



City Council Meeting Draft Minutes

Tuesday, October 21, 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. – *Cancelled.*

1:34 p.m. - Regular Session.

Present Councilmembers: Mahan, Foley, Kamei, Campos, Tordillos, Ortiz,
Mulcahy, Cohen (*arrived late*), Doan, Candelas, Casey.

Absent Councilmembers: All present.

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

- **Pledge of Allegiance**

Mayor Matt Mahan led the Pledge of Allegiance.

- **Invocation (District 9)**

Chris Pounders from the School of Rock, offered the invocation with a speech.

- **Orders of the Day**

None provided.

- **Adjournment Recognition**

Councilmember Michael Mulcahy announced that the meeting was adjourned in memory of Clifford "Barry" Swenson who passed away on April 19, 2025. Barry, born in the Evergreen neighborhood of San José, found his truest self in the outdoors and California hills and ranches. Barry was a visionary real estate developer and general contractor who helped shape Downtown San José's landscape in a way that respected the past and looked toward the future. Barry will be remembered for his love, grit, loyalty, and legacy in San José.

- **Closed Session Report**

None provided.

1. CEREMONIAL ITEMS

- 1.1 Vice Mayor Pam Foley presented a commendation recognizing J&P Cosentino Family Farm as the last working orchard in San José, celebrating 80 years of dedication, tradition, and community roots.
- 1.2 Councilmember Domingo Candelas presented a proclamation declaring October 20, 2025 as a celebration of Diwali, the Festival of Lights, recognizing its message of tolerance, compassion, and fostering an atmosphere of harmony and inclusiveness in the City of San José.
- 1.3 Councilmember Peter Ortiz presented a proclamation recognizing October 23, 2025, as the 34th Anniversary of the Paris Peace Agreements (1991) in the City of San José, marking the official end of the Cambodian Civil War and establishing a path to peace, democracy, and reconstruction.

2. CONSENT CALENDAR

Councilmember Rosemary Kamei pulled Item 2.10 for comment.

Public Comment: None provided.

Action: Upon motion by Councilmember Rosemary Kamei, 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: Cohen)

- 2.1 [25-1095](#) **Approval of City Council Minutes.**
(a) Regular City Council Meeting Minutes of September 23, 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.

Action: The City Council Minutes were approved. (10-0-1; Absent: Cohen)
- 2.2 [25-1113](#) **Final Adoption of Ordinances.**
(a) Ordinance No. 31239 - An Ordinance of the City of San José Amending Section 1.13.150 of Chapter 1.13 of Title 1 and Section 1.14.090 of Chapter 1.14 of Title 1 of the San José Municipal Code to Increase the Per Day Maximum Administrative Penalty Amount from Two Thousand Five Hundred Dollars (\$2,500) to Twenty Thousand Dollars (\$20,000) for Each Ongoing Violation; and Increase the Maximum Administrative Penalty from One Hundred Thousand Dollars (\$100,000) to Five Hundred Thousand Dollars (\$500,000) Exclusive of Administrative Costs, Interest and Restitution for Compliance Reinspections, for Any Related Series of Violations. [Passed for Publication on 8/26/2025 - Item 2.19 (25-890)]

Action: Ordinance No. 31239 was adopted, amending section 1.13.150 of Chapter 1.13 of Title 1, and Section 1.14.090 of Chapter 1.14 of Title 1 of the San José Municipal Code. (10-0-1; Absent: Cohen)

2.3 [25-1096](#)

Approval of Council Committee Minutes.

(a) Regular Joint Meeting for the Rules and Open Government Committee Minutes of September 24, 2025.

(b) Regular Joint Meeting for the Rules and Open Government Committee Minutes of October 1, 2025.

(c) Regular Joint Meeting for the Rules and Open Government Committee Minutes of October 8, 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.

Action: The Council Committee Minutes were approved.
(10-0-1; Absent: Cohen)

2.4 [25-1093](#)

Mayor and Council Excused Absence Requests.

Request for an excused absence for Councilmember Candelas from the regular meeting of the Neighborhood Services and Education Committee on October 9, 2025 due to City business.

