

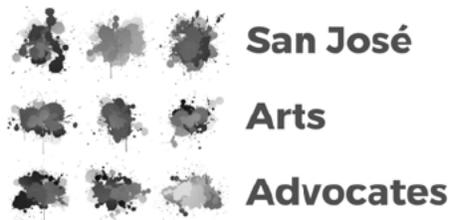
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**ADVOCACY ALERT: TOT on the ballot?**

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From San José Arts Advocates [REDACTED]  
Date Fri 2/6/2026 9:00 AM  
To Agendadesk <Agendadesk@sanjoseca.gov>

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Calling all arts advocates:

Since our inception, one of SJAA's key priorities has been a reallocation of funding from the San José's Transient Occupancy Tax, a voter-approved 10% surcharge placed on hotel stays citywide.

**This funding currently falls into several buckets:**

- 4% goes into the City's General Fund and can be used for any purpose.
- 4.5% is directed to Team San José, which serves as the city's Convention and Visitors Bureau.
- 1.5% is used to fund virtually the entire budget of the city's Office of Cultural Affairs, including cultural grants, public art, and staff.

For the 2025-2026 fiscal year, the total TOT is projected to be \$45M, which means \$6.75M for the OCA. Our position has always been that arts, culture, and hospitality industries should receive a larger piece of this pie as the primary drivers of the TOT. Unfortunately, our elected leaders do not agree.

**In fact, this Tuesday, Feb. 10, the City Council will consider a June ballot measure to increase the General Fund portion of the TOT, with none of it targeted for the arts.**

SJAA has endorsed a recommendation from city consultants to set a baseline for the General Fund portion of TOT and to allocate any net new TOT revenue to arts and culture programs.

Had this adjustment been implemented in the current fiscal year, it would have meant an additional \$1M of funding for the OCA. If those dollars had been applied to the General Operating Grants program, each of the 35 nonprofit grantees could have received an average of \$28,500 in additional funding.

- ***That's one month's payroll*** for a staff of five full-time creative workers.
- ***It's scholarships for 100 students*** to participate in an arts education program.
- ***It's thousands of subsidized tickets*** for community members to attend a play, concert, or other performance.

Instead, city administration would prefer to expand the TOT to plug a hole in the General Fund, essentially balancing their budget on the backs of local artists. The council is almost certain to place the proposed measure on the ballot for the June 2 primary election, and it is likely to pass according to recent polling.

But we still have an opportunity to make our case, and here's how you can help:

**1. Send an email** to the Mayor and Council calling on them to commit to additional arts funding. [Here's a template you can send in 30 seconds.](#) You can also copy and paste the message below.

**2. Attend the City Council meeting** on Tuesday, Feb. 10, starting at 1:30pm, to deliver this message in person. [Contact us](#) for meeting details and talking points. The ballot measure item is likely to come up around 3pm.

**3. Share this message** with your personal and organizational networks to expand our advocacy. Hit “Forward” on this email *right now*.

It’s time for all artists, arts advocates, and arts supporters to speak with one voice and uplift the value and importance of investing in the creative community.

Thank you in advance for taking action today.

– SJAA Core Team

**SEND AN EMAIL NOW**

**SUBJECT: City Council 2/10/2026 - Item 3.4: TOT Ballot Measure**

Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José’s creative sector. Often referred to as the “experience economy,” the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council’s current focus area of “Growing Our Economy,” as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to “Activate San José as the South Bay’s Hub for Sports, Arts, and Entertainment.”

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice.

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

YOUR NAME

YOUR CITY COUNCIL DISTRICT/NEIGHBORHOOD

EMAIL TO:

agendadesk@sanjoseca.gov,mayor@sanjoseca.gov,Matt.Mahan@sanjoseca.gov,district1@sanjoseca.gov,Rosemary.Kamei@sanjoseca.gov,district2@sanjoseca.gov,Pamela.Campos@sanjoseca.gov,district3@sanjoseca.gov,Anthony.Tordillos@sanjoseca.g

ov,district4@sanjoseca.gov,David.Cohen@sanjoseca.gov;district5@sanjoseca.gov,P  
eter.Ortiz@sanjoseca.gov,district6@sanjoseca.gov,Michael.Mulcahy@sanjoseca.gov,  
district7@sanjoseca.gov,Bien.Doan@sanjoseca.gov,district8@sanjoseca.gov,Doming  
o.Candelas@sanjoseca.gov,district9@sanjoseca.gov,Pam.Foley@sanjoseca.gov,dist  
rict10@sanjoseca.gov,George.Casey@sanjoseca.gov,hello@sjartsadvocates.org



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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

---

From San José Arts Advocates [REDACTED]

Date Fri 2/6/2026 9:02 AM

To The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>

Cc Wilcox, Leland <Leland.Wilcox@sanjoseca.gov>; Shannon, Jim <jim.shannon@sanjoseca.gov>; Adams-Hapner, Kerry <Kerry.Adams-Hapner@sanjoseca.gov>; Maguire, Jennifer <jennifer.maguire@sanjoseca.gov>; Agendadesk <Agendadesk@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; ArtsCom1@sanjoseca.gov <ArtsCom1@sanjoseca.gov>; Arts Commission 2 <ArtsCom2@sanjoseca.gov>; ArtsCom3@sanjoseca.gov <ArtsCom3@sanjoseca.gov>; ArtsCom4@sanjoseca.gov <ArtsCom4@sanjoseca.gov>; ArtsCom5@sanjoseca.gov <ArtsCom5@sanjoseca.gov>; Arts Commission 6 <ArtsCom6@sanjoseca.gov>; ArtsCom7@sanjoseca.gov <ArtsCom7@sanjoseca.gov>; ArtsCom8@sanjoseca.gov <ArtsCom8@sanjoseca.gov>; ArtsCom9@sanjoseca.gov <ArtsCom9@sanjoseca.gov>; ArtsCom10@sanjoseca.gov <ArtsCom10@sanjoseca.gov>; ArtsComCW@sanjoseca.gov <ArtsComCW@sanjoseca.gov>; Baker, Jennifer <Jen.Baker@sanjoseca.gov>

 1 attachment (309 KB)

SJAA Letter\_TOT Ballot Measure 2026.pdf;

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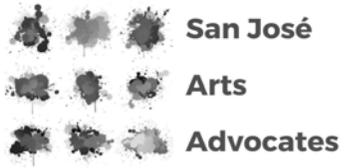
Honorable Mayor Mahan & City Council,

Please find attached a letter from San José Arts Advocates related to Item 3.4 on your agenda for February 10, 2026, Potential Ballot Measure Increasing Transient Occupancy Tax.

Thank you as always for your service.

Regards,  
San José Arts Advocates

cc:  
City Clerk  
City Manager  
City Budget Director  
Director, Office of Economic Development and Cultural Affairs  
Director of Cultural Affairs  
San José Arts Commission



**Web:** [sjartsadvocates.org](http://sjartsadvocates.org)

**Social:** @SanJoseArts

**Newsletter:** [Sign up](#)

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# San José Arts Advocates

February 6, 2026

Honorable Mayor Mahan & City Council,

We write today calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Furthermore, data shows that San José's nonprofit arts sector alone generates nearly \$300M in annual economic impact and \$6M in local tax revenue, in addition to supporting more than 4,700 jobs for local residents. This level of impact is comparable to the Sharks, who recently received a \$350M commitment of public resources to ensure their long-term viability in San José. While our hometown hockey team has done much to support the arts, our sector has not seen the same level of investment from the City.

In point of fact, a recent \$8M settlement in a case of excessive force by SJPd is nearly double the allocation for the City's entire cultural grants portfolio for the current fiscal year, much of which supports community-based programs that improve public safety and promote education and cultural connection.

All of this plays out as the creative sector is at a crossroads. Divestment from federal offices is causing state, county, and philanthropic resources to respond accordingly. The City of San José's support can mean the difference between sustainability and collapse.

**Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. To be blunt, this is the wrong choice.**

For more than half a decade, SJAA has been sounding the alarm about the existential crisis faced by our creative sector. Two years ago, the city paid consultants to provide you with more than a dozen options for generating incremental increases in support for the creative sector. Yet no recommendation has moved forward, including Recommendation 11, which proposes the common sense approach of creating a baseline of General Fund support from the TOT and contributing net new growth to the arts — a path that would avoid negative impacts to the current budget deficit.

Even a modest increase of \$1M to the Office of Cultural Affairs Operating Grants program would mean an additional \$28,500 for every grantee. That's one month's payroll for a staff of five full-time creative workers. It's scholarships for 100 students to participate in an arts education program. It's thousands of subsidized tickets for community members to attend a play, concert, or other performance.

We implore you to consider this as you rush to place a measure on the ballot that will do nothing to support the creative sector, without which, there would be no TOT in the first place.

SJAA is ready, willing, and able to be a collaborative thought partner in the effort to make San José an even better place to live, work, and play. We look forward to working with you.

Regards,

San José Arts Advocates Core Team

- Peter Allen, Board President, Teatro Visión & Former Arts Commission Chair
- Jonathan Borca, Musician & San José Arts Commissioner
- Sarah Corneille, Executive Director, Bay Area Glass Institute
- Carman Gaines, Deputy Director, Local Color & San José Arts Commissioner
- Hugo Garcia, Local Musician, Educator & Arts Advocate
- Stacey Kellogg, San José Walls & Empire Seven Studios
- Karen Kienzle, San José Resident & Director, Palo Alto Arts Center
- Jessica Kwong, Community Engagement Manager, SVCREATES
- Mike McGee, Former Santa Clara County Poet Laureate
- Amanda Rawson, Co-Founder, Art Builds Community
- Brendan Rawson, Executive Director, San José Jazz
- Annalisa Tkacheff, Executive Director, Silicon Valley Shakespeare
- Jacob Yoder-Schrock, Managing Director, Teatro Visión

(Titles do not indicate organizational support)

cc:

City Manager

City Budget Director

Director, Office of Economic Development and Cultural Affairs

Director of Cultural Affairs

San José Arts Commission

---

City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

---

From Katie Hahn née Santos <[REDACTED]>

Date Fri 2/6/2026 9:25 AM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice.

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

**Katie Hahn** ([she/her](#))  
Marketing & Outreach Manager  
[REDACTED]

- Former Resident of **District 8** for 20+ years
- Future Resident of **District 1** starting June 2026
- Attended High School and currently work in **District 3**

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**Fw: All District Leadership Group inputs for the San Jose 2026-2027 Budget**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Fri 2/6/2026 9:48 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

 1 attachment (145 KB)  
ADLG 2026-2027 SJ Budget Memo.pdf;

**Office of the City Clerk | City of San José**

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor  
San Jose, CA 95113  
Main: 408-535-1260  
Fax: 408-292-6207

How is our service? Your [feedback](#) is appreciated!

---

**From:** Greg Peck - ADLG [REDACTED]  
**Sent:** Friday, February 6, 2026 9:30 AM  
**To:** The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>  
**Cc:** City Clerk <city.clerk@sanjoseca.gov>; Taber, Toni <toni.taber@sanjoseca.gov>; Maguire, Jennifer <jennifer.maguire@sanjoseca.gov>; Cicirelli, Jon <Jon.Cicirelli@sanjoseca.gov>  
**Subject:** All District Leadership Group inputs for the San Jose 2026-2027 Budget

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Hello.

The All District Leadership Group (ADLG) is a consortium of leaders from active San Jose leadership groups that represent the neighborhood associations in San Jose. Please read the attached memo outlining important input from the ADLG for this upcoming Budget season.

Respectfully,  
Greg Peck  
Chair, All District Leadership Group (ADLG)



The Honorable Matt Mahan, Mayor of San José  
and Members of the City Council

via email,

DATE: February 06, 2026

SUBJECT: ADLG Comments on 2026-2027 SJ Budget

Dear Mayor and Councilmembers:

The All District Leadership Group (ADLG) is a consortium of leaders of the active San Jose leadership groups. The purpose of the ADLG is to strengthen two-way communication between neighborhoods and government agencies and representatives, and to build a stronger sense of community within all districts in the City of San Jose.

