



City Council Meeting Draft Minutes

Tuesday, September 16, 2025

1:30 PM

Council Chambers

MATT MAHAN, MAYOR
ROSEMARY KAMEI, DISTRICT 1
PAMELA CAMPOS, DISTRICT 2
ANTHONY TORDILLOS, 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 Page 17-20 for the Closed Session Minutes.*

Present Councilmembers: Mahan, Kamei, Campos, Tordillos,
Cohen, Mulcahy, Candelas, Casey.

Absent Councilmembers: Ortiz, Doan, Foley.

1:32 p.m. - Regular Session.

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

Absent Councilmembers: Foley.

6:00 p.m. - Evening Session. – Cancelled.

- **Pledge of Allegiance**

Mayor Matt Mahan led the Pledge of Allegiance.

- **Invocation (District 8)**

Evergreen Studio of Music and the Arts (ESOMA) provided the invocation, offering a glimpse of their upcoming production, Aladdin.

- **Orders of the Day**

Mayor Mahan announced the meeting's agenda item sequence: the Consent Calendar, Land Use Consent Calendar, Items 3.1, 3.4, 3.5, 3.3, and following with the regular printed order of agenda items. Item 8.1 was dropped as noted on the printed agenda. He informed no vote was needed.

- **Adjournment Recognition**

Councilmember David Cohen announced the meeting was adjourned in memory of Dr. Robert “Bob” Gross, who passed away on July 4, 2025. Dr. Gross was a longtime resident of Alviso and Berryessa, as well as a former Valley Water Board director. His legacy lives on in the infrastructure he helped champion, the natural resources he worked to protect, and the community he proudly served. Dick Santos, his friend, offered a heartfelt speech honoring Dr. Gross.

- **Closed Session Report**

None provided.

1. CEREMONIAL ITEMS

1.1 Mayor Mahan, Councilmember Casey, and Councilmember Candelas, presented a proclamation declaring September 2025 as National Preparedness Month in the City of San José to raise awareness about the importance of disaster preparedness, encourage family and community planning, and recognize the contributions of Community Emergency Response Teams, Radio Amateur Civil Emergency Services, and volunteer heroes.

1.2 Councilmember Ortiz presented a proclamation declaring September 16, 2025 as Mexican Independence Day to celebrate the heritage and contributions of the Mexican-American community in the City of San José.

2. CONSENT CALENDAR

Councilmember Michael Mulcahy pulled Item 2.8 for comments.

Councilmember Peter Ortiz pulled Item 2.11 and requested to bifurcate the item for a separate vote.

Public Comment: None provided.

Action: Upon motion by Councilmember Rosemary Kamei, seconded by Councilmember Domingo Candelas, and carried unanimously, the Consent Calendar was approved, *excluding Item 2.11, which was voted on separately*, the below actions were taken as indicated. (10-0-1; Absent: Foley)

2.1 Approval of City Council Minutes.

None provided.

2.2 Final Adoption of Ordinances.

None provided.

2.3 Approval of Council Committee Minutes.

None provided.

2.4 Mayor and Council Excused Absence Requests.

None provided.

2.5 City Council Travel Reports.

None provided.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 Approval of Adjusted Campaign Contribution Limits.

Adopt a resolution approving the campaign contribution limits adjusted in accordance with San José Municipal Code Section 12.06.210.E. CEQA: Not a Project, File No. PP17-010, City Organization and Administrative Activities resulting in no changes to the physical environment. (City Clerk)

Action: **Resolution No. RES2025-320** was adopted, approving the campaign contribution limits adjusted in accordance with San José Municipal Code Section 12.06.210.E. (10-0-1; Absent: Foley)

2.8 Administrative Update to the San José Energy and Water Building Performance Ordinance.

Approve an ordinance amending Sections 17.85.120 and 17.85.200 of Chapter 17.85 of Title 17 of the San José Municipal Code to update the responsible agency for the City of San José Energy and Water Building Performance Ordinance from the Environmental Services Department to the Energy Department, as established under Section 2.04.4600 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. (Energy)

Action: **Ordinance No. 31240** was *passed for publication*, amending Sections 17.85.120 and 17.85.200 of Chapter 17.85 of Title 17 of the San José Municipal Code. (10-0-1; Absent: Foley)

2.9 Amendment to the Citywide Project Labor Agreement.

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute Amendment Number 2 to Amendment Number 1 of the First Amended and Restated Citywide Project Labor Agreement to align it in accordance with the public bidding requirements as set forth in Chapter 27.10 or the design-build requirements as set forth in Chapter 27.14 of Title 27 of the San José Municipal Code.

