committee on February 10, 2010 due to Authorized City Business: Trip to Sacramento, CA to meet with State Legislators regarding budget issues. (Chirco)
* (Rules Committee referral 2/3/10)
- (b) [Request for an excused absence for Councilmember Chu from the Regular](#) Meeting of the Neighborhood Services & Education Committee on February 11, 2010 due to Authorized City Business: League of California Cities Board Meeting in Sacramento, CA. (Chu)
* (Rules Committee referral 2/3/10)

2. CONSENT CALENDAR

2.4 Mayor and Council Excused Absence Requests. (Cont'd.)

Recommendation:

- (c) [Request for an excused absence for Councilmember Constant from the Regular Meeting of the Rules and Open Government Committee on February 10, 2010 due to Authorized City Business: Trip to Sacramento, CA to meet with State Legislators regarding budget issues. \(Constant\)](#)
* (Rules Committee referral 2/3/10)
- (d) [Request for an excused absence for Councilmember Pyle from the Regular Meeting of the Rules and Open Government Committee on February 10, 2010 due to Authorized City Business: Trip to Sacramento, CA to meet with State Legislators regarding budget issues. \(Pyle\)](#)
* (Rules Committee referral 2/3/10)

2.5 [Grant Application for Lower Guadalupe River Trail - Tasman Drive Under-Crossing Project.](#)

Recommendation: Adopt a [resolution](#) authorizing the City Manager, or designee, to:

- (a) Submit a grant application in the amount not to exceed \$660,000 to the Metropolitan Transportation Commission (MTC) under the Community Design and Transportation (CDT) Capital Grant program for the Lower Guadalupe River Trail: Tasman Drive Under-Crossing project (“Project”); and
- (b) Accept any grant funds awarded to the City and negotiate and execute all necessary documents related to any grant funding from MTC to the City for the Project.

CEQA: Mitigated Negative Declaration, File No. PP04-323. Council District 4. (Parks, Recreation and Neighborhood Services)

2.6 [Amendments to Pacific Gas and Electric Company \(PG&E\) Franchise Fee Ordinances.](#)

* **Recommendation:**

- (a) Approve an [ordinance](#) amending the franchise with PG&E for the sale of gas within the City (Ordinance No. 15879 as amended by Ordinance Nos. 21676 and 26913) to add a franchise fee surcharge of 0.3% resulting in a total franchise fee paid to the City of 2.3% of gross receipts and to provide for the waiver of certain negotiation and arbitration rights under the franchise.
- (b) Approve an [ordinance](#) amending the franchise with PG&E for the sale of electricity within the City (Ordinance No. 15880 as amended by Ordinance Nos. 21677 and 26914) to add a franchise fee surcharge of 0.3% resulting in a total franchise fee remitted to the City of 2.3% of gross receipts and to provide for the waiver of certain negotiation and arbitration rights under the franchise.

CEQA: Not a Project. (City Attorney’s Office)
(To Be Deferred from 2/2/10 – Item 2.6)

2. CONSENT CALENDAR

2.7 [Santa Clara Valley Water District FY 2011 – Joint Advocacy Federal Projects.](#)

Recommendation: As recommended by the Rules and Open Government Committee on January 27, 2010, accept the Santa Clara Valley Water District’s (SCVWD) FY 2011 – Joint advocacy Federal projects in the City of San José’s jurisdiction. (City Manager’s Office/Environmental Services)
[Rules Committee referral 1/27/10 – Item D(2)]

2.8 [District 6 “No Impact Man” Movie Event.](#)

* **Recommendation:** As recommended by the Rules and Open Government Committee on January 27, 2010, approve the designation of the District 6 “No Impact Man” Movie Event as a City Council Sponsored Special Event to expend City Funds and Services for the event. CEQA: Not a Project. (City Clerk)
[Rules Committee referral 1/27/10 – Item H(4)]

2.9 [Westfield Oakridge Winter Walk \(WOWW\) and Resource Fair for Seniors.](#)

* **Recommendation:** As recommended by the Rules and Open Government Committee on January 27, 2010:
(a) Approve the designation of the Westfield Oakridge Winter Walk (WOWW) and Resource Fair for Seniors as a City Council Sponsored Special Event; and
(b) Approve and accept in-kind donations from business to support the event.
CEQA: Not a Project. (City Clerk)
[Rules Committee referral 1/27/10 – Item H(5)]

* ***ITEM 3.5 “Mayor’s Budget Prioritization Survey Results” WILL BE HEARD IMMEDIATELY FOLLOWING THE CONSENT CALENDAR.***

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the City Manager, Debra Figone (Verbal Report)

3.2 [Actions Related to the Board Governance for the Federated City Employees’ Retirement System and Police & Fire Department Retirement Board.](#)

[Attachment – Memo from Mayor and Councilmembers Constant, Kalra, Liccardo and Herrera](#)

