



CITY COUNCIL AGENDA

JUNE 8, 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

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 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 6)**
* Reverend Kathryn Doar, St. Francis 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.

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

- 1.1 Presentation of a proclamation declaring June 11, 2010 as “Filipino Independence Day” in the City of San José. (Chu/Liccardo)
 - 1.2 Presentation of a commendation to The Crosscultural Community Services Center for their service to improve the quality of life for Silicon Valley families and children in need. (Herrera/Nguyen)
 - 1.3 Presentation of a commendation to the YWCA for their efforts to strengthen students’ basic academic skills, while providing them with a rich, high quality, life skills enrichment curriculum program through Project Inspire. (Pyle)
 - 1.4 Presentation of a commendation to Relay for Life Almaden for their commitment to help the Almaden Community get well, stay well, find cures, and fight back against cancer. (Pyle)
 - 1.5 Presentation of a proclamation recognizing June 26th and June 27th as “RACES Field Day” in the City of San Jose. (Mayor)
- * (Rules Committee referral 5/26/10)

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.

2.2 Final adoption of ordinances.

Recommendation: Final adoption of ordinances.

- (a) [ORD. NO. 28745](#) – Amending Chapter 17.38 of Title 17 of the San José Municipal Code to require maintenance of vacant buildings and registration of neglected vacant or abandoned buildings.
- (b) [ORD. NO. 28746](#) – Rezoning certain real property situated on the southeast corner of Airport Parkway and Old Bayshore Highway (APN: 230-29-065) to IP(PD) Planned Development Zoning District. PDC10-003
[Presentation](#)

2. CONSENT CALENDAR

2.3 Approval of Council Committee Reports.

Recommendation: Approval of Council Committee Reports.

- (a) [Transportation and Environment Committee Report of May 3, 2010.](#) (Liccardo)
[Deferred from 5/18/10 – Item 2.3(a) and 5/25/10 – Item 2.3(c)]
- (b) [Rules and Open Government Committee Report of May 5, 2010.](#) (Mayor)
[Deferred from 5/25/10 – Item 2.3(a)]
- (c) [Neighborhood Services and Education Committee Report of May 13, 2010.](#) (Campos)
[Deferred from 5/25/10 – Item 2.3(b)]
- (d) [Rules and Open Government Committee Report of May 12, 2010.](#) (Mayor)
- (e) Rules and Open Government Committee Report of May 19, 2010. (Mayor)
- (f) [Public Safety, Finance and Strategic Support Committee Report of May 20, 2010.](#)
(Nguyen)
- (g) Community and Economic Development Committee Report of May 24, 2010. (Pyle)

2.4 Mayor and Council Excused Absence Requests.

2.5 City Council Travel Reports.

2.6 [Agreements with Ricondo & Associates, Inc. and Landrum & Brown, Inc. for Airport Economic Analysis Professional Services.](#)

Recommendation: Approve Consultant Master Services agreements with [Ricondo & Associates, Inc.](#) and [Landrum & Brown, Inc.](#) for airport economic analysis professional services, in amounts not to exceed a maximum of \$750,000 for each agreement and for a term from execution date to June 30, 2015. CEQA: Not a Project, File No. PP10-066(d), consultant services for studies/research. (Airport)

2.7 [Quitclaim Deed for abandoned access road near San Felipe Road.](#) [Presentation](#)

Recommendation: Adopt a resolution authorizing the City Manager to execute a [quitclaim deed](#) to an abandoned access road across APN No. 660-02-013 to DAL Properties, Inc. in accordance with the provisions of a stipulated judgment approved by the City Council. CEQA: Mitigated Negative Declaration, File No. PDC09-007. (City Attorney's Office)

2.8 [Contract with Fairbanks, Maslin, Maulin, Metz and Associates for Telephone Survey Work.](#)

Recommendation: Approve amendment to [contract](#) with Fairbanks, Maslin, Maulin, Metz and Associates to increase the contract amount by \$100,000 to allow for additional telephone survey work. CEQA: Not a Project, File No. PP10-066(d), consultant services for research with no commitment to a future course of action. (City Manager's Office)

