



City Council Meeting Minutes

Tuesday, April 28, 2026

1:30 PM

Council Chambers

Closed Session at 9:30 a.m.

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

- **Call to Order and Roll Call**

9:30 a.m. – Closed Session. *See Page 13-17 for the Closed Session Minutes.*

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

Absent Councilmembers: Campos, Mahan.

1:30 p.m. – Regular Session.

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

Absent Councilmembers: Mahan.

- **Pledge of Allegiance**

Vice Mayor Pam Foley led the Pledge of Allegiance.

- **Invocation**

Dan Gross offered the invocation with assistance from Alex Schord and three animal ambassadors.

- **Orders of the Day**

None provided.

- **Adjournment Recognition**

None provided.

- **Closed Session Report**

None provided.

1. CEREMONIAL ITEMS

1.1 Councilmember Bien Doan presented a proclamation declaring April 30, 2026, as Black April, a day for the Vietnamese American community in the City of San José to reflect on and mourn the Fall of Saigon.

1.2 Councilmember Pamela Campos and Councilmember Bien Doan presented a proclamation recognizing May 1, 2026, as May Day in the City of San José, honoring International Workers' Day and celebrating the historic contributions of the labor movement.

1.3 Councilmember Michael Mulcahy presented a commendation to the Autism Society San Francisco Bay Area for its leadership in supporting the autism community, including in the City of San José, by providing trusted resources, advocacy, and connections that empower more than 20,000 families to live full and supported lives.

2. CONSENT CALENDAR

Councilmember Michael Mulcahy pulled item 2.5 to provide a travel report.

Councilmember Domingo Candelas pulled item 2.10 for questions.

Public Comment: Jordan Moldow, Shaunn, Drusie, Lyla, Philip, and John offered public comment regarding the Consent Calendar.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Rosemary Kamei, and carried unanimously, the Consent Calendar was approved *as a whole*. The following actions were taken as indicated. (10-0-1; Absent: Mahan)

2.1 Approval of City Council Minutes

None provided.

2.2 Final Adoption of Ordinances.

None provided.

2.3 Approval of Council Committee Minutes.

(a) Regular Neighborhood Services and Education Committee Minutes of April 9, 2026.

(b) Regular Transportation and Environment Committee Minutes of April 13, 2026.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

Action: The Council Committee minutes were approved. (10-0-1; Absent: Mahan)

2.4 Mayor and Council Excused Absence Requests.

None provided.

2.5 City Council Travel Reports.

Councilmember Michael Mulcahy reported on a civic leadership trip to Paris, highlighting the city's intentional yet simple approaches to greening, mobility, and public space improvements, supported by strong alignment between political vision and administrative execution.

Councilmember Mulcahy contrasted this with San José's more complex governance structure, emphasizing the need to better align vision and implementation to achieve similar outcomes.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 Retroactive Approval of "Free Use" of the Janet Gray Hayes Rotunda for the Together San José: Welcoming Community Luncheon.

Retroactively approve and adopt a resolution authorizing "Free Use" of the Janet Gray Hayes Rotunda for the private Together San José: Welcoming Community Luncheon on Tuesday, April

21, 2026, hosted by the City Manager's Office of Racial and Social Equity.
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no physical changes to the environment. (City Manager)

Action: **Resolution No. RES2026-104** was adopted, authorizing "Free Use" of the Janet Gray Hayes Rotunda for the private Together San José: Welcoming Community Luncheon. (10-0-1; Absent: Mahan)

2.8 Terms of a Side Letter Agreement Between the City of San José and the Peace Officer Park Ranger Association (POPRA) and Amendments to the City Pay Plan.

Adopt a resolution:

- (a) Approving the terms of a Side Letter Agreement with the Peace Officer Park Ranger Association (POPRA) regarding the Park Ranger Trainee PT (2421) classification.
- (b) Amending the City of San José Pay Plan, effective May 10, 2026, as follows:
 - (1) Increase the hourly pensionable rate of the Park Ranger Trainee PT (2421) classification to \$40.46 - \$40.46; and
 - (2) Increase the annual pensionable salary range of the Community Programs Administrator (6104) classification to \$117,769.60 - \$143,478.40.

