CITY COUNCIL MEETING

Minutes

Tuesday, March 25, 2025

1:30 PM

LOCATION:
Council Chambers- 200 E. Santa Clara Street

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**

9:00 a.m.- Closed Session. *See Pages 15-20 for Closed Session Minutes.*

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

Absent Councilmembers: None.

1:35 p.m. - Regular Session.

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

Absent Councilmembers: None.

- **Pledge of Allegiance**

Mayor Matt Mahan led the Pledge of Allegiance.

- **Invocation (District 3)**

Opera San Jose offered a performance for the invocation.

- **Orders of the Day**

Public comment: None provided.

Action: Upon motion by Councilmember George Casey, seconded by Councilmember Bien Doan, and carried unanimously, Item 7.1 was dropped from the agenda to allow more time for briefings and research. (11-0-0)

- **Adjournment**

None provided.

- **Closed Session Report**

None provided.

1. CEREMONIAL ITEMS

1.1 Vice Mayor Pam Foley presented a proclamation declaring March 2025 as Developmental Disabilities Awareness Month in the City of San José.

1.2 Councilmember Peter Ortiz presented proclamation declaring March 31, 2025 as Cesar Chavez Day to celebrate the birth and legacy of the civil rights and labor movement activist who started the movement for equal rights and fair treatment of workers, especially farmworkers, in the City of San José.

1.3 Councilmember Domingo Candelas presented a commendation recognizing the Villages Golf and Country Club for earning the Firewise USA certificate after nearly two years of dedicated volunteer efforts. As San José's first Firewise community and the largest in Santa Clara County, the committee has been conducting home inspections since November 2024 to reduce wildfire risks.

2. CONSENT CALENDAR

Public Comment: None provided.

Councilmember Domingo Candelas pulled Item 2.11 for comment.

Councilmember David Cohen pulled item 2.12 for comment.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Councilmember Domingo Candelas, and carried unanimously, the Consent Calendar was approved as a whole, and 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.

(a) Ordinance No. 31178 - An Ordinance of the City of San José Amending Sections 10.10.010 and 10.10.040 of Chapter 10.10 of Title 10 of the San José Municipal Code to Adjust the Hours the Pedestrian Facilitation Ordinance is in Effect from between the Hours of 10:00 a.m. and 12:00 a.m. to between the Hours of 8:00 a.m. and 12:00 a.m. [Passed for Publication on 3/11/2025 - Item 4.1 (25-219)]
(a) Ordinance No. 31179 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 0.94 Gross Acres Situated on the Northwesterly Corner of Hayes Avenue and Endicott Boulevard (15 Cottle Road) (APN 690-02-003) from the IP Industrial Park Zoning District to the LI Light Industrial Zoning District. [Passed for Publication on 3/11/2025 - Item 10.1(d)(1) (25-231)]

Action: **Ordinance No. 31178** and **Ordinance No. 31179** were adopted. (11-0-0)

2.3 Approval of Council Committee Minutes.

None provided.

2.4 Mayor and Council Excused Absence Requests.

Request for an excused absence for Councilmember Kamei from the regular meeting

of Rules and Open Government Committee and Committee of the Whole on April 2, 2025 due to authorized City business to attend the regular meeting of the Local Agency Formation Commission of Santa Clara County (Santa Clara LAFCO). CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Kamei) [Rules Committee referral 3/19/2025 - Item A.1.a]

Action: Councilmember Rosemary Kamei's excused absence request for the regular meeting of Rules and Open Government Committee and Committee of the Whole was approved. (11-0-0)

2.5 City Council Travel Reports

None provided.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 Municipal Regional Stormwater Permit Update.

As recommended by the Transportation and Environment Committee on March 3, 2025, accept the update on the status of the City's implementation of the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City Action. (Environmental Services) [Transportation and Environment Committee referral 3/3/2025 - Item (d)4]

Action: The Municipal Regional Stormwater Permit update was accepted. (11-0-0)

2.8 Actions Related to Authorizing an Application for Santa Clara Valley Water Safe, Clean Water and Natural Flood Protection Program Grant Program.