San Jose continues to face another year of economic issues that challenge and affect the development of the 2026-2027 budget. These issues include homelessness, public safety and a looming budget shortfall.

These issues were addressed last year and despite the economic and budget challenges, San Jose was able to produce some positive outcomes. Going forward for 2026-2027, San Jose needs to continue to build on the methods and effective use of resources that produced the positive outcomes.

In developing this letter and comments, ADLG refers to its own 2025 survey of neighborhood leaders from across San Jose. Comments and feedback from attendees at neighborhood and community meetings indicate that neighborhood priorities have not evolved significantly in the intervening months. Respondents listed 48 issues from which the following general priorities were summarized:

Public Safety  
Neighborhoods

Homelessness  
Environment

With the above results in mind, we respectfully submit our request for your attention to the following items:

• **Ending Unsheltered Homelessness**—Our neighbors continue to place homelessness as a top priority. The City’s approach with emergency interim housing (EIH) beds, safe sleeping sites, and new affordable housing units is producing positive results. ADLG supports continuing efforts in these areas, and also continuing efforts to monitor the no encampment zones. We ask for an increased budget for shelters, outreach programs and supportive services to continue to build on these positive results. Solicit corporate sponsors for interim housing projects.

• **Improving Community Safety**—This is also a top neighborhood priority item for your consideration. With a need to add upwards of several hundred active-duty officers, we ask that you maximize all efforts to recruit qualified police officer candidates, including lateral hiring and retaining and rehiring experienced officers to mentor and augment existing staffing. Police recruitment and retention will continue to be a problem because of the competition for police officers with other cities in the area. We recommend the city continue to allocate funds toward law enforcement presence, and emergency response improvements to include traffic enforcement. In addition, we request continued attention to illegal fireworks law enforcement



- **Cleaning Up Our Neighborhoods**—BeautifySJ’s expanded capacity to abate encampments and clean up graffiti and illegal dumping is also producing results. The encampment abatements along the creeks have been effective and those areas are being kept clear of encampments.

Panhandling at intersections and on medians is an issue that needs to be addressed. Public safety-related issues include the panhandling conducted at these sites. This activity creates traffic hazards as well as trash. To deal effectively with encampments and panhandling require continued enforcement of existing laws and ordinances and coordination between Beautify SJ, Code Enforcement and SJPD. We ask for a budget allocation that will continue to produce positive results in dealing with these issues.

- **Support for City Parks, Parks Services and the San Jose Public Library**—support and maintain these essential elements that add to this city’s quality of life and that support the distinct characteristics of this city. Encourage more “Adopt-a-Park” projects to help reduce park maintenance. *The City’s parks budget has been repeatedly cut in past financial crises but not restored.* Since 2003, the number of park employees has dropped by 19% even as the parkland acreage to be maintained has increased by 22%. San Jose already has one of the lowest per-capita park budgets in the state.

- **Growing Our Economy**—The Super Bowl and the World Cup provide San Jose with an opportunity to showcase the city as a viable place to host both major sporting events as well as commercial events for companies such as NVIDIA. San Jose airport needs to be prepared for the increased number of flights. San Jose needs to make certain ground transportation and lodging are adequate. San Jose must attract new businesses to grow revenue from property taxes, sales taxes and business fees to fund essential services our community relies on.

- **Building More Housing**—this continues to be a top concern for San Joseans. San Jose must continue to streamline the building permit process to expedite the building of new housing, expanding affordable housing and ADU’s. Also, commercial-to-residential conversion appears to be an option for increasing residential density.

- **Quality of Life** —In addition to support for city parks, funding for PRNS is also needed to continue their other neighborhood services that have shown positive results, including Beautify SJ, which deals with illegal dumping, graffiti clean-up, and encampment abatements, violence prevention programs, senior lunches, summer camps for youth, and community building with Viva Calle and Park Activations.

Thank you for your attention to our requests.

Sincerely,  
 Greg Peck, Chair, All District Leadership Group

D 1 – Gary Cunningham  
 D 2 – John Leipelt  
 D 3 – Joan Rivas-Cosby  
 D 4 – Linda Locke

D 5 – Guadalupe Gonzales  
 D 6 – Ed Saum, Larry Ames  
 D 7 – Alie Victorine  
 D 8 – Pat Waite

D 9 – Kelsey Colson  
 D10 – Vasundhara Tadimeti,  
 David Heindel  
 Member At Large – Jim Carter

cc: City Clerk, City Manager, and PRNS Director

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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

---

From Steven nizzotes Rubalcaba <[REDACTED]>

Date Fri 2/6/2026 10:36 AM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice.

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Steven Leon Rubalcab Jr  
Resident of District 7, Meadows Neighborhood

--

**Steven nizzotes Rubalcaba**, he/him  
Sustainable Visual Artist  
[nizzotes.com](http://nizzotes.com)  
[Linktree](#)

---

City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

---

From Erin Salazar <[REDACTED]>

Date Fri 2/6/2026 11:01 AM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I am calling on you to step up for San José's creative sector. Our creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment." All this extra burden on Arts and Culture requires a deeper investment.

It is maddening that the proposed ballot measure on the agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice. This is the hypocritical choice.

You have got to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Local Color, an OCA Operations Grant Recipient, serves creatives and invests in public arts across every district of this city.

**Best,**

Erin Salazar

*Local Color, Executive Director | Founder*

**Wildly Ambitious**

City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

---

From Esther Young <[REDACTED]>

Date Fri 2/6/2026 1:50 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," **the creative sector is the primary driver of the Transient Occupancy Tax (TOT)**, drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and **seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT**. This is the wrong choice.

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Sincerely,  
Esther  
District 6

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## City Council Meeting February 10, Item 3.4

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From Brendan Rawson [REDACTED]

Date Sun 2/8/2026 5:10 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Honorable Mayor and City Council,

I am writing to ask you to pause approving this proposed ballot measure designed to increase TOT taxes for General Fund purposes.

Instead, City administration should be directed to develop a well-considered plan to reinvest any increased TOT taxes directly back into rebuilding our local hospitality and visitor industries. Such a plan will support San Jose's strategic Focus Area of "Growing Our Economy" as well as OEDCA's Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment." The sector is a proven driver of increased sales tax receipts, business starts, good working-class jobs, and increased property values. The sector is impactful across the whole City and can help drive economic growth in our emerging neighborhood business districts.

More than any other jobs sector, hospitality/entertainment was clobbered by the pandemic. More than ½ of San Jose's permanent job losses due to the pandemic were in this sector. **Today, local jobs in the sector still remain below pre-pandemic levels.** The contradiction of our City currently touting 2026 as a springboard year of destination events that will help drive future economic growth and civic pride, while at the same time proposing to undercut our local "Experience Economy" partners with a 50% increase in the portion of TOT taxes flowing to the General Fund, is disheartening.

Every year at budget time our city leadership bemoans the structural budget dilemma of our housing-to-jobs imbalance. Yet, we see too little disciplined, proactive work to address the structural challenge. As a Council, you have few revenue generating instruments in your toolbox to deploy towards economic development purposes. Please, this year, take seriously the opportunity to dedicate TOT resources towards this purpose. San Jose voters understand the logic of dedicating visitor taxes towards economic development as a long-term strategy to right our housing-to-jobs imbalance. If you choose to direct more visitor taxes to the General Fund you will be undercutting our ability to build an economic future that works for all San Joseans.

Thank you for your thoughtful consideration of this issue,  
Brendan Rawson, District 3

--

Brendan Rawson

Executive Director



<http://sanjosejazz.org/>

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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Nona Weiner [REDACTED]

Date Sun 2/8/2026 7:34 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice.

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Nona Weiner  
[REDACTED]

Sent from my iPhone

---

**Fw: Small Hotel Operator Perspective on Proposed TOT Increase — Attached Memo**

---

**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 2/9/2026 8:42 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

 1 attachment (4 MB)  
TOT\_Equity\_Concerns\_and\_Recommendations\_Clarion\_Inn\_Silicon\_Valley\_Panchal SN.pdf;

**Office of the City Clerk | City of San José**

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor  
San Jose, CA 95113  
Main: 408-535-1260  
Fax: 408-292-6207

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**From:** Sean Panchal [REDACTED]  
**Sent:** Friday, February 6, 2026 6:25 PM  
**To:** Rocha, Vincent <Vincent.Rocha@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Mulcahy, Michael [REDACTED]  
**Cc:** City Clerk <city.clerk@sanjoseca.gov>; Nathan Ulsh [REDACTED]  
**Subject:** Small Hotel Operator Perspective on Proposed TOT Increase — Attached Memo

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Dear Mayor Mahan and City Council Staff,

I hope you are well. I am writing on behalf of **Clarion Inn Silicon Valley** (formerly Clarion President Inn at 3200 Monterey Road, San José) to share our perspective on the proposed **2% Transient Occupancy Tax (TOT) increase** and its impacts on small hotel operators.

We have prepared an attached memo outlining our key concerns and recommendations, including:

- **Equity in visitor taxes and assessments** — current taxes stack without equitable benefit distribution across non-downtown hotels.
- **Peer comparisons are not directly applicable** — local competitive sets and pricing sensitivity differ from the City's benchmarks.
- **The proposed TOT is essentially a General Fund tax** without dedicated reinvestment in citywide visitor demand.
- **Operating cost pressures are real and escalating** — labor, insurance, utilities, and inflation are squeezing thin margins.
- **Policy recommendations** — including citywide visitor demand reinvestment, rate design considerations, CCFD relief mechanisms, and enhanced transparency/annual reporting.

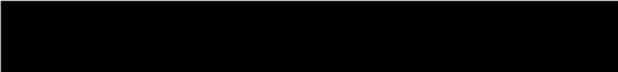
Our goal is to support San José's fiscal health while ensuring that longstanding small and neighborhood-serving hotels remain viable contributors to the community.

We respectfully request that this memo be included in the record for upcoming discussions on the TOT proposal and that the Mayor and Council consider the attached recommendations.

Thank you for your time and consideration.

Sincerely,

Shyam "Sean" Panchal

  
Silicon Valley: North & South San Jose, Cupertino, Monterey Bay California

Attachment: *TOT\_Equity\_Concerns\_and\_Recommendations\_Clarion\_Inn\_Silicon\_Valley.pdf*

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**TO:** Mayor Matt Mahan and Members of the San José City Council  
**FROM:** Clarion Inn Silicon Valley (formerly The President Inn) – 3200 Monterey Road, San José [REDACTED] Land and Business Owners along the Monterey Corridor since the 1970's  
**DATE:** February 6, 2026  
**RE:** Concerns and Recommendations Regarding Proposed 2% Transient Occupancy Tax (TOT) Increase (10% → 12%)

## **Protecting San José's Small Hotel Operators: Equity Concerns and Recommendations on the Proposed 2% TOT Increase**

### **Executive Summary**

On behalf of the Clarion Inn Silicon Valley (formerly the Clarion President Inn) located at **3200 Monterey Road**, we respectfully submit this memo to share serious concerns about the proposed **2% increase in the City's Transient Occupancy Tax (TOT)** and to offer constructive policy recommendations to ensure the City's approach is **equitable, practical, and economically sustainable** for small and non-downtown hotel operators.

Our property is located in **South San José**, known as the **Southern Gateway**—a corridor that links San José to Morgan Hill and serves as a critical entry point into the city. Established in the late 1980s, our hotel was among the first franchise hotels in this area and helped catalyze the hospitality and commercial development within the Monterey Corridor that followed over the next two decades.

While we recognize and respect the City's fiscal challenges, we believe the proposed TOT increase—structured as a General Fund tax—risks compounding longstanding inequities in how visitor-related taxes and assessments impact hotels outside the downtown core.

