



City Council Meeting Amended Agenda

Tuesday, June 3, 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

Please scroll to the end for information about the City Council Agenda and for the Rules of Conduct of the meeting.

Public Comment in Person Only

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- Adaptaciones para discapacitados serán proporcionadas a pedido. Mande correo electrónico ADA@sanjoseca.gov; Llame (408) 535-8430
- Nhu cầu cho người khuyết tật được cung cấp theo yêu cầu. Email ADA@sanjoseca.gov; Gọi (408) 535-8430

THE LEVINE ACT

The Levine Act requires a Party in a Proceeding before the City of San José that involves any action related to their contract, license, permit, or use entitlement to disclose any campaign contributions to City elected or appointed officials totaling more than \$500 within the 12 months prior to the City decision. A Participant to a Proceeding may voluntarily report a campaign contribution. For more information: <https://www.sanjoseca.gov/your-government/appointees/city-clerk/levine-act/-fsiteid-1#!/>

How to observe the Meeting (no public comment):

- 1) Cable Channel 26.
 - 2) <https://sanjoseca.gov/news-stories/watch-a-meeting>
 - 3) <https://youtube.com/CityofSanJoseCalifornia>
 - 4) By Phone: (888) 475 4499. Webinar ID is 915 5718 2016. Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free).
 - 5) Online at: <https://sanjoseca.zoom.us/j/91557182016>
- Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.

How to submit written Public Comment before the City Council Meeting:

By email to city.clerk@sanjoseca.gov by 8:00 a.m. the day of the meeting. Those emails will be attached to the Council Item under “Letters from the Public.” Please identify the Agenda Item Number in the subject line of your email.

How to provide spoken Public Comment during the City Council Meeting:

You may speak to the City Council about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the City Council. Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

Each speaker generally has two minutes to speak per item. The total amount of time allocated for public testimony for each public speakers or for an agenda item may be limited at the Mayor's discretion, depending on the number of speakers or the length of the agenda. (California Government Code Section 54954.3; Council Policy 0-37)

Fill out a Yellow Speaker's Card and submit it to boxes at the bottom of the Chambers. Do this before the meeting or before the item is heard. This will ensure that the name on the card is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants by calling speakers in an orderly manner. You may remain anonymous, but please fill out a card so we may call you. You can put "anonymous speaker" or "no name" on the card. When the Council reaches your item on the agenda, the Mayor will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table. To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

- **Call to Order and Roll Call**

9:30 a.m.- Closed Session, Call to Order in Council Chambers

Open Session, Labor Negotiations Update (See Item 3.2)

Adjourn to Closed Session in Council Chambers Conference Room, W133

See Separate Agenda

25-657 Closed Session Agenda

1:30 p.m.- Regular Session, Council Chambers, City Hall

- **Pledge of Allegiance**
- **Invocation (District 6)**
- **Orders of the Day**

To be heard after Ceremonial Items

Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.

- **Adjournment Recognition**

This meeting will be adjourned in memory of Bernard Greenfield, who passed away on April 8, 2024. A proud member of the Santa Clara County Bar Association and a fearless litigator, Bernie was honored as Lawyer of the Year in 2019. Yet, his impact went far beyond his professional accomplishments. As a dedicated mentor in Willow Glen High School's Mock Trial Program, Bernie shaped the lives of countless students, imparting not just legal knowledge but a passion for justice. Bernie's larger-than-life spirit will forever live on in the hearts of all who had the privilege of knowing him.

- **Closed Session Report**

To be heard after Ceremonial Items

1. CEREMONIAL ITEMS

1.1 Presentation of a proclamation declaring June 2025 as Pride Month to recognize the City of San José's vibrant and diverse LGBTQ+ community. (Foley)

1.2 Presentation of a proclamation declaring June 2025 as Children's Awareness Month in the City of San José to encourage, support, and educate children while prioritizing their health and well-being. (Campos)

1.3 Presentation of a proclamation recognizing May 2025 as Jewish American Heritage Month to recognize and commemorate the heritage, culture, and contributions of the Jewish American community in America and here in the City of San José. (Cohen & Mulcahy)

2. CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council requests discussion on a particular item, that item may be removed from the Consent Calendar and considered separately.

2.1 Approval of City Council Minutes.

2.2 Final Adoption of Ordinances.

25-515 Final Adoption of Ordinances.

