



City Council Meeting Amended Agenda

Tuesday, December 16, 2025

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

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

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- 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

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

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- 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>

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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

25-994 Closed Session Agenda

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

- **Pledge of Allegiance**

- **Invocation (Mayor)**

Alicia Garcia, WeHope

- **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**

This meeting will be adjourned in memory of Loc Vu, founder of the Viet Museum (Museum of the Boat People and the Republic of Vietnam), who passed away on November 29, 2025. As a founder and longtime leader of the Immigrant Resettlement and Cultural Center and a dedicated writer under the pen name Giao Chi, he spent his life preserving the history and voices of Vietnamese refugees. Loc Vu will be remembered for his service, vision, and profound contributions to the Vietnamese American community in San José.

• **Closed Session Report**

To be heard after Ceremonial Items

1. CEREMONIAL ITEMS

1.1 Presentation of a commendation recognizing Happy Hollow Foundation for their service and dedicated work in the City of San José. (Kamei)

1.2 Presentation of a commendation to the Venerable Thich Phap Luu, Abbot of the Di Lac Buddhist Temple, for his community service and contributions in providing thousands of healthy meals to seniors in San José. (Doan)

1.3 Presentation of a proclamation declaring December 2025 as Native American Heritage Month to honor the Native American community and commemorate their histories, cultures, and contributions to the City of San José. (Ortiz)

1.4 Presentation of a commendation recognizing the Garcia Family who showed great compassion and bravery on November 28, 2025 when they provided shoppers fleeing the Valley Fair Mall shooting with food, shelter, and a sense of security. (Mayor and Mulcahy)

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.

25-1357 Approval of City Council Minutes.

Recommendation: (a) Regular City Council Meeting Minutes of November 18, 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.

2.2 Final Adoption of Ordinances.

25-1345 Final Adoption of Ordinances.

- Recommendation:** (a) Ordinance No. 31279 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 1.88 Gross Acres, Situated South of the Eastern Terminus of Bern Court (908 Bern Court) (APN: 241-15-009) from the LI(PD) Planned Development Zoning District to the CIC Combined Industrial/Commercial Zoning District.
[Passed for Publication on 12/2/2025 - Item 10.1(a) (25-1265)]
- (b) Ordinance No. 31280 - An Ordinance of the City of San José Amending Section 13.48.020 and Section 13.48.240 of Chapter 13.48 of Title 13 of the San José Municipal Code to Add Definitions for “Detrimental,” “Historic Integrity,” and “Substantial Alteration,” Clarify Definitions for “Historic District” and “Landmark,” Clarify the Application of Historic Preservation Permit Findings, and Require Overriding Findings when Work is Detrimental to a Landmark or Property in a Historic District.
[Passed for Publication on 12/2/2025 - Item 10.2(b) (25-1267)]
- (c) Ordinance No. 31281 - An Ordinance of the City of San José to Provide for a Business Tax Amnesty Program which Forgives Taxpayers who Pay Certain Past Due Business Taxes from Liability for Remaining Past Due Business Taxes, Interest, and Civil And Criminal Penalties.
[Passed for Publication on 12/9/2025 - Item 2.9(a) (25-1280)]
- (d) Ordinance No. 31282 - An Ordinance of the City of San José to Provide for a Business Improvement District Assessment Amnesty Program which Forgives Businesses that Pay Certain Past Due Assessments from Liability for Interest and Penalties.
[Passed for Publication on 12/9/2025 - Item 2.9(b) (25-1280)]
- (e) Ordinance No. 31284 - An Ordinance of the City of San José Granting a Commercial Solid Waste and Recyclables Collection Franchise to Compactor Management Company, LLC.
[Passed for Publication on 12/9/2025 - Item 6.1(b) (25-1292)]
- (f) Ordinance no. 31285 - An Ordinance of the City of San José Granting a Commercial Solid Waste and Recyclables Collection Franchise to MTB Demolition.
[Passed for Publication on 12/9/2025 - Item 6.1(b) (25-1292)]

(g) Ordinance No. 31286 - An Ordinance of the City of San José Granting a Commercial Solid Waste and Recyclables Collection Franchise to Bayview Industrial Services, Inc.

