



City Council Meeting Draft Minutes

Tuesday, March 18, 2025

1:30 PM

Council Chambers

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 18-20 for Closed Session Minutes.*

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

Absent Councilmembers: Doan.

1:38 p.m. - Regular Session.

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

Absent Councilmembers: All present.

- **Pledge of Allegiance**

Mayor Matt Mahan led the Pledge of Allegiance.

- **Invocation (District 3)**

Dan Orloff, Founder and Chief Rock Officer of San José Rocks, offered the invocation.

- **Orders of the Day**

None provided.

- **Closed Session Report**

City Manager, Jenniffer Maguire congratulated and appointed Jeffrey (Jeff) Provenzano as San José's new Director of the Environmental Services Department. Mr. Provenzano will assume the Director role on March 23, 2025.

1. CEREMONIAL ITEMS

- 1.1 Councilmember Kamei, Councilmember Campos, and Vice Mayor Foley presented a proclamation recognizing March 2025 as Women's History Month in the City of San José.
- 1.2 Councilmember Candelas presented a proclamation recognizing March 21, 2025 as World Down Syndrome Day in the City of San José, aiming to help people better understand and support individuals with Down syndrome.
- 1.3 Councilmember Ortiz presented a commendation to Nathaniel Lim in recognition of his decades of business leadership in the Alum Rock, East Santa Clara Street, and Story Road communities.

2. CONSENT CALENDAR

Councilmember Candelas pulled Item 2.9 for comments and questions.

Vice Mayor Pam Foley pulled Item 2.11 for questions.

Public Comment: None provided.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Bien Doan, and carried unanimously, the Consent Calendar was approved as a whole and the below actions were taken as indicated. (11-0-0)

2.1 Approval of City Council Minutes.

- (a) Regular City Council Meeting Minutes of November 28, 2023.
 - (b) Regular City Council Meeting Minutes of December 12, 2023.
 - (c) Regular City Council Meeting Minutes of June 4, 2024.
 - (d) Regular City Council Meeting Minutes of June 11, 2024.
 - (e) Regular City Council Meeting Minutes of June 18, 2024.
 - (f) Arts, Destination Marketing and Destination Events Funding City Council Study Session Meeting Minutes of February 16, 2024.
 - (g) Final Public Hearing City Council Meeting Minutes of June 10, 2024.
 - (h) Special City Council Meeting Minutes of August 6, 2024.
- 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. (11-0-0)

2.2 Final Adoption of Ordinances.

2.3 Approval of Council Committee Minutes.

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 Actions Related to the Purchase Order with Future Flooring Group for Jet Bridge Flooring Replacement Services.

Adopt a resolution authorizing the City Manager or her designee to exercise up to six one-year options to extend the term of the purchase order with Future Flooring Group (San José, CA) for jet bridge flooring replacement services with the last option year ending on or about December 10, 2031, 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. RES2025-50** was adopted, regarding actions related to the purchase order with Future Flooring Group for Jet Bridge Flooring Replacement Services. (11-0-0)

2.8 Actions Related to the Purchase Order with Statewide Traffic Safety and Signs, Inc. for Traffic Control Materials.

Adopt a resolution authorizing the City Manager or her designee to exercise five additional one-year options to extend the term of the purchase order with Statewide Traffic Safety and Signs, Inc. (San José, CA) for traffic control materials with the last option year ending on or about August 24, 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. (Finance)

Action: **Resolution No. RES2025-51** was adopted, regarding actions related to the purchase order with Statewide Traffic Safety and Signs, Inc. for Traffic Control Materials. (11-0-0)

2.9 Report on Bids and Award of Contract for the 10507 - 2025 Major Streets Remove and Replace Pavement Project.

(a) Report on bids and award a contract for the construction of 10507 - 2025 Major Streets Remove and Replace Pavement Project, to the lowest responsive, responsible bidder, G. Bortolotto & Company, Inc., in the amount of \$3,094,818.

(b) Approve a 10% contingency in the amount of \$309,482.

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

Councilmember Candelas addressed residents' concerns regarding the quality of the pavement work done in the previous year's cycle, the lack of communication during the winter suspension due to weather, and the importance of having proper communication with residents throughout the process.

John Ristow, Director, Department of Transportation responded to comments and described the outreach process.

Action: (a) The report on bids and award a contract for the construction of 10507 - 2025 Major Streets Remove and Replace Pavement Project, to the lowest responsive, responsible bidder, G. Bortolotto & Company, Inc. in the amount of \$3,094,818 was accepted; and (b) the 10% contingency in the amount of \$309,482 were approved. (11-0-0)

2.10 Report on Bids and Award of Contract for the 10493 - 2025 LS Remove and Replace Project.

(a) Report on bids and award a contract for the construction of 10493 - 2025 LS Remove and Replace Pavement Project, to the lowest responsive, responsible bidder, MCK Services, Inc., in the amount of \$3,870,050.

