



City Council Meeting Minutes

Tuesday, September 23, 2025

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 for the Closed Session Minutes.*

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

Absent Councilmembers: Cohen, Tordillos, Kamei

1:30 p.m. – Regular Session.

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

Absent Councilmembers: Cohen, Tordillos.

- **Pledge of Allegiance**

Mayor Matt Mahan led the Pledge of Allegiance.

- **Invocation (District 8)**

Robert Davis, Vice President of Community Relations with the San José Earthquakes, provided the invocation with insight into Saturday Night Lights (SNL), a sports-based youth development initiative that creates safe, welcoming spaces for young people to connect, play, and grow.

- **Orders of the Day**

None provided.

- **Adjournment Recognition**

None provided.

- **Closed Session Report**

None provided.

1. CEREMONIAL ITEMS

1.1 Vice Mayor Pam Foley presented a commendation recognizing Dan Roy for two decades of dedicated service as a City Hall Docent, helping residents and visitors connect with our City's history, government, and community.

1.2 Councilmember Peter Ortiz and Councilmember Domingo Candelas presented a commendation to Damian Trujillo, NBC Bay Area journalist, in honor of his induction into the National Association of Hispanic Journalists Hall of Fame and his nearly three decades of award-winning reporting, storytelling, and community service in the City of San José.

1.3 Councilmember Domingo Candelas and Councilmember Peter Ortiz presented a proclamation declaring September 15, 2025 through October 15, 2025 as National Hispanic Heritage Month to recognize the contributions, history, and culture of the Hispanic/Latino community in San José.

2. CONSENT CALENDAR

Vice Mayor Pam Foley pulled Item 2.5 for comment.

Councilmember Bien Doan pulled Item 2.12 for comment. Councilmember Peter Ortiz also provided comment on Item 2.12.

Public Comment: Hong Cao, Tinh Cao, Thien Wing, and Brian Darby offered public comment on the Consent Calendar.

Action: Upon motion by Councilmember Bien Doan, seconded by Councilmember Peter Ortiz, and carried unanimously, the Consent Calendar was approved *as a whole*, and the below actions were taken as indicated. (9-0-2; Absent: Cohen, Tordillos)

2.1 Approval of City Council Minutes.

(a) Regular City Council Meeting Minutes of January 23, 2024.

(b) City Council Study Session Meeting Minutes of January 23, 2024.

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

Action: The City Council Minutes were approved. (9-0-2; Absent: Cohen, Tordillos)

2.2 Final Adoption of Ordinances.

None provided.

2.3 Approval of Council Committee Minutes.

(a) Regular Joint Meeting for the Rules and Open Government Committee Minutes of August 13, 2025.

(b) Regular Joint Meeting for the Rules and Open Government Committee Minutes of August 20, 2025.

(c) Regular Joint Meeting for the Rules and Open Government Committee Minutes of August 27, 2025.

(d) Regular Joint Meeting for the Rules and Open Government Committee Minutes of September 3, 2025.

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

Action: The Council Committee Minutes were approved. (9-0-2; Absent: Cohen, Tordillos)

2.4 Mayor and Council Excused Absence Requests.

None provided.

2.5 City Council Travel Reports.

Vice Mayor Foley presented an oral report on her Sister City International trip to Japan. She noted personal funds were used to pay for the trip. Vice Mayor Foley visited the City of San Jose's Sister City of Okayama, Japan and noted that the 70th anniversary of the sister city relationship is next year.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 Approval of Citywide Insurance Renewals.