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

Action: **Resolution No. RES2025-321** was adopted, authorizing the City Manager or her designee to negotiate and execute Amendment Number 2 to Amendment Number 1 of the First Amended and Restated Citywide Project Labor Agreement. (10-0-1; Absent: Foley)

2.10 Amendment to the Restated Agreement with the San José Community Media Access Corporation dba CreaTV San José for Public Access Channels and Community Media Center.

Approve the fifth amendment to the Restated Agreement with the San José Community Media Access Corporation dba CreaTV San José, extending the term of the Restated Agreement from December 31, 2025, to December 31, 2032.

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

Action: The fifth amendment to the Restated Agreement with the San José Community Media Access Corporation dba CreaTV San José was approved. (10-0-1; Absent: Foley)

2.11 Amendment to San José Municipal Code Chapter 12.08 - Gift Limits.

Approve an Ordinance amending Section 12.08.110 of Chapter 12.08, Title 12 of the San José Municipal Code increasing the City's annual gift limit amount from \$50 to \$200, while maintaining the \$50 annual gift limit amount from lobbyists.

Approval of this item requires 8 or more affirmative votes (two-thirds) (City Charter Section 607).

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Cohen and Foley)
[Council referral 9/9/2025 - Item 2.16 (25-965)] [Rules Committee referral 9/10/2025 - Item A.1.a]

Councilmember Peter Ortiz requested to bifurcate Item 2.11 for a *separate vote*.

Public Comment: Shauun provided public testimony regarding Item 2.11.

Motion to bifurcate: Upon motion by Councilmember Peter Ortiz, seconded by Councilmember Domingo Candelas, and carried unanimously, Item 2.11 was approved for bifurcation and a separate vote. (10-0-1; Absent: Foley)

Action for Item 2.11: Upon motion by Councilmember Peter Ortiz, seconded by Councilmember Rosemary Kamei, and carried unanimously, *the motion failed for a lack of affirmative votes*. (6-4-1: Noes: Mahan, Ortiz, Campos, Casey; Absent: Foley)

3. STRATEGIC SUPPORT

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

Jennifer Maguire, City Manager, City Manager's Office, introduced Emily Lamb as the City of San José's new Director of the City Manager's Office of Administration, Policy and Intergovernmental Relations (API). Emily Lamb assumed the role on September 15, 2025. Jennifer Maguire also thanked Sarah Zarate for her service the last 4 years as the API Office Director.

3.2 Labor Negotiations Update.

None provided.

3.3 Summer Intergovernmental Relations Report.

(a) Accept the 2025 Summer Intergovernmental Relations Report.

(b) Reaffirm all City positions summarized in the 2025-2026 Intergovernmental Relations Priority Federal Legislation Log.

(c) Reaffirm all City positions summarized in the 2025-2026 Intergovernmental Relations Priority State Legislation Log.

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

Sarah Zárate, Deputy Director, API; Steve Stamos, Senior Executive Analyst, IGR; Nicholas Ochoa, Senior Executive Analyst, and the following members of the Intergovernmental Relations Team (IGR): Steve Stamos, Senior Executive Analyst, IGR; Nicholas Ochoa, Senior Executive Analyst, IGR; Emily Lamb, the new Director, API; and the following lobbying partners: Steve Cruz, from Cruz Strategies; Nick Romo, from Cruz Strategies; and Leslie Pollner, from Holland and Knight, offered the presentation and responded to questions.

Public Comment: None provided.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Domingo Candelas, and carried unanimously, (a) the 2025 Summer Intergovernmental Relations Report was accepted; and (b) all City positions summarized in the 2025-2026 Intergovernmental Relation Priority Federal Legislation Log were reaffirmed; and (c) all City positions summarized in the 2025-2026 Intergovernmental Relations Priority State Legislation Log were reaffirmed. (10-0-1; Absent: Foley)

Report on Request for Proposal for General Banking, Lockbox, Merchant Card, and Investment Custodial Services.

Accept the report on the Request for Proposal adopt a resolution authorizing the City Manager or her designee to:

- (a) Negotiate and execute agreements with JPMorgan Chase Bank, N.A., for general banking and merchant card processing services with an initial term beginning on the date the agreements are executed by the parties through June 30, 2032, with a total compensation not to exceed \$13,000,000, and the annual compensation amount, subject to the appropriation of funds;
- (b) Negotiate and execute amendments to any of the agreements with JPMorgan Chase Bank, N.A., subject to appropriation of funds by the City Council to add new banking services, revise existing banking services, and adjust compensation based on the volume of services provided; and
- (c) Exercise up to two two-year options to extend the term of the agreements through June 30, 2036, subject to the appropriation of funds.

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

[Deferred from 9/9/2025 – Item 3.4 (25-948)]

No presentation provided.