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## **1) The City Is Stacking Visitor Taxes and Assessments—But Not All Hotels Benefit Equally**

San José hotels already contribute significantly through multiple visitor-facing taxes and assessments. The proposed 2% TOT increase comes on top of existing obligations, including:

- The City's existing TOT structure (currently 10% total, proposed 12%)
- The **Convention Center Facilities District (CCFD)** special tax (commonly referenced as 4%)
- Additional visitor-related assessments that apply depending on hotel size and classification

The central equity issue is this: **these layered taxes are justified by citywide needs and citywide branding**, but the benefits of convention-driven demand, group room blocks, and downtown-centered event activity are not distributed evenly across the city.

Hotels outside downtown—including those in South San José—continue paying into these systems while receiving **little to no consistent benefit** from convention center demand, group compression, and major event spillover.

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## 2) Staff's Peer City Comparison Can Cut Both Ways

We understand the City's argument that San José's TOT is lower than certain peer cities. However, peer comparisons can be misleading in practice.

A TOT rate is only one factor in hotel competitiveness. For many small hotels, especially those outside downtown, the true competitive set is not San Francisco or Los Angeles—it is neighboring jurisdictions and comparable value-segment properties where the total “guest cost” (room + taxes + fees) matters.

In a market where events and convention bookings are down and demand is softer, a 2% increase becomes a meaningful pricing disadvantage—especially for hotels that do not have the brand leverage, luxury positioning, or downtown demand base to raise rates without losing occupancy.

---

## 3) This Is a General Fund Tax With General Fund Promises

The proposed ballot language is framed around General Fund services—public safety, homelessness response, cleanups, parks, and neighborhood services.

These are important priorities. However, this framing highlights a fundamental mismatch: **the tax is paid by hotel guests and collected by hotels**, yet the revenue is not structured to ensure measurable reinvestment in visitor demand generation, tourism recovery, or equitable hotel industry support across San José.

Hotels are being asked to bear increased collection burden and pricing risk, without any corresponding guarantee that the funds will strengthen the demand drivers that hotels rely on—especially outside downtown.

---

## 4) The Operating Cost Squeeze Is Real—Labor Alone Is Moving

The hospitality industry is facing cost escalation on multiple fronts:

- Rising labor costs (minimum wage increases at the city and state level)
- Insurance premiums
- Utilities
- Vendor and supply inflation
- Compliance and regulatory costs

Small hotels in particular operate with **thin margins** and limited ability to absorb cost shocks. Unlike larger downtown hotels with consistent group business and premium ADR, many neighborhood hotels depend on:

- Weekend demand
- Event spillover
- Seasonal compression
- Highway / airport / family travel segments

When compression is weak or geographically concentrated downtown, smaller hotels are left with declining margins and increasing fixed expenses. The risk is not theoretical: the likely outcome is that small hotels will face accelerating financial strain, and some will be pushed toward distress, sale, or closure.

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## Why the Current Approach Feels Impractical and Unfair

From the perspective of non-downtown hotels, the proposal functions as a **uniform citywide tax increase** applied to a sector that already funds tourism and convention infrastructure, while the benefits remain disproportionately concentrated downtown.

South San José and the Southern Gateway corridor represent a significant opportunity for equitable economic development—yet current structures repeatedly leave these areas behind.

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## Recommendations: Make the Proposal Workable and Equitable

If the City chooses to proceed with a TOT increase, we urge Council to adopt mitigating policy mechanisms that acknowledge geographic inequity and support citywide hospitality recovery:

## **A) Mitigation / Equity Mechanism: Set Aside New Revenue for Citywide Demand Generation**

Dedicate a defined portion of any new TOT revenue to **citywide visitor demand generation**, not only downtown convention priorities.

This can include:

- Citywide sports tourism
- Weekend and family travel marketing
- Neighborhood corridor promotion
- Regional partnerships
- Strategic event dispersal planning

San José is increasingly positioned to benefit from major sports and international events in the coming years (including global tournaments and championship weekends). The City should ensure these opportunities are used to drive demand across the entire city—not solely the downtown core.

## **B) Rate Design Conversation: Geographic Corrections Matter**

The City should explore policy designs that recognize distance from downtown and convention-driven benefit zones.

Other jurisdictions have adopted variations of:

- Zone-based tourism reinvestment
- Differential assessments
- Targeted benefit districts
- Corridor reinvestment programs

San José should not assume a one-size-fits-all model produces equitable outcomes.

## **C) CCFD Relief or Crediting for Structurally Excluded Properties**

Hotels that can demonstrate they are structurally outside the convention-driven benefit area should be considered for:

- Partial relief mechanisms
- Credits
- Alternative compliance structures
- A phased or modified approach

This would acknowledge the reality that not all hotels benefit from convention center demand, while still contributing heavily to convention-related financing.

## **D) Transparency + Annual Reporting Requirements**

If the City increases TOT, it must also increase transparency.

We recommend:

- Annual reporting on TOT and CCFD collections (aggregated) by geography
- Annual reporting on room night generation, group business outcomes, and event spillover
- Clear reporting on how revenues are spent and what measurable outcomes result

This would ensure accountability and build trust with stakeholders who are being asked to carry a growing share of the City's revenue strategy.

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## **Closing**

We respectfully ask the Mayor and Council to reconsider the current structure of the TOT proposal and ensure any measure is paired with equity-driven mitigation, geographic fairness, and transparent accountability.

The Clarion Inn Silicon Valley and other small hotels have served this city for at least over half a century. As longstanding stewards of these economic lands, we want to grow, reinvest, and remain part of San José's long-term success. We want to protect and promote high quality business environments for the betterment of our surrounding communities and for the legacy of the residents of the great City of San Jose. That can only happen if the City adopts policies that recognize the real differences in hotel demand geography, the unequal distribution of convention benefits, and the fragile economics facing small operators today.

Respectfully,

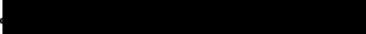
**Shyam Nate Panchal**

**First Maganson Holdings, Incorporated**  
**Financial and Operations Officer**

Clarion Presidents Inn Silicon Valley  
3200 Monterey Road  
San José, CA

City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Chad Johnston 

Date Mon 2/9/2026 10:03 AM

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice.

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Chad Johnston  
San José, CA

--

Chad A. Johnston  
CEO  
Pronouns: he, him, his  
CreaTV San José  
[www.creatvsj.org](http://www.creatvsj.org)



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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Marissa Martinez - [REDACTED]

Date Mon 2/9/2026 12:15 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council!!

My name is Marissa and I am an artist based in San Jose. I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment." (Just in the last month, there have been so many events in and around downtown produced by arts and cultural workers!!)

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice!!

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place. Support artists! Support LOCAL artists!

Thank you,  
Marissa  
District 8

---

City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

---

From Cherri Lakey [REDACTED]

Date Mon 2/9/2026 1:52 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

Cc James Leventhal [REDACTED] Anjee Helstrupp <[REDACTED]@sanjoseca.gov>; kris [REDACTED] [REDACTED] Trami Cron [REDACTED]; Joe Miller [REDACTED]; Brendan Rawson [REDACTED] [REDACTED] citylights [REDACTED] [REDACTED] lucey [REDACTED]

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Mayor Mahan and Members of the San José City Council,

We are writing as longtime San José residents, curators, and frequent partners in producing the very cultural events where you join us for a few minutes, take photos for social media and celebrate our city's "vibrancy." We understand the demands on your time and attention, but we are asking you to move beyond appearances and make a concrete, measurable commitment to expand funding and structural support for arts and culture in San José.

You know from your own Office of Economic Development and Cultural Affairs that arts and culture are not a luxury line item; they are a core part of the city's economic engine. In 2022, San José's nonprofit arts and culture sector generated roughly 292 million in total economic activity, supported 4,738 jobs, provided \$173.4 million in personal income to residents, and produced \$46.4 million in tax revenue across local, state, and federal levels. Local nonprofit arts organizations alone spent nearly \$100 million in San José, which directly supported 2,821 jobs and generated \$18.2 million in government revenue. When residents and visitors attend festivals, performances, and exhibitions, they also spend money at restaurants, bars, hotels, and local shops—adding an additional \$192 million in event-related spending in our city. Few other sectors can prove this kind of return on public investment while simultaneously delivering placemaking, community cohesion, youth engagement, and neighborhood safety benefits.

Despite that track record, the city continues to treat arts and culture as a discretionary extra—something to celebrate publicly but underfund structurally. For years, the pattern has been consistent: elected officials appear at murals, festivals, and openings; they speak about creativity, equity, and "experience economy" recovery; and then the budget process quietly ratchets down the share of resources dedicated to making those experiences possible. Meanwhile, the structural budget shortfall grows, and the approach does not change. The "same game plan" of squeezing arts and culture while hoping for different financial outcomes

has not worked and will not work. If anything, it undermines one of the few proven sectors that actually draws new dollars into San José rather than simply redistributing existing ones.

San José itself has already acknowledged the link between tourism, hotel activity, and arts by dedicating 15% of annual Transient Occupancy Tax (TOT) revenues to cultural programs and Office of Cultural Affairs operations. That policy decision implicitly admits what arts advocates have been saying for years: hotel guests come here not only for business and sports, but for the festivals, performances, galleries, and cultural districts that give the city a distinct identity. The City's own announcement of the 2025–2026 cultural funding portfolio shows \$4.7 million in grants to arts organizations plus roughly \$2 million for city-run cultural programs—investments that you have publicly tied to San José's "post-pandemic rebound" and "experience economy." Yet these numbers remain modest compared to the scale of economic impact generated and are highly vulnerable to broader budget pressures.

Other cities are moving in a different direction and explicitly using hotel tax and similar revenues to stabilize and expand arts funding. San Francisco's Prop E, for example, dedicates a defined share of its existing hotel tax to arts-related programs, including grants to nonprofit organizations, cultural centers, and cultural districts, effectively restoring the hotel tax to its original purpose of promoting arts-driven tourism. That measure was placed on the ballot by a unanimous vote of the Board of Supervisors, illustrating that arts and culture investment can be a point of civic consensus rather than division. Even at the state level, recent commentary and data highlight that California ranks only 35th nationally in per-capita arts funding, underscoring the need for local governments to step up if we want our creative economy to match our reputation as an innovation state.

In San José, the arts are already proving their value. The Arts & Economic Prosperity 6 study shows that nonprofit arts and culture in Santa Clara County generated \$384.5 million in economic activity, with \$292 million of that in San José alone, and brought an additional \$218.2 million into the county through audience-related spending. These activities supported 5,916 jobs countywide and generated \$63.9 million in government tax revenue, including \$6 million in local taxes from San José's arts economy. The study's authors and local leaders have been clear: if you are serious about tourism, small business vitality, and more livable communities, you should feel confident investing in arts and culture because it consistently pulls new spending into local businesses.

Yet many of the organizations and artists responsible for these numbers are operating on shoestring budgets, experiencing burnout, and absorbing risk that should be shared with the public sector. When city funding is flat or eroded in real terms, and when grants are unstable from year to year, organizations cannot retain staff, cannot plan multi-year programming, and cannot build the kind of signature festivals and cultural assets that anchor visitors' travel decisions. The result is a fragile cultural ecosystem that the city leans on for marketing and messaging, but does not adequately protect or grow.

When elected officials show up at events, speak about how proud they are of San José's creativity & cultural expression, and then return to a budget process that treats arts funding as expendable, it sends a clear message: the optics of supporting the arts are valued more than the hard work of financing them. Residents and creative workers notice that dissonance. So do visitors. And over time, so do the numbers.

We urge you to change course and adopt a different, more honest strategy—one that matches your public embrace of arts and culture with concrete policy and budget action:

- Increase the dedicated share of Transient Occupancy Tax for arts and culture, going beyond the current 15% allocation, and index it so that arts funding grows as hotel revenue grows rather than being diluted by other demands.
- Publicly commit to a multi-year baseline for cultural funding (for example, a guaranteed floor in the General Fund and TOT-supported grants) so organizations can plan strategically instead of year-to-year survival.

