



# **City Council Meeting Draft Minutes**

**Tuesday, February 25, 2025  
1:30 PM  
Council Chambers**

MATT MAHAN, MAYOR  
ROSEMARY KAMEI, DISTRICT 1  
PAMELA CAMPOS, DISTRICT 2  
CARL SALAS, 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 Pages 17-18 for Closed Session Minutes.*

Present: Councilmembers: Mahan, Casey, Candelas, Doan,  
Mulcahy, Ortiz, Cohen, Kamei.

Absent Councilmembers: Campos, Salas, Foley.

1:36 p.m.- Regular Session.

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

Absent Councilmembers: All present.

- **Pledge of Allegiance**

Mayor Matt Mahan led the Pledge of Allegiance.

- **Invocation (District 2)**

Imam Haasher Ahmed, from the Ahmadiyya Muslim Community Silicon Valley Chapter offered the Invocation with a prayer.

- **Orders of the Day**

The Administration requested that Item 10.2 be deferred to allow more time to complete the research, *the deferral date was not specified on the record.*

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Bien Doan, and carried unanimously, the Orders of the Day were approved to defer Item 10.2. (11-0-0)

- **Adjournment Recognition**

Councilmember Rosemary Kamei announced that this meeting was adjourned in memory of Reverend Jethroe Moore II, who passed away on December 26, 2024. Reverend Moore was the President of the San José/Silicon Valley NAACP, and a longtime San José community leader and advocate. His passion and hard work for social justice and community empowerment—was and remains—an inspiration. To so many, he was a mentor, friend, confidant, and source of hope and joy. We will never forget his life, his ministry, and his legacy. “Mama Dee”, board member of the NAACP, shared touching words to commemorate Reverend Jethroe Moore II.

## • **Closed Session Report**

City Attorney, Nora Frimann offered a report out of Closed Session. She informed that City Council voted for the City to join a lawsuit that was filed on behalf of the City, the County of San Francisco, the County of Santa Clara, the City of Portland, Oregon, King County in Washington, and the City of New Haven later this week.

## **1. CEREMONIAL ITEMS**

- 1.1 Councilmember David Cohen presented a proclamation recognizing February 24, 2025, as Thomas Foon Chew Day, in recognition of his contributions to the Alviso community in San José as founder of the Bayside Canning Company, once the third-largest cannery in the United States.
- 1.2 Councilmember Peter Ortiz presented a commendation to Unión y Fuerza Gramercy Neighborhood Association for their dedication and selfless work to improve the quality of life in their neighborhood.

## **2. CONSENT CALENDAR**

Mayor Matt Mahan offered a travel report for Item 2.5.

Public Comment: Winston A. offered public comment regarding the Consent Calendar.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Rosemary Kamei, and carried unanimously, the Consent Calendar was approved as a whole, the below actions were taken as indicated. (11-0-0)

### **2.1 Approval of City Council Minutes.**

None provided.

### **2.2 Final Adoption of Ordinances.**

None provided.

### **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.

*Mayor Mahan offered a brief travel report, regarding his travel to Miami to attend the Knight Media Forum.*

**2.6 Report from the Council Liaison to the Retirement Boards.**

None provided.

**2.7 25-165 Boards and Commissions Appointment.**

Approve the following Boards and Commissions appointment:

(a) Arts Commission:

(1) District 6 Seat: Appoint De Anna Mirzadegan for a term ending June 30, 2026.

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

Action: De Anna Mirzadegan was appointed to the District 6 Seat on the Arts Commission for a term ending June 30, 2026. (11-0-0)

**2.8 25-141 Third Amendment to the Master Consultant Agreement with Integrated Design 360, LLC.**

Approve the Third Amendment to Master Consultant Agreement with Integrated Design 360, LLC, extending the contract term from February 28, 2025 to December 31, 2025, with no change to the maximum compensation.

