



City Council Meeting Minutes

**Tuesday, April 30, 2024
1:30 PM**

**LOCATION:
Council Chambers - 200 E. Santa Clara Street**

MATT MAHAN, MAYOR
ROSEMARY KAMEI, VICE MAYOR, DISTRICT 1
SERGIO JIMENEZ, DISTRICT 2
OMAR TORRES, DISTRICT 3
DAVID COHEN, DISTRICT 4
PETER ORTIZ, DISTRICT 5
DEV DAVIS, DISTRICT 6
BIEN DOAN, DISTRICT 7
DOMINGO CANDELAS, DISTRICT 8
PAM FOLEY, DISTRICT 9
ARJUN BATRA, DISTRICT 10

• Call to Order and Roll Call

9:33 a.m.- Closed Session. *See Pages 14-18 for Closed Session Minutes.*

Present: Councilmembers: Mahan, Jimenez, Cohen, Ortiz,
Davis, Candelas, Foley, Batra.

Absent Councilmembers: Torres, Doan, Kamei.

1:32 p.m.- Regular Session.

Present Councilmembers: Mahan, Kamei, Jimenez, Cohen, Ortiz,
Davis, Candelas, Foley, Doan, Batra.

Absent Councilmembers: Torres.

• Pledge of Allegiance

Mayor Matt Mahan led the Pledge of Allegiance.

• Invocation (District 4)

The Advanced Orchestra team from Sierramont Middle School offered the invocation with a beautiful performance.

• Orders of the Day

None provided.

• Closed Session Report

City Attorney, Nora Frimann offered a clarification of the appointment of Eddie Aubrey as the new Independent Police Auditor. He will be appointed for the remainder of the existing term pursuant to Charter Section 809. Specifically, through December 31, 2024 and further appointed for a four-year term starting on January 1, 2025.

1. CEREMONIAL ITEMS

- 1.1 Councilmember Bien Doan presented the proclamation declaring April 30, 2024 as Black April, a day for the Vietnamese American community in the City of San José to reflect on and mourn the Fall of Saigon.
- 1.2 Councilmember Peter Ortiz presented the proclamation declaring April 2024 as Library Recognition Month in the City of San José. The proclamation was accepted by Jill Bourne, Director, City Librarian; José Magaña, Area 2 Trustee for the San José Unified School District, Chair of the Library and Education Commission; and many dedicated staff members of the Library Department.
- 1.3 Councilmember Domingo Candelas and Councilmember Peter Ortiz presented the proclamation declaring May 1, 2024 as May Day in the City of San José to commemorate both the wins and losses of workers and the labor movement, memorializing their struggles in the name of workers' rights. The proclamation was presented to Jean Cohen, Executive Officer, South Bay Labor Council; and members of the May Day Organizing Committee.

2. CONSENT CALENDAR

Public Comment: Blair Beekman offered public comment regarding the Consent Calendar.

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember Pam Foley, and carried unanimously, the Consent Calendar was approved as a whole, the below actions were taken as indicated. (10-0-1; Absent: Torres)

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.

None provided.

2.5 City Council Travel Reports.

None provided.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 **First Restatement of the Lease Agreement Between the City of San José and Leyla Naderjah, DBA Rosies and Posies Downtown, for the City-Owned Property Located at 98 Paseo De San Antonio.**

Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute:

- (a) A first restatement of the lease dated December 1, 2015 between the City of San José and Leyla Naderjah, an individual doing business as Rosies and Posies Downtown, for the use of approximately 930 square feet of space in the City-owned building located at 98 Paseo De San Antonio, San José, California providing for an initial term of five years at a rate of \$2,604 per month for the first year with an initial annual base rent escalator rate of 2.25%, and one five-year tenant option to extend at the then-current fair market rent; and
- (b) All other documents or agreements necessary to effectuate the first restatement of the lease.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. Council District 3. (Economic Development and Cultural Affairs)

Action: **Resolution No. RES2024-119** was adopted, regarding the first restatement of the lease dated December 1, 2015 between the City of San José and Leyla Naderjah, an individual doing business as Rosies and Posies Downtown, for the City-owned building located at 98 Paseo De San Antoni. (10-0-1; Absent: Torres)

2.8 Agreements with ABB Inc., DBA ABB DE, Inc., for On-Site Engineering Support and Ongoing Maintenance and Support at the San José-Santa Clara Regional Wastewater Facility.

