



City Council Meeting Draft Minutes

Tuesday, December 2, 2025

1:30 PM

Council Chambers

MATT MAHAN, MAYOR
ROSEMARY KAMEI, DISTRICT 1
PAMELA CAMPOS, DISTRICT 2
ANTHONY TORDILLOS, DISTRICT 3
DAVID COHEN, DISTRICT 4
PETER ORTIZ, DISTRICT 5
MICHAEL MULCAHY, DISTRICT 6
BIEN DOAN, DISTRICT 7
DOMINGO CANDELAS, DISTRICT 8
PAM FOLEY, VICE MAYOR, DISTRICT 9
GEORGE CASEY, DISTRICT 10

- **Call to Order and Roll Call**

9:30 a.m.- Closed Session- *Cancelled.*

1:31 p.m. - Regular Session.

Present Councilmembers: Mahan, Foley, Kamei, Campos, Tordillos,
Cohen, Ortiz, Doan, Candelas, Mulcahy, Casey.

Absent Councilmembers: All present.

- **Pledge of Allegiance**

Mayor Matt Mahan led the Pledge of Allegiance.

- **Invocation (Mayor)**

The Trash Punx offered the invocation with an opening speech.

- **Orders of the Day**

Mayor Matt Mahan announced that the administration requested to defer Item 4.1 on the agenda.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Bien Doan, and carried unanimously, Item 4.1 was deferred to the December 16, 2025 City Council Meeting.
(11-0-0)

- **Adjournment Recognition**

None provided.

- **Closed Session Report**

None provided.

1. CEREMONIAL ITEMS

1.1 Vice Mayor Pam Foley and Councilmember Anthony Tordillos presented a proclamation declaring December 1, 2025, as World AIDS Day in the City of San José to urge all residents to remain steadfast in the campaign to end the HIV/AIDS epidemic.

1.2 Councilmember Michael Mulcahy presented a commendation to Joseph Rodrigues for his exceptional five decades of public service, his steadfast leadership as Federal Security Director for San José Mineta International Airport and Monterey Regional Airport, and his enduring commitment to safeguarding travelers and serving his community with honor, integrity, and dedication.

- 1.3 Councilmember Peter Ortiz presented a commendation to Enrique Arguello, Business Manager and Secretary-Treasurer of LiUNA Local 270, in recognition of his leadership, advocacy for working families, and longstanding commitment to empowering union members and investing in the next generation through education and community service in the City of San José.

2. CONSENT CALENDAR

Public Comment: Betsy, Marika B., and Susan Brandt-Hawley provided public testimony regarding the Consent Calendar.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Domingo Candelas, and carried unanimously, the Consent Calendar was approved *as a whole*. The below actions were taken as indicated. (10-0-1; Absent: Ortiz)

2.1 [25-1239](#)

Approval of City Council Minutes.

- (a) Special City Council Closed Session Minutes of November 3, 2025.
 - (b) Regular City Council Meeting Minutes of November 4, 2025.
- CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

Action: The City Council Minutes were approved. (10-0-1; Absent: Ortiz)

2.2 [25-1276](#)

Final Adoption of Ordinances.

- (a) Ordinance No. 31273 - An Ordinance of the City of San José Amending Chapter 6.88 of Title 6 of the San José Municipal Code to Update the Term of Registration to Be Based on Fiscal Year to Align with the Annual Operating Fee; Increase the Number of Allowed Delivery Locations to Correspond with the Number of Allowed Retail Storefront Locations Per Business; Approve Other Changes to Update the San José Municipal Code to Better Align with State Regulations; and Make Other Technical, Non-Substantive, or Formatting Changes. [Passed for Publication on 11/18/2025 - Item 2.22 (25-1204)]
- (b) Ordinance No. 31274 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 1.0 Gross Acres Situated on the East Side of Roberts Avenue, Approximately 300 Feet Northwest of Le Compte Place (1170 Roberts Avenue; APN: 477-11-003) from the R-1-8 Single-Family Residence Zoning District to the R-1-8(Pd) Planned Development Zoning District. [Passed for Publication on 11/18/2025 - Item 10.1(a)(2) (25-1218)]

(c) Ordinance No. 31275 - An Ordinance of the City Of San José Rezoning Certain Real Property of Approximately 1.02 Gross Acres Situated on the East Side of Roberts Avenue, Approximately 100 Feet Northwest of Le Compte Place (1190 Roberts Avenue; APN: 477-11-001) from the R-1-8 Single-Family Residence Zoning District to the R-1-8(Pd) Planned Development Zoning District.
[Passed for Publication on 11/18/2025 - Item 10.1(b)(2) (25-1219)]

Action: (a) **Ordinance No. 31273**; (b) **Ordinance No. 31274**; and (c) **Ordinance No. 31275** were adopted. (10-0-1; Absent: Ortiz)

2.3 [25-1240](#)

Approval of Council Committee Minutes.

