



CITY COUNCIL MEETING

Minutes

Tuesday, May 20, 2025

1:30 PM

LOCATION:

Council Chambers- 200 E. Santa Clara Street

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

- **Call to Order and Roll Call**

9:30 a.m.- Closed Session. *See Pages 17-18 for Closed Session Minutes.*

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

Absent Councilmembers: All present.

11:19 a.m. - Regular Session.

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

Absent Councilmembers: All present.

- **Pledge of Allegiance**

Mayor Matt Mahan led the Pledge of Allegiance.

- **Invocation (District 5)**

The Moni Canta offered a musical performance for this invocation.

- **Orders of the Day**

Mayor Matt Mahan requested that Council motion to have Item 3.1 be heard after the Ceremonial items, on behalf of City Manager, Jennifer Maguire's request.

Public Comment: None provided.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Rosemary Kamei, and carried unanimously, Item 3.1 was moved to be heard after the Ceremonial items. (11-0-0)

- **Adjournment Recognition**

None provided.

- **Closed Session Report**

None provided.

1. **CEREMONIAL ITEMS**

- 1.1 Vice Mayor Pam Foley presented a proclamation declaring May 2025 as Mental Health Awareness Month in the City of San José to raise awareness, reduce stigma, and support the mental well-being of all San José residents.
- 1.2 Councilmember Rosemary Kamei presented a proclamation recognizing May 18 to 24, 2025 as Public Works Week in the City of San José.
- 1.3 Councilmember Michael Mulcahy presented a proclamation recognizing May 2025 as Building Safety Month in the City of San José.

2. **CONSENT CALENDAR**

Public Comment: Bryan Do, Tran Vu, Tinh Cao, Thi Ngoc Bich, Hai Van Le, Phuc Le, Hong Cao, Sam Ho, Dan Hoang, and Thien Huynh offered public testimony regarding the Consent Calendar (*multiple speakers assisted by Wordly translation*).

Councilmember Bien Doan pulled Item 2.18 for comment.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Rosemary Kamei, 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.**

None provided.

2.2 **Final Adoption of Ordinances.**

- (a) Ordinance No. 31195 - An Ordinance of the City of San José Amending Section 9.60.330 of Title 9 of the San José Municipal Code to Establish Additional Requirements for Mandatory Abandoned Shopping Cart Prevention Plans. [Passed for Publication on 5/6/2025 - Item 7.3 (25-471)]
- (b) Ordinance No. 31196 - An Ordinance of the City of San José Rezoning Certain Real Property of an Approximately 0.36-Gross-Acre Site, Situated on the Northwest Corner of West Hedding Street and Ruff Drive (APN 230-38-076) from the OS Open Space Zoning District to the OS(PD) Planned Development Zoning District. [Passed for Publication on 5/6/2025 - Item 10.2(c) (25-473)]
- (c) Ordinance No. 31197 - An Ordinance of the City of San José Rezoning Certain Real Property of an Approximately 0.37-Gross-Acre Site, Situated on the Northeast Corner of West Hedding Street and Spring Street (APN 230-38-092) from the OS Open Space Zoning District to the OS(PD) Planned Development Zoning District. [Passed for Publication on 5/6/2025 - Item 10.2(d) (25-473)]
- (d) Ordinance No. 31198 - An Ordinance of the City of San José Rezoning Certain Real Property and Right-of-Way of an Approximately 10.27-Gross-Acre Site, Situated between Coleman Avenue, West Hedding Street, Walnut Street, and Asbury Street (APNS 259-02-131, 259-02-130, 259-08-102, and University Avenue Right-of-Way between Coleman Avenue and Walnut Street) from NO