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

Action: **Resolution No. RES2026-105** was adopted, regarding the terms of a side letter agreement between the City of San José and the Peace Officer Park Ranger Association and amendments to the City pay plan. (10-0-1; Absent: Mahan)

2.9 Actions Related to the Memorandum of Understanding with the Bay Area Urban Areas Security Initiative.

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

- (a) Negotiate and execute an updated Memorandum of Understanding with the Bay Area Urban Areas Security Initiative; and
- (b) Negotiate and execute amendments to the Memorandum of Understanding to extend the term of the Memorandum of Understanding up to four years, to make minor changes to governance, and ensure operational efficiencies.

CEQA: Not a Project, File No. PP17-006, Grant Application with no commitment or obligation to enter into an agreement at the time of application. (City Manager)

Action: **Resolution No. RES2026-106** was adopted, regarding actions related to the memorandum of understanding with the Bay Area Urban Areas Security Initiative. (10-0-1; Absent: Mahan)

2.10 City Affordability Restrictions in the Event of Expiration or Termination of Project-Based Subsidy Contracts or Foreclosure.

Adopt a resolution authorizing the Housing Director, or their designee, to allow, on a case-by-case basis for any City funded affordable housing development, rent and income restrictions to increase up to 60% of the Area Median Income for units funded by Low and Moderate Income Housing Asset Fund and up to 120% of the Area Median Income for units funded by Measure E Area Median Income as permitted under the City of San José's affordability restrictions for the project, but not to exceed Area Median Income caps, based on funding sources for new tenants in Project-Based Voucher-subsidized units upon expiration or termination of the applicable Project-Based Vouchers and for all tenants in the event of foreclosure or impeding feasibility to preserve unit affordability, if the City of San José has determined that such approval is needed if, and only to the extent, and only for the period of time necessary for the financial feasibility of the affordable housing development, provided the City of San José has determined such increase is

necessary for the financial feasibility of the affordable housing development and the increase is permitted under all other applicable funding sources.

CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Housing) [Deferred from 4/21/2026 - Item 2.8 (26-435)]

Councilmember Domingo Candelas requested information regarding the intent and potential short term impacts of the item.

Eric Soliván, Director, Housing Department, responded to questions from the Council.

Action: **Resolution No. RES2026-107** was adopted, regarding the City affordability restrictions in the event of expiration or termination of project-based subsidy contracts or foreclosure. (10-0-1; Absent: Mahan)

2.11 Construction Contingency for the 8820 - Milligan Parking Lot Project.

Approve an increase to the construction contingency for the 8820 - Milligan Parking Lot Project from 25% to 32%, in the amount of \$293,198, resulting in a new contingency amount of \$1,304,844. CEQA: Milligan Parking Lot Project Final Supplemental Environmental Impact Report (Resolution No. RES2024-233). Council District 6. (Public Works/Transportation)

Action: An increase to the construction contingency for the 8820 - Milligan Parking Lot Project was approved. (10-0-1; Absent: Mahan)

2.12 List of Pavement Maintenance Projects Eligible for Senate Bill 1 Funding.

Adopt a resolution approving a list of pavement maintenance projects eligible for San José's 2026-2027 allocation of the Road Maintenance and Rehabilitation Account funding, which was made available by the approval of Senate Bill 1, otherwise known as the Road Repair and Accountability Act of 2017.

CEQA: Categorically Exempt, File No. ER24-313, CEQA Guidelines Section 15301(c), Existing Facilities. (Transportation)

Action: **Resolution No. RES2026-108** was adopted, approving a list of pavement maintenance projects eligible for San José's 2026-2027 allocation of the Road Maintenance and Rehabilitation Account funding. (10-0-1; Absent: Mahan)

2.13 Downtown San José Property-Based Business Improvement District Financial Report for Fiscal Year 2024-2025.

Approve the Downtown San José Property-Based Improvement District Financial Report for Fiscal Year 2024-2025 prepared by the Downtown San José Property Owners' Association, as filed or modified by City Council.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. Council Districts 3, 6. (Transportation/Public Works)