Adopt a resolution authorizing the City Manager, or her designee to:
(a) Apply for and take all necessary actions needed to fulfill grant requirements of the Santa Clara Valley Water District's Safe, Clean Water and Natural Flood Protection Program - Standard Grant Program for an amount not to exceed $150,000, or other amount awarded.
(b) Negotiate and execute any grant documents, payment agreements, amendments, and any other related documents necessary to accept, receive, utilize, and disburse funding, and take any other actions necessary to comply with the terms and conditions of the grant upon award.
(c) Negotiate and execute any memoranda of agreement with nonprofit entities engaged in creek cleanup activities, watershed stewardship, outreach, and education activities to comply with the terms of the grant.

CEQA: Not a Project, File No. PP17-006, Grant Application with no commitment or obligation to enter into an agreement at the time of application. (Environmental Services)

Action: **Resolution No. RES2025-56** was adopted, authorizing actions related to an application for Santa Clara Valley Water Safe, Clean Water and Natural Flood Protection Program Grant Program. (11-0-0)

2.9 Actions Related to the Purchase Order with Duran Construction Group for the Removal, Replacement, and Repair of Concrete within the Public Right-of-Way.

Adopt a resolution authorizing the City Manager or her designee to exercise one additional option to extend the term of the purchase order with Duran Construction Group (San José, CA) for the removal, replacement, and repair of concrete beginning on or about September 1, 2025, and ending on or about August 31, 2026, subject to the appropriation of funds. CEQA: Categorically Exempt, File No. ER24-313, CEQA Guidelines Section 15301 for Existing Facilities. (Finance)

Action: **Resolution No. RES2025-57** was adopted, authorizing actions related to the purchase order with Duran Construction Group for the removal, replacement, and repair of concrete within the Public Right-of-Way. (11-0-0)

2.10 Amendment to the Standard Agreement with the California Department of Housing and Community Development for First Street Interim Housing.

Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute an amendment to the standard agreement with the California Department of Housing and Community Development to add Santa Clara County Housing Authority and its affiliated entities, Villa Garcia, Inc., and North First Gish Holding LLC, to the Standard Agreement for First Street Interim Housing. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment; Categorically Exempt, File No. ER23-023, CEQA Guidelines Section 15301, Existing Facilities. Council District 6. (Housing)

Action: **Resolution No. RES2025-58** was adopted, regarding the amendment to the standard agreement with the California Department of Housing and Community Development for First Street interim housing. (11-0-0)

2.11 Meadowfair Park Master Plan.

Approve the Meadowfair Park Master Plan. CEQA: Categorically Exempt, File No. ER23-183. CEQA Guidelines Section 15303 New Construction and Conversion of Small Structures. Council District 8. (Parks, Recreation and Neighborhood Services)

Action: The Meadowfair Park Master Plan was approved. (11-0-0)

2.12 Amendment to the Soft Story Seismic Retrofit Ordinance.

Approve an ordinance amending the effective date of the Soft Story Seismic Retrofit Ordinance from April 1, 2025 to April 1, 2026, along with the compliance deadlines in San José Municipal Code section 17.41.550 which requires seismic retrofit of certain wood-frame target story residential buildings. CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment; Statutorily Exempt, File No. ER23-173, CEQA Guidelines Section 15301, Existing Facilities. (Planning, Building and Code Enforcement/Housing/City Manager)

Erik Solivan, Director, Housing Department, responded to questions.

Action: **Ordinance No. 31180** was *passed for publication*, regarding the amendment to the

Soft Story Seismic Retrofit Ordinance. (11-0-0)

2.13 Approval of the Proposed 2024 Edward Byrne Memorial Justice Assistance Grant Spending Plan and Adoption of Related Appropriation Actions.