[Passed for Publication on 12/9/2025 - Item 6.1(b) (25-1292)]

(h) Ordinance No. 31287 - An Ordinance of the City of San José Granting a Commercial Solid Waste and Recyclables Collection Franchise to Dumpster Pro, Inc.

[Passed for Publication on 12/9/2025 - Item 6.1(b) (25-1292)]

(i) Ordinance No. 31288 - An Ordinance of the City Of San José Granting a Commercial Solid Waste and Recyclables Collection Franchise to TDB Incorporated.

[Passed for Publication on 12/9/2025 - Item 6.1(b) (25-1292)]

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 25-1304 Actions Related to the Request for Proposals Rebid for Automated Teller Machine Concessions at the San José Mineta International Airport.

Recommendation: (a) Approve the selection of the top-ranking proposer for the request for proposals rebid for automated teller machine concessions at the San José Mineta International Airport.

(b) Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute an agreement with Bank of America, National Association for automated teller machine services at the San José Mineta International Airport for the initial term beginning on January 1, 2026, and ending on June 30, 2029, and exercise up to three one-year options to extend the term of the agreement through June 30, 2032.

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

(Airport)

2.8 25-1305 Amendment to City Council Policy 9-5, Travel by Elected and Appointed City Officials.

Recommendation: Adopt a resolution amending the City Council Policy 9-5 for Travel by Elected and Appointed City Officials to revise and conform the travel guidelines portion to the Employee Travel Policy, 1.8.2, that can be found in the City Administrative Policy Manual. .

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (City Clerk/City Manager)

2.9 25-1307 City Manager’s Travel to Chula Vista, California.

Recommendation: Authorize travel for City Manager, Jennifer A. Maguire, to Chula Vista, California, on January 8-10, 2026 to participate in the Large Cities Executive Forum.

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

2.10 25-1308 Fourth Amendment to the CALeVIP Services Agreement with the Center for Sustainable Energy.

Recommendation: Adopt a resolution authorizing the Director of Energy or her designee to execute a Fourth Amendment to the Services Agreement by and between the City of San José and the Center for Sustainable Energy, extending the term dated July 8, 2020, through July 1, 2026, with no additional funds.

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

2.11 25-1309 Actions Related to the Purchase Order with Gillig LLC for Electric Buses.

Recommendation: (a) Adopt a resolution authorizing the City Manager or her designee to:
(1) Execute a purchase order with Gillig LLC (Livermore, CA) for two new 40’ low floor plus electric buses with a 290” wheelbase beginning on or about December 16, 2025, and ending on or about December 15, 2026, for a not-to-exceed amount of \$2,569,301;
(2) Approve a contingency of \$280,000 for unanticipated modifications to the electric buses order and specifications, subject to the appropriation of funds; and
(3) Exercise up to six one-year options to extend the term of the purchase order, with the last option ending on or about December 15, 2032, subject to the appropriation of funds.
(b) Adopt the following 2025-2026 Appropriation Ordinance amendments in the Airport Renewal and Replacement Fund:
(1) Increase the Zero Emissions Buses Appropriation to the Airport Department by \$333,000; and
(2) Decrease the Ending Fund Balance by \$333,000.

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

2.12 25-1310 Fourth Amendment to the Agreement with Granicus, LLC for an Electronic Filing System for Form 700 and Campaign Finance Forms.

Recommendation: Adopt a resolution authorizing the City Manager or her designee to negotiate and execute the Fourth Amendment to the Agreement with Granicus, LLC (Saint Paul, MN) for an electronic filing system for Form 700 and Campaign Finance Forms, to extend the term of the agreement for an additional one-year option term, for a total of seven options through December 31, 2026, under the same material terms and conditions as the original agreement, with a maximum compensation not to exceed \$62,754 for the option period beginning on January 1, 2026, and ending on December 31, 2026, 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)

2.13 25-1311 Report on the Request for Proposals for an Emergency Management AI-Integration Data Modeling Solution.