(a) Regular Joint Meeting for the Rules and Open Government Committee Minutes of October 29, 2025.

(b) Regular Joint Meeting for the Rules and Open Government Committee Minutes of November 5, 2025.

(c) Regular Joint Meeting for the Rules and Open Government Committee Minutes of November 12, 2025.

(d) Regular Joint Meeting for the Rules and Open Government Committee Minutes of November 19, 2025.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

Action: The Council Committee Minutes were approved. (10-0-1; Absent: Ortiz)

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 [25-1269](#)

Boards and Commissions Appointment.

Approve the following Boards and Commissions appointments:

(a) Airport Commission:

(1) Citywide Seat: Appoint Julian Lake for a term ending June 30, 2029 and

(2) District 9 Seat: Appoint Mitchell Ehrlich for a term ending June 30, 2029.

(b) Arts Commission:

(1) District 5 Seat: Appoint Minerva Sarellano for a term ending June 30, 2026.

(c) Climate Advisory Commission:

(1) Community Representative Seat: Appoint Christine Nguyen Vaeth for a term ending December 31, 2027;

(2) Community Representative Seat: Appoint Eric Michaud for a term of January 1, 2026 to December 31, 2029;

(3) Climate Science Expertise Seat: Appoint Glen Garfunkel for a term of January 1, 2026 to December 31, 2029;

- (4) Climate Science Expertise Seat: Appoint Macwin Savio Dsouza for a term of January 1, 2026 to December 31, 2029;
- (5) Power Planning Expertise Seat: Appoint Victor Niemeyer for a term of January 1, 2026 to December 31, 2029; and
- (6) Community-Based Organization Seat: Appoint Karen Nelson for a term of January 1, 2026 to December 31, 2029.
- (d) Historic Landmarks Commission:
 - (1) Citywide Seat: Appoint Jimi Kogura for a term ending June 30, 2026.
- (e) Housing and Community Development Commission:
 - (1) District 3 Seat: Appoint Marika Buchholz for a term ending June 30, 2029;
 - (2) District 4 Seat: Appoint Thoa Hoang for a term ending June 30, 2027;
 - (3) District 6 Seat: Appoint Jennifer Cretella for a term ending June 30, 2027; and
 - (4) District 8 Seat: Appoint Oscar Quiroz-Medrano for a term ending June 30, 2027.
- (f) Library and Education Commission:
 - (1) District 3 Seat: Appoint Karina Solano for a term ending June 30, 2029; and
 - (2) District 10 Seat: Appoint Sharon Holt for a term ending June 30, 2027.
- (g) Measure T Community Oversight Committee:
 - (1) District 8 Seat: Appoint Sheikh Nayeem for a term beginning on the date of appointment.
- (h) Parks and Recreation Commission:
 - (1) District 3 Seat: Appoint Robert Gonzalez for a term ending June 30, 2029.
- (i) Planning Commission:
 - (1) District 3 Seat: Appoint Aimee Escobar for a term ending June 30, 2028. CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative activities resulting in no changes to the physical environment. (City Clerk)

Action: The following Boards and Commissions appointments were approved:

- (a) Airport Commission: Julian Lake and Mitchell Ehrlich;
 - (b) Arts Commission: Minerva Sarellano;
 - (c) Climate Advisory Commission: Christine Nguyen Vaeth, Eric Michaud, Glen Garfunkel, Macwin Savio Dsouza, Victor Niemeyer, Karen Nelson;
 - (d) Historic Landmarks Commission: Jimi Kogura;
 - (e) Housing and Community Development Commission: Marika Buchholz, Thoa Hoang, Jennifer, and Oscar Quiroz-Medrano;
 - (f) Library and Education Commission: Karina Solano, Sharon Holt;
 - (g) Measure T Community Oversight Committee: Sheikh Nayeem;
 - (h) Parks and Recreation Commission: Robert Gonzalez; and
 - (i) Planning Commission: Aimee Escobar.
- (10-0-1; Absent: Ortiz)

