



City Council Meeting Agenda

Tuesday, September 23, 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

Please scroll to the end for information about the City Council Agenda and for the Rules of Conduct of the meeting.

Public Comment in Person Only

For live translations in over 50 languages, please go to <https://attend.wordly.ai/join/FAYU-7105>

American Disability Act

To request an alternative format agenda under the Americans with Disabilities Act for City-sponsored meetings, events or printer materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.

Accommodations

Any member of the public who needs accommodations should email the ADA Coordinator at ADA@sanjoseca.gov or by calling (408) 535-8430. The ADA Coordinator will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

- Adaptaciones para discapacitados serán proporcionadas a pedido. Mande correo electrónico ADA@sanjoseca.gov; Llame (408) 535-8430.
- Bất kỳ ai trong công-đồng cần sự hỗ-trợ xin gửi điện-thư cho Điều-phối-viên ADA theo địa-chỉ ADA@sanjoseca.gov hoặc gọi đến số (408) 535-8430.

THE LEVINE ACT

The Levine Act requires a Party in a Proceeding before the City of San José that involves any action related to their contract, license, permit, or use entitlement to disclose any campaign contributions to City elected or appointed officials totaling more than \$500 within the 12 months prior to the City decision. A Participant to a Proceeding may voluntarily report a campaign contribution. For more information:

<https://www.sanjoseca.gov/your-government/appointees/city-clerk/levine-act/-fsiteid-1#!/>

How to observe the Meeting (no public comment):

- 1) Cable Channel 26.
- 2) <https://sanjoseca.gov/news-stories/watch-a-meeting>
- 3) <https://youtube.com/CityofSanJoseCalifornia>
- 4) By Phone: (888) 475 4499. Webinar ID is 931 9759 7876. Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free).
- 5) Online at: <https://sanjoseca.zoom.us/j/93197597876>

Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.

How to submit written Public Comment before the City Council Meeting:

By email to city.clerk@sanjoseca.gov by 8:00 a.m. the day of the meeting. Those emails will be attached to the Council Item under “Letters from the Public.” Please identify the Agenda Item Number in the subject line of your email.

How to provide spoken Public Comment during the City Council Meeting:

You may speak to the City Council about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the City Council. Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

Each speaker generally has two minutes to speak per item. The total amount of time allocated for public testimony for each public speakers or for an agenda item may be limited at the Mayor's discretion, depending on the number of speakers or the length of the agenda. (California Government Code Section 54954.3; Council Policy 0-37)

Fill out a Yellow Speaker's Card and submit it to boxes at the bottom of the Chambers. Do this before the meeting or before the item is heard. This will ensure that the name on the card is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants by calling speakers in an orderly manner. You may remain anonymous, but please fill out a card so we may call you. You can put "anonymous speaker" or "no name" on the card. When the Council reaches your item on the agenda, the Mayor will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table. To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

- **Call to Order and Roll Call**

9:30 a.m.- Closed Session, Call to Order in Council Chambers

Open Session, Labor Negotiations Update (See Item 3.2)

Adjourn to Closed Session in Council Chambers Conference Room, W133

See Separate Agenda

25-877 Closed Session Agenda

1:30 p.m.- Regular Session, Council Chambers, City Hall

- **Pledge of Allegiance**
- **Invocation (District 8)**
- **Orders of the Day**

Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.

- **Adjournment Recognition**

- Closed Session Report

To be heard after Ceremonial Items

1. CEREMONIAL ITEMS

1.1 Presentation of a commendation recognizing Dan Roy for two decades of dedicated service as a City Hall Docent, helping residents and visitors connect with our City's history, government, and community. (Foley)

1.2 Presentation of a commendation to Damian Trujillo, NBC Bay Area journalist, in honor of his induction into the National Association of Hispanic Journalists Hall of Fame and his nearly three decades of award-winning reporting, storytelling, and community service in the City of San José. (Ortiz)

2. CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council requests discussion on a particular item, that item may be removed from the Consent Calendar and considered separately.

2.1 Approval of City Council Minutes.

2.2 Final Adoption of Ordinances.

2.3 Approval of Council Committee Minutes.

2.4 Mayor and Council Excused Absence Requests.

2.5 City Council Travel Reports.

2.6 Report from the Council Liaison to the Retirement Boards.

2.7 25-1003 Approval of Citywide Insurance Renewals.

