



CITY COUNCIL MEETING

Draft Minutes

Tuesday, April 22, 2025

1:30 PM

LOCATION:

Council Chambers- 200 E. Santa Clara Street

MATT MAHAN, MAYOR
ROSEMARY KAMEI, DISTRICT 1
PAMELA CAMPOS, DISTRICT 2
CARL SALAS, 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**

9:32 a.m.- Closed Session. *See Pages 13-17 for Closed Session Minutes.*

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

Absent Councilmembers: Ortiz.

1:34 p.m. - Regular Session.

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

Absent Councilmembers: All present.

- **Pledge of Allegiance**

Mayor Matt Mahan led the Pledge of Allegiance.

- **Invocation (District 4)**

Ann Spainhower, the Don Edwards San Francisco Bay National Wildlife Refuge offered a speech for this invocation.

- **Orders of the Day**

None provided.

- **Adjournment Recognition**

Councilmember Bien Doan presented the adjournment for this meeting at 1:56 p.m. in memory of Nguyễn Trung Chinh (aka Chinh Nguyễn) who passed away on April 7, 2025. As the founder of the nonprofit Văn Thơ Lạc Việt in 2015, he created a meaningful space for Vietnamese writers, poets, and artists to share their voices and connect with the broader community. His work enriched San José's cultural landscape and ensured that the experiences, values, and contributions of the Vietnamese community continue to be honored and preserved for future generations. Mr. Chinh Nguyễn helped make San José a stronger, more inclusive city—one where the stories of all communities are celebrated.

- **Closed Session Report**

City Attorney, Nora Frimann offered a verbal report on a settlement of lawsuit. An unfair or a False Claims Act lawsuit brought on behalf of the United States, including multiple states and cities against J and Manufacturing Company, Inc. and Formosa Plastics Corporation. The term

of the settlement is an extension of 50 years for a warranty on piping that did not meet conditions. Upon request the settlement agreement will be made available to the public.

1. **CEREMONIAL ITEMS**

- 1.1 Councilmember David Cohen and Councilmember Rosemary Kamei presented a proclamation recognizing April 22, 2025 as Earth Day in the City of San José.
- 1.2 Councilmember Peter Ortiz presented a proclamation declaring April 22, 2025, as Arbor Day in the City of San José, celebrating the importance of trees in creating healthier, safer, and more connected communities, as San José proudly celebrates its 40th consecutive year as a Tree City USA.
- 1.3 Councilmember Bien Doan presented a proclamation declaring May 3-4, 2025 as National Fallen Firefighters weekend in the City of San José to honor the lives of our fallen firefighters and those currently serving our communities every day.

2. **CONSENT CALENDAR**

Public Comment: Debbie D. (CITP), Carmen Alba (Transdev), Mike Girard (Transdev), Ellen Coleman, Joan Cymanski, Harry Neil, Brian Darby, Thurston, Jordan Moldow, and Milli offered public testimony regarding the Consent Calendar.

Councilmember Pamela Campos pulled Item 2.5 to offer a verbal report on the item.

Councilmember Rosemary Kamei pulled Item 2.14 for comment.

Vice Mayor Pam Foley pulled item 2.7 for questions.

Councilmember Bien Doan pulled item 2.7 for comment.

Councilmember Carl Salas pulled item 2.7 for comment.

Action: Upon motion by Councilmember Carl Salas, seconded by Councilmember Bien Doan, and carried unanimously, the Consent Calendar was approved as a whole, *including the April 18, 2025 joint memorandum for Item 2.7*, and the below actions were taken as indicated. (11-0-0)

2.1 **Approval of City Council Minutes.**

None provided.

2.2 **Final Adoption of Ordinances.**

None provided.

2.3 **Approval of Council Committee Minutes.**

None provided.