2.8 [25-1250](#)**Actions Related to Purchase Order with Bluum USA, Inc. for Citywide Ruggedized Laptops and Related Accessories.**

Adopt a resolution authorizing the City Manager, or her designee, to amend OP65997 issued in favor of Bluum USA, Inc. (Phoenix, AZ) for the procurement of ruggedized laptops and related accessories, to increase the total not-to-exceed amount by \$3,450,000 from \$550,000 to \$4,000,000, subject to the appropriation of funds.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Finance)

Action: **Resolution No. RES2025-402** was adopted, regarding actions related to purchase order with Bluum USA, Inc. for citywide ruggedized laptops and related accessories. (10-0-1; Absent: Ortiz)

2.9 [25-1251](#)**Amendment to Spectator Fines for Illegal Fireworks Exhibitions.**

Adopt a resolution amending the Administrative Citation Schedule of Fines for violations of San José Municipal Code Chapter 10.17, Part 2, Section 10.17.105, to amend the fine amount to \$500 for spectators of illegal fireworks exhibitions.

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Fire)

Action: **Resolution No. RES2025-403** was adopted, amending the Administrative Citation Schedule of Fines for violations of San José Municipal Code Chapter 10.17, Part 2, Section 10.17.105, to amend the fine amount to \$500 for spectators of illegal fireworks exhibitions. (10-0-1; Absent: Ortiz)

2.10 [25-1252](#)**Seventh Amendment to the Master Agreement with Conger Moss Guillard Landscape Architecture for the St. James Park Design Project.**

Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute a Seventh Amendment to the Master Agreement with Conger Moss Guillard Landscape Architecture for the St. James Park Design Project to increase the maximum total compensation by \$800,000, from \$5,950,000 to \$6,750,000, and to extend the master agreement through June 30, 2027.

CEQA: Environmental Impact Report for the St. James Park Capital Vision and Levitt Pavilion (Resolution No. 79770), File No. PP16-037. Council District 3. (Parks, Recreation and Neighborhood Services)

Action: **Resolution No. RES2025-404** was adopted, regarding the Seventh Amendment to the Master Agreement with Conger Moss Guillard Landscape Architecture for the St. James Park Design Project. (10-0-1; Absent: Ortiz)

2.11 [25-1254](#)**Actions Related to the 9157 - Fire Station 8 Relocation (2018 Measure T) Project.**

(a) Approve an increase to the construction contingency for the 9157-Fire Station 8 Relocation (2018 Measure T) Project from 10% to 12%, in the amount of \$210,520, resulting in a new contingency amount of \$1,263,120.

(b) Adopt the following 2025-2026 Appropriation Ordinance amendments in the Public Safety and Infrastructure Bond Fund:

(1) Increase the Measure T - Fire Station 8 Relocation appropriation to the Public Works Department by \$900,000; and

(2) Decrease the Measure T - Program Reserve (Public Safety) by \$900,000.

CEQA: Mitigated Negative Declaration for the Fire Station No. 8 Relocation Project, File No. ER-22-063 (Resolution No. RES2023-295). Council District 3. (Public Works/City Manager)

Action: (a) The increase to the construction contingency for the 9157-Fire Station 8 Relocation (2018 Measure T) Project from 10% to 12%, in the amount of \$210,520, resulting in a new contingency amount of \$1,263,120 was approved; and (b) 2025-2026 Appropriation **Ordinance No. 31276** was adopted, regarding amendments in the Public Safety and Infrastructure Bond. (10-0-1; Absent: Ortiz)

2.12 [25-1253](#)**Report on Bids and Award of Contract for the 10593 - 2026 Local Streets ADA Curb Ramps #1 Project.**

(a) Report on bids and award a contract for the construction of 10593 - 2026 Local Streets ADA Curb Ramps #1 Project to the lowest responsive, responsible bidder, Spencon Construction, Inc., in the amount of \$1,442,450; and

(b) Approve a 10% contingency in the amount of \$144,245.

