

CITY COUNCIL AGENDA

AUGUST 30, 2011

SYNOPSIS

PETE CONSTANT
ASH KALRA
SAM LICCARDO
KANSEN CHU
XAVIER E. CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

CHUCK REED MAYOR

PIERLUIGI OLIVERIO
MADISON NGUYEN, VICE MAYOR
ROSE HERRERA
DONALD ROCHA
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 Tuesday at 7 p.m. as needed, 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**
9:04 a.m. - Closed Session, Call to Order in Council Chambers
Absent Council Members: All Present.

1:30 p.m. - Regular Session, Council Chambers, City Hall
Absent Council Members: All Present.
- **Invocation (District 7)**
Pastor Arnold Perez of Cry Out Christian Fellowship provided the Invocation.
- **Pledge of Allegiance**
Mayor Reed led the Pledge of Allegiance.
- **Orders of the Day**
The Orders of the Day and the Amended Agenda were approved, with Items 2.3(a) deferred to 09/13/11 and Item 2.8 deferred to 9/27/11.
- **Closed Session Report**
No Report.

1. CEREMONIAL ITEMS

- 1.1 Presentation of the “Certificate of Achievement for Excellence in Financial Reporting;” the “Distinguished Budget Presentation Award;” and the “Certificate of Recognition for Budget Presentation” from the Government Finance Officers Association of the United States and Canada to the City of San José for its FY 2009-10 Comprehensive Annual Financial Report and Adopted Budget. (City Manager’s Office)
(Rules Committee referral 08/24/11)
Mayor Reed presented Awards and Certificates of Achievement to the City’s Finance Staff from the Government Finance Officers Association of the United States and Canada for its FY 2009-10 Comprehensive Annual Financial Report and Adopted Budget.

2. CONSENT CALENDAR

- 2.1 **Approval of Minutes.**
There were none.

- 2.2 **Final adoption of ordinances.**

Recommendation: Final adoption of ordinances:

- (a) ORD. NO. 28954 – Amending Title 20 of the San José Municipal Code to amend Section 20.40.100 of Chapter 20.40 (Commercial Zoning Districts), to add a new Part 1.5 to Chapter 20.80 (Specific Use Regulations), and to add a new Section 20.200.114 to Chapter 20.200 (Definition), all to establish Land Use Regulations pertaining to Bail Bond Establishments.

Ordinance No. 28954 adopted.

- 2.3 **Approval of Council Committee Reports.**

Recommendation: Approval of Council Committee Reports.

- (a) Rules and Open Government Committee Report of August 10, 2011. (Mayor)

Deferred to 9/13/11

- (b) Transportation and Environment Committee Report of August 15, 2011. (Liccardo)

Approved.

- 2.4 **Mayor and Council Excused Absence Requests.**

There were none.

- 2.5 **City Council Travel Reports.**

There were none.

- 2.6 **Report from the Council Liaison to the Retirement Boards.**

Council Member Constant provided an update, including research and recommendations provided by consulting group Cortex Applied Research.

2. CONSENT CALENDAR

2.7 Agreement with Clear Channel for Advertising at the Airport.

Recommendation: Approve a third Amendment to the Advertising Concession Agreement between the City and Clear Channel Outdoor, Inc. d/b/a Clear Channel Airports at the Norman Y. Mineta San José International Airport to combine the minimum capital investment requirements of the various advertising categories. CEQA: Not a Project, File No. PP10-066(e); Services that involve no physical changes to the environment. (Airport) (Deferred from 8/16/11 – Item 2.7)

Dropped per Administration.

2.8 Agreement with Wayport for Wi-Fi Services at the Airport.

Recommendation: Adopt a resolution authorizing the City Manager to:

- (a) Negotiate and execute a Second Amendment to the Non-Exclusive Installation and Property Use Agreement (“Agreement”) with Wayport, Inc. (“Wayport”) to extend the term of the Agreement through October 31, 2015, require a security deposit, and modify the calculation of the use charge;
- (b) Negotiate and execute a Third Amendment to the Agreement with Wayport to revise the licensed use area to include Terminal B; and
- (c) Negotiate and execute additional amendments to extend the term of the Agreement for up to 5 years commencing on November 1, 2015.

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

Deferred to 9/27/11 per Orders of the Day.