Public Comment: None provided.

Action: Upon motion by Councilmember Anthony Tordillos, seconded by Councilmember Domingo Candelas, and carried unanimously, the report on the request for proposal for general banking, lockbox, merchant card, and investment custodial services was accepted; and **Resolution No. RES2025-322** was adopted. (10-0-1; Absent: Foley)

Councilmember Rosemary Kamei offered a verbal yes vote for Item 3.4.

3.5 Verbal Report from the County of Santa Clara on the Fiscal Impacts of H.R.1 (One Big Beautiful Bill Act) on the County's Services.

Accept a verbal report from the County of Santa Clara on the fiscal impacts of H.R.1 (One Big Beautiful Bill Act) on the County's services. 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) [Rules Committee referral 9/10/2025 - Item A.1.a]

James R. Williams, County Executive, Santa Clara County offered the presentation and responded to questions.

Public Comment: Antonia Zazueta Charles, Amy Kostishack, Jennifer Graber, Joy Murrieta (Kids in Common), Michael Elliot, Sylvia Arenas (County Supervisor), Tony Loeb, Raymond Goins (Silicon Valley De-bug), Marinez Rosales (Latina Coalition), Carmen Martinez (LCC), Gianella Ordonez, Darcie Green, Lawrence Deng, Carla Carvallo (VMC), Jeffrey Buchanan (WPUSA), Elizabeth, Betty Duong (County District 2), Derck Grasty, Kylie Clark, and Olina Yin, provided public testimony regarding the item.

Nora Frimann, City Attorney, City Attorney's Office, informed the Council that this item was agendaized to solely accept the report.

Action: Upon motion by Councilmember Rosemary Kamei, seconded by Councilmember David Cohen, and carried unanimously, the verbal report from the County of Santa Clara on the fiscal impacts of H.R.1 (One Big Beautiful Bill Act) on the County's services was accepted. (10-0-1; Absent: Foley)

4. PUBLIC SAFETY SERVICES

4.1 Reinstatement of the San José Police Department Horse Mounted Unit.

(a) Approve the reinstatement of the San José Police Department Horse Mounted Unit as a collateral, part-time operation using existing funding for Fiscal Year 2025-2026.

(b) Adopt a resolution authorizing the City Manager or her designee to accept a donation from the San José Police Foundation of six horses, two trucks, two horse trailers, uniforms, officer training, and miscellaneous tack and gear valued at approximately \$390,000.

CEQA: Not a Project, File No. PP17-010, Organizational and Administrative Activities, resulting in no physical changes to the environment. (Police) [Deferred from 8/19/2025 – Item 4.2 (25-840)]

Paul Joseph, Chief of Police, San José Police Department; and Brian Shab, Assistant Chief of Police, San José Police Department, offered the presentation and responded to questions.

Public Comment: Public Comment: Carl Salas, Marianne Salas, Scott Seaman (San José Police Foundation), Raymond Goins (Silicon Valley De-bug), Elizabeth Agramont, Gumby (SJDA), Wendy Bravo, and Shaunn, and 2 speakers (*name not provided at the podium*) provided public testimony regarding the item.

Motion: Councilmember Bien Doan moved approval of the staff recommendation. Councilmember George Casey seconded the motion.

Substitute Motion: Councilmember Rosemary Kamei made a substitute motion to move approval of the joint memorandum she co-authored with Councilmember Peter Ortiz, dated September 12, 2025. Councilmember Pamela Campos seconded the substitute motion.

Mayor Mahan announced that Council would vote on the Substitute Motion.

Action: On a call to question, the substitute motion passed, the joint memorandum co-authored by Councilmember Rosemary Kamei and Councilmember Peter Ortiz, dated September 12, 2025 was approved, recommending the following:

(a) *Defer consideration* of the reinstatement of the San José Police Department Horse Mounted Unit as a collateral, part-time operation to the development of the Fiscal Year 2026-2027 budget.

(b) Direct the City Manager to explore alternative strategies that align with the specific priorities of enhancing SJPD visibility and strengthening community engagement in the Downtown core, and return to the City Council with recommendations as part of the Fiscal Year 2026-2027 budget development process.

(6-4-1; Noes: Mahan, Doan Casey, Mulcahy; Absent: Foley)

4.2 Actions Related to the Funding and Purchase of a Fixed Wing Aircraft for the Police Department.

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

(1) Negotiate and execute a contract with Daher Kodiak for one model Kodiak 100 fixed wing aircraft, in an amount not to exceed \$3,800,000, including the base configuration fixed wing, configuration options as required by the Police Department, maintenance and warranty package, and pilot training, exclusive of any applicable taxes and fees, subject to the appropriation of funds;

(2) Negotiate and execute a contract with Hangar One in an amount not to exceed \$1,023,953, for equipment and configuration, as required by the Police Department, exclusive of any applicable taxes and fees, subject to the appropriation of funds; and

(3) Approve a contingency of \$300,000 for any unforeseen changes or modifications to the fixed wing and/or final configuration of the fixed wing aircraft.