CEQA: Categorically Exempt, File No. ER24-313, CEQA Guidelines Section 15301(c), Existing Facilities. Council Districts 1, 9, 10. (Transportation/Public Works)

Action: (a) The report on bids and award a contract for the construction of 10593 - 2026 Local Streets ADA Curb Ramps #1 Project to the lowest responsive, responsible bidder, Spencon Construction, Inc., in the amount of \$1,442,450 was accepted; and (b) the 10% contingency in the amount of \$144,245 was approved. (10-0-1; Absent: Ortiz)

2.13 [25-1272](#)**Approval of Proclamation for the Holiday Children Book Drive and the Holiday Children Book Drive Sponsored by Council District 1 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

As recommended by the Rules and Open Government Committee on November 19, 2025:

- (a) Approve the Proclamation for the Holiday Children Book Drive scheduled on December 4, 2025 and the Holiday Children Book Drive scheduled on December 4-18, 2025 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 in collaboration with the Fire Department.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Kamei)
[Rules Committee referral 11/19/2025 - Item B.2]

Action: (a) the Proclamation for the Holiday Children Book Drive scheduled on December 4, 2025 and the Holiday Children Book Drive scheduled on December 4-18, 2025 as a City Council sponsored Special Event, and the expenditure of funds were approved; and (b) the donations from various individuals, businesses, or community groups to support the event in collaboration with the Fire Department were approved and accepted. (10-0-1; Absent: Ortiz)

2.14 [25-1275](#)

Retroactive Approval and Approval of Various Events Sponsored by Council District 9 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events.

As recommended by the Rules and Open Government Committee on November 19, 2025: (a) Retroactively approve the Tower Lighting for the National Women's Soccer League Championship Welcome scheduled on November 20-22, 2025 as a City Council sponsored Special Event and approve the expenditure of funds; (b) Approve the World AIDS Day Flag Raising scheduled on December 2, 2025, World AIDS Day Tower and Rotunda Lighting scheduled for December 1-4, 2025, and World AIDS Day Quilt Display in the Rotunda on December 1-2, 2025, as City Council sponsored Special Events and approve the expenditure of funds; (c) Approve the Music in the Valley Festival scheduled on May 2, 2026 as a City Council sponsored Special Event and approve the expenditure of funds; and (d) Approve and accept donations from various individuals, businesses, or community groups to support the events. CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Foley) [Rules Committee referral 11/19/2025 - Item B.3]

Action: Various City Council sponsored special events sponsored by Council District 9 were retroactively approved and approved. (10-0-1; Absent: Ortiz)

3. STRATEGIC SUPPORT

3.1 Report of the City Manager, Jennifer Maguire (Verbal Report).

City Manager, Jennifer Maguire highlighted the hard work the city has done and is continually doing to prepare San José for the winter storm season. She thanked the Transportation Department, Housing Department, and the cities partners for their collaborative continued work as one team to keep the community safe, warm, and prepared.

3.2 Labor Negotiations Update.

None provided.

3.3 [25-1255](#)

California Community Choice Financing Authority Clean Energy Project Revenue Bonds (Green Bonds).

Adopt a resolution:

- (a) Approving, in connection with the issuance and sale of the California Community Choice Financing Authority Clean Energy Project Revenue Bonds (Green Bonds) in an aggregate principal amount not-to-exceed \$1,250,000,000 to finance the acquisition of a long-term supply of electricity on a prepaid basis for the City of San José, in substantially final form, Appendix A to an Official Statement, a Power Supply Contract, a Custodial Agreement, a Letter Agreement, and a Prepaid Energy Project Administration Agreement; and
- (b) Authorizing the City Manager, or her designee, and other authorized officers of the City of San José to execute and deliver such documents and any other related documents in connection therewith. CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment.
(Finance/Energy)

Maria Öberg, Director, Finance Department; Qianyu Sun, Finance Department; Lori Mitchell, Director, Energy Department; and Zach Struyk, Assistant Director, Energy Department, offered the presentation and responded to questions.

Public Comment: None provided.

Action: Upon motion by Councilmember Rosemary Kamei, seconded by Councilmember Bien Doan, and carried unanimously, **Resolution No. RES2025-405** was adopted, regarding the issuance and sale of the California Community Choice Financing Authority Clean Energy Project Revenue Bonds (Green Bonds). (11-0-0)

3.4 [25-1256](#)

Acceptance of Retirement Plans' Comprehensive Annual Investment Fee Reports for Calendar Year 2024.

Accept the following reports:

(a) Police and Fire Retirement Plan Comprehensive Annual Fee Report for calendar year 2024.

(b) Federated City Employees' Retirement System Comprehensive Annual Fee report for calendar year 2024.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, approvals of any City action. (Retirement Services)

Prabhu Palani, Chief Investment Officer (CIO), Office of Retirement Services, offered the presentation and responded to questions.

Public Comment: None provided.