Recommendation: Adopt a resolution authorizing the Director of Finance or her designee to:

(a) Select and purchase City property, liability, and executive risk insurance policies for the period of October 1, 2025, to October 1, 2026, at a total cost not-to-exceed \$4,275,826 as well as an 18% contingency for additional property or assets scheduled, subject to the appropriation of funds, with the following insurance carriers:

(1) Factory Mutual Insurance Company for Property Insurance, including Boiler and Machinery and Terrorism Risk Insurance Act Coverage;

(2) Beazley Excess and Surplus Lines Insurance, Inc for Terrorism Insurance;

(3) The Princeton Excess and Surplus Lines Insurance Company, Ironshore Specialty Insurance Company, and Arch Specialty Insurance Company for \$15 million in Excess Flood Insurance on a 50/50 quota share basis;

(4) Gemini Insurance Company for Auto Liability Insurance for the vehicle fleets at the San José Mineta International Airport and San José – Santa Clara Regional Wastewater Facility;

(5) Hanover Insurance Company for Auto Physical Damage for the Airport shuttle buses;

(6) Lexington Insurance Company for Secondary Employment Law Enforcement Professional Liability;

(7) Arch Insurance Company for Accidental Death, Accidental Dismemberment, and Paralysis Policy for the Police Air Support Unit; and

(8) Great American Insurance Company for Government Fidelity/Crime Coverage.

(b) Select and purchase Additional Liability Insurance for the period October 22, 2025, to October 22, 2026, at a cost ranging from \$500,000 to \$1,100,000, 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)

2.8 25-1004 First Amendment to the Agreement with Intergraph Corporation, dba Hexagon's Asset Lifecycle Intelligence Division for a Migration to a Software-as-a-Service Enterprise Asset Management Subscription.

Recommendation: Adopt a resolution authorizing the City Manager, or her designee to negotiate and execute the First Amendment to the Agreement with Intergraph Corporation, dba Hexagon's Asset Lifecycle Intelligence division (Madison, AL) for migration to a software-as-a-service enterprise asset management subscription at the San José Mineta International Airport, to retroactively extend the term of the agreement for up to four additional one-year option terms, through July 31, 2029, 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.
Council District 6. (Finance)

2.9 25-1005 Second Amendment to the Agreement with Siriusware, Inc. for a Ticketing and Management System.

Recommendation: Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute the Second Amendment to the Agreement with Siriusware, Inc. (Taos, NM) for a ticketing and management system, to extend the term of the agreement for up to five additional one-year option terms, through September 30, 2030, under the same terms and conditions as the original agreement, 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.
Council Districts 5, 7. (Finance)

3. STRATEGIC SUPPORT

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

3.2 Labor Negotiations Update.

Accept Labor Negotiations Update.
TO BE HEARD AT 9:30 A.M.

3.3 25-1006 Status of Open Audit Recommendations.

Recommendation: Accept the status of the Open Audit recommendations as of June 30, 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. (City Auditor)

4. PUBLIC SAFETY SERVICES

5. TRANSPORTATION & AVIATION SERVICES

6. ENVIRONMENTAL & UTILITY SERVICES

6.1 25-1007 Stormwater Management Annual Report 2024-2025.

Recommendation: Adopt a resolution authorizing the certification and submittal of the Fiscal Year 2024-2025 Stormwater Management Annual Report to the San Francisco Bay Regional Water Quality Control Board by September 30, 2025, in conformance with the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit requirements, pursuant to the Federal Clean Water Act.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City Action. (Environmental Services)

7. NEIGHBORHOOD SERVICES

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 25-1008 Actions Related to the Loan Commitment and Land Purchase for the Gateway Tower Affordable Housing Development Located at 470 South Market Street.

Recommendation: (a) Adopt a resolution:

(1) Approving a Construction-Permanent Loan commitment of up to \$20,270,000, consisting of \$17,970,000 in Low- and Moderate-Income Housing Asset Funds and \$2,300,000 in Inclusionary Fee Funds, to Core Affordable Housing, LLC or an affiliated development entity for the Gateway Tower affordable housing development;

(2) Approving the land acquisition loan or acquisition funding commitment of up to \$18,170,000 consisting of \$2,000,000 in Inclusionary Fee Funds, \$2,170,000 in Low- and Moderate-Income Housing Asset Funds, and \$14,000,000 in Real Property Transfer Tax Funds;

(3) Authorizing the Director of Housing or his designee to acquire 445, 465, and 493 South First street and 460, 470, 480 South Market Street, from Core Affordable Housing, LLC for a price not to exceed \$18,170,000 at the time of transfer, to accept the grant deed, and to enter into a long-term ground lease of the site to the developer for the development;

(4) Authorizing the Director of Housing or his designee to negotiate and execute documents and document amendments related to the acquisition and development of the site, the ground leasing of the site, and any rider to the ground lease required by government entities;

(5) Authorizing the Director of Housing, or his designee to negotiate and execute loan documents and all other documents, including any amendments thereto, related to City financing for the developments;

(6) Making a determination that, consistent with Government Code Section 37364, after acquisition, the site is to be leased by the City to the respective developers without first offering the site to the public for any other use, since the site will be restricted so as to provide housing affordable to persons and families of low or moderate income, as defined by Section 50093 of the Health and Safety Code or as defined by the United States Department of Housing and Urban Development or its successors, and that this use is in the City's best interests.