(b) Approve a 10% contingency in the amount of \$387,005.

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

Action: (a) The report on bids and award a contract for the construction of 10493 - 2025 LS Remove and Replace Pavement Project, to the lowest responsive, responsible bidder, MCK Services, Inc., in the amount of \$3,870,050 was accepted; and (b) the 10% contingency in the amount of \$387,005 were approved. (11-0-0)

2.11 Designation of Safety Corridors.

Adopt a resolution designating portions of certain San José roadways located throughout the City, which experience a high incidence of accidents and fatalities, as Safety Corridors in accordance with the California Vehicle Code and the California Manual on Uniform Traffic Control Devices.

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

Vice Mayor Pam Foley requested information on the City's progress regarding speed cameras.

John Ristow, Director, Department of Transportation responded to questions.

Action: **Resolution No. RES2025-52** was adopted, designating portions of certain San José roadways located throughout the City, which experience a high incidence of accidents and fatalities, as Safety Corridors in accordance with the California Vehicle Code and the California Manual on Uniform Traffic Control Devices. (11-0-0)

2.12 Request for Travel and Excused Absence.

(a) Authorize travel, accept travel payments to the City of San José, and designate Councilmember Campos as the City representative to participate in the Social Housing Field Study organized and funded in part by Global Policy Leadership Academy from April 6-12, 2025, in Vienna, Austria. (Source of Funds: The Global Policy Leadership Academy and District 2 Funds)

(b) Request for excused absences from the regular meetings of Transportation and Environment Committee on April 7, 2025, City Council on April 8, 2025, and Neighborhood Services and Education Committee on April 10, 2025, due to authorized City business to attend the Social Housing Field Study organized and funded in part by Global Policy Leadership Academy in Vienna, Austria.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Campos) [Rules Committee referral 3/12/2025 - Item A.1.a]

Action: The request for travel and excused absence for Councilmember Campos was authorized. (11-0-0)

2.13 Approval of Proclamation of Cambodian New Year, Cambodian Flag Raising, and Tower Lighting Sponsored by Council District 5 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 March 12, 2025:

(a) Approve the proclamation of Cambodian New Year in San José scheduled on April 8, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;

(b) Approve the Cambodian Flag Raising scheduled on April 4, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;

(c) Approve the Cambodian New Year Tower Lighting scheduled on April 4 - April 10, 2025 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 events.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Ortiz) [Rules Committee referral 3/12/2025 - Item B.3]

Action: The District 5 City Council Sponsored Special Events were approved. (11-0-0)

2.14 Retroactive Approval of Multiple Special Events Sponsored by Council District 8 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 March 12, 2025:

- (a) Retroactively approve the Community Coffee with SJPD Captain Zuniga event scheduled on January 24, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;
- (b) Retroactively approve the Evergreen Valley High School’s Spring Festival scheduled on January 25, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;
- (c) Retroactively approve the Evergreen Leadership Neighborhood Association Dumpster Day scheduled on February 1, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;
- (d) Retroactively approve the Community Swearing-In Celebration scheduled on February 7, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;
- (e) Retroactively approve the Budget Breakfast scheduled on February 8, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;
- (f) Retroactively approve the San José Lunar New Year-Tet Festival scheduled on February 8, 2025 as a City Council sponsored Special Event and approve the expenditure of funds; and
- (g) 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. (Candelas)
[Rules Committee referral 3/12/2025 - Item B.4]

Action: The District 8 City Council Sponsored Special Events were retroactively approved. (11-0-0)

3. STRATEGIC SUPPORT

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

None provided.

3.2 Labor Negotiations Update.

None provided.

3.3 Approval of the Fiscal Year 2025-2026 Mayor’s March Budget Message. - HEARD LAST AND NOT HEARD BEFORE 4:00 P.M.

(a) Conduct a Public Hearing on the FY 2025-2026 Mayor's March Budget Message.

(b) Approve the FY 2025-2026 Mayor's March Budget Message.

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

Item 3.3 was heard after Items 8.3 & 8.4; City Council recessed from 3:42- 4:04 p.m.

No presentation was provided.

Mayor Mahan announced that public comment was limited to one-minute, due to the high volume of speaker cards submitted.

Mayor Mahan opened the public hearing.