Recommendation: Accept the report on the Request for Proposals for an emergency management AI-integration data modeling solution and adopt a resolution authorizing the City Manager or her designee to:

- (a) Negotiate and execute an agreement with Ladris Technologies, Inc. (Grass Valley, CA) for the development and implementation of disaster preparedness and emergency modeling software and services to support planning and response efforts for emergencies requiring evacuation, for a total not-to-exceed amount of \$580,000, for the initial term ending on or around January 31, 2027, subject to the appropriation of funds;
- (b) Negotiate and execute amendments and change orders as required, to address unanticipated changes, software subscriptions, modules, integrations, and related professional services, for a contingency amount not-to-exceed \$50,000 during the initial term, subject to the appropriation of funds; and
- (c) Negotiate and execute up to five one-year options to extend the term of the agreement through on or around January 31, 2032, 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)

2.14 25-1312 Report on the Request for Proposal for the Fire Department’s Background Investigations Consultant Services.

Recommendation: (a) Accept the report on the Request for Proposal for the Fire Department’s Background Investigations Consultant Services.
(b) Adopt a resolution authorizing the City Manager, or her designee, to:
(1) Negotiate and execute an agreement with DR Associates International to provide background investigations for an initial five-year term beginning February 10, 2026, through February 9, 2031, for a maximum compensation not to exceed \$630,000 for the initial term, subject to the appropriation of funds;
(2) Negotiate and execute amendments as required to add, delete, or modify services to address seasonal variations, budgetary constraints, or unanticipated changes in demand, subject to the appropriation of funds; and
(3) Exercise up to five one-year options to extend the term of the agreement through January 1, 2036, 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. (Fire)

2.15 25-1313 Fiscal Year 2024-2025 Affordable Housing Impact Fee and Commercial Linkage Fee Annual Report.

Recommendation: Accept the Fiscal Year 2024-2025 Affordable Housing Impact Fee and Commercial Linkage Fee Annual Report prepared in accordance with the California Mitigation Fee Act (Government Code section 66000 et seq.) on the status and expenditure plans for the City’s Affordable Housing Impact Fee and Commercial Linkage Fee.

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)

2.16 25-1314 Actions Related to the Reallocation of Acquisition Funding to the Construction-Permanent Loan for the Gateway Tower Affordable Housing Development.

Recommendation: (a) Accept the staff recommendation on reallocation of the Gateway Tower loan commitment.
(b) Adopt a resolution authorizing the reallocation of acquisition funding to increase the construction-permanent loan to \$38,440,000.

CEQA: Supplemental Environmental Impact Report for the Gateway Tower Mixed-Use Development Project (Resolution No. 78005), and Addenda, thereto. Council District 3. (Housing)

2.17 25-1315 Fourth Amendment to the Consultant Agreement with The Pun Group, LLP for Grant Monitoring Services.

Recommendation: Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute a Fourth Amendment to the Consultant Agreement with The Pun Group LLP, for grant monitoring services, to increase the maximum total compensation by \$135,000, from \$731,500 to \$866,500 for the period of January 1, 2026, to June 30, 2026.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
(Housing)

2.18 25-1316 Actions Related to Grant Agreements for Multiple Emergency Interim Housing Program Sites.

Recommendation: (a) Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute Emergency Interim Housing program grant agreements with the following nonprofit service providers:

(1) HomeFirst Services of Santa Clara County for the following Emergency Interim Housing sites:

(i) Felipe in an amount not to exceed \$1,248,122 from January 1, 2026 through June 30, 2026;

(ii) Mabury in an amount not to exceed \$1,227,854 from January 1, 2026 through June 30, 2026;

(iii) Monterey/Bernal in an amount not to exceed \$1,719,027 from January 1, 2026 through June 30, 2026;

(iv) Rue Ferrari in an amount not to exceed \$3,887,180 from January 1, 2026 through June 30, 2026; and

(v) Via del Oro in an amount not to exceed \$2,749,804 from January 1, 2026 through June 30, 2026.

(2) LifeMoves for the Guadalupe Emergency Interim Housing site in an amount not to exceed \$1,384,900 from January 1, 2026 through June 30, 2026; and

(3) PATH for the Evans Lane Emergency Interim Housing site in an amount not to exceed \$2,016,404 from January 1, 2026 through June 30, 2026.

