

**MINUTES OF THE
JOINT MEETING OF THE RULES AND OPEN GOVERNMENT COMMITTEE AND
COMMITTEE OF THE WHOLE**

SAN JOSÉ, CALIFORNIA

WEDNESDAY, FEBRUARY 11, 2026

The Committee meeting was held in the Council Chambers and convened at 2:00 p.m.

Present: Councilmembers - Cohen, Kamei, Foley, Doan, Candelas.

Absent: Councilmembers - None.

Staff: Lee Wilcox, Assistant City Manager, City Manager's Office; Kevin Fisher, Assistant City Attorney, City Attorney's Office; Joy Rodriguez, Assistant City Clerk, City Clerk's Office; Rachelle Blattman, Senior Executive Analyst, City Manager's Office; and Daniel Aguilar, Deputy City Clerk, City Clerk's Office.

A. City Council (City Clerk)

1. Review February 17, 2026 Final Agenda – *Meeting Cancelled.*

2. Review February 24, 2026 Draft Agenda

- a) Add New Items to Draft Agenda
- b) Assign "Time Certain" to Agenda Items (if needed)
- c) Review of Notice of Waiver Requirements for Agenda Items or Documents (if needed)

Public Comment: None provided.

Action: Upon motion by Councilmember Rosemary Kamei, seconded by Councilmember Bien Doan, and carried unanimously, the Committee approved the draft agenda for the City Council meeting on February 24, 2026. (5-0-0)

B. Consent Calendar

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Domingo Candelas, and carried unanimously, the Consent Calendar was approved *as a whole*, with the following actions taken as indicated. (5-0-0)

1. The Public Record for January 29, 2026 - February 5, 2026. (City Clerk)

Receive and file the Public Record for January 29, 2026 - February 5, 2026.

Action: The Public Record for January 29, 2026 - February 5, 2026 was received and filed. (5-0-0)

2. Monthly Report of Activities for January 2026. (City Auditor)

Approve the Auditor's Office Monthly Report of Activities for the month of January 2026.

Action: The Auditor's Office Monthly Report of Activities for the month of January 2026 was approved. (5-0-0)

C. Rules Committee Reviews, Recommendations and Approvals

1. Exploration of a Scaled Development Fee Framework and Deferred Development Impact Fees. (Ortiz, Cohen, Mulcahy, and Casey)

Direct the City Manager to:

1. Evaluate and return to Council with options for a scaled development fee framework that aligns development fees with project characteristics such as size, affordability, public benefit, and location;
2. Develop a deferred Development Impact Fee (DIF), Public Works Offsite Fee, and other eligible project-related fee payment programs that allow projects to remit these fees at Certificate of Occupancy instead of at earlier entitlement or permitting stages; and
3. Explore aligning the City's Notice of Funding Availability cycle with the State's Business Cycle including but not limited to providing preliminary letters of commitment at time of application for funding that are subject to final Council approval.

[Referred from 1/21/26 - Item C.1 (ROGC 26-028)]

[Deferred from 2/4/26 - Item C.1 (ROGC 26-049)]

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Bien Doan, and carried unanimously, the workload analysis regarding the exploration of a scaled development fee framework and deferred development impact fees was approved; the City Manager is directed to:

1. Evaluate and return to Council with options for a scaled development fee framework that aligns development fees with project characteristics such as size, affordability, public benefit, and location;
2. Develop a deferred Development Impact Fee (DIF), Public Works Offsite Fee, and other eligible project-related fee payment programs that allow projects to remit these fees at Certificate of Occupancy instead of at earlier entitlement or permitting stages; and
3. Explore aligning the City's Notice of Funding Availability cycle with the State's Business Cycle including but not limited to providing preliminary letters of commitment at time of application for funding that are subject to final Council approval. (5-0-0)

D. Open Forum

No public comment provided.

E. Adjournment

Chair David Cohen adjourned the Committee meeting at 2:05 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,

DRAFT

Daniel Aguilar
Deputy City Clerk, City of San José

Approved at Council on:

Number of actions: 3

Attest by:

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