Adopt a resolution authorizing the Director of Finance or her designee to:

(a) Select and purchase City property, liability, and executive risk insurance policies for the period of October 1, 2025, to October 1, 2026, at a total cost not-to-exceed \$4,275,826 as well as an 18% contingency for additional property or assets scheduled, subject to the appropriation of funds, with the following insurance carriers:

(1) Factory Mutual Insurance Company for Property Insurance, including Boiler and Machinery and Terrorism Risk Insurance Act Coverage;

(2) Beazley Excess and Surplus Lines Insurance, Inc for Terrorism Insurance;

(3) The Princeton Excess and Surplus Lines Insurance Company, Ironshore Specialty Insurance Company, and Arch Specialty Insurance Company for \$15 million in Excess Flood Insurance on a 50/50 quota share basis;

(4) Gemini Insurance Company for Auto Liability Insurance for the vehicle fleets at the San José Mineta International Airport and San José – Santa Clara Regional Wastewater Facility;

(5) Hanover Insurance Company for Auto Physical Damage for the Airport shuttle buses;

(6) Lexington Insurance Company for Secondary Employment Law Enforcement Professional Liability;

(7) Arch Insurance Company for Accidental Death, Accidental Dismemberment, and Paralysis Policy for the Police Air Support Unit; and

(8) Great American Insurance Company for Government Fidelity/Crime Coverage.

(b) Select and purchase Additional Liability Insurance for the period October 22, 2025, to October 22, 2026, at a cost ranging from \$500,000 to \$1,100,000, subject to the appropriation of funds.

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

Action: **Resolution No. RES2025-330** was adopted, authorizing the Director of Finance or her designee to:

(a) Select and purchase City property, liability, and executive risk insurance policies for the period of October 1, 2025, to October 1, 2026, at a total cost not-to-exceed \$4,275,826 as well as an 18% contingency for additional property or assets scheduled, subject to the appropriation of funds, with the following insurance carriers:

(1) Factory Mutual Insurance Company for Property Insurance, including Boiler and Machinery and

Terrorism Risk Insurance Act Coverage;

(2) Beazley Excess and Surplus Lines Insurance, Inc for Terrorism Insurance;

(3) The Princeton Excess and Surplus Lines Insurance Company, Ironshore Specialty Insurance Company, and Arch Specialty Insurance Company for \$15 million in Excess Flood Insurance on a 50/50 quota share basis;

(4) Gemini Insurance Company for Auto Liability Insurance for the vehicle fleets at the San José Mineta International Airport and San José – Santa Clara Regional Wastewater Facility;

(5) Hanover Insurance Company for Auto Physical Damage for the Airport shuttle buses;

(6) Lexington Insurance Company for Secondary Employment Law Enforcement Professional Liability;

(7) Arch Insurance Company for Accidental Death, Accidental Dismemberment, and Paralysis Policy for the Police Air Support Unit; and

(8) Great American Insurance Company for Government Fidelity/Crime Coverage.

(b) Select and purchase Additional Liability Insurance for the period October 22, 2025, to October 22, 2026, at a cost ranging from \$500,000 to \$1,100,000, subject to the appropriation of funds.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Finance)(9-0-2; Absent: Cohen, Tordillos)

2.8 First Amendment to the Agreement with Intergraph Corporation, dba Hexagon's Asset Lifecycle Intelligence Division for a Migration to a Software-as-a-Service Enterprise Asset Management Subscription.

Adopt a resolution authorizing the City Manager, or her designee to negotiate and execute the First Amendment to the Agreement with Intergraph Corporation, dba Hexagon's Asset Lifecycle Intelligence division (Madison, AL) for migration to a software-as-a-service enterprise asset management subscription at the San José Mineta International Airport, to retroactively extend the term of the agreement for up to four additional one-year option terms, through July 31, 2029, under the same terms and conditions, subject to the appropriation of funds.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. Council District 6. (Finance)

Action: **Resolution No. RES2025-331** was adopted, authorizing the City Manager, or her designee to negotiate and execute the First Amendment to the Agreement with Intergraph Corporation, dba Hexagon's Asset Lifecycle Intelligence division (Madison, AL) for migration to a software-as-a-service enterprise asset management subscription at the San José Mineta International Airport, to retroactively extend the term of the agreement for up to four additional one-year option terms, through July 31, 2029, under the same terms and conditions, subject to the appropriation of funds. (9-0-2; Absent: Cohen, Tordillos)