(b) Adopt a resolution authorizing the City Manager, or her designee, to accept the contribution of \$3,000,000 from HCA Healthcare / Good Samaritan to fund operations for the Cherry Emergency Interim Housing site and affordable housing projects, and to negotiate and execute related documents to receive grant funds without requiring further City Council action.

(c) Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute an amendment to the current grant agreement with HomeFirst Services of Santa Clara County to replace Measure E Funding with the new HCA Healthcare / Good Samaritan funds, in an amount not to exceed \$2,000,000, to provide supporting services, 24/7 site operations, and asset management at the Cherry Emergency Interim Housing site in Fiscal Year 2025-2026.

(d) Adopt the following Appropriation Ordinance amendments in the Real Property Transfer Tax Fund:

(1) Decrease the Measure E - 15% Homeless Support Programs Reserve by \$3,926,546; and

(2) Increase the Interim Housing Construction and Operations (15% HSP) appropriation to the Housing Department by \$3,926,546.

(e) Adopt the following Appropriation Ordinance amendments in the General Fund:

(1) Decrease the Interim Housing - Rue Ferrari Expansion Capital Improvements appropriation to the Public Works Department by \$1,200,000; and

(2) Increase the Interim Housing Construction and Operation City-Wide Expenses appropriation to the Housing Department by \$1,200,000.

(f) Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the Multi-Source Housing Fund:

(1) Establish an estimate for Revenue from Local Agencies in the amount of \$3,000,000; and

(2) Establish the HCA Healthcare / Good Sam appropriation to the Housing Department in the amount of \$3,000,000.

(g) Adopt the following Appropriation Ordinance amendments in the Homeless Housing, Assistance, and Prevention Fund:

(1) Decrease the Homelessness Prevention System appropriation to the Housing Department by 1,000,000; and

(2) Increase the Street Outreach and Support Services appropriation to the Housing Department by \$1,000,000.

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

Council Districts 2, 3, 6, 7, and 10. (Housing/City Manager)

2.19 25-1317 Actions Related to Grant Agreements for Multiple Programs Serving Households Experiencing Homelessness for Fiscal Year 2025-2026.

Recommendation: Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute extension amendments to existing grant agreements for the following programs serving individuals and families experiencing homelessness, categorized by service type:

(a) Crisis Intervention Programs

(1) LifeMoves (Safe Parking for Recreational Vehicles program at the Santa Clara Valley Transportation Authority lot on Santa Teresa Boulevard) in an amount not to exceed \$765,740 from January 1, 2026, through June 30, 2026;

(2) WeHOPE (Safe Parking for Recreational Vehicles program at 1300 Berryessa Road) in an amount not to exceed \$1,402,071 from January 1, 2026, through June 30, 2026;

(3) WeHOPE (Dignity on Wheels program) in an amount not to exceed \$550,000 from January 1, 2026, through June 30, 2026;

(b) Motel Programs

(1) WeHOPE (Plaza Hotel) in an amount not to exceed \$791,988 retroactively from December 1, 2025, through June 30, 2026;

(2) LifeMoves (Motel Voucher Program) in an amount not to exceed \$2,425,440 from January 1, 2026, through June 30, 2026;

(c) Support Services Programs

(1) Bill Wilson (Youth Housing and Support Program) in an amount not to exceed \$2,000,000 from January 1, 2026, through June 30, 2027.

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

2.20 25-1318 Amendments to the City Pay Plan.

Recommendation: Adopt a resolution amending the City of San José Pay Plan, effective December 21, 2025, to create the following classifications:

(a) Chief of Staff to the City Manager (Unclassified) (1142) with an annual pensionable salary range of \$176,160.37 to \$284,576.11; and

(b) Executive Office Administrator, City Manager’s Office (Unclassified) (1384) with an annual pensionable salary range of \$92,601.60 - \$122,072.61.

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

2.21 25-1319 Report on Request for Proposals for the Gardner Community Center Grant Program and Facility Management.

Recommendation: (a) Accept the report on the Gardner Community Center Grant Program and Facility Management Request for Proposal process and results.
(b) Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a grant agreement, and all other necessary and /or ancillary documents, and any amendments thereto with Catholic Charities of Santa Clara County for the City-owned Gardner Community Center in an amount not to exceed \$1,000,000 through June 30, 2029.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. Council District 6. (Parks, Recreation, and Neighborhood Services)

2.22 25-1320 Actions Related to the 2025 California Governor's Office of Emergency Services Internet Crimes Against Children Task Force Grant.