Recommendation: (a) Ordinance No. 31192 - An Ordinance of the City of San José Rezoning 349 Properties from the R-M Multiple Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, 123 Properties from the R-1-8 Single-Family Residence Zoning District to the OS Open Space Zoning District, 63 Properties from the R-M Multiple Residence Zoning District to the UR Urban Residential Zoning District, 44 Properties from the R-1-8 Single-Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, 38 Properties from the R-1-8 Single-Family Residence Zoning District to the CP Commercial Pedestrian Zoning District, 28 Properties from the R-M Multiple Residence Zoning District to the OS Open Space Zoning District, 28 Properties from the CO Commercial Office Zoning District to the R-1-8 Single-Family Residence Zoning District, 23 Properties from the R-1-8 Single-Family Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, 22 Properties from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District, 21 Properties from the R-2 Two-Family Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, 18 Properties from the R-1-2 Single-Family Residence Zoning District to the R-1-8 Single-Family Residence Zoning District, 14 Properties from the LI Light Industrial Zoning District to the TR Transit Residential Zoning District, 13 Properties from the R-M Multiple-Family Residence Zoning District to the CIC Combined Industrial/Commercial Zoning District, 13 Properties from the CN Commercial Neighborhood Zoning District to the R-1-8 Single-Family Residence Zoning District, 12 Properties from the R-2 Two-Family Residence Zoning District to the OS Open Space Zoning District, Ten Properties from the CP Commercial Pedestrian Zoning District to the R-1-8 Single-Family Residence Zoning District, Ten Properties from the HI Heavy Industrial Zoning District to the LI Light Industrial Zoning District, Nine Properties from the R-1-8 Single Family Zoning District to the UR Urban Residential Zoning District, Eight Properties from the R-M Multiple-Family Residence Zoning District to the CP Commercial Pedestrian Zoning District, Eight Properties from the LI Light Industrial Zoning District to The OS Open Space Zoning District, Eight Properties from the R-1-5 Single-Family Residence Zoning District to the OS Open Space Zoning District, Seven Properties from the R-M Multiple-Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, Seven

Properties from the HI Heavy Industrial Zoning District to the UR Urban Residential Zoning District, Seven Properties from the A(PD) Agricultural Base Planned Development Zoning District to the CIC Combined Industrial/Commercial Zoning District, Six Properties from the R-1-5 Single-Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, Five Properties from the HI Heavy Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District, three Properties from the R-2 Two-Family Residence Zoning District to the CP Commercial Pedestrian Zoning District, Three Properties from the A Agricultural Zoning District to the OS Open Space Zoning District, Three Properties from the R-1-5 Single-Family Residence Zoning District to the UR Urban Residential Zoning District, Three Properties from the IP(Pd) Industrial Park Planned Development Zoning District to the IP Industrial Park Zoning District, Two Properties from the A Agricultural Zoning District to the PQP Public/Quasi-Public Zoning District, One Property from the R-2 Two-Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, One Property from the HI Heavy Industrial Zoning District to the OS Open Space Zoning District, One Property from the A Agricultural Zoning District to the MUN Mixed Use Neighborhood Zoning District, One Property from the R-M Multiple-Family Residence Zoning District to the CN Commercial Neighborhood Zoning District, One Property from the A Agricultural Zoning District to the R-1-8 Single-Family Residence Zoning District, One Property from the CG Commercial General Zoning District to the R-1-8 Single-Family Residence Zoning District, One Property from the R-1-8 Single-Family Residence Zoning District to the LI Light Industrial Zoning District, One Property from the R-2 Two-Family Residence Zoning District to the CIC Combined Industrial/Commercial Zoning District, and One Property from the A(PD) Agricultural Planned Development Zoning District to the CP Commercial Pedestrian Zoning District, All Located on those Certain Real Properties Situated within the City of San José.

[Passed for Publication on 4/29/2025 - Item 10.1(a) (25-447)]

(b) Ordinance No. 31204 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 2.71 Gross Acres Situated on the North Side of Sierra Road Approximately 190 Feet Northeasterly of Piedmont Road and with Approximately 35 Feet of Frontage on Piedmont Road (3315 Sierra Road) (APN: 595-10-067) from the A Agriculture Zoning District to An R-1-8(PD) Planned Development Zoning District.