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

Action: The Third Amendment to Master Consultant Agreement with Integrated Design 360, LLC, extending the contract term from February 28, 2025 to December 31, 2025, with no change to the maximum Compensation was approved. (11-0-0)

**2.9 25-142 Operational Agreement for Via del Oro Emergency Interim Housing Site.**

Adopt a resolution authorizing the Housing Director or his designee, to negotiate and execute a grant agreement with HomeFirst Services of Santa Clara County for the Via del Oro Emergency Interim Housing Site in an amount not to exceed \$2,744,620 retroactive from February 1, 2025, through June 30, 2025.

CEQA: Determination of Consistency with the Mitigated Negative Declaration for the Emergency Interim Housing Programs project (Resolution No. RES2023-380), File No. ER24-015. Council District 10. (Housing)

Action: **Resolution No. RES2025-29** was adopted, regarding the grant operational agreement with HomeFirst Services of Santa Clara County for the Via del Oro Emergency Interim Housing Site in an amount not to exceed \$2,744,620 retroactive from February 1, 2025, through June 30, 2025. (11-0-0)

**2.10 25-143 Report on Bids and Award of Contract for 10472: SJC On-Call Mechanical Engineering Construction Contract 25-28.**

Report on bids and award of a contract for 10472 - SJC On-Call Mechanical Engineering Construction Contract 25-28 for maintenance projects at the San José Mineta International Airport to the lowest responsive, responsible bidder, Mesa Energy Systems, Inc., for a maximum not to exceed amount of \$3,000,000 for a duration of three years.

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

Action: The report on bids and award of a contract for 10472 - SJC On-Call Mechanical Engineering Construction Contract 25-28 for maintenance projects at the San José Mineta International Airport to the lowest responsive, responsible bidder, Mesa Energy Systems, Inc., for a maximum not to exceed amount of \$3,000,000 for a duration of three years was accepted. (11-0-0)

**2.11 25-144 Report on Bids and Award of Contract for the 10280 - Sanitary Sewer Repairs Fiscal Year 2023-2024 Package III Project.**

(a) Report on bids and award of contract for the construction of 10280-Sanitary Sewer Repairs Fiscal Year 2023-2024 Package III Project, to the lowest responsive, responsible bidder, Nor-Cal Pipeline Services, Inc., in the amount of \$1,752,276; and

(b) Approve a 10% contingency in the amount of \$175,228.

CEQA: Exempt, File No. ER23-189, CEQA Guidelines Sections 15301(b) Existing Facilities and 15302(c) Replacement or Reconstruction. Council District 9. (Public Works)

Action: (a) The report on bids and award of contract for the construction of 10280-Sanitary Sewer Repairs Fiscal Year 2023-2024 Package III Project, to the lowest responsive, responsible bidder, Nor-Cal Pipeline Services, Inc., in the amount of \$1,752,276 was accepted; and (b) the 10% contingency in the amount of \$175,228 was approved. (11-0-0)

**2.12 25-145 Report on Bids and Award of Contract for the 10465 - Martial Cottle Park Sanitary Sewer Manhole Replacement Project.**

(a) Report on bids and award of contract for the construction of 10465 - Martial Cottle Park Sanitary Sewer Manhole Replacement Project to the lowest responsive, responsible bidder, JMB Construction, Inc., in the amount of \$1,360,750; and

(b) Approve a 10% contingency in the amount of \$136,075.

CEQA: Exempt, File No. ER22-049, CEQA Guidelines Sections 15301 (b) Existing Facilities. Council District 2. (Public Works)

Action: (a) The report on bids and award of contract for the construction of 10465 - Martial Cottle Park Sanitary Sewer Manhole Replacement Project to the lowest responsive, responsible bidder, JMB Construction, Inc., in

the amount of \$1,360,750 was accepted; and (b) the 10% contingency in the amount of \$136,075 was approved. (11-0-0)

**2.13 25-146 Downtown San José Property-Based Improvement District Annual Financial Report.**

Approve the Downtown San José Property-Based Improvement District Annual Financial Report for Fiscal Year 2023-2024.

