



City Council Meeting

Draft Minutes

Tuesday, March 10, 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- *Cancelled.*

1:30 p.m.- Regular Session.

Present Councilmembers: Mahan (*arrived at 2:55 p.m.*), Foley, Kamei, Campos, Tordillos, Cohen, Ortiz, Doan (*arrived at 1:41 p.m.*), Candelas, Mulcahy, Casey.

Absent Councilmembers: All present.

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

- **Pledge of Allegiance**

Vice Mayor Pam Foley led the Pledge of Allegiance.

- **Invocation (District 3)**

San José Taiko offered the invocation with a drumming ensemble.

- **Orders of the Day**

None provided.

- **Closed Session Report**

None provided.

1. CEREMONIAL ITEMS

1.1 Councilmember Peter Ortiz presented a proclamation recognizing the 28th Annual Mexica New Year Celebration (Yancuic Xihuitl) in San José, honoring Indigenous heritage and cultural continuity through the nation's largest Aztec New Year ceremony and a vibrant three-day celebration of community unity.

2. CONSENT CALENDAR

Councilmember Domingo Candelas pulled Item 2.9 for questions.

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 actions below were taken as indicated. (10-0-1; Absent: Mahan)

2.1 Approval of City Council Minutes.

None provided.

2.2 Final Adoption of Ordinances.

(a) Ordinance No. 31309 - An Ordinance of the City of San José Establishing the Alameda Business Improvement District Pursuant to the Parking and Business Improvement Area Law of 1989. [Passed for Publication on 2/24/2026 - Item 8.1(a) (26-162)]

Action: (a) **Ordinance No. 31309** was adopted. (10-0-1; Absent: Mahan)

2.3 Approval of Council Committee Minutes.

(a) Regular Public Safety, Finance and Strategic Support Committee Minutes of February 19, 2026.

(b) Regular Community and Economic Development Committee Minutes of February 23, 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.

Retroactive request for an excused absence for Councilmember Candelas from the regular meeting of Neighborhood Services and Education Committee on February 12, 2026 for personal matter.

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

Action: Councilmember Candelas' excused absence request from the regular meeting of Neighborhood Services and Education Committee on February 12, 2026 was approved. (10-0-1; Absent: Mahan)

2.5 City Council Travel Reports.

None provided.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 Second Quarter Financial Reports for Fiscal Year 2025-2026.

As recommended by the Public Safety, Finance and Strategic Support Committee on February 19, 2026, accept the Second Quarter (period ended December 31, 2025) Financial Reports for Fiscal Year 2025-2026 for the following programs:

- (a) Debt Management;
- (b) Investment Management;
- (c) Revenue Management; and
- (d) Purchasing and Risk Management.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities, resulting in no changes to the physical environment. (Finance)
[Public Safety, Finance and Strategic Support Committee 2/19/2026 - Item (d)1]

DEFERRED TO 3/24/2026 PER ADMINISTRATION

2.8 Franchise Agreement with LS Power Grid California, LLC for Electric Services in Public Rights-of-Way.

Adopt a resolution:

- (a) Setting a public hearing for March 24, 2026, at 1:30 p.m., to hear any objections to the granting of the franchise to LS Power Grid California, LLC for the purpose of transmitting electric service in the City’s public rights-of-way; and
- (b) Directing the City Clerk to publish notice of the public hearing. CEQA: Not a Project, File No. PP17-007, Preliminary direction to staff and eventual action requires approval from decision-making body. Council Districts 2, 3, 4, 6, 7, and 10. (Public Works)

Action: **Resolution No. RES2026-58** was adopted, setting a public hearing for March 24, 2026, at 1:30 p.m., to hear any objections to the granting of the franchise to LS Power Grid California, LLC for the purpose of transmitting electric service in the City’s public rights-of-way; and directing the City Clerk to publish the notice of the public hearing. (10-0-1; Absent: Mahan)

2.9 Actions Related to the 10304 - Welch Park Restrooms Renovation Project.

Approve an increase to the construction contingency for the 10304 - Welch Park Restrooms Renovation Project from 15% to 33%, in the amount of \$29,998, resulting in a new contingency amount of \$55,348. CEQA: Categorically Exempt, File No. ER24-290, CEQA Guidelines Section 15301, Existing Facilities. Council District 8. (Public Works/Parks, Recreation, and Neighborhood Services)

Councilmember Domingo Candelas requested information regarding the cost increases for the remodeling of the bathrooms.

Matthew Loesch, Director, Public Works Department, responded to questions.

Action: The increase to the construction contingency for the 10304 - Welch Park Restrooms Renovation Project from 15% to 33%, in the amount of \$29,998, resulting in a new contingency amount of \$55,348 was approved. (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 City of San José Investment Policy Annual Review.