[Passed for Publication on 5/20/2025 - Item 10.1(a)(2) (25-537)]
(c) Ordinance No. 31205 - An Ordinance of the City of San José Amending Section 23.04.038 of Chapter 23.04 and Section 23.04.124 of Chapter 23.04 of Title 23 of the San José Municipal Code to Modify Permit Provisions for Supergraphic Signs in the Downtown Sign Zone and the North San José Signage Area, and to Make Other Nonsubstantive, Ministerial, Technical, or Typographical Changes.
[Passed for Publication on 5/20/2025 - Item 10.2 (25-548)]

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 25-613 Settlements of Sanderlin, et al v. City of San José, et al.

Recommendation: (a) Approve the settlement in the case Derrick Sanderlin, et al. v. City of San José, et al. in the total amount of \$620,000 to resolve claims brought by the seven plaintiffs with pending claims and authorize the City Attorney to execute settlement agreements with those plaintiffs.
(b) Approve separate settlements in the case Derrick Sanderlin, et al. v. City of San José, et al. in the amount of \$500,000 to Plaintiffs Derrick Sanderlin and Cayla Sanderlin, \$40,000 to Plaintiff Vera Clanton, \$20,000 to Plaintiff Breanna Contreras, \$20,000 to Plaintiff Pietro Di donato, \$20,000 to Plaintiff Adira Sharkey, and \$20,000 to Plaintiff Joseph Stukes, and authorize the City Attorney to execute settlement agreements.
CEQA: Not a Project; File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
(City Attorney)

2.8 25-568 Amendment to the Agreement with True North Research, Inc. for Annual Community Survey Services.

Recommendation: Adopt a resolution authorizing the City Manager or her designee to negotiate and execute the Second Amendment to the Master Consulting Agreement with True North Research, Inc. to increase the compensation by \$300,000 for a new maximum compensation not to exceed \$950,000, and with no other changes to the agreement, 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.
(City Manager)

2.9 25-569 Actions Related to the Approval of the San José Hotel Business Improvement District Annual Report for Fiscal Year 2025-2026 and the Levy of Assessments.

Recommendation: Adopt a resolution approving the San José Hotel Business Improvement District Annual Report prepared by San José Hotels, Inc. for Fiscal Year 2025-2026 as filed or modified by the City Council and confirming and levying the individual assessments as filed or modified by the City Council.

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. (Economic Development and Cultural Affairs)

2.10 25-570 Actions Related to the Japantown Business Improvement District 2025-2026 Budget Report, 2025-2026 Annual Assessments, and Setting a Public Hearing on the Levy of Assessments.

Recommendation: (a) Preliminarily approve the 2025-2026 Budget Report as filed by the Japantown Business Improvement District Advisory Board, or as modified by the City Council.

(b) Adopt a resolution of intention to levy the annual assessment for Fiscal Year 2025-2026; and set Tuesday, June 17, 2025, at 1:30 p.m. as the date and time for the Public Hearing on the levy of the proposed assessments.

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 impact on the environment. Council District 3. (Economic Development and Cultural Affairs)

2.11 25-571 Actions Related to the Monterey Corridor Business Improvement District 2025-2026 Budget Report, 2025-2026 Annual Assessments, Setting a Public Hearing on the Levy of Assessment, and Approving an Ordinance Correcting the District Boundaries.

Recommendation: (a) Preliminarily approve the 2025-2026 Budget Report as filed by the Monterey Corridor Business Improvement District Advisory Board, or as modified by the City Council.

(b) Adopt a resolution of intention to levy the annual assessment for Fiscal Year 2025-2026, and set Tuesday, June 17, 2025, at 1:30 p.m. as the date and time for the Public Hearing on the levy of the proposed assessments.

(c) Approve an ordinance amending Ordinance No. 31159, which established the Monterey Corridor Business Improvement District Pursuant to the Parking and Business Improvement Area Law of 1989, to correct the address numbers listed for Curtner Avenue within the District Boundaries.

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 impact on the environment. Council District 7. (Economic Development and Cultural Affairs)

2.12 25-572 Actions Related to the Tully Road Eastridge Business Improvement District 2025-2026 Budget Report, 2025-2026 Annual Assessments, and Setting a Public Hearing on the Levy of Assessments.

