



CITY COUNCIL AGENDA

APRIL 15, 2008

AMENDED AGENDA

PETE CONSTANT
FORREST WILLIAMS
SAM LICCARDO
KANSEN CHU
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

CHUCK REED MAYOR

PIERLUIGI OLIVERIO
MADISON P. NGUYEN
DAVID D CORTESE, VICE MAYOR
JUDY CHIRCO
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 on items that are not on the agenda during Open Forum. 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 and Staff Reports 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.

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call (408) 535-1260 or (408) 294-9337 (TTY) at least two 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
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 4)**
Emily Lin playing the Pipa, a four-stringed Lute, Fantasia Performing Arts Center

- **Pledge of Allegiance**
- **Orders of the Day**

* 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.

* **SEE NEW ITEM 1.4: PRESENTATION OF A PROCLAMATION DECLARING APRIL 13TH THROUGH APRIL 19TH AS NATIONAL PUBLIC SAFETY DISPATCHERS' WEEK IN THE CITY OF SAN JOSE.**

- **Closed Session Report**

1. CEREMONIAL ITEMS

1.1 Presentation of a commendation to Rolanda Pierre-Dixon for her commitment and leadership in assisting victims of domestic violence by holding perpetrators accountable. (City Manager's Office/Campos/Williams)

1.2 Presentation of gifts from Okayama, Japan to the City of San José. (Williams)

* (Rules Committee referral 04/09/08)

1. CEREMONIAL ITEMS

- 1.3 Presentation of a commendation to Holy Spirit Parish for their ambitious environmental efforts through the Social Justice Committee’s “Blue Bag Program”. (Pyle)
* (Rules Committee referral 04/09/08)
- 1.4 Presentation of a proclamation declaring April 13th through April 19th as National Public Safety Dispatchers’ Week in the City of San José. (Mayor/Constant/Cortese/Liccardo)
* (Orders of the Day)

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.

2.2 Final adoption of ordinances.

- * **Recommendation:** Final adoption of ordinances.
- (a) ORD. NO. 28280 – Amending Section 12.06.050 of Chapter 12.06 of Title 12 of the San José Municipal Code to provide that compensation in any amount by an employer to an employee who spends any of his or her compensated time rendering services for political purposes is a contribution or an expenditure if personal service is rendered at the request, direction or with the consent of the employer; and amending section 12.06.250 to provide that except to the extent that Chapter 12.06 defines and limits contributions by business entities, the provisions of the Political Reform Act shall apply.
(Deferred from 2.2(c) – 4/8/08)
- (b) ORD. NO. 28281 – Amending Section 12.16.040 of Chapter 12.16 of Title 12 of the San José Municipal Code to require that disclosure reports for fundraising solicitations be filed by elected City Officials on a quarterly basis.
(Deferred from 2.2(d) – 4/8/08)
- (c) ORD. NO. 28282 – Amending Section 20.100.500 of Chapter 20.100 of Title 20 of the San José Municipal Code (the City’s Zoning Ordinance) and Section 23.02.1300 of Chapter 23.02 of Title 23 of the San José Municipal Code (the City’s Sign Ordinance) to provide for a Development Permit adjustment exception for City Landmark Properties that require Historic Preservation Permit adjustments.
(Deferred from 2.2(e) – 4/8/08)

(Item continued on the next page)

2. CONSENT CALENDAR

2.2 Final adoption of ordinances. (Cont'd.)

* **Recommendation:**

- (d) ORD NO. 28284 – Amending Section 20.30.100 of and adding a new Section 20.30.150 to Chapter 20.30 of Title 20 of the San José Municipal Code and adding a new section to Chapter 20.200 of Title 20 of the San José Municipal Code , all to establish a Secondary Dwellings Program to be effective as of June 15, 2008.

2.3 Office of the City Auditor's Report.

Recommendation: Acceptance of the Office of the City Auditor's *Report of Activities and Findings for the Period February 16, 2008 through March 15,2008.* (City Auditor)

2.4 Approval of a New Fund in Community Facilities District No. 11 and adoption of an Appropriation Ordinance.

Attachment – Declaration of Conflict of Interest – Councilmember Nguyen

* **Recommendation:** Establish a new fund in Community Facilities District No. 11 (Adeline – Mary Helen) on Communications Hill and adopt the following 2007-2008 Appropriation Ordinances and Funding Sources Resolution amendments in the Community Facilities District No. 11 Fund (374):

- (a) Establish an appropriation to the Department of Transportation for Personal Services in the amount of \$10,000;
- (b) Establish an appropriation to the Department of Transportation for Non-Personal/Equipment in the amount of \$5,000;
- (c) Establish an Ending Fund Balance in the amount of \$146,277; and
- (d) Increase the estimate for Earned Revenue by \$161,277.