(a) Approve the proposed Spending Plan for the 2024 Edward Byrne Memorial Justice Assistance Grant in the amount of $333,733.
(b) Adopt a resolution accepting the 2024 Edward Byrne Memorial Justice Assistance Grant in the amount of $333,733 and authorizing the City Manager or her designee to execute the Grant Agreement and all related documents for the grant award received from the U.S. Department of Justice without further City Council action.
(c) Adopt the following 2024-2025 Appropriation Ordinance and the Funding Sources Resolution Amendments in the Edward Byrne Memorial Justice Assistance Grant Trust Fund:
    (1) Establish the 2024 Justice Assistance Grant appropriation to the Police Department in the amount of $333,733; and
    (2) Increase the estimate for Revenue from Federal Government by $333,733.

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)

Action: (a) The proposed 2024 Edward Byrne Memorial Justice Assistance Grant Spending Plan and adoption of related appropriation actions were approved; (b) **Resolution No. RES2025-59**; (c) **Resolution No. RES2025-60**; and (c) **Ordinance No. 31181** were adopted. (11-0-0)

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

Accept the bi-annual status report on the work plan and implementation updates for projects included in the approved 2018 Measure T - The Disaster Preparedness, Public Safety, and Infrastructure General Obligation Bond. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Public Works)

Action: The status report on the November 2018 Ballot Measure T – The Disaster Preparedness, Public Safety, and Infrastructure General Obligation Bond was accepted. (11-0-0)

2.15 Action Related to 9128 - River Oaks Regional Stormwater Capture Project.

Approve a $1,400,000 increase to the construction contingency amount of $1,099,962 for a revised total contingency amount of $2,499,962 for the 9128 - River Oaks Regional Stormwater Capture Project. CEQA: Mitigated Negative Declaration for the River Oaks Stormwater Capture Project, File No. ER20-186 (Resolution No. 79944). Council District 4. (Public Works)

Action: Actions related to 9128 – River Oaks Regional Stormwater Capture Project were approved. (11-0-0)

2.16 Report on Bids and Award of Contract for the 10283 - Sanitary Sewer Repairs Fiscal Year 2023-2024 Package IV Project.

(a) Report on bids and award of contract for the construction of 10283 - Sanitary Sewer Repairs Fiscal Year 2023-2024 Package IV Project, to the lowest responsive, responsible bidder, Devaney Engineering, Inc., in the amount of $1,843,285; and
(b) Approve a 10% contingency in the amount of $184,328. CEQA: Categorically Exempt, File No. ER23-189. CEQA Guidelines Sections 15301(b) Existing Facilities and 15302(c) Replacement or Reconstruction. (Public Works0

Action: The report on bids and award of contract for the 10283 – Sanitary Sewer Repairs Fiscal Year 2023-2024 Package IV Project was accepted and the 10% contingency was approved. (11-0-0)

2.17 Actions Related to the 8721 - FEMA San José Family Camp Re-Bid.

(a) Report on bids and award of contract for the 8721 - FEMA San José Family Camp Re-Bid to the lowest responsive, responsible bidder Sinclair General Engineering Construction, Inc., in the amount of $2,366,156.
(b) Approve a 10% contingency in the amount of $236,616.
(c) Adopt the following Fiscal Year 2024-2025 Appropriation Ordinance amendments in the Construction Tax and Property Conveyance Tax Fund: City-wide Parks Purposes:
    (1) Increase the 2017 Flood - Family Camp Playground Shade Structure, Retaining Wall, and Slope Stabilization appropriation to the Parks, Recreation and Neighborhood Services Department by $836,000; and
    (2) Decrease the Unrestricted Ending Fund Balance by $836,000.

CEQA: Mitigated Negative Declaration for the San José Family Camp Storm Damage Repair. File No. PP19-050 and ER21-268 (Resolution No. RES2024-80). (Public Works/Parks, Recreation, and Neighborhood Services/City Manager)

Action: Actions related to the 8721 – FEMA San Jose Family Camp Re-Bid were approved and (c) **Ordinance No. 31182** was adopted. (11-0-0)

2.18 Second Amendment to the Consultant Agreement with DKS Associates for the Bascom Avenue Highway-Rail Traffic Signal Project.