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

DROPPED PER RULES AND OPEN GOVERNMENT COMMITTEE

2.5 City Council Travel Reports.

None provided.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 [25-1099](#)**Amendments to the Agreements Between the City of San José and ALCLEAR, LLC.**

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

(a) Fifth Amendment to the Concession Agreement between the City of San José and ALCLEAR, LLC to extend the term for three years with a single two-year option to extend the term and to modify the concession fee to increase the compensation to the City from 10% to 12% for TSA PreCheck enrollments; and

(b) Fourth Amendment to the Lease Agreement between the City of San José and ALCLEAR, LLC to extend the term for three years with a single two-year option to extend the term.

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

Action: **Resolution No. RES2025-351** was adopted, regarding the Fifth Amendment to the Concession Agreement between the City of San José and ALCLEAR, LLC. (10-0-1; Absent: Cohen)

2.8 [25-1100](#)**Approval of “Free Use” of Council Chambers and Committee Rooms for the San José Climate Smart Youth Video Competition Screening and Awards Event.**

Adopt a resolution authorizing “Free Use” of the City Council Chambers and Committee Rooms (Wing Rooms) on Saturday, January 24, 2026, from 2:00 p.m. to 7:00 p.m., for the San José Climate Smart Youth Video Competition Screening and Awards Event, a public event hosted by the Silicon Valley Youth Climate Action in collaboration with the City of San José Energy Department.

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

Action: **Resolution No. RES2025-352** was adopted, authorizing “Free Use” of the City Council Chambers and Committee Rooms (Wing Rooms) on Saturday, January 24, 2026, from 2:00 p.m. to 7:00 p.m., for the San José Climate Smart Youth Video Competition Screening and Awards Event.

2.9 [25-1101](#)**Amendments to Contract Awards for As-Needed Cybersecurity Products and Services.**

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

(a) Negotiate and execute the First Amendment with Adaptable Security Corp. (San José, CA), the Second Amendment with Illumant (Palo Alto, CA), and the First Amendment with MGT of America Consulting, LLC. (Tampa, FL), for various cybersecurity services to extend the terms of the Agreements for an additional five years through November 30, 2030, under the same material terms and conditions as the original Agreements, subject to the appropriation of funds;

- (b) Negotiate and execute the Second Amendment with Spirent Communications (San José, CA) for cybersecurity services to extend the term of the Agreement for an additional five years through November 30, 2030, under the same material terms and conditions as the original Agreement, and to increase compensation by \$125,820 for a revised maximum compensation of \$525,820, subject to the appropriation of funds;
- (c) Negotiate and execute the Second Amendment with NuHarbor Security Inc. (Colchester, VT) for cybersecurity services and tools to retroactively add two one-year options to extend the term of the Agreement through September 30, 2027, under the same material terms and conditions as the original Agreement, subject to the appropriation of funds;
- (d) Negotiate and execute the First Amendment with Fortra Inc. (formerly Terranova Worldwide Corporation) (Quebec, Canada) for cybersecurity end user testing and training to add one one-year option to extend the term of the Agreement through March 31, 2027, under the same material terms and conditions as the original Agreement, subject to the appropriation of funds;
- (e) Negotiate and execute the First Amendment with Second Renaissance Inc. (Olney, MD) for as required firewall management services to extend the term of the Agreement for an additional five years through March 31, 2031, under the same material terms and conditions as the original Agreement, subject to the appropriation of funds;
- (f) Negotiate and execute the Second Amendment with Second Renaissance Inc. (Olney, MD) for as required supplemental advanced cybersecurity services to extend the term of the Agreement for an additional five years through June 30, 2030, under the same material terms and conditions as the original Agreement, and to increase compensation by \$500,000 for a revised maximum compensation of \$1,400,000, subject to the appropriation of funds; and
- (g) Negotiate and execute the Fourth Amendment with Spruce Technology, Inc. (Clifton, NJ), and the Third Amendment with Insight Public Sector, Inc. (Herndon, VA) for as required supplemental advanced cybersecurity services to retroactively extend the term of the Agreements for an additional five years through June 30, 2030, under the same material terms and conditions as the Agreements, 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. RES2025-353 was adopted, regarding amendments to contract awards for as-needed cybersecurity products and services. (10-0-1; Absent: Cohen)

2.10 [25-1102](#)**Sixth Amendment to the Agreement with Applications Software Technology LLC for a Service Request Management Customer Relationship Management Software Solution.**

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute the Sixth Amendment to the Agreement with Applications Software Technology LLC (Naperville, IL) for a Service Request Management/Customer Relationship Management Software Solution to extend the term of the Agreement for up to two additional one-year option terms through November 30, 2027, under the same terms and conditions, 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)

Councilmember Rosemary Kamei addressed her concerns regarding the issues and implementation of SJ311 in connection to next year's budget.