Action: Upon motion by Councilmember George Casey, seconded by Vice Mayor Pam Foley, and carried unanimously, (a) the Police and Fire Retirement Plan Comprehensive Annual Fee Report for calendar year 2024; and (b) the Federated City Employees' Retirement System Comprehensive Annual Fee report for calendar year 2024 were accepted. (10-0-1; Absent: Cohen)

3.5 [25-1257](#)**Actions Related to the 10400 - Park Bundle - 9111 North San Pedro Park and 9102 Bassett Park Project for the Elizabeth P. Boyer Park and City Gardens Park.**

(a) Report on bids and award a contract for the construction of 10400 - Park Bundle - 9111 North San Pedro Park and 9102 Bassett Park Project for the Elizabeth P. Boyer Park and City Gardens Park to the lowest responsive, responsible bidder, QLM Inc., for the base bid and Bid Alternate Nos. 1, 2, 3, and 8 in the amount of \$5,603,700.

(b) Approve a 10% contingency in the amount of \$560,370.

(c) Adopt the following 2025-2026 Appropriation Ordinance amendments in the Subdivision Park Trust Fund:

(1) Establish the North San Pedro Parks Area Construction appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$6,668,000;

(2) Decrease the North San Pedro Area Parks Reserve by \$5,642,000;

(3) Decrease the Future PDO / PIO Projects Reserve by \$837,000; and

(4) Decrease the North San Pedro Area Parks Master Plans appropriation by \$189,000.

(d) Adopt the following 2025-2026 Appropriation Ordinance amendments in the Construction Tax and Property Conveyance Tax Fund: Parks Purposes Council District 3:

(1) Establish the North San Pedro Area Parks Construction appropriation to the Parks, Recreation, and Neighborhood Services Department in the amount of \$786,000; and

(2) Decrease the North San Pedro Area Parks Reserve by \$786,000.

(e) In accordance with City Council-approved Budget Principle #8, certify that funding the annual operations and maintenance costs for the City Gardens Park (initially referred to as Bassett Park Project), which is estimated to exceed \$100,000 annually in the General Fund, shall be made available in the applicable year of the cost impact.

CEQA: Addendum to Downtown Strategy 2040 Final Environmental Impact Report (Resolution No. 78942), File No. PP20-001. Council District 3. (Public Works/Parks, Recreation, and Neighborhood Services/City Manager)

No presentation provided.

Public Comment: None provided.

Action: Upon motion by Councilmember Anthony Tordillos, seconded by Councilmember Domingo Candelas, and carried unanimously, (a) the report on the bids and award a contract for the construction of 10400 - Park Bundle - 9111 North San Pedro Park and 9102 Bassett Park Project for the Elizabeth P. Boyer Park and City Gardens was accepted; (b) the 10% contingency in the amount of \$560,370 was approved; (c) Appropriation **Ordinance No. 31277** was adopted, regarding the amendments in the Subdivision Park Trust Fund; (d) Appropriation **Ordinance No. 31278** was adopted, regarding the amendments in the Construction Tax and Property Conveyance Tax Fund: Parks Purposes Council

District 3; and (e) in accordance with City Council-approved Budget Principle #8, certify that funding the annual operations and maintenance costs for the City Gardens Park (initially referred to as Bassett Park Project), which is estimated to exceed \$100,000 annually in the General Fund, shall be made available in the applicable year of the cost impact. (10-0-1; Absent: Cohen)

3.6 [25-1268](#)

Annual Merit Increases and Additional Executive Leave for Council Appointees.

Adopt a resolution approving a 2.5% merit increase for the City Manager, City Clerk, City Auditor, and Independent Police Auditor retroactively effective July 1, 2025, and granting an additional forty (40) hours of executive leave to each of these Council Appointees for the payroll calendar year 2026.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Mayor)

[Rules Committee referral 11/19/2025 - Item A.2.a]

No presentation provided.

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Rosemary Kamei, and carried unanimously, **Resolution No. RES2025-406** was adopted, approving a 2.5% merit increase for the City Manager, City Clerk, City Auditor, and Independent Police Auditor retroactively effective July 1, 2025, and granting an additional forty (40) hours of executive leave to each of these Council Appointees for the payroll calendar year 2026. (11-0-0)

4. PUBLIC SAFETY SERVICES

4.1 [25-1258](#)

Amendment to Title 16 (Gaming Control) of the San José Municipal Code.

