



City Council Meeting Draft Minutes

Tuesday, March 24, 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 14-17 for the Closed Session Minutes.*

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

Absent Councilmembers: Mahan, Campos, Doan.

1:30 p.m. – Regular Session.

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

Absent Councilmembers: Mahan.

- **Pledge of Allegiance**

Vice Mayor Pam Foley led the Pledge of Allegiance.

- **Invocation**

The Silicon Valley Gay Men’s Chorus offered the invocation.

- **Orders of the Day**

None provided.

- **Adjournment Recognition**

None provided.

- **Closed Session Report**

None provided.

1. CEREMONIAL ITEMS

1.1 Councilmember Peter Ortiz presented a proclamation declaring March 21, 2026 as Ernesto Galarza Day for his enduring contributions to educational equity, labor rights, and community empowerment, and for his lifelong commitment to advancing opportunity and dignity for working families.

1.2 Councilmember Bien Doan presented a commendation to Happy Hollow Park and Zoo for 65 years of providing educational, recreational, and family-friendly experiences to the San José community.

2. CONSENT CALENDAR

Councilmember Rosemary Kamei pulled item 2.13 for comment only.

Public Comment: None provided.

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember Bien Doan, and carried unanimously, the Consent Calendar was approved *as a whole*. The following actions 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. 31315 - An Ordinance of the City of San José Amending the Effective Date of Ordinance No. 31123, The Soft Story Seismic Retrofit Ordinance, from April 1, 2026, to April 1, 2027, and Amending the Compliance Deadlines in Section 17.41.550 of Chapter 17.41 of Title 17 of the San José Municipal Code, which Requires Seismic Retrofit of Certain Wood-Frame Target Story Residential Buildings.

[Passed for Publication on 3/17/2026 - Item 2.9 (26-249)]

(b) Ordinance No. 31316 - An Ordinance of the City of San José Amending Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to Add New Chapter 20.197, 'Local Implementation of State Law,' that Includes Part 2, 'Senate Bill 79 (SB79) Implementation' to Implement SB79 within the City of San José and Exclude Certain Employment Areas Designated in the City's General Plan from SB79 Provisions.

[Passed for Publication on 3/17/2026 - Item 10.2 (26-252)]

Action: **Ordinance No. 31315** and **Ordinance No. 31316** were adopted. (10-0-1; Absent: Mahan)

2.3 Approval of Council Committee Minutes.

None provided.

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 Easement Agreement with LS Power Grid California, LLC for the Installation of Electrical Transmission Infrastructure Across Lands of the San José-Santa Clara Regional Wastewater Facility.

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

easement agreement between the City of San José and LS Power Grid California, LLC to install infrastructure for electrical transmission, such as power poles and electrical transmission lines across lands of the San José-Santa Clara Regional Wastewater Facility in exchange for a payment of \$1,240,000, and any other related documents in connection therewith.

CEQA: Power the South Bay Project Environmental Impact Report, prepared by the California Public Utilities Commission (A.24-05-014; SCH No. 2024071095), File No. ER24-283. Council District 4. (Economic Development and Cultural Affairs/Environmental Services)

Action: **Resolution No. RES2026-61** was adopted, regarding the easement agreement with LS Power Grid California, LLC for the installation of electrical transmission infrastructure across lands of the San José-Santa Clara Regional Wastewater Facility. (10-0-1; Absent: Mahan)

2.8 Exclusive Negotiations Agreement between the City of San José, City of Santa Clara, and Valley Water for Land Intended for a Future Direct Potable Reuse Facility.

Adopt a resolution authorizing the City Manager or her designee to execute the Exclusive Negotiations Agreement between the City of San José, City of Santa Clara, and Santa Clara Valley Water District, for real property to develop the proposed Pure Water Silicon Valley Project.