Action: The Downtown San José Property-Based Improvement District Financial Report for Fiscal Year 2024-2025 was approved. (10-0-1; Absent: Mahan)

2.14 Approval of "Free Use" of the Janet Gray Hayes Rotunda for the Lick Observatory's 150th Anniversary Celebration Sponsored by the Office of Mayor Matt Mahan as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

As recommended by the Rules and Open Government Committee on April 22, 2026:

- (a) Adopt a resolution authorizing “Free Use” of the Janet Gray Hayes Rotunda for the private, invitation-only Lick Observatory’s 150th Anniversary Celebration held on August 22, 2026.
- (b) Approve the 150th Anniversary Celebration scheduled on August 22, 2026, as a City Council sponsored Special Event and approve the expenditure of funds.
- (c) Approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Mayor) [Rules Committee referral 4/22/2026 - Item B.2]

Action: (a) **Resolution No. RES2026-109** was adopted, authorizing “Free Use” of the Janet Gray Hayes Rotunda for the private, invitation-only Lick Observatory’s 150th Anniversary Celebration; (b) the 150th Anniversary Celebration scheduled on August 22, 2026 was approved; and (c) donations from various individuals, businesses or community groups to support the event were approved and accepted. (10-0-1; Absent: Mahan)

2.15 Retroactive Purchase of District 4 Gala Awards and Approval of the Annual D4 Stars Gala Sponsored by Council District 4 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

As recommended by the Rules and Open Government Committee on April 22, 2026:

- (a) Retroactively approve the purchase of awards for the District 4 Stars Gala.
- (b) Retroactively approve the D4 Stars Gala scheduled on February 16, 2026, as a City Council sponsored Special Event and approve the expenditure of funds.
- (c) Retroactively approve and accept donations from various individuals, businesses or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Cohen) [Rules Committee referral 4/22/2026 - Item B.3]

Action: The retroactive purchase of District 4 Gala awards and the annual D4 Stars Gala sponsored by Council District 4, were approved. (10-0-1; Absent: Mahan)

2.16 Settlement of Loessberg v. City of San José.

Approve a settlement in the case of Loessberg v. City of San José in the amount of \$198,890.00 and authorize the City Attorney to execute a settlement agreement.

CEQA: Not a Project File, No. PP17-003 Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (City Attorney) [Rules Committee referral 4/22/2026 - Item A.1.a]

Action: The settlement in the case of Loessberg v. City of San José was approved. (10-0-1; Absent: Mahan)

2.17 Settlement of January Nicole Villareal v. City of San José et al.

Approve a settlement in the case of January Nicole Villareal v. City of San José in the amount of \$85,000.00 and authorize the City Attorney to execute a settlement agreement.

CEQA: Not a Project File, No. PP17-003 Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (City Attorney) [Rules Committee referral 4/22/2026 - Item A.1.a]

Action: The settlement in the case of January Nicole Villareal v. City of San José was approved. (10-0-1; Absent: Mahan)

2.18 Settlement of Lawsuit Filed by Gradetech Inc.

Approve the settlement of a lawsuit brought by Plaintiff Gradetech Inc. in the total amount of \$675,000 and authorize the City Attorney to execute a settlement agreement.

CEQA: Not a Project File, No. PP17-003 Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (City Attorney) [Rules Committee referral 4/22/2026 - Item A.1.a]

Action: The settlement of a lawsuit brought by Plaintiff Gradetech Inc was approved. (10-0-1; Absent: Mahan)

3. STRATEGIC SUPPORT**3.1 Report of the City Manager, Jennifer Maguire (Verbal Report).**

No report provided.

3.2 Labor Negotiations Update.

None provided.