Approve an ordinance amending Title 16 (Gaming Control) of the San José Municipal Code to:

- (a) Revise the immediate reporting requirement to the Police Department related to the discovery of crimes at cardroom premises from immediately upon discovery to either immediately upon discovery or, when immediate reporting is not feasible, then promptly upon making a determination that conduct has occurred which raises a reasonable suspicion that a crime has been committed, without compromising responsiveness to potential criminal conduct and revise the requirement to report to the Division of Gaming Control any conduct which raises a reasonable suspicion of a violation of Title 16 from four hours to no later than the next business day;
 - (b) Expand the allowable betting layout design from 10 to 20 betting squares per player-position per card table, requiring advance approval from the Division of Gaming Control and labeling of all betting opportunities on table layouts to align with modern gaming practices;
 - (c) Repeal Section 16.18.075 (Limitations on continuous presence at cardroom premises) as unnecessary given the minimal number of affected patrons and the disproportionate administrative effort required for enforcement;
 - (d) Remove the four-tournament-per-year limit and add an exception to the existing 25% charitable contribution requirement for cardrooms that make lump-sum charitable contributions under settlement agreements;
 - (e) Expressly permit the cardrooms to offer complimentary or discounted food and non-alcoholic beverages to patrons, provided such items are not conditioned on gambling participation and records are maintained, consistent with state law and responsible gaming principles; and
 - (f) Make other technical, non-substantive, or formatting changes.
- CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Police)

DURING ORDERS OF THE DAY DEFERRED TO 12/16/2025 PER ADMINISTRATION

5. TRANSPORTATION & AVIATION SERVICES

6. ENVIRONMENTAL & UTILITY SERVICES

6.1 [25-1262](#) **Climate Smart San José Semi-Annual Status Report and Updated Plan.**

As recommended by the Transportation and Environment Committee on October 6, 2025:

- (a) Accept the Climate Smart San José semi-annual update covering March to August 2025.
- (b) Approve the updated Climate Smart San José plan.
- (c) Approve the change from semi-annual to annual Climate Smart updates to the Transportation and Environment Committee and to the City Council.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Energy)

[Transportation and Environment Committee referral 10/6/2025 - Item (d)3]

Lori Mitchell, Director, Energy Department; Julie Benabente, Deputy Director, Energy Department; and Anne Balis, Supervising Environmental Services Specialist, Energy Department, offered the presentation and responded to questions.

Public Comment: Lena (Santa Clara Valley Open Space Authority) and Linden Shay provided public testimony regarding the item.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Rosemary Kamei, and carried unanimously, (a) the Climate Smart San José semi-annual update covering March to August 2025 was accepted; (b) the updated Climate Smart San José plan was approved; and (c) the change from semi-annual to annual Climate Smart updates to the Transportation and Environment Committee and to the City Council was approved. (11-0-0)

6.2 [25-1263](#) **San José Clean Energy Pilot Program Options.**

Adopt a resolution approving the development of a contractor incentive pilot program with a cost not to exceed \$100,000 to encourage local contractors to install electric heat pumps in lieu of proceeding with an electric leaf blower incentive pilot program.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (Energy)

Lori Mitchell, Director, Community Energy Department (CED); and Kate Ziemba, Senior Environmental Program Manager, CED, offered the presentation and responded to questions.

Public Comment: Linda Hutchins-Knowles and Blair Beekman provided public testimony regarding the item.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Domingo Candelas, and carried unanimously, **Resolution No. RES2025-407** was adopted, approving the development of a contractor incentive pilot program with a cost not to exceed \$100,000 to encourage local contractors to install electric heat pumps in lieu of proceeding with an electric leaf blower incentive pilot program.

AND

Also including approval of the November 24, 2025 joint memorandum co-authored by Mayor Mahan, Councilmember Candelas, Councilmember Cohen, Councilmember Mulcahy, and Councilmember Tordillos, recommending the following:

- 1.) Accept the staff recommendation.
- 2.) Direct the City Manager to include in the Spring 2026 San José Clean Energy Programs Roadmap Status Report:
 - a.) Recommendations to improve the eco home program for heat pump installations to ensure it is incentivizing and properly meeting the demand for conversions.
 - b.) An assessment of the eco home and contractor incentive programs to inform potential Reach Code policy updates for single-family homes.
- 3.) Direct the City Manager to conduct enhanced engagement and education about the eco home rebate programs to homeowners and contractors.

(11-0-0)

6.3 [25-1264](#)

San José Clean Energy Customer Bill Credits.

