



# City Council Meeting Minutes

**Tuesday, March 21, 2023**

**1:30 PM**

**Hybrid Meeting - Council Chambers and Virtually -  
<https://sanjoseca.zoom.us/j/88957084529>**

MATT MAHAN, MAYOR  
ROSEMARY KAMEI, DISTRICT 1  
SERGIO JIMENEZ, DISTRICT 2  
OMAR TORRES, DISTRICT 3  
COHEN, DISTRICT 4  
PETER ORTIZ, DISTRICT 5  
DEV DAVIS, DISTRICT 6  
BIEN DOAN, DISTRICT 7  
DOMINGO CANDELAS, DISTRICT 8  
PAM FOLEY, DISTRICT 9  
ARJUN BATRA, DISTRICT 10



- **Call to Order and Roll Call**

**9:40 a.m.- Closed Session 23-414:** *See Pages 12-13 for Closed Session Minutes.*

Present Councilmembers: Mahan, Kamei, Jimenez, Torres, Ortiz, Davis, Doan, Candelas,  
Foley, Batra. (Council Chambers Conference Room, W133.)

Absent Councilmembers: Cohen.

**1:36 p.m.- Regular Session**

Present Councilmembers: Mahan, Kamei, Jimenez, Torres, Ortiz, Davis, Doan, Candelas,  
Foley, Batra. (Council Chambers.)

Absent Councilmembers: Cohen.

- **Pledge of Allegiance**

Mayor Matt Mahan led the Pledge of Allegiance.

- **Invocation (District 3)**

Local Drag Queen, Woo Woo Monroe offered the invocation with a song and message of inclusion.

- **Orders of the Day**

Upon motion by Vice Mayor Rosemary Kamei, seconded by Councilmember Pam Foley and carried unanimously, the Orders of the Day and the Amended Agenda were approved, with Item 3.4 dropped. (10-01. Absent: Cohen.)

Mayor Matt Mahan offered that today's meeting would be adjourned in memory and honor of Bishop Oscar Dace. His Daughter, Pastor Lorianna Gardere shared touching words to commemorate her father.

- **Closed Session Report**

None provided.

## **1. CEREMONIAL ITEMS**

- 1.1 Councilmember Dev Davis presented the commendation to the Bascom Branch Library celebrating 10 years of service for our community. The commendation was presented to City Librarian, Jill Bourne and the dedicated Bascom Branch Library Staff.

- 1.2 Councilmember Arjun Batra presented the proclamation declaring April 1, 2023 as Assyrian New Year to celebrate the beginning of spring and recognize the contributions of the Assyrian-American community in San José. The proclamation was presented to Monica M. and members of the Assyrian American Association of San José.
- 1.3 Councilmember Peter Ortiz presented the commendation recognizing On Lok for their great work to lead and to serve senior residents, especially women in San José. The commendation was presented to On Lok's Director of Government Affairs, Catherine Kelly and the On Lok leadership and staff members.

## **2. CONSENT CALENDAR**

Action: Upon motion by Councilmember Pam Foley, seconded by Vice Mayor Rosemary Kamei and carried unanimously, the below listed actions were taken as indicated. (10-0-1. Absent: Cohen.)

- 2.1 23-424 Approval of City Council Minutes.**
- (a) City Council Meeting Minutes of March 15, 2022.
  - (b) City Council Meeting Minutes of March 29, 2022.
  - (c) City Council Meeting Minutes of January 10, 2023.
  - (d) City Council Meeting Minutes of February 28, 2023.
  - (e) City Council Special Meeting Minutes of September 16, 2022.
- CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

Action: The City Council Minutes were approved. (10-0-1. Absent: Cohen.)

### **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.

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

None provided.

2.7 23-401

**Actions Related to Purchase Orders with Netsync Network Solutions, Inc. for a Domain Name System, Dynamic Host Configuration Protocol, and Internet Protocol Address for the Airport.**

Adopt a resolution authorizing the City Manager to:

- (a) Negotiate and execute a purchase order with Netsync Network Solutions, Inc. (Houston, TX) for a Domain Name System, Dynamic Host Configuration Protocol, and Internet Protocol Address Management solution for the San José Mineta International Airport for a maximum compensation of \$175,000 for the initial one-year term beginning on or about March 22, 2023 and ending March 21, 2024, or as may be adjusted to align with the software renewal term;
- (b) Amend purchase orders with Netsync Network Solutions, Inc. as required for any unanticipated changes, subject to the appropriation of funds; and
- (c) Exercise up to six additional one-year options to extend the term of the purchase order through March 21, 2030, or as may be adjusted to align with the software renewal term, 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)

Action: **Resolution No. RES2023-67** was adopted. (10-0-1. Absent: Torres.)

