



City Council Meeting Draft Minutes

Tuesday, February 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 11 for the Closed Session Minutes.*

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

Absent Councilmembers: Mahan.

1:36 p.m. – Regular Session.

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

Absent Councilmembers: Mahan.

- **Pledge of Allegiance**

Vice Mayor Pam Foley led the Pledge of Allegiance.

- **Invocation**

Fred Korematsu Day, Asian Law Alliance, was recognized with the invocation.

- **Orders of the Day**

Motion: Councilmember Michael Mulcahy motioned to defer Item 8.3 to the February 24, 2026 City Council meeting. The motion was seconded by Councilmember Anthony Tordillos.

Action: Upon motion by Councilmember Michael Mulcahy, seconded by Councilmember Anthony Tordillos, and carried unanimously, *Item 8.3 was deferred to the February 24, 2026 City Council meeting.* (10-0-1; Absent: Mahan)

- **Adjournment Recognition**

Vice Mayor Pam Foley announced that the meeting will be adjourned in memory of Roma Dawson, who passed away on December 6, 2025. Roma Dawson was a Director and Co-president of the League of Women Voters, and an active voice in the San José community and a longtime San José community leader and advocate. Her passion and hard work for women's rights, housing, and community empowerment—was and remains—an inspiration. We will never forget her life's work and her legacy.

- **Closed Session Report**

None provided.

1. CEREMONIAL ITEMS

1.1 Councilmember Domingo Candelas and Councilmember Peter Ortiz presented a proclamation recognizing February 4, 2026, as National Girls and Women in Sports Day, highlighting equity, opportunity, and the power of sports, and honoring the achievements of women athletes, coaches,

and leaders in San José.

1.2 Councilmember Anthony Tordillos presented a commendation to Alan “Gumby” Marques recognizing his leadership and unwavering commitment to the San José Downtown Association as Interim CEO.

1.3 Councilmember George Casey presented a commendation to Officer Michael Jaycox for his exceptional dedication in taking on a complex investigation while off duty and addressing vandalism and harassment incidents outside his patrol district.

2. CONSENT CALENDAR

Public Comment: None provided.

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

2.1 Approval of City Council Minutes

(a) Regular City Council Meeting Minutes of January 13, 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. (10-0-1; Absent: Mahan)

2.2 Final Adoption of Ordinances.

(a) Ordinance No. 31298 - An Ordinance of the City of San José Amending Title 19 (Subdivision) and Various Sections of Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to: (A) Add A New Chapter 19.11, ‘Ministerial Tentative Maps,’ and Related State Law References; (B) Implement City Council Direction to Amend Senate Bill 9 (SB 9) Provisions in Chapter 20.30 By: (1) Revising Existing SB 9 Objective Design Standards within Part 8, ‘Senate Bill 9 Implementation,’ (2) Adding New Part 9, ‘City Permitted Streamlined Implementation for Two-Unit Developments on a Single Lot within Two-Family Zoning Districts; (3) Adding New Part 9.5, ‘Streamlined Implementation for Properties of Lesser Significance Listed on the Historic Resources Inventory within R-1 and R-2 Zoning Districts’ to Allow Two-Unit Developments on a Single Lot; (4) Amending Sections 20.80.300, 20.80.450, 20.100.610, 20.100.1030 and 20.100.1040 to Incorporate References to Two-Unit Developments; and (5) Adding Section 20.200.675 to Include New Definition for ‘Lot Coverage’; (C) Amend Chapter 20.200 to Add Section 20.200.165 to Include New Definition for ‘Building, Main,’ Add Section 20.200.445 to Include New Definition for ‘Group Home,’ Amend Existing Definition of Residential Care Facility in Section 20.200.1010, Amend Existing Definition of ‘Residential Service Facility’ in Section 20.200.1030, Amend Section 20.200.1265, ‘Permanent Supportive Housing’, and Include References to Transitional and Supportive Housing in Table 20-50, Section 20.30.100, Chapter 20.30; (D) Amend Chapter 20.80 ‘Specific Use Regulations’, Part 2.75, ‘Accessory Dwelling Units’ by Amending Section 20.80.176, ‘Streamlined Approval’ and Adding Section 20.80.177, ‘Tree Removal’, and Part 2.76 ‘Accessory Dwelling Unit Condominium’ by Amending Section 20.80.185, ‘ADU Condominium Requirements’, to Revise Existing Accessory Dwelling Unit Provisions to Ensure Compliance with State Law; (E) Amend Chapter 20.190 ‘Affordable Housing Density Bonuses and Incentives’ to Improve Readability and Streamline Existing Text to Ensure Compliance With State Law; (F) Amend Chapter 20.195 ‘Ministerial Approvals’ in Its Entirety to: (1) Amend