Adopt a resolution authorizing the Energy Department to issue bill credits to San José Clean Energy customers in an amount not to exceed \$25,000,000.

CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, Adjustment to Fees, Rates and Fares without changes to or expansion of services. (Energy)

No presentation provided.

Public Comment: Linda Hutchins-Knowles provided public testimony regarding the item.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Rosemary Kamei, and carried unanimously, **Resolution No. RES2025-408** was adopted, authorizing the Energy Department to issue bill credits to San José Clean Energy customers in an amount not to exceed \$25,000,000. (11-0-0)

7. NEIGHBORHOOD SERVICES

8. COMMUNITY & ECONOMIC DEVELOPMENT

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

10.1 Land Use on Consent Calendar - *HEARD IMMEDIATELY AFTER THE CONSENT CALENDAR.*

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Bien Doan, and carried unanimously, the Land Use Consent Calendar was approved *as a whole*. The below actions were taken as indicated. (10-0-1; Absent: Ortiz)

10.1 (a) [25-1265](#) **C25-038 & ER25-190 - Conforming Rezoning for Certain Real Property Located at the Eastern Terminus of Bern Court.**

Approve an ordinance rezoning certain real property of an approximately 1.88-gross-acre site located south of the eastern terminus of Bern Court (908 Bern Court, APN: 241-15-009) from the LI(PD) Planned Development Zoning District to the CIC Combined Industrial/Commercial Zoning District. CEQA: Determination of Consistency with the Envision San José 2040 General Plan EIR (Resolution No. 76041) and the Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto. Council District 3. (Planning, Building, and Code Enforcement)

No presentations provided.

Action: **Ordinance No. 31279** was *passed for publication*, conforming rezoning for certain real property of an approximately 1.88-gross-acre site located south of the eastern terminus of Bern Court. (10-0-1; Absent: Ortiz)

10.1(b) [25-1266](#) **PP24-012 - San José Eichler Neighborhood Objective Design Standards.**

Adopt a resolution approving the San José Eichler Neighborhood Objective Design Standards for exterior changes to Eichler houses listed on the San José Historic Resources Inventory that require a Single-Family House Permit or other Planning permit that involves historic review.

CEQA: Categorically Exempt, CEQA Guidelines 15060(c)(2) and 15378 (No potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment); CEQA Guidelines 15061(b)(3), Common Sense Exemption; and CEQA Guidelines 15331, Historic Resource Rehabilitation Exemption. Planning Commission recommends approval (9-0-1; Casey absent) (Item 5.b on the 11/19/2025 Planning Commission Agenda). Historic Landmarks Commission recommends

approval (4-0-2; Royer and Arnold absent) (Item 3.b on the 10/1/2025 Historic Landmarks Commission Agenda). (Planning, Building, and Code Enforcement)

No presentations provided.

Action: **Resolution No. RES2025-409** was adopted, approving the San José Eichler Neighborhood Objective Design Standards for exterior changes to Eichler houses listed on the San José Historic Resources Inventory that require a Single-Family House Permit or other Planning permit that involves historic review. (10-0-1; Absent: Ortiz)

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

10.2 [25-1267](#) **PP25-005 - Amendment to the Title 13 (Historic Preservation) of the San José Municipal Code.**

(a) Adopt a resolution adopting the Addendum to the Downtown Strategy 2040 Final Environmental Impact Report (File No. PP15-102) and the Envision San José 2040 General Plan Final Environmental Impact Report (File No. PP09-011) and the Supplemental Environmental Impact Report (File Nos. PP15-060 and GPT15-002), in accordance with the California Environmental Quality Act.

(b) Approve an ordinance amending the Chapter 13.48 (Historic Preservation) of Title 13 of the San José Municipal Code by adding definitions for “detrimental”, “historic integrity”, and “substantial alteration”, clarifying definitions for “historic district” and “landmark”, clarifying the application of historic preservation permit findings and adding permit findings to allow the City Council to make certain overriding findings by resolution when work is detrimental to a landmark or property in a historic district.

CEQA: Addendum to the Downtown Strategy 2040 Final Environmental Impact Report (Resolution No. 78942) and the Envision San José 2040 General Plan Final Environmental Impact Report (Resolution No. 76041) and the Supplemental Environmental Impact Report (Resolution No. 77617). Planning Commission commends approval of the staff recommendation (9-0-1; Casey absent) (Item 5.c on the 11/19/2025 Planning Commission Agenda). Historic Landmarks Commission recommends approval of modified ordinance language outlined in the staff report (4-2; Camuso and Cohen opposed) (Item 3.a on the 11/5/2025 Historic Landmarks Commission Agenda). (Planning, Building, and Code Enforcement)

No presentation provided.