Action: **Resolution No. RES2025-354** was adopted, regarding the Sixth Amendment to the Agreement with Applications Software Technology LLC (Naperville, IL) for a Service Request Management/Customer Relationship Management Software Solution. (10-0-1; Absent: Cohen)

2.11 [25-1103](#)**Property Transfer Agreement Between the City of San José and San José Unified School District.**

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a Property Transfer Agreement with the San José Unified School District for a building located at 7050 Bret Harte Drive.

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

Council District 10. (Parks, Recreation and Neighborhood Services).

Action: **Resolution No. RES2025-355** was adopted, regarding a Property Transfer Agreement with the San José Unified School District for a building located at 7050 Bret Harte Drive. (10-0-1; Absent: Cohen)

2.12 [25-1136](#)

Approval of Brazilian Flag Raising Event and Lighting Sponsored by Council District 5 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Events.

As recommended by the Rules and Open Government Committee on October 15, 2025:

- (a) Approve the Brazilian Flag Raising Event scheduled on October 17, 2025, as a City Council sponsored Special Event and approve the expenditure of funds;
- (b) Approve the Brazilian Flag Raising Tower Lighting scheduled from October 21 - 23, 2025, as a City Council sponsored Special Event and approve the expenditure of funds; and
- (c) 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. (Ortiz)

[Rules Committee referral 10/15/2025 - Item B.3]

Action: The City Council sponsored special event sponsored by Council District 5 was approved. (10-0-1; Absent: Cohen)

3. STRATEGIC SUPPORT

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

City Manager, Jennifer Maguire spoke to the “International Day Of The Girl” event hosted by the Boys and Girls Club on October 8th at San Jose State University. She stated that International Day Of The Girl is an annual celebration that takes place on October 11th each year, and is dedicated to championing the rights of girls worldwide and empowering them to dream big. She acknowledged more than 20 female San José City leaders who attended the event and served as mentors.

3.2 Labor Negotiations Update.

None provided.

3.3 [25-1104](#)

2024-2025 City Manager’s Annual Report.

(a) Accept the 2024-2025 City Manager’s Annual Report in compliance with City Charter Section 701 (F).

(b) Adopt Appropriation Ordinance and Funding Sources Resolution amendments in various operating and capital funds to implement the 2024-2025 Annual Report recommendations, as detailed in Section IV (Recommended Budget Adjustments and Clean-Up/Rebudget Actions).

(c) Approve the following position change in the City Manager’s Office of Economic Development and Cultural Affairs:

(1) Delete 1.0 Senior Executive Analyst limit-dated through June 30, 2030.

(d) Approve the following position change in the Planning, Building and Code Enforcement Department:

(1) Add 1.0 Development Officer limit-dated through June 30, 2030.

(e) Approve an ordinance amending Chapter 4.80 of Title 4 of the San José Municipal Code to:

(1) Add a new Part 92 to establish the VRF Measure B Pavement Maintenance Fund;

(2) Add a new Part 93 to establish the Interstate 280/Winchester Traffic Impact Fee Fund;

(3) Add a new Part 94 to establish the US-101/Oakland/Mabury Traffic Impact Fee Fund;

(4) Add a new Part 95 to establish the North San José Traffic Impact Fee Fund;

(5) Add a new Part 96 to establish the Evergreen - East Hills Traffic Impact Fee Fund;

(6) Add a new Part 97 to establish the State Gas Tax Pavement Maintenance Fund; and

(7) Add a new Part 98 to establish the VTA Measure B Pavement Maintenance Fund.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approval of any City actions, and File No. PP17-004, Government Funding Mechanism of Fiscal Activity with no commitment to a specific project which may result in a potentially physical impact on the environment. (City Manager)

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

Public Comment: Cynthia Chagolla (Law Foundation), Lisa Newstrom (Bay Area Legal Aid), and Carole Conn (Executive Director of Project Sentinel) provided public testimony regarding the item.