- Designation, OS Open Space, LI Light Industrial, and R-2 Two-Family Residence Zoning Districts to the OS(PD) Planned Development Zoning District. [Passed for Publication on 5/6/2025 - Item 10.2(e) (25-473)]
- (e) Ordinance No. 31199 - An Ordinance of the City of San José Rezoning Certain Real Property of an Approximately 0.37-Gross-Acre Site, Situated Easterly on Coleman Avenue 80 Feet South of Asbury Street (APNS 259-08-101 (Western Portion) and 259-08-072) from the OS Open Space Zoning District to the OS(PD) Planned Development Zoning District. [Passed for Publication on 5/6/2025 - Item 10.2(f) (25-473)]
 - (f) Ordinance No. 31200 - An Ordinance of the City of San José Pre-Zoning Certain Real Property of Approximately 0.56 Gross Acres, Situated on the Northeasterly Corner of West San Carlos Street and Cleveland Avenue (APNS 274-17-018, 018, 019, 020 and 021) from Unincorporated Territory within the County of Santa Clara to the Urban Village Zoning District. [Passed for Publication on 5/6/2025 - Item 10.3(c) (25-474)]
 - (g) Ordinance No. 31201 - An Ordinance of the City of San José Amending Section 4.46.039.13 of Chapter 4.46 and Section 4.47.098 of Chapter 4.47 of Title 4 of the San José Municipal Code to Increase the Number of Units from 1,500 to 1,800 that May Qualify for a 50% Reduction to the Commercial, Residential, Mobile Home Park Tax and Building and Structure Tax for Developments Who Obtain Building Permits Before December 31, 2025, under the Multifamily Housing Incentive Program. [Passed for Publication on 5/13/2025 - Item 8.3(b) (25-503)]

Action: Ordinance No. 31195, Ordinance No. 31196, Ordinance No. 31197, Ordinance No. 31198, Ordinance No. 31199, Ordinance No. 31200, and Ordinance No. 31201 were adopted. (11-0-0)

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 Master Service Agreement with Environmental Science Associates for Environmental Consulting Services for Various City Projects.

Approve a Master Service Agreement with Environmental Science Associates from the date of execution through June 30, 2028, in an amount not to exceed \$1,000,000 for environmental review and permitting services for the Environmental Services Department and San José-Santa Clara Regional Wastewater Facility projects and programs. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Environmental Services)

Action: The Master Service Agreement with Environmental Science Associates for Environmental Consulting Services for various City projects was approved. (11-0-0)

2.8 Actions Related to the Purchase Order with Bayscape Management, Inc. for Pedestrian Crossing Maintenance.

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 Bayscape Management, Inc. (Alviso, CA) for unique item inventory pedestrian crossing maintenance, with the last option ending on or about November 30, 2031, subject to the appropriation of funds. CEQA: Categorically Exempt, File No. ER24-313, CEQA Guideline Section 15301(c) Existing Facilities. (Finance)

Action: **Resolution No. RES2025-133** was adopted, regarding the actions related to the purchase order with Bayscape Management, Inc. for pedestrian crossing maintenance. (11-0-0)

2.9 Actions Related to the Purchase Order with IIA Lifting Services, Inc. for Aerial and Crane Inspections, Certifications, and Field Services.

Adopt a resolution authorizing the City Manager or her designee to exercise up to two additional one-year options to extend the term of the purchase order with IIA Lifting Services, Inc. (Peoria, AZ) for aerial and crane inspections, certifications, and field services with the last option ending on or about February 14, 2028, 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. RES2025-134** was adopted, regarding the actions related to the purchase order with IIA Lifting Services, Inc. for Aerial Crane inspections, certifications, and field services. (11-0-0)

2.10 Agreement with Ultimate Kronos Group for a Time Keeping Solution.

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

- (a) Negotiate and execute an agreement for a time-keeping solution with Ultimate Kronos Group (Weston, FL) for an initial five-year term, beginning on or about June 1, 2025, with maximum compensation not to exceed \$412,936, subject to the appropriation of funds;
 - (b) Negotiate and execute amendments and change orders for unanticipated changes in requirements for a contingency amount not to exceed \$487,269 during the initial term, subject to the appropriation of funds; and
 - (c) Exercise up to four one-year options to extend the agreement term, with the final option ending on May 31, 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: (a) **Resolution No. RES2025-135** was adopted, regarding the agreement with Ultimate Kronos Group for a time keeping solution. (11-0-0)

2.11 Fourth Amendment to the Standard Consultant Agreement with DST Consulting Services for Grant and Contract Management.

Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute a fourth amendment to an agreement with DST Consulting Services to extend the term from June 30, 2025, to June 30, 2026, and increase the maximum total contract value to \$715,000 from \$565,000. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Housing)

Action: **Resolution No. RES2025-136** was adopted, regarding the fourth amendment to the Standard Consultant Agreement with DST Consulting Services for grant and contract management. (11-0-0)

2.12 Third Amendment to the Consultant Agreement with The Pun Group, LLP, for Grant Fund Monitoring Services.

Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute a third amendment to an agreement with The PUN Group, LLP, for grant fund monitoring services to increase the maximum total compensation by \$30,000 from \$701,500 to \$731,500 under the existing agreement term through June 30, 2025. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Housing)

Action: **Resolution No. RES2025-137** was adopted, regarding the third amendment to the Consultant Agreement with The Pun Group, LLP, for grant fund monitoring services. (11-0-0)

2.13 Approval of “Free Use” of the Janet Gray Hayes Rotunda for the San José Public Library’s Partnership Brunch.

Adopt a resolution authorizing “Free Use” for the private event, 2025 San José Public Library’s Partnership Brunch held at the Janet Gray Hayes Rotunda on June 11, 2025, co-hosted by the San José Public Library Department, in partnership with the San José Public Library Foundation. CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to physical environment. (Library)

Action: **Resolution No. RES2025-138** was adopted, regarding the “Free Use” of the Janet Gray Hayes Rotunda for the San Jose Public Library’s Partnership Brunch. (11-0-0)

2.14 Report on Bids and Award of Contract for the 10416 - Sanitary Sewer Condition Assessment Fiscal Year 2024-2025 Package IV Project.

Report on bids and award of contract for the construction of 10416 - Sanitary Sewer Condition Assessment Fiscal Year 2024-2025 Package IV Project to the lowest responsive, responsible bidder, Pipe and Plant Solutions, Inc., in the amount of \$1,249,140; and (b) Approve a 10% contingency in the amount of \$124,914. CEQA: Exempt, File No. ER23-189, CEQA Guidelines Sections 15301(b) Existing Facilities, and 15302(c) Replacement or Reconstruction. Council District 1. (Public Works)

Action: The report on Bids and award of contract for the 10416 – Sanitary Sewer Condition Assessment Fiscal Year 2024-2025 Package IV Project was accepted. (11-0-0)

2.15 Report on Bids and Award of Contract for the 10107 - McLaughlin Avenue-24th Street Sanitary Sewer Improvement Project.

- (a) Report on bids and award of a contract for the construction of 10107 - McLaughlin Avenue-24th Street Sanitary Sewer Improvement Project to the lowest responsive, responsible bidder, C2R Engineering, Inc., in the amount of \$2,338,470; and
 - (b) Approve a 10% contingency in the amount of \$233,847.
- CEQA: Exempt, File No. ER24-298, CEQA Guidelines Sections 15301(b) Existing Facilities and 15302(c) Replacement or Reconstruction. Council District 3. (Public Works)

Action: (a) The report on Bids and award of contract for the 10107 – McLaughlin Avenue-24th Street Sanitary Sewer Improvement Project was accepted; and (b) the 10% contingency in the amount of \$233,847 was approved. (11-0-0)

2.16 Electric Vehicle Charger Overstay Fee.

Adopt a resolution setting forth the Master Parking Rate Schedule for municipal on and off-street parking facilities to authorize the City Manager or her designee to set and adjust the rate for an overstay fee for the use of electric vehicle charging stations, and repealing Resolution No. RES2024-346. CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, Rates, Tolls, Fares, and Charges. Council District 3. (Transportation)

Action: **Resolution No. RES2025-139** was adopted, regarding the electric vehicle charger overstay fee. (11-0-0)

2.17 List of Pavement Maintenance Projects Eligible for Senate Bill 1 Funding.

Adopt a resolution approving a list of pavement maintenance projects eligible for San José's 2025-2026 allocation of the Road Maintenance and Rehabilitation Account funding, which was made available by the approval of Senate Bill 1, otherwise known as the Road Repair and Accountability Act of 2017. CEQA: Categorical Exempt, File No. ER24-313, CEQA Guidelines Section 15301(c), Existing Facilities. (Transportation)

Action: **Resolution No. RES2025-140** was adopted, regarding the list of pavement maintenance projects eligible for Senate Bill 1 Funding. (11-0-0)