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

Action: **Resolution No. RES2026-62** was adopted, authorizing the City Manager or her designee to execute the Exclusive Negotiations Agreement between the City of San José, City of Santa Clara, and Santa Clara Valley Water District, for real property to develop the proposed Pure Water Silicon Valley Project. (10-0-1; Absent: Mahan)

2.9 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. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Finance)

[Public Safety, Finance and Strategic Support Committee 2/19/2026 - Item (d)1]

[Deferred from 3/10/2026 - Item 2.7 (26-208)]

Action: The second quarter financial reports for fiscal year 2025-2026 were accepted. (10-0-1; Absent: Mahan)

2.10 Permanent Local Housing Allocation Program Funding Round 4 and Round 5 from the California Department of Housing and Community Development.

Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute a grant agreement and all other necessary and related documents, with the California Department of Housing and Community Development in the total amount of \$6,585,489, awarded under Round 4 and Round 5 of the Permanent Local Housing Allocation program.

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 physical impact on the environment. (Housing)

Action: **Resolution No. RES2026-63** was adopted, authorizing the Housing Director, or his designee, to negotiate and execute a grant agreement and all other necessary and related documents, with the California Department of Housing and Community Development in the total amount of \$6,585,489, awarded under Round 4 and Round 5 of the Permanent Local Housing Allocation program. (10-0-1; Absent: Mahan)

2.11 Master Agreements with Kitchell/CEM, Inc. and Impact Cx for Commissioning Agent Consulting Services.

Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute master agreements with Kitchell/CEM, Inc. and Impact Cx for commissioning consulting services for various Citywide Capital Improvement Program projects from the date of execution to December 31, 2031, in an amount not to exceed \$3,000,000 per agreement.

CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. (Public Works)

Action: **Resolution No. RES2026-64** was adopted, authorizing the City Manager, or her designee, to negotiate and execute master agreements with Kitchell/CEM, Inc. and Impact Cx for commissioning consulting services for various Citywide Capital Improvement Program projects from the date of execution to December 31, 2031, in an amount not to exceed \$3,000,000 per agreement. (10-0-1; Absent: Mahan)

2.12 November 2018 Ballot Measure T - The Disaster Preparedness, Public Safety, and Infrastructure General Obligation Bond Status Report.

Accept the bi-annual status report on the work plan and implementation updates for projects included in the approved 2018 Measure T – The Disaster Preparedness, Public Safety, and Infrastructure General Obligation Bond.

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

Action: The bi-annual status report on the work plan and implementation updates for projects included in the approved 2018 Measure T – The Disaster Preparedness, Public Safety, and Infrastructure General Obligation Bond, was accepted. (10-0-1; Absent: Mahan)

2.13 Declaration of City's Commitment to Opposing the Coercion of Institutions of Higher Education.

As recommended by the Rules and Open Government Committee on March 18, 2026, adopt a resolution declaring the City's commitment to opposing the coercion of colleges and universities to force any political agenda upon an institution of higher education.

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Kamei and Cohen) [Rules Committee referral 3/18/2026 - Item C.2]

Councilmember Rosemary Kamei provided comment on the item.

Action: **Resolution No. RES2026-65** was adopted, declaring the City's commitment to opposing the coercion of colleges and universities to force any political agenda upon an institution of higher education. (10-0-1; Absent: Mahan)

2.14 Approval of the Music in the Valley Festival Sponsored by Council District 9 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

As recommended by the Rules and Open Government Committee on March 18, 2026:

- (a) Approve the Music in the Valley Festival scheduled on May 2, 2026 as a City Council sponsored Special Event and approve the expenditure of funds; and
- (b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Foley) [Rules Committee referral 3/18/2026 - Item B.4]

Action: The Music in the Valley Festival sponsored by Council District 9 was approved. (10-0-1; Absent: Mahan)

2.15 Retroactive Approval of the Bay FC Tower and Rotunda Lighting Sponsored by Council District 2 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

As recommended by the Rules and Open Government Committee on March 18, 2026:

- (a) Retroactively approve the Bay FC Tower and Rotunda Lighting scheduled on March 9-14, 2026 as a City Council sponsored Special Event and approve the expenditure of funds; and
- (b) Retroactively approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Campos) [Rules Committee referral 3/18/2026 - Item B.5]

Action: The Bay FC tower and rotunda lighting sponsored by Council District 2 was retroactively approved. (10-0-1; Absent: Mahan)

3. STRATEGIC SUPPORT

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

City Manager Jennifer Maguire offered a verbal report acknowledging the first ever *Community Day of Service*. On March 26, 2026, city employees will have the opportunity to step outside of their everyday roles and come together as one team to volunteer in the communities they serve.