Existing Text to Improve Readability and Maintain Compliance with Applicable State Laws, and (2) Incorporate Ministerial Approval Provisions Pursuant to Senate Bill 684 and Senate Bill 1123; (G) Incorporate Provisions of Senate Bill 1418 by Amending Table 20-90, Section 20.40.100, Chapter 20.40, 'Commercial Zoning Regulations'; Amending Table 20-110, Section 20.50.100, Chapter 20.50, 'Industrial Zoning Regulations'; Amending Table 29-138, Section 20.55.203, Chapter 20.55, 'Urban Village And Mixed-Use Zoning District Use Regulations'; Amending Table 20-140, Section 20.70.100, Chapter 20.70, 'Downtown Zoning Regulations'; Amending Section 20.80.600, Part 8 'Gasoline Service Station Conversions,' of Chapter 20.80, 'Specific Use Regulations'; and Incorporate Provisions of Assembly Bill 2632 in Table 20-140, Section 20.70.100, Chapter 20.70, 'Downtown Zoning Regulations;' (H) Amend Chapter 20.80, 'Specific Use Regulations,' Part 11, 'Off-Sale of Alcoholic Beverages' Section 20.80.900, 'off-Sale of Alcoholic Beverages' to Allow Alcoholic Beverages within Previously Established Entertainment Zone Boundary; (I) Incorporate Heat Pumps by Amending Chapter 20.30, 'Residential Zoning Districts,' Section 20.30.400, 'Setback Areas - Setback Area to Be Kept Open, Unobstructed, and Unoccupied,' Chapter 20.40, 'Commercial Zoning Districts and Public/Quasi-Public Zoning District,' Section 20.40.400, 'Setback Areas - Open, Unobstructed, and Unoccupied,' Chapter 20.50 'Industrial Zoning Districts,' Section 20.50.270, 'Setback Areas - Open, Unobstructed, and Unoccupied,' Chapter 20.55, 'Urban Village and Mixed-Use Zoning Districts,' and Section 20.55.101, 'Exceptions to Setback Regulations'; (J) Amend Section 20.55.104, "MUN Mixed Use Neighborhood Development Standards" to Revise Existing Development Standards for Improved Clarity; (K) Amend Chapter 20.100, 'Administration And Permits', Part 7, 'Special Use Permits' to Incorporate Amendment Provisions and Add Section 20.100.860, 'Amendment Findings'; and to Make Other Technical, Non-Substantive, or Formatting Changes within those Sections of Title 20 of the San José Municipal Code. [Passed for Publication on 1/13/2026 - Item 10.1(b)(2) (26-038)]

Action: **Ordinance No. 31298** was adopted, amending Title 19 (Subdivision) and Various Sections of Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code. (10-0-1; Absent: Mahan)

2.3 Approval of Council Committee Minutes.

(a) Regular Joint Meeting for the Rules and Open Government Committee Minutes of January 14, 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. (10-0-1; Absent: Mahan)

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 “Free Use” of the City Hall Rotunda and City Hall East, West, and South Plazas and Waiver of Gross Admission Receipts Percentage Fee for Special Events.

Adopt a resolution authorizing “Free Use” and Waiver of Gross Admission Receipts Percentage Fee for the private, ticketed Super Bowl Weekend Kehlani SJ City Hall Block Party Concert and Dom Dolla San José Street Party held at the City Hall Rotunda and City Hall East, West and South Plazas on Friday, February 6, 2026, and Saturday, February 7, 2026, including setup and takedown starting on Wednesday, February 4, 2026, and ending on Monday, February 9, 2026, co-hosted by the City Manager’s Office, the City Manager’s Office of Economic Development and Cultural Affairs and 15Utah LLC.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Economic Development and Cultural Affairs)

Action: **Resolution No. RES2026-25** was adopted, authorizing “Free Use” and Waiver of Gross Admission Receipts Percentage Fee for the private, ticketed Super Bowl Weekend Kehlani SJ City Hall Block Party Concert and Dom Dolla San José Street Party. (10-0-1; Absent: Mahan)