2.18 Advocacy for Digital Representation of the Vietnamese Heritage and Freedom Flag as an Emoji.

As recommended by the Rules and Open Government Committee on April 23, 2025, adopt a resolution of the Council of the City of San José recognizing the Heritage and Freedom Flag of the Republic of Vietnam (The Yellow Flag with Three Red Stripes) in the Digital World. CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Mayor, Doan, Casey & Salas) [Rules Committee referral 4/23/2025- Item C.1]

Action: **Resolution No. RES2025-141** was adopted, regarding the advocacy for Digital Representation of the Vietnamese Heritage and Freedom Flag as an Emoji. (11-0-0)

2.19 Retroactive Approval and Approval of Various Events Sponsored by Council District 4 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 May 7, 2025:

- (a) Retroactively approve the District 4 Community Townhall scheduled on March 23, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;
- (b) Retroactively approve the Community Cleanup scheduled on March 29, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;
- (c) Retroactively approve the Berryessa Safe RV Parking Site Grand Opening scheduled on April 10, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;
- (d) Retroactively approve the Berryessa Art Festival scheduled on May 10, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;
- (e) Approve the Pride Flag Raising scheduled on June 3, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;
- (f) Approve the District 4 Dumpster Day scheduled on June 7, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;
- (g) Approve the District 4 Leadership Forum scheduled on June 14, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;
- (h) Approve the Community Coffee scheduled on June 21, 2025 as a City Council sponsored Special Event and approve the expenditure of funds; and
- (i) 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. (Cohen) [Rules Committee referral 5/7/2025 - Item B.4]

Action: The various special events sponsored by Council District 4 were approved and retroactively approved. (11-0-0)

2.20 Approval of Eritrean Flag Raising Sponsored by Council District 6 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 May 14, 2025:

- (a) Approve the Eritrean Flag Raising scheduled on May 19, 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. (Mulcahy) [Rules Committee referral 5/14/2025 - Item B.3]

Action: The Eritrean Flag Raising special event sponsored by Council District 6 was approved. (11-0-0)

3. **STRATEGIC SUPPORT**

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

City Manager, Jennifer Maguire offered a report on the Public Works Department, specifically the Interim Housing Team. The team contains 80 Public Works Staff working towards reducing unsheltered homelessness. Successfully working closely with different departments they keep projects on schedule, engage in philanthropic partnerships, and experiment with a variety of design, delivery, and procurement methods.

3.2 **Labor Negotiations Update.**

None provided.

3.3 **New City Council Policy for Seamless Transition of City Elected Official Offices.**

Adopt a resolution approving a new City Council Policy 0-47, Transition of Elected Officials, for an effective transition between incoming and outgoing Mayor and Councilmembers, including the standard use and ownership of digital marketing and communications assets, constituent data, software access and administration, use of City-based accounts, asset inventories, physical equipment, and other transition activities. CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (City Clerk/City Manager)

Toni J. Taber, MMC, City Clerk offered the presentation and responded to questions.

Khaled Tawfik, Director of Information Technology responded to questions regarding the item.

Public Comment: None provided.

Motion: Councilmember Rosemary Kamei moved approval of her blue memorandum dated May 20, 2025. The motion *failed* due to a lack of seconder.

Motion: Councilmember Domingo Candelas moved approval of the joint memorandum co-authored by Mayor Matt Mahan, Councilmember Domingo Candelas, Councilmember Peter Ortiz, and Councilmember David Cohen, dated May 16, 2025. *Including* staff direction for the City Attorney and City Clerk to collaborate on the integration of trainings for elected officials and City staff, regarding the concerns of best practices, and applicable legal and ethical standards related to the use of social media. Councilmember David Cohen seconded the motion.

Councilmember David Cohen requested clarification of the motion.

Friendly Amendment: Councilmember David Cohen requested that the additional staff direction be amended to *include* that the integration of trainings be provided to all offices on the proper uses of social media, whether it's a personal social media account or city provided social media account. The maker of the motion accepted the Friendly Amendment.

Friendly Amendment: Vice Mayor Pam Foley requested that the policy take effect after September 1, 2026. The Friendly Amendment was *denied* by the maker of the motion.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember David Cohen, and carried unanimously, **Resolution No. RES2025-142** was adopted, approving the New City Council Policy 0-47 for Seamless Transition of City Elected Official Offices.