As recommended by the Public Safety, Finance and Strategic Support Committee on February 19, 2026:

- (a) Accept the annual review of the City of San José Investment Policy, as updated.
- (b) Review the City's investment holdings in certain corporate notes and investment holdings with ties to US Immigration and Customs Enforcement, and provide policy guidance to the Administration.
- (c) Adopt a resolution amending Council Policy 1-12, City of San José Investment Policy, to update the list of primary dealers.

CEQA: Not a Project, File No. PP17-009, General Procedure and Policy Making.
(Finance)

[Public Safety, Finance and Strategic Support Committee 2/19/2026 - Item (d)5]

DEFERRED TO 3/24/2026 PER ADMINISTRATION

3.4 City Council Focus Areas Status Report for Fiscal Year 2025-2026.

Accept the status report on the City Council Focus Areas for Fiscal Year 2025-2026 Second Quarter.

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)

Lee Wilcox, Assistant City Manager, Reducing Unsheltered Homelessness, City Manager's Office; Jennifer Schembri, Deputy City Manager, Increasing Community Safety, City Manager's Office; Angel Rios, Deputy City Manager, Cleaning Up Our Neighborhoods, City Manager's Office; Rosalynn Hughey, Deputy City Manager, Building More Housing and Growing Our Economy, City Manager's Office; and Erik Jensen, Deputy Director, City Manager's Office, offered the presentation and responded to questions.

Public Comment: Lori, Leah Toeniskoetter, and Ted Scarlett, provided public testimony regarding the item.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Rosemary Kamei, and carried unanimously, the status report on the City Council Focus Areas for Fiscal Year 2025-2026 Second Quarter was accepted. (10-0-1; Absent: Mahan)

4. PUBLIC SAFETY SERVICES

4.1 Automated License Plate Readers Data Usage Protocol Update.

(a) Approve the following changes to the Police Department Automated License Plate Reader Data Usage Protocol:

- (1) Change the default retention period of data collected by the Automated License Plate Reader from “one year” to “30 days.”
- (2) Prohibit placing Automated License Plate Reader cameras in positions that capture data from vehicles entering or exiting any reproductive health care services facility primarily providing abortion services or any location primarily used for religious observance.
- (3) Make other technical, non-substantive, or formatting changes.

(b) Accept the report on the Police Department’s Automated License Plate Reader program and approve the following changes to the Automated License Plate Reader policy:

- (1) Require additional compliance documentation from California agencies requesting access to the Police Department’s Automated License Plate Reader data, including the reason justification, the crime type, and a case number.
- (2) Require approval from a command staff officer before assisting agencies without existing access.
- (3) Require multi-factor authentication for all access to the Automated License Plate Reader system.

(c) Add the following clarification to the Police Department’s public Automated License Plate Reader Transparency Portal: “The San José Police Department only shares data with California law enforcement agencies subject to the California Values Act (Senate Bill 54, 2017) and Automated License Plate Recognition Systems: Use of Data (Senate Bill 34, 2015). These laws prohibit information sharing with federal immigration enforcement. Transmittal of Police Department Automated License Plate Reader data to federal agencies for immigration enforcement is illegal.”

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

Paul Joseph, Police Chief, Police Department, offered the presentation and responded to questions.

Public Comment: Terry (CCNA), Rosalinda Aguilar, Kimberly Woo (Siren), Huy Tran (Siren), Musa Tariq, Stacy Mellilo, Marjorie Siegel, Issa I., Michael Bryant, Dennis Watson, Max Ramsey, Kendra Lueke, Alan L., Robbie Izat, Sandra Bryant, Lori Landis, Alain Mowad, Gloria, Rosanna Jeremy Barousse, Misrayn Mendoza, Danny Garza (Plata Arroyo), Samantha Rojas, Akemi Flynn, Victor Sin, Adnan Rasheed, Anthony Damian (CWNA), Lupe Maya Ortega (CWNA), Zach Kirk (Silicon Valley De-bug), Maria Ines Ortega (CWNA), Kristin Link, Dina, Jonathan Karpf (California Faculty Association), Azazel Holmquist, Kathryn Hedges, Jas Sohal, Drew Siegler, Kim Guptil, Lori Kather, Deb St. Julien, Jose Reyes, Elizabeth Agramont, Peggy Elwell (South

Bay Progressive Alliance), Manny, Tim McKenzie, Lani B. (SURJ), Jack, Elizabeth, Alyssa Mamaclay, Mariya Genzel, Batman, Alexander W., Debora Ow, Kayla C., Cindy Bautista (PASOS), Robert Mickanen, Sandra Mickanen, Mike Krauss, Elva Wilson, Alex Dillard, Michael Mulcahy Ospring, Alie Victorine, Angelica Guadalupe, Susan Ajlouny, Sarah Fox, Brian Kurtz, Leesa Lovelace, Dash Leeds, Herb Bower, Wanda Wong, John Leipelt, Greg Koopman (CBVNA), Juritzi (SIREN), Chris Patterson Simmons, Helen Masamori, Christina Bui, David M., Ted Scarlett, Sameena Usman, Phil Orselli (SUDSA), Karen Matsueda, Anne Marie Lang (East Village Bus. Assoc.), Jay C., Raymond Goins, Michele C., and 9 speakers (*names not provided at the podium*), offered public testimony regarding the item.