2.9 Second Amendment to the Agreement with Siriusware, Inc. for a Ticketing and Management System.

Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute the Second Amendment to the Agreement with Siriusware, Inc. (Taos, NM) for a ticketing and management system, to extend the term of the agreement for up to five additional one-year option terms, through September 30, 2030, under the same terms and conditions as the original agreement, subject to the appropriation of funds.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.
Council Districts 5, 7. (Finance)

Action: **Resolution No. RES2025-332** was adopted, authorizing the City Manager, or her designee, to negotiate and execute the Second Amendment to the Agreement with Siriusware, Inc. (Taos, NM) for a ticketing and management system, to extend the term of the agreement for up to five additional one-year option terms, through September 30, 2030, under the same terms and conditions as the original agreement, subject to the appropriation of funds. (9-0-2; Absent: Cohen, Tordillos)

2.10 Approval of Disability Awareness Day Sponsored by Council Districts 9, 1, and 10 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 September 17, 2025:

Approve the Disability Awareness Day scheduled on October 30, 2025 as a City Council sponsored Special Event and approve the expenditure of funds; and

Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Foley, Kamei, and Casey) [Rules Committee referral 9/17/2025 - Item B.3]

Action: Disability Awareness Day, scheduled on October 30, 2025 and sponsored by Council Districts 9, 1, and 10, was approved. (9-0-2; Absent: Cohen, Tordillos)

2.11 Retroactive Approval of the Golden State Valkyries Flag Raising 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 September 17, 2025:

Retroactively approve the Golden State Valkyries Flag Raising scheduled on September 16, 2025 as a City Council sponsored Special Event and approve the expenditure of funds; and

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. (Mayor) [Rules Committee referral 9/17/2025 - Item B.4]

Action: The Golden State Valkyries Flag Raising, sponsored by the Office of Mayor Matt Mahan, was retroactively approved. (9-0-2; Absent: Cohen, Tordillos)

2.12 Support for Assembly Concurrent Resolution 71.

As recommended by the Rules and Open Government Committee on September 17, 2025, adopt a resolution of support for Assembly Concurrent Resolution 71 (ACR 71), introduced by Assemblymember Ash Kalra, which seeks to designate a portion of U.S. Highway 101 near the Story Road exit in San José as the “Little Saigon Freeway”. CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Mayor, Doan, Campos and Kamei) [Rules Committee referral 9/17/2025 - Item C.2]

Councilmember Bien Doan spoke to Assembly Concurrent Resolution 71, emphasizing that naming a portion of Highway 101 near Story Road as “Little Saigon Freeway” honors the cultural heritage and lasting contributions of the Vietnamese American community in San José.

Councilmember Peter Ortiz expressed gratitude to Assemblymember Kalra and colleagues for supporting the resolution to designate part of Highway 101 as “Little Saigon Freeway,” highlighting the resilience, contributions, and significance of San José’s Vietnamese community, particularly in District 5.

Action: **Resolution No. RES2025-333** was adopted, in support for Assembly Concurrent Resolution 71 (ACR 71), which seeks to designate a portion of U.S. Highway 101 near the Story Road exit in San José as the “Little Saigon Freeway”. (9-0-2; Absent: Cohen, Tordillos)

3. STRATEGIC SUPPORT

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

None provided.

3.2 Labor Negotiations Update.

None provided.

3.3 Status of Open Audit Recommendations.

Accept the status of the Open Audit recommendations as of June 30, 2025.

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

Joe Rois, City Auditor, City Auditor's Office; and Michelle Mallari, Program Performance Auditor, City Auditor's Office, offered the presentation and responded to questions.

Public Comment: Brian Darby offered public comment.

Kevin Ice, Assistant to the City Manager, Office of Economic Development and Cultural Affairs; Matt Loesch, Director, Public Works; and Chu Chang, Assistant Director, Department of Planning, Building, and Code Enforcement, responded to questions from Council.

