City Council Meeting Minutes

Tuesday, January 13, 2026

1:30 PM

Council Chambers

Closed Session at 9:30 a.m.

MATT MAHAN, MAYOR
ROSEMARY KAMEI, DISTRICT 1
PAMELA CAMPOS, DISTRICT 2
ANTHONY TORDILLOS, DISTRICT 3
DAVID COHEN, DISTRICT 4
PETER ORTIZ, DISTRICT 5
MICHAEL MULCAHY, DISTRICT 6
BIEN DOAN, DISTRICT 7
DOMINGO CANDELAS, DISTRICT 8
PAM FOLEY, VICE MAYOR, DISTRICT 9
GEORGE CASEY, DISTRICT 10

- **Call to Order and Roll Call**

9:30 a.m. – Closed Session. *See Page 15-16 for the Closed Session Minutes.*

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

Absent Councilmembers: None.

1:31 p.m. – Regular Session.

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

Absent Councilmembers: None.

- **Pledge of Allegiance**

Mayor Matt Mahan led the Pledge of Allegiance.

- **Invocation**

Senior Sergeant Cadet Carolina Regalado, SJPD Cadet Program, offered the invocation.

- **Orders of the Day**

Councilmember Peter Ortiz requested that Item 3.7 be heard time certain at 3:30 p.m.

Public Comment: None provided.

Action: Upon motion by Councilmember Peter Ortiz, seconded by Councilmember Rosemary Kamei, and carried unanimously, Item 3.7 was set to be heard time certain at 3:30 p.m. (11-0-0)

- **Adjournment Recognition**

Mayor Matt Mahan announced that the meeting will be adjourned in memory of Kenneth Jon Kelly, who passed away on August 7, 2025. Ken was a lifelong volunteer, civic leader, and educator whose decades of service strengthened neighborhoods throughout San José. A former Library and Education Commissioner and the City's 2006 Volunteer of the Year, he will be remembered for his generosity, humor, and unwavering commitment to community.

- **Closed Session Report**

None provided.

1. CEREMONIAL ITEMS

1.1 Councilmember Bien Doan presented a proclamation declaring January 2026 as National Human Trafficking Awareness Month in the City of San José, aimed at raising awareness about human trafficking and educating the public on how to identify and prevent this crime.

1.2 Mayor Matt Mahan presented a commendation recognizing Keep Coyote Creek Beautiful for its 10 years of commitment to environmental stewardship, community engagement, and the protection of Coyote Creek and San José's waterways.

1.3 Councilmember Anthony Tordillos presented a commendation recognizing Muwekma Ohlone Middle School for its excellence in educating the children of San José and exemplifying a commitment to the families of San José with their celebration of Family Reading Night.

2. CONSENT CALENDAR

Public Comment: Betsy offered public comment regarding the Consent Calendar.

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

2.1 Approval of City Council Minutes
(a) Regular City Council Meeting Minutes of December 2, 2025.
(b) City Council Study Session Minutes of December 8, 2025.
(c) Regular City Council Meeting Minutes of December 9, 2025.
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. (11-0-0)

2.2 Final Adoption of Ordinances.

None provided.

2.3 Approval of Council Committee Minutes.

(a) Regular Transportation and Environment Committee Minutes of December 1, 2025.
(b) Regular Joint Meeting for the Rules and Open Government Committee Minutes of December 3, 2025.
(c) Regular Public Safety, Finance and Strategic Support Committee Minutes of December 4, 2025.
(d) Regular Neighborhood Services and Education Committee of December 8, 2025.
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 Council Committee Minutes were approved. (11-0-0)

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 First Quarter Financial Reports for Fiscal Year 2025-2026.
As recommended by the Public Safety, Finance and Strategic Support Committee on December 4, 2025, accept the first quarter (period ending September 30, 2025) financial reports in the areas of:
(a) Debt Management;
(b) Investment Management;
(c) Revenue Management; and
(d) Purchasing and Risk Management.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Finance)
[Public Safety, Finance and Strategic Support Committee referral 12/4/2025 - Item (c)2]

Action: The first quarter financial reports in the areas of Debt Management, Investment Management, Revenue Management, and Purchasing and Risk Management, were accepted. (11-0-0)