Public Comment: David Forderer (*requested and was provided ADA accommodations*), Joanne Price (Dignity Moves), Julian Lake, Elizabeth Funk (Dignity Moves), Sandra Asher (SURJ), Sal Caruso, Ramesh Konda, Isela Reyes (Sacred Heart/ Real Coalition), Chuck Cantrell, Debra Brown, Carmen Gaines (San José Arts Advocate), Alie Victorine (D7NA Leadership), Sarah Fields (Life Moves), Carol Watts (League of Women Voters), Darcie Green (Latinas Contra Cancer), Tony Romero (LUNA), Derek Clark (Bill Wilson Center), Gabriel Manrique (LUNA), Cesar Navarro (LUNA), Haroon Ahmad, Fayez Khan, Adnan Jafri, Saeed Chowdhary, Arslan Munir, Elizabeth Molina, Ofisa, Ashley Rohten, Amanda Flores, Patty McNeil, Eugene Torres, Batman of San José, Kathryn Hedges (SURJ), Cassandra Magana (West Valley Community Service), Kylie Clark (SVCN/Real Coalition), Rob Lindo, Laura M., Ashley Guerrero (SOMOS), Ngoc Che, Robert Aguirre, Dilza Gonzalez, Delma Hernandez (South Bay Coalition), Maria Beltran (*Spanish speaker*), Brian Larson (SURJ), Dominic T., Susan Price (Rose Glen Neighborhood), Karen Matsueda (SURJ), Keysone Manithep, Lori Katcher (SURJ SCC), Oya Cavdar, Elisa Koff-Ginsborg (Behavioral Health Contractors Association), Cheri Lewis (Axis Condominiums), George Szymkiewicz (Monte Vista Condo Owners Association), Brenda Bell Brown (LEAC-WVCS/ VTA-CBOWG), Andres Solomonoff (RLEI), Bob Brownstein, Leah Toeniskoetter (San José Chamber), Debbie Ow (SURJ), David Parent, Reva Konduru (SV @ Home), Mariela Lopez, Larry Whitaker, Jeff Levine, Churchill, Roxanne, Sam Ho, Elizabeth Colorado, Pascual Mendivil, Anil Babbar, Emily Ann Ramos (SV @ Home), Jennete, Manuel. Salazar (SV @ Home), Sandy Perry (SBCLT/ URG), Drew Siegler, Reverend Steve Pinkston (Silicon Valley Faith Leaders Collaborative), Cory Wolback (SV @ Home), Tristia Bauman (Law Foundation of Silicon Valley), David Burckhard (CERT San José), Roark Clayton (Glenside-Riviera), Neil Collins, Mike Kraus, Nahum Hintsa, Eva Terrazas, Joe Brown (SCCAOR), Lani Ballard, Cate Schroeder (Indivisible), Oscar Q. M., Joseph Martinez, Tuan Van, Celeste Walker (*spoke on behalf of Ash Kalra*), Francesca Paist, Danny Costa (S.O.S), David Torres, Ana Maria Russo, Janette Conzet, Greg Peralta, Misrayn Mendoza, Jeremy Bauruse, Doug, Riley Knight, Gabriella Gabrian, Gina Zari (SCCAOR), Dmitriy Kruglyak, Poncho Guevara (Sacred Heart/ Real Coalition), Cuong Nguyen (IRCC), Judy Trehan, Brian D., Greg Miller, Enrique Navarro (SCCAOR), Father Jon Pedigo (PACT), David Noel, Venkat M., Deb Kramer (Keep Coyote Creek Beautiful), Jake Tablak, Jim Huang, Dashiell Leeds, Tinh Cao, Peggy Elwell, Sharat Lin, Huascar Castro, Jonathan Padilla, Mauricio Gonzales, Joe Kerwin, Stephen M. Samuel (Citizzn), Krista De La Torre (IFPTE 21), Hong Cao (Viet Museum), Benjamin M., Hui Tran (SIREN), Alyssa Kroeger, Kathy Mattingly (DSJ Social Ministries), Kelsey Colson, Maria Ines Ortega (CWNA), Shereen Manalani, Gia Pham (Housing Choices), Aurelia Sanchez, Jane Tran, Albert Carlson (SHHAC), Laurie Stewart, Kim Nguyen, Jason Su (Guadalupe River

Park), Larry Ames, Dr. Harinder Singh, Lisa Marquez, Greg Koopman, Lauren Matusich, Vasandhara Tadimeti (District 10 Leadership Coalition), Kim Guptil, Roy Abbott, Mary Helen Doherty, Ha Le, Danny Nguyen, Yogi Sahu (Chynoweth Ave.), Cheryl L., Matthew Quevedo, Barbara T., Irene Zuniga (D7 MCNA), Kira Kazatzis (SVCN/ Real Coalition), Reverend Dana Bainbridge, Shaunn, and *21 additional speakers (who did not provide their names at the podium)* offered public testimony regarding the item.

Mayor Mahan closed the public hearing.

Jim Shannon, Budget Director, City Manager's Budget Office; Erik Solivan, Director, Housing Department; and Matt Loesch, Director, Public Works Department responded to questions from the Council.