And

Including Staff direction for the City Attorney and City Clerk to collaborate on the integration of trainings for elected officials and all City staff, regarding the concerns of best practices, and applicable legal and ethical standards; to be provided to all offices, whether it's a personal social media account or city provided social media account.

And

Also including the approval of the joint memorandum co-authored by Mayor Matt Mahan, Councilmember Domingo Candelas, Councilmember Peter Ortiz, Councilmember David Cohen, dated May 16, 2025, recommending the following:

Accept the staff recommendation and resolution with the following amendments and additions:

Administration Response to Recommendation #1

City Official Accounts:

To ensure City communications reach the wide and diverse community of San José, the City uses multiple tools. The Administration will provide elected officials with core accounts and software, including social media, CRM, e-mail communications, and access to the City website to update or create City Council Office webpages. The Administration will provide City-based social media accounts when requested by the Mayor or Councilmembers.

Administration's Response to Recommendation #3

Staff conducted research on the feasibility of business accounts for over ten social media software and concluded that most did not have an additional cost.

ITD will administer business accounts for social media platforms. Access granted will align with approvals provided by the Elected Official or their Chief of Staff. Access requests or removals will be submitted through the Help Desk system. ITD will not post any content on behalf of the Elected Official or their City Council Office.

City-based social media accounts can be used as business accounts and may be used as an account for constituent communications.

Administration's Response to Recommendation #8

The proposed City Council Policy 0-47 provides the structure to prevent lapses in constituent communication and services between transitions. Exemptions to this policy will risk an inefficient transition of such services and communication, therefore, both the City Clerk's Office and the City Manager's Office strongly recommend all current Mayor and City Councilmembers officially transition to City Council Policy 0-47.

~~*Refer to Recommendation #1 for social media accounts. If current Mayor and City Councilmembers have software and service accounts not connected to City-based accounts, they must update these accounts from personal accounts to City-based accounts by the end of 2025 as part of this new recommended policy.*~~

If current Mayor and City Councilmembers use websites or other services paid by the City and not connected to City-based accounts, then they must update these accounts from personal accounts to City email accounts no later than December 2025.

RESOLUTION: EXHIBIT A

3. ADMINISTRATION OF TECHNOLOGY

The Administration will provide newly elected Mayor and Councilmembers with core

accounts and software for ~~social media~~, e-mail communications, the CRM system and web platforms. To ensure continued services to constituents with no lapse, all outgoing Mayor and City Councilmembers must transition communication accounts and software to the City Clerk's Office five business days before leaving office. The Administration will provide City-based social media accounts when requested by the Mayor or Councilmembers.

Use of City-based accounts for all software and services used for City business: All software and service accounts used for City business (e.g., ~~social media~~, e-mail marketing, constituent database, software subscriptions) must be connected to users with an active City-based account. The Mayor and City Councilmembers may not convert their campaign social media accounts into an official government account.

~~All official City business communication must originate from a City-based account.~~

City business communications are recommended to originate from a City-based accounts. City-based social media accounts ~~are to~~ can be set as business accounts for the use of the office and ~~should~~ may be used as an ~~the primary~~ account for constituent communications. (11-0-0)

Council recessed from 12:26 to 1:35p.m.

3.4 **Community-Led Solutions to Domestic Violence Report.**

RENUMBERED TO ITEM 4.1 (25-560)

4. **PUBLIC SAFETY**

4.1 **Community-Led Solutions to Domestic Violence Report.**

Accept the Community-Led Solutions to Domestic Violence 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. (City Manager)
[RENUMBERED FROM ITEM 3.4 (25-534)]

Sarah Zarate, Director, City Manager's Office of Administration, Policy, and Intergovernmental Relations; Kailyn Kenney, Assistant to the City Manager; and Dr. Sijata Warriar, Battered Women's Justice Project offered the presentation and responded to questions.

Public Comment: Darcie Green, Sandra Asher, Kyra Kazantzis, and Eugene Torres offered public testimony regarding the item.

Motion: Councilmember Bien Doan moved approval of his memorandum dated, May 19, 2025; and moved approval of the joint memorandum co-authored by Vice Mayor Pam Foley, Councilmember Rosemary Kamei, Councilmember Pamela Campos, Councilmember David Cohen, and Councilmember Peter Ortiz, dated May 16, 2025. Councilmember Rosemary Kamei seconded the motion.

