



CITY COUNCIL AGENDA

MARCH 4, 2014

AMENDED AGENDA

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
JOHNNY KHAMIS

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- **Strategic Support 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.

You may speak to the City Council about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the City Council or Successor Agency to the Redevelopment Agency. 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 <http://www.sanjoseca.gov/index.aspx?NID=3549>. 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
 - Open Session, Labor Negotiations Update (See Item 3.2)
 - Adjourn to Closed Session in Council Chambers Conference Room, W133
 - See [Separate Agenda](#)
 - 1:30 p.m. - Regular Session, Council Chambers, City Hall
- **Invocation (District 3)**
 - * Pastor Shinya Goto, San José First United Methodist 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.
 - * **ITEM 4.8 RENUMBERED TO 2.14**

- **Orders of the Day (Cont'd.)**

ADJOURNMENT: This meeting will be adjourned in memory of George Bumb Jr., a prominent member of the San José business community and partner in the San José Flea Market and Bay 101 casino. Mr. Bumb, 61, passed away on February 10, 2014 after a long battle with pulmonary disease. (Chu/Campos)

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 the Month of March 2014 as “National Women’s History Month” in the City of San José. (Herrera)

1.2 Presentation of a proclamation declaring the Month of March 2014 as “Arts Education Month” in the City of San José. (Rocha)

* (Rules Committee referral 2/26/14)

2. CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item may be removed from the Consent Calendar and considered separately.

2.1 Approval of Minutes.

Recommendation: Approval of minutes.

- (a) [Regular Minutes of November 5, 2013.](#)
- (b) [Minutes of the Urban Villages Implementation Study Session of November 12, 2013.](#)
- (c) [Regular Minutes of November 19, 2013.](#)

2.2 Final Adoption of Ordinances.

2.3 Approval of Council Committee Reports.

Recommendation: Approval of Council Committee Reports.

- (a) [Rules and Open Government Committee Report of February 12, 2014.](#) (Mayor)
- (b) [Airport Competitiveness Committee Report of January 31, 2014.](#) (Mayor)
- (c) [Economic Competitiveness Committee Report of February 3, 2014.](#) (Mayor)

2. CONSENT CALENDAR

2.4 Mayor and Council Excused Absence Requests.

2.5 City Council Travel Reports.

2.6 Report from the Council Liaison to the Retirement Boards.

2.7 [District 1 Annual Greek Flag Raising.](#)

Recommendation: As recommended by the Rules and Open Government Committee on February 12, 2014:

- (a) Approve the District 1 Annual Greek Flag Raising Event as a City Council sponsored Special Event and approve the expenditure of funds; and
- (b) Approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project. (Constant)

[Rules Committee referral 2/12/14 – Item G(2)]

2.8 [District 5 Neighborhood Association Appreciation Dinner.](#)

Recommendation: As recommended by the Rules and Open Government Committee on February 12, 2014:

- (a) Approve the District 5 Neighborhood Association Appreciation dinner held on February 7, 2014 as a City Council sponsored Special Event and approve the expenditure of funds; and
- (b) Approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project. (Campos)

[Rules Committee referral 2/12/14 – Item G(5)]

2.9 [Amendment to the Sublease Agreement with Roem Development Corporation for the Spartan Keyes Neighborhood Action Center.](#)

Recommendation: Adopt a resolution authorizing the City Manager or his designee to execute a [First Amendment to the Sublease](#) for the use of real property for the Spartan Keyes Neighborhood Action Center, between the City of San José and Roem Development Corporation, allowing for continued use of 2,256 square feet for community gatherings as well as office space for staff. CEQA: Mitigated Negative Declaration and Addenda thereto, File No. PD04-065. Council District 3. (Economic Development)

2. CONSENT CALENDAR

2.10 Agreement with Silicon Valley Regional Interoperability Authority for Transfer of Equipment and Licenses.

Recommendation: Adopt a resolution authorizing the City Manager to:

- (a) Execute an Agreement (Master Agreement) with the Silicon Valley Regional Interoperability Authority (SVRIA) to transfer equipment and licenses from the City of San José for the Emergency Communications microwave radio network (ECOMM) to the SVRIA and to transfer all continuing restrictions and obligations assigned under the agreements entered by the City for the UASI and COPS Grant Funds used to purchase the ECOMM microwave radio network to SVRIA; and
- (b) Negotiate and execute such amendments to the Master Agreement and/or additional agreements, and take such additional actions, as are necessary to consummate the transactions contemplated by the Master Agreement, including without limitation: i) the final form of assignments from the City to SVRIA of existing license agreements for sites that are not owned by the City, and ii) the final form of new agreements for the grant of licenses by the City to SVRIA for sites owned by the City.

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

* **DROP**

2.11 [Actions Related to the Agreement with Santa Clara County Sheriff's Office and South Bay Region Node Member Agencies for the South Bay Information Sharing System.](#)

* **Recommendation:** Adopt a [resolution](#):

- (a) Authorizing the City Manager and the Chief of Police to execute the [Memorandum of Understanding](#) (MOU) between the Santa Clara County Sheriff's Office and the South Bay Region Node Member Agencies to continue participation in the South Bay Information Sharing System (SBISS).
- (b) Authorizing the City Manager and the Chief of Police to execute the [SBISS System Use Agreement](#).
- (c) Authorizing the SBISS Board of Directors to amend the SBISS MOU by affirmative majority vote of the Board without approval by the City Manager or the City Attorney.

CEQA: Not a Project, File No. PP10-066(g), Memorandum of Understanding. (Police)

2. CONSENT CALENDAR

2.12 [Approval of Audit Compliance Actions for Corona Solutions for Computer Aided Dispatch System.](#)

- * **Recommendation:** Approve the following actions:
- (a) Approve prior year expenditures of \$203,612 for Corona Solutions service agreement for Computer Aided Dispatch System data mining software; and
 - (b) Approve a one-year extension for Corona Solutions service agreement in an amount not to exceed \$47,877.
- CEQA: Not a Project, File No. PP10-066(e), Services that involve no physical changes to the environment. (Police)

2.13 [District 8 When Women Come Marching Home.](#)

Recommendation: As recommended by the Rules and Open Government Committee on February 19, 2014:

- (a) Approve the District 8 When Women Come Marching Home Events on March 20, 2014 as a City Council sponsored Special Event and approve the expenditure of funds; and
- (b) Approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project. (Herrera)

[Rules Committee referral 2/19/14 – Item G(2)]

2.14 [Intention to Form Zone C \(Innovation Drive\) in Maintenance District 19.](#)

Recommendation: Adopt a [resolution](#) of intention to form Zone C (Innovation Drive) in Maintenance District 19 (River Oaks Area Landscaping), and directing the Director of Public Works to create and file an engineer's report. CEQA: North San José Development Policies Update EIR, Resolution No. 72768. Council District 4. (Public Works)

- * **RENUMBERED FROM 4.8**

2.15 [Mayor Reed's Travel to Washington D.C.](#)

Recommendation: Approve travel by Mayor Reed to Washington D.C. on February 26, 2014 to participate in a Brookings Institute Pension Reform discussion. Source of Funds: Brookings Institute. (Mayor)

- * (Rules Committee referral 2/26/14)

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the City Manager, Edward Shikada (Verbal Report).

3.2 Labor Negotiations Update.

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

3.3 Library Parcel Tax.

[Memo from Mayor Reed, Vice Mayor Nguyen, Councilmembers Herrera, Liccardo, and Oliverio](#)

*** Recommendation:**

- (a) Adopt a [resolution](#) of the City Council calling and giving notice, on its own motion, a Special Municipal Election to be held on June 3, 2014, to submit to the electors of the City of San José the following measure:

MEASURE

San José Libraries Local Funding Continuation Measure:

To continue existing, voter-approved funding for all San José’s libraries and services, including: open hours; librarians; updated books/research materials; access to computers/technology; children’s reading programs, story times, teen/senior programs; and adult literacy/job readiness, shall the City of San José continue its library parcel tax for another 25 years, subject to independent annual audits and citizens oversight, with no change in the existing voter-approved tax rate formula?	YES	
	NO	

- (b) Council discussion and consideration of whether the full text of the proposed ordinance should be printed in the sample ballot pursuant to Elections Code Section 12111.
- (c) Council discussion and consideration of adopting provisions to permit any member or members of the City Council to submit arguments, pursuant to Elections Code Section 9282.
- (d) Council discussion and consideration of adopting provisions to permit rebuttal arguments, pursuant to Elections Code Section 9285, and if rebuttal arguments are permitted, then permitting any member or members of the City Council to submit a rebuttal argument.
- (e) Adopt a [resolution](#) stating the City Council’s intention that the base General Fund level of funding support for the Library Department will, to the extent possible, not fall below that of fiscal year (FY) 2013-2014, or 3.59% of the departmental budgets in the General Fund..

CEQA: Not a Project, File No. PP10-068(c), Municipal Code or policy change that involves no physical changes to the environment. (Library/City Clerk)

3. STRATEGIC SUPPORT SERVICES

3.4 Discussion on Paid Parental Leave Programs.

* **Recommendation:** Discussion and acceptance of report on paid parental leave programs. CEQA: Not a Project, File No. PP10-069(a), Staff Reports. (City Manager’s Office)

RECOMMEND DEFERRAL TO 3/11/14 PER ADMINISTRATION

3.5 Discussion and Direction for Retirement Board Governance.

Recommendation: Direct staff to evaluate policy alternatives to accomplish retirement board governance changes without a ballot measure. CEQA: Not a Project, File No. PP10-068(c), Policy changes that involve no changes in the physical environment. (City Manager’s Office)

3.6 Police Budget Ballot Measure.

Recommendation:

(a) Adopt a resolution of the City Council calling and giving notice, on its own motion, a Special Municipal Election to be held on June 3, 2014, to submit to the electors of the City of San José the following measure:

MEASURE

Police Department Budget Requirement

Shall the San José City Charter be amended to add a new section establishing a Police Department Budget requirement to pay for the operation of City’s Police Department and other public safety costs to be funded from annual appropriations of at least 40% of the Total General Fund Budget, subject to the City’s ability to pay its financial obligations?	YES	
	NO	

- (b) Council discussion and consideration of whether the full text of the proposed charter amendment should be printed in the sample ballot pursuant to Elections Code Section 12111.
- (c) Council discussion and consideration of adopting provisions to permit any member or members of the City Council to submit arguments, pursuant to Elections Code Section 9282.
- (d) Council discussion and consideration of adopting provisions to permit rebuttal arguments, pursuant to Elections Code Section 9285, and if rebuttal arguments are permitted, then permitting any member or members of the City Council to submit a rebuttal argument.

CEQA: Not a Project, PP10-068(c) Municipal Code or Charter Amendment that will not have an effect on the environment (Oliverio)

* [Rules Committee referral 2/26/14 – Item G(3)]

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 [Bi-Annual Economic Strategy Workplan Review.](#)

[Memo from Mayor Reed, Vice Mayor Nguyen, Councilmembers Herrera, Liccardo, and Rocha San José Marketing Brochure](#)

Recommendation: As referred by the Community and Economic Development Committee on January 27, 2014, accept staff's report on the accomplishments of the Economic Strategy 18-month workplan. CEQA: Not a Project, File No. PP10-066(a), Staff Report. (Economic Development)

[Community and Economic Development Committee referral 1/27/14 – Item D(5)]
(Deferred from 2/25/14 – Item 4.3)

4.2 [Rezoning the Real Property Located on the East Side of San Felipe Road, Approximately 550 Feet Northerly of Scenic Meadow Lane.](#)

