

**MINUTES OF THE  
JOINT MEETING OF THE RULES AND OPEN GOVERNMENT COMMITTEE AND  
COMMITTEE OF THE WHOLE**

**SAN JOSÉ, CALIFORNIA**

**WEDNESDAY, MAY 6, 2026**

The Committee meeting was held in the Council Chambers and convened at 2:00 p.m.

Present: Councilmembers - Cohen, Kamei, Foley, Doan, Candelas.

Absent: Councilmembers - None.

Staff: Lee Wilcox, Assistant City Manager, City Manager's Office; Kevin Fisher, Assistant City Attorney, City Attorney's Office; Joy Rodriguez, Assistant City Clerk, City Clerk's Office; Rachelle Blattman, Senior Executive Analyst, City Manager's Office; and Daniel Aguilar, Deputy City Clerk, City Clerk's Office.

**A. City Council (City Clerk)**

**1. Review May 12, 2026 Final Agenda**

- a) Add New Items to Final Agenda
- b) Assign "Time Certain" to Agenda Items (if needed)
- c) Review of Notice of Waiver Requirements for Agenda Items or Documents (if needed)

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Bien Doan, and carried unanimously, the Committee approved the final agenda for the City Council meeting on May 12, 2026. (5-0-0)

**2. Review May 19, 2026 Draft Agenda**

- a) Add New Items to Draft Agenda
- b) Assign "Time Certain" to Agenda Items (if needed)
- c) Review of Notice of Waiver Requirements for Agenda Items or Documents (if needed)

Public Comment: None provided.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Rosemary Kamei, and carried unanimously, the Committee approved the draft agenda for the City Council meeting on May 19, 2026. (5-0-0)

## **B. Consent Calendar**

Public Comment: None provided.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Rosemary Kamei, and carried unanimously, the Consent Calendar was approved *as a whole*, with the following actions taken as indicated. (5-0-0)

### **1. Monthly Report of Activities for April 2026. (City Auditor)**

Approve the Auditor's Office Monthly Report of Activities for the month of April 2026.

Action: The Auditor's Office monthly report of activities for the month of April 2026 was approved. (5-0-0)

## **C. Rules Committee Reviews, Recommendations and Approvals**

### **1. Policy Analysis of Vacant Commercial Storefront Activation Tools. (Tordillos, Cohen, Ortiz, Mulcahy, and Doan)**

Direct the City Manager's Office to work with the appropriate departments, including but not limited to, Planning, Building, and Code Enforcement, the City Manager's Office of Economic Development and Cultural Affairs, and the City Attorney's Office, to return with an analysis and options for potential administrative, regulatory, and programmatic actions to support the activation of vacant commercial storefronts and reduction of blight citywide. This referral is intended to initiate policy analysis and return with recommendations. The analysis should include identification of workload impacts, fiscal implications, and alignment with existing departmental work plans. The analysis should include, but not be limited to, evaluation of the following:

1. Evaluate potential amendments to San José Municipal Code Section 20.150, as well as any other relevant ordinances, Municipal Code sections, or City Council policies, to extend the allowable period for reestablishing a legal nonconforming use without requiring a new Special Use Permit from six months to up to three years. Additionally, evaluate appropriate limitations, safeguards, or categorical exclusions that may be necessary to address potential impacts associated with such an extension.

2. Evaluate existing restaurant and small business programs within the City Manager's Office of Economic Development and Cultural Affairs and the Planning, Building, and Code Enforcement Department to identify opportunities to strengthen interdepartmental coordination and better align program resources toward the activation of vacant storefronts. The analysis should assess program effectiveness, administrative feasibility, fiscal impacts, and policy implications and return with recommendations and implementation direction informed by these considerations.

3. Evaluate potential amendments to San José Municipal Code Section 20.80 and relevant City Council Policies, including 6-28, 6-29, and 8-14, to determine whether establishing a ministerial stand-alone demolition permit process for certain vacant industrial and commercial buildings is legally feasible and advisable. This evaluation should consider applicability only where California Environmental Quality Act permits ministerial approval and where the building is not a designated or potentially historic resource, and should preserve environmental screening requirements for polychlorinated biphenyls, commonly known as PCBs (as referenced in City Council Policy 6-28) and maintain waste diversion obligations under Section 9.10 of the San José Municipal Code.

- a. The analysis should be options-based and may identify and assess a range of potential regulatory and implementation approaches for City Council consideration, without presuming a preferred outcome. Such options may include, but are not limited to, alternative post-demolition site management pathways and compliance or monitoring frameworks. The analysis should assess legal, fiscal, workload, and policy implications before recommending any amendments.

Public Comment: Brian Darby and Jordan Moldow offered public comment.

Councilmember Michael Mulcahy spoke to the item.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Rosemary Kamei, and carried unanimously, the City Manager's Office was directed to work with the appropriate departments and return to the Rules and Open Government Committee in one to two weeks with a workload analysis and options for potential administrative, regulatory, and programmatic actions to support the activation of vacant commercial storefronts and reduction of blight citywide. (5-0-0)

## **2. Prefab Factory-Produced Housing Structures. (Foley, Ortiz, Tordillos, and Candelas)**

1. Direct the City Manager to:

- a. Explore opportunities for the City of San José to support the advancement of modular, factory-built housing construction methods for both single-family and multi-family housing that deliver housing more efficiently while maintaining strong labor standards comparable to traditional construction.
- b. Return with an information memorandum that includes, but is not limited to, the following:
  - i. An analysis of the opportunities and challenges to utilizing modular factory-built housing with labor standards;
  - ii. A comparative evaluation between modular factory-built housing with labor standards and standard stick-built construction;
  - iii. Recommendations on potential methodologies for incentivizing the use of modular factory-built housing in the City's Gap Financing Program rolling request for proposal process;
  - iv. An assessment of opportunities to support the development of modular housing manufacturing facilities within San José, including potential economic and workforce benefits; and
  - v. An analysis of challenges and opportunities around steel-framed modular construction to achieve taller, denser multifamily housing than can be achieved through traditional wood-framed modular construction. [Referred from 4/22/26 - Item C.4 (ROGC 26-180)]

Public Comment: Brian Darby offered public comment.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Bien Doan, and carried unanimously, the workload analysis regarding prefab factory-produced housing structures was approved. (5-0-0)

## **D. Open Forum**

1. Brian Darby requested recognition for victims of crime and abuse in the city.
2. Jordan Moldow proposed a potential increase in downtown parking meter fees as a way to improve parking availability and revenue and suggested exploring demand-based pricing to better manage parking.

## **E. Adjournment**

Chair David Cohen adjourned the Committee meeting at 2:15 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,

*Daniel Aguilar*

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Daniel Aguilar  
Deputy City Clerk, City of San José

Approved at Council on:

Number of actions: 5

Attest by:



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