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

- (a) Negotiate and execute an agreement with ABB Inc., dba ABB DE, Inc. (Wickliffe, OH) for on-site engineering support at the San José-Santa Clara Regional Wastewater Facility, beginning June 1, 2024, and ending May 31, 2025, for a maximum not-to-exceed compensation of \$365,000, subject to the appropriation of funds;
- (b) Negotiate and execute amendments to the on-site engineering support agreement for additional professional and technical services as required for a contingency not to exceed \$20,000, subject to the appropriation of funds; and
- (c) Negotiate and execute the Water Care Enhanced Agreement with ABB DE, Inc., and issue annual purchase orders pursuant to the terms and conditions of the five-year Water Care Enhanced Agreement for ongoing support and maintenance for as-needed parts replacement, repair, and rebuilding services for a maximum compensation not to exceed \$650,000 for the first year beginning June 1, 2024, and ending May 31, 2025, 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)

DEFERRED TO 6/4/2024 PER ADMINISTRATION

2.9 Actions Related to the Purchase Orders with Ganado Feed, Inc. and Phillips Feed Service, Inc. for Animal Food and Supplies.

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 Ganado Feed, Inc. (San José, CA) and Phillips Feed Service, Inc. (Easton, PA) for the purchase of animal food and supplies, with the last option ending on or about August 2, 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. RES2024-120** was adopted, regarding the purchase order with Ganado Feed, Inc. (San José, CA) and Phillips Feed Service, Inc. (Easton, PA) for the purchase of animal food and supplies. (10-0-1; Absent: Torres)

2.10 Report on Bids and Award of Contract for the 10108 – McLaughlin Avenue-Idlewood Drive Sanitary Sewer Improvement Project.

- (a) Report on bids and award of contract for the construction of 10108-McLaughlin Avenue-Idlewood Drive Sanitary Sewer Improvement Project, to the lowest responsive, responsible bidder, Devaney Engineering, Inc., in the amount of \$2,587,420; and
- (b) Approve a 10% contingency in the amount of \$258,742.

CEQA: Categorically Exempt, File No. ER23-154, CEQA Guidelines CEQA Guidelines Section 15301(b), Existing Facilities. Council District 7. (Public Works)

Action: The (a) report on bids and award of contract for the construction of 10108-McLaughlin Avenue-Idlewood Drive Sanitary Sewer Improvement Project was accepted and the (b) the 10% contingency in the amount of \$258,742 was approved. (10-0-1; Absent: Torres)

2.11 Report on Bids and Award of Contract for the 10382 - 2024 Mabury Yard Resurfacing Project.

(a) Report on bids and award a contract for the construction of 10382 – 2024 Mabury Yard Resurfacing Project, to the lowest responsive, responsible bidder, Joséph J. Albanese, Inc., in the amount of \$1,037,700; and

(b) Approve a 10% contingency in the amount of \$103,770.

CEQA: Categorically Exempt, File No. ER23-009, CEQA Guidelines Section 15301(c), Existing Facilities. Council District 3. (Transportation/Public Works)

Action: The (a) report on bids and award a contract for the construction of 10382 – 2024 Mabury Yard Resurfacing Project was accepted and (b) the 10% contingency in the amount of \$103,770 was approved. (10-0-1; Absent: Torres)

2.12 Retroactive Approval of Cesar Chavez Day Flag Raising Sponsored by Council District 2 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 24, 2024:

(a) Retroactively approve the Cesar Chavez Day Flag Raising scheduled on March 29, 2024 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. (Jimenez)

[Rules Committee referral 4/24/2024 - Item B.2]

Action: The City Council Sponsored Special Event by District 2 was retroactively approved. (10-0-1; Absent: Torres)