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

Action: The Downtown San José Property-Based Improvement District Annual Financial Report for Fiscal Year 2023-2024 was approved. (11-0-0)

**2.14 25-161 Request for Travel Authorization for Mayor Mahan.**

As recommended by the Rules and Open Government Committee on February 12, 2025, authorize travel for Mayor Mahan to attend the South by Southwest (SXSW) Conference in Austin, Texas on March 10-11, 2025, and excuse absence from the regular City Council meeting on March 11, 2025. Source of Fund: Mayor/Council Travel Budget.

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

[Rules Committee referral 2/12/2025 - Item B.1]

Action: The request for travel authorization for Mayor Mahan to attend the South by Southwest (SXSW) Conference in Austin, Texas on March 10-11, 2025 was authorized, and his absence from the regular City Council meeting on March 11, 2025 was excused. (11-0-0)

**2.15 25-164 Retroactive Approval of Community Leaders Networking Breakfast 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 February 12, 2025:

(a) Retroactively approve the Community Leaders Networking Breakfast scheduled on February 12, 2025 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 2/12/2025 - Item B.2]

Action: The District 9 City Council Sponsored Special Event was retroactively approved. (11-0-0)

**2.16 25-193****Deferred Compensation Advisory Committee Appointments.**

As recommended by the Rules and Open Government Committee on February 19, 2025, approve the following appointments to the Deferred Compensation Advisory Committee for a four-year term, beginning March 2, 2025 and ending on February 28, 2029:

(a) David Woolsey as the nominee by the Police Officers' Association (POA); and

(b) Sean Davis as the nominee by the "trades organizations" consisting of Association of Building, Mechanical and Electrical Inspectors (ABMEI), International Union of Operating Engineers, Local 3 (OE#3) and International Brotherhood of Electrical Workers (IBEW).

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

[Rules Committee referral 2/19/2025 - Item B.3]

Action: The following appointments to the Deferred Compensation Advisory Committee for a four-year term, beginning March 2, 2025 and ending on February 28, 2029 were approved:

(a) David Woolsey as the nominee by the Police Officers' Association (POA); and

(b) Sean Davis as the nominee by the "trades organizations" consisting of Association of Building, Mechanical and Electrical Inspectors (ABMEI), International Union of Operating Engineers, Local 3 (OE#3) and International Brotherhood of Electrical Workers (IBEW). (11-0-0)

**2.17 25-187****Approval of District 9 SAP Funds for Rotary Club of San José Foundation.**

As recommended by the Rules and Open Government Committee on February 19, 2025, approve a grant to the Rotary Club of San José Foundation to support their Enterprise Leadership Conference in the amount of \$2,500.

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

[Rules Committee referral 2/19/2025 - Item B.5]

Action: The District 9 SAP Funds for the Rotary Club of San José Foundation to support their Enterprise Leadership Conference in the amount of \$2,500 was approved. (11-0-0)

**2.18 25-190****Retroactive Approval and Approval of Multiple Special Events Sponsored by Council District 4 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events.**

As recommended by the Rules and Open Government Committee on February 19, 2025:

(a) Retroactively approve the District 4 Heroes Gala scheduled on January 17, 2025 as a City Council sponsored Special Event and approve the expenditure of funds.

(b) Retroactively approve the Berryessa Branch Library Lunar New

Year Celebration scheduled on January 25, 2025 as a City Council sponsored Special Event and approve the expenditure of funds.  
 (c) Retroactively approve the District 4 Dumpster Day scheduled on February 22, 2025 as a City Council sponsored Special Event and approve the expenditure of funds.  
 (d) Approve the District 4 Synopsis Science Fair Awards Event scheduled on March 3, 2025 as a City Council sponsored Special Event and approve the expenditure of funds.  
 (e) Approve and accept donations from various individuals, businesses, or community groups to support the events.  
 CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Cohen)  
 [Rules Committee referral 2/19/2025 - Item B.6]

Action: Multiple District 4 City Council Sponsored Special Events were approved and retroactively approved. (11-0-0)

### **3. STRATEGIC SUPPORT**

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

None provided.

#### **3.2 Labor Negotiations Update.**

None provided.