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 U.S. 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. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Finance) [Public Safety, Finance and Strategic Support Committee 2/19/2026 - Item (d)5] [Deferred from 3/10/2026 - Item 3.3 (26-211)]

Vice Mayor Pam Foley recused herself from Item 3.3 due to a financial conflict.

Councilmember Bien Doan recused himself from Item 3.3 due to a financial conflict.

City Attorney Susana Alcala Wood announced the opportunity for the Council to select a councilmember to serve as a chair pro tempore for the item.

Action: Upon motion by Councilmember George Casey, seconded by Councilmember Michael Mulcahy, and carried unanimously, Councilmember David Cohen was selected as the chair pro tempore for Item 3.3. (8-0-2-1; Recused: Foley, Doan. Absent: Mahan)

Maria Öberg, Director, Finance Department; Qianyu Sun, Deputy Director, Debt and Treasury Management, Finance Department; and Jim Shannon, Budget Director, City Manager's Office, provided the presentation and responded to questions from Council.

Public Comment: Joan Simon, Alice, Dyan, Ethan Pham, John, Tamar, Shanda Witkin, Daniel Klein, Serana, Dina, Jonathan Engleman, Julia Mates, Sage, Shaena, Musa, Akemi, Wendy Greenfield, Maria Lynch, Alex, Azazel Homquist, Lori Katcher, Uriel, Spencer H, Moran, Yarnin, Yaran M., Avery Kaufman, Rinat, Anna Stepanenko, Jack, Shlosmit Blum, Yizal Blum, Maria Wong, Naomi Kohen, Philip, Drusie, Lisa Adhikari, Yun, David, Tim Phan, Mila Bekele, Lyla Salinas, Chaim Kohen, Charlotte Casey, Dash Leeds, Mani Bekele, Lisa Charpontier, Megan, David River, Florence Anderson, Sharat Lin, Chris Bedford, Jeff W., Bitu, Inga, Greg, Maddy, Cittamina Ortiz Leila, Marcel, and three names not provided at the podium, offered public comment.

Motion: Councilmember Peter Ortiz made a motion to accept the joint memorandum, dated March 20, 2026, co-authored by Councilmember Ortiz and Councilmember Kamei. The motion was seconded by Councilmember Rosemary Kamei.

Substitute Motion: Councilmember George Casey made a substitute motion to accept the staff recommendation. The substitute motion was seconded by Councilmember Michael Mulcahy.

Friendly Amendment: Councilmember Domingo Candelas requested a friendly amendment to the substitute motion for an analysis to be conducted on actions taken by other cities regarding investments involving U.S. Immigration and Customs Enforcement. The maker of the motion accepted the friendly amendment; the seconder of the motion denied the friendly amendment.

Action: On a call to question, the substitute motion, made by Councilmember Casey and seconded by Councilmember Mulcahy, to accept the staff recommendation did *not pass* due to lack of yes votes. (3-5-2-1; Noes: Kamei, Ortiz, Candelas, Tordillos, Campos; Recused: Doan, Foley; Absent: Mahan)

Action: On a call to question, the motion on the floor, made by Councilmember Peter Ortiz and seconded by Councilmember Rosemary Kamei, to accept the March 20, 2026 joint memorandum co-authored by Councilmember Ortiz and Councilmember Kamei, did *not pass* due to lack of yes votes. (4-4-2-1; Noes: Cohen, Tordillos, Mulcahy, Casey; Recused: Doan, Foley; Absent: Mahan)

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Rosemary Kamei, and carried unanimously, the staff recommendation was passed, including the following actions:

- (a) the annual review of the City of San José Investment Policy, as updated, was accepted;
- (b) the City's investment holdings in certain corporate notes and investment holdings with ties to

U.S. Immigration and Customs Enforcement, and provide policy guidance to the Administration were reviewed;

(c) **Resolution No. RES2026-66** was adopted, amending Council Policy 1-12, City of San José Investment Policy, to update the list of primary dealers.