3.3 Police Staffing, Expenditures, and Workload Audit Report.

As recommended by the Public Safety, Finance and Strategic Support Committee on April 16, 2026, accept the follow-up report to the 2021 Police Staffing, Expenditures, and Workload audit report.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (City Auditor) [Public Safety, Finance and Strategic Support Committee referral 4/16/2026 - Item (d)2]

Joe Rois, City Auditor, City Auditor's Office; Gitanjali Mandrekar, Assistant City Auditor, City Auditor's Office; Michael O'Connell, Jr., Program Performance Auditor II, City Auditor's Office; Dilnoza Khudoyberganova, Program Performance Auditor II, City Auditor's Office; Paul Joseph, Police Chief, San José Police Department; and Jennifer Schembri, Deputy City Manager, City Manager's Office, offered the presentation and responded to questions from the Council.

Public Comment: Ted Scarlett, Mike, and Brian Kurtz offered public comment.

Action: Upon motion by Councilmember Pamela Campos, seconded by Councilmember Peter Ortiz, and carried unanimously, the follow-up report to the 2021 Police Staffing, Expenditures, and Workload audit report was accepted;

AND

Including approval of the joint memorandum co-authored by Mayor Matt Mahan, Councilmember Pamela Campos, Councilmember David Cohen, and Councilmember Domingo Candelas, dated April 24, 2026, recommending the following:

The City Manager is directed to include the following information in future reports to the Public Safety, Finance and Strategic Support Committee (PSFSS) and to the City Council:

- a. Updated response time metrics after implementation of audit recommendations 2(a) and 2(b);
- b. A qualitative analysis of how the changes outlined in the February 27, 2026, memo1 from Chief Joseph regarding Police Department overtime spending are affecting sworn officer staffing challenges and the need for overtime, as well as how further reducing overtime costs could impact workload;

- c. Updated metrics on the total overtime hours as reported by assignment type, similar to Exhibit 16 of the audit report; and
- d. A progress report on efforts to reduce overtime for report writing, once a report writing technology tool is put in place. (10-0-1; Absent: Mahan)

3.4 Spring 2026 Intergovernmental Relations Report.

- (a) Accept the 2026 Spring Intergovernmental Relations Report.
- (b) Reaffirm all City positions summarized in the 2025-2026 Intergovernmental Relations Priority Federal Legislation Log.
- (c) Reaffirm all City positions summarized in the 2025-2026 Intergovernmental Relations Priority State Legislation Log.

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

Emily Lam, Director, City Manager's Office of Administration, Policy, and Intergovernmental Relations; Han Kang, Chief Intergovernmental Relations Officer, City Manager's Office of Administration, Policy, and Intergovernmental Relations; Steve Stamos, Senior Executive Analyst, City Manager's Office of Administration, Policy, and Intergovernmental Relations; Nicholas Ochoa, Senior Executive Analyst, City Manager's Office of Administration, Policy, and Intergovernmental Relations; Steve Cruz and Nick Romo representing *Cruz Strategies*; and Leslie Pollner, Joe O'Brien, and Lisa Barkovic representing *Manatt, Phelps, and Phillips*, offered the presentation and responded to questions from the Council.

Public Comment: Jordan Moldow offered public comment.

Motion: Councilmember Domingo Candelas moved approval of Vice Mayor Pam Foley's memorandum, dated April 24, 2026; *and* moved approval of the joint memorandum co-authored by Mayor Matt Mahan, Councilmember Domingo Candelas, Councilmember Pamela Campos, Councilmember David Cohen, and Councilmember Rosemary Kamei, dated April 24, 2026. The motion was seconded by Councilmember David Cohen.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Councilmember Rosemary Kamei, and carried unanimously,

- (a) The 2026 Spring Intergovernmental Relations Report was accepted;
- (b) All City positions summarized in the 2025-2026 Intergovernmental Relations Priority Federal Legislation Log were reaffirmed;
- (c) All City positions summarized in the 2025-2026 Intergovernmental Relations Priority State Legislation Log were reaffirmed;

AND

Including acceptance of the memorandum authored by Mayor Matt Mahan, Councilmember Domingo Candelas, Councilmember Pamela Campos, Councilmember David Cohen, and Councilmember Rosemary Kamei, dated April 24, 2026, with the following direction: Direct staff to increase advocacy for state regulations of electric bikes under the City's Legislative Priority to "Enhance Community Safety and Realize Vision Zero Initiatives." This advocacy should support measures to improve safety, including reasonable limits on speed, age requirements for riders, and accountability standards for both manufacturers and users.