2.8 23-402

**Actions Related to the Purchase Order with SYNLaw of Central California, Inc. for Synthetic Dog Turf Installation and Replacement Services.**

Adopt a resolution authorizing the City Manager to:

- (a) Execute a purchase order with SYNLaw of Central California, Inc. (Clovis, CA) for synthetic dog turf installation and replacement services for an initial one-year term, beginning on or about March 29, 2023, and ending on or about March 28, 2024, for a not-to-exceed amount of \$1,000,000; and
- (b) Exercise up to four one-year options to extend the term of the purchase order with the last option year ending on or about March 28, 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)

Action: **Resolution No. RES2023-68** was adopted. (10-0-1. Absent: Torres.)

2.9 23-403

**Guadalupe River Trail Master Plan Update.**

- (a) Adopt a resolution adopting the Addendum to the Guadalupe River Trail Master Plan Mitigated Negative Declaration previously adopted by City Council Resolution No. 78236 on June 20, 2017, in accordance with CEQA.
- (b) Approve the first amended Guadalupe River Trail Master Plan (File No. PP17-027) to include the Santa Clara Valley Water District current design guidance for trail development. CEQA: Addendum to the Guadalupe River Trail Master Plan

*(Item Continued on the Next Page)*

## 2.9 (Cont'd.)

(Resolution No. 78236), File No. ER22-209. Council Districts 3, 6, 9.  
(Parks, Recreation and Neighborhood Services)

Action: (a) **Resolution No. RES2023-69** was adopted and (b) the first amended Guadalupe River Trail Master Plan was approved. (10-0-1. Absent: Torres.)

## **3. STRATEGIC SUPPORT**

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

None provided.

### 3.2 Labor Negotiations Update.

None presented.

- 3.3 23-404 Study Session Presentation: Council Training on Elected Officials Role in Municipal Bond Disclosure. - HEARD IMMEDIATELY AFTER CONSENT.**  
Accept the presentation on Disclosure Obligations of Municipal Bond Issuers. CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.  
(Finance)

Director of Finance, Julia H. Cooper; Chief Deputy City Attorney, Rosa Tsongtaatarii; Jones Hall, Shareholder, Katie Dobson; and Jones Hall, Shareholder, Juan Galvan offered the presentation and responded to questions.

Public Comment: (Zoom speaker) Paul Soto offered public testimony regarding the item.

Action: Upon motion by Councilmember Arjun Batra, seconded by Councilmember Bien Doan and carried unanimously, the presentation on Disclosure Obligations of Municipal Bond Issuers was accepted. (10-0-1. Absent: Cohen.)

## **THE MEETING OF THE CITY COUNCIL RECESSED AND CONVENED THE JOINT CITY OF SAN JOSE CITY COUNCIL/ SAN JOSE FINANCING AUTHORITY/ SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSÉ**

- 3.4 23-407 Policy for the Issuance of Multifamily Housing Revenue Bonds.**  
(a) Accept the report recommending amendments to the Council Policy 1-16, Policy for the Issuance of Multifamily Housing Revenue Bonds.  
(b) Adopt a resolution amending Council Policy 1-16, Policy for the Issuance of Multifamily Housing Revenue Bonds.  
CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.  
(Finance/Housing)

**DROPPED PER ADMINISTRATION.**

**3.5 23-405**

**Approval of the Fiscal Year 2023-2024 Mayor's March Budget Message.**

(a) Conduct a Public Hearing on the FY 2023-2024 Mayor's March Budget Message.

(b) Approve the FY 2023-2024 Mayor's March Budget Message.

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

Mayor Matt Mahan limited public comment to one-minute.