- * **Recommendation:** Consideration of an [ordinance](#) rezoning the real property located on the east side of San Felipe Road, approximately 550 feet northerly of Scenic Meadow Lane (5674 San Felipe Road) to R-1-5 Single-Family Residence Zoning District in preparation for the annexation of 1 parcel within the County of Santa Clara to the City of San José on a 1.57 gross acre site (Baron, Stan and Sheryl, Owners). CEQA: Envision San José 2040 General Plan Final Program EIR, Resolution No. 76041. Planning Commission recommends approval (7-0-0). (Planning, Building and Code Enforcement)

[C13-039](#) – District 8

(Deferred from 2/25/14 – Item 11.2)

4.3 [Rezoning the Real Property Located on the East Corner of the Intersection of Samaritan Place and Samaritan Drive.](#)

- * **Recommendation:** Consideration of an [ordinance](#) rezoning the real property located on the east corner of the intersection of Samaritan Place and Samaritan Drive (2360 Samaritan Place) from the A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District to increase the number of units from 143 to 153 multi-family attached residences within an existing building for a previously approved senior housing facility (PDC79-098) on a 2.25 gross acre site (Catalonia Inc./Eden Housing, Owner). CEQA: Exempt, File No. PDC13-056. (Planning, Building and Code Enforcement)

[PDC13-056](#) – District 9

(Deferred from 2/25/14 – Item 11.3)

4.4 [Rezoning the Real Property Located South of Karina Court, Between U.S. Highway 101 and North First Street.](#)

[Supplemental](#)

- * **Recommendation:** Consideration of an [ordinance](#) rezoning the real property located south of Karina Court, between U.S. Highway 101 and North First Street from LI Light Industrial Zoning District and IP Industrial Park Zoning District to TEC Transit Employment Center Zoning District on an approximately 5.97 gross acre site (MP Properties Associates LLC, Owner). CEQA: Envision San José 2040 General Plan Final Program EIR, Resolution No. 76041. (Planning, Building and Code Enforcement)

[C13-044](#) – District 4

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.5 [Rezoning the Real Property Located on the South Side of Park Avenue, Between Sonoma Street and Delmas Avenue.](#)

[Supplemental](#)

- * **Recommendation:** Consideration of an [ordinance](#) rezoning the real property located on the south side of Park Avenue, between Sonoma Street and Delmas Avenue from LI Light Industrial Zoning District to DC Downtown Core Zoning District on an approximately 1.72 gross acre site (Park Delmas Investors LLC, Owner). This project was initially deferred to April 8, 2014. CEQA: Envision 2040 General Plan Final Program EIR, Resolution No. 76041. Planning Commission recommends approval (6-0-1). (Planning, Building and Code Enforcement)
[C13-047](#) – District 3

4.6 [Rezoning the Real Property Located at 1610 North Fourth Street, Between U.S. 101 and North Fourth Street Approximately 420 Feet North of Koll Circle.](#)

- * **Recommendation:** Consideration of an [ordinance](#) conforming conventional rezoning the real property located at 1610 North Fourth Street, between U.S. 101 and North Fourth Street approximately 420 feet north of Koll Circle from LI Light Industrial to CIC Combined Industrial/Commercial Zoning District on an approximately 1.9 gross acre (17 Pasteur Investor LLC, Owner). CEQA: Envision San José 2040 General Plan Final Program EIR, Resolution No. 76041. (Planning, Building and Code Enforcement)
[C13-052](#) – District 3

4.7 [Rezoning the Real Property Located on the Southwest Corner of North First Street and Century Court.](#)

- * **Recommendation:** Consideration of an [ordinance](#) rezoning the real property located on the southwest corner of North First Street and Century Court (1733 North 1st Street) from the A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District to modify setbacks, reduce parking and private open space requirements, and eliminate commercial parking for a previously approved Planned Development Zoning (File No. PDC09-002) on a 2.4 gross acre site (Schmidt F James Et Al, Owner). CEQA: North San José Development Policies Update Final Program EIR Resolution No. 72768. (Planning, Building and Code Enforcement)
[PDC13-055](#) – District 3

4.8 [Intention to Form Zone C \(Innovation Drive\) in Maintenance District 19.](#)