Recommendation: (a) Preliminarily approve the 2025-2026 Budget Report as filed by the Tully Road Eastridge Business Improvement District Advisory Board, or as modified by City Council.

(b) Adopt a resolution of intention to levy the annual assessment for Fiscal Year 2025-2026, and set Tuesday, June 17, 2025, at 1:30 p.m. as the date and time for the Public Hearing on the levy of the proposed assessments.

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 impact on the environment. (Economic Development and Cultural Affairs)

2.13 25-573 Actions Related to the Downtown Business Improvement District 2025-2026 Budget Report, 2025-2026 Annual Assessments, and Setting a Public Hearing on the Levy of Assessment.

Recommendation: (a) Preliminarily approve the 2025-2026 Budget Annual Report as filed by the Downtown Business Improvement District Advisory Board, or as modified by the City Council.

(b) Adopt a resolution of intention to levy the annual assessment for Fiscal Year 2025-2026; and set Tuesday, June 17, 2025, at 1:30 p.m. as the date and time for the Public Hearing on the levy of the proposed assessments.

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 impact on the environment. Council District 3. (Economic Development and Cultural Affairs)

2.14 25-614 Amendment to Chapter 13.16 of Title 13 of the San José Municipal Code for Entertainment Zone Ordinance Related to 2026 Sports Events.

Recommendation: Approve an ordinance amending Chapter 13.16 of Title 13 of the San José Municipal Code related to the establishment and regulation of entertainment zones pursuant to Senate Bill 969 to allow for the sale of certain alcoholic beverages by licensed establishments for consumption outside in designated plazas, public streets, sidewalks, or public right-of-way subject to a special events permit; and making other conforming changes to Section 10.10.030 of Chapter 10.10 of Title 10 of the San José Municipal Code.

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment). Council District 3. (Economic Development and Cultural Affairs)

2.15 25-574 California Community Power 2025-2026 Budget and Cost Allocation.

Recommendation: Adopt a resolution authorizing the Director of the Energy Department or her designee to pay the City share of the California Community Power's budgeted costs for Fiscal Year 2025-2026 in an amount not to exceed \$600,000, subject to the appropriation of funds.

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

2.16 25-575 California Community Choice Association 2025-2026 Membership.

Recommendation: Adopt a resolution authorizing the Director of the Energy Department or her designee to continue the City's annual membership with the California Community Choice Association for Fiscal Year 2025-2026 at a cost not to exceed \$650,000.
CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (Energy)

2.17 25-576 San José Municipal Water System's Water Supply Assessment for the 211-281 River Oaks Parkway Project.

Recommendation: Approve the San José Municipal Water System's Water Supply Assessment for the 211-281 River Oaks Parkway Project.
CEQA: Statutorily Exempt, File No. PP17-001, Feasibility and Planning Studies; CEQA Guidelines Section 15262. (Environmental Services)

2.18 25-597 Third Quarter Financial Reports for Fiscal Year 2024-2025.

Recommendation: As recommended by the Public Safety, Finance and Strategic Support Committee on May 15, 2025, accept the Third Quarter (period ending March 31, 2025) Financial Reports for the following programs:
(a) Debt Management;
(b) Investment Management;
(c) Revenue Management; and
(d) Purchasing and Risk.
CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities, resulting in no changes to the physical environment. (Finance)
[Public Safety, Finance and Strategic Support Committee referral 5/15/2025 - Item (c)1]

2.19 25-577 Report on Request for Proposal for a Recreation Registration System.

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

- (a) Negotiate and execute an agreement with Active Network, LLC (Plano, TX) for a recreation registration system for a one-year term beginning on or about June 1, 2025, through May 31, 2026, with a maximum compensation not to exceed \$113,600, subject to the appropriation of funds;
- (b) Negotiate and execute amendments to the agreement as required to address changes in the City's recreation registration system needs, including associated adjustments in compensation, consistent with the procurement and the City's standard terms and conditions, subject to the appropriation of funds; and
- (c) Exercise up to nine one-year options to extend the term of the agreement, 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)

2.20 25-578 Amendment to City Council Policy 1-24, San José Clean Energy Financial Reserves Policy.

Recommendation: Adopt a resolution amending City Council Policy 1-24, San José Clean Energy Financial Reserves Policy, to increase the maximum contribution amount to the Rate Stabilization Reserve for the San José Clean Energy program to 25% of the total operating and non-operating revenues reported for the current year.