2.8 Report on Request for Proposals and Agreement with NATEC International, Inc. for the City's Safety Training Services.
Accept the report on Request for Proposal and adopt a resolution authorizing the City Manager or her designee to negotiate and execute an Agreement with NATEC International, Inc. to provide safety training services to City employees with an initial term beginning on the contract execution date through June 30, 2030, with two one-year options to extend through June 30, 2032, with a total compensation not-to-exceed amount of $3,185,000.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Human Resources)

Action: The report on request for Proposal was accepted, and **Resolution No. RES2026-1** was adopted, authorizing the City Manager or her designee to negotiate and execute an Agreement with NATEC International, Inc. to provide safety training services to City employees. (11-0-0)

2.9 Shared Micro-Mobility Device Fee Adjustment.
Adopt a resolution amending the 2025-2026 Schedule of Fees and Charges (Resolution No. 72737, as amended) to decrease the Shared Micro-Mobility Annual Permit and Program Monitoring Operating Fee from $139 per device to $100 per device, effective January 1, 2026.
CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, Rates, Tolls, Fares, and Charges. (Transportation/City Manager)
[Deferred from 12/9/2025 - Item 2.15 (25-1286) and 12/16/2025 - Item 2.28 (25-1341)]

Action: **Resolution No. RES2026-2** was adopted, amending the 2025-2026 Schedule of Fees and Charges to decrease the Shared Micro-Mobility Annual Permit and Program Monitoring Operating Fee from $139 per device to $100 per device, effective January 1, 2026. (11-0-0)

2.10 Calling for Municipal Elections on June 2, 2026 and November 3, 2026.
Adopt a resolution calling for a Regular Municipal Election on June 2, 2026 and a Run-Off Municipal Election on November 3, 2026, if necessary, for the purpose of electing Council Members for Districts 1, 3, 5, 7, and 9 and requesting consolidation with the County of Santa Clara.
CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (City Clerk)

Action: **Resolution No. RES2026-3** was adopted, calling for a Regular Municipal Election on June 2, 2026 and a Run-Off Municipal Election on November 3, 2026, if necessary, for the purpose of electing Council Members for Districts 1, 3, 5, 7, and 9 and requesting consolidation with the County of Santa Clara. (11-0-0)

2.11 Retroactive Approval of "Free Use" of the Janet Gray Hayes Rotunda Sponsored by Council District 9 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.
As recommended by the Rules and Open Government Committee on December 10, 2025:
(a) Adopt a resolution authorizing "Free Use" for the private, invite-only Grateful Dead Celebration held at the Janet Gray Hayes Rotunda on December 4, 2025.
(b) Retroactively approve the "Free Use" of the Janet Gray Hayes Rotunda scheduled on December 4, 2025, 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 event.
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Foley) [Rules Committee referral 12/10/2025 - Item B.10]

Action: (a) **Resolution No. RES2026-4** was adopted, authorizing "Free Use" for the private, invite-only Grateful Dead Celebration held at the Janet Gray Hayes Rotunda on December 4, 2025. (11-0-0)

2.12 City Council Appointments of Committees, Boards, and Commissions.
As recommended by the Rules and Open Government Committee on January 7, 2026:
(a) Approve the Mayor's Appointments for each of the Council standing committees as described in Exhibit "A" of the Memorandum.
(b) Except for appointments which the Mayor has sole authority to appoint pursuant to statute, organization by laws, or other governing documents, appoint Councilmembers to each of the Boards, Commissions or Committees and assignments as described in Exhibit "B" of the Mayor's Memorandum.
CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Mayor)
[Rules Committee referral 1/7/2026 - Item B.4]

Action: The Mayor's Appointments for each of the Council standing committees were approved. (11-0-0)

3. STRATEGIC SUPPORT

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

None provided.

3.2 Labor Negotiations Update.

None provided.

3.3 Settlement of Green v. City of San José, et al.
(a) Approve a settlement in the case of Green v. City of San José, et al, in the amount of $8,000,000, and authorize the City Attorney to execute a Settlement Agreement.
(b) Adopt the following 2025-2026 Appropriation Ordinance amendments in the General Fund:
(1) Increase the General Liability Claims City-Wide Expenses appropriation to the City Attorney's

Office by $8,000,000; and
(2) Decrease the Budget Stabilization Reserve by $8,000,000.
CEQA: Not a Project; File No. PP17 003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (City Attorney/City Manager)

