



City Council Meeting Draft Minutes

Tuesday, March 3, 2026

1:30 PM

Council Chambers

Closed Session at 9:30 a.m.

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 9-12 for the Closed Session Minutes.*

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

Absent Councilmembers: None.

1:32 p.m. – Regular Session.

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

Absent Councilmembers: None.

- **Pledge of Allegiance**

Mayor Matt Mahan led the Pledge of Allegiance.

- **Invocation**

Rainbow Women's Chorus offered the invocation.

- **Orders of the Day**

None provided.

- **Adjournment Recognition**

None provided.

- **Closed Session Report**

None provided.

1. CEREMONIAL ITEMS

1.1 Councilmember Rosemary Kamei, Councilmember Pamela Campos, and Vice Mayor Pam Foley presented a proclamation recognizing March 2026 as Women's History Month in the City of San José, honoring and celebrating the extraordinary women whose leadership, innovation, resilience, and service have shaped our city's history, enriched our cultural fabric, and strengthened our community.

1.2 Councilmember Pamela Campos presented a proclamation recognizing March 2026 as Youth Arts Month in the City of San José to encourage our San José community to celebrate, uplift, and invest in youth creativity and artistic expression.

1.3 Councilmember Peter Ortiz presented a commendation recognizing CityTeam (Mayfair) for its dedicated service to East San José through essential food distribution, holistic recovery

programs, workforce development, and its ongoing commitment to strengthening families and rebuilding community stability.

2. 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. The following actions were taken as indicated. (11-0-0)

2.1 Approval of City Council Minutes

(a) Regular City Council Meeting Minutes of February 10, 2026.

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

Action: The City Council Minutes were approved. (11-0-0)

2.2 Final Adoption of Ordinances.

None provided.

2.3 Approval of Council Committee Minutes.

(a) Regular Transportation and Environment Committee Minutes of February 9, 2026.

(b) Regular Neighborhood Services and Education Committee Minutes of February 12, 2026.

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

Action: The Council Committee Minutes were approved. (11-0-0)

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 Revisions to City Council Policy 1-18, Operating Budget and Capital Improvement Program Policy.

Adopt a resolution revising City Council Policy 1-18, Operating Budget and Capital Improvement Program Policy, Section 17, Fees, to provide guidelines for cost recovery and revenue sufficiency; considerations of ratepayer impacts; reserves and fund balance; and annual review.

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

Action: **Resolution No. RES2026-55** was adopted, revising City Council Policy 1-18, Operating Budget and Capital Improvement Program Policy, Section 17, Fees, to provide guidelines for cost recovery and revenue sufficiency; considerations of ratepayer impacts; reserves and fund balance; and annual review. (11-0-0)

2.8 Actions Related to the Purchase Order with Wattis Construction Co., Inc. for Asphalt Paving Services.

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

- (a) Execute a purchase order with Wattis Construction Co., Inc. (San José, CA) for asphalt paving services beginning on or about March 3, 2026, and ending on or about March 2, 2027, for a not-to-exceed amount of \$2,500,000;
- (b) Approve a contingency of \$250,000 for unanticipated asphalt paving services, subject to the appropriation of funds; and
- (c) Exercise up to six one-year options to extend the term of the purchase order, with the last option ending on or about March 2, 2033, subject to the appropriation of funds.

CEQA: Categorically Exempt, File No. ER24-313, CEQA Guidelines Section 15301(c), Existing Facilities. (Finance)

Action: **Resolution No. RES2026-56** was adopted, regarding actions related to the Purchase Order with Wattis Construction Co., Inc. for asphalt paving services. (11-0-0)

2.9 Fifth 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 fifth amendment to the standard consultant agreement with DST Consulting Services to increase the maximum total contract value by \$100,000 from \$715,000 to \$815,000.