2. CONSENT CALENDAR

2.9 [Sponsored Travel to Washington D.C. to Speak at the Responsible Hospitality Institute.](#)

Recommendation:

- (a) Accept the offer of sponsored travel to Washington D.C. to speak at the Responsible Hospitality Institute.
- (b) Designate Leland Wilcox, Downtown Coordinator, as the City of San José's representative at the 2010 Leadership Summit Conference on June 6, 2010, pursuant to San José Municipal Code Section 12.08.030(I).

CEQA: Not a Project, File No.PP10-066(e), services that involve no physical changes to the environment. (Economic Development)

2.10 [Agreement with Langham Consulting Services, Inc. for Services Related to the City's Utility Billing System.](#)

Recommendation: Adopt a resolution authorizing the City Manager to negotiate and execute the third amendment to the Agreement with Langham Consulting Services, Inc. to provide technical planning and implementation services related to the City's utility billing system; to increase the total compensation by \$180,000 to an amount not to exceed \$430,000; and to extend the agreement term through December 31, 2011. CEQA: Not a Project, File No.PP10-066(e), professional services with no physical changes to the environment. (Environmental Services)

2.11 [Agreement with the Happy Hollow Corporation for Promotion and Support.](#)

Recommendation: Adopt a resolution authorizing the City Manager to negotiate and execute the First Amendment to the Happy Hollow Corporation dba Happy Hollow Foundation agreement to provide promotion and support for Happy Hollow Park and Zoo through events, promotions, and fundraising activities retroactive from July 1, 2009 through June 30, 2013 with the option to extend the agreement with two one-year options through June 30, 2015. CEQA: Not a Project, File No.PP10-066(e) services that involve no physical changes to the environment. (Parks, Recreation and Neighborhood Services)

2.12 [Fiscal Actions for Redevelopment Agency Capital Projects.](#)

Recommendation: Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Fund) for 2009-2010:

- (a) Increase the estimate for Earned Revenue by \$288,210; and
- (b) Establish an appropriation to the Department of Public Works for the San José Convention Center Expansion and Renovation Project (PSM 605) in the amount of \$288,210.

CEQA: Resolution No. 72767 and Addenda thereto. File No. PP08-002. Council District 3. SNI: Downtown Core. (Public Works/City Manager's Office)

2. CONSENT CALENDAR

2.13 [Intention to Form Maintenance District 23 \(Berryessa Rd from I-680 to Piedmont Rd\).](#)

Recommendation: Adopt a [resolution](#) of intention to form Maintenance District 23 (Berryessa Rd from I-680 to Piedmont Rd) and directing the Director of Public Works to create and file an Engineer's Report. CEQA: Exempt, File No. PP10-090. Council District 4. (Public Works/Transportation)

2.14 [AB 155 \(Mendoza\) Local Government Bankruptcy Proceedings.](#)

Recommendation: As recommended by the Rules and Open Government Committee on May 26, 2010, adopt an oppose position to AB 155 (Mendoza) Local Government Bankruptcy Proceedings, which was opposed by the City on November 3, 2009, as SB 88 (DeSaulnier). (Finance)
[Rules Committee referral 5/26/10 – Item D(1)]

2.15 [Appointments and Reappointments to Boards, Commissions and Committees.](#)

* **Recommendation:** As recommended by the Rules and Open Government Committee on May 26, 2010 and June 2, 2010:

- (a) Reappoint Roger Lasson, Larry Saltman and Robert Gill each to a term ending June 30, 2013 and appoint Kenneth Kelly and Richard McCoy each to a term ending June 30, 2013 on the Senior Citizens Commission. (Constant)
- (b) Appoint Joshua Barousse, Wendy Ho, and Guadalupe Rodriguez each to an unexpired term ending June 30, 2011 on the Human Rights Commission. (Chu)
- (c) Appoint William Collins to an unexpired term ending June 30, 2011 and Erica Valladao to a term ending June 30, 2013 on the Early Care and Education Commission. (Chirco)
- (d) Appoint Carlos Padilla to an unexpired term ending December 31, 2012 and Elaine Coombs to an unexpired term ending December 31, 2010 on the Advisory Commission on Rents. (Herrera)
- (e) Appoint George Gange and Ian Klufft each to unexpired term ending June 30, 2011 on the Airport Commission. (Chu)
- (f) Appoint Karl Vidt to an unexpired term ending June 30, 2012 and Deanford Chen and Jessica Rauff each to a term ending June 30, 2013 on the Disability Advisory Commission. (Pyle)
- (g) Appoint Sergio Arturo Jimenez to a term ending June 30, 2013 on the Parks and Recreation Commission. (Pyle)
- (h) Reappoint Michael Martin to a term ending on June 30, 2013 on the Arts Commission. (Liccardo)
- (i) Appoint Nicholas Adams, Richard Allen James, and Richard Robbins each to a term ending June 30, 2013 and Ben Miyaji to an unexpired term ending June 30, 2011 on the Arts Commission. (Liccardo)

[Rules Committee referral 5/26/10 – Item G(1) – G(9)]

(Item continued on the next page)

2. CONSENT CALENDAR

2.15 Appointments and Reappointments to Boards, Commissions and Committees. (Cont'd.)

- * **Recommendation:** As recommended by the Rules and Open Government Committee on May 26, 2010 and June 2, 2010:
- (j) Appoint Spencer Horowitz to a term ending June 30, 2013 on the Airport Commission.
 - (k) Appoint Alice Salee to an unexpired term ending December 31, 2011 on the Housing and Community Development Advisory Commission. (Nguyen)
 - (l) Appoint Mark Blaszczyk and Stephen Gifford each to a term ending June 30, 2013 on the Traffic Appeals Commission. (Nguyen)
 - (m) Reappoint Hoa (Mike) Nguyen and David Hook each to a term ending June 30, 2013 and appoint Tony Nguyen to a term ending June 30, 2013 on the Library Commission. (Oliverio)
- * [Rules Committee referral 6/2/10 – Item G(1) – G(4)]

2.16 District 2 Diwali, Festival of Lights. Supplemental – Memo from the City Clerk

- * **Recommendation:** As recommended by the Rules and Open Government Committee on May 26, 2010:
- (a) Approve the District 2 Diwali, Festival of Lights, as a City Council sponsored Special Event; and
 - (b) Approve and accept donations from various individuals, businesses, or community groups to support the event.
- CEQA: Not a Project, File No. PP10-066(e), services involving no physical change to the environment. (City Clerk)
[Rules Committee referral 5/26/10 – Item H(3)]

2.17 Public Calendars.

- Recommendation:** As recommended by the Rules and Open Government Committee on May 26, 2010:
- (a) Accept the report on compliance with Open Government requirements for posting of public calendars by City officials on the City's website; and
 - (b) Approve the two minor modifications to the calendar disclosure requirements recommended by the Rules and Open Government Committee:
 - (1) Changing the posting deadline time from Noon to 5:00 p.m.; and
 - (2) When the posting deadline falls on a Monday holiday, extending it to the same time on the following day.
- (City Manager's Office)
[Rules Committee referral 5/26/10 – Item H(4)]

2.18 Council Policy 7-5, Naming of City-Owned Land and Facilities.

- Recommendation:** As recommended by the Rules and Open Government Committee on May 26, 2010, adopt a [resolution](#) revising Council Policy 7-5, Naming of City-Owned Land and Facilities. (Parks, Recreation and Neighborhood Services)
[Rules Committee referral 5/26/10 – Item H(5)]

2. CONSENT CALENDAR

2.19 [District 2 Canadian Flag Raising.](#)

Recommendation: As recommended by the Rules and Open Government Committee on June 2, 2010:

- (a) Approve the District 2 Canadian Flag Raising as a City Council sponsored Special Event; and
- (b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP10-066(e), services involving no physical change to the environment. (City Clerk)

* [Rules Committee referral 6/2/10 – Item H(1)]

3. STRATEGIC SUPPORT SERVICES

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

3.2 [Arizona Immigration Legislation.](#)

[Attachment – Memo from the City Attorney](#)

* **Recommendation:** As referred by the Rules and Open Government Committee on May 12, 2010, consider actions regarding Arizona’s Immigration Legislation (Arizona SB 1070 and HB 2162), and request that the City Attorney join in an amicus brief filed by the County of Santa Clara or any other jurisdiction in opposition to the Arizona immigration legislation.

[Rules Committee referral 5/12/10 – Item A(1)(a)]

TO BE HEARD LAST IN THE AFTERNOON FOLLOWING THE REDEVELOPMENT BOARD AGENDA AND NO EARLIER THAN 3:00 P.M.

3.3 [Public Hearing on the Recording of Liens on the Property Tax Roll for the Cost of Sidewalk Repairs.](#)

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

Recommendation: Adopt a [resolution](#) approving the Report of the Director of Finance on the Reimbursement of Cost for Sidewalk Repairs, confirming the assessments contained in the Report and directing the recording of liens on the property tax roll for the cost of sidewalk repairs. CEQA: Not a Project, File No PP10-067(a), specific funding mechanism for increase or adjustment to fees, rates and fares. (Finance)

3.4 [Police and Fire Department Retirement Plan Membership.](#)

Recommendation: Approve an [ordinance](#) amending Part 2 of Chapter 3.36 of Title 3 of the San José Municipal Code by adding a Section 3.36.205 to exclude from membership in the Police and Fire Department Retirement Plan, a Fire Chief or Police Chief, who has no prior service credit in that plan. CEQA: Not a Project, File No. PP10-068(b), Municipal Code, Title 3. (Human Resources)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Municipal Regulations and Enforcement Pertaining To Medicinal Use of Cannabis.

Recommendation: DEFER TO JUNE 15, 2010 PER ADMINISTRATION

4.2 Approval to Set Public Hearings on the Business Improvement Districts.

Recommendation:

- (a) [Preliminary approval of the report as filed by the Hotel Business Improvement District Advisory Board](#), or as modified by Council; and adoption of a [resolution](#) of intention to levy the annual assessment for Fiscal Year 2010-2011, and set June 22, 2010 at 1:30 p.m. as the date and time for the public hearing on the levy of the proposed assessments. CEQA: Exempt, File No. PP08-048. (Economic Development)
- (b) [Preliminary approval of the report as filed by the Downtown Business Improvement District Advisory Board](#), or as modified by Council; and adoption of a [resolution](#) of intention to levy the annual assessment for Fiscal Year 2010-2011, and set June 22, 2010 at 1:30 p.m. as the date and time for the public hearing on the levy of the proposed assessments. CEQA: Exempt, File No. PP08-048. Council District 3. SNI: St. James Square; University; Josefa/Auzerais; Burbank/DelMonte. (Economic Development)
- (c) [Preliminary approval of the report as filed by the Japantown Business Improvement District Advisory Board](#), or as modified by Council; and adoption of a [resolution](#) of intention to levy the annual assessment for Fiscal Year 2010-2011, and set June 22, 2010 at 1:30 p.m. as the date and time for the public hearing on the levy of the proposed assessments. CEQA: Exempt, File No. PP08-048. Council District 6. (Economic Development)

4.3 [North San José Area Development Policy.](#)

[Attachment 1 – North San José Area Development Policy](#)

[Attachment 2 – North San José Area urban Design Guidelines Draft #4](#)

[Attachment 3 - Addendum dated April 2, 2009](#)

[Attachment 4 - North San José Neighborhoods Plan](#)

[Attachment 5 - North San José Urban Design Guidelines Comparison](#)