2.8 Agreement with Universal Protection Services, LP, dba Allied Universal for Security Guard Services.

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

- (a) Negotiate and execute an agreement for security guard services with Universal Protection Services, LP, dba Allied Universal (Conshohocken, PA), for an initial one-year term beginning on or about March 1, 2026, for a maximum compensation not to exceed \$3,050,252, subject to the appropriation of funds.
- (b) Negotiate and execute amendments and change orders, as required, for any unanticipated changes to the agreement, for a contingency amount not to exceed \$300,000 during the initial term, subject to the appropriation of funds; and
- (c) Exercise up to six additional one-year options to extend the term of the agreement through February 28, 2033, 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. RES2026-26** was adopted, regarding the agreement with Universal Protection Services, LP, dba Allied Universal for Security Guard Services. (10-0-1; Absent: Mahan)

2.9 Request for Travel and Excused Absence.

As recommended by the Rules and Open Government Committee on January 28, 2026:

- (a) Authorize travel, accept travel payments to the City of San José, and designate Councilmember Mulcahy as the City representative to attend the Reimagining the City Commons event in Paris, France from April 14-17, 2026. Source of Fund: Guadalupe River Park Conservancy.
- (b) Request for excused absences from the regular meetings of the City Council on April 14, 2026 and the Public Safety, Finance, and Strategic Support Committee on April 16, 2026.

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

[Rules Committee referral 1/28/2026 - Item B.6]

Action: The request for travel and excused absence for Councilmember Michael Mulcahy was authorized. (10-0-1; Absent: Mahan)

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 Receipt of Gifts Related to SJ26 Events. - DROPPED PER ADMINISTRATION

Approve the receipt of gifts received by City Officials and employees for Super Bowl 60, NCAA Division I Tournament, and the 2026 FIFA World Cup (SJ26 events) in an official capacity as a representative of the City in accordance with San José Municipal Code Section 12.08.120.B.

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

[Rules Committee referral 1/28/2026 - Item A.1.a]

DROPPED PER ADMINISTRATION

4. PUBLIC SAFETY SERVICES

4.1 Amendment to Title 16 (Gaming Control) of the San José Municipal Code.

Approve an ordinance amending Title 16 (Gaming Control) of the San José Municipal Code to:

- (a) Revise the immediate reporting requirement to the Police Department related to the discovery of crimes at cardroom premises from immediately upon discovery to either immediately upon discovery or, when immediate reporting is not feasible, then promptly upon making a determination that conduct has occurred which raises a reasonable suspicion that a crime has been committed, without compromising responsiveness to potential criminal conduct and revise the requirement to report to the Division of Gaming Control any conduct which raises a reasonable suspicion of a violation of Title 16 from four hours to no later than the next business day;
- (b) Expand the allowable betting layout design from 10 to 20 betting squares per player-position per card table, requiring advance approval from the Division of Gaming Control and labeling of all betting opportunities on table layouts to align with modern gaming practices;
- (c) Repeal Section 16.18.075 (Limitations on continuous presence at cardroom premises) as unnecessary given the minimal number of affected patrons and the disproportionate administrative effort required for enforcement;
- (d) Remove the four-tournament-per-year limit and add an exception to the existing 25% charitable contribution requirement for cardrooms that make lump-sum charitable contributions under settlement agreements;
- (e) Expressly permit the cardrooms to offer complimentary or discounted food and non-alcoholic beverages, and discounted alcoholic beverages offered during limited promotion periods (such as happy hours) to patrons, provided such items are not conditioned on gambling participation, are conducted in compliance with applicable state law and consistent with responsible gaming principles; and
- (f) Make other technical, non-substantive, or formatting changes.

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Police) [Deferred from 12/16/2025 - Item 4.1 (25-1337)]

Paul Joseph, Chief, San José Police Department; and Kirill Yermanov, Gaming Administrator, Division of Gaming Control, San José Police Department, offered the presentation and responded to questions.