Recommendation: Adopt a resolution authorizing the City Manager or her designee to:
(a) Apply to and accept the 2025 California Governor's Office of Emergency Services Internet Crimes Against Children Task Force Grant in the amount of \$1,350,000; and
(b) Execute any Grant Agreements, amendments, and all related documents, including online certifications at time of award application, award acceptance, and reimbursement requests.

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. (Police)

2.23 25-1322 Actions Related to the Proposed 2025-2027 Spending Plan for the Supplemental Law Enforcement Services Grant and Revised 2024-2026 Spending Plan for the Supplemental Law Enforcement Services Fund Grant. - RECOMMEND DEFERRAL

Recommendation: (a) Approve the proposed 2025-2027 Spending Plan for the Supplemental Law Enforcement Grant in the amount of \$1,496,772 and authorize the Chief of Police to amend the Spending Plan in conformity to the budget priorities set out in this memorandum and in the event State Supplemental Law Enforcement Services Grant payments are less or more than expected.
(b) Approve the revised 2024-2026 Spending Plan for the additional Supplemental Law Enforcement Services Grant in the amount of \$1,520,161.
(c) Adopt the following 2025-2026 Appropriation Ordinance and Funding Source Resolution amendments in the Supplemental Law Enforcement Services Fund:
(1) Increase the estimate for Revenue from State of California by \$3,016,933;
(2) Establish the SLES Grant 2025-2027 City-Wide Expense appropriation to the Police Department in the amount of \$1,496,772; and
(3) Increase the SLES Grant 2024-2026 City-Wide Expense appropriation to the Police Department by \$1,520,161.
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. (Police/City Manager)

RECOMMEND DEFERRAL TO 1/27/2026 PER ADMINISTRATION

2.24 25-1323 2024-2025 Annual Development In-Lieu Fee Report.

Recommendation: Adopt a resolution:
(a) Accepting the Fiscal Year 2024-2025 Annual and Five-Year Development In-Lieu Fee Report prepared in accordance with the Mitigation Fee Act (California Government Code Section 66000 et seq.) on the status of the in-lieu fees collected by the City of San José from developers in lieu of construction of public improvements; and
(b) Making certain findings as required by California Government Code Section 66001(d)(1).
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)

2.25 25-1324 Second Amendment to the Consultant Agreement with HNTB Corporation for the US 101 / Mabury - Berryessa - Oakland Corridor Improvement Project.

Recommendation: Adopt a resolution authorizing the City Manager or her designee to negotiate and execute the Second Amendment to the consultant agreement between the City and HNTB Corporation for engineering consultant services for the US 101 / Mabury-Berryessa-Oakland Corridor Improvement Project to increase the total not-to-exceed amount by \$1,800,000, from \$9,000,000 to \$10,800,000, and extend the term of the agreement to December 31, 2028.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
Council Districts 3, 4. (Transportation)

2.26 25-1325 Resolution Establishing Speed Limits.

Recommendation: Adopt a resolution repealing Resolution No. 2025-304 and set forth speed limits in the City of San José in compliance with state law to:
(a) Re-establish speed limits with changes to 19 roadways, including portions of Barack Obama Boulevard, Blossom Hill Road, Branham Lane, Canoas Garden Avenue, Curtner Avenue, First Street, Hellyer Avenue, Johnson Avenue, King Road, Little Orchard Street, Prospect Road, Samaritan Drive, San Ignacio Avenue, Snell Avenue, Suncrest Avenue, 10th Street, Tully Road, Vistapark Drive, and Winchester Boulevard;
(b) Maintain current speed limits on portions of Alum Rock Avenue, Branham Avenue, Hassler Parkway, Tasman Drive, and Yerba Buena Road; and
(c) Make administrative corrections to the speed limit resolution as described in this memorandum.
CEQA: Categorically Exempt, File No. ER24-313, CEQA Guideline Section 15301(c) Existing Facilities. (Transportation)

2.27 25-1326 Report on Bids and Award of Contract for the 10594 - 2026 Local Streets ADA Curb Ramps #2 Project.

