



# **CITY COUNCIL MEETING DRAFT MINUTES**

**Tuesday, June 11, 2024  
1:30 PM**

**LOCATION:  
Council Chambers - 200 E. Santa Clara Street**

MATT MAHAN, MAYOR  
ROSEMARY KAMEI, VICE MAYOR, DISTRICT 1  
SERGIO JIMENEZ, DISTRICT 2  
OMAR TORRES, DISTRICT 3  
DAVID 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

9:32 a.m.- Closed Session. *See Pages 32-35 for Closed Session Minutes.*

Present Councilmembers: Mahan, Kamei, Cohen, Foley, Davis,  
Ortiz, Candelas, Doan, Batra.

Absent Councilmembers: Jimenez, Torres.

1:36 p.m. - Regular Session.

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

Absent Councilmembers: All present.

6:07 p.m. - Evening Session.

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

Absent Councilmembers: All present.

## • Pledge of Allegiance

Mayor Matt Mahan led the Pledge of Allegiance.

## • Invocation (District 6)

Mark Ishikawa, from Community Transformations and Blue Zones offered the invocation.

## • Orders of the Day

None provided.

## • Adjournment

Councilmember Omar Torres announced that the meeting would adjourn in memory of Rick Holden who passed away on April 10, 2024. Rick Holden dedicated his life to education, music, technology, and community leadership in San José. From teaching English and advocating for teachers' rights to championing the arts, his impact resonates through his diverse roles and passionate pursuits. Ricks family offered words in remembrance of his legacy and life.

## • Closed Session Report

None provided.

## 1. CEREMONIAL ITEMS

- 1.1 Councilmember Omar Torres presented the proclamation declaring June 11, 2024 as Arbor Day in the City of San José. John Ristow, Director, Department of Transportation accepted the proclamation and thanked various Staff and Departments for their collaborative efforts.
- 1.2 Councilmember Domingo Candelas and Councilmember Omar Torres presented the proclamation declaring June 12, 2024 as Philippines Independence Day.
- 1.3 Councilmember Peter Ortiz presented the proclamation declaring June 2024 as Portuguese Heritage Month, honoring the contributions of the Portuguese-American community to the City of San José.

## 2. CONSENT CALENDAR

Public Comment: Jordan Moldow provided public testimony regarding the item.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Sergio Jimenez, and carried unanimously, the Consent Calendar was approved as a whole, the below actions were taken as indicated. (11-0-0)

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

None provided.

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

None provided.

### 2.3 **Approval of Council Committee Minutes.**

None provided.

### 2.4 **Mayor and Council Excused Absence Requests.**

Request for an excused absence for Vice Mayor Kamei from the Regular Meeting of Rules and Open Government Committee and Committee of the Whole on June 5, 2024 due to authorized City business - Local Agency Formation Commission of Santa Clara County. CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Kamei)

Action: The request for an excused absence for Vice Mayor Kamei from the Regular Meeting of Rules and Open Government Committee and Committee of the Whole on June 5, 2024 was excused. (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 Agreement with Richards, Watson & Gershon for Legal Services.**

Adopt a resolution authorizing the City Attorney to negotiate and execute a Ninth Amendment to the Agreement with Richards, Watson & Gershon for legal services related to complex real estate development and planning, extending the term of the Agreement from June 30, 2024 to June 30, 2025, with no increase in the maximum amount of compensation.

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

Action: **Resolution No. RES2024-210** was adopted, regarding the agreement with Richards, Watson & Gershon for Legal Services. (11-0-0)

**2.8 Settlement of *Marin v. City of San José, et al.***

Approve the settlement in the case of *Guadalupe Marin v. City of San José, et al.* in the total amount of \$350,000 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)

Action: The settlement in the case of *Guadalupe Marin v. City of San José, et al.* in the total amount of \$350,000 and authorization of the City Attorney to execute a settlement agreement was approved. (11-0-0)

**2.9 Settlement of *Ribeiro v. City of San José, et al.***

Approve the settlement in the case of *Cleber Giassi Ribeiro v. City of San José, et al.* in the total amount of \$85,000 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)

Action: The settlement in the case of *Cleber Giassi Ribeiro v. City of San José, et al.* in the total amount of \$85,000 and authorization of the City Attorney to execute a settlement agreement was approved. (11-0-0)

## 2.10 Annual Authorization for Workforce Innovation and Opportunity Act Program and Projects for 2024-2025.

Adopt an annual resolution authorizing the City Manager or her designee to negotiate and execute the following agreements relating to the Workforce Innovation and Opportunity Act Program and projects:

(a) All contracts, amendments, agreements, leases, subleases, and memorandums of understanding with contractors, consultants, vendors, and partners providing services to the Workforce Innovation and Opportunity Act Program and workforce programs funded by other sources, including but not limited to, novation's or assignments, case management contracts, and consultant contracts, for the period July 1, 2024 to June 30, 2025, in accordance with procurement procedures and requirements mandated by the State and Federal governments for Workforce Innovation and Opportunity Act grant recipients and with established City procurement procedures and requirements, that have been reviewed and approved, as required, by the work2future Workforce Development Board, so long as monies have been appropriated and there is an unexpended and unencumbered balance of such appropriation sufficient to pay the expenses of the agreement.

(b) All memorandums of understanding with Required and Additional One-Stop Partners for the period July 1, 2022 to June 30, 2026, in accordance with Section 121 of the Workforce Innovation and Opportunity Act, including but not limited to, memorandums of understanding with other workforce development boards, regional memorandums of understanding, partnership agreements, cost-sharing agreements, regional consultant agreements, and memorandums of understanding with cities and the unincorporated area of Santa Clara County whose residents receive services from the work2future One Stops, a partner of the America's Job Center of California<sup>SM</sup>, so long as monies have been appropriated and there is an unexpended and unencumbered balance of such appropriation sufficient to pay the expenses, if any, of the agreement.

(c) All amendments to City Council-approved agreements that have been reviewed and approved, as required, by the work2future Board so long as monies have been appropriated and there is an unexpended and unencumbered balance of such appropriation sufficient to pay the expenses of the agreement.

(d) All grant applications, grant agreements, subgrant agreements, and any documents necessary to accept the grant for discretionary funding applied for and approved by the work2future Board, for multi-year periods so long as monies have been appropriated and there is an unexpended and unencumbered balance of such appropriation sufficient to pay the expenses of the agreement.

(e) All Eligible Training Provider List, Youth Career Technical Training, Youth Workshops, Adult Workshops, and Adult Cohort agreements, and multiple-scope agreements that combine two or more of the above agreements that have been reviewed and approved, as required, by the work2future Board, for the period from July 1, 2024, to June 30, 2025, subject to annual appropriation of funds by the Workforce Development Board.

(f) All agreements specified in sections (a) through (e) above with a term end date beyond the fiscal year in which the contract begins (an end date beyond June 30, 2025), so long as monies have been appropriated and there is an unexpended and unencumbered balance of such appropriation sufficient to pay the expenses of the agreement.

(g) All agreements specified in sections (a) through (e) above that do not involve a disbursement of funds (no-fund agreement) with an end term beyond the fiscal year in which the agreement begins (beyond June 30, 2025).

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

Action: **Resolution No. RES2024-211** was adopted, regarding the annual authorization for Workforce Innovation and Opportunity Act Program and projects for 2024-2025. (11-0-0)

## **2.11 Memorandum of Understanding Among Local Public Agencies in Santa Clara County for Countywide Food Recovery Program.**

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a Memorandum of Understanding between the City of San José and other local public agencies in Santa Clara County for ongoing management and operation of the Countywide Food Recovery Program, with the City's estimated contribution to be \$239,757 for Fiscal Year 2024-2025 and \$287,457 for Fiscal Year 2025-2026, subject to the appropriation of funds.

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

Action: **Resolution No. RES2024-212** was adopted, regarding the Memorandum of Understanding between the City of San José and other local public agencies in Santa Clara County for ongoing management and operation of the Countywide Food Recovery Program. (11-0-0)

## **2.12 Agreements with the County of Santa Clara for Assembly Bill 939 Implementation Fees and Participation in the Household Hazardous Waste Collection Program.**

Approve the following agreements with the County of Santa Clara:

- (a) Agreement for Household Hazardous Waste Collection Program for Fiscal Year 2024-2025 through 2026-2027, for \$400,000 each year, subject to the appropriation of funds; and
- (b) Agreement for Countywide Assembly Bill 939 Implementation Fee for Fiscal Year 2024-2025 through 2026-2027.