AND

direction was provided for an analysis to be conducted on actions taken by other cities regarding investments involving U.S. Immigration and Customs Enforcement. (8-0-2-1; Recused: Foley, Doan. Absent: Mahan)

3.4 Grant of Franchise to LS Power Grid California, LLC for Electric Services for Public Rights-of-Way.

(a) Adopt a resolution:

(1) Adopting the Power Santa Clara Valley Project Environmental Impact Report, prepared by the California Public Utilities Commission (A.24-04-017; SCH No. 2024090200);

(2) Adopting the Power the South Bay Project Environmental Impact Report, prepared by the California Public Utilities Commission (A.24-05-014; SCH No. 2024071095);

(3) Making certain findings, as the Responsible Agency for the purpose of and pursuant to the provisions of the California Environmental Quality Act of 1970; and

(4) Adopting the related Mitigation Monitoring and Reporting Programs and Construction Impact Mitigation Plan, in connection with the approval of discretionary actions for the construction and operation of the Power Santa Clara Valley Project and the Power the South Bay Project.

(b) Conduct a public hearing and approve an ordinance granting a franchise to LS Power Grid California, LLC for the purpose of transmitting electric service in the City's public rights-of-way.

(c) Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a Memorandum of Understanding to secure a performance and partnership agreement.

CEQA: Power Santa Clara Valley Project Environmental Impact Report, prepared by the California Public Utilities Commission (A.24-04-017; SCH No. 2024090200), File No. ER25-262.

Power the South Bay Project Environmental Impact Report, prepared by the California Public Utilities Commission (A.24-05-014; SCH No. 2024071095), File No. ER24-283. Council Districts 2, 3, 4, 6, 7, 10. (Public Works)

Public Comment: Dash Leeds, Mani Bekele, Casey Carroll, and one anonymous speaker, offered public comment.

Action: Upon motion by Councilmember Pamela Campos, seconded by Councilmember David Cohen, and carried unanimously,

(a) **Resolution No. RES2026-67** was adopted,

(1) adopting the Power Santa Clara Valley Project Environmental Impact Report, prepared by the California Public Utilities Commission (A.24-04-017; SCH No. 2024090200);

(2) adopting the Power the South Bay Project Environmental Impact Report, prepared by the California Public Utilities Commission (A.24-05-014; SCH No. 2024071095);

(3) making certain findings, as the Responsible Agency for the purpose of and pursuant to the provisions of the California Environmental Quality Act of 1970; and

(4) adopting the related Mitigation Monitoring and Reporting Programs and Construction Impact Mitigation Plan, in connection with the approval of discretionary actions for the construction and operation of the Power Santa Clara Valley Project and the Power the South Bay Project;

(b) a public hearing was conducted, and **Ordinance No. 31317** was passed for publication, granting a franchise to LS Power Grid California, LLC for the purpose of transmitting electric service in the City's public rights-of-way; and

(c) **Resolution No. RES2026-68** was adopted, authorizing the City Manager or her designee to negotiate and execute a Memorandum of Understanding to secure a performance and partnership agreement. (10-0-1; Absent: Mahan)

3.5 Status of Open Audit Recommendations Report.

Accept the Status of the Open Audit Recommendations as of December 31, 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)

[Rules Committee referral 3/18/2026 - Item A.1.a]

Joe Rois, City Auditor, City Auditor’s Office; and Michelle Mallari, Program Performance Auditor, City Auditor’s Office, offered the presentation.