Public Comment: (*In person speakers*) Jeffrey Buchanan (WPUSA), Mark Lewis, Jawn Coppin (San José Public Library Foundation), Alan Gouig (Silicon Valley Council of Non-Profits), Steve Cohen, Ofisa Pati, Lucila Ortiz (Working Partnerships), Sarah Cid (Sacred Heart), Sandra (Spanish Translation Provided), Jennifer, Phoenix Chou, Sarah McDermott, Anthony Medina-Alvarez, Svetlana Ermoshina (BALTA Affordable Home project), Wade Hall, Kathy Cordova (Real & RCSJ), Carl San Miguel, Hazel Vacome, Ha T., Bob Brownstein, Sandy Perry (Affordable Housing Network), Nancy, Katy, Patty Fishburn, David Pandori; (*Zoom speakers*) Issa Ajlouny (President, S.A.F.E.R San José), David, Gabriel Si Se Puede Collective, Walter Wilson, Paul Soto, Martha O'Connell, Richard Konda, Anil Babbar, Hayley Currier, Misrayn Mendoza, Linda Hutchins-Knowles (Mothers Out Front Silicon Valley), Deborah St. Julien, Peter Allen, Audrey Doan, Hilary Thorsen, Jocelyn Dubin, Dinah, Jen Myhre, Kylie Clark (WVCS), Erica Valentine (Paul), Reginald Swilley, Rachel Monaco, Liz Gonzalez, Jeremy Barousse, Andrew Bigelow, Brian Gordon, Ann Chasson, Mundo Escarcega, Krista De La Torre, Hoai-An Troung, Paola, Tina Morrill, Jennifer Parra, Frank Austin UA (Local 393), Dilza Gonzalez, Kim Guptill, Daphne Zhu, Delma Hernandez (SBCLT), Elizabeth Kamya, Bill Lee, Jon Pedigo, Brian Pors (UA Local 393), Blair Beekman, Will Smith, Kathryn Hedges (SURJ), Sage Lillaheart, Dolores Alvarado, Caller '0712', Jacky Rivera, Gene Hunt, Cole Cadre, Linda Phillips, Stephanie Ligsay, Tomara Hall, David Low, Carlos Rosario, Deo Agustin, Susan B, Brad, Eric Zamora, Catherine Valentine, Jill Borders, Krishna, Saul Ramos, Shawn Gerth, Francesca Paist, Dan, Victoria Partida, Therese Santiago, Yvonne Jimenez, Dalenna Hughes, Sandra Asher, Mercedes Carbajal, Leslie Zeiger, Carmen Brammer, Mila Bekele, Chike Nwoffiah, Adolfo Gomez, Ryan (Martha's Kitchen), Kim Guptill, Mike Sodergren, Andrew Siegler, Lisa Charpontier, Michele Lew (The Health Trust), Bea Pangilinan, Mani Bekele, Lori Katcher (SURJ), Mary Helen Doherty, Roberto, Saul Ramos, Carlie Pietsch, Gail Anne Osmer, Regina, Corina Griswold, and Christopher Lee offered public testimony regarding the Mayor's March Budget Message.

Motion: Councilmember Omar Torres moved approval of the Mayor's March Budget Message, and all provided memoranda, *with the exception of Item 3 from Councilmember Bien Doan's memorandum dated March 21, 2023.* The motion was seconded by Councilmember Peter Ortiz.

Substitute Motion: Councilmember Dev Davis moved approval of the Mayor's March Budget Message, and the joint memorandum, regarding all other memoranda, accept all the MBA recommendations for cost estimates and discussion and accept everything else in these memoranda without MBA consideration as commentary only and not direction. The substitute motion was seconded by Councilmember Bien Doan.

Friendly Amendment: Vice Mayor Rosemary Kamei accepted the Mayor's March Budget Message with direction to the City Manager's Office (CMO) to review the Councilmember's memoranda, return with an MBA, and look into the staff capacity and feasibility to implement the recommendations including future sustainability in the existing workstream. The friendly amendment was not accepted by the maker of the substitute motion or seconder.

*Mayor Matt Mahan recessed at 6:00 p.m. and opened the floor back up for Council discussion at 6:30 p.m. (Item Continued on the Next Page)*

### 3.5 (Cont'd.)

Friendly Amendment: Councilmember Domingo Candelas requested that recommendation 3 of his memorandum return as an MBA. The friendly amendment was accepted by the maker of the substitute motion and seconder.

Friendly Amendment: Councilmember Omar Torres requested that all the recommendations in the joint memorandum with specific dollar amounts return as an MBA. The friendly amendment was accepted by the maker of the substitute motion and seconder.

Friendly Amendment: Councilmember Peter Ortiz requested that recommendation 2 of the joint memorandum return as an MBA. The friendly amendment was accepted by the maker of the substitute motion and seconder.