2.4 Mayor and Council Excused Absence Requests.

Request for an excused absence for Councilmember Casey from the regular meeting of Public Safety, Finance and Strategic Support Committee on April 17, 2025 due to personal matter. CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Casey) [Rules Committee referral 4/16/2025 - Item A.1.a]

Action: The excused absence for Councilmember George Casey from the regular meeting of Public Safety, Finance and Strategic Support Committee on April 17, 2025 was approved. (11-0-0)

2.5 City Council Travel Reports

Councilmember Pamela Campos offered a travel report on her trip to Vienna.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 Agreement with Christmas in the Park, Inc. for Christmas in the Park at Plaza de Cesar Chavez Annual Event.

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a three-year agreement with Christmas in the Park, Inc., effective May 1, 2025, to continue to manage and produce Christmas in the Park at Plaza de Cesar Chavez and provide in-kind support for the successful production of the annual event with the option to extend the agreement by two additional three-year terms. CEQA: Exempt, File No. PP16-031, CEQA Guidelines Section 15304(e), Minor Alterations to Land. Council District 3. (Economic Development and Cultural Affairs)

Action: **Resolution No. RES2025-80** was adopted, the agreement with Christmas in the Park, Inc. for Christmas in the Park at Plaza de Cesar Chavez Annual Event,

And,

The joint memorandum co-authored by Mayor Matt Mahan, Councilmember Pamela Campos, Councilmember Carl Salas, Councilmember Michael Mulcahy, and Councilmember Domingo Candelas, dated April 18, 2025, recommending the following: Approve staff's recommendation and direct staff to explore the following opportunities in partnership with Christmas in the Park:

1. Explore and potentially implement opportunities to provide elevated City staff support to reduce the time and burden that Christmas in the Park experiences during setup and takedown of the festival and its operations.
2. Ensure this agreement with Christmas in the Park includes the flexibility to move the event to an alternative City Park, should the organization and City determine that relocation to a site that better suits its operational or programmatic needs is warranted.
3. Evaluate alternative downtown park locations such as, but not limited to, Arena Green / Guadalupe River Trail, St. James Park, or Discovery Meadow, which may offer improved logistical efficiency and an enhanced visitor experience for San José residents and tourists. (11-0-0)

2.8 Report on Request for Proposals for Shuttle Bus Services.

Adopt a resolution authorizing the City Manager or her designee to:

- (a) Negotiate and execute an agreement with Ace Parking III, LLC (San Diego, CA) for shuttle bus services at the San José Mineta International Airport for an initial one-year term beginning on or about May 26, 2025, and ending on or about May 25, 2026, with a maximum compensation not to exceed \$5,158,582;
- (b) Approve a contingency of \$516,000 for unanticipated and related services;
- (c) Negotiate and execute amendments and change orders related to unanticipated scope and compensation changes and related services, subject to the appropriation of funds; and
- (d) Exercise up to four one-year options to extend the term of the agreement for a maximum term of five years through May 25, 2030, 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. Council District 6. (Finance/Airport)

Action: **Resolution No. RES2025-81** was adopted and the report on request for proposals for Shuttle Bus Services was approved. (11-0-0)

2.9 **Action Related to the Homelessness Prevention System Program Funding Agreement with the County of Santa Clara's Office of Supportive Housing.**

- (a) Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute an amendment to a grant agreement with the County of Santa Clara's Office of Supportive Housing to increase grant funding for the Homelessness Prevention System program in an amount not to exceed \$3,000,000, retroactive from July 1, 2024, to June 30, 2025.
- (b) Adopt the following 2024-2025 Appropriation Ordinance amendments in the Real Property Transfer Tax Fund:
 - (1) Decrease the Measure E - 10% Homeless Prevention and Rental Assistance Reserve by \$2,000,000; and
 - (2) Increase the Measure E - Rental Assistance (10% Homeless Prevention and Rental Assistance) appropriation to the Housing Department by \$2,000,000.