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute the second amendment to the Consultant Agreement with DKS Associates for the Bascom Avenue Highway-Rail Traffic Signal Project to increase the maximum compensation by $75,635, from $339,446 to $415,081, complete additional scope of services, and extend the term of the agreement from December 31, 2025 to December 31, 2026. CEQA: Not a Project, File No. PP17-002, Consultant Services for design, study, inspection, or other professional services with no commitment to future action. Council District 6. (Transportation)

Action: **Resolution No. RES2025-61** was adopted, regarding the second amendment to the Consultant Agreement with DKS Associates for the Bascom Avenue Highway-Rail Traffic Signal Project. (11-0-0)

2.19 Approval of Great American Litter Pick-Up as a City Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

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

(a) Approve the Great American Litter Pick-Up scheduled on April 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. (City Clerk) [Rules Committee referral 3/19/2025 - Item B.2]

Action: The Great American Litter Pick- Up as a City Sponsored Special Event was approved. (11-0-0)

2.20 Approval of National Night Out Sponsored as a City Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

As recommended by the Rules and Open Government Committee on March 19, 2025:
(a) Approve the National Night Out scheduled on August 5, 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. (City Clerk) [Rules Committee referral 3/19/2025 - Item B.3]

Action: The National Night Out as a City sponsored Special Event was approved. (11-0-0)

2.21 Approval to Expend City Funds and Authorization to Accept of Donations for the Silicon Valley Pride Parade and Festival.

As recommended by the Rules and Open Government Committee on March 19, 2025:
(a) Approve the expenditure of City funds for the Silicon Valley Pride Parade and Festival scheduled on August 30-31, 2025.
(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. (City Clerk) [Rules Committee referral 3/19/2025 - Item B.4]

Action: The Silicon Valley Pride Parade and Festival was approved. (11-0-0)

2.22 Request for Travel Authorization for Mayor's Staff.

Authorize travel, accept travel payments to the City of San José, and designate Mayor's Staff, Stephen Caines, as the City representative to attend the Project on Municipal Innovation Spring 2025 Convening from April 3 to April 5, 2025 in Cambridge, MA. (Source of Funds: Bloomberg Center for Cities at Harvard University) 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 3/19/2025 - Item A.1.a]

Action: The request for travel authorization for the Mayor’s Staff to attend the Project on Municipal Innovation Spring 2025 Convening was 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 Status of Open Audit Recommendations Report.

Accept the status of the Open Audit recommendations as of December 31, 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. (City Auditor).

Joe Rois, City Auditor, Office of the City Auditor; and Brittney Harvey, Supervising Auditor, Office of the City Auditor, offered the presentation and responded to questions.

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Rosemary Kamei, and carried unanimously, the status of the Open Audit Recommendations was accepted. (11-0-0)

3.4 Annual Summary of Labor Negotiations.

Accept the staff report and public input on the Annual Summary of Upcoming Labor Negotiations. 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)

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember David Cohen, and carried unanimously, the staff report and public input on the Annual Summary of Upcoming Labor Negotiations were accepted. (11-0-0)

3.5 Conduct a Public Hearing on the Status of the City's Vacancies, Recruitment and Retention Efforts, and Obstacles in the Hiring Process Pursuant to Assembly Bill 2561 (California Government Code §3502.3). - TO BE HEARD LAST

(a) Conduct a public hearing on the status of the City's vacancies, recruitment and retention efforts, and obstacles in the hiring process:
    (1) Human Resources Department presentation.
    (2) Recognized employee organization presentations.
(b) Accept the staff report on workforce vacancy rates, recruitment and retention efforts, and obstacles in the hiring process as required by Assembly Bill 2561.

CEQA: Not a Project, File No. PP17-099, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Human Resources) Aram Kouyoumdjian, Director of Human Resources and City Manager's Office of Employee Relations offered the presentation and responded to questions.

Robert Sapien Jr., Fire Chief, San José Fire Department offered a presentation.