Public Comment: Valentina M. and Maddy O. offered public comment.

Action: Upon motion by Councilmember Rosemary Kamei, seconded by Councilmember Domingo Candelas, and carried unanimously, the status of the open audit recommendations as of December 31, 2025, was accepted. (10-0-1; Absent: Mahan)

4. PUBLIC SAFETY SERVICES

No items provided.

5. TRANSPORTATION & AVIATION SERVICES

No items provided.

6. ENVIRONMENTAL & UTILITY SERVICES

6.1 San José-Santa Clara Regional Wastewater Facility Capital Improvement Program Update.

Accept the status report on the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program.

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)

Jeffrey Provenzano, Director, Environmental Services Department; Mariana Chavez-Vazquez, Regional Wastewater Facility General Manager, Environmental Services Department; and Kapil Verma, Deputy Director, Environmental Services Department, offered the presentation.

Public Comment: None provided.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Bien Doan, and carried unanimously, the status report on the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program was accepted. (10-0-1; Absent: Mahan)

7. NEIGHBORHOOD SERVICES

No items provided.

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 Preliminary Actions Required for the Creation of the East Village 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 East Village Business Improvement District;
- (2) Setting a public meeting for April 21, 2026, at 1:30 p.m. and a public hearing for May 12, 2026, at 1:30 p.m. on the formation of the East Village Business Improvement District;
- (3) Directing the City Clerk to publish the required notice of the public meeting and public hearing; and
- (4) Appointing East Santa Clara Street Revitalization Association Inc. (DBA East Village Business Association) as the Advisory Board to advise the City Council on all issues related to the East Village Business Improvement District.

(b) Subject to the establishment of the East Village 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 May 12, 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 3. (Economic Development and Cultural Affairs)

Jen Baker, Director, City Manager's Office of Economic Development and Cultural Affairs; Victor Farlie, Assistant to the City Manager, City Manager's Office of Economic Development and Cultural Affairs; Jessica Munoz, Senior Executive Analyst, City Manager's Office of Economic Development and Cultural Affairs, offered the presentation.

Public Comment: Chris Patterson-Simmons and Caleb Orozco offered public comment.

Action: Upon motion by Councilmember Anthony Tordillos, seconded by Councilmember Peter Ortiz, and carried unanimously,

(a) **Resolution No. RES2026-69** was adopted,

- (1) declaring the City Council's intention to establish the East Village Business Improvement District;
- (2) setting a public meeting for April 21, 2026, at 1:30 p.m. and a public hearing for May 12, 2026, at 1:30 p.m. on the formation of the East Village Business Improvement District;
- (3) directing the City Clerk to publish the required notice of the public meeting and public hearing; and
- (4) appointing East Santa Clara Street Revitalization Association Inc. (DBA East Village Business Association) as the Advisory Board to advise the City Council on all issues related to the East Village Business Improvement District;

(b) Subject to the establishment of the East Village Business Improvement District:

- (1) preliminarily approve the budget report of the Advisory Board for Fiscal Year 2026-2027; and
- (2) **Resolution No. RES2026-70** was adopted, a resolution of intention to levy an assessment for Fiscal Year 2026-2027 and set a public hearing for May 12, 2026, at 1:30 p.m. on the levy of assessments for Fiscal Year 2026-2027. (10-0-1; Absent: Mahan)

8.2 Downtown Residential Incentive Program Tax and Fee Waiver for the Gateway Tower and Bank of Italy Developments Located at 470 South Market Street and 12 South First Street.

(a) Conduct a public hearing to approve an economic development tax and fee waiver in connection with a reduction in construction taxes, parkland fees, and of the Inclusionary Housing Ordinance fees through the Downtown Residential Incentive Program in an amount of up to \$6,092,122 pursuant to California Government Code Section 53083 and Open Government Resolution No. RES2024-99

Section 2.3.2.6.C for:

- (1) Gateway Tower located at 470 South Market Street; and
- (2) Bank of Italy located at 12 South First Street.