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

Action: **Resolution No. RES2025-82** was adopted, **Ordinance No. 31184** was adopted, and all actions related to the Homelessness Prevention System Program Funding Agreement with the County of Santa Clara's Office of Supportive Housing was approved. (11-0-0)

2.10 **Amendment to the Agreement with Verizon for Small Cells Licenses and Permits.**

Adopt a resolution authorizing the City Manager or her designee to:

- (a) Negotiate and execute a Seventh Amendment to the Master Agreement between the City of San José (City) and Verizon Business Network Services, Inc., GTE Mobilnet of California Limited Partnership, dba Verizon Wireless, by Cellco Partnership, its general partner and their Affiliates (collectively, Verizon) to include a commitment by the City to license and permit up to 50 small cell upgrades on existing SmartPoles by September 2025 and for Verizon to replace up to 50 SmartPoles with City streetlight poles by September 2027; and
- (b) Negotiate and execute an Amended and Restated Funding and Reimbursement Agreement between the City and Verizon to incorporate limited-term SmartPole small cell licensing and make other changes to modify and clarify small cell license fees, small cell license effective date, rent commencement date, and payment obligation for

each licensed small cell site, site license termination and equipment removal requirements; and notification requirements.

CEQA: Categorically Exempt, File No. ER25-051, CEQA Guidelines Section 15301, Existing Facilities. (Library)

Action: **Resolution No. RES2025-83** was adopted, and the amendment to the agreement with Verizon for Small Cells Licenses and Permits was approved. (11-0-0)

2.11 Agreement with Microsoft Corporation for the Construction of Access to the Guadalupe River Trail.

Adopt a resolution authorizing the Director of Public Works to execute a funding agreement with Microsoft Corporation, a Washington corporation, for the payment of costs related to the construction of regional non-vehicular access to the Guadalupe River Trail from Component Drive, including authorization for the Director of Public Works to execute associated grant deeds for a temporary construction staging area easement and a permanent easement for the location of the trail connector upon Microsoft's property. CEQA: Not a Project, Public 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. Council District 4. (Public Works)

Action: **Resolution No. RES2025-84** was adopted and the agreement with Microsoft Corporation for the construction of access to the Guadalupe River Trail was approved. (11-0-0)

2.12 Report on Bids and Award of Contract for the 10211 - Balbach Park Transportation Improvement Project.

- (a) Report on bids and award of contract for the construction of 10211 - Balbach Park Transportation Improvement Project to the lowest responsive, responsible bidder, Redgwick Construction Company, in the amount of \$1,666,232; and
 - (b) Approve a 10% contingency in the amount of \$166,623.
- CEQA: Categorically Exempt, File No. ER23-009, CEQA Guidelines Sections 15301, Existing Facilities. Council District 3. (Public Works/Transportation)

(c) Action: The report on bids and award of contract for the 10211 Balbach Park Transportation Improvement Project was approved. (11-0-0)

2.13 Actions Related to the Intent to Annex Territory to Community Facilities District No. 8 and Community Facilities District No. 11.

- (a) Approve an agreement with KB Home South Bay, Inc. to fund the City's costs in conducting annexation proceedings to Community Facilities District No. 8 and Community Facilities District No. 11 for enhanced services within the Communication Hill Specific Plan area. (Finance)
- (b) Adopt a resolution of intention to:
 - (1) Annex Annexation Area No. 3 to Community Facilities District No. 8 (Communications Hill);
 - (2) Levy a special tax on land within Annexation Area No. 3;
 - (3) Set a Public Hearing for June 3, 2025, at 1:30 p.m. regarding the annexation; and
 - (4) Call an election immediately following the close of public hearing.
- (c) Adopt a resolution of intention to:

- (1) Annex Annexation Area No. 1 to Community Facilities District No. 11 (Adeline-Mary Helen);
- (2) Levy a special tax on land within Annexation Area No. 1;
- (3) Set a Public Hearing for June 3, 2025, at 1:30 p.m. regarding the annexation; and
- (4) Call an election immediately following the close of public hearing.
- (d) Adopt the following 2024-2025 Funding Sources Resolution and Appropriation Ordinance amendments in the Community Facilities District #8 (Communications Hill) Fund;
 - (1) Establish an estimate for Other Revenue in the amount of \$38,745; and
 - (2) Establish an appropriation to the Public Works Department for the Community Facilities District No. 8 Annexation Feasibility Project in the amount of \$38,745.
- (e) Adopt the following 2024-2025 Funding Sources Resolution and Appropriation Ordinance amendments in the Community Facilities District #11 (Adeline-Mary Helen on Communications Hill) Fund:
 - (1) Establish an estimate for Other Revenue in the amount of \$38,745; and
 - (2) Establish an appropriation to the Public Works Department for the Community Facilities District No. 11 Annexation Feasibility Project in the amount of \$38,745.