2.13 Approval of Lighting for Black April Sponsored by Council District 7 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 24, 2024:

(a) Approve the Tower and Rotunda lighting for Black April scheduled for April 30, 2024 to May 2, 2024 as a City Council sponsored Special Event and approve the expenditure of funds;

(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. (Doan)

[Rules Committee referral 4/24/2024 - Item B.3]

Action: The City Council Sponsored Special Event by District 7 was approved. (10-0-1; Absent: Torres)

2.14 Approval of Lighting for Cinco De Mayo Sponsored by Council District 7 and Council District 3 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 24, 2024:

- (a) Approve the Tower and Rotunda lighting for Cinco De Mayo scheduled on May 5, 2024 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. (Doan and Torres)

[Rules Committee referral 4/24/2024 - Item B.4]

Action: The City Council Sponsored Special Event by District 7 and District 3 was approved. (10-0-1; Absent: Torres)

2.15 Approval of Lighting for Light the Night for Fallen Firefighters Sponsored by Council District 7, Council District 8 and Council District 5 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 24, 2024:

- (a) Approve the Tower and Rotunda lighting for Light the Night scheduled for May 3-4, 2024 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. (Doan, Candelas and Ortiz)

[Rules Committee referral 4/24/2024 - Item B.5]

Action: The City Council Sponsored Special Event by District 7, District 8, and District 5 was approved. (10-0-1; Absent: Torres)

3. STRATEGIC SUPPORT

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

City Manager, Jennifer Maguire offered the Verbal Report and spoke to the Position Vacancy Update. In 2022 the Cities vacancy rate was 14.8%, at the end of March 2024. The current vacancy rate is now at 12%. She thanked the Human Resources Department and all City Departments for their efforts to drive down the vacancy rates and making the City a great place to work.

3.2 Labor Negotiations Update.

None provided.

4. PUBLIC SAFETY

5. TRANSPORTATION & AVIATION SERVICES

5.1 **Report on Bids and Award of Contract for the 10407 - 2024 Major Streets Sealing Project.**

(a) Report on bids and award a contract for the construction of 10407 – 2024 Major Streets Sealing Project to the lowest responsive, responsible bidder, Graham Contractors, Inc., in the amount of \$6,872,202; and

(b) Approve a 10% contingency in the amount of \$687,220.

CEQA: Categorically Exempt, File No. ER23-009, CEQA Guidelines Section 15301(c), Existing Facilities. (Transportation/Public Works)

Public Comment: Blair Beekman offered public testimony regarding the item.

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember Bien Doan, and carried unanimously, the (a) report on bids and award a contract for the construction of 10407 – 2024 Major Streets Sealing Project was accepted and (b) the 10% contingency in the amount of \$687,220 was approved. (10-0-1; Absent: Torres)

6. ENVIRONMENTAL & UTILITY SERVICES

6.1 **Climate Smart San José Plan Semi-Annual Report.**

As recommended by the Transportation and Environment Committee on April 8, 2024, accept the semi-annual report on the Climate Smart San José plan from September 2023 through February 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. (Environmental Services)

[Transportation and Environment Committee referral – 4/8/2024 – Item (d)1]

Kerrie Romanow, Director, Environmental Services Department; Julie Benabente, Deputy Director, Environmental Services Department; Kate Ziemba, Senior Environmental Program Manager, Energy Department; and Ramses Madou, Division Manager, Department of Transportation offered the presentation and responded to questions.

Public Comment: Linda Hutchins-Knowles (Mothers Out Front Silicon Valley), Hoai-An Troung (Mothers Out Front Silicon Valley), Maria Vargas (Mothers Out Front Silicon Valley) (*Assisted by Spanish Translator*), and Blair Beekman offered public testimony regarding the item.