- Direct staff to develop a ballot measure framework that, like San Francisco's Prop E, clearly ties a portion of hotel or tourism-related revenue to arts and culture incentives, including grants, cultural centers, and creative workforce support.
- Prioritize arts and culture as a core component of any tourism, downtown recovery, or economic development strategy, with explicit metrics around jobs, visitor spending, and neighborhood vitality drawn from the Arts & Economic Prosperity data.
- Align your public appearances with public accountability: when you attend cultural events, be prepared to speak not just about appreciation but about the specific policies, dollars, and timelines the city is committing to sustain them.

You have at your disposal a sector that is already producing jobs, tax revenue, tourism, and community cohesion far out of proportion to its share of the city budget. To continue to underfund that sector while relying on it for marketing, social media content, and political goodwill is not only shortsighted—it is unfair to the people whose work you are showcasing. San José cannot cut its way out of a structural deficit. But you can invest your way into a stronger, more resilient local economy by treating arts and culture as what they are: essential infrastructure for tourism, economic growth, and civic life.

We are asking you, respectfully but firmly, to stop repeating the same strategies that have failed to close the budget gap while weakening our cultural ecosystem. Instead, make arts and culture a visible, measurable priority in the next budget and beyond. Commit to expanded, stable funding; tie it to the hotel and tourism economy that benefits directly from this work; and be as bold in your policy decisions as you are in your public statements and photo opportunities.

San José's artists, cultural workers, small businesses, and residents are already doing more than their share to make this city a place people want to live in and visit. It is time for the City of San José to match that effort with real investment. *We appreciate your attention and consideration.*

*Sincerely,*

Cherri Lakey & Brian Eder

**CURATUS** (501(c)3) creates spaces and opportunities for the furthering and advancement of the Arts. It is our work to bring artists, venues and community together to help create a vibrant city we love to live in (often in surprising and unconventional ways). The various events and projects in which this mission is manifested include: the South FIRST FRIDAYS Art Walk, SubZERO Festival, Street Mrkt indie urban art faire, KALEID Gallery, Phantom Galleries, and ArtBox Project SJ to name a few.

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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

---

From Marley Rose-Teter <[REDACTED]>

Date Mon 2/9/2026 2:25 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice.

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Sincerely,  
Marley Rose-Teter

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**City Council 2/10/2026 - Item 3.4: TOT Ballot Measure**

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From Janet Appleton [REDACTED]

Date Mon 2/9/2026 2:35 PM

To Janet Appleton [REDACTED]

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Dear Mayor Mahan and City Council,

**As an Artist, a San José homeowner and a San José Non Profit worker**, a I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice.

**I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.**

Janet Appleton  
District 6,  
Sunol/ Willow Glen

--

**Janet Appleton**

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**City Council 2/10/2026 - Item 3.4: TOT Ballot Measure**

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**From** Sabrina Sonner [REDACTED]

**Date** Mon 2/9/2026 2:36 PM

**To** Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries. The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice. I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Thank you,  
Sabrina Sonner

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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Drew Jones <[REDACTED]>

Date Mon 2/9/2026 3:07 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

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The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice.

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

YOUR NAME

YOUR CITY COUNCIL DISTRICT/NEIGHBORHOOD

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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Kimberly Kay <[REDACTED]>

Date Mon 2/9/2026 3:57 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice.

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Kimberly Kay, patron of City Lights Theater

[Sent from Yahoo Mail for iPhone](#)

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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Amanda Rawson <[REDACTED]>

Date Mon 2/9/2026 4:47 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with my fellow San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice!

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Amanda Rawson  
Core Member of San Jose Arts Advocates  
District 3 Resident Japantown

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## TOT Ballot Measure - Support and a Request

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From Kristina Nakagawa [REDACTED]

Date Mon 2/9/2026 5:57 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

Cc Maria Oberg <president@vivaceyouthchorus.org>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries. Thus, all of us at Vivace Youth Chorus of San José are greatly in favor of the proposed ballot measure to increase the TOT by 2%.

Additionally, I implore you to do whatever possible to direct a greater percentage of the TOT funds to the Office of Cultural Affairs, which does so much to benefit nonprofit arts organizations in our city. Without the support of the OCA, my own organization would be forced to close, leaving our participants without a source of affordable music education, community building, and a place of belonging. Increased support would open our doors to even more singers in our community to experience the joys of group singing and ensure a bright future for the arts in San José and beyond.

Warmest regards,  
Kristina Nakagawa  
Executive Artistic Director  
Vivace Youth Chorus of San Jose, located in District 6  
Personal Residence, District 9

[www.vivaceyouthchorus.org](http://www.vivaceyouthchorus.org)

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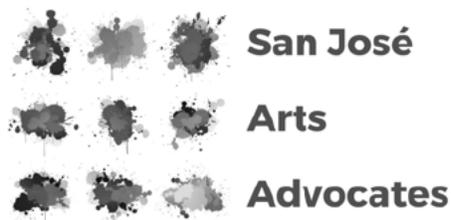
**REMINDER: City Council talking TOT tomorrow!**

From San José Arts Advocates [REDACTED]

Date Mon 2/9/2026 6:59 PM

To Agendadesk <Agendadesk@sanjoseca.gov>

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Calling all arts advocates:

This is a reminder that tomorrow, Feb. 10, the City Council will consider a June ballot measure to increase the General Fund portion of the Transient Occupancy Tax (TOT), with none of it dedicated to arts, entertainment, or cultural programming (aka the "experience economy").

Since our inception, one of SJAA's key priorities has been a reallocation of funding from the San José's Transient Occupancy Tax, a voter-approved 10% surcharge placed on hotel stays citywide.

**This funding currently falls into several buckets:**

- 4% goes into the City's General Fund and can be used for any purpose.
- 4.5% is directed to Team San José, which serves as the city's Convention and Visitors Bureau.
- 1.5% is used to fund virtually the entire budget of the city's Office of Cultural Affairs, including cultural grants, public art, and staff.

For the 2025-2026 fiscal year, the total TOT is projected to be \$45M, which means \$6.75M for the OCA. Our position has always been that arts, culture, and hospitality industries should receive a larger piece of this pie as the primary drivers of the TOT. Unfortunately, our elected leaders do not agree.

SJAA has endorsed a recommendation from city consultants to set a baseline for the General Fund portion of TOT and to allocate any net new TOT revenue to arts and culture programs.

Had this adjustment been implemented in the current fiscal year, it would have meant an additional \$1M of funding for the OCA. If those dollars had been applied to the General Operating Grants program, each of the 35 nonprofit grantees could have received an average of \$28,500 in additional funding.

- ***That's one month's payroll*** for a staff of five full-time creative workers.
- ***It's scholarships for 100 students*** to participate in an arts education program.
- ***It's thousands of subsidized tickets*** for community members to attend a play, concert, or other performance.

Instead, city administration would prefer to expand the TOT to plug a hole in the General Fund, essentially balancing their budget on the backs of local artists. The council is almost certain to place the proposed measure on the ballot for the June 2 primary election, and it is likely to pass according to recent polling.

But we still have an opportunity to make our case, and here's how you can help:

**1. Send an email right now** to the Mayor and Council calling on them to commit to additional arts funding. [Here's a template you can send in 30 seconds.](#) You can also copy and paste the message below.

**2. Attend the City Council meeting tomorrow**, Feb. 10, starting at 1:30pm, to deliver this message in person. [Contact us](#) for meeting details and talking points. The ballot measure item is likely to come up around 3pm.

**3. Share this message** with your personal and organizational networks to expand our advocacy. Just hit “Forward” on this email.

It’s time for all artists, arts advocates, and arts supporters to speak with one voice and uplift the value and importance of investing in the creative community.

Thank you in advance for taking action today.

– SJAA Core Team

### **SEND AN EMAIL NOW**

**SUBJECT: City Council 2/10/2026 - Item 3.4: TOT Ballot Measure**

Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José’s “experience economy,” which is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The experience economy also plays a key role in supporting the City Council’s current focus area of “Growing Our Economy,” as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to “Activate San José as the South Bay’s Hub for Sports, Arts, and Entertainment.”

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the experience economy. This is the wrong choice.

I implore you to dedicate a portion of new TOT revenue to support the experience economy, without which, there would be no TOT in the first place.

YOUR NAME

YOUR CITY COUNCIL DISTRICT/NEIGHBORHOOD

EMAIL TO:

agendadesk@sanjoseca.gov,mayor@sanjoseca.gov,Matt.Mahan@sanjoseca.gov,district1@sanjoseca.gov,Rosemary.Kamei@sanjoseca.gov,district2@sanjoseca.gov,Pamela.Campos@sanjoseca.gov,district3@sanjoseca.gov,Anthony.Tordillos@sanjoseca.gov,district4@sanjoseca.gov,David.Cohen@sanjoseca.gov,district5@sanjoseca.gov,Peter.Ortiz@sanjoseca.gov,district6@sanjoseca.gov,Michael.Mulcahy@sanjoseca.gov,district7@sanjoseca.gov,Bien.Doan@sanjoseca.gov,district8@sanjoseca.gov,Domingo.Candelas@sanjoseca.gov,district9@sanjoseca.gov,Pam.Foley@sanjoseca.gov,district10@sanjoseca.gov,George.Casey@sanjoseca.gov,hello@sjartsadvocates.org



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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Marisol Agz [REDACTED]

Date Mon 2/9/2026 5:05 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice.

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Marisol Agustinez  
District 6

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**City Council 2/10/2026 - Item 3.4: TOT Ballot Measure**

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**From** Karen Kienzle <[REDACTED]>

**Date** Mon 2/9/2026 5:07 PM

**To** Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

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I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Karen Kienzle

[REDACTED]  
District 3

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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Stacey Kellogg [REDACTED]

Date Mon 2/9/2026 5:45 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up the financial investment in San José's creative sector through a clear commitment to both baseline and increase the dedicated share of the Transient Occupancy Tax (TOT) beyond the current 15% levels.

Cultural workers create the visual and experiential landscape that locals celebrate and visitors remember. And when you look at the numbers, it's clear that our efforts create more than just good will and marketing "content." In 2022, San José's nonprofit arts and culture sector generated roughly \$292 million in total economic activity, supported 4,738 jobs, provided \$173.4 million in personal income to residents, and produced \$46.4 million in tax revenue across local, state, and federal levels. Local nonprofit arts organizations alone spent nearly \$100 million in San José, which directly supported 2,821 jobs and generated \$18.2 million in government revenue. But in order to have more impact, we need more funding.

San Francisco (Via Prop E), Sunnyvale (% for art on private development), and other neighboring Bay Area cities are actively taking innovative steps to increase arts and cultural funding. Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) uses out-dated thinking to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice.

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place. Thank you for your consideration and stewardship.

In Community,

Stacey Kellogg

--

Stacey Kellogg

Director, Empire Seven Studios / SJ Walls

  
San Jose, CA 95112

Web - [E7S](#) / [SJ Walls](#)

IG/FB/Twitter - @empire7studios @sanjosewalls

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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

---

From Keenan Flagg 

Date Mon 2/9/2026 6:52 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries. The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment." Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT.

This is the wrong choice. I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Keenan Flagg, District 6 Willowglen

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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Meredith Orr [REDACTED]

Date Mon 2/9/2026 7:37 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's "experience economy," which is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The experience economy also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the experience economy. This is the wrong choice.

I implore you to dedicate a portion of new TOT revenue to support the experience economy, without which, there would be no TOT in the first place.

Meredith Orr  
D3 Resident

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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

---

From Trami Cron <[REDACTED]>

Date Mon 2/9/2026 8:02 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's "experience economy," which is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The experience economy also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the experience economy. This is the wrong choice.

I implore you to dedicate a portion of new TOT revenue to support the experience economy, without which, there would be no TOT in the first place.