#### **3.3 25-147 City Council Focus Areas Semi-Annual Status Report for Fiscal Year 2024-2025 First and Second Quarters.**

Accept the semi-annual status report on the implementation of the City Council Focus Areas.

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

Lee Wilcox, Assistant City Manager, City Manager’s Office; Jennifer Schembri, Deputy City Manager, City Manager’s Office; Omar Passons, Deputy City Manager, City Manager's Office; Angel Rios, Deputy City Manager, City Manager's Office; and Rosalynn Hughey, Deputy City Manager, City Manager's Office offered the presentation and responded to questions.

Katherine Brown, Assistant Director, Public Works Department; and John Ristow, Director, Department of Transportation responded to Council questions.

Public Comment: None provided.



Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Bien Doan, and carried unanimously, the semi-annual status report on the implementation of the City Council Focus Areas was accepted. (11-0-0)

*Councilmember Peter Ortiz and Councilmember Pamela Campos verbally registered yes votes for the Item.*

**3.4 25-148 Cooperation Agreement Between Pacific Gas and Electric Company and the City of San José for Electric Infrastructure Development.**

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

(a) Negotiate and execute the non-binding Cooperation Agreement between Pacific Gas and Electric Company and the City of San José to support the timely development of electric transmission and distribution infrastructure necessary for economic growth and decarbonization goals in North San José and Downtown San José.

(b) Negotiate a binding Implementation Agreement consistent with the Cooperation Agreement's objectives that the parties expect will be brought before City Council in the spring of 2025.

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

**DEFERRED TO 3/4/2025 PER ADMINISTRATION**

**3.5 25-149 Annual Report on the Measure T Disaster Preparedness, Public Safety, and Infrastructure General Obligation Bond Program Proceeds and Allocations for Fiscal Year 2023-2024.**

Accept the Measure T Community Oversight Committee Annual Report on the Measure T - The Disaster Preparedness, Public Safety, and Infrastructure General Obligation Bond Program proceeds and allocations for Fiscal Year 2023-2024.

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)

**DEFERRED TO 3/4/2025 PER ADMINISTRATION**

## **4. PUBLIC SAFETY SERVICES**

None provided.

## **5. TRANSPORTATION & AVIATION SERVICES**

**5.1 25-151 2025 Vision Zero Action Plan.**

(a) As recommended by the Vision Zero Task Force on December 16, 2024, approve the 2025 Vision Zero Action Plan.

(b) Adopt a resolution dissolving the Vision Zero Task Force and

directing the Transportation and Environment Committee to oversee all Vision Zero efforts within the City.

CEQA: Categorically Exempt, File No. ER24-313, CEQA Guidelines Section 15301(c) Existing Facilities. (Transportation) [Vision Zero Task Force referral 12/16/2024 - Item 3]

Jim Bittner, Interim Division Manager, Traffic Safety Division; John Ristow, Director, Department of Transportation; Heather Hoshii, Deputy Director, Transportation Safety Operations and Parking; and Lieutenant Nqui Scherry, San José Police Department offered the presentation and responded to questions.

Public Comment: Jordan Moldow, Joe Glynn (AARP), Jeff Boissier, Debbie Ow (AARP), David Kin Caid, Maya D. (Silicon Valley Bicycle Coalition), Tuan Tu, and Harry Neil provided public testimony regarding the item.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Bien Doan, and carried unanimously, (a) the 2025 Vision Zero Action Plan was approved; and (b) **Resolution No. RES2025-30** was adopted, dissolving the Vision Zero Task Force and directing the Transportation and Environment Committee to oversee all Vision Zero efforts within the City.