Councilmember Rosemary Kamei requested clarification of the Motion.

Friendly Amendment: Councilmember Rosemary Kamei requested that the motion include direction to develop a pilot program in connection to slide four of the staff presentation and letters from the public. The maker of the motion *did not accept* the Friendly Amendment.

Mayor Matt Mahan requested clarification on the feasibility of the Friendly Amendment from staff.

Sarah Zarate, Director of the City Manager's Office of Administration, Policy, and Intergovernmental Relations, clarified that a pilot program would need to be designed first and brought back to Council.

Mayor Matt Mahan recommended a referral of the pilot program to the Budget Process to discuss unexpected unallocated money and offers a plan for cost, allocation, and use.

Vice Mayor Pam Foley requested that staff include an MBA (Manager's Budget Addendum) on the item.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Rosemary Kamei, and carried unanimously, the Community-Led Solutions to Domestic Violence Report was accepted.

And

Including acceptance of the memorandum authored by Councilmember Bien Doan, dated May 19, 2025, recommending the following:

Accept the Community-Led Solutions to Domestic Violence Report and direct the City Attorney to explore the legality of requiring the placement of safety placards in private businesses—either through existing authority or under State law—and return to the City Council with options.

And

Also including acceptance of the joint memorandum co-authored by Vice Mayor Pam Foley, Councilmember Rosemary Kamei, Councilmember Pamela Campos, Councilmember David Cohen, and Councilmember Peter Ortiz, dated May 16, 2025, recommending the following:

1. Accept the Community-Led Solutions to Domestic Violence Report.
2. Direct the City Manager to continue working with community partners and the County to identify high-impact, community-supported opportunities to invest previously allocated funding to support intimate partner violence prevention and response.
3. Return to the City Council with an implementation plan and recommendations for high-impact use of these funds.

(11-0-0)

5. TRANSPORTATION & AVIATION SERVICES

5.1 Report on Bids and Award of Contract for the 10522 - 2025 Major Streets Resurfacing Project.

Report on Bids and Award of Contract for the 10522 - 2025 Major Streets Resurfacing Project

No presentation was provided on this item.

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Rosemary Kamei, and carried unanimously, the report on bids and award of Contract for the 10522-2025 Major Street Resurfacing Project was accepted. (11-0-0)

6. **ENVIRONMENTAL & UTILITY SERVICES**

7. **NEIGHBORHOOD SERVICES**

8. **COMMUNITY & ECONOMIC DEVELOPMENT**

8.1 **Amendment to Chapter 13.16 of Title 13 of the San José Municipal Code for Entertainment Zone Ordinance Related to 2026 Sports Events.**

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)

Kerry Adams Hapner, Director of Cultural Affairs/Deputy Director City Manager's Office of Economic Development and Cultural Affairs, offered the presentation and responded to questions.

Brian Shab, Assistant Chief of Police, San José Police Department responded to questions regarding the item.

Public Comment: Zach Waldren, Gumby, and Kat Angelov offered public testimony regarding the item.

Motion: Councilmember Carl Salas moved approval of the staff recommendation; the joint memorandum co-authored by Mayor Matt Mahan, Vice Mayor Pam Foley, Councilmember Rosemary Kamei, Councilmember Carl Salas, and Councilmember Michael Mulcahy, dated May 16, 2025; and moved approval of recommendation 1(a)(i) of Councilmember Peter Ortiz's memorandum dated May 20, 2025. Councilmember Peter Ortiz seconded the motion.

Friendly Amendment: Councilmember Michael Mulcahy requested that the item return to the Community and Economic Development (CED) Committee in March of 2026, rather than "one-year." The makers of the motion accepted the amendment.

Action: Upon motion by Councilmember Carl Salas, seconded by Councilmember Peter Ortiz, and carried unanimously, the amendment to Chapter 13.16. of Title 13 of the San Jose Municipal Code was directed to return to Council for approval on a later date.