Action: On a call for question, the substitute motion carried unanimously, to move the Fiscal Year 2023-2024 Mayor's March Budget Message, the joint memorandum, and friendly amendments as noted below, accept all the MBA recommendations for cost estimates and discussion and accept everything else in these memoranda without MBA consideration as commentary only and not direction. The below listed actions were taken as indicated.

Acceptance of Mayor Matt Mahan's March Budget Message for Fiscal Year 2023-2024, dated March 13, 2023, recommending: To direct the City Manager to submit a balanced budget for Fiscal Year 2023-2024, guided by the policy direction and framework of priorities outlined in this March Budget Message. In accordance with Section 1204 of the San José City Charter, I present my Fiscal Year 20232024 March Budget Message for consideration by the City Council, and the residents of San José. With Council approval, this initial framework provides the City Manager with direction to prepare proposals for the Council's budget deliberations in May, and to formulate the Fiscal Year 2023-2024 Proposed Budget.

Including the acceptance of the joint memorandum from Councilmember Dev Davis, Councilmember Omar Torres, Councilmember Peter Ortiz, Councilmember Bien Doan, and Councilmember Arjun Batra dated March 17, 2023, *with specific dollar amounts and item #2 to return as an MBA:* "Approve the Mayor's March Budget Message for Fiscal Year 2023 Retain additional direction to the City Manager to: (A) 2024 with the Sunday library hours as previously approved by the City Council with the 20222023 Adopted Operating Budget. (B) Issue a Manager's Budget Addendum that estimates the cost to implement the following service enhancements: (1) Provide an additional sexual assault analyst. (2) *Add traffic enforcement officers.* (3) Prioritize enforcement of vacant building blight. (4) Expand Project Hope (a PRNS program) for all identified Gang Hot Spots. (5) Strategies to increase park safety. (6) Expand Sunday hours to all branch library locations, or a as identified by the City's Librarian. (7) Bolster our hiring and retention work by improving our family friendly policies such as childcare benefits, strengthening our Paid Family Leave program, investing in competitive salaries, and rewarding retention.(8) Maintain funding for the R.O.C.K. afterschool program. (9) Maintain scholarships for recreation programs. (10) Support youth workforce development through apprenticeships or collaborations with other partners.(C) Report out during the Council's Budget Study Sessions any service reductions that are being recommended in the City Manager's 20232024 Proposed Budget to accommodate the direction in the Mayor's March Budget Message."

Including Councilmember Domingo Candelas' memorandum, dated March 21, 2023, *with item #3 to return as an MBA:* To approve the Mayor's March Budget Message for Fiscal Year 2023-2024 with the additional direction to the City Manager to: (1) Issue a Manager's Budget Addendum to explore funding opportunities and

*(Item Continued on the Next Page)*

### 3.5 (Cont'd.)

provide recommendations from the FY 2023-2024 general fund and other available funding sources stemming from actions taken by Council during the March 14th council meeting for item 7.2 (Actions Related to the Lake Cunningham Shoreline and Water Quality Report and Prototype Wetland Restoration Project). (2) Issue a Manager's Budget Addendum that would estimate the cost to implement and/or expand youth mental health services in partnership with the County and Community Based Organizations. (3) *Return to the City Council during the Budget Study Session with the following: (a) A recommended funding plan that would allow all the affordable housing developments in the immediate pipeline to move forward. This plan should include options for supporting: (i) The seven prospective affordable housing developments highlighted during the March 14th City Council meeting; (ii) Any other prospective affordable housing developments that the Housing Department expects to be ready to apply for funding in FY 23-24; (iii) Additional information on the long-term affordable housing development pipeline in San José, including an analysis of the estimated amount of City funding that may be required in future fiscal years to support these additional pipeline projects.*

Including Councilmember Arjun Batra's memorandum, dated March 21, 2023, recommending: (1) Approve the Mayor's March Budget Message for Fiscal Year 2023-2024. (2) Approve the memo signed by Councilmembers Ortiz, Torres, Davis, Doan, and myself. (3) Direct the City Manager to issue a Manager's Budget Addendum that estimates the cost to implement the following service enhancements: (a) Affordable Housing (i) Provide funding to: (1) Identify and purchase properties within San José suitable for permanent affordable housing using funds that would have otherwise been included in Notices of Funding Availability; and (2) Perform initial pre-planning and development work to allow for a process whereby affordable housing developers could respond to a City-issued Request for Proposals to own, build and operate Affordable Multifamily Buildings for properties for which acquisition of real estate, basic planning (max # of units, # of stories etc.), zoning, community clearances, and City financing availability have been completed. (b) Project Hope - Increase funding to allow for sufficient staffing resources at each site to perform the below listed responsibilities (this is in addition to expanding the Project Hope to all sites as suggested the memo).