Motion: Vice Mayor Pam Foley moved approval of the following:

- Mayor Mahan's memorandum, dated March 17, 2025.
- Vice Mayor Foley's memorandum, dated March 17, 2025.
- *Only recommendations 1 and 4* of the joint memorandum co-authored by Councilmember Candelas and Councilmember Cohen, dated March 18, 2025.
- *Only recommendations 2(d), 3, and 5* of the joint memorandum co-authored by Councilmembers Campos, Salas, Mulcahy, Doan, and Casey, dated March 14, 2025.
- *Only recommendations 2 as amended* to include direction to make it a range from 200-500k so that the City Manager and Budget Director can determine how much is appropriate and how to apply the funding for support services to protect our immigrant community; *5 as amended to add language* to consider moving any of the items in-house as they are, for efficiency and cost savings; *6, and 7* of Councilmember Ortiz's memorandum, dated, March 18, 2025.

Councilmember George Casey seconded the motion.

Substitute Motion: Councilmember Peter Ortiz moved approval of the following:

- Councilmember Peter Ortiz's memorandum dated March 18, 2025.
- Councilmember Pamela Campos' memorandum dated March 17, 2025.

Councilmember Pamela Campos seconded the substitute motion.

Friendly Amendment: Councilmember Bien Doan requested that Pre-Engineered Modular Shelters (PEMS) be included in the analysis study next year. The maker of the substitute motion and seconder approved the friendly amendment.

Vice Mayor Pam Foley requested a Point of Order.

Friendly Amendment: Councilmember Cohen requested to *remove* recommendation 1 of the joint memorandum co-authored by Councilmembers Campos, Salas, Mulcahy, Doan, and Casey, dated March 14, 2025. The maker of the substitute motion and seconder accepted the friendly amendment.

Call to Question: On the call to question by Vice Mayor Pam Foley, the call to question to vote on the substitute motion passed unanimously. (11-0-0)

Vote on Substitute Motion: The substitute motion failed for a lack of yes votes. (5-6-0; Noes: Mahan, Kamei, Foley, Mulcahy, Casey, Salas.)

Friendly Amendment: Councilmember Bien Doan requested that his friendly amendment proposed

earlier be included as part of the current motion on the floor, requesting that Pre-Engineered Modular Shelter (PEMS) programs be included in the analysis study next year. The maker of the motion on the floor and seconder accepted the friendly amendment, *with the understanding that it would be studied, but would not be included in a formal MBA.*

Mayor Mahan addressed Councilmember Doan's friendly amendment and stated that the City cannot commit to adding a PEMS location this year. Mayor Mahan proposed that instead of asking staff to go spend many hours performing a detailed analysis on something outside of the capacity of this year's budget, the Council may wish to instead consider pursuing it in a future year, after the City has built out the pipeline which identifies multiple potential sites where the City could select new shelters in the future.

Friendly Amendment: Councilmember Campos requested that her memorandum, dated March 17, 2025, be included in the motion. The friendly amendment was *not accepted* by the maker of the motion or the seconder.

Friendly Amendment: Councilmember Campos requested approval of recommendations 1(d), 2, and 4 of the joint memorandum co-authored by Councilmembers Campos, Salas, Mulcahy, Doan, and Casey, dated March 14, 2025. The friendly amendment was *not accepted* by the maker of the motion and seconder, *but Vice Mayor Foley clarified that recommendation 2(d) was approved in the original motion.*

Motion to Amend the Motion: Councilmember Cohen moved to amend the motion, to include recommendations 2, 3, and 5 of the joint memorandum co-authored by Councilmembers Candelas and Cohen, dated March 18, 2025. Councilmember Domingo Candelas seconded the motion to amend. *After further discussion*, Councilmember David Cohen included direction for the City Manager to facilitate the joint meeting between the County and the City to discuss other potential shelter amendments, and bring back the potential shelter amendments to Council for consideration and further discussion. Councilmember Cohen then *removed recommendations 2 and 5* from his motion as part of his motion.

Call to Question: On the call to question by Mayor Mahan, the Councilmember Cohen's motion to amend the motion *failed for a lack of yes votes.* (5-6-0; Noes: Mahan, Kamei, Foley, Mulcahy, Casey, Salas)

Vote to Call to Question: On the call to question by Vice Mayor Pam Foley, the call to question to vote on the motion passed. (8-3-0; Noes: Cohen, Ortiz, Candelas)

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember George Casey, the motion as follows was carried, (a) the public hearing was conducted; and (b) the FY 2025-2026 Mayor's March Budget Message was approved, including the below actions taken as indicated.

Acceptance of the memorandum authored by Mayor Mahan dated, March 17, 2025, recommending the following:

- 1.) Approve the Mayor's March Budget Message for FY 2025-2026.
- 2.) Approve the Memorandum from Vice Mayor Pam Foley dated March 17.

And

Acceptance of the memorandum authored by Vice Mayor Pam Foley dated, March 17, 2025, recommending the following:

- 1.) Approve the Mayor's March Budget Message for FY 2025-2026

- 2.) Approve Recommendations 1 and 4 in the memorandum from Councilmembers Cohen and Candelas dated March 13.
- 3.) Approve Recommendations 2d, 3, and 5 in the memorandum from Councilmembers Campos, Salas, Mulcahy, Doan, and Casey dated March 14.
- 4.) Clarify that the recommended 2026 Charter Amendment language for Pay for Performance and the Responsibility to Shelter policy framework outlined in the Mayor's March Budget message will be separately agendaized for the same Council meeting as budget adoption in June 2025 to allow for full review of staff's recommendations and dedicated Council deliberation.