AND

Including acceptance of Vice Mayor Pam Foley's memorandum, dated April 27, 2026, with the following direction:

1. Ensure that the City does not take a supportive position on any legislation that unduly restricts access to electric bikes as a transportation mode. Staff should assess the equity and mobility impacts of proposed legislation alongside safety benefits before adopting a position.

2. Before taking a formal position on any legislation affecting electric bikes, staff and the state lobbying team should engage relevant local stakeholders, including the Silicon Valley Bicycle Coalition and the City's Bicycle and Pedestrian Advisory Committee (BPAC), if such engagement does not impede the City from meeting legislative deadlines. (10-0-1; Absent: Mahan)

3.5 Amendments to City Council Policy 1-16, Policy for the Issuance of Multifamily Housing Revenue Bonds.

Adopt a resolution amending City Council Policy 1-16, Policy for the Issuance of Multifamily Housing Revenue Bonds.

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

Public Comment: None provided.

Action: Upon motion by Councilmember George Casey, seconded by Councilmember David Cohen, and carried unanimously, **Resolution No. RES2026-110** was adopted, amending City Council Policy 1-16, Policy for the Issuance of Multifamily Housing Revenue Bonds. (10-0-1; Absent: Mahan)

4. PUBLIC SAFETY SERVICES

No items provided.

5. TRANSPORTATION & AVIATION SERVICES

No items provided.

6. ENVIRONMENTAL & UTILITY SERVICES

No items provided.

7. NEIGHBORHOOD SERVICES

7.1 Park Master Plan and Official Name for a Future Park Located on Rinconada Drive. - HEARD IMMEDIATELY AFTER CONSENT

(a) Approve the Park Master Plan for a future Chartered Park that will be located at the terminus of Rinconada Drive, adjacent to Almaden Expressway and Curtner Avenue off-ramp.

(b) Adopt "Bill Kee Park" as the official name for the park as recommended by staff, the Parks and Recreation Commission, and as a result of the public outreach process.

CEQA: Categorically Exempt, File No. ER25-137, CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures. Council District 9. (Public Works/Parks, Recreation, and Neighborhood Services)

Raymond Constantino, Deputy Director, Department of Parks, Recreation, and Neighborhood Services (PRNS), Han-Lei Wang, Associate Architect, PRNS; Marybeth Bowman, Planner, PRNS; and Jason Day, Senior Engineer, Public Works Department, offered the presentation.

Public Comment: Gerrye Kee Wong, Kelly Matsuura, Brenda Hee Wong, Connie Yu, and Lina B. offered public comment.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Rosemary Kamei, and carried unanimously, (a) the Park Master Plan for a future Chartered Park that will be located at the terminus of Rinconada Drive, adjacent to Almaden Expressway and Curtner Avenue off-ramp, was approved; and (b) “Bill Kee Park” was adopted as the official name for the park as recommended by staff, the Parks and Recreation Commission, and as a result of the public outreach process. (10-0-1; Absent: Mahan)

8. COMMUNITY & ECONOMIC DEVELOPMENT

No items provided.

9. REDEVELOPMENT – SUCCESSOR AGENCY

No items provided.

10. LAND USE

10.1 Land Use on Consent Calendar

No items provided.

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

10.2 H23-040, T23-027 & ER23-251 - Site Development Permit and Vesting Tentative Map for Certain Real Property Located at Camden Avenue and Singletree Way.

(a) Adopt a resolution certifying the 5670 Camden Avenue Residential Project Environmental Impact Report and making certain findings concerning significant impacts, mitigation measures, and alternatives, adopting a Statement of Overriding Considerations, and adopting a related Mitigation Monitoring and Reporting Program, all in accordance with the California Environmental Quality Act.

(b) Adopt a resolution approving, subject to conditions, a Vesting Tentative Map to subdivide one existing approximately 10.78-gross-acre parcel situated at the northeast corner of Camden Avenue and Singletree Drive into two parcels and allow up to 108 residential condominiums on a resulting approximately 6.67-gross-acre parcel.