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

Action: Both the (a) agreement for Household Hazardous Waste Collection Program for Fiscal Year 2024-2025 through 2026-2027 and the (b) agreement for Countywide Assembly Bill 939 Implementation Fee for Fiscal Year 2024-2025 through 2026-2027 were approved. (11-0-0)

## **2.13 Approval to Increase the Library Parcel Tax Rates for Fiscal Year 2024-2025.**

Adopt a resolution increasing the Library Parcel Tax rates for fiscal year 2024-2025 by 2.37% over the fiscal year 2023-2024 rates and approving the placement of the Library Parcel Tax on the fiscal year 2024-2025 Santa Clara County Property Tax Roll.

CEQA: Statutorily Exempt, File No. PP17-005 CEQA Guidelines Section 15273, Adjustment to Fees, Rates and Fares without changes to or expansion of services. (Finance)

Action: **Resolution No. RES2024-213** was adopted, regarding the increasing of Library Parcel Tax rates for fiscal year 2024-2025. (11-0-0)

**2.14 Actions Related to the Purchase Order with J A Momaney Services, Inc. for Battery Backup Systems for Signalized Intersections.**

Adopt a resolution authorizing the City Manager or her designee to exercise up to three one-year options to extend the term of the purchase order with J A Momaney Services, Inc. (Livermore, CA) for battery backup systems for signalized intersections with the last option year ending on or about November 30, 2027, 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. RES2024-214** was adopted, regarding the actions related to the Purchase Order with J A Momaney Services, Inc. for battery backup systems for signalized intersections. (11-0-0)

**2.15 Actions Related to the Purchase Order with Signature Science, LLC for Forensic Laboratory Testing Services.**

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

- (a) Execute a purchase order with Signature Science, LLC (Austin, TX) for forensic laboratory testing services beginning on or about June 18, 2024 and ending on or about June 17, 2025, for a not-to-exceed amount of \$1,200,000;
- (b) Approve a contingency of \$250,000 for unanticipated testing needs and related services; and
- (c) Exercise up to six one-year options to extend the term of the purchase order, with the last option ending on or about June 17, 2031, 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. RES2024-215** was adopted, regarding the actions related to the purchase order with Signature Science, LLC for forensic laboratory testing services. (11-0-0)

**2.16 Actions Related to the Purchase Order with Foster Bros. Security Systems, Inc. for Locksmith Services at City Facilities.**

Adopt a resolution authorizing the City Manager or her designee to exercise up to three one-year options to extend the term of the purchase order with Foster Bros. Security Systems, Inc. (Sunnyvale, CA), for locksmith services at City facilities with the last option ending on or about October 12, 2027, 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. RES2024-216** was adopted, regarding the actions related to the purchase order with Foster Bros. Security Systems, Inc. for locksmith services at City facilities. (11-0-0)

**2.17 Actions Related to the Purchase Order with Next Level HVAC Energy Management Systems for Maintenance and Repair Services for Honeywell HVAC Building Management Systems.**

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 Next Level HVAC Energy Management Systems (Santa Fe Springs, CA), for maintenance and repair services for Honeywell HVAC Building Management Systems with the last option ending on or about August 14, 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)

Action: **Resolution No. RES2024-217** was adopted, regarding the actions related to the purchase order with Next Level HVAC Energy Management Systems for maintenance and repair services for Honeywell HVAC Building Management Systems. (11-0-0)

**2.18 Report on the Request for Proposal for a OneCity Workplace Solution.**

Accept the report on the Request for Proposal and adopt a resolution authorizing the City Manager or her designee to:

(a) Negotiate and execute an agreement with Simpplr Inc. (Redwood City, CA) for a OneCity Workplace Solution with an initial three-year term beginning on or about August 1, 2024 and ending on or about July 31, 2027, or as may be adjusted to align with the software renewal term, with a maximum compensation not to exceed \$979,300 for the initial term, 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 \$100,000 during the initial three-year term, subject to the appropriation of funds; and

(c) Exercise up to seven one-year options to extend the term of the agreement through June 30, 2034, 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: The report on the request for proposal for a OneCity Workplace Solution was accepted, and **Resolution No. RES2024-218** was adopted.



**2.19 Actions Related to the Purchase Order with Sunnyvale Ford, Inc. for As Required Ford Automotive Parts.**

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 Sunnyvale Ford, Inc. (Sunnyvale, CA) for as required Ford automotive parts, with the last option ending on or about May 25, 2026, subject to the appropriation of funds.

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

Action: **Resolution No. RES2024-219** was adopted, regarding the actions related to the purchase order with Sunnyvale Ford, Inc. for as required Ford automotive parts. (11-0-0)

**2.20 Actions Related to the 10430 – Small Trash Capture Device Installation Phase I.**

Adopt a resolution authorizing the Director of Public Works to:

(a) Award and execute a contract for the construction of the 10430 – Small Trash Capture Device Installation Phase I project to the lowest responsive, responsible bidder in an amount not to exceed \$3,500,000;

(b) Decide any timely bid protest(s) and make the City’s final determination as to the lowest responsive bidder that is responsible as needed to award the contract; and

(c) Approve a contingency in the amount of 10% of the contract amount.

CEQA: Categorically Exempt, File No. ER24-110, CEQA Guidelines Section 15301, Existing Facilities. (Public Works)

Action: **Resolution No. RES2024-220** was adopted, regarding the actions related to the 10430 – Small Trash Capture Device Installation Phase I. (11-0-0)

**2.21 Report on Bids and Award of Contract for the 10388 – Sanitary Sewer Condition Assessment Fiscal Year 2023-2024 Package V Project.**

(a) Report on bids and award of contract for the 10388 – Sanitary Sewer Condition Assessment FY 2023-2024 Package V Project to the low bidder, National Plant Services Inc., to include the base bid, in the amount of \$1,377,280; and

(b) Approve a 10% contingency in the amount of \$137,728.

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

Action: (a) The Report on bids and award of contract for the 10388 – Sanitary Sewer Condition Assessment FY 2023-2024 Package V Project to the low bidder, National Plant Services Inc. was accepted; and (b) the 10% contingency in the amount of \$137,728 was approved. (11-0-0)

**2.22 Award of Contract for a Master Consultant Agreement with HDR Engineering, Inc. for Civil and Environmental Engineering Services for the Sanitary Sewer System.**

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a master agreement with HDR Engineering, Inc. for civil and environmental engineering services for various sanitary sewer projects from the date of execution to June 4, 2029, in an amount not to exceed \$5,000,000.

CEQA: Not a Project, File No. PP17-033, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Public Works)

Action: **Resolution No. RES2024-221** was adopted, regarding the award of contract for a Master Consultant Agreement with HDR Engineering, Inc. for civil and environmental engineering services for the sanitary sewer system. (11-0-0)

**2.23 Report on Bids and Award of Contract for the 8152 – Blossom Hill Road and Leigh Avenue Sanitary Sewer Improvement Project.**

(a) Report on bids and take appropriate action based on evaluation of bids for the 8152 – Blossom Hill Road and Leigh Avenue Sanitary Sewer Improvement Project; and  
(b) Approve a 10% contingency if City Council awards a construction contract.

CEQA: Exempt, File No. ER24-073, Determination of Consistency to the Final Program Environmental Impact Report (EIR) for the Envision San José 2040 General Plan (Resolution No. 76041) and the Supplemental EIR to Envision San José General Plan EIR Resolution No. 77617, and Addendum thereto. (Public Works)

**DEFERRED TO 6/18/2024 PER ADMINISTRATION**

**2.24 Summary Vacation of a Portion of Hillsdale Avenue Located Approximately 630 Feet West, and 280 Feet East from the Charter Park Drive and Hillsdale Avenue Intersection.**

Adopt a resolution:

(a) Approving the report of the Director of Public Works setting forth the facts justifying the summary vacation of 33,901 square feet of right-of-way along Hillsdale Avenue, approximately 630 feet west, and 280 feet east from the Charter Park Drive and Hillsdale Avenue intersection;

(b) Summarily vacating the Subject Portion, which is excess right-of-way not required for street purposes; and

(c) Directing the City Clerk to record a certified copy of the Resolution of Vacation with the Office of the Clerk-Recorder, County of Santa Clara.