And

Acceptance of *only recommendations* 1 and 4 of the joint memorandum co-authored by Councilmembers Candelas and Cohen dated, March 13, 2025, recommending the following:

Accept the Mayor's Budget March Message with the following edits and additions:

- 1.) Direct the City Manager to engage the Santa Clara County Executive to convene a joint meeting of the City Council and the Board of Supervisors on homelessness and the coordination with other initiatives including behavioral health and transition plans into permanent supportive housing no later than June 2025.
- 4.) Direct the City Manager to return with an informational memo to include how we might pursue alternative funding options for promoting affordable housing development by working with our regional partners and stakeholders by summer 2025

And

Acceptance of *only recommendations* 2(d), 3, and 5 of the joint memorandum co-authored by Councilmembers Campos, Salas, Mulcahy, Doan, and Casey, dated, March 14, 2025, recommending the following:

- 2.) Direct the City Manager to prepare Manager's Budget Addenda (MBAs) evaluating:
 - d.) Opportunities for revenue generation or operating expense offsets from City owned property.
- 3.) Direct the City Manager to continue fostering relationships with Santa Clara County, especially regarding unsheltered homelessness. Thank and continue our productive collaboration with the Office of Supportive Housing for their willingness to partner with our City, emphasizing that time turnarounds and faster response are still possible by working together.
- 5.) Direct the City Manager to review the City of San José Budget Principles and the Budget Balancing Strategy Guidelines and return to the City Council prior the beginning of the FY2026-2027 budget cycle with any recommended updates.

And

Acceptance of items 2 *as amended* to include direction to make it a range from 200-500k so that the City Manager and Budget Director can determine how much is appropriate and how to apply the funding for support services to protect our immigrant community; 5 *as amended* to add language to consider moving any of the items in-house as they are for efficiency and cost savings; 6, and 7 of Councilmember Ortiz's memorandum, dated, March 18, 2025 recommending the following:

- 2.) Amend the recommendation under "Protecting Our Immigrant Community" from the Mayor's Budget March Message to read instead, "The City Manager is directed to provide **\$200,000**-\$500,000 in one-time funding for services to support and protect our immigrant community, which could include expanding legal services, counseling and peer support networks, family preparedness plans, and strengthening privacy systems for non-profit partners."
- 5.) Direct the City Manager to develop an MBA evaluating city department contracts that could potentially be brought in-house to achieve long-term cost savings and **efficiency**.
- 6.) Direct the City Manager to develop an MBA identifying the additional staffing and technical support required for the long-term implementation of the Children and Youth Master Plan 7.
- 7) Direct the City Manager to prepare an MBA on continuing to pursue the use of CDBG or any other

eligible funds for the Mexican American Community Services Agency (MACSA) building as a potential Community Development Investment (CDI) project or other vehicle of investment to advance the project.

And

Direction for Pre-Engineered Modular Shelter (PEMS) programs to be included in the analysis study next year, with the understanding that it is to be studied, but not included in a formal MBA.

(7-4-0; Noes: Cohen, Ortiz, Candelas, Campos)

4. PUBLIC SAFETY SERVICES

None provided.

5. TRANSPORTATION & AVIATION SERVICES

None provided.

6. ENVIRONMENTAL & UTILITY SERVICES

None provided.

7. NEIGHBORHOOD SERVICES

7.1 Actions Related to the Building Forward Library Infrastructure Round 2 Grant Agreement with the California State Library.

Adopt a resolution authorizing the City Manager or her designee to accept the Building Forward Library Infrastructure Round Two Grant and negotiate and execute a grant agreement with the California State Library, for a total award of \$8,283,306 to fund eligible projects at the Dr. Martin Luther King Jr. Library.

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. (Library)

No presentation provided.

Public Comment: None provided.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Bien Doan, and carried unanimously, **Resolution No. RES2025-53** was adopted, authorizing the City Manager or her designee to accept the Building Forward Library Infrastructure Round Two Grant and negotiate and execute a grant agreement with the California State Library, for a total award of \$8,283,306 to fund eligible projects at the Dr. Martin Luther King Jr. Library. (11-0-0)

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 Proposed Economic Strategy Work Plan for Fiscal Year 2025-2026 and Fiscal Year 2026-2027.

Approve the City Manager's Office of Economic Development and Cultural Affairs' proposed Economic Strategy Work Plan for Fiscal Year 2025-2026 and Fiscal Year 2026-2027.

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

[Deferred from 3/4/2025 - Item 8.2 (25-181)]

Nanci Klein, Director of the Office of Economic Development and Cultural Affairs, offered the presentation and responded to questions.