(c) Adopt a resolution approving, subject to conditions, a Site Development Permit to allow the construction of 108 residential condominium units configured in 32 three-story buildings, including retaining walls up to five feet in height, the demolition of three existing buildings associated with Little League baseball fields (totaling approximately 1,000 square feet), and the removal of 41 trees (23 ordinance-size and 18 non-ordinance-size), subject to the State Density Bonus Law with a waiver for rear setback requirements, on an approximately 6.67-gross-acre site on the north side of Singletree Way, approximately 450 feet easterly of the intersection of Camden Avenue and Singletree Way.

CEQA: 5670 Camden Avenue Residential Project Environmental Impact Report. Planning Commission recommends approval (9-0-1-1, Oliverio absent, Barocio abstained) (Item 5.a on the March 25, 2026, Planning Commission agenda). Council District 10. (Planning, Building, and Code Enforcement)

Chris Burton, Director, Department of Planning, Building, and Code Enforcement (PBCE); Manira Sandhir, Deputy Director, PBCE; and David Keyon, Principal Planner, PBCE, offered the presentation and responded to questions from the Council.

Applicant Orville T. Power, representing MANA Investments, was given five minutes to speak.

Public Comment: Thomas Hislop, Susan Suffel, and Vickie Brown offered public comment.

Councilmember David Cohen recused himself due to a Levine Act circumstance.

Action: (a) **Resolution No. RES2026-111** was adopted, certifying the 5670 Camden Avenue Residential Project Environmental Impact Report and making certain findings concerning significant impacts, mitigation measures, and alternatives, adopting a Statement of Overriding Considerations, and adopting a related Mitigation Monitoring and Reporting Program, all in accordance with the California Environmental Quality Act;

(b) **Resolution No. RES2026-112** was adopted, which approved, subject to conditions, a Vesting Tentative Map to subdivide one existing approximately 10.78-gross-acre parcel situated at the northeast corner of Camden Avenue and Singletree Drive into two parcels and allow up to 108 residential condominiums on a resulting approximately 6.67-gross-acre parcel; and

(c) **Resolution No. RES2026-113** was adopted, which approved, subject to conditions, a Site Development Permit to allow the construction of 108 residential condominium units configured in 32 three-story buildings, including retaining walls up to five feet in height, the demolition of three existing buildings associated with Little League baseball fields (totaling approximately 1,000 square feet), and the removal of 41 trees (23 ordinance-size and 18 non-ordinance-size), subject to the State Density Bonus Law with a waiver for rear setback requirements, on an approximately 6.67-gross-acre site on the north side of Singletree Way, approximately 450 feet easterly of the intersection of Camden Avenue and Singletree Way. (9-1-1; Absent: Mahan, Recused: Cohen)

- **Open Forum**

1. Jose Reyes expressed concern that rising housing costs, declining construction quality, and inadequate could increase homelessness and create related social challenges.

- **Adjournment**

The Council of the City of San José adjourned at 4:44 p.m.

Minutes Recorded, Prepared, and Respectfully Submitted by,

Daniel Aguilar
Deputy City Clerk, City of San José

Approved at Council on:

Number of actions: 6

Attest by:

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

SAN JOSÉ CITY COUNCIL CLOSED SESSION AGENDA

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

Absent Councilmembers: Campos, Mahan.

Place: City Hall Conference Room W-133

Time: 9:30 a.m.

Items discussed:

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

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

Number of matter(s) to be discussed: 1

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:

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

1. Claimants(s): Claim of Gordon Biersch
City Department: Finance

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

1. Case Name: Sutter's Place, Inc. v. City of San Jose, et al.
Name(s) of Party(ies): SUTTER'S PLACE, INC. dba BAY 101;
CITY OF SAN JOSE; DIVISION OF
GAMING CONTROL
Court: Superior Court; County of Santa Clara
Case No: 2013-1-cv-258057
Amount of Money or Other Relief Sought: Damages according to proof
2. Case Name: City of San Jose v. Sutter's Place, Inc. et al.