Recommendation: (a) Report on bids and award a contract for the construction of 10594 - 2026 Local Streets ADA Curb Ramps #2 Project to the lowest responsive, responsible bidder, Spencon Construction, Inc., in the amount of \$1,224,200; and
(b) Approve a 10% contingency in the amount of \$122,420.
CEQA: Categorically Exempt, File No. ER24-313, CEQA Guidelines Section 15301(c), Existing Facilities. Council Districts 2, 5, 8.
(Transportation/Public Works)

2.28 25-1341 Shared Micro-Mobility Device Fee Adjustment. - RECOMMEND DEFERRAL

Recommendation: Adopt a resolution amending the 2025-2026 Schedule of Fees and Charges (Resolution No. 72737, as amended) to decrease the Shared Micro-Mobility Annual Permit and Program Monitoring Operating Fee from \$139 per device to \$100 per device, effective January 1, 2026. CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, Rates, Tolls, Fares, and Charges. (Transportation/City Manager)
[Deferred from 12/9/2025 Item 2.15 (25-1286)]
RECOMMEND DEFERRAL TO 1/13/2026 PER ADMINISTRATION

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 25-1331 Fire Department Inventory Controls Over Controlled Substances Audit Report.

Recommendation: As recommended by the Public Safety, Finance and Strategic Support Committee on December 4, 2025, accept the report on the audit of the Fire Department's inventory controls over controlled substances. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Auditor)
[Public Safety, Finance and Strategic Support Committee referral
12/4/2025 - Item (d)1]

4. PUBLIC SAFETY SERVICES

4.1 25-1337 Amendment to Title 16 (Gaming Control) of the San José Municipal Code. RECOMMEND DEFERRAL

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

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

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

(Police)

[Deferred from 12/2/2025 - Item 4.1 (25-1258)]

RECOMMEND DEFERRAL TO 2/3/2026 PER ADMINISTRATION

5. TRANSPORTATION & AVIATION SERVICES

6. ENVIRONMENTAL & UTILITY SERVICES

7. NEIGHBORHOOD SERVICES

7.1 25-1332 Digital Empowerment and Broadband Strategy.

Recommendation: (a) Accept the status report on the Digital Equity Assessment and recommendations to renew the City’s 2017 Broadband and Digital Inclusion Strategy.
 (b) Adopt the Digital Empowerment and Broadband Strategy, affirming and continuing the City’s hybrid approach to telecommunications partnerships.
 (c) Adopt a resolution to formally utilize the Federal Communications Commission’s broadband speed definition of 100/20 Mbps and aspirational future speed goal of 1 Gbps/500 Mbps.
 (d) Direct staff to implement the Digital Empowerment and Broadband Strategy Work Plan and return to the City Council in 2027 with a status update.
 CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Library)

7.2 25-1333 Abandoned Shopping Cart Retrieval Pilot Program Status Report.

Recommendation: Accept the status report on the abandoned shopping cart retrieval pilot 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. (Planning, Building, and Code Enforcement)

7.3 25-1327 Extension of the Urgency Interim Ordinance on the Temporary Moratorium on the Issuance of Tobacco Retail Licenses.

Recommendation: Approve an ordinance extending the urgency interim Ordinance No. 31270 of the City of San José, establishing a temporary moratorium on the issuance of Tobacco Retail Licenses to businesses at new locations within San José, and setting forth findings to support such extension.
PLEASE NOTE: APPROVAL OF THIS EXTENSION OF URGENCY INTERIM ORDINANCE REQUIRES 8 OR MORE AFFIRMATIVE VOTES. City Charter Section 605(d)
 CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Planning, Building, and Code Enforcement)

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 25-1334 Preliminary Actions Required for the Creation of The Alameda Business Improvement District and Levy of Assessments for Fiscal Year 2025-2026.