CEQA: Determination of Consistency with the Communication Hill 2 Project Final Environmental Impact Report (EIR) (Resolution No. 77172), and addenda thereto. Council District 7. (Public Works/City Manager)

Action: (b) **Resolution No. RES2025-85** was adopted, (c) **Resolution No. RES2025-86** was adopted, (d) **Resolution No. RES2025-87** was adopted, (d) **Ordinance No. 31185** was adopted, (e) **Resolution No. RES2025-88** was adopted, (e) **Ordinance No. 31186** was adopted, and the second amendment to the agreement with Simpligove LLC for a business process automation platform was approved. (11-0-0)

2.14 Adoption of the Stevens Creek Boulevard Corridor Vision Study.

- (a) Adopt a resolution accepting the Stevens Creek Boulevard Corridor Vision Study and direct staff to work through the intra-jurisdictional working group to develop, find funding, and implement the plans proposed by the Stevens Creek Boulevard Corridor Vision Study.
- (b) Adopt a resolution appointing Rosemary Kamei, Councilmember for District 1, as the City of San José member of the Stevens Creek Corridor Steering Committee, and Michael Mulcahy, Councilmember for District 6, as the alternate.

CEQA: Categorically Exempt, File No. ER24-313, CEQA Guideline Section 15301(c) Existing Facilities. Council District 1. (Transportation)

Action: (a) **Resolution No. RES2025-89** was adopted, (b) **Resolution No. RES2025-90** was adopted, and the adoption of the Stevens Creek Boulevard Corridor Vision Study was approved. (11-0-0)

2.15 Approval of Raymond Townsend Celebration and Tower and Rotunda Lighting Sponsored by Council District 10 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 April 9, 2025:

- (a) Approve the Raymond Townsend Celebration and Tower and Rotunda Lighting scheduled on April 29, 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.
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Casey) [Rules Committee referral 4/9/2025 - Item B.4]

Action: The Raymond Townsend Celebration and Tower and Rotunda Lighting sponsored by Council District 10 was approved. (11-0-0)

2.16 Deferred Compensation Advisory Committee Appointment.

As recommended by the Rules and Open Government Committee on April 16, 2025, approve the appointment of Andrew Gardanier as the nominee by the International Association for Firefighters, Local 230 (IAFF) to the Deferred Compensation Advisory Committee (DCAC) for the remainder of a four-year term, beginning April 22, 2025 and ending on March 1, 2029. CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Human Resources) [Rules Committee referral 4/16/2025 - Item B.2]

Action: The Deferred Compensation Advisory Committee appointment of Andrew Gardanier was approved. (11-0-0)

2.17 VEBA Advisory Committee Appointment.

As recommended by the Rules and Open Government Committee on April 16, 2025, approve the appointment of Scott Hamilton as the nominee by the International Association for Firefighters, Local 230 (IAFF) to the Voluntary Employees Beneficiary Association (VEBA) Advisory Committee for the remainder of a four-year term, beginning April 22, 2025 and ending on May 31, 2025, and for the next four-year term beginning June 1, 2025 and ending May 31, 2029. CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Human Resources) [Rules Committee referral 4/16/2025 - Item B.3]

Action: The VEBA Advisory Committee Appointment of Scott Hamilton was approved. (11-0-0)

3. STRATEGIC SUPPORT

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

City Manager, Jennifer Maguire offered a verbal report to show appreciation for the Public Works Department and Facilities Division. Public Works ensures operations run safely, smoothly, and without disruption. With the Facilities Division, they are unsung heroes for the City, working 24/7, 365 days a year. They oversee and maintain vital infrastructure and services such as plumbing, HVAC, electrical, custodial, security systems, and audio-visual technology for Council meetings and public events. She honored Benito “Benny” Reynaga and Jose Huerta, who recently quickly assessed an issue and solved it rapidly. Public Works and the Facilities Division may be behind the scenes, but their impact is lasting.