Public Comment: Kat Angelov provided public testimony regarding the item.

Motion: Vice Mayor Pam Foley moved approval of the following:

- Mayor Mahan's memorandum, dated March 18, 2025.
- The joint memorandum co-authored by Mayor Mahan, Vice Mayor Foley, Councilmember Salas, Councilmember Mulcahy, and Councilmember Casey, dated March 14, 2025.

Councilmember Rosemary Kamei seconded the motion.

Substitute Motion: Councilmember Campos moved approval of the following:

- Councilmember Campos' memorandum, dated March 17, 2025.
- The joint memorandum co-authored by Mayor Mahan, Vice Mayor Foley, Councilmember Salas, Councilmember Mulcahy, and Councilmember Casey, dated March 14, 2025.
- Mayor Mahan's memorandum, dated March 18, 2025.

Councilmember Peter Ortiz seconded the substitute motion.

Councilmember Jennifer Maguire requested clarification regarding the fifth objective within recommendation 2 of Councilmember Campos' memorandum, dated March 17, 2025.

Mayor Mahan suggested adopting the work plan with the four objectives, as it is a product of months of staff's research, work, and engagement with stakeholders; and referring the fifth objective to the Community Economic Development (CED) Committee for a deeper analysis related to workforce, preparing residents to participate in the local economy through training, education and career support, what investments would need to be made, what the tradeoffs would be, and how the work plan would need to be changed.

Friendly Amendment: Vice Mayor Pam Foley requested that Councilmember Campos' memorandum, dated March 17, 2025, be referred to the Community Economic Development (CED) Committee for further investigation and discussion, regarding the fifth objective in recommendation 2, as part of the substitute motion. The friendly amendment was accepted by the maker of the motion and seconder.

Mayor Mahan clarified the substitute motion and the *amended language* of recommendation 2 of Councilmember Campos' memorandum, dated, March 17, 2025.

Action: On a call to question, the substitute motion made by Councilmember Pamela Campos and seconded by Councilmember Peter Ortiz carried unanimously; the City Manager's Office of Economic Development and Cultural Affairs' proposed Economic Strategy Work Plan for Fiscal Year 2025-2026 and Fiscal Year 2026-2027 was approved, including the below actions taken as indicated.

Acceptance of the *amended* memorandum authored by Councilmember Campos, dated, March 17, 2025, recommending the following:

- 1.) Approve the Memorandum from the Mayor, Vice Mayor, and Councilmembers Salas, Mulcahy, and Casey.
- 2.) ~~Adopt following as a Refer~~ the fifth objective: "Prepare residents to participate in the local economy through training, education, and career support", *to the Community Economic Development (CED) Committee for further investigation and discussion on the potential key results associated with it, for a deeper conversation on an understanding of the budget, staffing, tradeoffs if it were to be adopted, and what would need to be deprioritized from the other four goals that OED is bringing forward.*
- 3.) Direct the City Manager to return to CED and City Council with recommendations for achievable Key Results

And

Acceptance of the joint memorandum co-authored by Mayor Mahan, Vice Mayor Foley, and Councilmembers Salas, Mulcahy, and Casey, dated, March 14, 2025, recommending the following: Approve the following Economic Strategy Work Plan for FY 2025-2026 and FY 2026-2027:

- 1.) Grow jobs and revenue and promote innovation from large and medium-sized businesses in key sectors such as manufacturing and artificial intelligence.
 - a.) Add (attraction or expansion) a total of 10,000 jobs.
 - b.) Increase the City's sales, property, and utility tax revenue by \$10M.
 - c.) Conduct 25% more business retention visits and ensure follow-through on a list of actionable items from each meeting.
 - d.) Generate/facilitate the permitting of three data centers.
- 2.) Foster small business resilience and create thriving business districts.
 - a.) Establish two new business assessment districts.
 - b.) Generate combined revenue of \$550,000 from assessment districts and develop an implementable district spending plan.
 - c.) Streamline at least two city policies to simplify and accelerate the permitting process for small businesses.
 - d.) Award 100% of City-wide allocated Storefronts Grant funding each year, with at least 30% facilitating a reduction in vacant ground floor retail spaces.
- 3.) Accelerate a thriving Downtown.
 - a.) Generate 10 commercial lease renewal commitments of 10,000 square feet or more.
 - b.) Facilitate 10 new commercial business attractions.
 - c.) Achieve 10% year-over-year increase in downtown daytime foot traffic.
 - d.) Receive a 10% increase in positive sentiment in the Focus Area Community Survey.
- 4.) Activate San José as the South Bay's hub for sports, arts, and entertainment.
 - a.) Implement our commitments to secure San Jose Sharks in San José for 25 years.
 - b.) Implement our commitments to secure San Jose Giants in San José for 25 years.
 - c.) Complete the policy work related to: Supergraphics, Special Events Zone, and Entertainment

Zones, including pilot implementation.