Name(s) of Party(ies): SUTTER'S PLACE, INC. DBA BAY 101; CITY OF SAN JOSE
 Court: Superior Court; County of Santa Clara
 Case No: 23cv418952
 Amount of Money or Other Relief Sought: Damages according to proof

3. Case Name: Sutter's Place, Inc. dba Bay 101 v. City of San Jose
 Name(s) of Party(ies): SUTTER'S PLACE, INC. DBA BAY 101; CITY OF SAN JOSE
 Court: Superior Court; County of Santa Clara
 Case No: 16cv298883
 Amount of Money or Other Relief Sought: Damages according to proof

4. Case Name: Sutter's Place, Inc. dba Bay 101 v. City of San Jose; City Council of San Jose, et al.
 Name(s) of Party(ies): SUTTER'S PLACE, INC. DBA BAY 101; CITY OF SAN JOSE; CITY COUNCIL OF SAN JOSE, ET AL.
 Court: Superior Court; County of Santa Clara
 Case No: 21cv377181
 Amount of Money or Other Relief Sought: Damages according to proof

D. **CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:**

City Negotiator: Aram Kouyoumdjian, Director of Employee Relations

Employee Organizations:

1. Organization or Name and Title of Unrepresented Employees: **Association of Building, Mechanical and Electrical Inspectors (ABMEI)**
 Nature of negotiations: wages/salaries, hours, working conditions, etc.
 Name of Existing Contract or MOA: Memorandum of Agreement – City of San José and Association of Building, Mechanical and Electrical Inspectors (ABMEI)

How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/abmei>
Telephone – Employee Relations: (408) 535-8150

2. Organization or Name and Title of Unrepresented Employees: **Association of Engineers & Architects (AEA)**
Nature of negotiations: wages/salaries, hours, working conditions, etc.
Name of Existing Contract or MOA: Memorandum of Agreement — City of San José and Association of Engineers & Architects (AEA)
How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/aea>
Telephone – Employee Relations: (408) 535-8150
3. Organization or Name and Title of Unrepresented Employees: **Association of Legal Professionals of San José (ALP)**
Nature of negotiations: wages/salaries, hours, working conditions, etc.
Name of Existing Contract or MOA: Memorandum of Agreement – City of San José and Association of Legal Professionals of San José
How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/alp>
Telephone – Employee Relations: (408) 535-8150

4. Organization or Name and Title of Unrepresented Employees: **Association of Maintenance Supervisory Personnel (AMSP)**
- Nature of negotiations: wages/salaries, hours, working conditions, etc.
- Name of Existing Contract or MOA: City of San José - Association of Maintenance Supervisory Personnel (AMSP) Benefit & Compensation Summary
- How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/amsp>
Telephone – Employee Relations: (408) 535-8150
5. Organization or Name and Title of Unrepresented Employees: **City Association of Management Personnel Agreement (CAMP)**
- Nature of negotiations: wages/salaries, hours, working conditions, etc.
- Name of Existing Contract or MOA: Benefit & Compensation Summary — City of San José and City Association of Management Personnel Agreement
- How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/camp>
Telephone – Employee Relations: (408) 535-8150
6. Organization or Name and Title of Unrepresented Employees: **Municipal Employees’ Federation, AFSCME Local 101, AFL-CIO (MEF)**
- Nature of negotiations: wages/salaries, hours, working conditions, etc.
- Name of Existing Contract or MOA: Memorandum of Agreement — City of San José and Municipal Employees’ Federation, AFSCME Local 101, AFL-CIO

How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/mef>
Telephone – Employee Relations: (408) 535-8150

7. Organization or Name and Title of Unrepresented Employees: **San José Police Dispatchers’ Association (SJPDA)**
- Nature of negotiations: wages/salaries, hours, working conditions, etc.
- Name of Existing Contract or MOA: Memorandum of Agreement – City of San Jose and Municipal Employees’ Federation (MEF), AFSCME, Local 101
- How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/sjpda>
Telephone – Employee Relations: (408) 535-8150