CEQA: Exempt, File No. PP05-021. Council District 7. (Public Works/Transportation/City Manager's Office)

2.5 Highway 87 Detour II Sanitary Sewer Reconstruction Phase II Project.

Recommendation:

- (a) Increase the contingency budget for the Highway 87 Detour II Sanitary Sewer Reconstruction Phase II project by \$215,700 from \$740,900 to \$956,600.
- (b) Approval of Contract Change Order No. 5 with McGuire & Hester, Inc. for the Highway 87 Detour II Sanitary Sewer Reconstruction Phase II Project in an amount not-to-exceed \$800,000, for a total contract amount of \$5,895,746.

CEQA: Mitigated Negative Declaration, File No. PP03-12-378. Council District 3. (Public Works)

2. CONSENT CALENDAR

2.6 [Fiscal actions for Redevelopment Agency Capital Projects.](#)

* **Recommendation:**

- (a) Adoption of the following appropriation ordinance and funding sources resolution amendments in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Fund) for 2007-2008:
 - (1) Increase the estimate for Earned Revenue by \$78,050.
 - (2) Establish an appropriation to the Department of Transportation for the Japantown Street and Decorative Lighting Project (PSM 519, Amendment 1) in the amount of \$78,050.
- (b) Adoption of a resolution making certain determinations regarding the related expenditure of Redevelopment Agency funds on certain public improvements in connection with the Japantown Street and Decorative Lighting Project as more specifically described in the memorandum from the Redevelopment Agency, dated October 16, 2007.

CEQA: Exempt, File Nos. PP06-105 and PP01-02-023. Council District 3.
(Transportation/City Manager's Office)

2.7 Excused Absences for Councilmember Nguyen.

* **Recommendation:** Request for excused absences for Councilmember Nguyen.

- (a) [Request for an excused absence](#) from the Closed Session and City Council Meeting of April 22, 2008 due to Authorized City Business: Attendance at the Young Elected Officials National Conference in Little Rock, Arkansas.
- (b) [Request for an excused absence](#) from the Study Session of April 24, 2008 due to Authorized City Business: Attendance at the YEO National Conference in Little Rock, Arkansas.

(Nguyen)

(Rules Committee referral 4/2/08)

3. STRATEGIC SUPPORT SERVICES

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

3.2 Report of the Rules and Open Government Committee Mayor Reed, Chair

- (a) Report of the Rules and Open Government Committee of March 19, 2008
 - (1) City Council
 - (a) Review March 25, 2008 Final Agenda
 - (b) Review April 1, 2008 Draft Agenda

None – Meeting Cancelled
 - (2) Redevelopment Agency items reported out at Redevelopment Agency meeting

(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules and Open Government Committee (Cont'd.)

- (a) Report of the Rules and Open Government Committee of March 19, 2008 (Cont'd.)
 - (3) Legislative Update
 - (a) State
 - (b) Federal
 - (1) Oppose position for changes proposed to the H-2A Guestworker (Foreign Labor Certification) Program. (Cortese)
 - (4) Meeting Schedules
 - (a) Approve Annual City of San José and Santa Clara County Meeting for September 15, 2008. (City Manager)
 - (b) Approve Special Rules and Open Government Committee meeting for April 1, 2008 to discuss Sunshine Reform Task Force Phase I Report and Recommendations. (City Clerk)
 - (5) The Public Record
 - (6) Appointments to Boards, Commissions and Committees
 - (7) Rules Committee Reviews, Recommendations and Approvals
 - (a) Acceptance of Agreement relating to community signage bearing the name "Little Saigon" along Story Road. (Reed/Cortese/Liccardo/Nguyen)
HEARD BY COUNCIL 3/25/08 – ITEM 4.6
 - (b) Discussion of allegations regarding Story Road business owners' petition submitted to Council on March 4, 2008.
 - (c) Request for Council action regarding Evergreen East Hills Development Policy. (Cortese)
SEE ITEM 4.3 FOR COUNCIL ACTION TO BE TAKEN
 - (d) Automatic External Defibrillators Ordinance Workload Assessment. (City Manager)
 - (8) Review of additions to Council Committee Agendas
 - (9) Open Government Initiatives
 - (10) Open Forum
 - (11) Adjournment
[Deferred from 4/8/08 – Item 3.2(d)]
- (b) Report of the Rules and Open Government Committee of March 26, 2008
 - (1) City Council
 - (a) Review April 1, 2008 Final Agenda
None – Meeting Cancelled
 - (b) Review April 8, 2008 Draft Agenda
 - (1) Add new items to final agenda:
 - (a) Report from the Chief of Police on Homicides. (Mayor)
 - (2) Assign "Time Certain" to Agenda Items (if needed).
 - (2) Redevelopment Agency items reported out at Redevelopment Agency meeting

(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules and Open Government Committee (Cont'd.)