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. RES2026-57** was adopted, authorizing the Housing Director, or his designee, to negotiate and execute a fifth amendment to the standard consultant agreement with DST Consulting Services. (11-0-0)

2.10 Deferred Compensation Advisory Committee Appointments.

As recommended by the Rules and Open Government Committee on February 25, 2026, approve the following appointments to the Deferred Compensation Advisory Committee for a four-year term, beginning March 3, 2026, and ending on March 1, 2030:

- (a) Aric Johnson, nominated by the group of employees designated as “Management Employees” consisting of employees in Unit 99 and members of the Association of Engineers and Architects, IFPTE Local 21 (AEA); Association of Maintenance Supervisory Personnel, IFPTE Local 21 (AMSP); City Association of Management Personnel, IFPTE Local 21 (CAMP); and the Association of Legal Professionals of San José (ALP); and
- (b) Jaime Fonseca as the representative nominated by the group of employees designated as American Federation of State, County, and Municipal Employees, AFSCME Local 101.

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

[Rules Committee referral 2/25/2026 - Item B.2]

Action: Aric Johnson and Jaime Fonesca were appointed to the Deferred Compensation Advisory Committee for terms beginning March 3, 2026 and ending on March 1, 2030. (11-0-0)

2.11 Approval of the Bay FC Flag Raising in Celebration of International Women's Day Sponsored by Council District 2 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

As recommended by the Rules and Open Government Committee on February 25, 2026:

- (a) Approve the Bay FC Flag Raising in celebration of International Women's Day scheduled on March 9, 2026 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. (Campos) [Rules Committee referral 2/25/2026 - Item B.3]

Action: The Bay FC Flag Raising in celebration of International Women's Day scheduled on March 9, 2026 as a City Council sponsored Special Event, was approved. (11-0-0)

3. STRATEGIC SUPPORT**3.1 Report of the City Manager, Jennifer Maguire (Verbal Report).**

None provided.

3.2 Labor Negotiations Update.

None provided.

3.3 Sewer Rate Setting Audit Report.

As recommended by the Transportation and Environment Committee on February 9, 2026, accept the audit report on sewer rate setting.

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 Auditor) [Transportation and Environmental Committee referral 2/9/2026 - Item (d)4]

Joe Rois, City Auditor, City Auditor's Office; and Jeffrey Provenzano, Director, Environmental Services Department, offered the presentation.

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Rosemary Kamei, and carried unanimously, the audit report on sewer rate setting was accepted. (11-0-0)

3.4 Reasonable Accommodation Process and Personal Property Impound Handling.

- (a) Approve the revised Personal Property Impound Standard Operating Procedure, clarifying roles and responsibilities for the handling, storage, and return of personal property encountered in public spaces.

- (b) Delegate authority to the City Manager or her designee to administratively amend the Standard Operating Procedure in coordination with the City Attorney's Office.

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

Jon Cicirelli, Director, Department of Parks, Recreation, and Neighborhood Services; Zulma Maciel, Director, City Manager's Office of Racial and Social Equity; Olympia Williams, Deputy Director, Department of Parks, Recreation, and Neighborhood Services; and Johnny Phan, Chief Deputy City Attorney, City Attorney's Office, offered the presentation and responded to questions from Council.

Public Comment: Brian Darby, Sandy Perry, John Betts, Amanda, Batman of San Jose, Emma, Mary, Obadiah, and Shaunn offered public comment.

Motion: Councilmember Pamela Campos moved approval of the staff recommendation *and* a request to return to the Neighborhood Services and Education Committee (NSE) in June 2026 with an implementation update. The motion was seconded by Councilmember Anthony Tordillos.

Action: Upon motion by Councilmember Pamela Campos, seconded by Councilmember Anthony Tordillos, and carried unanimously,
(a) the revised Personal Property Impound Standard Operating Procedure, clarifying roles and responsibilities for the handling, storage, and return of personal property encountered in public spaces was approved; and
(b) authority delegated to the City Manager or her designee to administratively amend the Standard Operating Procedure in coordination with the City Attorney's Office; *and* to return to the Neighborhood Services and Education Committee (NSE) in June 2026 with an implementation update. (11-0-0)

3.5 Community Oversight Committee Annual Report on the Measure T - Disaster Preparedness, Public Safety, and Infrastructure General Obligation Bond Program Proceeds and Allocations for Fiscal Year 2024-2025.