Nate Morris, Assistant Business Manager for Local 332; Jennifer Schembri, Deputy City Manager, Office of the City Manager; and Jim Shannon, Budget Director, Office of the City Manager, responded to questions.

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember George Casey, and carried unanimously, the public hearing on the status of the City's vacancies, recruitment, and retention efforts, and obstacles in the hiring process was conducted; and the staff report on workforce vacancy rates, recruitment and retention efforts, and obstacles in the hiring process was accepted. (10-0-1; Absent: Cohen)

3.6

Settlement of Paredes v. City of San José, et al.

Approve a settlement in the case of Paredes v. City of San José, et. al., U.S. Dist. Ct., N.D. Cal., case no 5:22-cv-00758, in the amount of $1,600,000.00 and authorize the City Attorney to execute a Settlement Agreement. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (City Attorney) [Rules Committee referral 3/19/2025 - Item A.1.a]

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Rosemary Kamei, and carried unanimously, the settlement in the case of Paredes v. City of San Jose, et. Al. was approved, and the City Attorney was authorized to execute a settlement agreement. (11-0-0)

4. PUBLIC SAFETY

4.1

Fire Department Emergency Medical Services First Responder Fee Program.

(a) Approve the implementation of a First Responder Fee Program effective January 1, 2026.
(b) Approve the Proposed Public Communications Plan for the First Responder Fee 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. (Fire)

Robert Sapien, Jr., Fire Chief, Fire Department; and Steve Boughey, Deputy Fire Chief, Bureau of EMS and Training, offered the presentation and responded to questions.

Public Comment: None provided.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Bien Doan, and carried unanimously, implementation of the the Fire Department Emergency Medical Services First Responder Fee Program and the proposed public communications plan for the First Responder Fee Program were approved.

Including acceptance of the memorandum authored by Councilmember Domingo Candelas, dated March 24, 2025, recommending the following:
Accept staff recommendation and direct the Administration to consider the revenue use of the First Responder Fee as part of future budget development processes once the program matures and revenue stabilizes, to restore the functions of the San Jose Fire Department Med 30 unit that have since largely been delegated throughout the Fire Department. (11-0-0)

5. TRANSPORTATION & AVIATION SERVICES

5.1

San José Diridon Station to Airport Connector Feasibility Validation Report and Phase 2a Recommendation.

Adopt a resolution authorizing the City Manager or her designee to:
(a) Negotiate and execute an amendment to the pre-development agreement, task orders, and change orders with San José Connection Partners to refine ridership and revenue forecasting, develop a funding strategy, and develop a preferred alignment for the Base Project and the Optional Intra airport Extension Project in an amount not to exceed $14.7 million; and
(b) Secure funding for the project, including the negotiation of a new funding agreement with the Valley Transportation Authority for Phase 2a project planning, subject to the appropriation of funds by the Valley Transportation Authority.

CEQA: Statutorily Exempt, File No. PP17 001, CEQA Guidelines Section 15262, Feasibility and Planning Studies. (Transportation/Airport)
[Deferred from 3/11/2025 - Item 5.2 (25-221)]

John Ristow, Director, Department of of Transportation; Mookie Patel, Director of Aviation, Airport Department; Ramses Madou, Division Manager, Department of Transportation; and Ryan Sheelen, Planner IV, Department of Aviation, offered the presentation and responded to questions.

Public Comment: Elliott, Joe, Ben, Shelly, Mariah, Dan, Francisco, Adio, Alejandro, Antonio, Julian, Juan, Laura, Maria, Kenneth, Elliott R., Alex, Olivia, Dr. Forrest, Jason, Wescal, and Evan offered public testimony regarding the item.