Trami Cron  
Executive Artistic Director  
Chopsticks Alley Art  
Downtown San Jose

---

**Item 3.4 (Feb. 10) TOT ballot measure: pair revenue growth with arts investment**

---

**From** Jonathan Borca <[REDACTED]>

**Date** Mon 2/9/2026 9:38 PM

**To** Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and Councilmembers,

My name is Jonathan Francisco Borca. Today, I am writing only for myself, as a performing artist and event producer, regarding Item 3.4 on the City Council Meeting agenda for tomorrow, February 10, 2026, the ballot measure increasing the Transient Occupancy Tax.

By passion, I perform rap and poetry over live jazz ensembles, ranging from a trio to a big band. I have held residencies with San José Museum of Art, Five Points, and The Haberdasher, and have performed at annual events such as State of the Valley and Veggielution's fEAST on First. I was recognized by Assemblymember Ash Kalra for arts and culture, have performed several invocations at City Hall, and have drawn large crowds at venues across our city, supporting our local ecosystem many times over.

I stand with San José Arts Advocates in asking that you leverage ingenuity and foresight to support San José's creative sector. Often described as the "experience economy," the creative sector is a primary driver of TOT, drawing visitors to San José who support local hospitality, retail, and other commercial industries. It also directly supports the City Council's focus area of "Growing Our Economy" and the Office of Economic Development and Cultural Affairs goal to "Activate San José as the South Bay's hub for sports, arts, and entertainment." On the heels of a major campaign, SJ26, showcasing our city on a global stage, I hope we can truly reinvest in one of the things that makes San José, San José.

I will be honest: I sometimes want to quit this work as a performing artist and producer, because of how painstaking it is. But I have always had the benefit of a salaried position and job security. Others in this space do not, and it is in large part for them that I am standing up. As artists, we do a lot with a little. From my own experience, I have doubled or tripled revenue at bars and venues, and supported sold out shows consistently, often not paying myself or doing so marginally to pay other artists fair wages. I have been a longtime champion of pay equity for artists, and the current reality is not sustainable.

This is why I am concerned that the proposed measure, as currently framed, moves forward without a clear, paired commitment to reinvest in the very sector that helps generate TOT in the first place. Art, whether recognized by the City or not, is an essential service. It promotes healing and gathering, offers an exponential return on investment, and cultivates curiosity, understanding, and equity. It is a bridge to togetherness.

If you move this measure forward, I ask that you pair it with a clear commitment to invest in arts and culture as the revenue grows. The relief is needed, and the economic pressure for creatives and culture bearers is suffocating. San José Arts Advocates has endorsed a practical approach: set a baseline for the General Fund portion of TOT, and allocate net new TOT revenue to arts and culture programs.

At a time of geopolitical upheaval, rising cost of living, and so much instability, art is needed more now than ever. Please do not let San José's culture disappear.

Thank you for your time and consideration,  
Jonathan Francisco Borca

--

**Jonathan Francisco Borca**

**East San José Advocate**

Vice Chair, San José Arts Commission (District 5)

CORE Team Member, San José Arts Advocates

LinkedIn: [linkedin.com/in/jonathanborca](https://www.linkedin.com/in/jonathanborca)

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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Susan Buchs <[REDACTED]>

Date Tue 2/10/2026 2:02 AM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice.

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Susan Buchs  
Sunnyvale, Ca but an avid supporter of the arts in all forms  
in downtown San Jose .

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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Dalia Rawson   
via newballetschool.org

Date Tue 2/10/2026 9:28 AM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's "experience economy," which is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The experience economy also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the experience economy. This is the wrong choice.

I implore you to dedicate a portion of new TOT revenue to support the experience economy, without which, there would be no TOT in the first place.

Sincerely,  
Dalia Rawson Hughes  
District 6

City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

---

From Arely Cardenas [REDACTED]

Date Tue 2/10/2026 9:31 AM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Casey, George <George.Casey@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice.

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Best regards,

Arely Cardenas  
District 2

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**FW: Agenda item 3.4 letter to Mayor and Council**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/10/2026 8:41 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

 1 attachment (155 KB)  
SJDA Letter Item 3.4.pdf;

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**From:** Brian Kurtz <[REDACTED]>  
**Sent:** Tuesday, February 10, 2026 7:39 AM  
**To:** The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>  
**Cc:** Wilcox, Leland <Leland.Wilcox@sanjoseca.gov>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Rocha, Vincent <Vincent.Rocha@sanjoseca.gov>; Zarate, Sarah <Sarah.Zarate@sanjoseca.gov>; Gvatua, Alexander <Alexander.Gvatua@sanjoseca.gov>; Lee, Lynn <TheresaLynn.Lee@sanjoseca.gov>; Dev Davis <[REDACTED]>; Allie Hughes <[REDACTED]>  
**Subject:** Agenda item 3.4 letter to Mayor and Council

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I am attaching a letter submitted to the Mayor and Council for the record in reference to Item 3.4 and the subsequent memo on today's agenda. Thank you for your continued support and collaboration and please reach out with any questions.

**Brian Kurtz**  
Chief Executive Officer  
**San Jose Downtown Association**  
28 North First Street, Suite 1000  
San Jose, CA 95113



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San Jose Downtown Association  
28 N. First Street, Suite 1000  
San Jose, CA 95113

sjdowntown.com  
408.279.1775



February 10, 2026

City Clerk  
City of San Jose  
200 E. Santa Clara Street  
San Jose, CA 95113  
Email: [city.clerk@sanjoseca.gov](mailto:city.clerk@sanjoseca.gov)

**Re: Addressing Agenda Item 3.4 - Potential Ballot Measure for TOT Tax & Council Memo**

Dear Mayor Mahan and Members of the San Jose City Council:

On behalf of the San Jose Downtown Association, we recognize the fiscal challenges the City is facing and appreciate the difficult decisions required to sustain essential services, invest in economic growth, and address community needs.

We underscore the importance of maintaining strong and predictable investments in the visitor and destination economy using the tools that were established to support them. San Jose's hotels, convention activity, cultural and assets, and Downtown businesses function as an interconnected ecosystem. Revenue generated by visitors supports jobs, small businesses, and tax receipts that ultimately help stabilize – *and seek to ultimately grow* – the City's bottom line over the long term. Continued investment in destination marketing, convention activity, and economic vitality is essential to keeping that ecosystem healthy and competitive.

We agree that addressing the City's structural budget challenges will require a comprehensive review of all revenue sources, rather than an overreliance on business- or visitor-related taxes alone. As discussions continue around potential changes to the City's business tax, SJDA welcomes the opportunity to be engaged in that work on behalf of Downtown San Jose. Our small businesses depend on a healthy ecosystem that includes large employers, institutions, office workers, and hotels. Future revenue strategies should reflect this interdependence and pursue balance, equity, and long-term sustainability without placing disproportionate impacts on any single sector – especially as we seek further private investment in Downtown.

As this proposal moves forward and throughout the budget process, we encourage continued collaboration to ensure that San Jose's visitor and cultural infrastructure remain strong enough to grow demand and maximize the return on this investment. This can't be an either-or conversation, but an opportunity to align fiscal responsibility with long-term economic sustainability. SJDA stands ready to work with the City, San Jose Chamber of Commerce, Team San Jose, and our partners in culture and experiences to ensure that San Jose continues to attract visitors, conventions, and events that benefit residents citywide.

Thank you for your leadership and for considering our perspective. We look forward to continuing our partnership as this discussion evolves. Please reach out to me at [bkurtz@sjdowntown.com](mailto:bkurtz@sjdowntown.com) or 408-662-6898 with any questions.

Sincerely,

  
Brian Kurtz  
Chief Executive Officer

City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Samuel Cortez <[REDACTED]>

Date Tue 2/10/2026 9:53 AM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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**Dear Mayor Mahan and Members of the City Council,**

I stand with San José Arts Advocates in urging you to truly invest in San José's experience economy—the very ecosystem that drives the Transient Occupancy Tax (TOT) by bringing people into our city to stay, gather, and spend money with local hotels, restaurants, retailers, and small businesses.

The experience economy is not a side benefit; it directly supports the City Council's priority of *Growing Our Economy* and aligns with the Office of Economic Development and Cultural Affairs' goal to activate San José as the South Bay's hub for sports, arts, and entertainment. This is the work that makes San José a destination, not just a place people pass through.

For that reason, it is deeply concerning that the proposed ballot measure on the February 10 agenda (Item 3.4) attempts to balance the city's budget in a way that overlooks—and ultimately undermines—the very sectors that generate this revenue. Choosing to do so at the expense of the experience economy is short-sighted and counterproductive.

I respectfully urge you to dedicate a portion of new TOT revenue to sustaining and strengthening the experience economy. Without artists, cultural workers, events, and creative spaces, there is no experience economy—and without it, there would be no TOT to begin with.

Thank you for your leadership and for considering the long-term cultural and economic health of San José.

With gratitude,



**Samuel Cortez Balderas**

Artistic Director • Los Lupeños de San José



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## City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Peter Allen <[REDACTED]>

Date Tue 2/10/2026 10:01 AM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's "experience economy," which is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

As Board President at Teatro Visión, San José's 41-year-old Chicax theater company, I understand all too well the impact of arts and cultural programming in creating a safe and vibrant community. Having been with the organization for more than 15 years, I could share countless stories of the lives changed and souls uplifted by our plays, classes, and convenings. Since I don't have the time in this space, I will share one story that bears relevance to recent events and keeps me coming back to Teatro year after year...

After a performance of *Solitude* by internationally renowned playwright Evelina Fernandez in 2012, we featured a "talk back" with the actors. Audience members eagerly raised their hands to ask questions about the show, the actors' backgrounds, and other curiosities.

As the dialogue progressed, I noticed a young man sitting by himself near the edge of the stage. He was 15, maybe 16, and wore a mixed expression of shyness and awe that is not uncommon for young people experiencing live theater for the first time. During a lull in the talk back, he timidly raised his hand.

When called upon, he stood and told a personal story of friends and family killing each other in the streets over the colors red and blue — an allusion to gang wars between Norteños and Sureños. He asked the actors what he could do to break the cycle of violence. One of the actors spoke up immediately and unequivocally: "Bring them here."

The Mayor recently stated the obvious following a recent shooting at Valley Fair, that gangs focus their recruitment on our youth. This is because they offer something many children lack: belonging. *The arts create*

*belonging*. They lift up the voices of marginalized and forgotten communities, offering an opportunity to envision a better world, one where we all come together in peace, joy, and harmony.

I don't know if that young man ever made it back to the theater. I don't know if he brought his friends. I do know that I continue to see his face in the faces of the thousands of youth who experience our programs each year. And I know that we are making a difference in the future of our city, our country, and our world, one play, one class, one community convening at a time.

By now, you've heard us preach about the economic power of the arts, and I have no shortage of data I could share with you. I could tell you that in 2022, still in the midst of the COVID crisis, San José's nonprofit arts and culture sector generated roughly \$292 million in total economic activity, supported 4,738 jobs, provided \$173.4 million in personal income to residents, and produced \$46.4 million in tax revenue across local, state, and federal levels. I could tell you the arts play a key role in supporting the Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

But I've told you all of this before, and the numbers have failed to move you to act. So I hope you'll consider the story I've told you here and remember that your decisions impact people's lives.

The proposed ballot measure on your agenda for today (Item 3.4) is not about dollars and cents. It's an attempt to balance the General Fund budget on the backs of our youth, our neighborhoods, and the creatives who struggle every day to make San José a better place to live, work, and play.

I implore you to find another way to reach the goals we all share for our city. Thank you for your service and consideration.