Accept the Measure T Community Oversight Committee Annual Report on the Measure T - The Disaster Preparedness, Public Safety, and Infrastructure General Obligation Bond Program proceeds and allocations for Fiscal Year 2024-2025.

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

Matt Loesch, Director, Public Works Department; Gary Cunningham, District 1 Seat, Measure T Community Oversight Committee (MTCOC); Nicholas Cochran, District 6 Seat, (MTCOC); and Shruti Chandrasekhar, District 9 Seat, (MTCOC), offered the presentation and responded to questions from Council.

Public Comment: Brian Darby offered public comment.

Action: Upon motion by Councilmember Rosemary Kamei, seconded by Councilmember David Cohen, and carried unanimously, the Measure T Community Oversight Committee Annual Report on the Measure T - The Disaster Preparedness, Public Safety, and Infrastructure General Obligation Bond Program proceeds and allocations for Fiscal Year 2024-2025, was accepted. (11-0-0)

4. PUBLIC SAFETY SERVICES

No items provided.

5. TRANSPORTATION & AVIATION SERVICES

No items provided.

6. ENVIRONMENTAL & UTILITY SERVICES

6.1 Climate Adaptation and Resilience Plan.

As recommended by the Transportation and Environment Committee on February 9, 2026:

(a) Adopt the Climate Adaptation and Resilience Plan.

(b) Approve the incorporation of the Climate Adaptation and Resilience Plan into annual Climate Smart updates.

CEQA: Exempt, File No. PP17-001, Statutory Exemption for feasibility and planning studies with no commitment to future actions. (Energy) [Transportation and Environment Committee referral 2/9/2026 - Item (d)2]

Lori Mitchell, Director, Energy Department; Julie Benabente, Deputy Director, Energy Department; Jeffrey Provenzano, Director, Environmental Services Department; and Michael Gonzales, Program Manager, Environmental Services Department, offered the presentation.

Public Comment: Lena offered public comment.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Pamela Campos, and carried unanimously, (a) the Climate Adaptation and Resilience Plan was adopted, and (b) the incorporation of the Climate Adaptation and Resilience Plan into annual Climate Smart updates was approved. (11-0-0)

7. NEIGHBORHOOD SERVICES

No items provided.

8. COMMUNITY & ECONOMIC DEVELOPMENT

No items provided.

9. REDEVELOPMENT – SUCCESSOR AGENCY

None provided.

10. LAND USE

10.1 Land Use on Consent Calendar

No items provided.

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

No items provided.

- **Open Forum**

1. Brian Darby requested the acknowledgement for victims of crimes in the City of San José.

- **Adjournment**

The Council of the City of San José adjourned at 3:33 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,

DRAFT

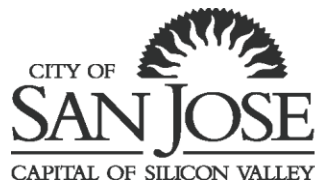
Daniel Aguilar
Deputy City Clerk, City of San José

Approved at Council on:

Number of actions: 5

Attest by:

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



SUSANA ALCALA WOOD, CITY ATTORNEY

*Office of the City Attorney***SAN JOSÉ CITY COUNCIL CLOSED SESSION AGENDA****March 3, 2026**

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

Absent Councilmembers: None.

Place: City Hall Conference Room W-133

Time: 9:30 a.m.