CEQA: Determination of Consistency with the Communications Hill 2 Final Environmental Impact Report (Resolution No. 77172), and Addenda thereto. Council District 7. (Public Works)

Action: **Resolution No. RES2024-222** was adopted, regarding the vacation of a portion of Hillsdale Avenue located approximately 630 feet West, and 280 feet East from the Charter Park Drive and Hillsdale Avenue intersection. (11-0-0)

**2.25 First Amendment to the Consultant Agreement with HNTB Corporation for the US 101/Mabury-Berryessa-Oakland Corridor Improvements Project.**

Adopt a resolution authorizing the City Manager or designee to negotiate and execute the First Amendment to the Consultant Agreement between the City and HNTB Corporation for engineering consultant services for the US 101/Mabury-Berryessa-Oakland Corridor Improvements Project, with an increase of the total not-to-exceed amount by \$1,500,000 from \$7,500,000 to \$9,000,000 and an extension of the agreement term to June 30, 2026. CEQA: Statutorily Exempt, File No. PP17-001, CEQA Guidelines Section 15262, Feasibility and Planning Studies. Council Districts 3 and 4. (Transportation)

Action: **Resolution No. RES2024-223** was adopted, regarding the First Amendment to the Consultant Agreement between the City and HNTB Corporation for engineering consultant services for the US 101/Mabury-Berryessa-Oakland Corridor Improvements Project. (11-0-0)

**2.26 Delegation of Authority to Award Pavement Construction Contracts.**

Adopt a resolution authorizing the Director of Transportation to:

(a) Award and execute a contract for the construction of the 10362 – 2024 LS Remove & Replace Project to the lowest responsive, responsible bidder in an amount not to exceed \$6,000,000;

(b) Award and execute a contract for the construction of the 10363 – 2024 LS Sealing Project to the lowest responsive, responsible bidder in an amount not to exceed \$6,000,000;

(c) As to each of the above construction contracts:

(1) Decide any timely bid protest(s), make the City's final determination as to the lowest responsive bidder that is responsible, or reject all bids and rebid the projects; and

(2) Approve a construction contingency of 10%.

CEQA: Categorically Exempt, File No. ER23-009, CEQA Guidelines Section 15301(c), Existing Facilities. (Transportation)

Action: **Resolution No. RES2024-224** was adopted, regarding the delegation of authority to award pavement construction contracts. (11-0-0)

**2.27 Approval of Día de San Juan Salsa Festival Sponsored by Council District 1 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.**

As recommended by the Rules and Open Government Committee on May 29, 2024:

(a) Approve the Día de San Juan Salsa Festival scheduled on June 21, 2024, 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. (Kamei)

[Rules Committee referral 5/29/2024 - Item B.2]

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

**2.28 Approval of Tower Lighting for Philippine Independence Day Sponsored by Council Districts 3 and 8 as a City Council Sponsored Special Event.**

As recommended by the Rules and Open Government Committee on June 5, 2024, approve the Philippine Independence Day Tower Lighting scheduled on June 12, 2024, as a City Council sponsored Special Event and approve the expenditure of funds.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Candelas and Torres)

[Rules Committee referral 6/5/2024 - Item B.4]

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

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

As recommended by the Rules and Open Government Committee on June 5, 2024:

(a) Retroactively approve the 47th Annual Berryessa Art Festival scheduled on May 11, 2024, as a City Council sponsored Special Event and approve the expenditure of funds;

(b) Approve the District 4 Alum Rock Park Grand Re-Opening scheduled on June 14, 2024, as a City Council sponsored Special Event and approve the expenditure of funds;

(c) 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)

Action: The City Council Sponsored Special Events were retroactively approved. (11-0-0)

**3. STRATEGIC SUPPORT**

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

None provided.

**3.2 Labor Negotiations Update.**

**HEARD AT 9:30 A.M.**

Public Comment: Krista Delatorre (IFPTE Local 21) provided public testimony regarding the item.

**3.3 Proposed Changes to the Spending Priorities and Percentage Allocation of Measure E Real Property Transfer Taxes.**  
**- HEARD CONCURRENTLY WITH ITEM 3.4**

(a) Adopt a resolution related to estimated 2024-2025 Measure E revenues:

(1) Approving by two-thirds (2/3rds) affirmative vote the following percentage allocations as included in Manager's Budget Addendum #28 to the 2024-2025 Proposed Operating Budget for the spending of Measure E revenues totaling \$50.0 million anticipated to be received in Fiscal Year 2024-2025:

(i) 5% for administration with the remaining revenue allocated as follows:

(ii) 12% for the creation of new affordable housing for extremely low-income households;

(iii) 11% for the creation of new affordable housing for low-income households;

(iv) 2% for the creation of new affordable housing for moderate-income households;

(v) 10% for homeless prevention, gender-based violence programs, legal services and rental assistance; and

(vi) 65% for homeless support programs including shelter construction and operations.

(2) In the alternative to (a)(1), approve by majority vote to maintain the current allocation under Council Policy 1-18, Section 22, of Measure E spending priorities for the 2024-2025 Proposed Budget for the spending of Measure E revenue totaling \$50.0 million anticipated to be received in Fiscal Year 2024-2025; and

(3) In the alternative to (a)(1) or (a)(2), approve by two-thirds (2/3rds) affirmative vote an alternative allocation for Measure E spending priorities for the 2024-2025 Proposed Budget for the spending of Measure E revenue totaling \$50.0 million anticipated to be received in Fiscal Year 2024-2025.

**PLEASE NOTE: APPROVAL OF CHANGING THE PERCENTAGE ALLOCATIONS REQUIRES AFFIRMATIVE VOTES OF EIGHT MEMBERS (2/3) OF THE CITY COUNCIL.** (Council Policy 1-18, Section 22(c)(2)).

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

[Rules Committee referral 6/5/2024 - Item A.1.a]

Mayor Matt Mahan announced that the presentations and public comment for Items 3.3 and 3.4 would be heard concurrently together, but the votes would be taken separately. (Item 3.3 and 3.4 were subsequently *voted on together*)

Mayor Matt Mahan stated that due to the high volume of public speaker cards submitted, public comment was limited to one-minute for the remainder of the Council Meeting. Speakers that requested interpretation services were allotted two-minutes to allow time for translation.

Joe Rois, City Auditor, Auditing Department; Lee Wilcox, Assistant City Manager, City Manager's Office; Jim Shannon, Budget Director, City Manager's Budget Office; Jennifer Maguire, City Manager, City Manager's Office; and Nora Frimann, City Attorney, City Attorney's Office responded to questions from Council regarding *both Items 3.3 and 3.4*.

Public Comment: The following speakers provided public testimony regarding *both Items 3.3 and 3.4*: Simran Karkhamis (Silicon Valley Youth Climate Action), Nan, Dashiell Leeds, Mila Bekele, Gabriela Chavez-Lopez (Latina Coalition/ REAL), Juanita Campa, Daphne Zhu (Silicon Valley Youth Climate Action), Lucila Ortiz (Working Partnerships), Vaishali Ravikumar (Silicon Valley Youth Climate Action), Yubin Kim (Silicon Valley

Youth Climate Action), Lena (Santa Clara Valley Open Space Authority), Sandy Perry (SBCLT), Chris Johnson, Sam Ho, Aitaf Chaus (Burger King), Nora Carino (Silicon Valley Youth Climate Action), Brian Hom (Fast Food Franchise), Michael William (Little Caesar's), Shani Kleinhaus, Ted Z. (Small Business Owner), Steve Cohen, Olivia Garcia (*Assisted by Spanish Translator*), Elizabeth Rodriguez (*Assisted by Spanish Translator*), Maricela Amuezca (*Assisted by Spanish Translator*), Luna Mondragon (*Assisted by Spanish Translator*), Marcelo T. (*Assisted by Spanish Translator*), Irma Hernandez (*Assisted by Spanish Translator*), Gloria Gonzalez (*Assisted by Spanish Translator*), Ramona Martinez (*Assisted by Spanish Translator*), Pamela Mejia (*Assisted by Spanish Translator*), José L. Abastida, Maria Maldonado (*Assisted by Spanish Translator*), Maria Cortes (Walnut MHP) (*Assisted by Spanish Translator*), Phillip Black, Ryan Gilbert (Local 230), Jerry May (President Local 230), Sean Paul Guess, Sofia Lopez (*Assisted by Spanish Translator*), Cynthia Martinez (*Assisted by Spanish Translator*), Rene Diaz (*Assisted by Spanish Translator*), Marina Arteaga, Imelda Arroyo (*Assisted by Spanish Translator*), Ramses Leon Nichols, Kajai G. (Jack in the Box), Brenda Bell Brown (LEAC), Leslie Zeiger (Showing Up For Racial Justice), Derrick (SEIU 521/ RECS), Sarah Fields (Life Moves), Kim Guptill, Sandra Asher (REAL Coalition/ SURJ/ Showing Up for Racial Justice), and Kathryn Hedges (RECS/SURJ), and two speakers who did not state their names on the record.

Mayor Mahan requested clarification of Councilmember Doan's proposed motion.

Motion: Councilmember Bien Doan moved approval of the proposed changes to the spending priorities and percentage allocation of Measure E Real Property Transfer Taxes. Councilmember Arjun Batra seconded the motion.