Councilmember Arjun Batra requested clarification regarding the vehicle miles traveled and the electrification of gas supplianc'e's. He spoke to the importance of including numbers in the report regarding vehicle miles traveled to see how much of a reduction the City is reaching in the report.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Dev Davis, and carried unanimously, the semi-annual report on the Climate Smart San José plan from September 2023 through February 2024 was accepted. (10-0-1; Absent: Torres)

7. NEIGHBORHOOD SERVICES

7.1 **Neighborhood Association and Engagement Model Status Report.**

As recommended by the Neighborhood Services and Education Committee on April 11, 2024:

- (a) Accept the status report on the Neighborhood Association Engagement Model.
- (b) Support the prioritization of funding in the 2024-2025 Proposed Operating Budget within the Parks, Neighborhood and Recreation Services Department for a new staffing resource that will be necessary to implement the foundational Neighborhood Association Engagement Model, subject to budgetary constraints and the need to fund other critical City Council and Administration priorities.
- (c) Direct the City Manager or her designee to sunset the Neighborhoods Commission. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Parks, Recreation and Neighborhood Services)
[Neighborhood Services and Education Committee referral – 4/11/2024 Item (d)2]

Jon Cicirelli, Director, Parks, Recreation and Neighborhood Services Department; Olympia Williams, Division Manager, Parks, Recreation and Neighborhood Services Department; Erik Chiarella Jensen, Assistant to the City Manager, City Manager's Office; and Nicola Clifford, Associate Director, Guidehouse offered the presentation and responded to questions.

Public Comment: Blair Beekman offered public testimony regarding the item.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Domingo Candelas, and carried unanimously, the Neighborhood Association and Engagement Model Status Report was accepted.

Including acceptance of the joint memorandum co-authored by Mayor Matt Mahan, Councilmember Dev Davis, and Councilmember Domingo Candelas, dated, April 26, 2024, recommending the following:

1. Accept staff's recommendations
2. Direct staff to invite neighborhood associations and neighborhood organizations from throughout the City (i.e., All District Leadership Group, D6 NLC, District 8 Community Roundtable, etc.) to:
 - (a) Provide input on which topics will be discussed at the upcoming Neighborhood Association Forum and Neighborhood Conference;
 - (b) Provide guidance on the values, skills, characteristics they would like to see reflected in the staff hired to support the Neighborhood Association Forum; and
 - (c) Advise staff on the work plan for year 1 of the Neighborhood Association Engagement Model.
3. Increase efforts to engage with currently under-represented communities in the Neighborhood Association Engagement Model.
4. Provide an update to the Neighborhood Services and Education Committee in February 2025, to evaluate progress.

Also including acceptance of the memorandum from Councilmember Arjun Batra, dated, April 29, 2024, recommending the following: Accept the staff report and the memo from Mayor Mahan and Councilmembers Davis and Candelas with the following additions:

1. When and if staff returns to seek approval for any pillars beyond Pillar 1 direct them to:
 - a. Provide the goals, justification and resources needed for any additional pillars (as only

concept of Pillar 1 is accepted via this memo).

b. Work with Council offices and the Office of the Mayor in developing an acceptable structure for working together as One Team to best support neighborhood associations.

2. Direct Project Manager, or designee, to share with the Council offices:

a. any reports generated by the new Neighborhood Engagement Model participants when posted to the Neighborhood Services & Education Committee.

b. List of neighborhood associations and neighborhood organizations that were contacted or who provided input.

3. Direct staff to include Council offices as invited participants to the Forums and Conventions.

(10-0-1; Absent: Torres)

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 **Amendment to Title 4 of the San José Municipal Code for the Commercial-Residential-Mobilehome Park Building Tax.**

Approve an ordinance amending Section 4.47.095 of Chapter 4.47 of Title 4 of the San José Municipal Code to extend the temporary partial suspension of the Commercial-Residential-Mobilehome Park Building Tax (San José Municipal Code Chapter 4.47) at the rate of 0.5% for the following office uses until June 30, 2029:

(a) Office, General Business (San José Municipal Code 20.200.813); and

(b) Office, Research and Development (San José Municipal Code 20.200.818).

CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, adjustment to fees, rates and fares without changes to or expansion of services. (Economic Development and Cultural Affairs/Planning, Building, and Code Enforcement/Transportation)

Public Comment: None provided.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Pam Foley, and carried unanimously, **Ordinance No. 31073** was *passed for publication*, regarding the amendment of Section 4.47.095 of Chapter 4.47 of Title 4 of the San José Municipal Code to extend the temporary partial suspension of the Commercial- Residential-Mobilehome Park Building Tax. (10-0-1; Absent: Torres)

8.2 **Final Public Hearing and Approval of the Fiscal Year 2024-2025 Annual Action Plan for the United States Department of Housing and Urban Development.**

Adopt a resolution:

(a) Approving the Fiscal Year 2024-2025 Annual Action Plan and accepting the grants;

(b) Authorizing the Director of Housing or Acting Director of Housing, or their designee, to submit the Fiscal Year 2024-2025 Annual Action Plan to U.S.

Department of Housing and Urban Development; and

(c) Authorizing the Director of Housing, Acting Director of Housing, or their designee, to negotiate and execute agreements with grantees for the activities identified in the Fiscal Year 2024-2025 Annual Action Plan and all related contract amendments, extensions, and changes.

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

Deputy City Manager, Acting Housing Director, Rosalynn Hughey; Rachel VanderVeen, Assistant Director, Housing Department; and Stephanie Gutowski Housing Policy and Planning Administrator, Housing Department offered the presentation and responded to questions.

Public Comment: Blair Beekman offered public testimony regarding the item.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Vice Mayor Rosemary Kamei, and carried unanimously, **Resolution No. RES2024-121** was adopted, regarding the final public hearing and approval of the Fiscal Year 2024-2025 Annual Action Plan for the United States Department of Housing and Urban Development. (10-0-1; Absent: Torres)

8.3 **Actions Related to a Loan Commitment for Hawthorn Senior Apartments Located at 118 and 124 North Fifteenth Street for the Development of New Affordable Rental Housing.**

(a) Adopt a resolution:

(1) Approving a combined Construction-Permanent Loan commitment of up to \$15,150,000 in Measure E Funds, or such other special funds as the City may designate, to Santa Clara County Housing Authority or an affiliated development entity for the Hawthorn Senior Apartments development, located at 118 and 124 North Fifteenth Street, which is being developed to provide 101 affordable rent-restricted apartments, and two unrestricted manager's apartments;

(2) Authorizing a loan-to-value ratio of greater than 100% for the Hawthorn Senior Apartments development;

(3) Authorizing the loan terms to allow an increase in the rents and income restrictions of up to 60% of Area Median Income for new tenants in Project-Based Voucher subsidized apartments in the event of expiration or termination of Project-Based Vouchers and for all tenants in the event of foreclosure, to the extent the City has determined such increase is needed for the feasibility of the above development and allowed by other funds; and

(4) Authorizing the Director of Housing, the Acting Director of Housing, or their designee to negotiate and execute loan documents and all other documents, including any amendments thereto, related to City financing for the Hawthorn Senior Apartments development.

(b) Adopt the following 2023-2024 Appropriation Ordinance amendments in the General Fund:

(1) Decrease the Measure E – 40% Extremely Low-Income Households Reserve by \$7,650,000;

(2) Decrease the Measure E – 30% Low-Income Households Reserve by \$7,500,000;

(3) Increase the Measure E – 40% Extremely Low-Income Households appropriation to the Housing Department by \$7,650,000; and

(4) Increase the Measure E – 30% Low-Income Households appropriation to the Housing Department by \$7,500,000.

CEQA: Exempt pursuant to Public Resources Code section 21080(b)(1) and CEQA Guidelines section 15369, Ministerial Project pursuant to Government Code section 65913.4, File No. ER20-109. Council District 3. (Housing/City Manager)

Deputy City Manager, Acting Housing Director, Rosalynn Hughey; Kemit Mawakana, Division Manager, Housing Department and Banu San, Housing Policy and Planning Administrator, Housing Department offered the presentation and responded to questions.

Public Comment: Blair Beekman offered public testimony regarding the item.