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

2.21 25-579 Agreement with the State of California Governor's Office of Emergency Services for Fire Apparatus and Equipment.

Recommendation: Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute an agreement to allow the San José Fire Department to accept the possession of a California Governor's Office of Emergency Services fire apparatus and equipment with a total approximate value of \$417,599 for an estimated term of 10 years.

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

2.22 25-580 Overfelt Gardens Master Plan Update.

Recommendation: Approve the Overfelt Gardens Park Master Plan Update.
CEQA: Not a Project, File No. PP17-001, Feasibility and Planning Studies with no commitment to future actions. Council District 5. (Parks, Recreation and Neighborhood Services)

2.23 25-581 Maintenance District Budget Reports for Fiscal Year 2025-2026.

Recommendation: Adopt resolutions:
(a) Approving the Annual Budget Reports for Fiscal Year 2025-2026 for City of San José Maintenance Districts 1, 2, 5, 8, 9, 11, 13, 15, 18, 19, 20, 21, and 22, as filed or modified by the City Council, and confirming and levying the individual assessments for each Maintenance District, as filed, or modified by the City Council; and
(b) Directing the Director of Public Works to deliver the assessment roll to the County of Santa Clara for collection with the property taxes.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. Council Districts 2, 3, 4, 8, and 10. (Public Works)

2.24 25-582 Second Amendment to Master Agreement for Consultant Services with IMEG Consultants Corp. for City Facilities Engineering Services.

Recommendation: Adopt a resolution authorizing the City Manager or her designee to negotiate and execute the Second Amendment to the Master Agreement for consultant services with IMEG Consultants Corp. (CPMS Contract No. 9934-A), to extend the term from June 30, 2025, to December 31, 2026, with no change to the maximum compensation.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Public Works)

2.25 25-583 Cost Sharing Agreement with City of Campbell for Pavement Maintenance Improvements.

Recommendation: Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a Cost Sharing Agreement with the City of Campbell for pavement maintenance improvements on Hamilton Avenue in the amount of \$400,900.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. Council District 6. (Transportation)

2.26 25-584 Actions Related to Grant Funding for Bicycle and Pedestrian Projects.**Recommendation:** Adopt a resolution:

- (a) Authorizing the City Manager or her designee to submit a request to the Metropolitan Transportation Commission for the allocation of Fiscal Year 2025-2026 Transportation and Development Act, Article III State grant funding in the amount of \$1,171,101 for bicycle and pedestrian projects;
 - (b) Making the certifications and assurances required under the Transportation and Development Act, Article III grant; and
 - (c) Authorizing the City Manager or her designee to accept Transportation and Development Act, Article III grant funding awarded from the Metropolitan Transportation Commission, and to negotiate and execute any grant documents to effectuate the grant.
- CEQA: Categorically Exempt, File No. ER24-313, CEQA Guideline Section 15301(c) Existing Facilities. (Transportation)

2.27 25-600 Request for Travel Authorization for Mayor Mahan.

Recommendation: As recommended by the Rules and Open Government Committee on May 21, 2025, authorize travel, accept travel payments to the City of San José, and designate Mayor Mahan as the City representative to participate in the Bloomberg Harvard City Leadership Initiative organized and funded by Bloomberg Philanthropies from July 12-16, 2025 in New York City, New York. Source of Funds: Bloomberg Philanthropies/Mayor's Office Budget.

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

[Rules Committee referral 5/21/2025 - Item B.3]

2.28 25-604 Approval of the WEPA Salsa Festival Sponsored by Council District 1 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

Recommendation: As recommended by the Rules and Open Government Committee on May 21, 2025:

- (a) Approve the WEPA Salsa Festival scheduled on June 13, 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. (Kamei)
[Rules Committee referral 5/21/2025 - Item B.4]

2.29 25-607 Approval of District 3 Council Office Funds for Preservation Action Council of San José.

Recommendation: As recommended by the Rules and Open Government Committee on May 21, 2025, approve a grant to the Preservation Action Council of San José to support their 35th anniversary Gala in the amount of \$2,000.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative activities resulting in no changes to the physical environment. (Salas)
[Rules Committee referral 5/21/2025 - Item B.5]

2.30 25-611 Retroactive Approval and Approval of Various Events Sponsored by Council District 3 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events.