(b) Adopt the following 2025-2026 Appropriation Ordinance amendments in the Low-and Moderate-Income Housing Asset Fund:

(1) Decrease the Housing Project Reserve by \$20,140,000; and

(2) Increase the Housing Loans and Grants appropriation to the Housing Department by \$20,140,000.

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

- (1) Decrease the Measure E – 40% Extremely Low-Income Households Reserve by \$5,000,000;
 - (2) Decrease the Measure E – 30% Low-Income Households Reserve by \$9,000,000;
 - (3) Increase the Measure E – 40% Extremely Low-Income Households appropriation to the Housing Department by \$5,000,000; and
 - (4) Increase the Measure E – 30% Low-Income Households appropriation to the Housing Department by \$9,000,000.
 - (d) Adopt the following 2025-2026 Appropriation Ordinance amendments in the Inclusionary Fee Fund:
 - (1) Decrease the Housing Project Reserve by \$4,300,000; and
 - (2) Increase the Housing Loans and Grants appropriation to the Housing Department by \$4,300,000.
- CEQA: Supplemental Environmental Impact Report for the Gateway Tower Mixed-Use Development Project (Resolution No. 78005), and Addenda, thereto. Council District 3. (Housing/City Manager)

8.2 25-1009 Fiscal Year 2024-2025 Consolidated Annual Performance and Evaluation Report.

Recommendation: (a) Hold a public hearing to allow for public comment on the Fiscal Year 2024-2025 Consolidated Annual Performance Report.

(b) Accept the report on the progress towards achieving the housing and community development goals identified in the City’s Fiscal Year 2020-2025 Five-Year Consolidated Plan and the Fiscal Year 2024-2025 Annual Action Plan regarding the use of federal funds from the United States Department of Housing and Urban Development for submittal to the United States Department of Housing and Urban Development by the September 30, 2025 deadline.

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

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

Notice to the public: There will be no separate discussion of Land Use Consent Calendar (Item 10.1) as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council requests discussion on a particular item, that item will be removed from the Land Use Consent Calendar (Item 10.1) and considered separately.

10.1 Land Use on Consent Calendar - TO BE HEARD IMMEDIATELY AFTER CONSENT

- (a) 25-1010 C25-011 & ER25-021 - Conforming Rezoning for Certain Real Property
Located at 655 Almaden Avenue.

Recommendation: Approve an ordinance rezoning certain real property of an approximately 0.62-gross-acre site located on the southwest corner of Almaden Avenue and Grant Street (655 Almaden Avenue) from the A(PD) Planned Development Zoning District to the CN Commercial Neighborhood Zoning District (APN 264-34-072).
CEQA: Determination of Consistency with the Envision San José 2040 General Plan EIR (Resolution No. 76041) and the Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto. Council District 3. (Planning, Building, and Code Enforcement)

END OF CONSENT CALENDAR**10 Land Use - Regular Agenda**

- Open Forum

Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the City Council. Members of the public may only speak at Open Forum once.

- Adjournment

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection online at <https://sanjose.legistar.com/Calendar.aspx> or at the Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street, Tower 14th Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Please go to the Clerk's Records Database <https://records.sanjoseca.gov/Pages/Search.aspx> for the final document, or you may also contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov.

ABOUT THE AGENDA

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- **Strategic Support** - The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- **Public Safety** - Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.
- **Transportation & Aviation Services** - A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- **Environmental and Utility Services** - Manage environmental services and utility systems to ensure a sustainable environment for the community.
- **Neighborhood Services** - Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- **Community & Economic Development** - Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.

The San José City Council meets every Tuesday at 1:30 p.m. and Tuesday at 6 p.m. as needed, unless otherwise noted. The City Council, or less than a quorum, may adjourn any regular, special or adjourned meeting to a later date, time and place specified in the order of adjournment. If all members are absent, the City Clerk may declare the meeting adjourned to a stated date, time and place. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <https://sanjose.legistar.com/Calendar.aspx>. Council Meetings are televised live and rebroadcast on Channel 26.

**CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN
THE COUNCIL CHAMBERS AND COMMITTEE ROOMS**

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- (a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- (b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- (c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- (d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- (e) Persons in the audience will not place their feet on the seats in front of them.
- (f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- (g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- (a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions: § No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- (b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- (c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

3. Addressing the Council, Committee, Board or Commission:

- (a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- (b) Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the total amount of time allocated for public testimony for each public speaker or for an agenda item is in the discretion of the Chair of the meeting and may be limited when appropriate. (California Government Code Section 54954.3; Council Policy 0-37) Applicants and appellants in land use matters are usually given more time to speak. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Council, Committee, Board or Commission.
- (c) Speakers should discuss only the agenda item when called to speak for that item, and only topics related to City business when called to speak during open forum on the agenda.
- (d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- (e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.'
- (f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- (g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.