- Recommendation:** (a) Adopt a resolution:
- (1) Declaring the City Council's intention to establish The Alameda Business Improvement District;
 - (2) Setting a public meeting for January 13, 2026, at 1:30 p.m. and a public hearing for February 3, 2026, at 1:30 p.m. on the formation of The Alameda Business Improvement District;
 - (3) Directing the City Clerk to publish the required notices of the public meeting and public hearing; and
 - (4) Appointing the Alameda Business Association Advisory Board to advise the City Council on all issues related to The Alameda Business Improvement District.
- (b) Subject to the establishment of The Alameda Business Improvement District:
- (1) Preliminarily approve the Advisory Board's Service Plan, including assessment and fee structure, budget, and cost controls, for Fiscal Year 2025-2026; and
 - (2) Adopt a resolution of intention to levy an assessment for Fiscal Year 2025-2026 and set a public hearing for February 3, 2026, at 1:30 p.m. on the levy of assessments for Fiscal Year 2025-2026.
- CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant impact on the environment. Council District 6. (Economic Development and Cultural Affairs)

8.2 25-1335 Preliminary Actions Required for the Creation of the Alum Rock Santa Clara Street Business Improvement District and Levy of Assessments for Fiscal Year 2025-2026.

Recommendation:

- (a) Adopt a resolution:
 - (1) Declaring the City Council’s intention to establish the Alum Rock Santa Clara Street Business Improvement District;
 - (2) Setting a public meeting for January 13, 2026, at 1:30 p.m. and a public hearing for February 3, 2026, at 1:30 p.m. on the formation of the Alum Rock Santa Clara Street Business Improvement District;
 - (3) Directing the City Clerk to publish the required notice of the public meeting and public hearing; and
 - (4) Appointing the Alum Rock Santa Clara Street Business Association as the Advisory Board to advise the City Council on all issues related to the Alum Rock Santa Clara Street Business Improvement District.
 - (b) Subject to the establishment of the Alum Rock Santa Clara Street Business Improvement District:
 - (1) Preliminarily approve the estimated budget and fee structure for Fiscal Year 2025-2026; and
 - (2) Adopt a resolution of intention to levy an assessment for Fiscal Year 2025-2026 and set a public hearing for February 3, 2026, at 1:30 p.m. on the levy of assessments for Fiscal Year 2025-2026.
- CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant impact on the environment. Council Districts 3, 5. (Economic Development and Cultural Affairs)

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) **25-1336** **PP25-001 - Amendment to Title 19 (Subdivision) and Various Sections of Title 20 (Zoning Code) of the San José Municipal Code for Compliance with State Law and to Streamline Regulations.**

Recommendation: (1) Adopt a resolution adopting the Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report and the Supplemental Program Environmental Impact Report, and the Supplemental Environmental Impact Report - 2023-2031 Housing Element Update and Addenda thereto for the amendments to Title 19 and Title 20 of the San José Municipal Code, in accordance with the California Environmental Quality Act.

(2) Approve an ordinance amending Title 19 (Subdivisions) and various sections of Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to:

(i) Add a new Chapter 19.11, 'Ministerial Tentative Maps,' and related state law references; and

(ii) Implement City Council direction to amend Senate Bill 9 (SB 9) provisions in Chapter 20.30 by: (1) Revising existing SB 9 objective design standards within Part 8, 'Senate Bill 9 Implementation,' (2) Adding new Part 9, 'City permitted streamlined implementation for two-unit developments on a single lot within Two-Family Zoning Districts, (3) Adding new Part 9.5, 'Streamlined implementation for properties of lesser significance listed on the Historic Resources Inventory within R-1 and R-2 Zoning Districts' to allow two-unit developments on a single lot, (4) Amending Sections 20.80.300, 20.80.450, 20.100.610, 20.100.1030 and 20.100.1040 to incorporate references to two-unit developments, and (5) Adding Section 20.200.675 to include new definition for 'lot coverage;'

(iii) Amend Chapter 20.200 to add Section 20.200.165 to include a new definition for 'Building, Main,' add Section 20.200.445 to include a new definition for 'Group Home,' amend existing definition of Residential Care Facility in Section 20.200.1010, amend existing definition of 'Residential Service Facility' in Section 20.200.1030, amend Section 20.200.1265, 'Permanent Supportive Housing,' and include references to Transitional and Supportive Housing in Table 20-50, Section 20.30.100, Chapter 20.30;