Including acceptance of the joint memorandum co-authored by Mayor Matt Mahan, Vice Mayor Pam Foley, Councilmember Pamela Campos, Councilmember Peter Ortiz, and Councilmember Bien Doan, dated, February 21, 2025, recommending the following: Approve staff recommendation with the following additional direction:

- 1.) Continue collaboration both interdepartmentally and with interagency partners that were members of the Vision Zero Task Force (e.g., Santa Clara County Roads and Airports, Valley Transportation Authority, Santa Clara County Emergency Medical Services, etc.) on Vision Zero work. Include an update on interagency and interdepartmental collaboration in the biannual Vision Zero report to the Transportation and Environment (T&E) Committee.
- 2.) Explore options to accelerate the deployment of quick build traffic safety treatments with the goal of delivering quick build projects within one year - from planning to construction. Include findings in the next Vision Zero report to the T&E Committee. (11-0-0)

## **6. ENVIRONMENTAL & UTILITY SERVICES**

### **6.1 25-152**

#### **2025 Power Mix and Rates.**

Adopt a resolution to:

- (a) Increase the renewable energy content of GreenSource from 60% to 62% renewable and set rates according to the rate schedule in Attachment A of the staff memorandum, effective March 1, 2025.
- (b) Continue to set the rate for TotalGreen to \$0.01 per kilowatt-hour above GreenSource for all rate schedules according to the rate schedule in Attachment B of the staff memorandum, effective March 1, 2025, and maintain the renewable energy content of TotalGreen at 100%

renewable.

(c) Increase the renewable energy content of SJ Cares from 60% to 62% renewable and set rates at a 10% discount to GreenSource rates, according to the rate schedule in Attachment C of the staff memorandum, effective March 1, 2025.

CEQA: Not a Project, File No. PP17-005, Adjustment to Fees, Rates and Fares, resulting in no changes to the physical environment. (Energy)

Zach Struyk, Acting Director, Community Energy Department; and Lina Williams, Deputy Director, Account Management and Marketing, Community Energy Department offered the presentation and responded to questions.

Public Comment: None provided.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Domingo Candelas, and carried unanimously, **Resolution No. RES2025-31** was adopted, regarding the Power Mix and Rates to (a) Increase the renewable energy content of GreenSource from 60% to 62% renewable and set rates according to the rate schedule in Attachment A of the staff memorandum, effective March 1, 2025.

(b) Continue to set the rate for TotalGreen to \$0.01 per kilowatt-hour above GreenSource for all rate schedules according to the rate schedule in Attachment B of the staff memorandum, effective March 1, 2025, and maintain the renewable energy content of TotalGreen at 100% renewable.

(c) Increase the renewable energy content of SJ Cares from 60% to 62% renewable and set rates at a 10% discount to GreenSource rates, according to the rate schedule in Attachment C of the staff memorandum, effective March 1, 2025. (11-0-0)

## **7. NEIGHBORHOOD SERVICES**

None provided.

## **8. COMMUNITY & ECONOMIC DEVELOPMENT**

### **8.1 25-153**

#### **Establishment of a Pedestrian Mall on Post Street.**

(a) Conduct a public hearing to establish a pedestrian mall on Post Street between South First Street and Lightston Alley pursuant to the Pedestrian Mall Law of 1960.

(b) Adopt a resolution determining that the pedestrian mall should be established.

(c) Approve an ordinance establishing a pedestrian mall on Post Street between South First Street and Lightston Alley pursuant to the Pedestrian Mall Law of 1960.

CEQA: Categorically Exempt, CEQA Guidelines Section 15301(c) Existing Facilities, File No. ER24-259. Council District 3. (Economic Development and Cultural Affairs)

Nathan Donato-Weinstein, Downtown Manager, City Manager's Office of Economic Development and Cultural Affairs; and Chris Arkley, Downtown Coordinator, City Manager's Office of Economic Development and Cultural Affairs offered the presentation and responded to questions.

Mayor Mahan open the public hearing

Public Comment: Vanny Suoboda (Qmunity), Alex S. (SJDA), Harry Neil, and Leah Toeniskoetter (SJ Chamber) provided public comment regarding the public hearing.

Mayor Mahan closed the public hearing.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Rosemary Kamei, and carried unanimously, (a) the public hearing to establish a pedestrian mall on Post Street between South First Street and Lightston Alley pursuant to the Pedestrian Mall Law of 1960 was conducted; (b) **Resolution No. RES2025-32** was adopted, determining that the pedestrian mall should be established; and (c) **Ordinance No. 31177** was *passed for publication*, establishing a pedestrian mall on Post Street between South First Street and Lightston Alley pursuant to the Pedestrian Mall Law of 1960.

