



City Council Meeting Amended Agenda

Tuesday, May 20, 2025

11:00 AM

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

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
- Nhu cầu cho người khuyết tật được cung cấp theo yêu cầu. Email ADA@sanjoseca.gov; Gọi (408) 535-8430

THE LEVINE ACT

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

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

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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 915 5718 2016. 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/91557182016>

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

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

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

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

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

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

• Call to Order and Roll Call

9:30 a.m. - Closed Session, Call to Order in Council Chambers
Open Session, Labor Negotiations Update (See Item 3.2)
Adjourn to Closed Session in Council Chambers Conference Room, W133
See Separate Agenda

[25-517](#) Closed Session Agenda

Attachments [Closed Session Agenda](#)
[Letters from the Public](#)

11:00 a.m. - Regular Session, Council Chambers, City Hall

3:00 p.m. - Study Session - 2025 San José Wildfire Planning and Preparedness, Council Chambers, City Hall

*To be heard immediately following the regular City Council Meeting session and not before 3:00 p.m.
See Separate Agenda

[25-552](#) Study Session Agenda

Attachments [Study Session Agenda](#)

- Pledge of Allegiance
- Invocation (District 5) - TO BE HEARD AT 1:30 P.M.

Moni Canta - Musical Performance

- Orders of the Day

To be heard after Ceremonial Items

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

- Adjournment Recognition
- Closed Session Report

To be heard after Ceremonial Items

1. CEREMONIAL ITEMS - TO BE HEARD AT 1:30 P.M.

1.1 Presentation of a proclamation declaring May 2025 as Mental Health Awareness Month in the City of San José to raise awareness, reduce stigma, and support the mental well-being of all San José residents. (Foley)

1.2 Presentation of a proclamation recognizing May 18 to 24, 2025 as Public Works Week in the City of San José. (Kamei)

1.3 Presentation of a proclamation recognizing May 2025 as Building Safety Month in the City of San José. (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.

2.2 Final Adoption of Ordinances.

[25-549](#)

Final Adoption of Ordinances.

Recommendation:

(a) Ordinance No. 31195 - An Ordinance of the City of San José Amending Section 9.60.330 of Title 9 of the San José Municipal Code to Establish Additional Requirements for Mandatory Abandoned Shopping Cart Prevention Plans.

[Passed for Publication on 5/6/2025 - Item 7.3 (25-471)]

(b) Ordinance No. 31196 - An Ordinance of the City of San José Rezoning Certain Real Property of an Approximately 0.36-Gross-Acre Site, Situated on the Northwest Corner of West Hedding Street and Ruff Drive (APN 230-38-076) from the OS Open Space Zoning District to the OS(PD) Planned Development Zoning District.

[Passed for Publication on 5/6/2025 - Item 10.2(c) (25-473)]

(c) Ordinance No. 31197 - An Ordinance of the City of San José Rezoning Certain Real Property of an Approximately 0.37-Gross-Acre Site, Situated on the Northeast Corner of West Hedding Street and Spring Street (APN 230-38-092) from the OS Open Space Zoning District to the OS(PD) Planned Development Zoning District.

[Passed for Publication on 5/6/2025 - Item 10.2(d) (25-473)]

(d) Ordinance No. 31198 - An Ordinance of the City of San José Rezoning Certain Real Property and Right-of-Way of an Approximately 10.27-Gross-Acre Site, Situated between Coleman Avenue, West Hedding Street, Walnut Street, and Asbury Street (APNS 259-02-131, 259-02-130, 259-08-102, and University Avenue Right-of-Way between Coleman Avenue and Walnut Street) from NO Designation, OS Open Space, LI Light Industrial, and R-2 Two-Family Residence Zoning Districts to the OS(PD) Planned Development Zoning District.

[Passed for Publication on 5/6/2025 - Item 10.2(e) (25-473)]

(e) Ordinance No. 31199 - An Ordinance of the City of San José Rezoning Certain Real Property of an Approximately 0.37-Gross-Acre Site, Situated Easterly on Coleman Avenue 80 Feet South of Asbury Street (APNS 259-08-101 (Western Portion) and 259-08-072) from the OS Open Space Zoning District to the OS(PD) Planned Development Zoning District.