3.2 Labor Negotiations Update.

None provided.

3.3 Welcoming San José Plan 2025-2030.

Adopt a resolution approving the Welcoming San José Plan 2025-2030. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (City Manager)

Public Comment: Misrayn Mendoza and Brian Darby offered public testimony regarding the item.

Zulma Maciel, Director of Office of Racial and Social Equity offered the presentation and responded to questions.

Councilmember Michael Mulcahy registered a verbal *yes* vote after the initial vote was taken for the item.

Action: Upon motion by Councilmember Peter Ortiz, seconded by Councilmember Rosemary Kamei, and carried unanimously, **Resolution No. RES2025-91** was adopted, and the Welcoming San Jose Plan 2025-20240 was approved. (11-0-0)

3.4 Actions Related to the 9375 - Market Street Garage Improvements Project.

- (a) Award a contract for the construction of 9375 - Market Street Garage Improvements Project to Plant Construction Company, LP, pursuant to City Charter Section 1217 (h), for the base bid, Bid Alternate No. 1, and Bid Alternate No. 2 in the amount of \$6,085,340.
- (b) Approve a 15% contingency in the amount of \$912,801.
- (c) Adopt a resolution authorizing the City Manager to negotiate and execute an agreement with Brush Design, LLC to fabricate and install an illuminated facade enhancement at the Market/San Pedro Street Parking Garage in an amount not to exceed \$1,800,000. CEQA: Garage Improvements: Categorically Exempt, File No. ER20-225, CEQA Guidelines Section 15301, Existing Facilities. Council District 3. (Public Works/Transportation)

Mat Loesch, Director of Public Works Department offered the presentation and responded to questions.

Kerry Adams-Hapner, Assistant Director of the Office of Economic Development and Cultural Affairs responded to questions.

Public Comment: None provided.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Bien Doan, and carried unanimously, (c) **Resolution No. RES2025-92** was adopted, and all actions related to the 9375 – Market Street Garage Improvements Project were approved. (10-0-1; Absent: Mahan)

4. PUBLIC SAFETY

5. TRANSPORTATION & AVIATION SERVICES

5.1 **Report on Bids and Award of Construction Contract for 10186 - Yard Piping Improvements Phase 3 Project at the San José-Santa Clara Regional Wastewater Facility.**

- (a) Accept the report on bids and award of construction contract to the lowest responsive, responsible bidder, Michels Trenchless, Inc., in the amount of \$19,490,000, for the 10186 - Yard Piping Improvements Phase 3 Project; and
- (b) Approve a 10% construction contingency in the amount of \$1,949,000.
- (c) Adopt a resolution authorizing the Director of Transportation to:
 - (1) Exercise up to two one-term options (2026 and 2027) for a total amount not to exceed \$15,000,000 for each option term period, contingent on the appropriation of funds; and
 - (2) Establish a construction contingency for any option year of up to 10% of the contract amount, not to exceed \$1,500,000 for each option term, contingent on the appropriation of funds.

CEQA: Categorically Exempt, File No. ER24-313, CEQA Guidelines Section 15301(c), Existing Facilities. Council Districts 2, 9, 10. (Transportation/Public Works)

Public Comment: None provided.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Rosemary Kamei, and carried unanimously, (c) **Resolution No. RES2025-93** was adopted, and the report on bids and award of constructions contract for 10186- Yard Piping Improvements Phase 3 Project at the San Jose-Santa Clara regional Wastewater Facility was accepted. (10-0-1; Absent: Mahan)