2.9 Airport Concession Disadvantaged Business Enterprise Plan Update

Recommendation: Adopt a resolution to:

- (a) Approve the three-year Airport Concession Disadvantaged Business Enterprise (ACDBE) participation plan update in accordance with the regulations of the Federal Aviation Administration (FAA);
- (b) Approve the three-year ACDBE participation target of 9.67% for all Airport concessions, other than car rentals, for Federal Fiscal Years (FFY) 2012 through 2014;
- (c) Approve the three-year ACDBE participation target of 0% for car rentals, for FFYs 2012 through 2014;
- (d) Authorize the City Manager to submit the three-year ACDBE participation plan update to the FAA; and
- (e) Authorize the City Manager to make revisions to the three-year ACDBE participation plan as requested by the FAA.

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

Resolution No. 75971 adopted.

2. CONSENT CALENDAR

2.10 Stormwater Permit Annual Report.

Recommendation:

- (a) Authorize certification and submittal of the 2010-2011 Stormwater Permit Annual Report to the San Francisco Bay Regional Water Quality Control Board in conformance with the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit requirements, pursuant to the Federal Clean Water Act.
- (b) Direct staff to return to the Transportation and Environment Committee in October for review and discussion of the Annual Report.

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

Approved.

2.11 Amendments to Open Purchase Orders for Sidewalk Repair.

Recommendation: Adopt a resolution authorizing the Director of Finance to:

- (a) Execute amendments to the existing Open Purchase Orders 45421, 45427 and 45425 with Wilson Concrete (San José, CA), Duran Hogan Construction (San José, CA) and CB Construction (San José, CA), respectively, to encumber an additional \$100,000 each, for a total amount not to exceed \$345,000 for each purchase order for sidewalk repair; and
- (b) Amend the three Purchase Orders to change the funding amounts, with total compensation among all three Purchase Orders not to exceed \$1,035,000.

CEQA: Exempt, File No. PP10-113. (Finance)

Resolution No. 75972 adopted.

2.12 Purchase Order for the Repair and Maintenance of Fire Department Vehicles and Equipment.

Recommendation: Adopt a resolution authorizing the Director of Finance to:

- (a) Execute an Open Purchase Order with Hi-Tech Emergency Vehicle Services, Inc. for the repair and maintenance of the City's fleet of Fire Department vehicles and equipment, for the period September 1, 2011 through August 31, 2012, in an amount not to exceed \$450,000.
- (b) Exercise three additional one-year options to renew the Purchase Order, subject to the appropriation of funds.

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

Resolution No. 75973 adopted.

2. CONSENT CALENDAR

2.13 Update the Heritage Tree List.

Recommendation: Adopt a resolution to update the Heritage Tree List in San José pursuant to Chapters 13.28 and 13.32 of the San José Municipal Code. CEQA: Exempt, File No. PP11-082. (Transportation)

Resolution No. 75974 adopted.

2.14 Actions Related to Council Member Constant's Travel to New Orleans, LA.

Recommendation:

- (a) Approve travel by Council Member Constant to New Orleans, LA on October 31 – November 2, 2011 attend the 57th Annual Employee Benefits Conference to continue training requirements on healthcare and pension plans in the Trustees Masters Program. Source of Funds: Retirement Services. (Constant)
- (b) Request for an excused absence for Council Member Constant from the Closed Session and Regular City Council Meeting on November 1, 2011 and the Regular Meeting of the Rules and Open Government Committee on November 2, 2011 due to Authorized City Business: Trustees Masters Program & 57th Annual Employee Benefits Conference in New Orleans, LA. (Constant)

(Rules Committee referral 8/17/11)

Approved.

Noes: Kalra.

2.15 Actions Related to Council Member Herrera's Travel to San Francisco, CA.

Recommendation:

- (a) Approve travel by Council Member Herrera to San Francisco, CA on September 21-23, 2011 to attend the League of California Cities Annual Conference and the Women's Caucus Meeting. Source of Funds: District Funds Council Travel Budget. (Herrera)
- (b) Request for an excused absence for Council Member Herrera from the Regular Meeting of the Rules and Open Government Committee on September 21, 2011 due to Authorized City Business: National League of California Cities Annual Conference. (Herrera)

(Rules Committee referral 8/17/11)

Approved.

Noes: Kalra.

2. CONSENT CALENDAR

2.16 Actions Related to Council Member Herrera's Travel to Portland, OR.

Recommendation:

- (a) Approve travel by Council Member Herrera to Portland, OR on October 19 - 21, 2011 to attend 2011 San José Silicon Valley Chamber of Commerce City to City Trip. Source of Funds: District Funds/Council Travel Budget. (Herrera)
- (b) Request for an excused absence for Council Member Herrera from the Regular Meeting of the Rules and Open Government Committee on October 19, 2011 and The Airport Ad Hoc Committee Meeting on October 20, 2011 due to Authorized City Business: 2011 San José Silicon Valley Chamber of Commerce City to City Trip. (Herrera)

(Rules Committee referral 8/17/11)

Approved.