(b) Approve the proposed 2024-2026 Spending Plan for the Supplemental Law Enforcement Services grant in the amount of

\$1,497,156 and authorize the Chief of Police to amend the Spending Plan to conform to the budget priorities set out in this memorandum, and in the event the Supplemental Law Enforcement Services Grant payments are less or more than expected.

(c) Approve the revised 2023-2025 Spending Plan for the Supplemental Law Enforcement Services Grant in the amount of \$2,903,332.

(d) Adopt the following 2025-2026 Appropriation Ordinance and Funding Sources Resolution amendments in the Supplemental Law Enforcement Services (SLES) Fund:

(1) Increase the Beginning Fund Balance by \$36,200;

(2) Increase the estimate for Revenue from the State of California by \$2,909,026;

(3) Establish the SLES Grant 2024-2026 appropriation to the Police Department in the amount of \$1,497,156; and

(4) Increase the SLES Grant 2023-2025 appropriation to the Police Department by \$1,448,070.

(e) Adopt the following 2025-2026 Appropriation Ordinance amendments in the Federal Drug Forfeiture Fund:

(1) Increase the Beginning Fund Balance by \$112,606;

(2) Establish the Police Fixed Wing Aircraft Replacement appropriation to the Police Department in the amount of \$600,285; and

(3) Decrease the Ending Fund Balance by \$487,679.

(f) Adopt the following 2025-2026 Appropriation Ordinance amendments in the

(f) State Drug Forfeiture Fund:

(1) Increase the Beginning Fund Balance by \$604,611;

(2) Establish the Police Fixed Wing Aircraft Replacement appropriation to the Police Department in the amount of \$2,266,414; and

(3) Decrease the Ending Fund Balance by \$1,661,803.

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

Paul Joseph, Chief of Police, San José Police Department; and Brian Shab, Assistant Chief of Police, San José Police Department, offered the offered the presentation and responded to questions.

Public Comment: Wendy Bravo, Elizabeth Agramont, Shaunn, and 1 speaker (*name not provided at the podium*), provided public testimony regarding the item.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Rosemary Kamei, and carried unanimously, (a) **Resolution No. RES2025-323**; (d) Funding Sources **Resolution No. RES2025-324**; (d) Appropriation **Ordinance No. 31241**; (e) Appropriation **Ordinance No. 31242**; and (f) Appropriation **Ordinance No. 31243** were adopted, regarding the actions related to the funding and purchase of a fixed wing aircraft for the Police Department; (b) the proposed 2024-2026 Spending Plan for the Supplemental Law Enforcement Services grant in the amount of \$1,497,156 and authorizing the Chief of Police to amend the Spending Plan to conform to the budget priorities set out in this memorandum, and in the event the Supplemental Law Enforcement Services Grant payments are less or more than expected was approved; and (c) the revised 2023-2025 Spending Plan for the Supplemental Law Enforcement Services Grant in the amount of \$2,903,332 was approved. (10-0-1; Absent: Foley)

5. TRANSPORTATION & AVIATION SERVICES

6. ENVIRONMENTAL & UTILITY SERVICES

7. NEIGHBORHOOD SERVICES

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 Actions Related to the Agreement with the County of Santa Clara's Office of Supportive Housing for the Homelessness Prevention System Program.

(a) Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute a grant agreement amendment with the County of Santa Clara's Office of Supportive Housing, in an amount not to exceed \$5,500,000, retroactive from July 1, 2025, to June 30, 2026, for the countywide Homelessness Prevention System Program.

(b) Adopt the following 2025-2026 Appropriation Ordinance amendments in the Real Property Transfer Tax Fund:

(1) Decrease the Measure E - 10% Homeless Prevention and Rental Assistance Reserve by \$275,000; and

(2) Increase the Homeless Prevention and Rental Assistance (10% HPRA) appropriation to the Housing Department by \$275,000. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Housing/City Manager)

DROPPED DURING ORDERS OF THE DAY

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

10.1 Land Use on Consent Calendar – *HEARD IMMEDIATELY AFTER CONSENT*

Public Comment: Qingshue Fu provided public testimony regarding the Land Use Consent Calendar.