(10-0-1. Absent: Cohen.)

### 3.6 23-408

#### **COVID-19 After Action Report.**

Accept the 2023 COVID-19 After Action Report and Improvement Plan. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (City Manager)

Deputy City Manager, Kip Harkness; Director, Office of Emergency Management, Raymond Riordan; and Susie Schmitz offered the presentation and responded to questions.

Public Comment: (Zoom speakers) Blair Beekman, Paul Soto, and Brian offered public testimony regarding the item.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Sergio Jimenez and carried unanimously, the 2023 COVID-19 After Action Report and Improvement Plan were accepted. (10-0-1. Absent: Cohen.)

## **4. PUBLIC SAFETY SERVICES**

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



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

## **7. NEIGHBORHOOD SERVICES**

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

### **8.1 23-409 Master Pre-lease with PMI Partners LLC for the Pacific Motor Inn Located at 455 South Second Street.**

Adopt a resolution authorizing the Director of Housing to execute a master pre-lease, with an option to purchase, apartments built by PMI Partners LLC (a joint venture of PATH Ventures, a California nonprofit public benefit corporation, and Westbank, a private developer) located at 455 South Second Street in the circumstance that an affordable housing development is unable to secure financing.

CEQA: Exempt from CEQA Review, File No. ER21-159, Public Health and Safety Code Section 50675.1.4. Council District 3. (Housing)

Public Comment: (Zoom speaker) Paul Soto offered public testimony regarding the item.

Action: Upon motion by Councilmember Omar Torres, seconded by Councilmember Dev Davis and carried unanimously, **Resolution No. RES2023-70** was adopted; including acceptance of the joint memorandum from Mayor Matt Mahan and Councilmember Omar Torres, dated March 17, 2023, recommending: (1) Approve staff's recommendation. (2) Direct staff to move expeditiously to help secure this site and to move forward with both the interim and permanent phases of the Pacific Motor Inn Development. (3) Direct the City Administration to support PMI Partners LLC in securing tax credit financing for the Pacific Motor Inn Development. (10-0-1. Absent: Cohen.)

### **8.2 23-411 Annual Progress Report on the General Plan Housing Element and the Housing Successor to the Redevelopment Agency Annual Report.**

(a) Accept the Calendar Year 2022 San José Housing Element Annual Progress Report, the final annual report on the implementation of San José's Fifth Cycle 2014-2023 Housing Element.

(b) Accept the Fiscal Year 2021-2022 Housing Successor to the Redevelopment Agency Annual Report. CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Planning, Building and Code Enforcement/Housing)

Director, Planning, Building & Code Enforcement Department, Chris Burton; Director, Housing Department, Jacky Morales-Ferrand; Division Manager, Housing Department, Kristen Clements; and Supervising Planner, PBCE, Ruth Cueto offered the presentation and responded to questions.

Public Comment: (Zoom speakers) Paul Soto, Caller 'Catalyze SV', Blair Beekman, and Jill Borders offered public testimony regarding the item.

Extensive Council discussion followed.

Action: Upon motion by Vice Mayor Rosemary Kamei, seconded by Councilmember Omar Torres and carried unanimously, (a) The Calendar Year 2022 San José Housing Element Annual Progress Report and (b) the Fiscal Year 2021-2022 Housing Successor to the Redevelopment Agency Annual Report were accepted. (8-0-3. Absent: Cohen., Davis, Foley.)

## **9. REDEVELOPMENT – SUCCESSOR AGENCY**

### **10. LAND USE**

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

No Land Use items on Consent Calendar.

**END OF CONSENT CALENDAR**

#### **10 Land Use - Regular Agenda**

- **Open Forum**

1. Paul Soto spoke to members of the public who don't have the capacity to speak at Council Meetings.
2. Blair Beekman spoke to transparency and accountability.

- **Adjournment**

The Council of the City of San José adjourned at 8:57 p.m. in honor and memory of Bishop Oscar Dace who passed away on January 8, 2023. Bishop Dace was Pastor of Bibleway Christian Center alongside his wife Janice, and was a source of inspiration and love for his followers. He also established several ministries to meet the needs of the underserved, foster healthy family relationships, and address challenges facing the youth. He was very civically engaged and worked closely with the City, County, and other organizations as an advocate for safe and positive communities.