Action: Upon motion by Councilmember Michael Mulcahy, seconded by Vice Mayor Pam Foley, and carried unanimously, **Resolution No. RES2025-62** was adopted, regarding the San Jose Diridon Station to Airport Connector Feasibility Validation Report and Phase 2a Recommendation;
And,
The joint memorandum co-authored by Mayor Matt Mahan, Vice Mayor Pam Foley, Councilmember Rosemary Kamei, Councilmember David Cohen, and Councilmember Michael Mulcahy dated March 21, 2025, was accepted, recommending the following:
1. Accept staff recommendation (a) with the following modifications and additions:
    a. Negotiate and execute an amendment to the pre-development agreement, task orders, and change orders with San José Connection Partners to advance Phase 2a, which shall include an investment grade study to refine ridership and revenue forecasting, developing a funding strategy, and developing a preferred alignment for the Base Project and the Optional Intra-airport Extension Project, subject to

San Jose Connection Partners securing the balance of funding required to complete Phase 2a.

b. Until Connection Partners secures the new funding, no additional city funds, staff time, or resources shall be allocated for the completion of Phase 2a beyond that which is covered by previously allocated funding.
c. To ensure the future success of San Jose Mineta Airport (SJC), Phase 2a shall include analysis and recommendations that create the necessary flexibility for future airport growth.
d. In parallel with or as part of Phase 2a, work with Valley Transportation Authority (VTA) as the lead agency to evaluate the various emerging technology options that could offer alternatives to this Connector. No General Fund dollars shall be used for this evaluation.

2. Reject staff recommendation (b). Given San Jose's priority of completing BART Silicon Valley Phase II (BSVII) and preserving bus service for all residents, the City should not seek additional VTA funds for the Connector project until these two priorities are ensured, and surplus VTA funds for the Connector are identified. (11-0-0)

6. ENVIRONMENTAL & UTILITY SERVICES

7. NEIGHBORHOOD SERVICES

7.1 Report of the City Charter Regarding Parks.

Accept the report on the historical implementation of Section 1700 of the City Charter (Charter Parks) and site inventory of Charter Parks as outlined in Attachment A of the staff memorandum and memorialize the policy on how Section 1700 on Charter Parks is applied. CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Parks, Recreation and Neighborhood Services)

DROPPED DURING ORDERS OF THE DAY.

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 Peddler Permit Ordinance Amendment.

Approve an ordinance amending Chapter 6.54 of Title 6 of the San José Municipal Code (Peddler Permit Ordinance). CEQA: Not a Project, File No. PP17-008, General Procedure and Policy making resulting in no changes to the physical environment. (Economic Development and Cultural Affairs/Police)

Paul Joseph, Police Chief, Police Department; and Nanci Klein, Director, City Manager's Office of Economic Development and Cultural Affairs, offered the presentation and responded to questions.

Kaylin Kenney, Assistant to the City Manager, Office of the City Manager, responded to questions.

Public Comment: Ryan, Debbie, Chris, and Armando offered public testimony regarding the item.

Motion: Councilmember Peter Ortiz made a motion to approve the Peddler Permit Ordinance Amendment. Councilmember Carl Salas seconded the motion.

Friendly Amendment: Councilmember Bien Doan requested that his memorandum, dated March 21, 2025, be included in the motion. The amendment was accepted by the maker of the motion and the seconder.

Action: Upon motion by Councilmember Peter Ortiz, seconded by Carl Salas, and carried unanimously **Ordinance No. 31183** was passed for publication and the Peddler Permit Ordinance Amendment was approved;
And,
The approval of the memorandum authored by Councilmember Bien Doan, dated March 21, 2025, recommending the following:
Accept the staff recommendation to approve an ordinance amending Chapter 6.54 of Title 6 of the San José Municipal Code (Peddler Permit Ordinance).
(11-0-0)

8.2 First-Time Homebuyer Loan Program: Equity Share Reduction.

DEFERRED TO 4/8/2025 PER ADMINISTRATION

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

10.1 Land Use on Consent Calendar

None provided.

END OF CONSENT CALENDAR

10 Land Use– Regular Agenda

None provided.

- **Open Forum**

1. "Z", Executive Director of Youth Climate Action, spoke to the importance of discussing climate change in youth education, the ability of the youth to attend meetings, and climate change policies.
2. Elena discussed homelessness, her extensive public service history, and harassment she faced.