Jim Shannon, Budget Director, City Manager's Budget Office, clarified that the Ordinance for recommendation (e) is *amended* and will be provided by its second reading.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Rosemary Kamei, and carried unanimously, (a) the 2024-2025 City Manager's Annual Report in compliance with City Charter Section 701 (F) was accepted; (b) Appropriation **Ordinance No. 31252** and (b) Funding Sources **Resolution No. RES2025-356** were adopted, regarding amendments in various operating and capital funds to implement the 2024-2025 Annual Report recommendations; (c) the following position change in the City Manager's Office of Economic Development and Cultural Affairs was approved:

(1) Delete 1.0 Senior Executive Analyst limit-dated through June 30, 2030;

(d) the following position change in the Planning, Building and Code Enforcement Department was approved: (1) Add 1.0 Development Officer limit-dated through June 30, 2030; and (e) **Ordinance No. 31253** was *passed for publication* and *amended with the following modifications:* to amend Chapter 4.80 of Title 4 of the Municipal Code to formally add new funds in the Traffic Capital Program that were previously included as subaccounts within the Construction Excise Tax Fund – Modify the eligible uses for the VRF Measure B Pavement Maintenance Fund and VTA Measure B Pavement Maintenance Fund to reflect the authorizing ballot measures – Modify the eligible uses for the State Gas Tax Pavement Maintenance Fund to reflect the State of California's approved "Guidelines Relating to Gas Tax Expenditures for Cities and Counties"

AND

Including approval of the October 21, 2025 memorandum authored by Councilmember Peter Ortiz recommending the following:

Approve a change in use of the Alum Rock Village Placemaking City-Wide Expenses appropriation to broaden the eligible use of the currently budgeted \$53,000 from solely the installation of a welcome sign to include additional forms of public art and placemaking, such as murals, decorative banners, festivals, and other community-driven beautification elements along Alum Rock Village.

(11-0-0)

3.4 [25-1138](#)

City Attorney Appointment and Compensation Package.

As recommended by the Rules and Open Government Committee on October 15, 2025, adopt a resolution appointing Susana Alcala Wood as City Attorney effective November 9, 2025 and approving compensation and benefits for services as City Attorney consistent with the following terms in the memorandum:

(f) Salary: The starting pensionable salary will be \$371,500 annually. In addition to the starting pensionable salary, the City Attorney will receive an approximate five percent (5%) ongoing non-pensionable pay for a

total annual salary of approximately \$390,000.

(g) Executive Management Benefits: As executive management, the City Attorney will receive the benefits that are included in the Executive Management and Professional Employees (Unit 99) Benefit and Compensation Summary. Further information may be found at the Unit 99 Compensation Summary link. The City Attorney will also receive a \$350 monthly automobile allowance in accordance with the current City policy. Vacation and Executive Leave: The City will recognize Mrs. Alcala Wood's combined 15+ years of public service with the City of Sacramento, City of Modesto, and City of Stockton, and her vacation accrual rate will be 200 hours per year. For the 2025 calendar year, the City Attorney will receive 16 hours of Executive Leave. Vacation accrual and executive leave will be provided in accordance with the Executive Management and Professional Employees Benefit and Compensation Summary.

(h) Severance: The City will offer severance pay equal to three months of salary for any involuntary removal as City Attorney which results in termination of employment with the City, in exchange for the City Attorney's execution of a Release of Claims.

(d) Outside Employment: The City Attorney will not engage in outside employment without City Council approval.

(e) Separation Notice: The City Attorney will provide a 30-day notice to the City of a voluntary resignation of employment.

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

[Rules Committee referral 10/15/2025 - Item C.1]

No presentation provided.

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Rosemary Kamei, and carried unanimously, **Resolution No. RES2025-357** was adopted, appointing Susana Alcala Wood as City Attorney effective November 9, 2025 and approving compensation and benefits for services as City Attorney. (11-0-0)

3.5 [25-1141](#)**Resolution of Support on State Proposition 50.**

As recommended by the Rules and Open Government Committee on October 15, 2025, direct the City Attorney to draft a resolution of support on behalf of the San José City Council for State Proposition 50 (The Election Rigging Response Act).