Jim Shannon, Budget Director clarified that Councilmember Dev Davis's Substitute Motion would be moving Staff recommendation (a)(3) of Item 3.3, which would align to the Mayor's June Budget Message allocation.

Action: On a call to question, the Substitute Motion passed unanimously, (a) **Resolution No. RES2024-225** was adopted, including recommendation (a)(3) to approve by two-thirds (2/3rds) affirmative vote an alternative allocation for Measure E spending priorities for the 2024-2025 Proposed Budget for the spending of Measure E revenue totaling \$50.0 million anticipated to be received in Fiscal Year 2024-2025. (11-0-0)

**3.4 Mayor's June Budget Message for Fiscal Year 2024-2025.  
– HEARD CONCURRENTLY WITH ITEM 3.3**

(a) Review, discuss and approve the Mayor's June Budget Message for Fiscal Year 2024-2025. (b) Adopt a resolution authorizing the City Manager to negotiate and execute agreements addressed in the Mayor's Budget Message which are for amounts that exceed the City Manager's contract authority, subject to applicable procurement and provided that any required environmental review has been completed. CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Mayor)

Public Comment: *Referenced on Item 3.3*

Motion: Councilmember Bien Doan moved approval of the Mayor's June Budget Message for Fiscal Year 2024-2025, including the following 3 Memorandums:

- The joint memorandum co-authored by Mayor Mahan, Councilmember Cohen, Councilmember Davis, Councilmember Torres, and Councilmember Foley, dated June 7, 2024.
- The joint memorandum co-authored by Councilmember Doan and Councilmember Batra, dated June 7, 2024.
- The joint memorandum co-authored by Vice Mayor Kamei, Councilmember Ortiz, Councilmember Candelas, and Councilmember Jimenez, dated June 7, 2024.
- *Including all amendments.*

Councilmember Arjun Batra seconded the motion.

Councilmember Dev Davis requested clarification regarding the joint memorandum co-authored by Councilmember Doan and Councilmember Batra, dated June 7, 2024.

Councilmember Dev Davis requested to know if the following items in the analysis are still under discussion: curbs, gutters, and sidewalks. She also stated that her motion would be pertaining to the recommendation and not the additional items.

Councilmember Dev Davis asked a question regarding Item 1(b) of the joint memorandum co-authored by Vice Mayor Kamei, Councilmember Ortiz, Councilmember Candelas, and Councilmember Jimenez memo, dated June 7, 2024.

Substitute Motion: Councilmember Dev Davis made the substitute motion requesting the following:

- Approval of recommendation (a)(3) for Item 3.3 that aligns with the Measure E spending allocations in the Mayor’s June Budget Message for Fiscal Year 2024-2025.
- Approval of the Mayor’s June Budget Message for Fiscal Year 2024-2025 for Item 3.4
- Approval of the joint memorandum co-authored by Mayor Mahan, Councilmember Cohen, Councilmember Davis, Councilmember Torres, and Councilmember Foley, , dated June 7, 2024.
- Approval of *only the following items* of the joint memorandum co-authored by Councilmember Doan and Councilmember Batra, dated June 7, 2024:
  - Approval of Item 3, with clarification on 3(a) regarding the coordination of work streams as the report.
  - Approval of Item 5 as is.
  - Approval of Item 6 as is.
- Approval of *only the following items* of the *amended* joint memorandum co-authored by Vice Mayor Kamei, Councilmember Ortiz, Councilmember Candelas, and Councilmember Jimenez, dated June 7, 2024:
  - Approval of Item 1(a), with clarification regarding the additional general fund or Measure E.
  - Adding the words “*Affordable Housing Fund*” to Item 1, “1. As part of the City’s regular monitoring of budgetary performance in the 2024-2025 Mid- Year Budget Review...if additional General Fund, Measure E, or *Affordable Housing Fund* revenues become available in excess of the amount needed to meet ongoing ending fund balance targets and in consideration of the Preliminary General Fund Forecast for 2025-2026.
  - Approval of Item 2 as is.
- Approval of the memorandum from Councilmember Batra, dated June 11, 2024 as is.
- Approval of *only the following items of the amended* memorandum from Councilmember Ortiz, dated June 11, 2024:
  - Approval of Item 1(a) as is
  - Approval of Item1(b), *as amended to strike the number 780 and change it to 230.*
  - Allocate \$450,000 of one-time funding in the General Fund to fund an expansion of TRUST and direct City Staff to coordinate with the county to ensure that the TRUST Team is dedicated to the City of San José, to either add additional hours or to expand peak hours as needed, so that the TRUST Team is available just for the City of San José that the City is funding.
  - City Staff coordination to request that the County provide an annual report with the number of TRUST calls, average wait times for callers, response times in the field, and response outcomes.
  - Caveat that if the funds are not expended because a new team was not able to be hired by December 31st of 2024, that the funds get reallocated back to their original intended uses.



- Clarification on Manager's Budget Addendum (MBA) #20, regarding if the recommendation will return to the Council with identified funds, as well as terms of agreement.

*Councilmember Pam Foley seconded the substitute motion.*

Friendly Amendment: Vice Mayor Rosemary Kamei requested to include Item 1(b) of the joint memorandum she co-authored with Councilmember Ortiz, Councilmember Candelas, and Councilmember Jimenez, dated June 7, 2024. Including Staff direction to look into whether or not opioid funds can be used in the future. The friendly amendment and Staff direction was accepted by the maker of the substitute motion and seconder.

Friendly Amendment: Councilmember Sergio Jimenez requested to strike MBA #7, related to cannabis and some of the associated fees; and replacing it the joint memorandum he co-authored with Councilmember Torres, Councilmember Cohen, Councilmember Ortiz, and Councilmember Foley, dated June 7, 2024, *that was originally issued for Item 3.5 joint memorandum*. The friendly amendment was accepted by the maker of the substitute motion and seconder.

Friendly Amendment: Councilmember Arjun Batra requested to include Items 2(c) and Item 4 of the joint memorandum he co-authored with Councilmember Doan, dated June 7, 2024. As an alternative, Councilmember Davis amended Item 2(c) to direct City staff to make the State's audit available on the Housing Department's website to improve transparency. The amendment to Item 2(c) was accepted by the maker of the substitute motion and seconder. Item 4 was not accepted by the maker of the substitute motion and seconder.

Friendly Amendment: Councilmember Bien Doan further requested to include Item 4 of the joint memorandum he co-authored with Councilmember Batra, dated June 7, 2024. Councilmember Dev Davis further explained why she would not be including Item 4 in the substitute motion. Item 4 was not accepted by the maker of the substitute motion and seconder.

Friendly Amendment: Councilmember Domingo Candelas requested to include Staff direction to explore the feasibility of restoring a service similar to Med30 as part of a future opportunity to bid on county-wide ambulance services and report back to the Public Safety, Finance and Strategic Support (PSFSS) Committee, as part of the annual report on emergency medical services. The friendly amendment was accepted by the maker of the Substitute Motion and seconder.

Fire Chief, SJFD, Robert Sapien Jr. gave insight to the role and oversight of Med 30.

Friendly Amendment: Councilmember Peter Ortiz requested to include the Eastside Education Initiative as part of the substitute motion. The friendly amendment was not by the maker of the Substitute Motion.

Mayor Matt Mahan specified that the Eastside Education Initiative was submitted quite late and that it should've been a part of a budget document.

Action: On a call to question, the Substitute Motion carried unanimously, Staff recommendation (a)(3) for Item 3.3 that aligns with the Measure E spending allocations in the Mayor's June Budget Message for Fiscal Year 2024-2025 was approved, (a) the Mayor's June Budget Message for Fiscal was reviewed, discussed, and approved as noted below, and (b) **Resolution No. RES2024-226** was adopted.

Including acceptance of the joint memorandum co-authored by Mayor Mahan, Councilmember Cohen, Councilmember Davis, Councilmember Torres, and Councilmember Foley, dated June 7, 2024 recommending the following:

- 1.) Approve the Mayor's June Budget Message for Fiscal Year 2024-2025 with the following amendments in the General Fund:
  - a.) Do not accept the proposal to close the Community Center Fitness Centers as included within the Parks, Recreation, and Neighborhood Services Department section in the 2024-2025 Proposed Operating Budget, thereby increasing the ongoing budget by \$397,060 and increasing ongoing Fees, Rates and Charges revenue by \$115,000 for a net increase to the General Fund of \$282,060;
  - b.) Decrease the Finance Department's personal services budget on a one-time basis by \$218,974 by defunding for one year the Enterprise Resource Planning (ERP) System Staffing position as identified in Manager's Budget Addendum #4, Alternative General Fund Reductions to the 2024-2025 Proposed Operating Budget;
  - c.) Decrease the Neighborhood Economic Grants proposal as included within the City Manager – Office of Economic Development and Cultural Affairs Department section in the 2024-2025 Proposed Operating Budget by \$63,086 and restore this funding in 2025-2026;
  - d.) Decrease the funding allocated to the Unanticipated/Emergency Repairs budget in 2025-2026 as included in the Mayor's June Budget Message for Fiscal Year 2024-2025 by \$345,146;
  - e.) Increase by \$100,000 on a one-time basis the non-personal/equipment budget for Climate Smart San José in the Environmental Services Department by \$100,000; and
  - f.) Decrease by \$100,000 the amount recommended to be rebudgeted for the Climate and Seismic Resilience Planning City-Wide Expenses allocation in Manager's Budget Addendum #29, Recommended Amendments to the 2024-2025 Proposed Operating and Capital Budgets.