Including acceptance of the joint memorandum co-authored by Mayor Matt Mahan, Vice Mayor Pam Foley, Councilmember Rosemary Kamei, Councilmember Pamela Campos, and Councilmember Carl Salas, dated, February 21, 2025, recommending the following: Approve staff's recommendation and direct staff to collaborate with the San Jose Downtown Association, Project More, and Post Street property owners and businesses to implement pedestrian enhancements to the Post Street Pedestrian Mall. (11-0-0)

## 8.2 25-154

### **Large Format Digital Signage on City-Owned Property.**

(a) Adopt a resolution adopting the Mitigated Negative Declaration for the Electronic Signs on City-Owned Property - Downtown Sites and adopting a related Mitigation Monitoring and Reporting Program, in accordance with the California Environmental Quality Act, as amended.

(b) Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute lease agreements with Orange Barrel Media, LLC, for four City-owned properties in downtown San José for the installation of five large format digital signs, each lease for a 10-year initial term with up to two additional five-year renewal terms upon satisfaction of certain tenant-controlled renewal criteria, and with a required payment of 33% of gross revenue generated for all leases, except the San José McEnery Convention Center in which the required payment is 30% of gross revenue generated, but in no instance less than the minimum guaranteed payments for the 20-year term as follows:

- (1) San José Center for the Performing Arts: \$8,722,292.
- (2) San José McEnery Convention Center: \$6,728,625.
- (3) Market/San Pedro Street Parking Garage: \$3,115,104.

(4) Second and San Carlos Street Parking Garage: \$2,492,083.  
CEQA: Mitigated Negative Declaration for Electronic Signs on City-Owned Property - Downtown Sites (File No. ER23-034). Council District 3. (Economic Development and Cultural Affairs/Planning, Building and Code Enforcement)

Blage Zelalich, Deputy Director, City Manager’s Office of Economic Development and Cultural Affairs; Kevin Ice, Director of Real Estate, City Manager’s Office of Economic Development and Cultural Affairs; and David Keyon, Principal Planner, Environmental Review Planning, Building and Code Enforcement offered the presentation and responded to questions.

Public Comment: John Miller, Alex S. (SJDA), Leah Toeniskoetter, Robert Lindo, Connelee Shaw (Downtown Residents), Sylvia Carroll, Kathryn Funk, Dr. Paul Lynam (Univ. California/ Lick Observatory), Mimi Spreadbury, Les Levitt, and James Leventhal provided public testimony regarding the item.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember David Cohen, and carried unanimously, (a) **Resolution No. RES2025-33** and (b) **Resolution No. RES2025-34** were adopted, regarding large format digital signage on City owned property.

Including acceptance of the joint memorandum co-authored by Mayor Matt Mahan, Vice Mayor Pam Foley, Councilmember Carl Salas, Councilmember David Cohen, and Councilmember Michael Mulcahy, dated, February 21, 2025, recommending the following: Approve staff’s recommendation and require all large-format digital signage to use 100% renewable energy from San José Clean Energy, where determined feasible by city staff.

Also including acceptance of the memorandum authored by Councilmember Carl Salas, dated, February 25, 2025, recommending the following:

Accept the memorandum submitted by the Mayor, Vice Mayor Foley, and Councilmembers Salas, Cohen & Mulcahy with the following additions:

- a.) Expand the scope of allowed usage of the City’s share of advertising time on all signs under this contract to include “promotion of City-funded cultural events occurring in the Downtown commercial zone.” This is in addition to “events and performances at Team San Jose-managed facilities,” as stated in the Staff Memo dated Feb 3, 2025.
- b.) Include the sign curvature and structural support designs, as shown in renderings in Staff presentation dated Feb 25, 2025, for the two signs placed on site of the Center for Performing Arts, into the definition of Artistic Sign Enhancements as stated in the Staff Memo.

(11-0-0)

**9. REDEVELOPMENT – SUCCESSOR AGENCY**

None provided.