- **Adjournment**

The Council of the City of San José adjourned at 7:23 pm.

Minutes Recorded, Prepared, and Respectfully Submitted by,

Vanessa Velez

Vanessa Velez, Deputy City Clerk
City of San José

Approved at Council on:

# of Actions: 9

Attest By:

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

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Office of the City Attorney

SAN JOSÉ CITY COUNCIL CLOSED SESSION MINUTES

March 25, 2025

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

Absent Councilmembers: None.

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:	In re: Claim of Tovar
Name(s) of Party(ies)	
Court:	Worker's Compensation Appeals Court
Case No:	ADJ17708335; ADJ20533775
Amount of Money or Other Relief Sought:	Benefits

2.

Case Name:	Amador, Maria Pena v. City of San Jose, et al.
Name(s) of Party(ies)	MARIA PENA AMADOR, CITY OF SAN JOSE, MICHAEL ALVAREAZ
Court:	Superior Court of the State of California, County of Santa Clara
Case No:	23CV421634
Amount of Money or Other Relief Sought:	Damages according to proof

3.

Case Name:	Chitty, Elizabeth v. City of San Jose, et al.
Name(s) of Party(ies)	ELIZABETH CHITTY, CITY OF SAN JOSE, LAWRENCE CARL MITCHELL

	Court:	Superior Court of the State of California, County of Santa Clara
	Case No:	23cv420731
	Amount of Money or Other Relief Sought:	Damages according to proof
4.	Case Name:	City and County of San Francisco, et al. v. Donald J. Trump, et al
	Name(s) of Party(ies)	CITY AND COUNTY OF SAN FRANCISCO, COUNTY OF SANTA CLARA, CITY OF PORTLAND, MARTIN LUTHER KING, JR. COUNTY, CITY OF NEW HAVEN, CITY OF OAKLAND, CITY OF EMERYVILLE, CITY OF SAN JOSÉ, CITY OF SAN DIEGO, CITY OF SACRAMENTO, CITY OF SANTA CRUZ, COUNTY OF MONTEREY, CITY OF SEATTLE, CITY OF MINNEAPOLIS, CITY OF ST. PAUL, CITY OF SANTA FE, DONALD J. TRUMP, UNITED STATES OF AMERICA, PAMELA BONDI, EMIL BOVE, UNITED STATES DEPARTMENT OF JUSTICE, KRISTI NOEM, UNITED STATES DEPARTMENT OF HOMELAND SECURITY
	Court:	U.S. District Court for the Northern District of California
	Case No:	3:25-cv-01350-WHO
	Amount of Money or Other Relief Sought:	Damages according to proof
5.	Case Name:	International Federation of Professional & Technical Engineers, Local 21 (IFPTE) v. City of San Jose
	Name(s) of Party(ies)	INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS, LOCAL 21 (IFPTE), CITY OF SAN JOSE
	Court:	Public Employment Relations Board – State of California
	Case No:	SF-CE-2261-M
	Amount of Money or Other Relief Sought:	

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: 1

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

City Negotiator: Jennifer Schembri, Director of Employee Relations

Employee Organizations:

1.

Organization or Name and Title of Unrepresented Employees:	**Association of Building, Mechanical and Electrical Inspectors** (ABMEI)
Nature of negotiations:	wages/salaries, hours, working conditions, etc.
Name of Existing Contract or MOA:	Memorandum of Agreement – City of San José and Association of Building, Mechanical and Electrical Inspectors (ABMEI)
How to Obtain a copy of Existing Contract or MOA:	Web: https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/abmei Telephone – Employee Relations: (408) 535-8150

2.

Organization or Name and Title of Unrepresented Employees:	**Association of Engineers & Architects** (AEA)
Nature of negotiations:	wages/salaries, hours, working conditions, etc.
Name of Existing Contract or MOA:	Memorandum of Agreement — City of San José and Association of Engineers & Architects (AEA)
How to Obtain a copy of Existing Contract or MOA:	Web: https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/aea Telephone – Employee Relations: (408) 535-8150

3.