Respectfully,  
Peter J. Allen II

*District 6 Resident*  
*Former SJ Arts Commission Chair*  
*Former SJ Planning Commission Chair*  
*San José Arts Advocate*

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**FW: Letter re item 3.4, February 10, City Council meeting**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/10/2026 10:35 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

 1 attachment (171 KB)

STAY in San José A Racial Equity Affordability Framework for FY 2026-27.pdf;

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**From:** Shannon Zhang [REDACTED]

**Sent:** Tuesday, February 10, 2026 10:30 AM

**To:** Kyra Kazantzis <Kyrak@svcn.org>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Wilcox, Leland <Leland.Wilcox@sanjoseca.gov>; Maguire, Jennifer <jennifer.maguire@sanjoseca.gov>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Solivan, Erik <Erik.Solivan@sanjoseca.gov>; Fields, Sarah <Sarah.Fields@sanjoseca.gov>; Alexander, Cupid <Cupid.Alexander@sanjoseca.gov>

**Cc:** Fruen, Joseph <Joseph.Fruen@sanjoseca.gov>; Ramirez, Lucas <lucas.ramirez@sanjoseca.gov>; Moreno, Brisa <Brisa.Moreno@sanjoseca.gov>; Gvatua, Alexander <Alexander.Gvatua@sanjoseca.gov>; lynn.lee@sanjoseca.gov; Nguyen, Lam <Lam.Nguyen@sanjoseca.gov>; Moreno, Brisa <Brisa.Moreno@sanjoseca.gov>; Ramirez, Lucas <lucas.ramirez@sanjoseca.gov>; aaron.zeelig@sanjoseca.gov; Danino, Shawn <Shawn.Danino@sanjoseca.gov>; Gomez, David <David.Gomez@sanjoseca.gov>; Fleming, Jonathan <Jonathan.Fleming@sanjoseca.gov>; Zarate, Sarah <Sarah.Zarate@sanjoseca.gov>; Adera, Teddy <Teddy.Adera@sanjoseca.gov>; Yamamoto, KiyomiH <Kiyomi.Yamamoto@sanjoseca.gov>; Nguyen, Lam <Lam.Nguyen@sanjoseca.gov>; Flores Shelton, Andrea <Andrea.FloresShelton@sanjoseca.gov>; Cicirelli, Jon <Jon.Cicirelli@sanjoseca.gov>; Rios, Angel <Angel.Rios@sanjoseca.gov>; Hughes, Scott <scott.hughes@sanjoseca.gov>; Kylie Clark [REDACTED]; Gianella Ordonez [REDACTED] City Clerk <city.clerk@sanjoseca.gov>; Brooke Tran [REDACTED]

**Subject:** Re: Letter re item 3.4, February 10, City Council meeting

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For your reference, SVCN and REAL Coalition's STAY framework is attached. We hope that this affordability framework continues to supplement the Council's upcoming budget decision making.

Thank you,  
Shannon

**Shannon Zhang** | Nonprofit Policy + Advocacy Associate  
Silicon Valley Council of Nonprofits

Web: [svcn.org](http://svcn.org) | [LinkedIn](#)

Pronouns: she/her/hers

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**From:** Kyra Kazantzis [REDACTED]

**Sent:** Tuesday, February 10, 2026 9:54 AM

**To:** [mayoremail@sanjoseca.gov](mailto:mayoremail@sanjoseca.gov) <[mayoremail@sanjoseca.gov](mailto:mayoremail@sanjoseca.gov)>; District1 <[district1@sanjoseca.gov](mailto:district1@sanjoseca.gov)>; District2 <[district2@sanjoseca.gov](mailto:district2@sanjoseca.gov)>; District3 <[district3@sanjoseca.gov](mailto:district3@sanjoseca.gov)>; District4 <[district4@sanjoseca.gov](mailto:district4@sanjoseca.gov)>; District5 <[district5@sanjoseca.gov](mailto:district5@sanjoseca.gov)>; District 6 <[district6@sanjoseca.gov](mailto:district6@sanjoseca.gov)>; District7 <[district7@sanjoseca.gov](mailto:district7@sanjoseca.gov)>; District8 <[district8@sanjoseca.gov](mailto:district8@sanjoseca.gov)>; District9 <[district9@sanjoseca.gov](mailto:district9@sanjoseca.gov)>; George Casey <[district10@sanjoseca.gov](mailto:district10@sanjoseca.gov)>; Lee Wilcox <[leland.wilcox@sanjoseca.gov](mailto:leland.wilcox@sanjoseca.gov)>; Jennifer Maguire <[jennifer.maguire@sanjoseca.gov](mailto:jennifer.maguire@sanjoseca.gov)>; Rosalynn.Hughey@sanjoseca.gov <[Rosalynn.Hughey@sanjoseca.gov](mailto:Rosalynn.Hughey@sanjoseca.gov)>; erik.solivan@sanjoseca.gov <[erik.solivan@sanjoseca.gov](mailto:erik.solivan@sanjoseca.gov)>; [sarah.fields@sanjoseca.gov](mailto:sarah.fields@sanjoseca.gov) <[sarah.fields@sanjoseca.gov](mailto:sarah.fields@sanjoseca.gov)>; [cupid.alexander@sanjoseca.gov](mailto:cupid.alexander@sanjoseca.gov) <[cupid.alexander@sanjoseca.gov](mailto:cupid.alexander@sanjoseca.gov)>

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**Subject:** Letter re item 3.4, February 10, City Council meeting

Dear Mayor Mahan, Vice Mayor Foley, and Members of the City Council,

On behalf of the Silicon Valley Council of Nonprofits (SVCN), **we write in support of the memorandum authored by Councilmembers Campos, Cohen, Ortiz, and Candelas** calling for continued exploration of revenue options and a more deliberate, informed approach to how additional resources may be generated and used.

SVCN is a nonprofit association representing more than 170 nonprofit organizations serving San José and Santa Clara County; our mission is to advance the role, voice, and capacity of the nonprofit community so it can be a force for positive social change and support the creation of equitable, vibrant, and thriving communities. Our members work every day with residents most affected by housing instability, rising costs, health inequities, and disinvestment—giving us a clear view into how fiscal decisions translate into real-world impacts on households and neighborhoods.

We appreciate the memo's recognition that San José's ongoing fiscal challenges cannot be addressed through cuts alone. **Absent new or expanded revenue, continued budget shortfalls will increasingly result in reductions to core City services and staffing and to essential programs delivered by nonprofit partners on the City's behalf.** These services—including housing stabilization, homelessness prevention, community-based prevention and intervention services that ensure community safety, older adult services such as food access, and legal services—are not optional; they are foundational to community stability and public well-being.

As federal resources become more uncertain and economic volatility increases, the risk of service erosion grows. Without a proactive revenue strategy, the City will be forced into reactive decisions that disproportionately harm residents and communities already experiencing the greatest affordability pressures. **Continued, transparent exploration of revenue options is therefore not only appropriate, but necessary to avoid deepening inequities and destabilizing the systems residents rely on most.**

**We feel that the time is now to acknowledge that, in an era of federal retrenchment and fiscal uncertainty, San José may be required to make clearer distinctions between “nice-to-have” enhancements—like beautification—and “must-have” investments that protect community stability.** It would be negligent not to acknowledge the significant cost and long-term unsustainability of the City’s current reliance on building and staffing interim shelter in the absence of sufficient investment in permanent, affordable housing solutions.

We also strongly urge the City Council to direct staff to engage residents in meaningful community conversations about how any new or expanded revenue could be spent. **Community engagement should transparently present these tradeoffs, reflect cumulative cost burdens, and center the voices of residents most affected by affordability pressures.** Equity-focused engagement is critical to ensuring that future decisions do not shift costs onto those least able to absorb them.

When additional revenue is available, the question of how it is spent is as important as how it is raised. From SVCN’s perspective, must-have investments are those that support residents and communities that have been historically under-invested in and are at greatest risk of displacement and harm. **Addressing San José’s affordability crisis—particularly the need for deeply affordable housing—must remain a central priority. City residents agree.**

These priorities are consistent with the **Race Equity Action Leadership (REAL) Coalition’s FY 2026–27 affordability framework, *STAY in San José: A Racial Equity Affordability Framework*** (attached) which outlines affordability as a core racial equity strategy and calls for revenue and investment decisions to be evaluated based on their real-world impacts on housing stability, displacement, and equity outcomes.

The City should continue to communicate clearly with residents about the importance of affordable housing and regularly update community polling to understand public sentiment about helping fund housing solutions, given their central role in displacement prevention, household stability, and long-term economic health.

At the same time, advancing equity and collective well-being requires a combination of investments. **These include human services that stabilize households, parks and community spaces that keep neighborhoods—especially low-income communities—healthy and connected, and arts and cultural institutions that have been routinely under-invested in despite their important role in advancing equity, cultural connection, healing, and civic participation.**

**City staff should be given flexibility to engage the community in ongoing conversations (and conduct polling at will) about these spending priorities and the combinations of investments**

**that best reflect shared values—while remaining attentive to who is paying, who benefits, and how decisions affect communities already facing the greatest cost burdens.**

SVCN stands ready to be a collaborative partner as the City navigates these decisions and works toward a revenue and investment strategy grounded in equity, affordability, and long-term community stability. We appreciate your leadership and look forward to continued engagement.

Sincerely,  
Kyra

**Kyra Kazantzis | CEO**

**Silicon Valley Council of Nonprofits**

Web: [svcn.org](http://svcn.org) | [LinkedIn](#)

Pronouns: she/her/hers

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# **STAY in San José: A Racial Equity Affordability Framework for FY 2026-27\***

The Race Equity Action Leadership (REAL) Coalition\*\* offers the **STAY in San José** framework to guide the City's FY 2026-27 budget decisions.

## **Why Affordability Must Be Central**

San José residents have been consistent and clear: the cost of living—and housing affordability in particular—is the top challenge facing people who live here. Year after year, the City's own resident surveys rank housing costs, rent, and overall affordability above nearly every other concern.

These pressures are not evenly distributed. Rising housing costs, childcare expenses, and basic living costs are deepening income inequality, widening class divides, and reinforcing racial and economic segregation. Black, Latino, immigrant, and low-income households are more likely to be rent-burdened, overcrowded, displaced, or pushed out of the city altogether. Affordability challenges also fall disproportionately on people with disabilities, LGBTQ+ residents, older adults, and people with chronic health or behavioral health needs, many of whom face fixed or limited incomes, discrimination in housing and employment, and higher costs to access basic services. For these communities, affordability is inseparable from dignity, safety, and stability.

Affordability policy is therefore not race-neutral. It is one of the most powerful tools the City has to advance—or undermine—racial equity. The idea of advancing racial equity through affordability policy is consistent with the City of San José's Racial and Social Equity Ordinance and Equity Values and Standards Policy, which require the City to proactively eliminate disparities, center impacted communities, and embed equity into decision-making. Advancing the priorities below would move the City closer to fulfilling the spirit and intent of these laws.

At its core, this framework is about ensuring that San José remains a place where people can afford to live and work—and where they belong. Policies framed as “compassionate” or “results-driven” must ultimately be evaluated by their real-world impacts on housing stability, dignity, and equity—not by rhetoric alone. These impacts should be measured and reported transparently, with a clear focus

on whether policies are reducing racial and economic disparities and improving outcomes for the communities most affected by affordability challenges.

## ***PART I: Affordability Framework (Housing, Childcare, Household Stability)***

### **1. Resolve the Homelessness Crisis by Prioritizing Deeply Affordable Permanent Housing**

Shift City policy toward permanent solutions for residents with the greatest need by:

- Prioritizing housing affordable to Extremely Low-Income and Very Low-Income households
- Treating interim shelter and encampment responses as short-term bridges—not substitutes for permanent housing

*Affordability impact:* Without deeply affordable permanent housing, residents cycle through costly emergency systems while remaining unhoused. Permanent housing stabilizes households and reduces long-term public expenditures. Strategies that prioritize temporary shelter or enforcement over permanent housing increase long-term costs and instability when the permanent housing supply does not keep pace with need.

### **2. Prevent Displacement Through Housing Stabilization**

Invest in upstream strategies that keep people housed and prevent entry into crisis systems by:

- Fully funding homelessness prevention and housing stabilization services
- Prioritizing flexible assistance and stabilization supports that help households remain safely housed

*Affordability impact:* Preventing homelessness and displacement is far less costly than responding after crises and preserves housing stability for households most at risk of displacement.