[Passed for Publication on 5/6/2025 - Item 10.2(f) (25-473)]

(f) Ordinance No. 31200 - An Ordinance of the City of San José Pre-Zoning Certain Real Property of Approximately 0.56 Gross Acres, Situated on the Northeasterly Corner of West San Carlos Street and Cleveland Avenue (APNS 274-17-018, 018, 019, 020 and 021) from Unincorporated Territory within the County of Santa Clara to the Urban Village Zoning District.

[Passed for Publication on 5/6/2025 - Item 10.3(c) (25-474)]

(g) Ordinance No. 31201 - An Ordinance of the City of San José

Amending Section 4.46.039.13 of Chapter 4.46 and Section 4.47.098 of Chapter 4.47 of Title 4 of the San José Municipal Code to Increase the Number of Units from 1,500 to 1,800 that May Qualify for a 50% Reduction to the Commercial, Residential, Mobile Home Park Tax and Building and Structure Tax for Developments Who Obtain Building Permits Before December 31, 2025, under the Multifamily Housing Incentive Program.

[Passed for Publication on 5/13/2025 - Item 8.3(b) (25-503)]

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 [25-522](#) Master Service Agreement with Environmental Science Associates for Environmental Consulting Services for Various City Projects.

Recommendation: Approve a Master Service Agreement with Environmental Science Associates from the date of execution through June 30, 2028, in an amount not to exceed \$1,000,000 for environmental review and permitting services for the Environmental Services Department and San José-Santa Clara Regional Wastewater Facility projects and programs. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Environmental Services)

Attachments [Memorandum Agreement](#)
[Letter from TPAC, 5/15/25](#)

2.8 [25-523](#) **Actions Related to the Purchase Order with Bayscape Management, Inc. for Pedestrian Crossing Maintenance.**

Recommendation: Adopt a resolution authorizing the City Manager or her designee to exercise up to six one-year options to extend the term of the purchase order with Bayscape Management, Inc. (Alviso, CA) for unique item inventory pedestrian crossing maintenance, with the last option ending on or about November 30, 2031, subject to the appropriation of funds. CEQA: Categorically Exempt, File No. ER24-313, CEQA Guideline Section 15301(c) Existing Facilities. (Finance)

Attachments [Memorandum](#)

2.9 [25-524](#) **Actions Related to the Purchase Order with IIA Lifting Services, Inc. for Aerial and Crane Inspections, Certifications, and Field Services.**

Recommendation: Adopt a resolution authorizing the City Manager or her designee to exercise up to two additional one-year options to extend the term of the purchase order with IIA Lifting Services, Inc. (Peoria, AZ) for aerial and crane inspections, certifications, and field services with the last option ending on or about February 14, 2028, 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)

Attachments [Memorandum](#)

2.10 [25-525](#) **Agreement with Ultimate Kronos Group for a Time Keeping Solution.****Recommendation:**

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

- (a) Negotiate and execute an agreement for a time-keeping solution with Ultimate Kronos Group (Weston, FL) for an initial five-year term, beginning on or about June 1, 2025, with maximum compensation not to exceed \$412,936, subject to the appropriation of funds;
- (b) Negotiate and execute amendments and change orders for unanticipated changes in requirements for a contingency amount not to exceed \$487,269 during the initial term, subject to the appropriation of funds; and
- (c) Exercise up to four one-year options to extend the agreement term, with the final option ending on May 31, 2030, 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)

Attachments [Memorandum](#)

2.11 [25-526](#) **Fourth Amendment to the Standard Consultant Agreement with DST Consulting Services for Grant and Contract Management.****Recommendation:**

Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute a fourth amendment to an agreement with DST Consulting Services to extend the term from June 30, 2025, to June 30, 2026, and increase the maximum total contract value to \$715,000 from \$565,000.