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Candelas, Cohen, Ortiz, Campos, Tordillos)

[Rules Committee referral 10/15/2025 - Item C.2]

No presentation provided.

Public Comment: None provided.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Peter Ortiz, and carried unanimously, the City Attorney was directed to draft a resolution of support on behalf of the San José City Council for State Proposition 50 (The Election Rigging Response Act). (11-0-0)

3.6 [25-1143](#)**Resolution of Support on Santa Clara County Measure A.**

As recommended by the Rules and Open Government Committee on October 15, 2025, direct the City Attorney to draft a resolution of support on behalf of the San José City Council for Santa Clara County Measure A.

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

[Rules Committee referral 10/15/2025 - Item C.3]

No presentation provided.

Public Comment: Ray Freeze, Victor V., Max, Dan Stegink, Mary Gloner, Kylie Clark, David Mineta (Alum Rock Counseling Center), and Dominic Agudelo, provided public testimony regarding the item.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Rosemary Kamei, and carried unanimously, the City Attorney was directed to draft a resolution of support on behalf of the San José City Council for Santa Clara County Measure A. (9-1-1; Noes: Casey; Absent: Foley)

4. PUBLIC SAFETY SERVICES

4.1 [25-1105](#)

Amendment to the Agreement with Axon Enterprises Inc. for Evidence Management Solution Products and Services.

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

(i) Negotiate and execute the Fourth Amendment to the Agreement with Axon Enterprises Inc. (Scottsdale, AZ) for an Evidence Management Solution Including Related Hardware and Accessories:

(1) For the purchase of Taser 10 Conducted Energy Weapons, including related accessories, training, and installation;

(2) To consolidate Axon products and services under a single agreement, leveraging the terms of the existing agreement, and increase the compensation amount by \$214,296, for a combined maximum compensation not to exceed \$7,197,291, including a \$528,530 provision for additional purchases, for the current five-year option term ending June 30, 2026; and

(j) Execute one five-year option to extend the term of the agreement to June 30, 2031, and increase the compensation amount by \$9,290,651, for an estimated combined maximum compensation not to exceed \$17,324,644, including a \$528,530 provision for additional purchases, 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.
(Police/Finance)

Paul Joseph, Chief of Police, San José Police Department; and Judi Torrico, Deputy Director, Police Bureau of Technical Services, 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 Rosemary Kamei, and carried unanimously, **Resolution No. RES2025-358** was adopted, regarding the amendment to the agreement with Axon Enterprises Inc. for evidence management solution products and services. (10-0-1; Absent: Foley)

5. TRANSPORTATION & AVIATION SERVICES

5.1 [25-1106](#) San José Mineta International Airport Marketing Strategy and Execution Services Agreements.

Adopt a resolution:

(a) Approving the final ranking of the respondents to the San José Mineta International Airport Marketing Strategy and Execution Services request for qualifications; and

(b) Authorizing the City Manager or her designee to negotiate and execute three Master Consultant Agreements with the three highest-ranked respondents and with the next highest-ranked respondents, in order, in the event that the City cannot reach an agreement with any one or more of the three highest-ranked proposers, in an amount not to exceed \$6,900,000 for each agreement for a term of five years from the date of execution by the City and for a total expenditure for all execute Master Consultant Agreements not to exceed \$6,900,000.

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

No presentation provided.

Public Comment: None provided.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Rosemary Kamei, and carried unanimously, **Resolution No. RES2025-359** was adopted, regarding the San José Mineta International Airport Marketing Strategy and Execution Services Agreements. (9-0-2: Absent: Cohen, Foley)

5.2 [25-1107](#) Report on Bids and Award of Contract for the 10492 - 2025 Local Streets Resurfacing West Pavement (Measure T) Project.

(a) Report on bids and award a contract for the construction of the 10492 - 2025 Local Streets Resurfacing West Pavement (Measure T) Project to the lowest responsive, responsible bidder, O'Grady Paving, Inc., in the amount of \$10,404,657.

(b) Approve a 10% contingency in the amount of \$1,040,466.

CEQA: Categorically Exempt, File No. ER24-313, CEQA Guidelines Section 15301(c), Existing Facilities. Council Districts 1, 3, 6, 7, 9. (Transportation/Public Works)

No presentation provided.