### **3. Stabilize Tenants by Protecting and Enforcing Their Legal Rights**

Ensure renters can meaningfully exercise their legal rights and remain safely housed by:

- Fully funding universal eviction defense and tenant education. An important next step would be to bring the right to counsel back and consider piloting an eviction defense approach.
- Expanding legal assistance for habitability enforcement, including unsafe or poorly maintained properties
- Acknowledging that legal rights are meaningless without access to attorneys

*Affordability impact:* Unsafe housing, deferred maintenance, and illegal landlord practices impose hidden costs on low-income tenants and accelerate displacement. Enforcing tenant protections stabilizes households, preserves affordable housing, and reduces reliance on emergency systems.

#### **4. Keep Rents Affordable by Strengthening Rent Stabilization and Preserving Existing Housing**

Reduce excessive rent increases while maintaining housing quality by:

- Maintaining the City’s prohibition on utility cost pass-throughs for unmetered rental units, and ensuring that tenants are not charged for utilities through allocation formulas that obscure actual usage and increase housing cost burdens
- Lowering the annual allowable rent increase under the City’s rent stabilization ordinance, which currently permits increases of up to 5% regardless of the local Consumer Price Index (CPI), which tracks inflation
- Relying on the capital fair return process—not blanket rent hikes—to address legitimate capital improvement needs
- Exploring preservation incentives that reward owners who keep rents affordable

*Affordability impact:* Keeping rents aligned with actual cost growth prevents displacement and preserves naturally occurring affordable housing at a fraction of the cost of new construction. Affordability strategies that rely solely on deregulation or market acceleration—without tenant protections—risk increasing displacement rather than reducing housing cost burdens.

## **5. Reduce Family Cost Burdens by Prioritizing Affordable Childcare**

Expand and stabilize childcare by:

- Increasing affordable childcare slots
- Stabilizing nonprofit childcare providers serving low-income families

*Affordability impact:* Childcare is one of the largest household expenses, as acknowledged in the City’s Child and Family Master Plan. Without affordable options, families—especially women of color and immigrant parents—are pushed out of the workforce or into economic crisis. Addressing childcare affordability is not solely a county or state responsibility; the City of San José has an obligation to work with the county to step in with meaningful investments, policy leadership, and coordination to ensure families can afford to live and work here.

## **6. Protect Household Stability by Responding to Harmful Federal Actions**

Mitigate local impacts of federal policies that threaten affordability, safety, and civil rights by:

- Planning for millions of dollars in lost or threatened federal funding
- Coordinating with Santa Clara County to close gaps in protections for those targeted by the federal administration, including immigrant families, LGBTQ+ residents, people seeking reproductive health care, climate advocates, and organizations advancing racial justice
- Defending nonprofits and community members targeted for their advocacy or service.
- Evaluating how City data systems and surveillance or enforcement technologies—including speed cameras—are used, accessed, or shared, and developing safeguards to ensure they are not repurposed for immigration enforcement

*Affordability impact:* When households experience fear of detention, family separation, or surveillance, people avoid work, school, healthcare, and public spaces—thereby directly reducing household income and quality of life and increasing housing instability. These disruptions compound affordability challenges and increase reliance on emergency systems. Protecting immigrant families is also a fiscally responsible strategy: immigrants contribute billions of dollars annually in local, state, and federal taxes, and policies that destabilize

immigrant households reduce economic participation while shifting costs to local governments.

City leadership must take a sustained and courageous public stand in defense of immigrant communities and other targeted groups, clearly condemning federal actions that undermine safety, dignity, and economic stability.

## **7. Center Affordability and Equity When Evaluating Potential Cuts to Community Services**

In the context of a projected budget shortfall, the City must carefully evaluate any proposed reductions to community and nonprofit-delivered services through an affordability and racial equity lens. Services that prevent displacement, support older adults, provide nutrition, offer eviction advice and defense, reduce isolation, and stabilize household income are core components of the City's affordability and stability infrastructure and should be prioritized accordingly.

*Affordability impact:* Cuts to the safety net would directly deepen the City's affordability crisis and disproportionately harm communities already experiencing the greatest economic strain. When these services are reduced or eliminated, costs do not disappear; they are shifted onto families and communities least able to absorb them and often reappear later in more expensive emergency systems.

The City should prioritize maintaining services that stabilize households and prevent harm over reductions to discretionary or deferrable expenditures that do not directly affect residents' ability to remain housed, healthy, and economically secure.

## ***PART II: Budget-Conscious Strategies That Advance Racial Equity***

### **1. Stabilize Communities and Improve Safety by Expanding Community-Based Alternatives to Policing and Incarceration**

Invest in responses that prevent harm, stabilize households, and reduce reliance on emergency and carceral systems by:

- Expanding and sustaining the popular and effective TRUST program citywide and exploring how the City’s crisis call response can best direct calls to community-based care responses
- Establishing a Community-Based Violence Prevention and Intervention Office grounded in public health, trauma-informed care, and neighborhood-led strategies, beginning with an evaluation of successful models
- Implementing community-designed, non-punitive outreach models—co-designed with people who have lived experience of homelessness and behavioral health crises—to build trust, encourage voluntary engagement, and connect people to housing and care, including approaches similar to the HEART model proposed by REAL in the last budget cycle
- Investing in planning phases for community-designed approaches to interpersonal violence (IPV), designed by the neighborhoods or community groups that will benefit from them. These could include restorative justice, peer mentoring, and circulo practices, for example.

*Fiscal efficiency and equity impact:* Police, jail, emergency room, and inpatient responses are among the most expensive and least effective ways to address mental health crises and substance use. Community-based responses reduce public costs while preventing job loss, fines, incarceration, and housing instability. Opioid settlement funds are a critical source for this work and should not be used for policing under any circumstances.

## ***PART III: Revenue***

### **1. Secure Long-Term Affordability Through Community-Aligned Revenue Strategies**

Enable proactive, transparent exploration of revenue options that reflect community priorities by:

- Allowing City staff to explore combinations of public investments—such as infrastructure, housing, open space, childcare, and resident health and human services—that residents value
- Re-examining Measure E formulations, including potential adjustments at the highest tiers of the property transfer tax

- Authorizing polling and analysis of additional revenue concepts without repeated Council approvals, while maintaining transparency and accountability

*Fiscal sustainability and equity impact:* Sustainable revenue strategies must be grounded in an honest assessment of the extreme income and wealth disparities that characterize Silicon Valley. In a region where a small number of households hold extraordinary levels of wealth alongside widespread housing and cost burdens, revenue approaches should be evaluated for their ability to raise resources in a progressive manner that does not exacerbate affordability pressures for low- and moderate-income residents.

Centering progressivity in revenue exploration—including options tied to high-value transactions, concentrations of wealth, or corporate activity, while remaining mindful of legal constraints—allows the City to fund critical affordability and stability investments.

Long-term fiscal stability cannot be achieved through austerity or by balancing the budget primarily through cuts to community services; avoiding difficult fiscal conversations only deepens inequality and increases future costs borne by residents and local governments alike.

### **Bottom Line**

In a deficit year, budget choices are equity choices. These priorities advance affordability as a racial justice strategy—grounded in evidence, lived experience, and the City’s own equity laws.

San José can be more affordable—and must also be more humane, more equitable, and more courageous in confronting the intertwined crises of housing, health, community safety, and democracy. Meeting these expectations will require bold choices, sustained public investment, and a willingness to be judged not only by economic indicators, but by whether the people most at risk of displacement and harm are healthier, safer, and able to stay in the communities they call home.

San José must prioritize stability over symbolic or headline-driven actions, permanent solutions over temporary fixes, and dignity over coercion. The REAL Coalition calls on City leadership to advance policies that allow residents to stay in San José—not just survive here, but belong here.

---

\* We call this framework **STAY in San José** to reflect the core outcomes it advances: household stability, tenant protections, affordability, and a city where people can remain in the communities they call home. **STAY** is an acronym for Stability, Tenants' rights, Affordability, and You belong here!

\*\*The Race Equity Action Leadership (REAL) Coalition is a cross-sector alliance of more than 50 nonprofit organizations, along with many additional nonprofit partners, community advocates, and individuals with lived experience. REAL is committed to dismantling white supremacy culture and systemic racism, using our positional power to advance movement goals, and facilitating the voice of community in government decision-making. We are also committed to learning, advocacy, and organizing while building power in authentic community solidarity.

City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Kunal Prasad <[REDACTED]>

Date Tue 2/10/2026 10:22 AM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I am writing to express my support for San José Arts Advocates in urging you to prioritize the growth and development of our city's creative sector. Often referred to as the "experience economy," this sector is a vital driver of our economy, generating significant revenue through the Transient Occupancy Tax (TOT). The TOT not only supports local hospitality, retail, and other commercial industries but also attracts visitors to San José, contributing to our overall economic prosperity.

Furthermore, the creative sector aligns closely with the City Council's current focus area of "Growing Our Economy" and the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment." By supporting the creative sector, we can achieve these goals and create a thriving, vibrant city for all residents.

Regrettably, the proposed ballot measure on your agenda for February 10 (Item 3.4) disregards these important factors and seeks to balance the city budget at the expense of the local creative sector. This decision would have detrimental consequences for the creative sector, which plays a crucial role in generating revenue for the TOT.

I strongly urge you to reconsider your decision and explore alternative options that would support the creative sector. Without its contributions, the TOT would not exist, and we would lose a significant source of revenue for our city's development and growth.

Thank you for your attention to this matter.

Sincerely,

Kunal Prasad  
North San Jose

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City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

---

From Janice Allen [REDACTED]

Date Tue 2/10/2026 10:43 AM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's "experience economy," which is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The experience economy also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the experience economy. This is the wrong choice.

I implore you to dedicate a portion of new TOT revenue to support the experience economy, without which, there would be no TOT in the first place.

Janice Allen  
District 6

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**Fw: Labor Letter Regarding Agenda Item 3.4**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/10/2026 12:06 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

 1 attachment (2 MB)  
Feb 10 Item 3.4 Labor Letter.docx;

**Office of the City Clerk | City of San José**  
200 E. Santa Clara St., Tower 14<sup>th</sup> Floor  
San Jose, CA 95113  
Main: 408-535-1260  
Fax: 408-292-6207

How is our service? Your [feedback](#) is appreciated!

---

**From:** Jack McGovern <[REDACTED]>  
**Sent:** Tuesday, February 10, 2026 11:55 AM  
**To:** Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; Casey, George <George.Casey@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; CouncilMeeting <CouncilMeeting@sanjoseca.gov>  
**Cc:** Jean Cohen <[REDACTED]>  
**Subject:** Labor Letter Regarding Agenda Item 3.4

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Dear Mayor and City Council:

Please find attached a letter from the South Bay Labor Council and our affiliated unions regarding agenda item 3.4 on today's city council meeting agenda.

Please let me know if you have any questions or concerns. And thank you.

Best,

Jack

Jack McGovern (he/him)  
Political Director  
South Bay AFL-CIO Labor Council  


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January 10, 2026

Dear Mayor and Members of the City Council,

On behalf of the South Bay Labor Council and our affiliated unions, representing tens of thousands of working people across San José, we write to express our support for directing City staff to explore and report back on non-regressive revenue options that can sustainably fund critical city functions and maintain core services.

We appreciate the staff memo on a potential Transient Occupancy Tax (TOT) ballot measure and recognize it as a constructive step toward addressing near-term General Fund pressures. Visitor-based revenue can play a helpful role in supporting city services. However, a modest increase in the TOT alone is not a panacea and will not resolve the City's long-term, structural revenue challenges. Strengthening the General Fund while maintaining dependable resources for the arts, hotels, and tourism will help ensure continued economic activity and long-term returns for the City.