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Bien Doan, and carried unanimously, (a) a settlement in the case of Green v. City of San José, et al, was approved; and
(b) **Ordinance No. 31296** was adopted, (1) increasing the General Liability Claims City-Wide Expenses appropriation to the City Attorney's Office by $8,000,000, and (2) decreasing the Budget Stabilization Reserve by $8,000,000. (11-0-0)

3.4 Team San José Annual Performance Audit Report.
As recommended by the Community and Economic Development Committee on December 15, 2025, accept the audit report on the annual performance of Team San José.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (City Auditor)
[Community and Economic Development Committee referral 12/15/2025 - Item (d)1]

Joe Rois, City Auditor, City Auditor's Office; and Adrian Perez, Program Performance Auditor II, City Auditor's Office, offered the presentation and responded to questions.

Kerry Adams-Hapner, Assistant Director, Office of Economic Development and Cultural Affairs, responded to questions from Council.

Public Comment: None provided.

Action: Upon motion by Councilmember Rosemary Kamei, seconded by Councilmember David Cohen, and carried unanimously, the audit report on the annual performance of Team San José was accepted. (11-0-0)

3.5 Fall Intergovernmental Relations Report.
(a) Accept the Fall Intergovernmental Relations Report.
(b) Reaffirm all City positions summarized in the 2025-2026 Intergovernmental Relations Priority Federal Legislation Log.
(c) Reaffirm all City positions summarized in the 2025-2026 Intergovernmental Relations Priority State Legislation Log.
CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (City Manager)

Item 3.5 was heard concurrently with Item 3.6. Each item was voted on separately.

Emily Lam, Director, City Manager's Office of Administration, Policy, and Intergovernmental Relations; Han Kang, Chief IGR Officer, City Manager's Office of Administration, Policy, and Intergovernmental Relations; Steve Stamos, Senior Executive Analyst, City Manager's Office of Administration, Policy, and Intergovernmental Relations; and Nicholas Ochoa, Senior Executive Analyst, City Manager's Office of Administration, Policy, and Intergovernmental Relations, offered the presentation and responded to questions.

Public Comment: Susan Hayase, Victoria Taketa, and Jordan Moldow offered public comment.

Action: Upon motion by Councilmember Pamela Campos, seconded by Councilmember Bien Doan, and carried unanimously, (a) the Fall Intergovernmental Relations Report was accepted, and all City positions summarized in the 2025-2026 Intergovernmental Relations Priority Federal and State Legislation Logs were reaffirmed. (11-0-0)

3.6 2026 Legislative Program and Legislative Priorities.
Adopt the 2026 Legislative Program and Legislative Priorities.
CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no physical changes to the environment. (City Manager)

Item 3.6 was heard concurrently with Item 3.5. Each item was voted on separately.

Emily Lam, Director, City Manager's Office of Administration, Policy, and Intergovernmental Relations; Han Kang, Chief IGR Officer, City Manager's Office of Administration, Policy, and Intergovernmental Relations; Steve Stamos, Senior Executive Analyst, City Manager's Office of Administration, Policy, and Intergovernmental Relations; and Nicholas Ochoa, Senior Executive Analyst, City Manager's Office of Administration, Policy, and Intergovernmental Relations, offered the presentation and responded to questions.

Public Comment: Susan Hayase, Victoria Taketa, and Jordan Moldow offered public comment.

Motion: Vice Mayor Pam Foley motioned to adopt the 2026 Legislative Program and Legislative Priorities; *and to include support for H.R.630 Neighbors Not Enemies Act*. The motion was seconded by Councilmember Anthony Tordillos.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Anthony Tordillos, and carried unanimously, the 2026 Legislative Program and Legislative Priorities were adopted, including support for H.R. 630 Neighbors Not Enemies Act. (11-0-0)

3.7 Adoption of City Council Policy 7-15, Prohibiting the Use of City Parking Lots, Vacant Lots, and Garages for Civil Immigration Enforcement Staging Areas, Processing Locations, or Operation Bases.
(a) Adopt a resolution approving City Council Policy 7-15, Prohibiting the Use of City Parking Lots, Vacant Lots, and Garages for Civil Immigration Enforcement Staging Areas, Processing Locations, or Operation Bases.
(b) Direct the City Manager to implement City Council Policy 7-15.
CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment (City Manager)

Item 3.7 was heard time certain at 3:30 p.m., per Orders of the Day.