Susana Alcala Wood, City Attorney, City Attorney's Office, spoke to the requirement of when the Mayor or Council would need to recuse themselves from voting on an item. She informed that the item is a recommendation from the Police Chief to amend a current policy for the usage of the system and not a decision to make on the actual contract.

Mayor Matt Mahan wanted to note for the record that he does not have any direct donations from Flock or its executives, if the donors themselves do invest in other companies, that's not grounds for recusal.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Peter Ortiz, and carried unanimously,

- (a) the changes to the Police Department Automated License Plate Reader Data Usage Protocol Update were approved;
- (b) the report on the Police Department's Automated License Plate Reader program was accepted and the changes to the Automated License Plate Reader policy were approved; and
- (c) the clarification to the Police Department's public Automated License Plate Reader Transparency Portal was added.

AND

Including approval of the March 6, 2026 joint memorandum co-authored by Councilmember Candelas, Councilmember Campos, Councilmember Cohen, Councilmember Mulcahy, and Councilmember Casey, recommending the following:

Accept staff recommendation *with these additions*:

- 1.) Prohibit Automated License Plate Reader (ALPR) cameras from being placed in a way that captures license plate data from vehicles entering or exiting the premises of Consulate General offices or embassies.
- 2.) Direct the City Manager's Office to continue conducting audits performed by the Information Technology Department, with findings reported during the Focus Area reports presented to the Public Safety, Finance and Strategic Support Committee.
- 3.) Direct the City Manager to explore alternative Automated License Plate Reader technology vendors and report back to the Council.
- 4.) If there is any unauthorized disclosure or data leaks of ALPR data, SJPD must report that unauthorized disclosure to the City Council via an information memo.
- 5.) Prohibit all ALPR systems from integrating facial recognition software and biometric analysis software.
- 6.) Determine whether the current terms of the contract allow data collected by any party to be used for the purpose of training and developing Generative Artificial Intelligence (A.I.) models. If data collected from ALPRs can be used for this purpose, return to the Council with options to

7.) prohibit the data collected from being used for this purpose.

AND

Including approval of the March 6, 2026 memorandum authored by Councilmember Ortiz, recommending the following:

1) Approve the staff recommendation and the memo from Councilmembers Candelas, Campos, Cohen, Mulcahy, and Casey *with the following edits and additions:*

a) Expand the prohibition on the placement of ALPR cameras to include positions that capture data from vehicles entering or exiting health care facilities that primarily offer gender-affirming care; and

b) Develop and implement a protocol in response to unauthorized or illegal disclosure of ALPR data that may include immediately deactivating ALPR cameras and disclose to the community. (11-0-0)

4.2 Police Department Overtime Spending.

Accept the report and recommendation to achieve a net reduction in Police Department overtime spending.

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, Police Chief, Police Department; and Jim Shannon, Budget Director, City Manager's Budget Office, offered the presentation and responded to questions.

Public Comment: Herb Bower provided public testimony regarding the item.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Rosemary Kamei, and carried unanimously, the report and recommendation to achieve a net reduction in Police Department overtime spending was accepted. (11-0-0)

5. TRANSPORTATION & AVIATION SERVICES

No items provided.

6. ENVIRONMENTAL & UTILITY SERVICES

No items provided.

7. NEIGHBORHOOD SERVICES

No items provided.

8. COMMUNITY & ECONOMIC DEVELOPMENT

No items provided.

9. REDEVELOPMENT – SUCCESSOR AGENCY

No items provided.

10. LAND USE

10.1 Land Use on Consent Calendar

No Land Use items on Consent Calendar.

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

Open Forum

1. Raymond Goins spoke to a mental health incident involving the police department.
2. A speaker (*name not provided at the podium*) spoke to a previous proclamation the Mayor presented, the Foreign Agents Registration Act, and SB 509.
3. Ted Scarlett spoke to an incident he faced involving a drunk driver.

Adjournment

The Council of the City of San José adjourned the meeting at 5:29 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,

DRAFT

Yasmin Johnson,
Deputy City Clerk, City of San José

Approved at Council on:

of Actions: 4

Toni Taber, MMC
City Clerk, City of San José