Items discussed:

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

- | | | |
|----|---|---|
| 1. | Case Name: | <u>Castillo, David de Jesus, et al. v City of San Jose, et al.</u> |
| | Name(s) of Party(ies): | DAVID DE JESUS CASTILLO, LISA ELEANOR SHARP, AUBREY NOELLE THOMPSON, CITY OF SAN JOSE, COUNTY OF SANTA CLARA. |
| | Court: | Superior Court of the State of California, County of Santa Clara |
| | Case No: | 24cv442472 |
| | Amount of Money or Other Relief Sought: | Damages according to proof |
| 2. | | |
| | Case Name: | <u>Entezarmahdi, Saaman v. City of San Jose, et. al.</u> |
| | Name(s) of Party(ies): | SAAMAN ENTEZARMAHDI, MONTEREY ROAD OWNER'S ASSOCIATION, CITY OF SAN JOSE |
| | Court: | Santa Clara Superior Court |
| | Case No: | 21cv389038 |
| | Amount of Money or Other Relief Sought: | Damages according to proof |

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

City Negotiator: Aram Kouyoumdjian, Director of Employee Relations

Employee Organizations:

1. Organization or Name **Association of Building, Mechanical and
and Title of Electrical Inspectors (ABMEI)**
Unrepresented
Employees:

Nature of negotiations: wages/salaries, hours, working conditions, etc.

Name of Existing Memorandum of Agreement – City of San José and
Contract or MOA: Association of Building, Mechanical and Electrical
Inspectors (ABMEI)

How to Obtain a copy of Web: [https://www.sanjoseca.gov/your-
Existing Contract or government/departments-offices/office-of-the-city-
MOA: manager/employee-relations/labor-relations-
information/bargaining-units-labor-contract-
info/abmei](https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/abmei)

Telephone – Employee Relations: (408) 535-8150

2. Organization or Name **Association of Engineers & Architects (AEA)**
and Title of
Unrepresented
Employees:

Nature of negotiations: wages/salaries, hours, working conditions, etc.

Name of Existing Memorandum of Agreement — City of San José
Contract or MOA: and Association of Engineers & Architects (AEA)

How to Obtain a copy of Web: [https://www.sanjoseca.gov/your-
Existing Contract or government/departments-offices/office-of-the-city-
MOA: manager/employee-relations/labor-relations-
information/bargaining-units-labor-contract-
info/aea](https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/aea)

Telephone – Employee Relations: (408) 535-8150

3. Organization or Name **Association of Legal Professionals of San José
and Title of (ALP)**
Unrepresented
Employees:

Nature of negotiations: wages/salaries, hours, working conditions, etc.

Name of Existing Memorandum of Agreement – City of San José and
Contract or MOA: Association of Legal Professionals of San José

- How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/alp>
Telephone – Employee Relations: (408) 535-8150
4. Organization or Name and Title of Unrepresented Employees: **Association of Maintenance Supervisory Personnel (AMSP)**
Nature of negotiations: wages/salaries, hours, working conditions, etc.
Name of Existing Contract or MOA: City of San José - Association of Maintenance Supervisory Personnel (AMSP) Benefit & Compensation Summary
How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/amsp>
Telephone – Employee Relations: (408) 535-8150
5. Organization or Name and Title of Unrepresented Employees: **City Association of Management Personnel Agreement (CAMP)**
Nature of negotiations: wages/salaries, hours, working conditions, etc.
Name of Existing Contract or MOA: Benefit & Compensation Summary — City of San José and City Association of Management Personnel Agreement
How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/camp>
Telephone – Employee Relations: (408) 535-8150
6. Organization or Name and Title of Unrepresented Employees: **Municipal Employees' Federation, AFSCME Local 101, AFL-CIO (MEF)**
Nature of negotiations: wages/salaries, hours, working conditions, etc.
Name of Existing Contract or MOA: Memorandum of Agreement — City of San José and Municipal Employees' Federation, AFSCME Local 101, AFL-CIO

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

7. Organization or Name and Title of Unrepresented Employees: **San José Police Dispatchers’ Association (SJPDA)**
- Nature of negotiations: wages/salaries, hours, working conditions, etc.
- Name of Existing Contract or MOA: Memorandum of Agreement – City of San Jose and Municipal Employees’ Federation (MEF), AFSCME, Local 101
- How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/sjpda>
Telephone – Employee Relations: (408) 535-8150