Angel Rios, Deputy City Manager, City Manager's Office; Zulma Maciel, Director, City Manager's Office; Rosa Tsongtaatarri, Chief Deputy City Attorney, City Attorney's Office; and Matt Loesch, Director, Public Works, responded to questions from the Council.

Public Comment: Drew Siegler, Azazel, Kim Guptill, Karen M., Lori Katcher, Cindy Bautista, Michele Coleman, Gianella Ordonez, Jeremy Barausse, Misrayn Mendoza, Kimberly Woo, Akemi, Lucila Ortiz, Emma, and Joy Murrieta, offered public comment.

Action: Upon motion by Councilmember Peter Ortiz, seconded by Councilmember Domingo Candelas, and carried unanimously, (a) **Resolution No. RES2026-5** was adopted, approving City Council Policy 7-15, Prohibiting the Use of City Parking Lots, Vacant Lots, and Garages for

Civil Immigration Enforcement Staging Areas, Processing Locations, or Operation Bases; and (b) the City Manager was directed to implement City Council Policy 7-15. (11-0-0)

4. PUBLIC SAFETY SERVICES

No items provided.

5. TRANSPORTATION & AVIATION SERVICES

No items provided.

6. ENVIRONMENTAL & UTILITY SERVICES

6.1 Approval of a Legal Services Contract with Hawkins, Delafield & Wood to Support the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program.
Adopt a resolution authorizing the City Attorney to negotiate and execute a legal services master agreement with Hawkins, Delafield & Wood LLP, in an amount not to exceed $4,000,000 for a term from the date of execution by the City through June 30, 2030, with the City's right, at the discretion of the City Attorney, to extend the term of this Agreement for up to two (2) additional two-year terms through June 30, 2034, to support the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program.
CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) Resulting in No Physical Changes to the Environment. (City Attorney)

Public Comment: None provided.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Domingo Candelas, and carried unanimously, **Resolution No. RES2026-6** was adopted, authorizing the City Attorney to negotiate and execute a legal services master agreement with Hawkins, Delafield & Wood LLP, in an amount not to exceed $4,000,000 for a term from the date of execution by the City through June 30, 2030, with the City's right, at the discretion of the City Attorney, to extend the term of this Agreement for up to two (2) additional two-year terms through June 30, 2034, to support the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program. (11-0-0)

6.2 Approval of a Design-Build Contract with Jacobs Project Management Co. for the Additional Digester Facility Upgrade Project at the San José-Santa Clara Regional Wastewater Facility.
(a) Approve the design-build contract with Jacobs Project Management Co. for the Additional Digester Facility Upgrade Project at the San José-Santa Clara Regional Wastewater Facility in an amount not to exceed $9,542,366 for the performance of preliminary services under the contract, subject to the appropriation of funds.
(b) Approve a design contingency in the amount of $954,237 for City-approved changes to the scope of Preliminary Services.
(c) Adopt a resolution authorizing the City Manager or her designee to:
(1) Negotiate and execute separate amendments to the contract to allow Jacobs Project Management Co. to proceed with discrete portions of the design-build work (referred to as "Early Work Packages") prior to the City's execution of the definitive contract amendment in an amount not to exceed $10,000,000, which amounts will be subject to the base guaranteed maximum price and to the appropriation of funds.
(2) Negotiate and execute change orders in excess of $100,000 up to the amount of the approved contingency for changes to the scope of the preliminary services and/or Early Work

Packages.
(d) Adopt the following 2025-2026 appropriation ordinance amendments in the San José-Santa Clara Treatment Plant Capital Fund:
(1) Increase the Additional Digester Upgrades appropriation to the Environmental Services Department by $661,000; and
(2) Decrease the Switchgear S2/S2A Replacement appropriation to the Environmental Services Department by $661,000.
CEQA: Not a Project, File No. PP17-007, Preliminary direction to staff and eventual action requires approval from decision-making body. Council District 4. (Environmental Services/Public Works/City Manager)