Noes: Kalra.

2.17 Third Audit of American Recovery and Reinvestment Act.

Recommendation: As recommended by the Public Safety, Finance and Strategic Support Committee on August 18, 2011, accept the Third Audit of the American Recovery and Reinvestment Act. (City Auditor)

[Public Safety, Finance and Strategic Support Committee referral 8/18/11 – Item D(6)]

Accepted.

2.18 Review of Traffic Citation Revenue.

Recommendation: As recommended by the Public Safety, Finance and Strategic Support Committee on August 18, 2011, accept the Review of Traffic Citation Revenue. (City Auditor)

[Public Safety, Finance and Strategic Support Committee referral 8/18/11 – Item D(7)]

Accepted.

2.19 Council Member Chu's Travel to San Francisco, CA.

Recommendation: Approve travel by Council Member Chu to San Francisco, CA on September 21-23, 2011 to attend the League of California Cities Annual Conference and Business Meeting as San José's designated LCC Board representative. Source of Funds: Council District 4 Budget. LCC reimburses the City for related travel expenses. (Chu)
(Rules Committee referral 08/24/11)

Approved.

Noes: Kalra.

2. CONSENT CALENDAR

2.20 Council Member Chu's Travel to Long Beach, CA.

Recommendation: Retroactively approve travel by Council Member Chu to Long Beach, CA on July 20-22, 2011 to attend the regularly scheduled League of California Cities Board of Director's meeting as San José's designated representative. Source of Funds: Council District 4 Budget. LCC reimburses the City for related travel expenses. (Chu)

(Rules Committee referral 08/24/11)

Approved.

Noes: Kalra.

2.21 AB 1178 (Ma) – Solid Waste: Place of Origin.

Recommendation: As recommended by the Rules and Open Government Committee on August 24, 2011, approve an oppose position for AB 1178 (Ma) – Solid Waste: Place of Origin. (Environmental Services)

[Rules Committee referral 08/24/11 – Item D(1)(b)]

Oppose position approved.

2.22 District 4 Safety Resource Fair and Movie Night.

Recommendation: As recommended by the Rules and Open Government Committee on August 24, 2011:

(a) Approve the District 4 Safety Resource Fair and Movie Night as a City sponsored Special Event; and

(b) Approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project. (City Clerk)

[Rules Committee referral 08/24/11 – Item H(4)]

Approved.

3. STRATEGIC SUPPORT SERVICES

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

No Report.

3.2 Labor Negotiations Update

Recommendation: Accept Labor Negotiations Update.

Heard at 9:00 A.M.

Accepted.

3. STRATEGIC SUPPORT SERVICES

3.3 Ordinance to Implement New Health Care Trusts for Police and Fire Retirement Plan.

Recommendation: Consider an ordinance amending Title 3 of the San José Municipal Code to add new Chapter 3.54 and 3.56, and to amend Sections 3.36.575, 3.36.1925, 3.36.1930, 3.36.2030 and 3.36.2050 for the purposes of establishing a new trust pursuant to Section 115 of the Internal Revenue Code related to retiree health care benefit funding and payment of retiree health care benefits. CEQA: Not a Project; File No. PP10-068(b), Municipal Code or Policy. (City Attorney's Office)

(Rules Committee referral 05/25/11)

(Deferred from 6/7/11, Item 3.6 – Deferred from 8/2/11, Item 3.3)

Deferred to 9/27/11 per Administration

3.4 Staff Workplan for Fiscal Year 2011-2012 Priority Ordinances.

Recommendation: Approve staff workplan for Fiscal Year 2011-2012 priority ordinances. CEQA: Not a Project, File No. PP10-069(a), staff reports and informational memos. (City Manager's Office)

Top ordinances were prioritized by Council as follows:

- (1) **Smoking in Outdoor Areas (10 votes)**
- (2) **Social Host Ordinance (9 votes)**
- (3) **Payday Lending (9 votes)**

-----These items were added to the top ten priority list-----

- (4) **Zoning Standards – Main Street/Alum Rock (6 votes)**
- (5) **Development Agreement Ordinance (6 votes)**
- (6) **Real Estate Streamlining Transactions (6 votes)**

-----These items are to be added as top ten items are completed-----

- (7) **Public Entertainment Business Permit Fee Methodology (4 votes)**
- (8) **Plug-in Requirements for Parking Garages (2 votes)**
- (9) **Lighting on Private Property Policy Changes (1 vote)**
- (10) **Conservation Area Ordinance Streamlining (Distinctive Neighborhoods) (1 vote)**
- (11) **Noise Performance Standards Update (1 vote)**

3.5 Elections Commission Interviews and Appointment

Recommendation:

- (1) Interview applicants for appointment to the Elections Commission
- (2) Appoint one (1) member to the Elections Commission to a term expiring March 1, 2015.
- (3) If no applicant is appointed, direct the City Clerk to continue recruitment efforts and bring additional applicants forward for consideration within 90-days

(City Clerk)

Rolanda Pierre Dixon was appointed.