6. ENVIRONMENTAL & UTILITY SERVICES

6.1 **San José Clean Energy Programs Roadmap Status Report.**

- (a) As recommended by the Transportation and Environment Committee on March 3, 2025, accept a status report on the San José Clean Energy Programs Roadmap.
- (b) Adopt a resolution:
 - (1) Approving the proposed programs presented in the San José Clean Energy Programs Roadmap update;
 - (2) Authorizing the City Manager or her designee to negotiate and execute contract(s) with consultant(s) to implement the Electric Vehicle Concierge and Home Electrification Concierge services for up to eight years starting in Fiscal Year 2025-2026 and up to \$5.2 million from the San José Clean Energy Operating Fund (funding for subsequent years will be subject to the appropriation of funds);
 - (3) Authorizing the City Manager or her designee to negotiate and execute a contract with a consultant to implement the Residential Electric Vehicle Incentive program for up to four years starting in Fiscal Year 2025-2026 and up to \$4 million from the San José Clean Energy Operating Fund (funding for subsequent years will be subject to the appropriation of funds); and

- (4) Authorizing the City Manager or her designee to negotiate and execute contract(s) with community-based organizations and consultants to implement the EV and Heat Pump Education programs for up to five years starting in Fiscal Year 2025-2026 and up to \$1.25 million from the San José Clean Energy Operating Fund (funding for subsequent years will be subject to the appropriation of funds)

CEQA: (a) Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (b) 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) [Transportation and Environment Committee referral 3/3/2025 - (d)1] [Deferred from 4/8/2025 - Item 6.2 (25-334)]

Lori Mitchell, Director; Kate Ziemba, Senior Environmental Program Manager; and Josh Chanin, Senior Power Resources Specialist, Transportation Electrification offered the presentation and responded to questions.

Public Comment: David Heindel (D-10 Leadership Coalition), Vince Sugrue (Sheet Metal Worker's Local 104), Jordan Moldow, and Brian Darby offered public testimony regarding the item.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Carl Salas, and carried unanimously, (b) **Resolution No. RES2025-94** was adopted, the San Jose Clean Energy Programs Roadmap status report was accepted,

And,

Including the approval of the joint memorandum co-authored by Mayor Matt Mahan, Councilmember Pamela Campos, Councilmember David Cohen, Councilmember Michael Mulcahy, and Councilmember Carl Salas, dated April 22, 2025, recommending the following:

1. Accept the staff recommendations.
2. Include in the June agenda item related to workforce development plans for an "Ecohome High Road Contractor" badge to recognize and promote contractors who integrate highroad business practices into their operations. This badge will support workforce standards, promote values-aligned contractor selection, and align with Ecohome program values.
3. Continue development of the electric leaf blower rebate program and return to Council for approval when it is ready to be deployed.

(11-0-0)

6.2 Climate Smart San José Plan Semi-Annual Report.

As recommended by the Transportation and Environment Committee on April 7, 2025, accept the semi-annual report on the Climate Smart San José plan from September 2024 through February 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. (Environmental Services) [Transportation and Environment Committee referral 4/7/2025 - (d)1]

Jeff Provenzano, Director of Environmental Services Department (ESD); Julie Benabente, Deputy Director of ESD; Ramses Madou, Division Manager for the Department of Transportation (DOT); and Katie Ziemba, Senior Environmental Program Manager for the

Energy Department offered the presentation and responded to questions

Public Comment: Brian Darby and Jordan Moldow offered public testimony regarding the item.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Domingo Candelas, and carried unanimously, the Climate Smart San Jose Plan semi-annual report was accepted. (11-0-0)

7. NEIGHBORHOOD SERVICES

7.1 Consolidated Annual Homelessness Mid-Year Report.

Accept the City of San José's Consolidated Annual Homelessness Mid-Year Report. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational 7Memos that involve no approvals of any City action. (Housing/Parks, Recreation, and Neighborhood Services/Public Works/Transportation/City Manager)

Erik L. Solivan, Housing Director; Matt Loesch, Director of Public Works; Olympia Williams, Deputy Director of Parks, Recreation and Neighborhood Services; John Ristow, Director of the Department of Transportation; and Omar Passons, Deputy City Manager offered the presentation and responded to questions.