Public Comment: None provided.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Michael Mulcahy, and carried unanimously, (a) the design-build contract with Jacobs Project Management Co. for the Additional Digester Facility Upgrade Project at the San José-Santa Clara Regional Wastewater Facility in an amount not to exceed $9,542,366 for the performance of preliminary services under the contract, subject to the appropriation of funds, was approved; (b) a design contingency in the amount of $954,237 for City-approved changes to the scope of Preliminary Services, was approved;
(c) **Resolution No. RES2026-7** was adopted, authorizing the City Manager or her designee to: (1) negotiate and execute separate amendments to the contract to allow Jacobs Project Management Co. to proceed with discrete portions of the design-build work (referred to as "Early Work Packages") prior to the City's execution of the definitive contract amendment in an amount not to exceed $10,000,000, which amounts will be subject to the base guaranteed maximum price and to the appropriation of funds; and (2) negotiate and execute change orders in excess of $100,000 up to the amount of the approved contingency for changes to the scope of the preliminary services and/or Early Work Packages; and
(d) **Ordinance No. 31297** was adopted, regarding amendments in the San José-Santa Clara Treatment Plant Capital Fund, to: (1) increase the Additional Digester Upgrades appropriation to the Environmental Services Department by $661,000; and (2) decrease the Switchgear S2/S2A Replacement appropriation to the Environmental Services Department by $661,000. (11-0-0)

6.3 Actions Related to the Emergency Repairs of Pond A18's Southern Gate Structure Located at the San José-Santa Clara Regional Wastewater Facility
(a) Accept the staff report detailing the status of the San José-Santa Clara Regional Wastewater Facility's Pond A18's southern gate structure, the likelihood for failure, the consequences of failure, and the plan for immediate action to repair the structure.
(b) Adopt a resolution by the affirmative vote of at least eight members of the City Council as required by Section 1217 of the City Charter:
(1) Declaring and finding that, based on substantial evidence, public interest and urgent necessity demand the immediate contractor procurement to perform emergency repair of the San José-Santa Clara Regional Wastewater Facility's Pond A18 southern gate structure without formal bidding as otherwise required under Section 1217 of the City Charter for the preservation of life, health, and property, and that the emergency repair will not permit a delay resulting from formal bidding as otherwise required under Section 1217 of the City Charter, and that the action is necessary to respond to the urgent necessity; and
(2) Delegating authority to the Directors of Environmental Services and Public Works to:
(i) Negotiate and award construction contracts necessary to repair the southern gate structure in order to protect Pond A18 and levees in an amount not to exceed $2,150,00;
(ii) Approve a 20% contingency in an amount not to exceed $430,000; and

(iii) Direct staff to file CEQA emergency exemption documentation and pursue required agency emergency permits concurrently.
PLEASE NOTE: APPROVAL OF THIS RESOLUTION REQUIRES AFFIRMATIVE VOTES OF EIGHT MEMBERS OF THE CITY COUNCIL. San José City Charter Section 1217(i)(5).
CEQA: Exempt, under Section 15269 - Emergency Projects, of the State Guidelines for Implementation of the California Environmental Quality Act. Council District 4. (Environmental Services/Public Works)

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Domingo Candelas, and carried unanimously, (a) the staff report detailing the status of the San José-Santa Clara Regional Wastewater Facility's Pond A18's southern gate structure, the likelihood for failure, the consequences of failure, and the plan for immediate action to repair the structure, was accepted; and
(b) **Resolution No. RES2026-8** was adopted, by the affirmative vote of at least eight members of the City Council as required by Section 1217 of the City Charter:
(1) Declaring and finding that, based on substantial evidence, public interest and urgent necessity demand the immediate contractor procurement to perform emergency repair of the San José-Santa Clara Regional Wastewater Facility's Pond A18 southern gate structure without formal bidding as otherwise required under Section 1217 of the City Charter for the preservation of life, health, and property, and that the emergency repair will not permit a delay resulting from formal bidding as otherwise required under Section 1217 of the City Charter, and that the action is necessary to respond to the urgent necessity; and
(2) Delegating authority to the Directors of Environmental Services and Public Works to:
(i) Negotiate and award construction contracts necessary to repair the southern gate structure in order to protect Pond A18 and levees in an amount not to exceed $2,150,00;
(ii) Approve a 20% contingency in an amount not to exceed $430,000; and
(iii) Direct staff to file CEQA emergency exemption documentation and pursue required agency emergency permits concurrently. (11-0-0)

7. NEIGHBORHOOD SERVICES

No items provided.

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 Establishment of The Alameda Business Improvement District.
Accept the report and receive public comment on the establishment of The Alameda Business Improvement District.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. Council District 6. (Economic Development and Cultural Affairs)

Jen Baker, Director, Office of Economic Development and Cultural Affairs, responded to questions from Council.