(b) Adopt a resolution approving the tax and fee waiver and authorizing the Housing Director, or his designee, to negotiate and execute documents and document amendments related to implementing the Downtown Residential Incentive Program, such as construction progress agreements.

CEQA: Gateway Tower: Supplemental Environmental Impact Report and Addenda thereto, for the Gateway Tower Mixed Use Development project (Resolution No. 78007), File Nos. H15-047 and H15-003. Bank of Italy: Categorically Exempt, File No. HP20-003 and HPAD23-021, CEQA Guidelines Section 15331, Historical Resource Restoration/Rehabilitation. Council District 3. (Housing/Planning, Building, and Code Enforcement/Transportation/Parks, Recreation, and Neighborhood Services)

Erik Soliván, Director, Housing Department; and Banu San, Deputy Director, Housing Department, offered the presentation.

Public Comment: Aaron Barger offered public comment.

Action: Upon motion by Councilmember Anthony Tordillos, seconded by Councilmember Michael Mulcahy, and carried unanimously,

(a) a public hearing was conducted to approve an economic development tax and fee waiver in connection with a reduction in construction taxes, parkland fees, and of the Inclusionary Housing Ordinance fees through the Downtown Residential Incentive Program in an amount of up to \$6,092,122 pursuant to California Government Code Section 53083 and Open Government Resolution No.

RES2024-99 Section 2.3.2.6.C for: (1) Gateway Tower located at 470 South Market Street; and (2) Bank of Italy located at 12 South First Street; and

(b) **Resolution No. RES2026-71** was adopted, approving the tax and fee waiver and authorizing the Housing Director, or his designee, to negotiate and execute documents and document amendments related to implementing the Downtown Residential Incentive Program, such as construction progress agreements. (9-0-2; Absent: Mahan, Campos)

8.3 Multifamily Housing Incentive Program Residential Tax and Fee Waiver for the El Paseo de Saratoga Development Located at 1777 Saratoga Avenue.

(a) Conduct a public hearing to approve an economic development tax and fee waiver in connection with a reduction in construction taxes and a reduction of the Inclusionary Housing Ordinance in-lieu fee for El Paseo de Saratoga at 1777 Saratoga Avenue, which meets the requirements of the Multifamily Housing Incentive Program enacted by City Council on December 10, 2024 and extended on May 13, 2025 and January 27, 2026, in an amount of up to \$3,693,404 pursuant to California Government Code Section 53083 and Open Government Resolution No. RES2024-99 Section 2.3.2.6.C.

(b) Adopt a resolution approving the tax and fee waiver and authorizing the Housing Director, or his designee, to negotiate and execute documents and document amendments related to implementing the Multifamily Housing Incentive Program, such as construction progress agreements.

CEQA: Addendum to the 1312 El Paseo and 1777 Saratoga Avenue Mixed-Use Village Project Final Environmental Impact Report (Resolution No. 80605), File Nos. PDA20-006-01 and ER23-267. Council District 1. (Housing/Planning, Building, and Code Enforcement/Transportation)

Erik Soliván, Director, Housing Department; and Banu San, Deputy Director, Housing Department, offered the presentation.

Public Comment: Erik Schoennauer offered public comment.

Action: Upon motion by Councilmember Rosemary Kamei, seconded by Councilmember Bien Doan, and carried unanimously,

(a) a public hearing was conducted to approve an economic development tax and fee waiver in connection with a reduction in construction taxes and a reduction of the Inclusionary Housing Ordinance in-lieu fee for El Paseo de Saratoga at 1777 Saratoga Avenue, which meets the requirements of the Multifamily Housing Incentive Program enacted by City Council on December 10, 2024 and extended on May 13, 2025 and January 27, 2026, in an amount of up to \$3,693,404 pursuant to California Government Code Section 53083 and Open Government Resolution No. RES2024-99 Section 2.3.2.6.C; and