San José continues to face growing budget gaps driven by rising service demands and slower revenue growth. Maintaining essential services including public safety, homelessness response, infrastructure, parks, libraries, and neighborhood services, will require a broader and more sustainable revenue strategy that does not disproportionately impact low and middle-income residents or small businesses.

We therefore urge the Council to direct staff to return with a comprehensive analysis of non-regressive revenue options, consistent with and in support of the memo put forward by Councilmembers Campos, Cohen, Ortiz, and Candelas. This analysis should include, but not be limited to:

- A comparison of San José's revenue structure with large Bay Area and California cities.
- Evaluation of modern business tax models, including gross receipts approaches, and how they align with today's economy and remote or hybrid work trends.
- Consideration of safeguards, exemptions, or tiered structures to protect small businesses and avoid regressive impacts.
- Identification of revenue options that provide stable, long-term funding to maintain core city services.

Finally, we hope that you will bring stakeholders together to work collaboratively across sectors, recognizing the power of shared leadership and coalition-based problem-solving to develop solutions that serve the entire community. Taking this broader approach will give Council and the public the information needed to strengthen the City's fiscal health while protecting core services, working families, and the local economy.

Thank you for your leadership and consideration. We look forward to continued collaboration to ensure San José has the resources necessary to serve its residents now and into the future.

Sincerely,

**Jean Cohen**

Executive Officer  
South Bay Labor Council

**Maria Noel Fernandez**

Executive Director  
Working Partners USA

**Will Smith**

Representative  
IBEW Local 332

**John Tucker**

Representative  
AFSCME 57

**Jerry May**

President  
San Jose Fire Fighters, IAFF Local 230

**Krista de la Torre**

Representative  
IFPTE Local 21

**Enrique Fernandez**

Business Manager  
Unite Here! Local 19

**Jon Curcio**

Business Manager  
IATSE Local 143



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**City Council 2/10/2026 - Item 3.4: TOT Ballot Measure**

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**From** Analyn Bones <[REDACTED]>

**Date** Tue 2/10/2026 12:13 PM

**To** Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

**Cc** [REDACTED] <[REDACTED]>

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Dear Mayor Mahan and City Council,

am writing to urge you to take meaningful action to protect and strengthen funding for arts and culture as you consider changes to the Transient Occupancy Tax (TOT) allocation.

Arts, culture, and hospitality are not peripheral to San José's economy they are a core driver of it. The very "experience economy" that brings visitors to our city and generates TOT revenue is built on cultural events, public art, performances, and creative communities. Yet today, only 1.5% of TOT revenue supports the Office of Cultural Affairs, while far larger portions are directed elsewhere.

For the 2025–2026 fiscal year, TOT revenue is projected at approximately \$45 million. That means roughly \$6.75 million supports the Office of Cultural Affairs funding that must cover cultural grants, public art, and staff for the entire city. This level of support is already insufficient, and any expansion of the General Fund portion of the TOT without a proportional commitment to arts and culture would further weaken a sector that is already stretched thin.

The recommendation endorsed by San José Arts Advocates to establish a baseline for the General Fund allocation and direct any net new TOT revenue to arts and culture is a

reasonable, balanced, and forward-thinking approach. Had this policy been in place this year, it would have resulted in an additional \$1 million for cultural programs. That investment could have supported nonprofit organizations, sustained creative workers, expanded arts education, and increased access for residents across San José.

Using TOT expansion solely to backfill the General Fund places the burden of budget balancing on the backs of local artists, cultural workers, and nonprofit organizations — many of whom are still recovering from years of instability. This approach risks long-term damage to the very ecosystem that generates this revenue in the first place.

I respectfully urge you to:

- Commit to protecting the existing arts and culture allocation within the TOT
- Establish a baseline for the General Fund portion
- Direct net new TOT revenue toward arts and cultural programs that serve residents, workers, and visitors alike

Investing in arts and culture is not a luxury it is an economic strategy, a community investment, and a reflection of San José's values. I ask that you demonstrate leadership by ensuring that any changes to the TOT strengthen, rather than undermine, the creative community that helps define our city.

Thank you for your time, your consideration, and your continued service to San José.

-Analyn Bones

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**City Council 2/10/2026 - Item 3.4: TOT Ballot Measure**

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From Ann Watts <[REDACTED]>  
Date Tue 2/10/2026 12:37 PM  
To [REDACTED] <[REDACTED]>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to support San José's "experience economy," which is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The experience economy also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

I implore you to dedicate a portion of new TOT revenue to support the experience economy.

Thank you for your dedication and service to our community.

Ann Watts  
District 3, Downtown San Jose

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Ann Watts  
Executive Director  
Pronouns: she/her/hers

Starting Arts | [www.startingarts.com](http://www.startingarts.com)



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## City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Ashley Guerrero <[REDACTED]>

Date Tue 2/10/2026 2:11 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

Cc Ashley Guerrero <[REDACTED]>

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Dear Mayor Mahan and Members of the City Council,

I stand with San José Arts Advocates in urging you to step up for San José's creative sector. Often described as the "experience economy," this sector is a primary driver of the Transient Occupancy Tax (TOT), attracting visitors who directly support our local hospitality, retail, and commercial businesses. **As demonstrated by this year's Super Bowl weekend, major events of this scale rely on the arts and cultural programming that bring our city to life.**

The creative sector also directly advances the City Council's priority of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs' goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Unfortunately, the proposed ballot measure scheduled for February 10 (Item 3.4) fails to recognize these realities and instead attempts to balance the city budget at the expense of the very sector that generates critical TOT revenue. This approach undermines both our economy and our cultural vitality.

**Cultura cura, culture cures.** Without the arts, we have no culture, and without culture, San José loses its appeal as a destination. **I strongly urge you to consider alternative solutions that protect and sustain the creative sector, which is fundamental to the existence of the TOT.**

In community spirit,

Ashley Guerrero,  
Northside Resident, District 3

P.S. I know council is in session already, but I wasn't able to send this sooner.

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## City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Elizabeth Svoboda <[REDACTED]>

Date Tue 2/10/2026 2:17 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice.

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Elizabeth Werness  
San Jose District 2

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February 9, 2026

City of San Jose City Council  
200 E. Santa Clara St.  
San José, CA 95113

**RE: Item 3.4 Potential Ballot Measure Increasing Transient Occupancy Tax and Business License Tax Modernization**

Dear Mayor Mahan and Honorable Councilmembers,

On behalf of the San Jose Chamber of Commerce, a 140-year-old business organization representing employers across San Jose, we recognize that the City’s budget deficit is real and that closing this gap will require thoughtful, durable solutions. Economic development—and specifically investment in tourism, conventions, arts, and the experience economy—must be part of that solution.

We appreciate the City’s effort to address fiscal pressures and agree that visitor-based revenue tools can play a role when structured carefully and transparently.

With that context, we respectfully request the following three considerations regarding the proposed increase to the Transient Occupancy Tax (TOT):

**1. Postpone the item to allow for deeper analysis and stakeholder input**

We ask that the City consider placing this measure on the November ballot and direct staff to provide a more thorough analysis of how additional TOT revenues could be strategically invested in tourism, convention activity, the experience economy, and San Jose’s arts and cultural ecosystem. Increasing the tax without this clarity—and without meaningful industry input—risks placing San Jose’s hotels and visitor-serving businesses at a competitive disadvantage relative to peer cities.

Importantly, two years ago the City undertook a comprehensive process—including a City Council study session on February 4, 2024—to examine funding strategies for arts, destination marketing, and destination events. That process explicitly identified the increase or reallocation of TOT revenues as one of several potential tools, alongside other revenue mechanisms. It is not clear whether or how the conclusions from that work, stakeholder input, or identified trade-offs were incorporated into the current proposal. Clarifying this connection would help ensure continuity, transparency, and alignment with prior Council direction.

This analysis should also clarify how the proposed structure differs from the current TOT framework and how San Jose’s effective visitor tax rates compare to other cities once additional



revenue mechanisms are considered, including Tourism Business Improvement Districts (TBIDs) and similar assessments.

## **2. Revise the ballot statement to include economic development levers**

A simple majority vote would direct new revenues primarily into the General Fund, with an understandable goal of closing the City's continued structural budget deficit.

Notably, existing polling did not assess voter willingness to support a TOT increase if a defined portion of the revenues were dedicated to Chapter 4.72 purposes. While a two-thirds vote threshold may present a higher bar, this structure could have been a viable option given that the tax is borne by the hotel industry. The absence of this analysis further underscores the need for additional study before moving forward.

## **3. Revise ballot language to clearly emphasize reinvestment in the experience economy**

We strongly encourage revising the ballot language to explicitly recognize the contributing industry most impacted by the tax. Emphasizing reinvestment in tourism, conventions, arts, culture, and visitor-serving infrastructure would help ensure the measure supports long-term economic vitality rather than short-term fiscal relief alone.

This distinction matters. While a General Fund solution may provide near-term stability, sustained investment in the experience economy generates recurring revenue, supports our experience economy, small businesses and cultural organizations, and strengthens San Jose's broader tax base over time.

Hotelier input underscores these concerns.

In a recent Chamber survey of hotel members, more than 50 percent expressed concern about the timing of this proposal, and 100 percent of respondents stated that any increase in TOT should have some reinvestment directly into tourism, conventions, and visitor-serving infrastructure. This consensus reflects a shared understanding that strategic reinvestment—not diversion—is what ultimately drives occupancy, visitor spending, and economic return for the City.

Finally, we would welcome the opportunity to provide feedback on issues affecting the business community earlier in the policy development process. Timely engagement allows for better outcomes and avoids reactive responses. I am available at any time to meet with City or Council staff and look forward to working collaboratively to close the budget gap in a way that strengthens San Jose's economy for the long term.

## **4) Business Community Input on Business Tax Modernization**

The San José Chamber of Commerce requests active in engagement in the City's business license tax modernization effort, as the outcome will directly affect the cost of doing business, the City's competitiveness, and the stability of San José's employer base. Any such study should evaluate the *comprehensive, effective tax rates and fees placed on businesses*—including the



**San Jose  
Chamber of Commerce**

cumulative impact of taxes, licenses, and regulatory costs—rather than assessing individual revenue tools in isolation.

Chamber involvement helps ensure the process is balanced, data-driven, and reflective of businesses of all sizes. We also emphasize the importance of approaching this effort with fairness toward small businesses, many of which operate on thin margins and are especially sensitive to layered cost increases. Modernization should thoughtfully consider mechanisms that avoid disproportionate impacts while supporting economic growth and the City’s long-term fiscal health, consistent with the direction outlined in the Council memorandum.

If you would like to schedule a meeting to discuss further, please do not hesitate to reach out to Lennies Gutierrez, our policy consultant at [REDACTED].

Sincerely,

[REDACTED]

Leah Toeniskoetter  
President & CEO  
San Jose Chamber of Commerce



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## City Council 2/10/2026 - Item 3.4: TOT Ballot Measure

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From Sonja Danielle <[REDACTED]>

Date Tue 2/10/2026 4:24 PM

To Agendadesk <Agendadesk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tordillos, Anthony <Anthony.Tordillos@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

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Dear Mayor Mahan and City Council,

I stand with San José Arts Advocates in calling on you to step up for San José's creative sector. Often referred to as the "experience economy," the creative sector is the primary driver of the Transient Occupancy Tax (TOT), drawing visitors to San José who support local hospitality, retail, and other commercial industries.

The creative sector also plays a key role in supporting the City Council's current focus area of "Growing Our Economy," as well as the Office of Economic Development and Cultural Affairs Work Plan Goal to "Activate San José as the South Bay's Hub for Sports, Arts, and Entertainment."

Sadly, the proposed ballot measure on your agenda for Feb. 10 (Item 3.4) ignores these factors and seeks to balance the city budget at the cost of the local creative sector, whose efforts generate revenue for the TOT. This is the wrong choice.

I implore you to consider other options to support the creative sector, without which, there would be no TOT in the first place.

Sonja Lukinbeck-Shay  
District 1

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Sonja Lukin-Beck



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