Public Comment: None provided.

Action: Upon motion by Councilmember Michael Mulcahy, seconded by Councilmember Anthony Tordillos, and carried unanimously, the establishment of The Alameda Business Improvement

District, was accepted. (11-0-0)

8.2 Establishment of the Alum Rock Santa Clara Street Business Improvement District.
Accept the report and receive public comment on the establishment of the Alum Rock Santa Clara Street Business Improvement District.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. Council Districts 3 and 5. (Economic Development and Cultural Affairs)

Public Comment: None provided.

Action: Upon motion by Councilmember Peter Ortiz, seconded by Councilmember Rosemary Kamei, and carried unanimously, the report on the establishment of the Alum Rock Santa Clara Street Business Improvement District, was accepted. (11-0-0)

8.3 First Substantial Amendment to the Fiscal Year 2025--2026 Annual Action Plan.
(a) Conduct a public hearing to receive public comment on the First Substantial Amendment to the Fiscal Year 2025--2026 Annual Action Plan, as required by the United States Department of Housing and Urban Development.
(b) Adopt a resolution relating to the First Substantial Amendment to the Fiscal Year 2025--2026 Annual Action Plan to incorporate additional projects funded with Community Development Block Grant funds, including the authority to:
(1) Approve the proposed changes set forth in the First Substantial Amendment to the Fiscal Year 2025--2026 Annual Action Plan; and
(2) Authorize the Housing Director, or his designee, to submit the First Substantial Amendment to the Fiscal Year 2025--2026 Annual Action Plan to the United States Department of Housing and Urban Development.
(c) Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute agreements for the following Community Development Investment projects for Fiscal Year 2025--2026, subject to the appropriation of funds:
(1) Transportation Department for the Pedestrian and Traffic Safety Improvement Projects in an amount not to exceed $500,000, retroactive from January 1, 2026, through June 30, 2026; and
(2) School of Arts and Culture at the Mexican Heritage Plaza for the La Placita Facility Improvement Project in an amount not to exceed $3,000,000, retroactive from January 1, 2026, through June 30, 2026.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action; Transportation Department Pedestrian Safety Improvement Project: Categorically Exempt, File No. ER24-313, CEQA Guidelines Section 15301, Existing Structures; School of Arts and Culture: Categorically Exempt, File Nos. CP22-015 & ER22-115, CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures. (Housing)

Public Comment: None provided.

Action: Upon motion by Councilmember Pamela Campos, seconded by Councilmember David Cohen, and carried unanimously,
(a) a public hearing was conducted to receive public comment on the First Substantial Amendment to the Fiscal Year 2025--2026 Annual Action Plan, as required by the United States Department of Housing and Urban Development;
(b) **Resolution No. RES2026-9** was adopted, relating to the First Substantial Amendment to the Fiscal Year 2025--2026 Annual Action Plan to incorporate additional projects funded with Community Development Block Grant funds, including the authority to:

(1) Approve the proposed changes set forth in the First Substantial Amendment to the Fiscal Year 2025--2026 Annual Action Plan; and
(2) Authorize the Housing Director, or his designee, to submit the First Substantial Amendment to the Fiscal Year 2025--2026 Annual Action Plan to the United States Department of Housing and Urban Development; and

(c) **Resolution No. RES2026-10** was adopted, authorizing the Housing Director, or his designee, to negotiate and execute agreements for the following Community Development Investment projects for Fiscal Year 2025--2026, subject to the appropriation of funds:
(1) Transportation Department for the Pedestrian and Traffic Safety Improvement Projects in an amount not to exceed $500,000, retroactive from January 1, 2026, through June 30, 2026; and
(2) School of Arts and Culture at the Mexican Heritage Plaza for the La Placita Facility Improvement Project in an amount not to exceed $3,000,000, retroactive from January 1, 2026, through June 30, 2026. (11-0-0)

9. REDEVELOPMENT – SUCCESSOR AGENCY

None provided.

10. LAND USE

10.1 Land Use on Consent Calendar - HEARD IMMEDIATELY AFTER CONSENT

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Rosemary Kamei, and carried unanimously, the Land Use on Consent Calendar was approved *as a whole*, and the following actions were taken as indicated. (11-0-0)

Public Comment: None provided.