[Supplemental – Memo from the City Manager](#)

[Attachment A – Retirement Board Governance FAQ](#)

[Attachment B – Retirement Board Governance and Stakeholder Outreach Memo](#)

[Attachment B1- Summary of Stakeholder Comments – August 2009](#)

[Attachment B2 – Survey of Retirement Board Structures](#)

[Attachment B3 – Review of Governance Models](#)

[Attachment B4 – Report from City of San Diego](#)

[Attachment C – City Policy Manual on Nepotism Presentation](#)

Recommendation:

(a) Approve the following revisions to the governance structure of the City’s retirement plans and direct the City Attorney to draft an ordinance with the necessary revisions to the San José Municipal Code:

3. STRATEGIC SUPPORT SERVICES

3.2 Actions Related to the Board Governance for the Federated City Employees' Retirement System and Police & Fire Department Retirement Board. (Cont'd.)

Recommendation:

- (a) (1) For the Federated City Employees' Retirement System, replace the two City Council Board members and Civil Service Commission Board member with three public members in addition to the one existing public board member.
- (2) For the Police and Fire Department Retirement Board, replace the two City Council Board members, the Civil Service Commission Board member and City Administration Board member with four public board members.
- (3) Establish qualification criteria, term, stipend, appointment process, selection process, and removal process for the public board members for both retirement plans.
- (b) Direct the City Administration to continue to evaluate the other retirement board governance recommendations prepared by the consultant and return to the City Council with recommendations.

CEQA: Not a Project. (City Manager's Office)

(Deferred from 1/26/10 – Item 3.6)

* **TO BE HEARD NO EARLIER THAN 3:00 P.M.**

3.3 [Service Efforts and Accomplishments Report 2008-09, Presentation](#)

Recommendation: Accept the report on City Government Performance. CEQA: Not a Project. (City Auditor's Office)

3.4 [Approval of the 2009-2010 Mid-Year Budget Actions, Presentation](#)

Recommendation:

- (a) Approve the 2009-2010 Mid-Year Budget Review Report.
- (b) Adopt related Appropriation Ordinance and Funding Sources Resolution amendments in various funds as detailed in Section III (Recommended Budget Adjustments and Clean-Up Actions) in the 2009-2010 Mid-Year Budget Review.
- (c) Approve the elimination of 9.0 positions as detailed in Section III of the 2009-2010 Mid-Year Budget Review Report; comprised of 6.0 positions in the Police Department, of which 5.0 are related to Airport Services and 1.0 to the implementation of 2009-2010 Adopted Budget actions; 2.0 Civil Service positions in the Redevelopment Agency of the City of San José (SJRA) as part of the SJRA budget rebalancing actions; and 1.0 position in the Public Works Department related to Airport Services.

(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.4 Approval of the 2009-2010 Mid-Year Budget Actions. (Cont'd.)

Recommendation:

- (d) Adopt a [resolution](#) making certain determinations regarding the expenditure of Redevelopment Agency funds included in the Agency's Adopted Budget, under the City Public Improvements line item on the following public improvements: Revenue Control Upgrades, Convention Center Deck Upgrade, Minor Parking Facility Improvements, Security Improvements, Arena Parking Meters, Parking Technology Improvements, Happy Hollow furniture, fixtures, and equipment, Anti-Graffiti Program, Watson Park Clean-Up and Restoration, and the Police Substation furniture, fixtures, and equipment. These projects are specifically described in the memorandum from the Redevelopment Agency of the City of San José dated August 18, 2009, included in the Appendix section of this report. As approved in the City's 2009-2010 Adopted Operating Budget, these Redevelopment Agency funds pay for eligible capital projects which would otherwise be funded from City sources, thereby freeing-up City funds to support the San José BEST program and pay the cost of eight Police Officers.

CEQA: Not a Project. (City Manager's Office)

3.5 [Mayor's Budget Prioritization Survey Results.](#)

[Attachment – Memo and Survey Results from Councilmember Oliverio Presentation](#)

- * **Recommendation:** Accept the Mayor's Budget Prioritization Survey Results. (Mayor)
- * **TO BE HEARD IMMEDIATELY FOLLOWING THE CONSENT CALENDAR**

3.6 [FY 2009-10 First Quarter Revenue Collection Strategic Plan Report.](#)

Recommendation: As recommended by the Public Safety, Finance and Strategic Support Committee on December 17, 2009:

- (a) Accept the FY 2009-10 First Quarter Revenue Collection Strategic Plan Report; and
- (b) Adopt a [resolution](#) authorizing the Director of Finance to write off 126 uncollectible accounts in an amount totaling \$1,702,757.42.