Action: Upon motion by Councilmember Peter Ortiz, seconded by Councilmember Bien Doan, and carried unanimously, the Consent Calendar was approved *as a whole*, the below actions were taken as indicated. (10-0-1; Absent: Foley)

10.1(a) C25-019, C25-020, C25-021, C25-022, C25-023, C25-024, C25-025, C25-026, C25-027, C25-028, C25-029, C25-030, C25-031, C25-032, C25-033, C25-034, C25-035 - City-Initiated Rezoning of 951 Parcels to Align a Property's Zoning Designation to its General Plan Land Use Designation in Response to Senate Bill 1333.

Approve an ordinance of the City of San José rezoning 153 properties from the R-M Multiple Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, 91 properties from the LI Light Industrial Zoning District to the HI Heavy Industrial Zoning District, 82 properties from the R-2 Two-Family Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, 61 properties from the R-M Multiple Residence Zoning District to the UR Urban Residential Zoning District, 55 properties from the R-1-8 Single-Family Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, 53 properties from the A Agricultural Zoning District to the OS Open Space Zoning District, 52 properties from the R-1-8 Single-Family Residence Zoning District to the OS Open Space Zoning District, 42 properties from the IP Industrial Park Zoning District to the LI Light Industrial Zoning District, 36 properties from the Heavy Industrial Zoning District to the LI Light Industrial Zoning District, 25 properties from the R-2 Two Family Residence Zoning District to the OS Open Space Zoning District, 24 properties from the R-1-8 Single-Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, 23 properties from the LI Light Industrial Zoning District to the UV Urban Village Zoning District, 20 properties from the IP Industrial Park Zoning District to the CIC Combined Industrial/Commercial Zoning District, 19 properties from the IP Industrial Park Zoning District to the HI Heavy Industrial Zoning District, 17 properties from the CG Commercial General Zoning District to the UV Urban Village Zoning District, 17 properties from the HI Heavy Industrial to the CIC Combined Industrial/Commercial Zoning District, 16 properties from the A Agricultural Zoning District to the R-1-8 Single-Family Residence Zoning District, 13 properties from the LI Light Industrial Zoning District to the MUN Mixed Use Neighborhood Zoning District, 11 properties from the R-M Multiple-Family Residence Zoning District to the OS Open Space Zoning District, ten properties from the LI Light Industrial Zoning District to the OS Open Space Zoning District, nine properties from the A Agricultural Zoning District to the PQP Public/Quasi-Public Zoning District, eight properties from the LI(IP) Light Industrial Planned Development Zoning District to the IP Industrial Park Zoning District, seven properties from the R-1-8 Single Family Residence Zoning District to the LI Light Industrial Zoning District, seven properties from the LI Light Industrial Zoning District to the CIC Combined Industrial/Commercial Zoning District, six properties from the CP

Commercial Pedestrian Zoning District to the R-1-8 Single Family Residence Zoning District, six properties from the HI Heavy Industrial Zoning District to the TEC Transit Employment Center Zoning District, five properties from the CG Commercial General Zoning District to the CIC Combined Industrial/Commercial Zoning District, four properties from the IP Industrial Park Zoning District to the TEC Transit Employment Center Zoning District, four properties from the R-1-1 Single Family Residence Zoning District to the OS Open Space Zoning District, three properties from the LI Light Industrial Zoning District to the R-1-8 Single Family Residence Zoning District, three properties from the CP Commercial Pedestrian Zoning District to the PQP Public/Quasi-Public Zoning District, three properties from the R-1-2 Single Family Residence Zoning District to the OS Open Space Zoning District, three properties from the IP Industrial Park Zoning District to the OS Open Space Zoning District, three properties from the R-1-5 Single Family Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, two properties from the CP Commercial Pedestrian Zoning District to the UR Urban Residential Zoning District, two properties from the IP Industrial Park Zoning District to the CN Commercial Neighborhood Zoning District, two properties from the A Agricultural Zoning District to the IP Industrial Park Zoning District, two properties from the A Agricultural Zoning District to the LI Light Industrial Zoning District, two properties from the R-MH Mobilehome Park Zoning District to the LI Light Industrial Zoning District, two properties from the CN Commercial Neighborhood Zoning District to the MUN Mixed Use Neighborhood Zoning District, two properties from the CP Commercial Pedestrian Zoning District to the MUN Mixed Use Neighborhood Zoning District, two properties from the R-1-2 Single Family Residence Zoning District to the MUN Mixed Use Neighborhood Zoning District, two properties from the R-MH Mobilehome Park Zoning District to the OS Open Space Zoning District, two properties from the R-1-5 Single Family Residence Zoning District to the OS Open Space Zoning District, two properties from the HI Heavy Industrial Zoning District to the OS Open Space Zoning District, two properties from the R-2 Two Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, two properties from the CN Commercial Neighborhood Zoning District to the R-1-8 Single Family Residence Zoning District, two properties from the R-MH Mobilehome Park Zoning District to the R-1-8 Single Family Residence Zoning District, two properties from the MUC Mixed Use Commercial Zoning District to the TR Transit Residential Zoning District, two properties from the MUN Mixed Use Neighborhood Zoning District to the UR Urban Residential Zoning District, two properties from the CN Commercial Neighborhood Zoning District to the UV Urban Village Zoning District, two properties from the CP Commercial Pedestrian Zoning District to the UR Urban Residential Zoning District, one property from the A Agricultural Zoning District to the CN Commercial Neighborhood Zoning District, one property from the LI Light Industrial Zoning District to the CG Commercial General Zoning District, one property from the A Agricultural Zoning District to the CP Commercial Pedestrian Zoning District, one property from the R-MH Mobilehome Park Zoning District to the HI Heavy Industrial Zoning District, one property from the CG Commercial General Zoning District to the LI Light Industrial Zoning District, one property from the CIC Combined Industrial/Commercial Zoning District to the LI Light Industrial Zoning District, one property from the A(PD) Agricultural Planned Development Zoning District to the MUC Mixed Use Commercial Zoning District, one property from the LI Light Industrial Zoning District to the MUC Mixed Use Commercial Zoning District, one property from the A(PD) Agricultural Planned Development Zoning District to the MUN Mixed Use Neighborhood Zoning District,