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember Dev Davis, and carried unanimously, (a) **Resolution No. RES2024-122**, regarding actions related to a loan commitment for Hawthorn Senior Apartments Located at 118 and 124 North Fifteenth Street for the Development of New Affordable Rental Housing, and (b) 2023-2024 Appropriation **Ordinance No. 31074**, regarding amendments in the General Fund were both adopted. (9-0-2; Absent: Torres, Ortiz)

9. **REDEVELOPMENT – SUCCESSOR AGENCY**

10. LAND USE

Public Comment: Lori Katcher offered public testimony regarding the Land Use Consent Calendar.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember David Cohen, and carried unanimously, the Land Use Consent Calendar was approved as a whole. (10-0-1; Absent: Torres)

10.1 Land Use on Consent Calendar - HEARD IMMEDIATELY AFTER CONSENT

(a) **Nomination of Alameda Park/Schiele Avenue Historic District.**

(a) Adopt a resolution nominating the geographically defined area of Alameda Park/Schiele Avenue for designation as a City Landmark Historic District.

(b) Direct the City Manager or her designee to initiate the required process and proceedings to designate the historic district, including necessary outreach to community members and property owners.

CEQA: Exempt pursuant to CEQA Guidelines Sections 15262 - Feasibility and Planning Studies for possible future actions which the City Council has not approved, adopted, or funded. Council District 6. (Planning, Building and Code Enforcement)

Action: (a) **Resolution No. RES2024-122** was adopted, regarding the nomination of the geographically defined area of Alameda Park/Schiele Avenue for designation as a City Landmark Historic District, and (b) the City Manager or her designee were directed to initiate the required process and proceedings to designate the historic district, including necessary outreach to community members and property owners (10-0-1; Absent: Torres)

END OF CONSENT CALENDAR

10. Land Use - Regular Agenda

• Open Forum

1. Blair Beekman addressed difficulties he's had navigating City Council memorandums and minutes as opposed to Committee meeting documents. He requested that City Council make the directions clearer for the public.
2. Rigo Gallardo (Field Representative for the San José Nor Cal Carpenters Union) advocated for the adoption of an ordinance similar to Berkely's Hard Hat Ordinance with further implemented bench marks for responsible developments, spoke to the importance of livable wages, and opportunities for accredited apprenticeship programs.

• **Adjournment**

The Council of the City of San José adjourned at 4:23 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: 8

Attest By:

Toni Taber, CMC
City Clerk, City of San José



Office of the City Attorney

SAN JOSÉ CITY COUNCIL CLOSED SESSION MINUTES

April 30, 2024

Present Councilmembers: Mahan, Kamei, Jimenez, Cohen,
Ortiz, Doan, Candelas, Foley.

Absent Councilmembers: Torres, Davis, Batra.

Place: City Hall Conference Room W-133

Time: 9:33 a.m.

CLOSED SESSION ITEM(S) DISCUSSED:

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

1. Case Name: In re: Bird Global, Inc., et al.
 Name(s) of Party(ies) BIRD GLOBAL, INC.; OFFICE OF THE US TRUSTEE; EPIQ CORPORATE RESTRUCTURING, LLC; OFFICIAL COMMITTEE OF UNSECURED CREDITORS; CREDITORS COMMITTEE; CREDITORS COMMITTEE
- Court: United States Bankruptcy Court, Southern District of Florida, Miami Division
- Case No: 23-20514-CLC
- Amount of Money or Other Relief Sought: According to Proof of Claims

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

Department or Agency: IPA
 Title: IPA

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

City Negotiator: Jennifer Schembri, Director of Employee Relations

Employee Organizations:

1. Organization or Name and Title of Unrepresented Employees: **Association of Building, Mechanical and Electrical Inspectors (ABMEI)**
 Nature of negotiations: wages/salaries, hours, working conditions, etc.
 Name of Existing Contract or MOA: Memorandum of Agreement – City of San José and Association of Building, Mechanical and Electrical Inspectors (ABMEI)

 How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/abmei>
 Telephone – Employee Relations: (408) 535-8150