Public Comment: None provided.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Domingo Candelas, and carried unanimously, (a) the report on bids and award a contract for the construction of the 10492 - 2025 Local Streets Resurfacing West Pavement (Measure T) Project to the lowest responsive, responsible bidder, O'Grady Paving, Inc., in the amount of \$10,404,657 was accepted; and (b) the 10% contingency in the amount of \$1,040,466 was accepted.
(9-0-2; Absent: Cohen, Foley)

6. ENVIRONMENTAL & UTILITY SERVICES

7. NEIGHBORHOOD SERVICES

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 [25-1108](#) **Actions Related to the Agreement with the County of Santa Clara Office of Supportive Housing for a Homebuyer Down Payment Assistance Program.**

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

(k) Negotiate and execute an Agreement with the County of Santa Clara Office of Supportive Housing, in an amount not to exceed \$9,000,000, using the CalHome (Building Equity and Growth in Neighborhoods) Program funds, to implement a Homebuyer Down Payment Assistance Program for San José low- to moderate-income households at the following developments:

(1) Up to \$4,000,000 for East Santa Clara Townhomes developed by the Core Companies, or an affiliated entity, located at 675 East Santa Clara Street; and

(2) Up to \$5,000,000 for Branham Lane Homes developed by Charities Housing, or an affiliated entity, located at the Branham VTA Station.

(l) Negotiate and execute any and all agreements, including amendments and related documents, in connection with the Homebuyer Down Payment Assistance Program.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment; and Exempt per Public Resources Code Section 21080(b)(1) and CEQA Guidelines Section 15369, Ministerial Project pursuant to Government Code Section 65913.4, File No. ER20-109. (Housing)

No presentation provided.

Public Comment: None provided.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Domingo Candelas, and carried unanimously, **Resolution No. RES2025-360** was adopted, regarding actions related to the agreement with the County of Santa Clara Office of Supportive Housing for a Homebuyer Down Payment Assistance Program. (9-0-2; Absent: Cohen, Foley)

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

Public Comment: Armando R. provided public testimony regarding the Land Use Consent Calendar.

Action: Upon motion by Councilmember Pamela Campos, seconded by Councilmember George Casey, and carried unanimously, the Consent Calendar was approved *as a whole*, the below actions were taken as indicated. (10-0-1; Absent: Cohen)

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

10.1(a) [25-1109](#) PP25-004 - Amendments to Various Sections of Title 20 of the San José Municipal Code (Zoning Ordinance and Zoning Code) Related to Temporary Uses of Outdoor Private Property.

Approve an ordinance amending various sections of Title 20, Part 16 of the San José Municipal Code (Zoning Ordinance or Zoning Code) related temporary uses of outdoor private property to amend:

- (a) Section 20.80.1450 to simplify and consolidate zoning considerations in subsequent sections;
- (b) Section 20.80.1450 Subsection 1, to increase days of operation to include Thursdays, as well as Fridays, Saturdays, and Sundays;
- (c) Section 20.80.1450 Subsection 2, to increase the number of events that can occur in a private parking lot from two events in a six-month period to twenty-six events in a twelve-month period;
- (d) Section 20.80.1450 Subsection 3, to increase the frequency of event days from no more than three consecutive days and two consecutive weeks to no more than four consecutive days in a one-week period;
- (e) Section 20.80.1450 to include a new subsection consolidating and outlining permitting limitations in relation to residential dwelling units;
- (f) Section 20.80.1460 to remove section and consolidate residential dwelling unit considerations in relation to commercially zoned properties;
- (g) Section 20.80.1470 to remove section and consolidate residential dwelling unit considerations in relation to industrial zoned properties;
- (h) Section 20.80.1480 to remove limitations on event permitting related to the number of parking spaces used for the purpose of a special event within a private parking lot; and to make other technical, non-substantive, or formatting changes within those sections of Title 20 of the San José Municipal Code discussed.

CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and Supplemental General Plan Environmental Impact Report (Resolution No. 77617), and Addenda thereto. Planning Commission recommends approval (8-0-2, Nguyen and Young absent) (Item 5.2 on the 9/24/2025 Planning Commission agenda). (Planning, Building, and Code Enforcement)

No presentation provided.

Action: **Ordinance No. 31254** was *passed for publication*, amending various sections of Title 20, Part 16 of the San José Municipal Code (Zoning Ordinance or Zoning Code) related temporary uses of outdoor private property.