one property from the R-MH Mobilehome Park Zoning District to the MUN Mixed Use Neighborhood Zoning District, one property from the R-2(PD) Two Family Planned Development Zoning District to the OS Open Space Zoning District, one property from the CN Commercial Neighborhood Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the IP Industrial Park Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-1-1 Single Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-1-2 Single Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-1-5 Single Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-M Multi Family Residence Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-MH Mobilehome Park Zoning District to the PQP Public/Quasi-Public Zoning District, one property from the R-M Multi Family Residence Zoning District to the R-MH Mobilehome Park 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 HI Heavy Industrial Zoning District to the R-1-8 Single Family Residence Zoning District, one property from the A(PD) Agricultural Planned Development Zoning District to the UV Urban Village Zoning District, one property from the CP Commercial Pedestrian Zoning District to the UV Urban Village Zoning District, and one property from the R-2 Two Family Residence Zoning District to the UV Urban Village Zoning District, all located on those certain real properties situated within the City of San José.

CEQA: Determination of Consistency with the Envision San José 2040 General Plan EIR (Resolution No. 76041) and the Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto. (Planning, Building and Code Enforcement)

No presentation provided.

Action: **Ordinance No. 31244** was *passed for publication*, regarding the city-initiated rezoning of 951 parcels to align a property's zoning designation to its general plan land use designation in response to Senate Bill 1333. (10-0-1; Absent: Foley)

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

10.2 ST25-003 - Renaming of a Street Segment of North Almaden Boulevard to “Little Italy Way.”

Adopt a resolution approving the renaming of an approximately 400-foot segment of North Almaden Boulevard extending from West St. John Street to West Julian Street to “Little Italy Way.”

CEQA: Exempt per Section 15061(b)(3) of the CEQA Guidelines. Council District 6. (Planning, Building and Code Enforcement)

Chris Burton, Director, Planning, Building & Code Enforcement Department (PBCE); and Manira Sandhir, Deputy Director, PBCE, offered the presentation and responded to questions.

Applicant, Chris Shay spoke to the item and was allotted 5-minutes to speak.

Public Comment: Joshua Melander (Little Italy San José), Jerry Greer, Wayne Johnson (SEG Inc.), and Alex Greer, provided public testimony regarding the item.

Motion: Councilmember Michael Mulcahy moved approval of the joint memorandum he co-authored with Mayor Matt Mahan, Councilmember Anthony Tordillos, Councilmember Domingo Candelas, and Councilmember George Casey, dated September 12, 2025. Councilmember Domingo Candelas seconded the motion.

Nora Frimann, City Attorney, City Attorney's Office, requested that Council *amend* the motion on the floor, to *only approve recommendation 1* of the joint memorandum, dated September 12, 2025; because recommendation 2 of the joint memorandum was already approved by the Council in May 2025. The recommendation was accepted by the maker of the motion and seconder.

Action: Upon motion by Councilmember Michael Mulcahy, seconded by Councilmember Domingo Candelas, and carried unanimously, **Resolution No. RES2025-325** was adopted, approving the renaming of an approximately 400-foot segment of North Almaden Boulevard extending from West St. John Street to West Julian Street to “Little Italy Way.”