# **10. LAND USE**

## **10.1 Land Use on Consent Calendar**

Councilmember George Casey pulled Item 10.1(b) for further discussion.

Public Comment: Danny Garza (Little Portugal), Wendy, Susanna Torres, Robert, Juan H., David Corey, Val, Randeep, David Bodendoerfer, DiCarlo Espinoza, Amar Mehat (101 Mini Mart), AP, Bobby Singh, Gian Marco, Kenneth P. Hinkley, and 5 speakers (*names not provided at the podium*) offered public testimony regarding the Land Use Consent Calendar.

Motion: Councilmember George Casey requested to reject the Staff's recommendation for Item 10.1(b) and support the applicant. Councilmember David Cohen seconded the motion. *The motion failed for a lack of yes votes.* (4-7-0; Noes: Mahan, Kamei, Ortiz, Candelas, Foley, Campos, Salas)

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Carl Salas, and carried unanimously, the Land Use Consent Calendar was approved, the below actions were taken as indicated. (7-4-0; Noes: Cohen, Doan, Mulcahy, Casey)

**10.1(a) 25-155 C23-107, CP24-013, ER24-106 - Conforming Rezoning and Conditional Use Permit for Certain Real Property Located at 1172, 1180, 1188 Murphy Avenue.**

(1) Approve an ordinance rezoning certain real property of an approximately 3.89-gross-acre site located on the south side of Murphy Avenue, approximately 500 feet east of Oakland Road (1180 Murphy Avenue; APN: 241-17-009), from the A(PD) Planned Development Zoning District (File No. PDC07-042) to the CIC Combined Industrial/Commercial Zoning District.

(2) Adopt a resolution approving, subject to conditions, a Conditional Use Permit to allow a Church/Religious Assembly use on an approximately 3.89-gross-acre site.

CEQA: Exemption per CEQA Guidelines Section 15301(a) for interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances. Council District 3. (Planning, Building, and Code Enforcement)

**DEFERRED TO 3/11/2025 PER ADMINISTRATION**

**10.1(b) 25-156 PD24-016 & ER24-208 - Planned Development Permit and Determination of Public Convenience or Necessity for Certain Real Property Located at 1610 McKee Road.**

Adopt a resolution denying a Planned Development Permit and Determination of Public Convenience or Necessity to allow the off-sale of alcohol (Type 21 - full range of alcoholic beverages) at an existing approximately 2,376-square-foot tenant space on an approximately 0.93-gross-acre site located at 1610 McKee Road.

CEQA: Exempt pursuant to CEQA Guidelines Section 15301(a) for

Existing Facilities. Planning Commission recommends denial (6-1-2; Bhandal opposed; Oliverio and Bickford absent) (Item 5.a on the 2/12/2025 Planning Commission agenda). Council District 3. (Planning, Building and Code Enforcement)

Chris Burton, Director, Planning, Building & Code Enforcement Department; and John Tu, Division Manager, Planning, Building & Code Enforcement Department responded to Council questions.

The Applicant's representative Jesse Powar spoke on behalf the applicant (Amritpal Kaur Powar).

Councilmember George Casey spoke to the sales tax the business would generate, the 7 jobs it would create, expressed support for the small business, and encouraged his colleagues to follow suit.

Councilmember Cohen requested information of the Staff's formulaic considerations regarding the distance from the school, and current licenses that are closer to the school.

Action: **Resolution No. RES2025-35** was adopted, denying the Planned Development Permit and Determination of Public Convenience or Necessity to allow the off-sale of alcohol (Type 21 - full range of alcoholic beverages) at an existing approximately 2,376-square-foot tenant space on an approximately 0.93-gross-acre site located at 1610 McKee Road. (7-4-0; Noes: Cohen, Doan, Mulcahy, Casey)

## END OF CONSENT CALENDAR

### 10 Land Use - Regular Agenda

#### 10.2 25-157 **PP24-006 - Amendment to Chapter 23.04, Section 23.04.038 (North San José Signage Area) and Section 23.04.124 (Downtown Sign Zone) of Title 23 (Sign Code) of the San José Municipal Code to Modify Permit Provisions for Supergraphic Signs Related to Large Events.**