- (b) Report of the Rules and Open Government Committee of March 26, 2008 (Cont'd.)
 - (3) Legislative Update
 - (a) State
 - (b) Federal
 - (4) Meeting Schedules
 - (5) The Public Record
 - (6) Appointments to Boards, Commissions and Committees
 - (7) Rules Committee Reviews, Recommendations and Approvals
 - (a) Proposed Ballot Measures. (City Attorney's Office)
 - (1) Council Appointee Administrative Leave.
 - (2) Council Salary Setting Methods and Options.
 - (3) Recall Elections – Vacancies in Office.
 - (4) Charter Section 600 – Ability to Abstain for Appearance of a Conflict.
 - (5) City Clerk – Power of Appointment.
 - (6) Charter Amendment for Redistricting.
 - (7) Duration of Leases on City Parks.
 - (8) Construction of a Fire Station on City Parkland.
 - (b) Automatic External Defibrillators Ordinance Workload Assessment. (City Manager's Office)
 - (c) Response to Sr. Citizens' Commission Letter regarding Fingerprinting and Background Checks. (Parks, Recreation and Neighborhood Services)
 - (8) Review of additions to Council Committee Agendas
 - (a) Community and Economic Development Committee
 - (b) Neighborhood Services and Education Committee
 - (c) Transportation and Environment Committee
 - (1) Add report on the TE Committee agenda for April 7, 2008 on progress, status and key issues review of the Santa Clara Valley Habitat Plan. (Planning, Building and Code Enforcement)
 - (d) Public Safety, Finance and Strategic Support Committee.
 - (9) Open Government Initiatives
 - (10) Open Forum
 - (11) Adjournment
- (c) Report of the Special Meeting of the Rules and Open Government Committee of April 1, 2008
 - (i) Open Government Initiatives
 - (1) Review of remaining provisions of Sunshine Reform Task Force Phase I/Part II Recommendations. (City Manager's Office)
 - (a) Provisions about Agenda Packet.
 - (b) Other Advisory Entities.
 - (c) Decision-Making Bodies (Quasi-Judicial).

(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules and Open Government Committee (Cont'd.)

- (c) Report of the Special Meeting of the Rules and Open Government Committee of April 1, 2008 (Cont'd.)
 - (i) (1) (d) Non-Governmental Bodies.
 - (e) Closed Session.
 - (f) Items for Clarification.
 - (j) Open Forum
 - (k) Adjournment
- (d) Report of the Rules and Open Government Committee of April 2, 2008
 - (1) City Council
 - (a) Review April 8, 2008 Final Agenda
 - (1) Add new items to final agenda:
 - (a) 3-Year General Fund Structural Deficit Elimination Plan Stakeholder Group Nominations. (Mayor)
 - (b) Excused Absence for Mayor Reed from the April 2, 2008 Rules and Open Government Committee for Travel to Sacramento, CA. (Mayor)
 - (2) Assign "Time Certain" to Agenda Items (if needed).
 - (b) Review April 15, 2008 Draft Agenda
 - (2) Redevelopment Agency items reported out at Redevelopment Agency meeting.
 - (3) Legislative Update
 - (a) State
 - (b) Federal
 - (1) S. 340 (Feinstein)/H.R. 371 (Berman) – The Agjobs Act of 2007. (City Manager's Office)
 - (4) Meeting Schedules
 - (5) The Public Record
 - (6) Appointments to Boards, Commissions and Committees
 - (7) Rules Committee Reviews, Recommendations and Approvals
 - (a) Discussion of allegations regarding Story Road business owners' petition submitted to Council on March 4, 2008.
 - (8) Review of additions to Council Committee Agendas
 - (a) Community and Economic Development Committee
 - (b) Neighborhood Services and Education Committee
 - (c) Transportation and Environment Committee
 - (d) Public Safety, Finance and Strategic Support Committee.
 - (1) Add agenda item entitled "City of San José Fire Department Procedures, Protocol and Policies regarding calls of service to the Santa Clara County Main Jail located in Downtown San José" to the April 15, 2008.