And

Including the approval of the joint memorandum co-authored by Mayor Matt Mahan, Vice Mayor Pam Foley, Councilmember Rosemary Kamei, Councilmember Carl Salas, and Councilmember Michael Mulcahy, dated May 16, 2025, recommending the following:

1. Create a new Entertainment Zone along the future “Sharks Way” that connects the San Pedro, Little Italy, and SAP Center Districts (Exhibit A).
2. Grant staff the ability to make administrative amendments to the Entertainment Zone ordinance when proposed changes enhance San Jose’s arts, culture, and entertainment experience.
3. Return to the Community and Economic Development Committee in *March of 2026* with a ~~one-year~~ report on the implementation and impact of the Entertainment Zones.

And,

Also including the approval of recommendation 1(a)(i) from the memorandum authored by Councilmember Peter Ortiz, dated May 20, 2025, recommending the following:

1. Approve staff’s memorandum with the following modifications:
 - a. Create the following new Entertainment Zones
 - i. Along Alum Rock Avenue, stretching from North 31st Street to Silcreek Drive, and along North King Road, between 18 North King Road and East San Fernando Street. This zone will be located around the future “La Avenida” Cultural District in East San José (Exhibit A).

(11-0-0)

9. **REDEVELOPMENT – SUCCESSOR AGENCY**

10. **LAND USE**

Public Comment: None provided.

Action: Upon motion by Bien Doan, seconded by Councilmember George Casey, and carried unanimously, the Land Use on Consent Calendar was approved *as a whole*. (11-0-0)

10.1 (a) **PDC23-008, PD24-018, T24-033 & ER23-079 - Rezoning, Planned Development Zoning District, Vesting Tentative Map, Planned Development Permit of Certain Real Property Located at 3315 Sierra Road.**

- (1) Adopt a resolution adopting the Initial Study/Mitigated Negative Declaration for the 3315 Sierra Road Residential Project and the associated Mitigation Monitoring and Reporting Program, in accordance with the California Environmental Quality Act, as amended.
- (2) Approve an ordinance rezoning certain real property on an approximately 2.71-gross-acre site located on Sierra Road, approximately 135 feet east of Piedmont Road (3315 Sierra Road) from the A Agriculture Zoning District to an R-1-8(PD) Planned Development Zoning District.
- (3) Adopt a resolution approving, subject to conditions, a Vesting Tentative Map to subdivide an existing lot into 25 single-family lots and five common area lots, including two private streets, on an approximately 2.71-gross-acre site.
- (4) Adopt a resolution approving, subject to conditions, a Planned Development Permit to allow the demolition of four existing warehouse/commercial buildings, a single-family house, and four accessory buildings, and the removal of 19 trees, including 11 ordinance-

size trees, for the construction of 25 single-family homes, five of which include ADUs above detached garages, with extended construction hours to include Saturday 8:00 a.m. to 5:00 p.m. on an approximately 2.71-gross-acre site. CEQA: Initial Study/Mitigated Negative Declaration for the 3315 Sierra Road Residential Project. Planning Commission recommends approval (6-0-3, Barocio, Cantrell, and Young absent) (Item 4.b on the 4/23/2025 Planning Commission agenda). Council District 4. (Planning, Building and Code Enforcement)

Action: (1) **Resolution No. RES2025-143** was adopted; (2) **Ordinance No. 31204** was passed for publication; (3) **Resolution No. RES2025-144** was adopted; (4) **Resolution No. RES2025-145** was adopted; regarding the Rezoning, Planned Development Zoning District, Vesting Tentative Map, Planned Development Permit of certain real property located at 3315 Sierra Road. (11-0-0)

10.1 (b)

Burbank 45, C21-034, GP23-001, H23-005, T23-003 & ER23-026 - Annexation of Property Located at 1921-1927 West San Carlos Street and 30, 40, and 58 Cleveland Avenue.