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

Attachments [Memorandum](#)

2.12 [25-527](#) **Third Amendment to the Consultant Agreement with The Pun Group, LLP, for Grant Fund Monitoring Services.**

Recommendation: Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute a third amendment to an agreement with The PUN Group, LLP, for grant fund monitoring services to increase the maximum total compensation by \$30,000 from \$701,500 to \$731,500 under the existing agreement term through June 30, 2025.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
(Housing)

Attachments [Memorandum](#)

2.13 [25-528](#) **Approval of “Free Use” of the Janet Gray Hayes Rotunda for the San José Public Library’s Partnership Brunch.**

Recommendation: Adopt a resolution authorizing “Free Use” for the private event, 2025 San José Public Library’s Partnership Brunch held at the Janet Gray Hayes Rotunda on June 11, 2025, co-hosted by the San José Public Library Department, in partnership with the San José Public Library Foundation.
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to physical environment. (Library)

Attachments [Memorandum](#)
[Resolution](#)

2.14 [25-529](#) **Report on Bids and Award of Contract for the 10416 - Sanitary Sewer Condition Assessment Fiscal Year 2024-2025 Package IV Project.**

Recommendation: (a) Report on bids and award of contract for the construction of 10416 - Sanitary Sewer Condition Assessment Fiscal Year 2024-2025 Package IV Project to the lowest responsive, responsible bidder, Pipe and Plant Solutions, Inc., in the amount of \$1,249,140; and
(b) Approve a 10% contingency in the amount of \$124,914.
CEQA: Exempt, File No. ER23-189, CEQA Guidelines Sections 15301(b) Existing Facilities, and 15302(c) Replacement or Reconstruction. Council District 1. (Public Works)

Attachments [Memorandum](#)

2.15 [25-530](#) **Report on Bids and Award of Contract for the 10107 - McLaughlin Avenue-24th Street Sanitary Sewer Improvement Project.**

Recommendation: (a) Report on bids and award of a contract for the construction of 10107 - McLaughlin Avenue-24th Street Sanitary Sewer Improvement Project to the lowest responsive, responsible bidder, C2R Engineering, Inc., in the amount of \$2,338,470; and
(b) Approve a 10% contingency in the amount of \$233,847.
CEQA: Exempt, File No. ER24-298, CEQA Guidelines Sections 15301(b) Existing Facilities and 15302(c) Replacement or Reconstruction. Council District 3. (Public Works)

Attachments [Memorandum](#)

2.16 [25-531](#) **Electric Vehicle Charger Overstay Fee.**

Recommendation: Adopt a resolution setting forth the Master Parking Rate Schedule for municipal on and off-street parking facilities to authorize the City Manager or her designee to set and adjust the rate for an overstay fee for the use of electric vehicle charging stations, and repealing Resolution No. RES2024-346.
CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, Rates, Tolls, Fares, and Charges. Council District 3. (Transportation)

Attachments [Memorandum](#)
[Resolution](#)

2.17 [25-532](#) **List of Pavement Maintenance Projects Eligible for Senate Bill 1 Funding.**

Recommendation: Adopt a resolution approving a list of pavement maintenance projects eligible for San José's 2025-2026 allocation of the Road Maintenance and Rehabilitation Account funding, which was made available by the approval of Senate Bill 1, otherwise known as the Road Repair and Accountability Act of 2017.
CEQA: Categorical Exempt, File No. ER24-313, CEQA Guidelines Section 15301(c), Existing Facilities. (Transportation)

Attachments [Memorandum](#)
[Resolution](#)

2.18 [25-521](#) **Advocacy for Digital Representation of the Vietnamese Heritage and Freedom Flag as an Emoji.**

Recommendation: As recommended by the Rules and Open Government Committee on April 23, 2025, adopt a resolution of the Council of the City of San José recognizing the Heritage and Freedom Flag of the Republic of Vietnam (The Yellow Flag with Three Red Stripes) in the Digital World.
CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.
(Mayor, Doan, Casey & Salas)
[Rules Committee referral 4/23/2025- Item C.1]

Attachments [Memorandum](#)
[Resolution](#)

2.19 [25-545](#) **Retroactive Approval and Approval of Various 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.**

Recommendation: As recommended by the Rules and Open Government Committee on May 7, 2025:

(a) Retroactively approve the District 4 Community Townhall scheduled on March 23, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;

(b) Retroactively approve the Community Cleanup scheduled on March 29, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;

(c) Retroactively approve the Berryessa Safe RV Parking Site Grand Opening scheduled on April 10, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;

(d) Retroactively approve the Berryessa Art Festival scheduled on May 10, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;

(e) Approve the Pride Flag Raising scheduled on June 3, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;

(f) Approve the District 4 Dumpster Day scheduled on June 7, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;

(g) Approve the District 4 Leadership Forum scheduled on June 14, 2025 as a City Council sponsored Special Event and approve the expenditure of funds;

(h) Approve the Community Coffee scheduled on June 21, 2025 as a City Council sponsored Special Event and approve the expenditure of funds; and

(i) 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 5/7/2025 - Item B.4]

Attachments [Memorandum](#)

2.20 [25-558](#) **Approval of Eritrean Flag Raising Sponsored by Council District 6 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

Recommendation: As recommended by the Rules and Open Government Committee on May 14, 2025:
(a) Approve the Eritrean Flag Raising scheduled on May 19, 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. (Mulcahy)
[Rules Committee referral 5/14/2025 - Item B.3]

Attachments [Memorandum](#)

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 [25-533](#) **New City Council Policy for Seamless Transition of City Elected Official Offices.**

Recommendation: Adopt a resolution approving a new City Council Policy 0-47, Transition of Elected Officials, for an effective transition between incoming and outgoing Mayor and Councilmembers, including the standard use and ownership of digital marketing and communications assets, constituent data, software access and administration, use of City-based accounts, asset inventories, physical equipment, and other transition activities.

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)

Attachments [Memorandum](#)
[Memorandum from Mayor, Candelas, Ortiz & Cohen, 5/16/25](#)
[Resolution](#)
[Presentation - est. 5 minutes](#)
[Memorandum from Kamei, 5/20/25](#)

3.4 [25-534](#) **Community-Led Solutions to Domestic Violence Report. - RENUMBERED**

Recommendation: [RENUMBERED TO ITEM 4.1 (25-560)]

4. PUBLIC SAFETY SERVICES

4.1 [25-560](#) **Community-Led Solutions to Domestic Violence Report.**

Recommendation: Accept the Community-Led Solutions to Domestic Violence 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. (City Manager)

[RENUMBERED FROM ITEM 3.4 (25-534)]

Attachments [Memorandum](#)
[Attachment, rev. 5-12-25](#)
[Memorandum from Foley, Kamei, Campos, Cohen & Ortiz, 5/16](#)
[Memorandum from Doan, 5/19/25](#)
[Presentation - est. 15 minutes](#)
[Letters from the Public](#)

5. TRANSPORTATION & AVIATION SERVICES

5.1 [25-535](#) **Report on Bids and Award of Contract for the 10522 - 2025 Major Streets Resurfacing Project.**

Recommendation: (a) Report on bids and award a contract for the construction of 10522 - 2025 Major Streets Resurfacing Project to the lowest responsive, responsible bidder, MCK Services, Inc., in the amount of \$8,971,914; and
(b) Approve a 10% contingency in the amount of \$897,191.
CEQA: Categorically Exempt, File No. ER24-313, CEQA Guidelines Section 15301(c), Existing Facilities. (Transportation/Public Works)

Attachments [Memorandum](#)

6. ENVIRONMENTAL & UTILITY SERVICES

7. NEIGHBORHOOD SERVICES

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 [25-536](#) **Amendment to Chapter 13.16 of Title 13 of the San José Municipal Code for Entertainment Zone Ordinance Related to 2026 Sports Events.**

Recommendation: Approve an ordinance amending Chapter 13.16 of Title 13 of the San José Municipal Code related to the establishment and regulation of entertainment zones pursuant to Senate Bill 969 to allow for the sale of certain alcoholic beverages by licensed establishments for consumption outside in designated plazas, public streets, sidewalks, or public right-of-way subject to a special events permit; and making other conforming changes to Section 10.10.030 of Chapter 10.10 of Title 10 of the San José Municipal Code.
CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment).
Council District 3. (Economic Development and Cultural Affairs)

Attachments [Memorandum](#)
[Memorandum from Mayor, Foley, Kamei, Salas & Mulcahy, 5/16/25](#)
[Ordinance](#)
[Presentation - est. 10 minutes](#)
[Letters from the Public](#)
[Memorandum from Ortiz, rev. 5/20/25](#)

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 - NOT TO BE HEARD BEFORE 1:30 P.M.