- * **Recommendation:** Adopt a [resolution](#) of intention to form Zone C (Innovation Drive) in Maintenance District 19 (River Oaks Area Landscaping), and directing the Director of Public Works to create and file an engineer's report. CEQA: North San José Development Policies Update EIR, Resolution No. 72768. Council District 4. (Public Works)

RENUMBERED TO 2.14

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.9 [Adoption of a Sister City Affiliation with the Guadalajara, Jalisco Municipal Government.](#)

[Memo from Mayor Reed, Councilmembers Campos and Kalra](#)

* **Recommendation:** Adopt a [resolution](#):

- (a) Establishing a Sister City affiliation with the Guadalajara, Jalisco (Mexico) Municipal Government;
- (b) Authorizing the Mayor to execute the Sister City Agreement with the Guadalajara, Jalisco (Mexico) Municipal Government.

CEQA: Not a Project, File No. PP10-066(g), Memorandum of Understanding. (Economic Development)

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

6.1 **Audit of Taxi Service and Regulation in San José and Airport Ground Transportation Program.**

[Supplemental from the Director of Aviation](#)

[Memo from Vice Mayor Nguyen, Councilmembers Herrera and Khamis](#)

[Memo from Mayor Reed, Councilmembers Rocha, Campos and Liccardo](#)

Recommendation:

- (a) [As recommended by the Airport Competitiveness Committee on January 31, 2014](#), accept the Audit of Taxi Service and Regulation in San José. (City Auditor) [Airport Competitiveness Committee referral on 1/31/14 – Item A]
- (b) [As recommended by the Airport Competitiveness Committee on January 31, 2014](#):
 - (1) Adopt a [resolution](#) amending and restating the Airport general fee resolution to establish trip fees for all ground transportation pick-ups at the Airport and to continue a \$.50 reduced trip fee for clean fuel vehicles and vehicles with Americans with Disabilities Act compliant equipped lifts, eliminating drop-off fees and permit requirements and returning the Off-Airport parking operator fees to 10% of gross revenues plus standard per trip fee and repealing Resolution No. 76587; and
 - (2) Approve an [ordinance](#) amending Chapter 25.08 of the San José Municipal Code to eliminate permit requirements for on-demand taxi and shuttle services at the Norman Y. Mineta San José International Airport and to implement a concession management system for on-demand taxi and shuttles services at the Airport.

CEQA: Not a Project, File No. PP10-068(c), Municipal Code or policy change that involves no changes to the physical environment, and File No. PP10-067(a), Adjustment to fees, rates and fares. (Airport)

[Airport Competitiveness Committee referral on 1/31/14 – Item B]

(Deferred from 2/11/14 – Items 6.1 and 6.2 and 2/25/14 – Item 6.1)

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY SERVICES

9. REDEVELOPMENT – SUCCESSOR AGENCY

- 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 pending decision on the following Final Maps:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>	<u>Proposed Decision</u>
9985	East side of Boynton Avenue, approx. 350 feet northerly of Williams Road	1	KMA Real Estate Properties	4 Lots & 1 Common Lot Area/ 2 Units – 2 Units -	SFA SFD	Approval
10033	Northeast corner of West Tasman Drive and Vista Montana	4	Equity Residential	2 Lots/ 554 Units	SFA	Approval

* In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer has received the following Final Map and is reviewing it for final approval:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>
10198	4170 Olga Drive, East of Saratoga Avenue	1	La Quinta Investments, LLC	6 Lots/ 5 Units	SFD

- Open Forum

Members of the Public are invited to speak on any item that does not appear on today’s Agenda and that is within the subject matter jurisdiction of the City Council.

- Adjournment

This meeting will be adjourned in memory of George Bumb Jr., a prominent member of the San José business community and partner in the San José Flea Market and Bay 101 casino. Mr. Bumb, 61, passed away on February 10, 2014 after a long battle with pulmonary disease. (Chu/Campos)

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

**CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN
THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D.)**

3. Addressing the Council, Committee, Board or Commission:

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
- 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.