AND

Including approval of the *amended* joint memorandum co-authored by Mayor Matt Mahan, Councilmember Anthony Tordillos, Councilmember Michael Mulcahy, Councilmember Domingo Candelas, and Councilmember George Casey, dated September 12, 2025, recommending the following:

1.) Adopt a resolution approving the renaming of an approximately 400-foot segment of North Almaden Boulevard extending from West St. John Street to West Julian Street to “Little Italy Way.”

~~2.) Confirm the Memorandum authored by Mayor Mahan and Councilmembers Salas, Mulcahy, Candelas, and Casey, and approve staff's recommendation to rename Street Segments of West St. John Street, North Almaden Boulevard, and Santa Teresa Street, to “Sharks Way.”~~

(10-0-1; Absent: Foley)

10.3 H24-046 & ER24-195 - Administrative Hearing on the Appeal of the Planning Director's Environmental Determination and Approval of a Site Development Permit Located at 1301 West San Carlos Street.

(a) Conduct an Administrative Hearing to consider the appeal of the Planning Director's approval of a Site Development Permit to allow the construction of a one-story, approximately 5,139-square-foot quick-service restaurant with an outdoor patio and the removal of 20 ordinance-size trees on an approximately 1.09-gross-acre site, located on the northwest corner of Race Street and West San Carlos Street (1301 West San Carlos Street and 255-263 Race Street).

(b) Adopt a resolution denying the environmental appeal and upholding the Planning Director's reliance on the Categorical Exemption under Section 15332 of the CEQA Guidelines for the 1301 West San Carlos Street Chick-fil-A Project in accordance with CEQA, as amended, and finding that the:

(1) City Council has independently reviewed and analyzed the Categorical Exemption for the 1301 West San Carlos Street Chick-fil-A Project and related administrative records related to Site Development Permit No. H24-046;

(2) Categorical Exemption for the 1301 West San Carlos Street Chick-fil-A Project was prepared and completed in full compliance with the CEQA, as amended, together with state and local implementation guidelines;

(3) Reliance on the Categorical Exemption for the 1301 West San Carlos Street Chick-fil-A Project reflects the independent judgment and analysis of the City of San José, as the lead agency for the Project; and

(4) Preparation of an Environmental Impact Report or Mitigated Negative Declaration/Negative Declaration is not required because the appeal does not raise any issues that would disqualify the project from a Categorical Exemption under Section 15332 of the CEQA Guidelines.

(c) Adopt a resolution approving the permit appeal approving, subject to conditions, a modified Site Development Permit removing Condition 6 and allowing the construction of a one-story, approximately 5,139-square-foot quick-service restaurant with an outdoor patio through the demolition of an approximately 3,817-square-foot commercial building and the removal of 20 ordinance-size trees on an approximately 1.09-gross-acre site, located on the northwest corner of Race Street and West San Carlos Street (1301 West San Carlos Street and 255-263 Race Street).

CEQA: Categorically Exempt pursuant to CEQA Guidelines Section 15332 for In-fill Development Projects. Council District 6. (Planning, Building and Code Enforcement)

Chris Burton, Director, Planning, Building & Code Enforcement Department, offered the presentation and responded to questions.

Appellant Representative, Joshua Safran, spoke on behalf of the Appellant, Rosemary Zada, who was unable to attend the meeting, he was allotted 5-minutes to speak.

Applicant, Senior Project Engineer at 4G Development, Hudson Brooks spoke to the item and was allotted 5-minutes to speak.

Public Comment: Alex Shoor (Catalyze SV) and Greg Ripa, provided public testimony regarding the item.

Action: Upon motion by Councilmember Michael Mulcahy, seconded by Councilmember Bien Doan, and carried unanimously, (a) an Administrative Hearing to consider the appeal of the Planning Director's approval of a Site Development Permit was conducted; (b) **Resolution No. RES2025-326** was adopted, denying the environmental appeal; and (c) **Resolution No. RES2025-327** was adopted, approving the permit appeal. (10-0-1; Absent: Foley)

- **Open Forum**

1. Elizabeth spoke to the City Budget and requested that Council dedicate funds to matters that help the Cities residents, such as libraries and affordable day-care.

- **Adjournment**

The Council of the City of San José adjourned the meeting at 8:24 p.m., in memory of Dr. Robert "Bob" Gross.

Minutes Recorded, Prepared, and Respectfully Submitted by,

DRAFT

Yasmin Johnson,
Deputy City Clerk City of San José

Approved at Council on:

of Actions: 10

Attest By:

Toni Taber, MMC
City Clerk, City of San José



Office of the City Attorney

**SAN JOSÉ CITY COUNCIL CLOSED SESSION MINUTES
September 16, 2025**

Present Councilmembers: Mahan, Kamei, Campos, Tordillos,
Cohen, Mulcahy, Candelas, Casey.

Present Councilmembers: Ortiz, Doan, Foley.