Including acceptance of *only the following items* of the joint memorandum co-authored by Councilmember Doan and Councilmember Batra, dated June 7, 2024 recommending the following:

- Approval of Item 2(c) as *amended* to direct staff to post the State audit on the Housing Department's website.  
(*Friendly Amendment*)
  - Approval of Item 3, *with clarification* on 3(a) regarding the coordination of work streams as the report.
  - Approval of Item 5 as is.
  - Approval of Item 6 as is.
  - Staff direction to explore the feasibility of restoring a service similar to Med30 as part of a future opportunity to bid on county-wide ambulance services and report back to the Public Safety, Finance and Strategic Support (PSFSS) Committee, as part of the annual report on emergency medical services.  
(*Friendly Amendment*)
- 1.) ~~Accept the Mayor's June 2024 Budget Message~~
  - 2.) Direct the City Manager to create an informational memo and report back to council by October 22, 2024, with the following information:
    - a.) ~~Define the legal responsibilities and obligations related to homelessness, including but not limited to housing, shelter, social services, addiction, mental health, response to quality of life issues, and more, specific to each of the following jurisdictions:~~
      - i.) ~~City of San José~~

- ~~ii.) County of Santa Clara~~
- ~~iii.) State of California~~
- ~~iv.) Federal Government~~
- b.) Define and list all additional responsibilities the city of San José has taken upon itself— outside of those legally required in item 2.a.i for the past five years.—
  - ~~i.) Identify all city initiatives and programs with their associated costs and/or expenditures~~
  - ~~ii.) Explore the feasibility of recouping that money from the agencies legally— responsible for— providing those services/programs in 2.b.i e. In response to the recent state audit on homelessness initiated by State Senator Dave Cortese, report back to City Council on the status of all State audit recommendations, including but not limited to tracking spending, performance, and reviews of its service providers i. Account for all funds, list all programs, and define all recipients related to the \$302 Million of taxpayer funding spent on homelessness~~
- c.) Post the State audit on the Housing Department’s website. (*Friendly Amendment*)  
~~In response to the recent state audit on homelessness initiated by State Senator Dave Cortese, report back to City Council on the status of all State audit recommendations, including but not limited to tracking spending, performance, and reviews of its service providers i. Account for all funds, list all programs, and define all recipients related to the \$302 Million of taxpayer funding spent on homelessness.~~
- 3.) Direct the City Auditor to prioritize and conduct an audit of San José's homelessness response infrastructure, departmental setup, and ability to respond to related quality of life issues, returning to City with a report of findings which include, but are not limited to, the following parameters:
  - a.) Explore San José's internal departmental structure related to homelessness response including but not limited to cleanups, abatements, lived-in vehicles, bio- waste, jurisdictional issues pertaining to land ownership, access to County/State services, etc. (*with clarification on 3(a) regarding the coordination of work streams as the report*)
    - i.) Assess coordination of activities across City departments, the County, and the City's service providers
    - ii.) Benchmark how other jurisdictions and municipalities are addressing homelessness outside of the housing first/permanent supportive housing models
  - b.) Provide feasibility and potential benefits/consequences of consolidating services/activities related to homelessness into its own separate department (excluding police, fire, medical, and code enforcement).
  - c.) Provide historical performance and other data around homelessness in San José and the City's response efforts (up to 10 years if data is available), include data from the Point-in-Time counts, formerly unhoused residents housed, the number and percentage of persons who become self-supportive and/or no longer receive subsidies after entering permanent supportive housing, and other performance measures as appropriate.
- 4.) ~~Direct the City Manager to authorize the funding of Med30 for FY 2024/25 on a one-time funding basis as follows:—~~
  - ~~a.) Increase General Fund funding to the Fire Department by \$1,352,629 and add 3.0 Fire Captain positions limit dated through June 30, 2025 (BDCE #20)~~
  - ~~b.) Reduce the following General Fund one-time reductions totaling \$1,352,629:—~~
    - ~~i.) Decrease the Public Works Department’s non-personal/equipment budget by \$600,000 by reducing the Janitorial Services contract as identified in Manager’s Budget Addendum #4;—~~
    - ~~ii.) Delete 1.0 Analyst II (Employee Services Analyst) position and decrease the Fire Department’s personal services budget by \$156,000;—~~

- ~~iii.) Delete 1.0 Senior Analyst position (Racial Equity) and decrease the Transportation Department's personal services budget by \$186,665 as identified in MBA #4;~~
- ~~iv.) Delete 1.0 Senior Analyst position (Racial Equity) and decrease the Parks, Recreation and Neighborhood Services Departments' personal services budget by \$178,489 as identified in MBA #4;~~
- ~~v.) Delete 1.0 Senior Analyst (HR Manager) position and decrease the Fire Department's personal services budget by \$212,958 ; and~~
- ~~vi.) Decrease the City Manager's non personal/equipment budget by \$18,517.~~
- ~~e.) Maintain direction, staffing, and funding for the new Ambulance Transport and User Fee Program~~
- 5.) Acknowledge the need and urgency for low barrier solutions to unsheltered homelessness, such as the SJ LUV program from MBA #17
- 6.) As discussed in MBA #31, prioritize the identification of funding strategies to support the San José Police Air Support Unit as part of the 2025-2026 Proposed Budget development process

Including acceptance of *only the following items* of the *amended* joint memorandum co-authored by Vice Mayor Kamei, Councilmember Ortiz, Councilmember Candelas, and Councilmember Jimenez, dated June 7, 2024 recommending the following:

- Approval of Item 1(a), with clarification regarding the additional general fund or Measure E.
  - Adding the words "*Affordable Housing Fund*" to Item 1.
  - Approval of Item 1(b). (*Friendly Amendment*)
  - Approval of Item 2 as is.
  - Staff direction to look into whether or not opioid funds can be used in the future. (*Friendly Amendment*)
  - Approve the Mayor's June Budget Message, the FY 2024-25 Proposed Capital & Operating Budgets, and the 2024-25 Proposed Fees & Charges Report, *with the following amendments*:
- 1.) As part of the City's regular monitoring of budgetary performance in the 2024-2025 Mid- Year Budget Review, direct the City Manager to assess the potential to restore a portion of the funding for affordable housing to support NOFA-waitlisted projects if additional General Fund or Measure E *Affordable Housing Fund* revenues become available in excess of the amount needed to meet ongoing ending fund balance targets and in consideration of the Preliminary General Fund Forecast for 2025-2026.
    - a.) Concurrent with the Mid-Year Review, direct the City Manager to prepare an informational memorandum to outline expenditures related to Measure E to date, and projected expenditures through FY24-25 and FY25-26.
    - b.) Following this fiscal year's allocation outlined in the current budget, reset the Measure E allocations expenditure plan to the base budget allocation reaffirmed by council in FY 2023-2024. The Measure E expenditure plan will continue to require a  $\frac{2}{3}$  supermajority to be changed.
  - 2.) Direct the City Manager to explore additional revenue mechanisms to support the city's ongoing operational needs related to upholding compliance with the Clean Water Act; including but not limited to a Ballot Measure for November 2024.
  - 3.) ~~Direct the City Manager to:~~
    - ~~a.) Defer for a year the following general fund expenditures as outlined in MBA #4: Enterprise Resource Planning (ERP) System Staffing by \$218,974.~~
    - ~~b.) Decrease the non personal equipment budget to the Parks, Recreation and Neighborhood Services Department for Beautify San José on a one-time basis by \$781,026 from the BeautifySJ \$7.5 million expansion.~~
    - ~~e.) With the combined total of \$1,000,000 of available funds from 3a and 3b:~~
      - ~~i.) Fund MBA #2 Trusted Response Urgent Support Team (TRUST) option #2 for 2 years totaling \$900,000.~~
        - 1.) ~~Staff to return with an update on the program after 1 year.~~
        - 2.) ~~Should the funds not be expended, any leftover funds will be reallocated back to the BeautifySJ team.~~
      - ~~ii.) Provide a grant to the East Side Education Initiative in the amount of \$100,000~~