Recommendation: As recommended by the Rules and Open Government Committee on May 21, 2025:

- (a) Retroactively approve the Earthquakes Saturday Night Lights Launch Event scheduled on April 12, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;
- (b) Retroactively approve the District 3 Dumpster Day scheduled on April 26, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;
- (c) Retroactively approve the Villas at 4th Community Meeting scheduled on April 28, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;
- (d) Approve the Backesto Movie Night Event scheduled on June 6, 2025 as a City Council sponsored Special Event and approve the expenditure of funds; and
- (e) 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. (Salas)
[Rules Committee referral 5/21/2025 - Item B.6]

3. STRATEGIC SUPPORT

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

3.2 Labor Negotiations Update.

Accept Labor Negotiations Update.
TO BE HEARD AT 9:30 A.M.

3.3 25-585 Community Facilities District No. 11 Annexation Area No. 1 Public Hearing and Special Election.

Recommendation: Conduct a public hearing and take the following actions relating to annexing Annexation Area No. 1 into Community Facilities District No. 11 (Adeline-Mary Helen):

(a) Adopt a resolution:

(1) Declaring the results of the special election;

(2) Contingent upon two-thirds qualified voter approval, determining that Annexation Area No. 1 is annexed to Community Facilities District No. 11; and

(3) Directing the City Clerk to record a notice of special tax lien.

(b) Approve an ordinance levying special taxes within Annexation Area No. 1 to Community Facilities District No. 11.

CEQA: Determination of Consistency with the Communication Hill 2 Project Final Environmental Impact Report (EIR) (Resolution No. 77172), and addenda thereto. The Project does not involve new significant impacts beyond those analyzed in the above EIR. Council District 7. (Public Works)

3.4 25-586 Community Facilities District No. 8 Annexation Area No. 3 Public Hearing and Special Election.

Recommendation: Conduct a public hearing and take the following actions relating to annexing Annexation Area No. 3 into Community Facilities District No. 8 (Communications Hill):

(a) Adopt a resolution:

(1) Declaring the results of the special election;

(2) Contingent upon two-thirds qualified voter approval, determining that Annexation Area No. 3 is annexed to Community Facilities District No. 8; and

(3) Directing the City Clerk to record a notice of special tax lien.

(b) Approve an ordinance levying special taxes within Annexation Area No. 3 to Community Facilities District No. 8.

CEQA: Determination of Consistency with the Communication Hill 2 Project Final Environmental Impact Report (EIR) (Resolution No. 77172), and addenda thereto. The Project does not involve new significant impacts beyond those analyzed in the above EIR. Council District 7. (Public Works)

4. PUBLIC SAFETY SERVICES

5. TRANSPORTATION & AVIATION SERVICES

6. ENVIRONMENTAL & UTILITY SERVICES

6.1 25-587 Public Hearing on Sewer Service and Use Charges and Storm Sewer Service Charges.

Recommendation: (a) Hold a public hearing on the proposed Sewer Service and Use Charge rates and Storm Sewer Services charges effective July 1, 2025.
(b) Adopt a resolution changing the Sewer Service and Use Charge rates effective July 1, 2025, as identified in the staff memorandum.
(c) Adopt a resolution maintaining the schedules of Storm Sewer Service charges at current levels effective July 1, 2025, as identified in the staff memorandum.
CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, Rates, Tolls, Fares, and Charges. (Environmental Services)

6.2 25-588 Public Hearing on Residential Garbage and Recycling Services Rates for Single-Family and Multi-Family Residential Solid Waste Services.

Recommendation: (a) Hold a public hearing on the proposed Fiscal Year 2025-2026 Residential Garbage and Recycling rates and charges.
(b) Adopt a resolution, effective July 1, 2025:
(1) Increasing residential solid waste service rates for single-family households up to 2%; and
(2) Increasing residential solid waste service rates for multi-family households up to 2%.
CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, Rates, Tolls, Fares, and Charges. (Environmental Services)

6.3 25-589 Public Hearing on San José Municipal Water System Potable (Drinking) and Recycled Water Rates and Charges.

Recommendation: (a) Hold a public hearing on San José Municipal Water System potable and recycled water rates and charges effective July 1, 2025.
(b) Adopt a resolution to increase the current San José Municipal Water System potable water rates and charges effective July 1, 2025.
(c) Adopt a resolution to increase the current San José Municipal Water System recycled water rates and charges effective July 1, 2025.

CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines
Section 15273, Rates, Tolls, Fares, and Charges. Council Districts 2, 4,
7, 8. (Environmental Services)

7. NEIGHBORHOOD SERVICES

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 25-590 Actions Related to Large Format Digital Electronic Signs on City-Owned Property. - DEFERRED

Recommendation: (a) Adopt a resolution adopting the Initial Study/Mitigated Negative Declaration for the Electronic Signs on City-Owned Property Project Initial Study - West Mission Street and Mabury Road Digital Billboard Sites Project (File No. ER23-052) and adopting the related Mitigation Monitoring and Reporting Program, in accordance with the California Environmental Quality Act (CEQA), as amended.

(b) Adopt a resolution adopting the Initial Study/Mitigated Negative Declaration for the Electronic Signs on City-Owned Property Initial Study - Willow Street Site Project (File No. ER23-130) for the Electronic Sign on City-owned Property Project - Willow Street Billboard Site and adopting the related Mitigation Monitoring and Reporting Program, in accordance with the California Environmental Quality Act (CEQA), as amended.

(c) Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute lease agreements and any necessary supporting agreements with Clear Channel Outdoor, LLC, for two City-owned properties in San José for the installation of two large format digital signs, consisting of a total of three active sign faces, each lease for a 10-year initial term with up to two additional five-year renewal terms upon satisfaction of certain tenant-controlled renewal criteria, and with a required payment of 45% of gross revenue generated, but in no instance less than the minimum guaranteed payments for the 20-year term amounting to:

(1) Highway 87 and West Mission Street: \$8,999,220.

(2) 1404 Mabury Road: \$4,980,643.

(d) Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute a lease agreement and any necessary supporting agreements with Outfront Foster Interstate, LLC, for one City-owned property at 385 Willow Street in San José for the installation of one large format digital sign with two active sign faces, with a 10-year initial lease term and up to two additional five-year renewal terms upon satisfaction of certain tenant-controlled renewal criteria, and with a required payment of 40% of gross revenue generated, but in no instance less than the minimum guaranteed payments for the 20-year term amounting to \$7,398,690.

CEQA: Mitigated Negative Declaration for the Electronic Signs on City-Owned Property Project - West Mission Street and Mabury Road Digital Billboard Sites Project (File No. ER23-052) and Mitigated Negative Declaration for the Electronic Sign on City-owned Property

Project - Willow Street Billboard Site Project (File No. ER23-130).
(Economic Development and Cultural Affairs/Planning, Building, and
Code Enforcement)

DEFERRED TO 6/17/2025 PER ADMINISTRATION

8.2 25-591 Public Hearing to Approve the City's Amended Community Participation Plan.

Recommendation: (a) Conduct a public hearing on the City's proposed amended Community Participation Plan and accept public comments, in accordance with the United States Department of Housing and Urban Development requirements.
(b) Approve the City's proposed amended Community Participation Plan to ensure continued compliance with federal regulations governing the use of the United States Department of Housing and Urban Development funds.
CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.
(Housing)

8.3 25-592 Public Hearing on the 2025-2030 Consolidated Plan and the Fiscal Year 2025-2026 Annual Action Plan.

Recommendation: (a) Conduct a final public hearing regarding approval of the City's 2025-2030 Consolidated Plan and Fiscal Year 2025-2026 Annual Action Plan, as required by the United States Department of Housing and Urban Development, to receive federal housing and community development funding.

(b) Approve the City's 2025-2030 Consolidated Plan.

(c) Approve the City's Fiscal Year 2025-2026 Annual Action Plan.

(d) Adopt a resolution authorizing the Housing Director, or his designee, to:

(1) Submit the City's 2025-2030 Consolidated Plan and Fiscal Year 2025-2026 Annual Action Plan to the United States Department of Housing and Urban Development; and

(2) Accept grant funding and to execute all grant agreements and related documents with the United States Department of Housing and Urban Development for the expenditure of the Community Development Block Grant, HOME Investment Partnerships Program, Housing Opportunities for Persons With AIDS, and Emergency Solutions Grant funds on behalf of the City.