Place: City Hall, Conference Room W-133

Time: 9:30 a.m.

CLOSED SESSION ITEM(S) DISCUSSED:

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

1. Case Name: In re: Claim of Matz
Name(s) of Party(ies):
Court: Worker's Compensation Appeals Court
Case No: ADJ14839910
Amount of Money or Benefits
Other Relief Sought:
2. Case Name: In re: Claim of Gier
Name(s) of Party(ies):
Court: Worker's Compensation Appeals Court
Case No: ADJ10678194
Amount of Money or Benefits
Other Relief Sought:
3. Case Name: Hu, Qinglong v. City of San Jose
Name(s) of Party(ies): QINGLONG HU, CITY OF SAN JOSE
Court: Sixth District Court of Appeals
Case No: H051724
Amount of Money or Damages according to proof
Other Relief Sought:

4. Case Name: Sangervasi, William Gerard II v. City of San Jose
 Name(s) of Party(ies): WILLIAM GERARD SANGERVASI II; CITY OF SAN JOSE
 Court: Court of Appeal of the State of California, Sixth Appellate District
 Case No: H051833
 Amount of Money or Other Relief Sought: Damages according to proof
5. Case Name: Greer, Alexander A. v. City of San Jose
 Name(s) of Party(ies): ALEXANDER A. GREER; CITY OF SAN JOSE
 Court: Santa Clara Superior Court
 Case No: 25cv474152
 Amount of Money or Other Relief Sought: Damages according to proof
6. Case Name: Green, K'aun v. City of San Jose et al.
 Name(s) of Party(ies): K'AUN GREEN; CITY OF SAN JOSE; MARK MCNAMARA; ANTHONY MATA
 Court: U.S. District for the Northern District of California
 Case No: 5:22-cv-02174-NC
 Amount of Money or Other Relief Sought: Damages according to proof
7. Case Name: Luo, Chikang and Chen, Shu Hui v. City of San Jose, et al.
 Name(s) of Party(ies): CHIKANG LUO; SHU HUI CHEN; CITY OF SAN JOSE
 Court: Superior Court of California, County of Santa Clara
 Case No: 23cv410153
 Amount of Money or Other Relief Sought: Damages according to proof
8. Case Name: Lam, Tinwai, et al. v. Greenwaste Recovery, LLC, et al.
 Name(s) of Party(ies): TINWAI LAM; JENNEVINE FENG; GREENWASTE RECOVERY, LLC; GREENWASTE RECOVERY HOLDINGS, LLC; GREENWASTE RECOVERY, INC.; CITY OF SAN JOSE; SHIRLEY PAGANINI; SHIRLEY PAGANINI DORSA TRUST; LOLITA MAXIMO; PATRICK G. BREIN, JR.
 Court: Superior Court of California, County of Santa Clara
 Case No: 24cv43282
 Amount of Money or Other Relief Sought: Damages according to proof
9. 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 Saint Paul, City of Santa Fe, County of Alameda, City of Albany, City of Albuquerque, County of Allegheny, City of Baltimore, City of Bend, City of Benicia, City of Berkeley, City of Boston, City of Cambridge, City of Cathedral City, City of Chicago, City of Columbus, City of Culver City, County of Dane, City and County of Denver, City of Healdsburg, County of Hennepin, City of Los Angeles, County of Marin, City of Menlo Park, Multnomah County, City of Pacifica, City of Palo Alto, City of Petaluma, Pierce County, City of Richmond, City of Rochester, City of Rohnert Park, County of San Mateo, City of Santa Rosa, County of Sonoma, City of Watsonville, City of Wilsonville; Donald J. Trump, United States Department of Justice, Pamela Bondi, Emil Bove, Kristi Noem, United States of America, United States Office of Management and Budget, Russell Vought.

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:

Initiation of litigation pursuant to Sections 54956.9(d)(4) and (e)(1) of the Government code:

Number of matter(s) to be discussed: 1

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

City Negotiator: Jennifer Schembri, Director of Employee Relations
Employee Organizations:

1. Organization or Name **Municipal Employees' Federation, AFSCME Local 101, AFL-CIO (MEF)**
and Title of
Unrepresented
Employees:
Nature of negotiations: wages/salaries, hours, working conditions, etc.

Name of Existing Contract or MOA: Memorandum of Agreement — City of San José and Municipal Employees' Federation, AFSCME Local 101, AFL-CIO

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

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

Department or Agency: City Manager
Title: City Manager

Department or Agency: City Clerk
Title: City Clerk

Department or Agency: City Attorney
Title: City Attorney

Department or Agency: City Auditor
Title: City Auditor

Department or Agency: City Clerk
Title: City Clerk