Organization or Name and Title of Unrepresented Employees:	**Association of Legal Professionals of San José** (ALP)
Nature of negotiations:	wages/salaries, hours, working conditions, etc.
Name of Existing Contract or MOA:	Memorandum of Agreement – City of San José and Association of Legal Professionals of San José

	How to Obtain a copy of Existing Contract or MOA:	Web: https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/alp Telephone – Employee Relations: (408) 535-8150
4.	Organization or Name and Title of Unrepresented Employees:	**Association of Maintenance Supervisory Personnel** (AMSP)
	Nature of negotiations:	wages/salaries, hours, working conditions, etc.
	Name of Existing Contract or MOA:	City of San José - Association of Maintenance Supervisory Personnel (AMSP) Benefit & Compensation Summary
	How to Obtain a copy of Existing Contract or MOA:	Web: https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/amsp Telephone – Employee Relations: (408) 535-8150
5.	Organization or Name and Title of Unrepresented Employees:	**City Association of Management Personnel Agreement** (CAMP)
	Nature of negotiations:	wages/salaries, hours, working conditions, etc.
	Name of Existing Contract or MOA:	Benefit & Compensation Summary — City of San José and City Association of Management Personnel Agreement
	How to Obtain a copy of Existing Contract or MOA:	Web: https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/camp Telephone – Employee Relations: (408) 535-8150
6.	Organization or Name and Title of Unrepresented Employees:	**International Association of Firefighters (IAFF), Local 230** (IAFF#230)
	Nature of negotiations:	wages/salaries, hours, working conditions, etc.
	Name of Existing Contract or MOA:	Memorandum of Agreement Between City of San José and International Association of Firefighters (IAFF), Local 230
	How to Obtain a copy of Existing Contract or MOA:	Web: https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-

information/bargaining-units-labor-contract-info/iaff

Telephone – Employee Relations: (408) 535-8150

7.

Organization or Name and Title of Unrepresented Employees: **International Brotherhood of Electrical Workers, Local 332** (IBEW)

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

Name of Existing Contract or MOA: Memorandum of Agreement Between City of San José and International Brotherhood of Electrical Workers, Local 332 (IBEW)

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

Telephone – Employee Relations: (408) 535-8150

8.

Organization or Name and Title of Unrepresented Employees: **Municipal Employees' Federation, AFSCME Local 101, AFL-CIO** (MEF)

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

Name of Existing Contract or MOA: Memorandum of Agreement — City of San José and Municipal Employees' Federation, AFSCME Local 101, AFL-CIO

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

Telephone – Employee Relations: (408) 535-8150

9.

Organization or Name and Title of Unrepresented Employees: **International Union of Operating Engineers, Local No. 3** (OE#3)

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

Name of Existing Contract or MOA: Memorandum of Agreement Between City of San José and International Union of Operating Engineers, Local No. 3 (OE#3)

How to Obtain a copy of Existing Contract or MOA: Web: https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/oe-3

Telephone – Employee Relations: (408) 535-8150

10.

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

11.

Organization or Name and Title of Unrepresented Employees:	**San José Police Officers' Association** (SJPOA)
Nature of negotiations:	wages/salaries, hours, working conditions, etc.
Name of Existing Contract or MOA:	Memorandum of Agreement — City of San José and San José Polices' Association
How to Obtain a copy of Existing Contract or MOA:	Web: https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/poa Telephone – Employee Relations: (408) 535-8150

12.

Organization or Name and Title of Unrepresented Employees:	**Peace Officer Park Ranger Association (POPRA)**
Nature of negotiations:	wages/salaries, hours, working conditions, etc.
Name of Existing Contract or MOA:	Memorandum of Agreement – City of San Jose and Peace Officer Park Ranger Association
How to Obtain a copy of Existing Contract or MOA:	Web: https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/popra Telephone – Employee Relations: (408) 535-8150