(e) Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute grant agreements with grantees for the activities identified in the Fiscal Year 2025-2026 Annual Action Plan, including any amendments, extensions, or modifications.

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)

8.4 25-593 Actions Related to the Loan Commitment for Predevelopment Activities for Gateway Tower Affordable Housing Development Located at 445, 465, and 493 South 1st Street and 460, 470, and 480 South Market Street.

Recommendation: (a) Adopt a resolution:

(1) Approving a total predevelopment loan commitment of up to \$5,000,000 from the Low- and Moderate-Income Housing Asset Fund and the Inclusionary Fee fund to Core Affordable Housing, or an affiliated development entity; and

(2) Authorizing the Housing Director, or his designee, to negotiate and execute loan documents and all other documents, including any amendments thereto, related to City financing for the Gateway Tower development located at 445, 465, and 493 South 1st Street and 460, 470, and 480 South Market Street.

(b) Adopt the following Appropriation Ordinance amendments in the Low- Moderate-Income Housing Asset Fund:

(1) Decrease the Housing Project Reserve by \$587,163; and

(2) Increase the Housing Predevelopment Activity appropriation to the Housing Department by \$587,163.

(c) Adopt the following Appropriation Ordinance amendments in the Inclusionary Fee Fund:

(1) Decrease the Housing Project Reserve by \$2,000,000; and

(2) Increase the Housing Loans and Grants appropriation to the Housing Department appropriation by \$2,000,000.

CEQA: Addendum to the Gateway Tower Mixed-Use Development Project Supplemental Environmental Impact Report (Resolution No. 78005) to the Downtown Strategy 2000 Environmental Impact Report (Resolution No. 72767) and Addenda thereto, File Nos. H24-034 and ER24-165. Council District 3. (Housing/City Manager)

8.5 25-594 Proposed Scope of Work for the Four-Year Review of the Envision San José 2024 General Plan.

Recommendation: Approve the scope of work to commence the third Envision San José 2040 General Plan Four-Year Review.

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)

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

Notice to the public: There will be no separate discussion of Land Use Consent Calendar (Item 10.1) as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council requests discussion on a particular item, that item will be removed from the Land Use Consent Calendar (Item 10.1) and considered separately.

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**

Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the City Council. Members of the public may only speak at Open Forum once.

- **Adjournment**

This meeting will be adjourned in memory of Bernard Greenfield, who passed away on April 8, 2024. A proud member of the Santa Clara County Bar Association and a fearless litigator, Bernie was honored as Lawyer of the Year in 2019. Yet, his impact went far beyond his professional accomplishments. As a dedicated mentor in Willow Glen High School's Mock Trial Program, Bernie shaped the lives of countless students, imparting not just legal knowledge but a passion for justice. Bernie's larger-than-life spirit will forever live on in the hearts of all who had the privilege of knowing him.

ABOUT THE AGENDA

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- **Strategic Support** - The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- **Public Safety** - Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.
- **Transportation & Aviation Services** - A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- **Environmental and Utility Services** - Manage environmental services and utility systems to ensure a sustainable environment for the community.
- **Neighborhood Services** - Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- **Community & Economic Development** - Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.

The San José City Council meets every Tuesday at 1:30 p.m. and Tuesday at 6 p.m. as needed, unless otherwise noted. The City Council, or less than a quorum, may adjourn any regular, special or adjourned meeting to a later date, time and place specified in the order of adjournment. If all members are absent, the City Clerk may declare the meeting adjourned to a stated date, time and place. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <https://sanjose.legistar.com/Calendar.aspx>. Council Meetings are televised live and rebroadcast on Channel 26.

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- (a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- (b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- (c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- (d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- (e) Persons in the audience will not place their feet on the seats in front of them.
- (f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- (g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- (a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions: § No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- (b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- (c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

3. Addressing the Council, Committee, Board or Commission:

- (a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- (b) Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the total amount of time allocated for public testimony for each public speaker or for an agenda item is in the discretion of the Chair of the meeting and may be limited when appropriate. (California Government Code Section 54954.3; Council Policy 0-37) Applicants and appellants in land use matters are usually given more time to speak. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Council, Committee, Board or Commission.
- (c) Speakers should discuss only the agenda item when called to speak for that item, and only topics related to City business when called to speak during open forum on the agenda.
- (d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- (e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.'
- (f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- (g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.