Minutes Recorded, Prepared and Respectfully Submitted by,



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Yasmin Johnson  
Deputy City Clerk, City of San José

yj/3-21-23/MIN

**JOINT CITY OF SAN JOSE CITY COUNCIL/SAN JOSE FINANCING  
AUTHORITY/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE  
CITY OF SAN JOSE AGENDA**

2:42 P.M.

March 21, 2023

Hybrid Meeting

• **Call to Order and Roll Call**

1.     **23-406**            **City of San José’s Debt Management Policy. –  
HEARD AFTER ITEM 3.3**  
      (a) Accept the report and approve the proposed revisions to Council  
      Policy 1-15, the “City of San José’s Debt Management Policy;” and  
      (b) Adopt the amended policy by resolutions of the City Council, City  
      of San José Financing Authority Board, and Successor Agency Board.  
      CEQA: Not a Project, File No. PP17-008, General Procedure & Policy  
      Making resulting in no changes to the physical environment. (Finance)

Director of Finance, Julia H. Cooper offered the presentation and responded to questions.

Action: Upon motion by Councilmember Dev Davis, seconded by Vice Mayor Rosemary Kamei and carried unanimously, 1(a) the report was accepted and the proposed revisions to Council Policy 1-15 were approved; 1(b) **Resolution No. RES2023-71**, 1(b) City of San José Financing Authority Board (SJFA) **Resolution No. 158**, and 1(b) SARA **Resolution No. 7089** were adopted. (10-0-1. Absent: Cohen.)

Mayor Matt Mahan adjourned the joint meeting at 2:46 p.m.

• **Open Forum**

No members of the public offered public comment for this portion of the meeting.

**\* THE JOINT MEETING OF THE CITY OF SAN JOSE CITY COUNCIL/SAN JOSE FINANCING  
AUTHORITY/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF  
SAN JOSE ADJOURNED AND THE MEETING OF THE CITY COUNCIL RECONVENED**

## CLOSED SESSION MINUTES

SAN JOSE, CALIFORNIA

TUESDAY, MARCH 21, 2023

The Council of the City of San José convened into Closed Session at 9:40 a.m.  
The meeting was held in Council Chambers Conference Room, W133.

Present: Councilmembers - Batra, Candelas, Doan, Foley, Jimenez,  
Ortiz, Torres, Kamei, Mahan.

Absent: Councilmembers - Davis, Cohen.

### CLOSED SESSION ITEM(S) DISCUSSED:

#### A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:

Initiation of litigation pursuant to Section 54956.9(d)(4) of the Government Code:

Number of matter(s) to be discussed: 2

#### B. CONFERENCE WITH REAL PROPERTY DESIGNATED REPRESENTATIVES PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

1. Property Street Address, APNs: 261-38-001, 261-38- 004, 261-38-030, 261-38-  
Parcel Number, or Other 047, 261-38-048 and 261-38-049.  
Unique Reference of  
Property:

Negotiating Parties: Jacky Morales-Ferrand, Nanci Klein, Rachel VanderVeen,  
Kevin Ice and Banu San

Under Negotiation: The direction will concern price and terms of payment.

Likely Range of Value of Negotiated price based on appraisals.  
Property:

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

1. Case Name: County Sanitation District 2-3, et a. v. City, et al.

Name(s) of Parties(s) COUNTY SANITATION DISTRICT 2-3; WEST  
Involved: VALLEY SANITATION DISTRICT; BURBANK  
SANITARY DISTRICT; CUPERTINO SANITARY  
DISTRICT; CITY OF MILPITAS, CITY OF SAN JOSE,  
CITY OF SANTA CLARA; and DOES 1-50, inclusive

Court: Superior Court of California, County of Santa Clara,  
Unlimited Jurisdiction

Case No.: 18-CV-325480

Amount of Money or Other Damages according to proof

Relief Sought:

2. Case Name: California Waste Solutions, Inc. v. City of San Jose, et al.,  
Name(s) of Parties) California Waste Solutions, Inc.; City of San Jose; and  
DOES 1 to 50,  
Court: Superior Court, State of California Santa Clara County  
Case No: 23CV409641  
Amount of Money or Other Damages according to proof.  
Relief Sought:

By unanimous consent, Council recessed from the Closed Session at 11:42 a.m.; to reconvene in Regular Open Session at 1:30 p.m. in Council Chambers.