- d.) Produce or facilitate at least eight cultural, outdoor events specific to 2026 activities and deliver six public artworks.
- e. Facilitate at least 485 city-wide outdoor special event days that cumulatively drive over two million attendees.
- f. Develop a conceptual plan a sports and entertainment district within walking distance of the SAP Center for City Council approval by December 2025.
- g. Increase Downtown nighttime visitors by 10% by streamlining event policies to attract and support more activations.

And

Acceptance of the memorandum authored by Mayor Mahan, dated, March 18 2025, recommending the following:

Incorporate the following modifications into and approve the 3/14 memorandum from Mayor Mahan, Vice Mayor Foley, Councilmembers Salas, Mulcahy, and Casey (**in bold**):

- 1.) **Retain**/grow jobs and revenue and promote innovation from large and medium-sized businesses in key sectors such as manufacturing and artificial intelligence.
 - a.) Add (**attraction, expansion, or retention**) a total of 10,000 jobs.
 - b.) Increase the City’s sales, property, and utility tax revenue by \$10M.
 - c.) Conduct 25% more business retention visits **year-over-year** and ensure follow through on a list of actionable items from each meeting.
 - d.) Generate/facilitate the permitting of three data centers.
- 2.) Foster small business resilience and create thriving business districts.
 - a.) Establish two new business assessment districts.
 - b.) Generate combined revenue of \$550,000 **annually** from **two new** assessment districts and develop an implementable district spending plan.
 - c.) Streamline at least two city policies to simplify and accelerate the permitting process for small businesses.
 - d.) Award 100% of City-wide allocated Storefronts Grant funding each year, with at least 30% facilitating a reduction in vacant ground floor retail spaces.
- 3.) Accelerate a thriving Downtown.
 - a.) Generate 10 commercial lease renewal commitments of **5,000** square feet or more.
 - b.) Facilitate 10 new commercial business attractions.
 - c.) Achieve a 10% year-over-year increase in downtown daytime foot traffic.
 - d.) Receive a 10% **year-over-year** increase in positive sentiment in the Focus Area Community Survey.
- 4.) Activate San José as the South Bay's hub for sports, arts, and entertainment.
 - a.) Implement our commitments to secure San Jose Sharks in San José for 25 years.
 - b.) Implement our commitments to secure San Jose Giants in San José for 25 years.
 - c.) Complete the policy work related to: Supergraphics, Special Events Zone, and Entertainment Zones, including pilot implementation.
 - d.) Produce or facilitate at least eight cultural, outdoor events specific to 2026 activities and deliver six public artworks.
 - e.) Facilitate at least 485 city-wide outdoor special event days that cumulatively drive over two million attendees.
 - f.) Develop a conceptual plan for a sports and entertainment district within walking distance of the SAP Center for City Council approval by December 2025.
 - g.) Increase Downtown nighttime visitors 10% **year-over-year** by streamlining event policies to attract and support more activations.

(11-0-0)

8.2 Approval of a Multifamily Housing Incentive Program Residential Tax and Fee Waiver for 905 North Capitol Avenue.

(a) Conduct a public hearing to approve an economic development tax and fee waiver in connection with a reduction in construction taxes and a reduction of the Inclusionary Housing Ordinance in lieu fee for 905 North Capitol Avenue which meets the requirements of the Multifamily Housing Incentive Program enacted by the City Council on December 10, 2024 in an amount of up to \$4,905,022 to California Government Code Section 53083 and Open Government Resolution No. 77135 Section 2.3.2.6.C.

(b) Adopt a resolution approving the tax and fee waiver and authorizing the Director of Housing or his designee to negotiate and execute documents and document amendments related to implementing the Multifamily Housing Incentive Program, such as project completion agreements.

CEQA: Determination of Consistency with the Mitigated Negative Declaration for the 905 North Capitol Residential Development Project, File Nos. H21-015/ER21-061. Council District 4.

(Housing/Transportation/Planning, Building, and Code Enforcement)

Erik Solivan, Director of the Housing Department, and Banu San, Deputy Director of the Housing Department, offered the presentation and responded to questions.

Public Comment: Scot Yondall provided public testimony regarding the item.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Bien Doan, and carried unanimously, (a) the public hearing was conducted; and (b) **Resolution No. RES2025-54** was adopted, approving the tax and fee waiver and authorizing the Director of Housing or his designee to negotiate and execute documents and document amendments related to implementing the Multifamily Housing Incentive Program, such as project completion agreements. (10-0-1; Absent: Campos)

8.3 Housing Catalyst Team Work Plan Status Report. - HEARD CONCURRENTLY WITH ITEM 8.4

As recommended by the Community and Economic Development Committee on February 24, 2025, accept the status report on the work to implement the Housing Catalyst Team Work Plan.

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

Enforcement/Housing/Economic Development and Cultural Affairs)

[Community and Economic Development Committee referral 2/24/2025 - Item (d)3]

Mayor Mahan announced that the presentations and public comments for Items 8.3 and 8.4 would be heard concurrently, but votes for each item would be taken separately.