(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules and Open Government Committee (Cont'd.)

- (d) Report of the Rules and Open Government Committee of March 26, 2008 (Cont'd.)
 - (9) Open Government Initiatives
 - (a) Reed Reforms
 - (b) Sunshine Reform Task Force
 - (1) Review of remaining provisions of Sunshine Reform Task Force Phase I/Part II Recommendations – Items for Clarification. (City Manager's Office)
 - (c) Significant Public Records Act Requests
 - (1) VACNORCAL Correspondence. (City Attorney's Office)
 - (d) Council Policy Manual Update
 - (10) Open Forum
 - (11) Adjournment

3.3 Report of the Public Safety, Finance and Strategic Support Committee Councilmember Nguyen, Chair – *No Report.*

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Report of the Community & Economic Development Committee Councilmember Pyle, Chair – *No Report.*

4.2 [Amend an agreement with GlobalFluency for national and international media relations.](#)

Recommendation:

- (a) Approval of an amendment and continuation agreement with GlobalFluency for Year 2 Program for national and international public relations services, extending the term from November 1, 2007 through December 31, 2008, and increasing the compensation by \$150,000 for a total contract amount of \$350,000, of which \$50,000 will be provided by the San José Convention and Visitors Bureau through a separate contribution agreement.
 - (b) Adoption of the following Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:
 - (1) Increase the appropriation to the Office of Economic Development for Non-Personal/Equipment by \$50,000; and
 - (2) Increase the estimate for Other Revenue by \$50,000.
- CEQA: Not a Project. (Economic Development/City Manager's Office)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.3 [Actions related to the Evergreen East Hills Development Policy area.](#)

[Attachment – Memo from Vice Mayor Cortese](#)

Recommendation: Adoption of a Resolution to repeal Resolution No. 71939 to address the filing of residential applications in the Evergreen-East Hills Development Policy area. CEQA: Not a Project. (Planning, Building and Code Enforcement)
[Rules Committee referral 03/19/08 – Item (G)(3)]

5. NEIGHBORHOOD SERVICES

5.1 Report of the Neighborhood Services and Education Committee Councilmember Chirco, Chair – *No Report.*

6. TRANSPORTATION & AVIATION SERVICES

6.1 Report of the Transportation and Environment Committee Councilmember Williams, Chair – *No Report.*

6.2 [Report on Request for Proposal for Parking Access Revenue Control and Automatic Vehicle Identification System for the Airport.](#)

Recommendation: Report on Request for Proposal for Parking Access Revenue Control and Automatic Vehicle Identification System for the San José International Airport and adoption of a resolution authorizing the Director of Finance to:

- (a) Execute an agreement with ACS Transport Solutions, Inc. for a three-year term and maximum compensation of \$6,016,942.
- (b) Execute change orders in an amount not to exceed \$600,000 as contingency to cover unanticipated changes in the system design and/or installation.
- (c) Exercise five one-year options for ongoing maintenance subject to the appropriation of funds.
- (d) Execute amendments to the agreement to add or delete parking areas subject to annual appropriation of funds.

CEQA: Resolutions No. 67380 and 71451, File No. PP06-004. (Finance)

* (Deferred from 4/8/08 – Item 6.2)

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY SERVICES

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

CONVENE REDEVELOPMENT AGENCY BOARD TO CONSIDER ITEM 9.1 IN A JOINT SESSION

9.1 Consideration of the Recommendations of the North San José Neighborhoods Planning Taskforce.

[Attachment – Minority Report and Opinion Planning](#)

* **Recommendation:** It is recommended that the City Council and Redevelopment Agency Board:

- (a) Accept the final guiding principles and recommendations of the North San José Neighborhoods Planning Taskforce.
- (b) Accept the Schools Report, Parks and Recreation Report, Retail Report and maps presented to the North San José Neighborhoods Planning Taskforce.
- (c) Direct the City Manager and Executive Director to develop an Implementation Strategy for North San José, including design guidelines and an ongoing approach to involve the public using the guiding principles and recommendations of the North San José Neighborhoods Planning Taskforce.

CEQA: Not a Project. (City Manager’s Office/Redevelopment Agency)

* **RECOMMEND DEFERRAL TO 4/22/08 IN THE EVENING**

- 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>
9947	North side of Phelan Avenue, 200 feet east of Roberts Avenue	7	Kevin A. Pham	5 Lots / 5 Units	Single Family Detached

- Notice of City Engineer’s Award of Construction Projects

- Open Forum

- 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, 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, unless they are speaking during open forum.
 - 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.