Including acceptance of the memorandum from Councilmember Batra, dated June 11, 2024 recommending the following:

- 1.) Remove the reference to BD #62 from the June Budget Message.
- 2.) Direct the City Manager to disregard the paragraph on Page 17 of the June Budget Message that refers to BD #62

Including acceptance of the *only the following items of the amended* memorandum from Councilmember Ortiz, dated June 11, 2024:

- Approval of Item 1(a) as is.
- Approval of Item 1(b), *as amended to strike the number 780 and change it to 230.*
- Allocate \$450,000 of one-time funding in the General Fund to fund an expansion of TRUST and direct City Staff to coordinate with the county to ensure that the TRUST Team is dedicated to the City of San José, to either add additional hours or to expand peak hours as needed, so that the TRUST Team is available just for the City of San José that the City is funding.
- City Staff coordination to request that the County provide an annual report with the number of TRUST calls, average wait times for callers, response times in the field, and response outcomes.
- Caveat that if the funds are not expended because a new team was not able to be hired by December 31st of 2024, that the funds get reallocated back to their original intended uses.
- Clarification on Manager's Budget Addendum (MBA) #20, regarding if the recommendation will return to the Council with identified funds, as well as terms of agreement.

*Councilmember Pam Foley seconded the substitute motion.*

- 1.) Amend the following recommendations outlined in the June 7th Memorandum from myself, Vice Mayor Kamei, and Councilmembers Jimenez and Candelas as follows:
  - a.) Amend Recommendation 3(a) to read instead, "Decrease by \$220,000 the amount of one-time funding recommended to be re-budgeted for the City Hall Security Upgrades Capital Project Expenses in Manager's Budget Addendum #29, Recommended Amendments to the 2024-2025 Proposed Operating and Capital Budgets" and
  - b.) Amend Recommendation 3(b) to read instead, "Decrease the non-personal equipment budget to the Parks, Recreation and Neighborhood Services Department for Beautify San José on a one-time basis by ~~\$780,000~~ \$230,000 from the \$1,400,000 of increased funding for the 'New Encampment Trash Management Team' within the \$7,500,000 continuation and expansion of BeautifySJ."

Also including the (*Friendly Amendment*) to Strike MBA #7 and replacing it with the acceptance of the joint memorandum co-authored by Councilmembers Jimenez, Councilmember Torres, Councilmember Cohen, Councilmember Ortiz, and Councilmember Foley *that was originally issued for Item 3.5 joint Memorandum*, recommending the following:

- 1.) Revise the Police Department's Cannabis Annual Fee in 2024-2025 to \$48,000 per year, per location.
- 2.) Staff shall make appropriate reductions to General Fund revenue estimates for Fees and Charges.
- 3.) Staff shall implement appropriate changes to the Police Department staffing given the new fee structure.
- 4.) Have the Department of Cannabis Regulation (DCR) bring forward the following changes back to Council in Fall 2024:
  - a.) Revisions to Chapter 6.88 to remove all regulations which are addressed by the State of California, without changing:
    - i.) The City Manager's authority to issue registrations and regulations;
    - ii.) The limitation on sales to persons under the age of 21;
    - iii.) The number of cannabis businesses permitted in the city of San José.
  - b.) Revisions to Chapter 6.88 to allow transfers of Notice of Completed Registration.
  - c.) Revisions to Chapter 6.88 to remove requirement for fire alarms in retail only

businesses.

- 5.) Have the Department of Cannabis Regulations (DCR) bring the following items to a future PSFSS Committee:
  - a.) Banning the sale of chemically synthesized hemp in the city of San José.  
(11-0-0)

### 3.5 **Approval of the 2024-2025 Operating and Capital Budgets for the City of San José and Schedule of Fees and Charges.**

(a) Adopt resolutions approving the Operating Budget for 2024-2025 for the City of San José, the Capital Budget for 2024-2025 for the City of San José, and the Five-Year Capital Improvement Program for 2025-2029 for the City of San José as revised by the Mayor's Budget Message and directing the City Manager to prepare final documents for adoption.

(b) Adopt a resolution establishing the Schedule of Fees and Charges for 2024-2025.

(c) Approve an uncodified ordinance establishing the Schedule of Fees and Charges for 2024-2025 specified in the resolution.

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

Public Comment: None provided.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Dev Davis, and carried unanimously, (a)(1) **Resolution No. RES2024-227**, (a)(2) **Resolution No. RES2024-228**, (a)(3) **Resolution No. RES2024-229** were adopted, regarding the approval of the 2024-2025 Operating and Capital Budgets for the City of San José; (b) **Resolution No. RES2024-230** was adopted, regarding the establishing of the Schedule of Fees and Charges for 2024-2025; and (c) Uncodified **Ordinance No. 31094** was *passed for publication*. (11-0-0)

### 3.6 **Approval of the Terms of an Agreement with the International Union of Operating Engineers, Local Union No. 3 (OE#3) for the Term of July 1, 2024 through June 30, 2027.**

Adopt a resolution approving the terms of a collective bargaining agreement between the City of San José and the International Union of Operating Engineers, Local Union No. 3 (OE#3) for the term of July 1, 2024, through June 30, 2027, and authorizing the City Manager or her designee to execute the agreement with those terms.

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

[Deferred from 5/21/2024 – Item 3.6 (24-90594)]

Jennifer Maguire, City Manager offered comments regarding Items 3.6 and Item 3.7.

Public Comment: None provided.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Omar Torres, and carried unanimously, **Resolution No. RES2024-231** was adopted, regarding the approval of the terms of a collective bargaining agreement between the City of San José and the International Union of Operating Engineers, Local Union No. 3 (OE#3) for the term of July 1, 2024, through June 30, 2027. (11-0-0)

### 3.7 **Approval of the Terms of an Agreement with the International Association of Fire Fighters, Local 230 (IAFF) for the Term of July 1, 2024 through June 30, 2027.**

Adopt a resolution approving the terms of a collective bargaining agreement between the City of San José and the International Association of Fire Fighters, Local 230 (IAFF) for the term of July 1, 2024, through June 30, 2027, and authorizing the City Manager or her designee to execute the agreement with those terms.

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

Jennifer Maguire, City Manager offered comments regarding Items 3.6 and Item 3.7.

Public Comment: None provided.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Domingo Candelas, and carried unanimously, **Resolution No. RES2024-232** was adopted, regarding the approval of the terms of a collective bargaining agreement between the City of San José and the International Association of Fire Fighters, Local 230 (IAFF) for the term of July 1, 2024, through June 30, 2027. (11-0-0)

*Council took a recess after this Item until 6:04 p.m*

## 4. **PUBLIC SAFETY**

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

### 5.1 **Actions Related to the 8820 - Milligan Parking Lot Project.**

(a) Adopt a resolution certifying the Milligan Parking Lot Project Supplemental Environmental Impact Report and making certain findings concerning significant impacts, mitigation measures and alternatives, and adopting a statement of overriding considerations and a related Mitigation Monitoring and Reporting Program, in accordance with the California Environmental Quality Act. (b) Adopt a resolution approving an exception to Condition 11 of the Santa Clara Valley Habitat Conservation Plan to allow a reduced riparian setback from 100 feet to 35 feet along the Guadalupe River riparian edge for the 8820-Milligan Parking Lot Project on a 2.5-acre site located on five parcels at the northeast corner of North Autumn Street and West St John Street in Downtown San José (APNs; 259-59-032, -033, -072 and -102). (c) Report on bids and award of contract for the construction of 8820 – Milligan Parking Lot Project to the lowest responsive, responsible bidder, Joseph J. Albanese, Inc., for the base bid and Bid Alternate in the amount of \$4,077,638. (d) Approve a 15% contingency in the amount of \$611,646. CEQA: Supplemental Environmental Impact Report to the Coleman Avenue/Autumn Street Environmental Impact Report and the Downtown Strategy 2040 Environmental Impact Report, as addended. Council District 6. (Public Works/Transportation)

Matt Loesch, Director, Public Works Department; and John Ristow, Director, Department of Transportation offered the presentation and responded to questions.



Public Comment: Ben Leech, Cheri Lewis (Little Italy/ Axis Condominium), Jon Gustafson (Sharks Sports), Shani K. (SCVAS), and Mike Sodergren (PACKSJ) provided public testimony regarding the item.

Councilmember Dev Davis requested information regarding the specific measures being taken regarding lighting.