Public Comment: None provided.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember George Casey, and carried unanimously, **Ordinance No. 31306** was *passed for publication*, amending Title 16 (Gaming Control) of the San José Municipal Code. (10-0-1; Absent: Mahan)

5. TRANSPORTATION & AVIATION SERVICES

5.1 Actions Related to the 10180 - SJC New Taxiway Victor Phase 3A.

Adopt a resolution authorizing the Director of Public Works, or his designee to:

- (a) Award and execute a construction contract for 10180 - SJC New Taxiway Victor Phase 3A to the lowest responsive, responsible bidder, in an amount not to exceed \$15,215,000;
- (b) Decide any timely bid protest(s) and make the City's final determination as to the lowest responsive bidder that is responsible as needed to award the contract; and
- (c) Approve a contingency of up to 10% of the amount of the contract for the construction of the project.

CEQA: Determination of Consistency with the San José Mineta International Airport Master Plan Amendment Environmental Impact Report, File No. ER22-021 (Resolution No. 79497). (Public Works/Airport)

No presentation provided.

Public Comment: None provided

Action: Upon motion by Councilmember Michael Mulcahy, seconded by Councilmember Bien Doan, and carried unanimously, **Resolution No. RES2026-27** was adopted, regarding actions related to the 10180 - SJC New Taxiway Victor Phase 3A. (10-0-1; Absent: Mahan)

6. ENVIRONMENTAL & UTILITY SERVICES

No items provided.

7. NEIGHBORHOOD SERVICES

No items provided.

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 Preliminary Actions Required for the Creation of the Story Road Business Improvement District and Levy of Assessments for Fiscal Year 2026-2027.

(a) Adopt a resolution:

- (1) Declaring the City Council's intention to establish the Story Road Business Improvement District;
- (2) Setting a public meeting for February 24, 2026, at 1:30 p.m. and a public hearing for April 7, 2026, at 1:30 p.m.;
- (3) Directing the City Clerk to publish the required notice of the public meeting and public hearing; and
- (4) Appointing Story Rd. Business Association, Inc. as the Advisory Board to advise the City Council on all issues related to the Story Road Business Improvement District.

(b) Subject to the establishment of the Story Road Business Improvement District:

- (1) Preliminarily approve the budget report of the Advisory Board for Fiscal Year 2026-2027; and
- (2) Adopt a resolution of intention to levy an assessment for Fiscal Year 2026-2027 and set a public hearing for April 7, 2026, at 1:30 p.m. on the levy of assessments for Fiscal Year 2026-2027. CEQA: Not a Project, File No PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant impact on the environment. Council District 7. (Economic Development and Cultural Affairs)

Jen Baker, Director, City Manager's Office of Economic Development and Cultural Affairs (OED); Victor Farlie, Assistant to the City Manager, OED; and Minh Tran, Executive Analyst, OED, offered the presentation and responded to questions.

Public Comment: Mary Ng and Paul Pham offered public comment.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Peter Ortiz, and carried unanimously,

(a) **Resolution No. RES2026-28** was adopted,

(1) declaring the City Council's intention to establish the Story Road Business Improvement District;

(2) setting a public meeting for February 24, 2026, at 1:30 p.m. and a public hearing for April 7, 2026, at 1:30 p.m.;

(3) directing the City Clerk to publish the required notice of the public meeting and public hearing; and

(4) appointing Story Rd. Business Association, Inc. as the Advisory Board to advise the City Council on all issues related to the Story Road Business Improvement District;

(b) Subject to the establishment of the Story Road Business Improvement District:

(1) the budget report of the Advisory Board for Fiscal Year 2026-2027 was preliminarily approved; and

(2) **Resolution No. RES2026-28** was adopted; a resolution of intention to levy an assessment for Fiscal Year 2026-2027 and set a public hearing for April 7, 2026, at 1:30 p.m. on the levy of assessments for Fiscal Year 2026-2027. (10-0-1; Absent: Mahan)

8.2 Establishment of the Alum Rock Santa Clara Street Business Improvement District and Approval to Levy Assessments in the Alum Rock Santa Clara Street Business Improvement District for the Remainder of Fiscal Year 2025-2026.

(a) Conduct a public hearing and approve an ordinance to establish the Alum Rock Santa Clara Street Business Improvement District.

(b) Conduct a public hearing and adopt a resolution approving the Business Improvement District Management Plan and the levy of assessments for the Alum Rock Santa Clara Street Business Improvement District for the remainder of Fiscal Year 2025-2026.