Action: Upon motion by Councilmember Rosemary Kamei, seconded by Vice Mayor Pam Foley, and carried unanimously, the status of the Open Audit recommendations as of June 30, 2025 was accepted. (9-0-2; Absent: Cohen, Tordillos)

4. PUBLIC SAFETY SERVICES

No items provided.

5. TRANSPORTATION & AVIATION SERVICES

No items provided.

6. ENVIRONMENTAL & UTILITY SERVICES

6.1 Stormwater Management Annual Report 2024-2025.

Adopt a resolution authorizing the certification and submittal of the Fiscal Year 2024-2025 Stormwater Management Annual Report to the San Francisco Bay Regional Water Quality Control Board by September 30, 2025, in conformance with the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit requirements, pursuant to the Federal Clean Water Act.

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

Jeffrey Provenzano, Director, Environmental Services Department (ESD); Rajani Nair, Deputy Director, ESD; Jennifer Seguin, Deputy Director, Department of Transportation; Matthew Nguyen, Deputy Director, Public Works; and Olympia Williams, Deputy Director, Department of Parks, Recreation, and Neighborhood Services, offered the presentation and responded to questions.

Public Comment: None provided.

Aaron Freyler, Deputy Fire Chief, Fire Department, responded to questions from Council.

Action: Upon motion by Councilmember Rosemary Kamei, seconded by Councilmember Bien Doan, and carried unanimously, **Resolution No. RES20225-334** was adopted, authorizing the certification and submittal of the Fiscal Year 2024-2025 Stormwater Management Annual Report to the San Francisco Bay Regional Water Quality Control Board by September 30, 2025, in conformance with the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit requirements, pursuant to the Federal Clean Water Act. (9-0-2; Absent: Cohen, Tordillos)

7. NEIGHBORHOOD SERVICES

No items provided.

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 Actions Related to the Loan Commitment and Land Purchase for the Gateway Tower Affordable Housing Development Located at 470 South Market Street.

(a) Adopt a resolution:

Approving a Construction-Permanent Loan commitment of up to \$20,270,000, consisting of \$17,970,000 in Low- and Moderate-Income Housing Asset Funds and \$2,300,000 in Inclusionary Fee Funds, to Core Affordable Housing, LLC or an affiliated development entity for the Gateway Tower affordable housing development;

Approving the land acquisition loan or acquisition funding commitment of up to \$18,170,000 consisting of \$2,000,000 in Inclusionary Fee Funds, \$2,170,000 in Low- and Moderate-Income Housing Asset Funds, and \$14,000,000 in Real Property Transfer Tax Funds;

Authorizing the Director of Housing or his designee to acquire 445, 465, and 493 South First street and 460, 470, 480 South Market Street, from Core Affordable Housing, LLC for a price not to exceed \$18,170,000 at the time of transfer, to accept the grant deed, and to enter into a long-term ground lease of the site to the developer for the development;

Authorizing the Director of Housing or his designee to negotiate and execute documents and document amendments related to the acquisition and development of the site, the ground leasing of the site, and any rider to the ground lease required by government entities;

Authorizing the Director of Housing, or his designee to negotiate and execute loan documents and all other documents, including any amendments thereto, related to City financing for the developments; and Making a determination that, consistent with Government Code Section 37364, after acquisition, the site is to be leased by the City to the respective developers without first offering the site to the public for any other use, since the site will be restricted so as to provide housing affordable to persons and families of low or moderate income, as defined by Section 50093 of the Health and Safety Code or as defined by the United States Department of Housing and Urban Development or its successors, and that this use is in the City's best interests.

Adopt the following 2025-2026 Appropriation Ordinance amendments in the Low-and Moderate-Income Housing Asset Fund:

Decrease the Housing Project Reserve by \$20,140,000; and

Increase the Housing Loans and Grants appropriation to the Housing Department by \$20,140,000.