- (a) [25-537](#) **PDC23-008, PD24-018, T24-033 & ER23-079 - Rezoning, Planned Development Zoning District, Vesting Tentative Map, Planned Development Permit of Certain Real Property Located at 3315 Sierra Road.**

Recommendation:

(1) Adopt a resolution adopting the Initial Study/Mitigated Negative Declaration for the 3315 Sierra Road Residential Project and the associated Mitigation Monitoring and Reporting Program, in accordance with the California Environmental Quality Act, as amended.

(2) Approve an ordinance rezoning certain real property on an approximately 2.71-gross-acre site located on Sierra Road, approximately 135 feet east of Piedmont Road (3315 Sierra Road) from the A Agriculture Zoning District to an R-1-8(PD) Planned Development Zoning District.

(3) Adopt a resolution approving, subject to conditions, a Vesting Tentative Map to subdivide an existing lot into 25 single-family lots and five common area lots, including two private streets, on an approximately 2.71-gross-acre site.

(4) Adopt a resolution approving, subject to conditions, a Planned Development Permit to allow the demolition of four existing warehouse/commercial buildings, a single-family house, and four accessory buildings, and the removal of 19 trees, including 11 ordinance-size trees, for the construction of 25 single-family homes, five of which include ADUs above detached garages, with extended construction hours to include Saturday 8:00 a.m. to 5:00 p.m. on an approximately 2.71-gross-acre site.

CEQA: Initial Study/Mitigated Negative Declaration for the 3315 Sierra Road Residential Project. Planning Commission recommends approval (6-0-3, Barocio, Cantrell, and Young absent) (Item 4.b on the 4/23/2025 Planning Commission agenda). Council District 4. (Planning, Building and Code Enforcement)

Attachments [Memorandum](#)

[\(1\) Resolution](#)

[\(2\) Ordinance](#)

[\(3\) Resolution](#)

[\(4\) Resolution](#)

- (b) [25-538](#) **Burbank 45, C21-034, GP23-001, H23-005, T23-003 & ER23-026 - Annexation of Property Located at 1921-1927 West San Carlos Street and 30, 40, and 58 Cleveland Avenue.**

Recommendation: Adopt a resolution ordering the annexation of territory designated as Burbank No. 45, which involves the annexation to the City of San José of approximately 0.912 gross acre of land, consisting of five contiguous parcels and a portion of Cleveland Avenue, generally located on the northeast corner of West San Carlos Street and Cleveland Avenue (APN: 274-17-018, -019, -020, -021, & -022), and the detachment of the same from the appropriate special districts.
CEQA: Mitigated Negative Declaration for the 1921 and 1927 West San Carlos Street Project (Resolution No. RES2025-114). Council District 6. (Planning, Building and Code Enforcement)

Attachments [Memorandum](#)
[Resolution](#)

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

- 10.2** [25-548](#) **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. - NOT TO BE HEARD BEFORE 1:30 P.M.**

Recommendation: 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)
[Deferred from 2/25/2025 - Item 10.2 (25-157) & 5/13/2025 - Item 10.3 (25-502)]

Attachments [Memorandum](#)
[Supplemental Memorandum, 5/14/25](#)
[Memorandum from Mayor, Foley, Salas, Cohen & Casey, 2/21/2.](#)
[Ordinance](#)
[Presentation - est. 10 minutes](#)
[Letters from the Public](#)

- Open Forum

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

- Adjournment

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

ABOUT THE AGENDA

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

Welcome to the San José City Council meeting!

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

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

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

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

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

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

1. Public Meeting Decorum:

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

2. Signs, Objects or Symbolic Material:

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

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

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