(c) Adopt a resolution authorizing the City Manager or her designee to negotiate and execute an agreement with Alum Rock Santa Clara Street Business Association, Inc. for the administration of the Alum Rock Santa Clara Street Business Improvement District.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant impact on the environment. Council Districts 3 and 5. (Economic Development and Cultural Affairs)

Vice Mayor Pam Foley announced the following: *Item No. 8.2 is the public hearing on the establishment of the Alum Rock Santa Clara Street Business Improvement District and the levy of assessments in the BID for the remainder of Fiscal Year 2025-2026. Before I open the public hearing, has the City Clerk received any written protests from affected businesses in the proposed BID?*

Toni Taber, City Clerk, City Clerk's Office, announced that *no written protests have been received* from the businesses in the proposed Business Improvement District.

Vice Mayor Pam Foley then opened the public hearing.

Public Comment: Mimi Hernandez, Helen Masamori, Oswaldo Moreno, and Cynthia, spoke to the public hearing.

Vice Mayor Pam Foley then closed the public hearing and announced the following: *Since the business owners have supported the establishment of the Alum Rock Santa Clara Street Business Improvement District and the proposed levy of assessments, I will now ask the Council to consider approval of the ordinance establishing the BID and adoption of the resolution levying assessments in the BID for the remainder of Fiscal Year 2025-2026.*

Action: Upon motion by Councilmember Peter Ortiz, seconded by Councilmember Bien Doan, and carried unanimously, the Alum Rock Santa Clara Street Business Improvement District and Approval to Levy Assessments in the Alum Rock Santa Clara Street Business Improvement District for the Remainder of Fiscal Year 2025-2026 was established, and

(a) **Ordinance No. 31307** was *passed for publication*, establishing the Alum Rock Santa Clara Street Business Improvement District;

(b) a public hearing was conducted, and **Resolution No. RES2026-30** was adopted, approving the Business Improvement District Management Plan and the levy of assessments for the Alum Rock Santa Clara Street Business Improvement District for the remainder of Fiscal Year 2025-2026; and

(c) **Resolution No. RES2026-31** was adopted, authorizing the City Manager or her designee to negotiate and execute an agreement with Alum Rock Santa Clara Street Business Association, Inc. for the administration of the Alum Rock Santa Clara Street Business Improvement District.

(10-0-1; Absent: Mahan)

8.3 Establishment of The Alameda Business Improvement District and Approval to Levy Assessments in The Alameda Business Improvement District for the Remainder of Fiscal Year 2025-2026.

(a) Conduct a public hearing and approve an ordinance to establish The Alameda Business Improvement District.

(b) Conduct a public hearing and adopt a resolution approving the Service Plan and the levy of assessments for The Alameda Business Improvement District for the remainder of Fiscal Year 2025-2026.

(c) Adopt a resolution authorizing the City Manager or her designee to negotiate and execute an agreement with The Alameda Business Association, Inc. for the administration of The Alameda Business Improvement District.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant impact on the environment. Council District 6. (Economic Development and Cultural Affairs)

DEFERRED TO THE FEBRUARY 24, 2026 COUNCIL MEETING, PER ORDERS OF THE DAY.

9. REDEVELOPMENT – SUCCESSOR AGENCY

No items provided.

10. LAND USE

No items provided

• **Open Forum**

1. Jim G. addressed motor home parking within the City, and personal challenges with San José 311.
2. Ted Scarlett addressed recent personal experiences regarding a car accident and housing complications.
3. Raymond Goins addressed a recent police incident within the City.

• **Adjournment**

The Council of the City of San José adjourned at 2:47 p.m., in memory of Roma Dawson.

Minutes Recorded, Prepared, and Respectfully Submitted by,

DRAFT

Daniel Aguilar
Deputy City Clerk, City of San José

Approved at Council on:

Number of actions: 6

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

February 3, 2026

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

Absent Councilmembers: Mahan.

Place: City Hall Conference Room W-133

Time: 9:30 a.m.

Item discussed:

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

1. Case Name: California Waste Solutions, Inc. v. City of San Jose, et al.
Name(s) of Party(ies): CALIFORNIA WASTE SOLUTIONS, INC.; CITY OF SAN JOSE
Court: United States District Court, Northern District of California., San Francisco Division
Case No: 3:23-cv-01647-MMC
Amount of Money or Other Relief Sought: Damages according to proof