10.1(a) Approval for the Santa Clara Valley Habitat Agency to Proceed with a Habitat Plan Amendment.
As a Local Partner to the Santa Clara Valley Habitat Plan, the City of San José, through its City Council, approves the decision of the Santa Clara Valley Habitat Agency to amend the Santa Clara Valley Habitat Plan and directs City staff to bring the proposed amendment back to the City Council for review and adoption.
CEQA: Not a Project, File No. PP17-007, Preliminary direction to staff and eventual action requires approval from decision-making body. (Planning, Building and Code Enforcement)

Action: The decision of the Santa Clara Valley Habitat Agency was approved to amend the Santa Clara Valley Habitat Plan and direct City staff to bring the proposed amendment back to the City Council for review and adoption (11-0-0)

10.1(b) PP25-001 - Amendment to Title 19 (Subdivision) and Various Sections of Title 20 (Zoning Code) of the San José Municipal Code for Compliance with State Law and to Streamline Regulations.
(1) Adopt a resolution adopting the Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report and the Supplemental Program Environmental Impact Report, and the Supplemental Environmental Impact Report - 2023-2031 Housing Element Update and Addenda thereto for the amendments to Title 19 and Title 20 of the San José Municipal Code, in accordance with the California Environmental Quality Act.
(2) Approve an ordinance amending Title 19 (Subdivisions) and various sections of Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to:

(i) Add a new Chapter 19.11, 'Ministerial Tentative Maps,' and related state law references; and

(ii) Implement City Council direction to amend Senate Bill 9 (SB 9) provisions in Chapter 20.30 by: (1) Revising existing SB 9 objective design standards within Part 8, 'Senate Bill 9 Implementation,' (2) Adding new Part 9, 'City permitted streamlined implementation for two-unit developments on a single lot within Two-Family Zoning Districts, (3) Adding new Part 9.5, 'Streamlined implementation for properties of lesser significance listed on the Historic Resources Inventory within R-1 and R-2 Zoning Districts' to allow two-unit developments on a single lot, (4) Amending Sections 20.80.300, 20.80.450, 20.100.610, 20.100.1030 and 20.100.1040 to incorporate references to two-unit developments, and (5) Adding Section 20.200.675 to include new definition for 'lot coverage;'

(iii) Amend Chapter 20.200 to add Section 20.200.165 to include a new definition for 'Building, Main,' add Section 20.200.445 to include a new definition for 'Group Home,' amend existing definition of Residential Care Facility in Section 20.200.1010, amend existing definition of 'Residential Service Facility' in Section 20.200.1030, amend Section 20.200.1265, 'Permanent Supportive Housing,' and include references to Transitional and Supportive Housing in Table 20-50, Section 20.30.100, Chapter 20.30;

(iv) Amend Chapter 20.80 'Specific Use Regulations', Part 2.75, 'Accessory Dwelling Units' by amending Section 20.80.176, 'Streamlined Approval' and adding Section 20.80.177, 'Tree Removal', and Part 2.76 'Accessory Dwelling Unit Condominium' by amending Section 20.80.185, 'ADU Condominium Requirements', to revise existing Accessory Dwelling Unit provisions to ensure compliance with state law;

(v) Amend Chapter 20.190 'Affordable Housing Density Bonuses and Incentives' to improve readability and streamline existing text to ensure compliance with state law;

(vi) Amend Chapter 20.195 'Ministerial Approvals' in its entirety to: (1) Amend existing text to improve readability and maintain compliance with applicable state laws, and (2) Incorporate ministerial approval provisions pursuant to Senate Bill 684 and Senate Bill 1123;

(vii) Incorporate provisions of Senate Bill 1418 by amending Table 20-90, Section 20.40.100, Chapter 20.40, 'Commercial Zoning Regulations'; amending Table 20-110, Section 20.50.100, Chapter 20.50, 'Industrial Zoning Regulations'; amending Table 29-138, Section 20.55.203, Chapter 20.55, 'Urban Village and Mixed-Use Zoning District Use Regulations,' amending Table 20-140, Section 20.70.100, Chapter 20.70, 'Downtown Zoning Regulations'; amending Section 20.80.600, Part 8 'Gasoline Service Station Conversions,' of Chapter 20.80, 'Specific Use Regulations'; and incorporate provisions of Assembly Bill 2632 in Table 20-140, Section 20.70.100, Chapter 20.70, 'Downtown Zoning Regulations;