Approve an ordinance amending Section 23.04.038 (North San José Signage Area) and Section 23.04.124 (Downtown Sign Zone) of Chapter 23.04 of Title 23 (Sign Code) of the San José Municipal Code to modify permit provisions for Supergraphic Signs related to Large Events to: (a) eliminate existing sunset clause, (b) increase display duration, and (c) alter height and size allowances, and to make other technical, non-substantive, or formatting changes within those sections. CEQA: Determination of Consistency to the Envision San José 2040 General Plan EIR (Resolution No. 76041), Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto. (Planning, Building, and Code Enforcement)

*During Orders of the Day, the Administration requested that Item 10.2 be deferred to allow more time to complete the research, the deferral date was not specified on the record.*

**DEFERRED PER THE ADMINISTRATION DURING ORDERS OF THE DAY.**

- **Open Forum**

1. Harry Neil offered various housing suggestions regarding specific policy suggestions.

- **Adjournment**

The Council of the City of San José adjourned at 6:55 p.m. in memory of Reverend Jethroe Moore II, who passed away on December 26, 2024. Reverend Moore was the President of the San José/Silicon Valley NAACP, and a longtime San José community leader and advocate. His passion and hard work for social justice and community empowerment—was and remains—an inspiration. To so many, he was a mentor, friend, confidant, and source of hope and joy. We will never forget his life, his ministry, and his legacy.

Minutes Recorded, Prepared, and Respectfully Submitted by,

***DRAFT***

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Yasmin Johnson,  
Deputy City Clerk, City of San José

Approved at Council on:

# of Actions: 7

Attest By:

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





**SAN JOSÉ CITY COUNCIL CLOSED SESSION MINUTES**

**February 25, 2025**

**Present Councilmembers:** Mahan, Casey, Candelas, Doan, Mulcahy, Ortiz, Cohen, Kamei.

**Absent Councilmembers:** Campos, Salas, Foley.

**Place:** City Hall Conference Room W-133.

**Time:** 9:30 a.m.

**CLOSED SESSION ITEM(S) DISCUSSED:**

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

1. Case Name: Holmes v. Sequoia Equities, Inc., et al.  
 Name(s) of Party(ies) CITY OF SAN JOSE; SEQUOIA EQUITIES INC.; SEQUOIA ROSEWALK APARTMENTS; JOHNNY HOLMES  
 Court: Santa Clara Superior Court  
 Case No: 23CV426901  
 Amount of Money or Other Relief Sought: Damages according to proof
  
2. Case Name: Barnett, David; et al. v. City of San Jose  
 Name(s) of Party(ies) SEE ATTACHMENT A  
 Court: U.S. District Court; District of Northern California  
 Case No: 3:18-cv-01383-JD  
 Amount of Money or Other Relief Sought: Damages according to proof, liquidated damages, declaratory relief

3. Case Name: Tovar, David Sr., et al. v. City of San Jose, et al.  
 Name(s) of Party(ies) DAVID TOVAR, SR., D.T.M., J.M., AND D.T.; CITY OF SAN JOSE, SERGEANT MAURICIO JIMENEZ, OFFICER HANS JORGENSEN, OFFICER JAMES SOH, OFFICER ALVARO LOPEZ, AND OFFICER TOPUI FONUA  
 Court: U.S. District Court, Northern District of California  
 Case No: 21-cv-02497  
 Amount of Money or Other Relief Sought: Damages according to proof

4. Case Name: Ryoga Vee vs. City of San Jose  
 Name(s) of Party(ies) RYOGA VEE, CITY OF SAN JOSE  
 Court: Santa Clara Superior Court  
 Case No: 21CV385105  
 Amount of Money or Other Relief Sought: Damages according to Proof

**B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**

Significant exposure to litigation pursuant to Sections 54956.9(d)(2) and (e)(1) of the Government code:

Number of matter(s) to be discussed: 2