Action: Upon motion by Councilmember Dev Davis, seconded by Councilmember Sergio Jimenez, and carried unanimously, (a) **Resolution No. RES2024-233** and (b) **Resolution No. RES2024-234** were adopted, regarding the actions related to the 8820- Milligan Parking Lot Project; (c) the report on bids and award of contract for the construction of 8820 – Milligan Parking Lot Project to the lowest responsive, responsible bidder, Joseph J. Albanese, Inc., for the base bid and Bid Alternate in the amount of \$4,077,638 was accepted; and (d) the 15% contingency in the amount of \$611,646 was approved, including the following directions to Staff: *to position lighting poles, to reduce, or if possible, prevent direct illumination of the river, and also to use a phosphor converted PC Amber LED lighting near the river to reduce blue light emissions.* (11-0-0)

## 6. ENVIRONMENTAL & UTILITY SERVICES

### 6.1 **Clarity on Issues Related to the Stormwater Permit.**

As recommended by the Rules and Open Government Committee on May 22, 2024, discuss stormwater permit review and approval process, including budget impacts with San Francisco Bay Regional Water Quality Control Board. CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative activities resulting in no changes to the physical environment. (Kamei, Jimenez, Ortiz, and Candelas) [Rules Committee referral 5/22/2024 - Item C.2]

**DROPPED-** Item moved to 6/10/2024 per Rules and Open Government Committee.

7. **NEIGHBORHOOD SERVICES**

8. **COMMUNITY & ECONOMIC DEVELOPMENT**

8.1 **Downtown Residential High-Rise Incentive Program Extension.**

(a) Adopt a resolution authorizing an extension of the Downtown Residential High-Rise Program applicable to projects located in the Downtown Planned Growth Area as described in the Envision San José 2040 General Plan, that are ten or more floors or stories in height (not including any nonresidential uses) where the highest occupied floor has a floor level elevation that is at least 150 feet above street level, and reducing the in lieu fees due for those projects under the Inclusionary Housing Ordinance to the amount of \$0 for up to 4,078 units that obtain a building permit by December 31, 2026 and pass first inspection within 12 months of obtaining a building permit.

(b) Approve an ordinance waiving the Building and Structure Construction Tax and the Commercial-Residential-Mobile home Park Building Tax for up to 1,000 units in qualified residential high-rise projects located within the Downtown Planned Growth Area that obtain a building permit by December 31, 2025 and pass first inspection within 12 months of obtain a building permit and providing a 50% reduction of the Building and Structure Construction Tax and the Commercial-Residential-Mobile home Park Building Tax for up to 3,078 units in qualified residential high-rise projects that obtain a building permit between January 1, 2026 and December 31, 2026 and pass first inspection within 12 months of obtaining a building permit.

(c) Adopt a resolution providing a 50% reduction in the Parkland In-Lieu Fee for up to 1,000 units in qualified residential high-rise projects located within the Downtown Planned Growth Area that obtain building permits by December 31, 2025 and pass first inspection within 12 months of obtaining a building permit and providing a 30% reduction in the Parkland In-Lieu Fee for up to 3,078 units in qualified residential high-rise projects that obtain building permits between January 1, 2026 and December 31, 2026.

(d) Direct staff to analyze options and study potential impacts of a temporary multifamily residential fee reduction program to support housing production outside of Downtown and return to City Council by December 2024 with the analysis and recommendations for Council consideration, including public financing mechanisms for public infrastructure. 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/ Parks, Recreation, and Neighborhood Services/Planning, Building, and Code Enforcement/Housing/Transportation)

**DEFERRED TO 6/18/2024 PER RULES AND OPEN GOVERNMENT  
COMMITTEE**

9. **REDEVELOPMENT – SUCCESSOR AGENCY**

**CONVENE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY  
OF SAN JOSE**

**9.1 Successor Agency to the San José Redevelopment Agency Approval of the July 1, 2024 – June 30, 2025 Administrative Budget and Annual Recognized Obligation Payment Schedule 2024-25.  
– HEARD IMMEDIATELY AFTER CONSENT**

Successor Agency Board to the San José Redevelopment Agency adopt resolutions approving the:

(a) Administrative Budget for July 1, 2024 through June 30, 2025; and

(b) Recognized Obligation Payment Schedule 2024-25 and authorizing payment for items on Recognized Obligation Payment Schedule 2024-25, which details the obligations of the Successor Agency Board to the San José Redevelopment Agency for the period of July 1, 2024 through June 30, 2025.

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. (Finance)

Public Comment: None provided.

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember Pam Foley, and carried unanimously, (a) **Resolution No. RES2024-235** and (b) **Resolution No. RES2024-236** were adopted, regarding the Successor Agency to the San José Redevelopment Agency approval of the July 1, 2024 – June 30, 2025 Administrative Budget and Annual Recognized Obligation Payment Schedule 2024-25. (11-0-0)

**ADJOURN SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF  
THE CITY OF SAN JOSE**

**10. LAND USE**

Councilmember Sergio Jimenez requested to pull Item 10.1(a) for further discussion.

Public Comment: None provided.

The items on the Land Use Consent Calendar were voted on separately. The below actions were taken as indicated.

**10.1 Land Use on Consent Calendar**

**10.1(a) PP23-007 – An Ordinance Amending Various Sections of Title 20 of the San José Municipal Code (Zoning Ordinance or Zoning Code).**

Approve an ordinance of the City of San José amending various sections of Title 20 of the San José Municipal Code (Zoning Ordinance or Zoning Code) to: (1) Amend Chapter 20.30 to incorporate changes related to Single-Family residential development standards; (2) Amend Chapter 20.70 to allow indoor sales of Zero Emission Vehicles; (3) Amend Chapter 20.80 to add a new Part 2.76 to allow the sale and conveyance of Accessory Dwelling Unit condominiums; (4) Amend Chapter 20.90 to reincorporate text related to bicycle parking and other requirements which had been inadvertently omitted in the previous parking code update; (5) Amend Chapter 20.195 to include recent references to Government Code Sections for Housing; and (6) Amend Chapter 20.200 to change existing definition of Permanent Supportive Housing and other references to align with State law; and to make other technical, non-substantive, or formatting changes within those sections of Title 20 of the San José Municipal Code.

CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041), Supplemental Environmental Impact Report (Resolution No. 77617), and Addenda thereto. Planning Commission recommends approval (10-1; Garcia opposed) (Item 5.a. on the 5/22/2024 Planning Commission agenda). (Planning, Building and Code Enforcement)

Public Comment: Seth King provided public testimony regarding the item.

Chris Burton, Director, Planning, Building & Code Enforcement Department; Martina Davis, Division Manager, Planning, Building & Code Enforcement Department; James Dobson, Deputy Fire Chief/ Fire Marshall, SJFD; and Robert Sapien Jr., Fire Chief, SJFD responded to questions from Council.

Councilmember Sergio Jimenez expressed his concerns with the additional requirement for fire sprinklers for the sale of ADU units.

Councilmember Sergio Jimenez requested that the Supplemental Memorandum with the recommendation by the Fire Department, dated June 10, 2024 not move forward.

Mayor Matt Mahan expressed his concerns and clarified the proposed motion which was, to approve the motion, accept the Planning Commission memorandum dated, May 28, 2024, and reject Item (a) from the Supplemental Memorandum, dated June 10, 2024, stating to “ (a) Provide additional information on fire sprinkler systems in Accessory Dwelling Units (ADU) and include an additional recommendation from the Fire Department for City Council consideration requiring fire sprinkler systems in qualifying Accessory Dwelling Units to be sold as condominium.”

Councilmember Dev Davis requested clarification on vehicles displayed outdoors.

Mayor Matt Mahan further clarified the motion on the floor.

Councilmember David Cohen requested that Staff return back to the Community & Economic Development Committee with further research on Item (a) from the Supplemental Memorandum dated June 10, 2024 as part of the motion. The request was accepted by the maker of the motion and seconder.

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Vice Mayor Rosemary Kamei, and carried unanimously, (a) **Ordinance No. 31095** was *passed for publication*, the Planning Commission Staff Memorandum, dated May 28, 2024 was approved, and *only* Item (b) from the Supplemental Memorandum, dated June 10, 2024 was approved, including Staff direction to return back to the Community & Economic Development (CED) Committee with further research on Item (a) from the Supplemental Memorandum. (11-0-0)

**10.1(b) GP24-006 & C24-041 – Adopt a Resolution and an Ordinance Amending the Envision San José 2040 General Plan Land Use/Transportation Diagram and Zoning District Map.**

(a) Adopt a resolution amending the Envision San José 2040 General Plan Land Use/Transportation Diagram to apply the MIHO Mixed Income Housing Overlay on two parcels.