[Attachment 6 – Memo from Mayor Reed and Councilmembers Chu, Liccardo and Pyle Presentation](#)

Recommendation:

- (a) Adopt a [resolution](#) amending the North San José Area Development Policy to:
 - (1) Add capacity within the Policy to allow for up to one million square feet of regional retail distributed throughout the Policy area, and 1,000 hotel rooms outside the Core Area with no more that 250 rooms being developed in any given hotel except those sites designated as preferred hotel sites by the Rincon South Specific Plan; and
 - (2) Make other clarifying changes to facilitate implementation of the Policy.
- (b) Accept the North San José Urban Design Guidelines together with the addendum thereto dated April 2, 2009.
- (c) Accept the North San José Neighborhoods Plan.

CEQA: Resolution No. 72768, Addendum to the North San José Policy Update Environmental Impact Report. Council Districts 3 and 4. (Planning, Building and Code Enforcement)

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.4 [Public Hearing to Establish a Rule 20A Underground Utility District Along Lincoln Avenue.](#)

Recommendation: Conduct a Public Hearing and approve an [ordinance](#) to establish a Rule 20A Underground Utility District along Lincoln Avenue from West San Carlos Street to approximately 160 feet north of Coe Avenue, Auzerais Avenue approximately 190 feet west of Lincoln Avenue, Northrup Street from Lincoln Avenue to Highway 280, Parkmoor Avenue from Lincoln Avenue to approximately 280 feet west of Northrup Street, and Paula Street approximately 210 feet west of Lincoln Avenue. CEQA: Addendum to a Mitigated Negative Declaration, File No. PP10-002. Council District 6. (Public Works)

4.5 [Commercial Signs on City Property.](#)

Recommendation: As recommended by the Community and Economic Development Committee on May 24, 2010, accept the staff report and direct Administration to take the following actions:

- (a) Review the practices and outcomes of other major cities that have programs for commercial signage in the public right-of-way and on City property;
- (b) Identify options for implementing commercial advertising on street furniture in the public right-of-way and elsewhere on City property, and assess logistical and administrative issues associated with these options;
- (c) Conduct public outreach regarding the proposed options;
- (d) Issue a Request for Information to obtain responses from the outdoor advertising industry to test the market for outdoor commercial advertisement in San José and to ascertain the available options for commercial advertising on City property; and
- (e) Return to the Community and Economic Development Committee with recommendations and alternatives for commercial advertising in the public right-of-way and on City property as a mechanism to eliminate blight, create vibrancy in the public right-of-way, and generate revenue.

CEQA: Not a Project, File No. PP10-069, direction involves no approvals of a project. (Planning, Building and Code Enforcement)

* [Community and Economic Development Committee referral 5/24/10 – Item D(4)]

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

- 6.1 [Amendment to the Airport Master Plan.](#)
[Supplemental – Memo from the Director of Aviation](#)
[Supplemental – Memo from the Director of Aviation](#)

Recommendation: As recommended by the Transportation and Environment Committee on May 3, 2010, accept the report and adopt a [resolution](#) approving a Major Amendment to the Airport Master Plan for the Norman Y. Mineta San José International Airport to:

- (a) Shift the plan horizon from 2017 to 2027;
 - (b) Updated projected demand and facility requirements; and
 - (c) Modify specific components of the facility development program.
- CEQA: Airport EIR, Resolution Nos. 67380 and 71451, File No. PP10-024. (Airport)
[Transportation and Environment Committee referral 5/3/10 – Item D(7)]
(Deferred from 5/18/10 – Item 6.1)

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY SERVICES

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

See Item 8.1 “Approval of an amendment to the DDA with Boston Properties Limited Partnership for the Plaza at Almaden project” and 8.2 “Approval of an amendment to the Inclusionary Housing Policy” on the Redevelopment Agency Agenda, which will be heard and action taken only during the Redevelopment Agency Meeting that follows the Council Meeting today.

- **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.
- **Continue RDA Board Meeting**
- **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.
 - 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.