Public Comment: Brian Darby offered public testimony regarding the item.

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember Bien Doan, and carried unanimously, the Consolidated Annual Homelessness Mid-Year Report was accepted. (11-0-0)

8. COMMUNITY & ECONOMIC DEVELOPMENT

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE on Consent Calendar

None provided.

10. LAND USE – Regular Agenda

None provided.

- Open Forum

1. Brian Darby spoke about disbelief regarding the moon landing and the City Councilmembers.
2. Megan Williams (*assisted by unnamed speaker*) discussed the Vietnamese Museum, sacred symbols, sacrifice, and the 50th anniversary of the museum.
3. Ha T. spoke about the closing of the Vietnamese Museum and the Councilmembers.
4. Quinn Tran discussed the Immigrant Resettlement Cultural Center and the founder of the Vietnamese Museum.
5. Mark Trout discussed Donald Trump, Easter, God, and Christianity.

• Adjournment

The Council of the City of San José adjourned at 6:13 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,

DRAFT

Vanessa Velez , Deputy City Clerk
City of San José

Approved at Council on:

of Actions: 7

Attest By:

Toni Taber, MMC,
City Clerk, City of San José

*Office of the City Attorney***SAN JOSÉ CITY COUNCIL CLOSED SESSION MINUTES****April 22, 2025**

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

Absent Councilmembers: Ortiz.

Place: City Hall Conference Room W-133

Time: 9:30 a.m.

CLOSED SESSION ITEM(S) DISCUSSED:**A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**

Significant exposure to litigation pursuant to Sections 54956.9(d)(2) and 54956.9(e)(3) of the Government Code

1. Claimants(s): In re: CSAA aso Jennifer Hernandez

City Department: Police Department

2. Claimants(s): In re: Allstate Insurance Co. aso Thanh Binh Truong

City Department: Police Department

Court: Superior Court of California, County of Santa Clara

Case No: 18cv325480

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1:

1. Case Name: Sanderlin, Derrick et al. v City of San Jose, et al.
 Name(s) of Party(ies): JASON DWYER, LEE TASSIO, JONATHAN MARSHALL, MICHAEL PANIGHETTI, JUAN AVILA, DERRICK SANDERLIN, CAYLA SANDERLIN, BREANNA CONTRERAS, PIETRO DI DONATO, ADIRA SHARKEY, JOSEPH STUKES, AND VERA CLANTON
 Court: United States District Court, Northern District of California
 Case No: 5:20-cv-04824-BLF

Amount of Money or Other Relief Sought: Damages according to proof

2. Case Name: United States, the States of California, Delaware, Florida, Illinois, Indiana, Nevada, New Mexico, New York, and Tennessee, the Commonwealths of Massachusetts and Virginia, and the District of Columbia ex rel. John Hendrix v. J-M Manufacturing Company, Inc., d.b.a. JM Eagle, a Delaware corporation, and Formosa Plastics Corporation, U.S.A., a Delaware corporation
 Name(s) of Party(ies): JOHN HENDRIX, ALAMEDA COUNTY WATER DISTRICT, SANTA CLARITA WATER AGENCY (FKA. CASTAIC LAKE), CITY OF CHINO, DUBLIN SAN RAMON SERVICES DISTRICT, CITY OF LIVERMORE, MOULTON NIGUEL WATER DISTRICT, NORTH MARIN WATER DISTRICT, CITY OF OXNARD, PARADISE IRRIGATION DISTRICT, CITY OF POMONA, CITY OF RIPON, CITY OF SACRAMENTO, CITY OF SAN BUENAVENTURA, SAN DIEGO COUNTY, CITY OF SANTA CRUZ, CITY OF SANTA MARIA, CITY OF SANTA ROSA, SOQUEL CREEK WATER DISTRICT, SPRING VALLEY SANITATION DISTRICT, CITY OF VALLEJO, VIRGINIA COMMONWEALTH OF (AND POLITICAL SUBDIVISIONS), TOWN OF YOUNTVILLE, STATE OF NEVADA (AND POLITICAL SUBDIVISIONS), STATE OF