(b) Approve an ordinance amending the Zoning District Map to apply the MIHO Mixed Income Zoning Overlay to two parcels in North San José.

CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) Supplemental Environmental Impact Report (Resolution No. 77617), the Envision San José 2040 General Plan Supplemental Environmental Impact Report for the City of San José 2023-2031 Housing Element Update (Resolution No. RES2023-262), and addenda thereto. Planning Commission recommends approval (9-0-2, Garcia and Oliverio absent) (Item 8.a. on the 5/8/2024 Planning Commission agenda). Council District 4. (Planning, Building and Code Enforcement)

Public Comment: None provided.

Action: Upon motion by Councilmember David Cohen, seconded by Vice Mayor Rosemary Kamei, and carried unanimously, (a) **Resolution No. RES2024-237** was adopted, regarding the amendment to the Envision San José 2040 General Plan Land Use/Transportation Diagram to apply the MIHO Mixed Income Housing Overlay on two parcels; and (b) **Ordinance No. 31096** was *passed for publication*, regarding the amendment to the Zoning District Map to apply the MIHO Mixed Income Zoning Overlay to two parcels in North San José. (11-0-0)

**END OF CONSENT CALENDAR**

## 10. Land Use - Regular Agenda

### 10.2 GP24-005 – A City-Initiated General Plan Amendment to Change the Envision San José 2040 General Plan Land Use Designation of 30 Mobilehome Parks.

Adopt a resolution amending the Envision San José 2040 General Plan Land Use designation for 30 mobilehome parks from the Residential Neighborhood General Plan Land Use designation to the Mobilehome Park General Plan Land Use Designation, five mobilehome parks from Heavy Industrial General Plan Land Use Designation to Mobilehome Park General Plan Land Use Designation, four mobilehome parks from Combined Industrial/Commercial General Plan Land Use designation to the Mobilehome Park General Plan Land Use designation, two mobilehome parks from Light Industrial General Plan Land Use designation to the Mobilehome Park General Plan Land Use designation and two mobilehome parks from the Neighborhood Community/Commercial General Plan Land Use designation to the Mobilehome Park General Plan Land Use designation (File No. GP24-005)

CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041), Supplemental Environmental Impact Report (Resolution No. 77617), and Supplemental EIR (Resolution No. 77617), and Addenda thereto. Planning Commission recommends approval (9-0-2; Garcia and Oliverio absent) (Item 9.a. on the 5/8/2024 Planning Commission agenda). Council Districts: 2, 3, 4, 5, 6, 7, 8, and 10. (Planning, Building and Code Enforcement)

Public Comment: Jill Borders and Long Dang (*Assisted by a Vietnamese Interpreter*) provided public testimony regarding the item.

Chris Burton, Director, Planning, Building & Code Enforcement Department; and Justin Daniels, Planner IV, Super Planner, Planning, Building & Code Enforcement Department; responded to questions from Council.

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember David Cohen, and carried unanimously, **Resolution No. RES2024-238** was adopted, regarding the City-Initiated General Plan Amendment to Change the Envision San José 2040 General Plan Land Use Designation of 30 Mobilehome Parks. (11-0-0)

### 10.3 PP24-004 – Emergency Residential Shelters- An Ordinance Amending Various Sections of Title 20 of the San Jose Municipal Code (Zoning Ordinance or Zoning Code) Related to Emergency Residential Shelters.

Approve an ordinance amending various sections of Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to amend the definition of emergency residential shelters, amend the allowed use of emergency residential shelters, through use permit and by right, in the Commercial Pedestrian Zoning District, Commercial Neighborhood Zoning District, Commercial General Zoning District, Public/Quasi Public Zoning District, and Urban Village and Mixed Use Zoning Districts, and amendments to allow a streamlined ministerial approval process for emergency residential shelters.

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. Planning Commission recommends approval (6-5; Oliverio, Garcia, Casey, Baracio, Bickford opposed) (Item 5.c. on the 5/22/2024 Planning Commission agenda). (Planning, Building and Code Enforcement)

Michelle Flores, Supervising Planner, Planning, Building & Code Enforcement Department ; Jerad Ferguson, Principal Planner, Planning, Building & Code Enforcement Department; and Chris Burton Director, Planning, Building & Code Enforcement Department offered the presentation and responded to questions.

Michelle Flores, Supervising Planner, Planning, Building & Code Enforcement Department; Jerad Ferguson, Principal Planner, Planning, Building & Code Enforcement Department; and Chris Burton, Director, Planning, Building & Code Enforcement Department offered the presentation and responded to questions.

Public Comment: Manuel Salazar (SV@Home) and Christopher Wess (Arena) provided public testimony regarding the item.

Action: Upon motion by Councilmember Pam Foley, seconded by Councilmember David Cohen, and carried unanimously, **Ordinance No. 31097** was passed for publication, regarding the Emergency Residential Shelters Ordinance amending various sections of Title 20 of the San Jose Municipal Code (Zoning Ordinance or Zoning Code) related to emergency residential shelters. (10-1-0; Noes: Candelas)

## • Open Forum

1. Sreeja Pavuluri (Tarana Wireless) spoke to the inaugural Stars and Stripes Community Run/Walk to support frontline hospital workers.

## • Adjournment

The Council of the City of San José adjourned at 7:12 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,

***DRAFT***

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Yasmin Johnson, Deputy City Clerk  
City of San José

Approved at Council on:

# of Actions: 12

Attest By:

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Toni Taber, CMC  
City Clerk, City of San José



*Office of the City Attorney*

**SAN JOSÉ CITY COUNCIL CLOSED SESSION MINUTES**

**June 11, 2024**

**Present Councilmembers:** Mahan, Kamei, Cohen, Davis, Ortiz,  
Candelas, Foley, Doan, Batra.

**Absent Councilmembers:** Jimenez, Torres.

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

**Time:** 9:32 a.m.

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

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

Significant exposure to litigation pursuant to Sections 54956.9(d)(2) and 54956.9(e)(3) of the Government Code:

1. Claimant(s): In re: Santa Clara Valley Transportation Authority VTA  
City Department: Police Department

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

1. Case Name: In re: Bird Global, Inc. et al.  
Name(s) of Party(ies) BIRD GLOBAL, INC., BIRD RIDES, INC., BIRD US HOLDCO, LLC, BIRD US OPCO, LLC, AND SKINNY LABS, INC.  
Court: United States Bankruptcy Court Southern District of Florida Miami Division  
Case No: 23-20514-CLC  
Amount of Money or Other Relief Sought: Damages according to proof



2. Case Name: Sainte Claire Historic Preservation Foundation v. City of San Jose, et al.
- Name(s) of Party(ies) SAINTE CLAIRE HISTORIC PRESERVATION FOUNDATION, A CALIFORNIA CON-PROFIT CORPORATION; CITY OF SAN JOSE, CITY COUNCIL OF THE CITY OF SAN JOSE, AND CITY OF SAN JOSE DEPARTMENT OF PARKS, RECREATION, AND NEIGHBORHOOD SERVICES, FRIENDS OF LEVITT PAVILION SAN JOSE (erroneously sued as LEVITT PAVILION SAN JOSE)
- Court: Santa Clara County Superior Court and Sixth District Court of Appeal
- Case No: 20CV374459 and H050106
- Amount of Money or Other Relief Sought: Writ of mandamus
3. Case Name: Lionel Rubalcava v. City of San Jose, et al.
- Name(s) of Party(ies) LIONEL RUBALCAVA, CITY OF SAN JOSE, JOSEPH PEREZ, RAFAEL NIEVES, RAMON AVALOS, STEVEN SPILLMAN, TOPUI FONUA
- Court: U.S. District Court, Northern District of California
- Case No: 5:20-CV-04191-BLF
- Amount of Money or Other Relief Sought: Damages according to proof
4. Case Name: Rosalina Calonge v. City of San Jose, Edward Carboni.
- Name(s) of Party(ies) ROSALINA CALONGE, AN INDIVIDUAL AND SUCCESSOR IN INTEREST TO FRANCIS CALONGE, DECEASED, CITY OF SAN JOSE, EDWARD CARBONI, FRANCISCO CALONGE
- Court: United States Court of Appeals for the Ninth Circuit
- Case No: 22-16495
- Amount of Money or Other Relief Sought: Damages according to proof

5. Case Name: Loessberg, Casilia v. City of San Jose  
 Name(s) of Party(ies) CASILIA LOESSBERG, CITY OF SAN JOSE,  
 DOES 1-10  
 Court: Superior Court, County of Santa Clara  
 Case No: 23CV411999  
 Amount of Money or Other Relief Sought: Damages according to proof

**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 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
  
2. 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

3. 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