Adopt a resolution ordering the annexation of territory designated as Burbank No. 45, which involves the annexation to the City of San José of approximately 0.912 gross acre of land, consisting of five contiguous parcels and a portion of Cleveland Avenue, generally located on the northeast corner of West San Carlos Street and Cleveland Avenue (APN: 274-17-018, -019, -020, -021, & -022), and the detachment of the same from the appropriate special districts. CEQA: Mitigated Negative Declaration for the 1921 and 1927 West San Carlos Street Project (Resolution No. RES2025-114). Council District 6. (Planning, Building and Code Enforcement)

Action: **Resolution No. RES2025-146** was adopted, regarding the Annexation of Property Located at 1921-1927 West San Carlos Street and 30, 40, and 58 Cleveland Avenue. (11-0-0)

10. **LAND USE** – Regular Agenda

10.2 **PP24-006 - Amendment to Chapter 23.04, Section 23.04.038 (North San José Signage Area) and Section 23.04.124 (Downtown Sign Zone) of Title 23 (Sign Code) of the San José Municipal Code to Modify Permit Provisions for Supergraphic Signs**

Approve an ordinance amending Section 23.04.038 (North San José Signage Area) and Section 23.04.124 (Downtown Sign Zone) of Chapter 23.04 of Title 23 (Sign Code) of the San José Municipal Code to modify permit provisions for Supergraphic Signs related to Large Events to:

- (a) eliminate existing sunset clause,
- (b) increase display duration, and
- (c) alter height and size allowances, and to make other technical, non-substantive, or formatting changes within those sections.

CEQA: Determination of Consistency to the Envision San José 2040 General Plan EIR (Resolution No. 76041), Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto. (Planning, Building, and Code Enforcement) [Deferred from 2/25/2025 - Item 10.2 (25-157) & 5/13/2025 - Item 10.3 (25-502)]

Martina Davis, Planning Division Manager, Department of Planning, Building, and Code Enforcement; and Rosalynn Hughey, Deputy City Manager, City Manager's Office, offered the

presentation and responded to questions.

Public Comment: Gumby offered public testimony regarding the item.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Rosemary Kamei, and carried unanimously, **Ordinance No. 31205** was *passed for publication*; regarding the Amendments to Chapter 23.04, Section 23.04.038 (North San José Signage Area), and Section 23.04.124 (Downtown Sign Zone) of Title 23 (Sign Code) of the San José Municipal Code to Modify Permit Provisions for Supergraphic Signs, *including* Staff direction to develop a Sponsorship Program. (11-0-0)

- **Open Forum**

None provided.

- **Adjournment**

The Council of the City of San José adjourned at 3:57 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,



Vanessa Velez, Deputy City Clerk
City of San José

Approved at Council on:

of Actions: 8

Attest By:



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

*Office of the City Attorney***SAN JOSÉ CITY COUNCIL CLOSED SESSION MINUTES****MAY 20, 2025**

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

Absent Councilmembers: Mahan.

Place: City Hall Conference Room W-133

Time: 9:31 a.m.

Public Comment: Aziza Amiri, Jill M., Krista De La Torre, Joe Schwennesen, Michael J., Riley Knight, Anne Balis, California, Nikole, and Carlos offered public testimony regarding the Closed Session.

CLOSED SESSION ITEM(S) DISCUSSED:**A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1):**

1.

Case Name: City of San Jose and the Successor Agency to the Redevelopment Agency of the City of San Jose v. James Eu et al.

Name(s) of Party(ies): CITY OF SAN JOSE AND THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY, JAMES EU, GRACE EU, DAVID EU, ISIS PROPERTIES, LLC.

Court: Santa Clara County Superior Court

Case No: 25cv460423

Amount of Money or Other Relief Sought: Damages according to proof
2.

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

Name(s) of Party(ies): CITY AND COUNTY OF SAN FRANCISCO, COUNTY OF SANTA CLARA, CITY OF PORTLAND, MARTIN LUTHER KING, JR. COUNTY, CITY OF NEW HAVEN, CITY

OF OAKLAND, CITY OF EMERYVILLE,
CITY OF SAN JOSÉ, CITY OF SAN DIEGO,
CITY OF SACRAMENTO, CITY OF SANTA
CRUZ, COUNTY OF MONTEREY, CITY OF
SEATTLE, CITY OF MINNEAPOLIS, CITY
OF ST. PAUL, CITY OF SANTA FE,
DONALD J. TRUMP, UNITED STATES OF
AMERICA, PAMELA BONDI, EMIL BOVE,
UNITED STATES DEPARTMENT OF
JUSTICE, KRISTI NOEM, UNITED STATES
DEPARTMENT OF HOMELAND
SECURITY

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

Case No: 3:25cv01350-WHO

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

B. 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: 3