Erik L. Soliván, Director, Housing Department and Jerad Ferguson, Principal Planner, Planning, Building, and Code Enforcement Department (PBCE) offered the presentation and responded to

questions for *Items 8.3 and 8.4.*

Public Comment: Shaunn provided public testimony regarding *Items 8.3 and 8.4.*

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Pamela Campos, and carried unanimously, the status report on the work to implement the Housing Catalyst Team Work Plan was accepted. (11-0-0)

**8.4 Acceptance of the Annual Progress Report on the Implementation of the San José General Plan Housing Element and the Housing Successor to the Redevelopment Agency Annual Report.
- HEARD CONCURRENTLY WITH ITEM 8.3**

(a) Accept the Calendar Year 2024 Annual Progress Report (Annual Progress Report) on the implementation of San José’s Sixth Cycle 2023-2031 Housing Element.

(b) Accept the Fiscal Year 2023-2024 Housing Successor to the Redevelopment Agency Annual Report (Housing Successor Report).

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

Erik L. Soliván, Director, Housing Department and Jerad Ferguson, Principal Planner, Planning, Building, and Code Enforcement Department (PBCE) offered the presentation and responded to questions for *Items 8.3 and 8.4.*

Public Comment: Shaunn provided public testimony regarding *Items 8.3 and 8.4.*

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Rosemary Kamei, and carried unanimously, (a) the Calendar Year 2024 Annual Progress Report (Annual Progress Report) on the implementation of San José’s Sixth Cycle 2023-2031 Housing Element was accepted; and (b) the Fiscal Year 2023-2024 Housing Successor to the Redevelopment Agency Annual Report (Housing Successor Report) was accepted. (11-0-0)

Council recessed from 3:42- 4:04 p.m.

9. REDEVELOPMENT – SUCCESSOR AGENCY

None provided.

10. LAND USE

10.1 Land Use on Consent Calendar

No Land Use items on Consent Calendar.

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

• **Open Forum**

1. Harry Neil spoke to the ongoing strike regarding public transit, the money invested in public transit, the cost of the strike, and expressed his support for public transit workers.
2. Robert Aguirre spoke to the importance of allowing constituents to comment virtually, especially with the Valley Transportation Authority (VTA) strike occurring, and also addressed Americans with Disabilities Act (ADA) laws.

• **Adjournment**

The Council of the City of San José adjourned at 9:49 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,

DRAFT

Yasmin Johnson,
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



SAN JOSÉ CITY COUNCIL CLOSED SESSION MINUTES

March 18, 2025

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

Absent Councilmembers: Doan.

Place: City Hall Conference Room W-133

Time: 9:32 a.m.

CLOSED SESSION ITEM(S) DISCUSSED:

A. PUBLIC EMPLOYMENT/PUBLIC EMPLOYEE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957:

- 1. Department or Agency: City Manager’s Office
Title: City Manager
- 2. Department or Agency: City Attorney’s Office
Title: City Attorney
- 3. Department or Agency: City Auditor’s Office
Title: City Auditor
- 4. Department or Agency: City Clerk’s Office
Title: City Clerk
- 5. Department or Agency: Independent Police Auditor
Title: Independent Police Auditor

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

1. Case Name: Andrade, Vinicio Jessie v. City of San Jose et al.
 Name(s) of Party(ies) VINICIO JESSIE ANDRADE, ANYA PIERRE-LOUIS, CITY OF SAN JOSE
 Court: Superior Court of the State of California, County of Santa Clara
 Case No: 23CV416187
 Amount of Money or Other Relief Sought: Damages according to proof

2. Case Name: Moreno, Joely v. City of San Jose, et al.
 Name(s) of Party(ies) JOELY MORENO, DAVID FREUDENSTEIN, CITY OF SAN JOSE
 Court: Superior Court of the State of California, County of Santa Clara
 Case No: 23CV417948
 Amount of Money or Other Relief Sought: Damages according to proof

3. 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: U.S. Court of Appeals for the Ninth Circuit
 Case No: 23-15487
 Amount of Money or Other Relief Sought: Damages according to proof

4. Case Name: In re: Bird Global, Inc., et al. Debtors
 Name(s) of Party(ies) ZHOU, RUOPENG, CITY OF SAN JOSE

Court: United States Bankruptcy Court Southern District of Florida Miami Division

Case No: 23-20514-CLC

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

5.

Case Name: In re: Bird Global, Inc., et al. Debtors

Name(s) of Party(ies) PRICE, MATTHEW, CITY OF SAN JOSE

Court: United States Bankruptcy Court Southern District of Florida Miami Division

Case No: 23-20514-CLC

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

C. CONFERENCE 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. PUBLIC EMPLOYMENT/PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957:

Department or Agency: City Manager

Title: ESD Director