AND

Including approval of the October 16, 2025 joint memorandum co-authored by Mayor Mahan, Vice Mayor Foley, Councilmember Campos, Councilmember Mulcahy, and Councilmember Casey, recommending the following:

- 1.) Approve the staff recommendations.
- 2.) Direct the City Manager to return to the City Council during a future routine Zoning Code update with amendments to Part 10 of Chapter 20.80 that reduce barriers to establishing outdoor vending facilities on private properties.

(10-0-1; Absent: Cohen)

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

10.2 [25-1110](#) CPA16-005-01 and ER25-125 - Conditional Use Permit

Amendment for the Project Located at 58 South 1st Street.

Adopt a resolution approving, subject to conditions, a Conditional Use Permit Amendment to allow the following actions:

- (a) Remove the condition that mandates the business to be open during lunch hours;
- (b) Remove the condition that requires the banquet facility to close at midnight and extend hours to 2:00 a.m. for the restaurant, banquet facility, and associated outdoor patio and deck;
- (c) Remove the condition that limits occupancy to 250 people on each floor and increase the capacity to 370 people on the first floor and 299 people on the 2nd floor to match the Fire Department's maximum capacity; and
- (d) Remove the condition that restricts playing music on the outdoor patio and deck after 10:00 p.m. and extend it to 2:00 a.m. to match the extended hours.

CEQA: Categorically Exempt pursuant to CEQA Guidelines Section 15301 for Existing Facilities. Council District 3. (Planning, Building, and Code Enforcement)

Manira Sandhir, Deputy Director, Planning, Building and Code Enforcement Department, offered the presentation and responded to questions.

Public Comment: Gumby and Kirk Pennington (Homeowners Association), provided public testimony regarding the item.

Action: Upon motion by Councilmember Anthony Tordillos, seconded by Vice Mayor Pam Foley, and carried unanimously, **Resolution No. RES2025-361** was adopted, *as amended below*.

AND

Including approval of the October 21, 2025 memorandum authored by Councilmember Anthony Tordillos, recommending the following:

1. Accept staff recommendations, and *amend recommendation 2d* of the resolution approving a Conditional Use Permit to allow the following conditions for amplified music on the outdoor patio:

a.) Monday through Thursday: amplified music permitted until 10:00 p.m.

b.) Friday and Saturday: amplified music permitted until 2:00 a.m.

c.) Sunday: amplified music permitted until midnight

(11-0-0)

• Open Forum

1. Lynne Paulson addressed her concerns with the San José Animal Care Center and the difficulties she faced trying to rescue a dog that was scheduled to be euthanized if not rescued.
2. Alaina Purcell Schroeder (Rebuilding Together Silicon Valley) expressed the organizations concerns with the shift of funding from (CDBG) Grants to (HOME) Investments; it's caused a lack of funding for administrative or staffing reimbursements, which affects their ability to serve residents.
3. Ha Trieu stated that incidents he faced with a Councilmembers staff has stopped, but are now happening to other individuals.
4. Long Dang (*Vietnamese translation assisted by Wordly*) stated that after he spoke in support of Ha Trieu at a Council meeting, a similar incident occurred with the same Councilmembers staff.
5. Van Le expressed her concerns with how a Councilmembers staff is treating residents on social media, which discourages civic participation and damages public trust.
6. Connie Nguyen stated that after she spoke in support of Ha Trieu at a Council meeting, a similar incident occurred with the same Councilmembers staff.

• Adjournment

The Council of the City of San José adjourned the meeting at 4:35 p.m., in memory of Clifford "Barry" Swenson.

Minutes Recorded, Prepared, and Respectfully Submitted by,

DRAFT

Yasmin Johnson,
Deputy City Clerk City of San José

Approved at Council on:

#of Actions: 11

Attest By:

Toni Taber, MMC
City Clerk, City of San José

- **Notice of City Engineer's Pending Decision on Final Maps**

FOR RECEIPT:

Tract: 10661
Location: 426 and 428 Page Street
District: 6
Lots/Units: 1/20
Type: MFA
Developer: VCI Companies

Tract: 10671
Location: 3315 Sierra Road
District: 4
Lots/Units: 1/30
Type: SFD
Developer: Robson Homes