Public Comment: Susan Brandt-Hawley, Shawn Atkisson (Sainte Claire Historic Preservation Foundation), Suzanne St. John Crane (Friends of Levitt Pavillion San José), Mark Biagini, Reverand Lindi Ramsden, Sang Tran, Sharon Yazowski (Levitt Foundation), Camille Chijate, Laura Wolford, Sally S., Michael McDermant (Friends of Levitt Pavillion San José), Ben Leech (PAC SJ), Jon Ball, Mark Tersini (KT Urban), Alexandra Urbanowski (SVCreates), Thomas Aguilar, Larry Ames, Michael Brilliot (Friends of Levitt Pavillion San José), Leah Toeniskoetter, Kim

Walesh, Steve Polcyn, Rob Lindo, Maria Peterson, Blair Beekman, Sally Z. (PAC SJ), Tamiko Rast (President of the Japantown Business Association), Mark Schroeder, Michelle Dreyband, Mike Sodergren (PAC SJ), and 4 speakers (*names not provided at the podium*), provided public testimony regarding the item.

Motion: Councilmember Rosemary Kamei moved approval of the staff recommendation and her December 2, 2025 memorandum, recommending the following:

- 1.) Adopt a resolution adopting the Addendum to the Downtown Strategy 2040 Final Environmental Impact Report and the Envision San José 2040 General Plan Final Environmental Impact Report.
- 2.) Approve an ordinance amending the Chapter Section 13.48.020 by adding definitions for “detrimental,” “historic integrity,” and “substantial alteration” and clarifying definitions for “historic district” and “landmark”; and to amend Section 13.48.240 by revising (B) and (C) to clarify the application of historic preservation permit findings and by adding (D) to allow the City Council to make certain overriding findings when work is detrimental to a landmark or property in an historic district where there is compelling public interest.

Councilmember Peter Ortiz seconded the motion.

Substitute Motion: Councilmember Anthony Tordillos moved approval of the Staff recommendation. Councilmember Michael Mulcahy seconded the substitute motion.

Action: On a call to question, the substitute motion passed, (a) **Resolution No. RES2025-410** was adopted, regarding the Addendum to the Downtown Strategy 2040 Final Environmental Impact Report, the Envision San José 2040 General Plan Final Environmental Impact Report, and the Supplemental Environmental Impact Report, in accordance with the California Environmental Quality Act; and (b) **Ordinance No. 31280** was *passed for publication*, amending the Chapter 13.48 (Historic Preservation) of Title 13 of the San José Municipal Code. (9-2-0; Noes: Kamei, Casey)

OPEN FORUM

1. Bob Palacio spoke on behalf of Nancy and Raymond Rosendin (owners), he expressed their concerns with the unhoused vehicle encampment near their home and the negative impacts it's having on their tenant.
2. Blair Beekman expressed his concerns with the future direction of Bay Management, the importance of emergency planning, and best practices.
3. Susan Bass addressed the matters she's currently investigating and her experiences with city staff when requesting information pertaining to her investigations.
4. Mike Sodergren (PAC SJ) expressed his concerns with the San José Downtown West project and the impacts it has in terms of employment opportunities and commercial development.

ADJOURNMENT

The Council of the City of San José adjourned the meeting at 4:46 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,



Yasmin Johnson,
Deputy City Clerk City of San José

Approved at Council on:

of Actions: 11

Attest by:



Toni Taber, MMC
City Clerk, City of San José

- **Notice of City Engineer's Pending Decision on Final Maps**

FOR APPROVAL:

Tract: 10651
Location: 3345 Thrift Place
District: 8
Lots/Units: 7/7
Type: SFD
Proposed Decision: Approved
Developer: Viam Capital LLC

FOR RECEIPT:

Tract: 10633
Location: 4146 Mitzi Drive. Roughly 100 feet south of Mitzi Drive and Piper Drive intersection. District: 1
Lots/Units: 2/14
Type: SFA/MFA
Developer: Bright Bay Homes, LLC

Tract: 10651
Location: 3345 Thrift Place
District: 8
Lots/Units: 7/7
Type: SFD
Developer: Viam Capital LLC