(iv) Amend Chapter 20.80 ‘Specific Use Regulations’, Part 2.75, ‘Accessory Dwelling Units’ by amending Section 20.80.176, ‘Streamlined Approval’ and adding Section 20.80.177, ‘Tree Removal’, and Part 2.76 ‘Accessory Dwelling Unit Condominium’ by amending Section 20.80.185, ‘ADU Condominium Requirements’, to revise existing Accessory Dwelling Unit provisions to ensure compliance with state law;

(v) Amend Chapter 20.190 ‘Affordable Housing Density Bonuses and Incentives’ to improve readability and streamline existing text to ensure compliance with state law;

(vi) Amend Chapter 20.195 ‘Ministerial Approvals’ in its entirety to: (1) Amend existing text to improve readability and maintain compliance with applicable state laws, and (2) Incorporate ministerial approval provisions pursuant to Senate Bill 684 and Senate Bill 1123;

(vii) Incorporate provisions of Senate Bill 1418 by amending Table 20-90, Section 20.40.100, Chapter 20.40, ‘Commercial Zoning Regulations’; amending Table 20-110, Section 20.50.100, Chapter 20.50, ‘Industrial Zoning Regulations’; amending Table 29-138, Section 20.55.203, Chapter 20.55, ‘Urban Village and Mixed-Use Zoning District Use Regulations,’ amending Table 20-140, Section 20.70.100, Chapter 20.70, ‘Downtown Zoning Regulations’; amending Section 20.80.600, Part 8 ‘Gasoline Service Station Conversions,’ of Chapter 20.80, ‘Specific Use Regulations’; and incorporate provisions of Assembly Bill 2632 in Table 20-140, Section 20.70.100, Chapter 20.70, ‘Downtown Zoning Regulations’;

(viii) Amend Chapter 20.80, ‘Specific Use Regulations,’ Part 11, ‘Off-Sale of Alcoholic Beverages’ Section 20.80.900, ‘Off-Sale of Alcoholic Beverages’ to allow alcoholic beverages within previously established Entertainment Zone Boundary;

(ix) Incorporate heat pumps by amending Chapter 20.30, ‘Residential Zoning Districts,’ Section 20.30.400, ‘Setback Areas - Setback area to be kept open, unobstructed, and unoccupied,’ Chapter 20.40, ‘Commercial Zoning Districts and Public/Quasi-Public Zoning District,’ Section 20.40.400, ‘Setback areas - open, unobstructed, and unoccupied,’ Chapter 20.50 ‘Industrial Zoning Districts,’ Section 20.50.270, ‘Setback areas - open, unobstructed, and unoccupied,’ Chapter 20.55, ‘Urban Village and Mixed-Use Zoning Districts’ Part 2, Development Regulations’ Section 20.55.101, ‘Exceptions to Setback Regulations;’

(x) Amend Section 20.55.104, ‘MUN Mixed Use Neighborhood Development Standards’ to revise existing development standards for improved clarity;

(xi) Amend Chapter 20.100, ‘Administration and Permits’, Part 7, ‘Special Use Permits’ to incorporate amendment provisions and add Section 20.100.860, ‘Amendment Findings;’ and

(xii) Make other technical, non-substantive, or formatting changes within those sections of Title 19 or Title 20 of the San José Municipal Code.

CEQA: Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and the Supplemental Environmental Impact Report (Resolution No. 77617), and Supplemental Environmental Impact Report - 2023-2031 Housing Element Update (Resolution No. 2023-262) and Addenda thereto. File Nos. PP25-001 & ER25-220. Planning Commission recommends approval (9-0-1; Casey absent) (Item 5.d on the 11/19/2025 Planning Commission agenda). (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**

This meeting will be adjourned in memory of Loc Vu, founder of the Viet Museum (Museum of the Boat People and the Republic of Vietnam), who passed away on November 29, 2025. As a founder and longtime leader of the Immigrant Resettlement and Cultural Center and a dedicated writer under the pen name Giao Chi, he spent his life preserving the history and voices of Vietnamese refugees. Loc Vu will be remembered for his service, vision, and profound contributions to the Vietnamese American community in San José.

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.