



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Toni J. Taber, City Clerk

**SUBJECT: RETURN TO IN-PERSON
PUBLIC COMMENT
IN PUBLIC MEETINGS**

DATE: February 1, 2024

INFORMATION MEMORANDUM

Beginning February 6, 2024, the City of San José will limit verbal public comments to in person only for all meetings of City legislative bodies, which include the City Council, Council Committees, City Decision-Making Bodies, City Boards, City Committees, City Commissions, Task Forces, City Other Advisory Entities subject to the Brown Act, and Joint Power Authority legislative bodies for which the City serves as lead staffing agency (“Brown Act Bodies”). The public may attend meetings in person to provide comment, or they may provide written comments on agenda items. The public will still be able to watch live broadcasts of meetings of City Council on [YouTube](#), [PrimeGov](#), Zoom, and via Comcast Cable Channel 26. Zoom will continue to have live Spanish and Vietnamese interpretation, and Closed Captions are available on YouTube.

SUMMARY

Under governing state law (the Ralph M. Brown Act), members of all Brown Act Bodies returned to in-person public meetings effective March 1, 2023. Since then, the City has utilized the hybrid model for all meetings of these Brown Act Bodies for which the public is entitled to attend, by providing the public with an option to participate in these meetings virtually.

Since returning to in-person meetings on March 1, 2023, the City has had the opportunity to review the practice of allowing public comments via a hybrid platform (e.g. Zoom). Like many municipalities across the Country, since October 2023, the City has experienced multiple hate speech comments at its public meetings delivered solely through the hybrid platform. While the City is committed to providing access to local government for all members of the community, it does not wish to give hate speech a platform to thrive. Therefore, beginning February 6, 2024, the City of San José will limit verbal public comments to in person only for meetings of the City’s Brown Act Bodies. The public may attend meetings in person to provide comment or may provide written comments on agenda items. City Staff will revisit this policy in July 2024.

COORDINATION

This memo has been coordinated with the City Attorney's Office and the City Manager's Office.

A handwritten signature in blue ink, appearing to read "Toni J. Taber", with a stylized flourish at the end.

TONI J. TABER, CMC
City Clerk

For more information, contact Toni J. Taber, City Clerk, at 408-535-1260.