2. Organization or Name and Title of Unrepresented Employees: **Association of Engineers & Architects (AEA)**
 Nature of negotiations: wages/salaries, hours, working conditions, etc.
 Name of Existing Contract or MOA: Memorandum of Agreement — City of San José and Association of Engineers & Architects (AEA)

 How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/aea>
 Telephone – Employee Relations: (408) 535-8150

3. Organization or Name and Title of Unrepresented Employees: **Association of Legal Professionals of San José (ALP)**
 Nature of negotiations: wages/salaries, hours, working conditions, etc.
 Name of Existing Contract or MOA: Memorandum of Agreement – City of San José and Association of Legal Professionals of San José

 How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/alp>
 Telephone – Employee Relations: (408) 535-8150

4. Organization or Name and Title of Unrepresented Employees: **Association of Maintenance Supervisory Personnel (AMSP)**
 Nature of negotiations: wages/salaries, hours, working conditions, etc.
 Name of Existing Contract or MOA: City of San José - Association of Maintenance Supervisory Personnel (AMSP) Benefit & Compensation Summary

 How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/amsp>
 Telephone – Employee Relations: (408) 535-8150
5. Organization or Name and Title of Unrepresented Employees: **City Association of Management Personnel Agreement (CAMP)**
 Nature of negotiations: wages/salaries, hours, working conditions, etc.
 Name of Existing Contract or MOA: Benefit & Compensation Summary — City of San José and City Association of Management Personnel Agreement

 How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/camp>
 Telephone – Employee Relations: (408) 535-8150
6. Organization or Name and Title of Unrepresented Employees: **International Association of Firefighters (IAFF), Local 230 (IAFF#230)**
 Nature of negotiations: wages/salaries, hours, working conditions, etc.
 Name of Existing Contract or MOA: Memorandum of Agreement Between City of San José and International Association of Firefighters (IAFF), Local 230

 How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/iaff>
 Telephone – Employee Relations: (408) 535-8150
7. Organization or Name and Title of Unrepresented Employees: **International Brotherhood of Electrical Workers, Local 332 (IBEW)**
 Nature of negotiations: wages/salaries, hours, working conditions, etc.
 Name of Existing Contract or MOA: Memorandum of Agreement Between City of San José and International Brotherhood of Electrical Workers, Local 332 (IBEW)

 How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/ibew>
 Telephone – Employee Relations: (408) 535-8150

8. Organization or Name and Title of Unrepresented Employees: **Municipal Employees' Federation, AFSCME Local 101, AFL-CIO (MEF)**
 Nature of negotiations: wages/salaries, hours, working conditions, etc.
 Name of Existing Contract or MOA: Memorandum of Agreement — City of San José and Municipal Employees' Federation, AFSCME Local 101, AFL-CIO
 How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/mef>
 Telephone – Employee Relations: (408) 535-8150
9. Organization or Name and Title of Unrepresented Employees: **International Union of Operating Engineers, Local No. 3 (OE#3)**
 Nature of negotiations: wages/salaries, hours, working conditions, etc.
 Name of Existing Contract or MOA: Memorandum of Agreement Between City of San José and International Union of Operating Engineers, Local No. 3 (OE#3)
 How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/oe-3>
 Telephone – Employee Relations: (408) 535-8150
10. Organization or Name and Title of Unrepresented Employees: **San José Police Dispatchers' Association (SJPDA)**
 Nature of negotiations: wages/salaries, hours, working conditions, etc.
 Name of Existing Contract or MOA: Memorandum of Agreement – City of San José and Municipal Employees' Federation (MEF), AFSCME, Local 101
 How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/sjpda>
 Telephone – Employee Relations: (408) 535-8150
11. Organization or Name and Title of Unrepresented Employees: **San José Police Officers' Association (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 Polices' Association

12. Organization or Name and Title of Unrepresented Employees: **Peace Officer Park Ranger Association (POPRA)**
- Nature of negotiations: wages/salaries, hours, working conditions, etc.
- Name of Existing Contract or MOA: Memorandum of Agreement – City of San José and Peace Officer Park Ranger Association
- How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/popra>
- Telephone – Employee Relations: (408) 535-8150