(viii) Amend Chapter 20.80, 'Specific Use Regulations,' Part 11, 'Off-Sale of Alcoholic Beverages' Section 20.80.900, 'Off-Sale of Alcoholic Beverages' to allow alcoholic beverages within previously established Entertainment Zone Boundary;

(ix) Incorporate heat pumps by amending Chapter 20.30, 'Residential Zoning Districts,' Section 20.30.400, 'Setback Areas - Setback area to be kept open, unobstructed, and unoccupied,' Chapter 20.40, 'Commercial Zoning Districts and Public/Quasi-Public Zoning District,' Section 20.40.400, 'Setback areas - open, unobstructed, and unoccupied,' Chapter 20.50 'Industrial Zoning Districts,' Section 20.50.270, 'Setback areas - open, unobstructed, and unoccupied,' Chapter 20.55, 'Urban Village and Mixed-Use Zoning Districts' Part 2, Development Regulations' Section 20.55.101, 'Exceptions to Setback Regulations;'

(x) Amend Section 20.55.104, "MUN Mixed Use Neighborhood Development Standards' to revise existing development standards for improved clarity;

(xi) Amend Chapter 20.100, 'Administration and Permits', Part 7, 'Special Use Permits' to incorporate amendment provisions and add Section 20.100.860, 'Amendment Findings;' and

(xii) Make other technical, non-substantive, or formatting changes within those sections of Title 19 or Title 20 of the San José Municipal Code.

CEQA: Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and the Supplemental Environmental Impact Report

(Resolution No. 77617), and Supplemental Environmental Impact Report - 2023-2031 Housing Element Update (Resolution No. 2023-262) and Addenda thereto, File Nos. PP25-001 & ER25-220. Planning Commission recommends approval (9-0-1; Casey absent) (Item 5.d on the 11/19/2025 Planning Commission agenda). (Planning, Building, and Code Enforcement) [Deferred from 12/16/2025 - Item 10.1(a) (25-1336)]

Action: (1) **Resolution No. RES2026-11** was adopted, regarding the Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report and the Supplemental Program Environmental Impact Report, and the Supplemental Environmental Impact Report - 2023-2031 Housing Element Update and Addenda thereto for the amendments to Title 19 and Title 20 of the San José Municipal Code, in accordance with the California Environmental Quality Act; and
(2) **Ordinance No. 31298** was *passed for publication,* amending Title 19 (Subdivisions) and various sections of Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code. (11-0-0)

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

No items provided.

- **Open Forum**

1. Melian Rodriguez addressed concerns related to highway lights at night and the preservation of history within San José.
2. Alexander T. provided comment regarding community safety on public transportation during upcoming major events.

- **Adjournment**

The Council of the City of San José adjourned at 4:24 p.m., in memory of Kenneth Jon Kelly.

Minutes Recorded, Prepared, and Respectfully Submitted by,

Daniel Aguilar

Daniel Aguilar
Deputy City Clerk, City of San José

Approved at Council on: 2/3/2026

Number of actions: 14

Attest by:

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

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

SUSANA ALCALA WOOD, CITY ATTORNEY

Office of the City Attorney

SAN JOSÉ CITY COUNCIL CLOSED SESSION AGENDA

January 13, 2025

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

Absent Councilmembers: None

Place: City Hall Conference Room W-133

Time: 9:30 a.m.

Item(s) discussed:

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

1.	Case Name:	California Waste Solutions, Inc. v. City of San Jose
	Name(s) of Party(ies):	CALIFORNIA WASTE SOLUTIONS INC., CITY OF SAN JOSE
	Court:	United States District Court, Northern District of California., San Francisco Division
	Case No:	23-cv-01647-MMC
	Amount of Money or Other Relief Sought:	Damages according to proof
2.	Case Name:	Loessberg, Casilia v. City of San Jose
	Name(s) of Party(ies):	CASILIA LOESSBERG, CITY OF SAN JOSE
	Court:	Santa Clara Superior Court
	Case No:	23cv411999
	Amount of Money or Other Relief Sought:	Damages according to proof
3.	Case Name:	In re: Claim of Borreson
	Name(s) of Party(ies):	
	Court:	Worker's Compensation Appeals Court
	Case No:	ADJ18280309
	Amount of Money or Other Relief Sought:	Benefits

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

Initiation of litigation pursuant to Sections 54956.9(d)(4) of the Government code:

Number of matter(s) to be discussed: 1