3. STRATEGIC SUPPORT SERVICES

3.6 Annual Review and Proposed Amendments of the City's Investment Policy.

Recommendation: As recommended by the Public Safety, Finance and Strategic Support Committee on August 18, 2011, accept the Annual Review and Proposed Amendments of the City's Investment Policy and adopt a resolution approving revisions to City Council Policy 1-12 to reflect recent changes to the Federal Reserve Bank's Primary Dealer List. CEQA: Not a Project. (Finance)

[Public Safety, Finance and Strategic Support Committee referral 8/18/11 – Item D(3)]

Note: Revision per Staff recommendation.

Resolution No. 75975 adopted

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Actions Related to the Dislocated Workers Grant for NUMMI.

Recommendation: Adopt the following 2011-2012 Appropriation Ordinance and Funding Sources Resolution amendments in the Workforce Investment Act (WIA) Fund (290):

- (a) Increase the estimate for Earned Revenue by \$1,509,191;
- (b) Increase the National Emergency Grant (NEG) Dislocated Workers – NUMMI appropriation in the amount of \$1,493,839; and
- (c) Establish an appropriation to the Office of Economic Development for the Exemplary Performance Award in the amount of \$15,352.

CEQA: Not a Project; File No. PP10-067(b), Appropriation Ordinance. (Economic Development/City Manager's Office)

Ordinance No. 28955 adopted.

Resolution No. 75976 adopted.

4.2 Workforce Investment Act Fund for the American Recovery and Reinvestment Act.

Recommendation: Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the Workforce Investment Act Fund (Fund 290):

- (a) Increase the estimate for Recovery Act – Federal Revenue by \$985,000;
- (b) Establish an appropriation to the Office of Economic Development for Recovery Act - 25% Additional Assistance - Transition Supplemental Support Project in the amount of \$985,000.

CEQA: Not a Project; File No. PP10-067(b), Appropriation Ordinance. (Economic Development/City Manager's Office)

Ordinance No. 28956 adopted.

Resolution No. 75977 adopted.

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

6.1 Long-Term Parking Agreement with the Superior Court of the State of California for Use of the Market/San Pedro Square Garage.

Recommendation: Approve a long-term parking agreement for up to 50 years with the Superior Court of the State of California, County of Santa Clara, for the issuance of up to 450 parking permits to the Superior Court for use of the Market/San Pedro Square Garage at no cost for three years and a monthly charge thereafter for the remaining 47 years. CEQA: Not a Project, File No. PP10-066(f), Agreement for lease of existing space. Council District 3. (Transportation)

Approved.

6.2 Route 101 Freeway Improvements Between I-280 and Yerba Buena Road.

Recommendation:

(a) Approve a funding agreement for the Route 101 from I-280 to Yerba Buena Road project providing funding in the amount of \$4,200,000 from the City of San José to the Santa Clara Valley Transportation Authority.

Approved.

(b) Adopt the following Appropriation Ordinance Amendments in the Building and Structure Construction Tax Fund:

(1) Increase the appropriation to the Department of Transportation for the Route 101/Tully Interchange Upgrade by \$500,000; and

(2) Decrease the Ending Fund Balance by \$500,000.

CEQA: Mitigated Negative Declaration, File No. OA05-010. (Transportation/City Manager's Office)

Ordinance No. 28957 adopted.

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY SERVICES

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

- **Open Forum**
Mark Trout expressed religious views.
- **Adjournment**
The Council of the City of San José adjourned at 5:00 p.m. in memory of former San José Firefighter Bruce Blain De Mers, who passed away on May 20, 2011. After retiring from the San José Fire Department, Bruce was very active in professional and labor organizations. He served as president and vice-president of the Association of Retired San José Police Officers and Firefighters. Additionally, Bruce was highly respected, admired, and recognized as an excellent role model for all. (Chu/Herrera/Rocha)

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 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.
 - 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.