NEW MEXICO, CITY OF SAN JOSE, CITY
OF SAN DIEGO, CITY OF COLTON,
ELSINORE VALLEY MWD, HELIX
WATER DISTRICT, PADRE DAM MWD,
RANCHO CA WATER DISTRICT,
SWEETWATER AUTHORITY, WESTERN
MUNICIPAL WD, IRVINE RANCH WATER
DISTRICT

Court: United States District Court, Central District of
California

Case No: ED cv-06-00055-GW(PJWx)

Amount of Money or Other Relief Sought: Damages according to proof

3.

Case Name: City of San Jose v. SC SJ Holdings LLC, et al.

Name(s) of Party(ies): CITY OF SAN JOSE, SC SJ HOLDINGS
LLC, FMT SJ LLC, EAGLE CANYON
CAPITAL LLC, ACCOR MANAGEMENT
US INC

Court: United States Bankruptcy Court for the District
of Delaware

Case No: 21-10549 (JTD)

Amount of Money or Other Relief Sought: Damages according to proof

4.

Case Name: City of San Jose v. SC SJ Holdings LLC

SC SJ HOLDINGS LLC, A DELAWARE
LIMITED LIABILITY COMPANY; FMT SJ
LLC, A DELAWARE LIMITED LIABILITY
COMPANY; EAGLE CANYON CAPITAL,
LLC, A DELAWARE LIMITED LIABILITY

Name(s) of Party(ies): COMPANY; ACCOR MANAGEMENT US

INC., F.K.A FAIRMONT HOTELS AND
RESORTS (U.S.) INC. AND D.B.A.
FAIRMONT, HOTELS & RESORTS, A
DELAWARE CORPORATION; AND DOES
1-100. DEFENDANTS.

Court: Santa Clara County Superior Court

Case No: 24cv433723

Amount of Money or Other Relief Sought: Damages according to proof

5.

Case Name: City and County of San Francisco, et al. v.
Donald J. Trump, et al.

CITY AND COUNTY OF SAN FRANCISCO,
COUNTY OF SANTA CLARA, CITY OF
PORTLAND, MARTIN LUTHER KING, JR.

Name(s) of Party(ies): COUNTY, CITY OF NEW HAVEN, CITY
OF OAKLAND, CITY OF EMERYVILLE,
CITY OF SAN JOSÉ, CITY OF SAN DIEGO,
CITY OF SACRAMENTO, CITY OF SANTA
CRUZ, COUNTY OF MONTEREY, CITY OF
SEATTLE, CITY OF MINNEAPOLIS, CITY
OF ST. PAUL, CITY OF SANTA FE,
DONALD J. TRUMP, UNITED STATES OF
AMERICA, PAMELA BONDI, EMIL BOVE,
UNITED STATES DEPARTMENT OF
JUSTICE, KRISTI NOEM, UNITED STATES
DEPARTMENT OF HOMELAND
SECURITY

Court: U.S. District Court, Northern District of
California

Case No: 3:25-cv-01350-WHO

Amount of Money or Other Relief Sought: Declaratory Relief and Injunctive Relief

C. CCONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:

Significant exposure to litigation pursuant to Sections 54956.9(d)(2) and (e)(1) of the Government
code:

Number of matter(s) to be discussed: 2

**D. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE
SECTION 54957.6:**

City Negotiator: Aram Kouyoumdjian, Director of Employee Relations

Employee Organizations:

1. Organization or Name and Title of **San José Police Officers' Association**
Unrepresented Employees: (SJPOA)

Nature of negotiations: wages/salaries, hours, working conditions, etc.

Name of Existing Contract or MOA: Memorandum of Agreement — City of San José
and San José Police's Association

How to Obtain a copy of Existing Contract Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/poa>
or MOA:

Telephone – Employee Relations: (408) 535-8150