(b) **Resolution No. RES2026-72** was adopted, approving the tax and fee waiver and authorizing the Housing Director, or his designee, to negotiate and execute documents and document amendments related to implementing the Multifamily Housing Incentive Program, such as construction progress agreements. (10-0-1; Absent: Mahan)

8.4 Housing Catalyst Team Work Plan Status Report. - HEARD CONCURRENTLY WITH ITEM 8.5

As recommended by the Community and Economic Development Committee on February 23, 2026, accept the status report on the work to implement the Housing Catalyst Team Work Plan.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Planning, Building and Code Enforcement/Housing) [Community and Economic Development Committee referral 2/23/2026 - Item (d)1]

Erik Soliván, Director, Housing Department; Chris Burton, Director, Department of Planning, Building, and Code Enforcement (PBCE); Manira Sandhir, Deputy Director, PBCE; and Jerad Ferguson, Principal Planner, PBCE, offered the presentation.

Public Comment: None provided.

Action: Upon motion by Councilmember Anthony Tordillos, seconded by Councilmember Michael Mulcahy, and carried unanimously, the status report on the work to implement the Housing Catalyst Team Work Plan, was accepted. (10-0-1; Absent: Mahan)

8.5 Annual Progress Report on the Implementation of the San José General Plan Housing Element and the Housing Successor to the Redevelopment Agency Annual Report. - HEARD CONCURRENTLY WITH ITEM 8.4

(a) Accept the Calendar Year 2025 Annual Progress Report on the implementation of San José's Sixth Cycle 2023-2031 Housing Element.

(b) Accept the Fiscal Year 2024-2025 Housing Successor to the Redevelopment Agency Annual Report.

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

Erik Soliván, Director, Housing Department; Chris Burton, Director, Department of Planning, Building, and Code Enforcement (PBCE); Manira Sandhir, Deputy Director, PBCE; and Jerad Ferguson, Principal Planner, PBCE, offered the presentation.

Public Comment: None provided.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Rosemary Kamei, and carried unanimously,

- (a) the Calendar Year 2025 Annual Progress Report on the implementation of San José's Sixth Cycle 2023-2031 Housing Element was accepted; and
- (b) the fiscal year 2024-2025 Housing Successor to the Redevelopment Agency Annual Report was accepted. (10-0-1; Absent: Mahan)

9. REDEVELOPMENT – SUCCESSOR AGENCY

No items provided.

10. LAND USE

10.1 Land Use on Consent Calendar

No items provided.

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

No items provided.

- **Open Forum**

1. An anonymous speaker offered public comment regarding school closures and Vision Zero.
2. Danielle offered public comment regarding the lack of crossing guards in school zones.
3. Lisa offered public comment regarding traffic in school zones.

- **Adjournment**

The Council of the City of San José adjourned at 5:52

Minutes Recorded, Prepared, and Respectfully Submitted by,

DRAFT

Daniel Aguilar
Deputy City Clerk, City of San José

Approved at Council on:

Number of actions: 12

Attest by:

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

AMENDED

SAN JOSÉ CITY COUNCIL CLOSED SESSION AGENDA

March 24, 2026

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

Absent Councilmembers: Mahan, Campos, Doan.

Place: City Hall Conference Room W-133

Time: 9:30 a.m.

Items to be discussed:

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

1. Case Name: In re: Claim of Lee
Name(s) of Party(ies):
Court: Worker's Compensation Appeals Court
Case No: ADJ177661066
Amount of Money or Other Relief Sought: Benefits

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:

Significant exposure to litigation pursuant to Sections 54956.9(d)(2) and 54956.9(e)(3) of the Government Code:

1. Claimants(s): In re: Claim of Duban, Hershel
City Department: Finance
2. Claimants(s): In re: Claim of Mendez, Jesus
City Department: Finance
3. Claimants(s): In re: Gordon Biersch

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

City Negotiator: Aram Kouyoumdjian, Director of Employee Relations

Employee Organizations:

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

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

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

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

Telephone – Employee Relations: (408) 535-8150

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

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

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

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

Telephone – Employee Relations: (408) 535-8150

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

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