(Finance)

[Public Safety, Finance and Strategic Support Committee referral 12/17/09 – Item D(3)]

- * (Deferred from 1/12/10 – Item 3.7, 1/26/10 – Item 3.5 and 2/2/10 – Item 3.4)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 [Rezoning real property located on the west side of Cadwallader Avenue.](#)

[Attachment – Memo from Councilmember Herrera](#)

[Attachment – Staff Report and Information Part 1](#)

[Attachment – Staff Report and Information Part 2](#)

Recommendation: Consider an [ordinance](#) rezoning the real property located on the west side of Cadwallader Avenue, approximately 500 feet southerly of Prunetree Lane (4093 Cadwallader Avenue) to allow up to 38 single-family detached residential units on an 18.5 gross acre site (Larios Cheryl Trustee & Et Al, Tedro Living Trust Marion L. Tedro, Tedro Living Trust Robert S. Tedro, James E. Bertlett, Margret H. Oxsen, Michael & Laura Pianka, Vinh Tran, Owner; Asc Properties, LLC Tony Arreola, Developer). CEQA: Mitigated Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (5-2-0).

[PDC09-010](#) – District 8

(Deferred from 1/26/10 – Item 11.6)

TO BE HEARD LAST

5. NEIGHBORHOOD SERVICES

5.1 [Parks, Recreation and Neighborhood Services Capital Project Schedules.](#)

[Supplemental – Memo from the Director of PRNS](#)

Recommendation:

- (a) Accept the recommendation of the Director of Parks, Recreation and Neighborhood Services (Director) to place a hold through Fiscal Year 2010-2011 on the design and construction of new parks and recreation facilities which do not fit within the near term strategies outlined in the City Council approved Greenprint 2009 Update;
- (b) Request that the Director report back to the Mayor and City Council on an annual basis as part of the annual budget process to recommend either continuing the temporary hold or to begin design and construction; and
- (c) Request that the Director facilitate a process with community stakeholders to brainstorm alternative funding mechanisms for facility operations and maintenance.

CEQA: Not a Project. (Parks, Recreation and Neighborhood Services)

5.2 [Grant Application for Proposition 84 – Statewide Park Program.](#)

Recommendation: Adopt a [resolution](#) authorizing the City Manager or designee to:

- (a) Submit grant applications for the twenty-one (21) projects identified in Table 1 of this memorandum in the total amount not to exceed \$55,000,000 under the Statewide Park Development and Community Revitalization Program of 2008 (Statewide Park Program) administered by the Office of Grants and Local Services (OGALS) within the California State Department of Parks and Recreation (DPR);
- (b) For projects with appropriate CEQA clearance, accept any grant funds awarded to the City and to negotiate and execute all necessary documents to implement the grant awards;

(Item continued on the next page)

5. NEIGHBORHOOD SERVICES

5.2 Grant Application for Proposition 84 – Statewide Park Program. (Cont’d.)

Recommendation:

- (c) For projects that have not obtained appropriate CEQA clearance, accept any grants funds awarded to the City for the limited purpose of completing CEQA, and negotiate and execute all necessary documents to implement the grant awards for CEQA clearance; and
- (e) For projects that have not obtained appropriate CEQA clearance, return to Council at a future date for authorization to negotiate and execute all necessary documents to implement the grant awards.

CEQA: See Administration’s memo to Council for specific CEQA clearance determinations on each recommended action. (Parks, Recreation and Neighborhood Services)

6. TRANSPORTATION & AVIATION SERVICES

7. ENVIRONMENTAL & UTILITY SERVICES

7.1 [Actions Related to Countywide Nondisposal Facility Element.](#)

[Attachment – Letter from the County Recycling Waste and Reduction Commission](#)
[Attachment – Eighth Amendment to the County Non-disposal Facility Table of Contents](#)

Recommendation: Conduct a public hearing and adoption of a [resolution](#) approving and adopting the Eighth Amendment to the Countywide Nondisposal Facility Element to identify the following nondisposal facilities: the GreenTeam of San José Material Recovery Facility and Transfer Station, 575 Charles Street, San José; and the proposed GreenWaste Material Processing and Transfer Station, 2765 Lafayette Street, Santa Clara. CEQA: Exempt. (Environmental Services)

8. PUBLIC SAFETY SERVICES

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

- **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 or Redevelopment Agency Board.

- **Adjournment**

This meeting will be adjourned in the memory of Juan Manuel Flores, longtime resident of the Northside, 1954 graduate of Bellarmine College Prep, proud owner of the Guadalajara Market #2 for over 40 years, active member of Holy Cross Church, and loving husband, father, uncle, and grandfather. (Liccardo)

- * This meeting will be adjourned in the memory of Juanita Serrato-Lopez who passed away on January 26, and Diana Pena Lopez who passed away on January 30, both residents of San Jose. They are survived by loving husband and son, Robert Lopez, a City of San Jose Housing Department employee. (City Manager's Office)

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, Redevelopment Agency Board, 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, Redevelopment Agency Board, 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 agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
 - c) 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.