Adopt the following 2025-2026 Appropriation Ordinance amendments in the Real Property Transfer Tax Fund:

Decrease the Measure E - 40% Extremely Low-Income Households Reserve by \$5,000,000;

Decrease the Measure E - 30% Low-Income Households Reserve by \$9,000,000;

Increase the Measure E - 40% Extremely Low-Income Households appropriation to the Housing Department by \$5,000,000; and

Increase the Measure E - 30% Low-Income Households appropriation to the Housing Department by \$9,000,000.

Adopt the following 2025-2026 Appropriation Ordinance amendments in the Inclusionary Fee Fund:

Decrease the Housing Project Reserve by \$4,300,000; and

Increase the Housing Loans and Grants appropriation to the Housing Department by \$4,300,000.

CEQA: Supplemental Environmental Impact Report for the Gateway Tower Mixed-Use Development Project (Resolution No. 78005), and Addenda, thereto. Council District 3. (Housing/City Manager)

DEFERRED TO 9/30/2025 PER RULES AND OPEN GOVERNMENT COMMITTEE

8.2 Fiscal Year 2024-2025 Consolidated Annual Performance and Evaluation Report.

(a) Hold a public hearing to allow for public comment on the Fiscal Year 2024-2025 Consolidated Annual Performance Report.

(b) Accept the report on the progress towards achieving the housing and community development goals identified in the City's Fiscal Year 2020-2025 Five-Year Consolidated Plan and the Fiscal Year 2024-2025 Annual Action Plan regarding the use of federal funds from the United States Department of Housing and Urban Development for submittal to the United States Department of Housing and Urban Development by the September 30, 2025 deadline.

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

Public Comment: Brian Darby offered public comment.

Erik Solivan, Director, Housing Department, responded to questions from Council.

Action: Upon motion by Councilmember Rosemary Kamei, seconded by Councilmember Bien Doan, and carried unanimously, (a) a public hearing was held to allow for public comment on the Fiscal Year 2024-2025 Consolidated Annual Performance Report; and (b) the report on the progress towards achieving the housing and community development goals identified in the City's Fiscal Year 2020-2025 Five-Year Consolidated Plan and the Fiscal Year 2024-2025 Annual Action Plan regarding the use of federal funds from the United States Department of Housing and Urban Development for submittal to the United States Department of Housing and Urban Development by the September 30, 2025 deadline was accepted. (9-0-2; Absent: Cohen, Tordillos)

9. REDEVELOPMENT – SUCCESSOR AGENCY

No items provided.

10. LAND USE

10.1 Land Use on Consent Calendar - HEARD IMMEDIATELY AFTER CONSENT

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Bien Doan, and carried unanimously, the Land Use Consent Calendar was approved *as a whole*, with the below actions taken as indicated. (9-0-2; Absent: Cohen, Tordillos)

10.1(a) C25-011 & ER25-021 - Conforming Rezoning for Certain Real Property Located at 655 Almaden Avenue.

Approve an ordinance rezoning certain real property of an approximately 0.62-gross-acre site located on the southwest corner of Almaden Avenue and Grant Street (655 Almaden Avenue) from the A(PD) Planned Development Zoning District to the CN Commercial Neighborhood Zoning District (APN 264-34-072).

CEQA: Determination of Consistency with the Envision San José 2040 General Plan EIR (Resolution No. 76041) and the Envision San José General Plan Supplemental EIR (Resolution No. 77617), and Addenda thereto. Council District 3. (Planning, Building, and Code Enforcement)

Action: **Ordinance No. 31245** was *passed for publication*, rezoning certain real property of an approximately 0.62-gross-acre site located on the southwest corner of Almaden Avenue and Grant Street (655 Almaden Avenue) from the A(PD) Planned Development Zoning District to the CN Commercial Neighborhood Zoning District (APN 264-34-072). (9-0-2; Absent: Cohen, Tordillos)

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

Open Forum

1. Brian Darby offered public comment regarding a recent homicide in San José and other violent crimes within the City.

Adjournment

The Council of the City of San José adjourned the meeting at 3:30 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: 5

Attest by:



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



NORA FRIMANN, CITY ATTORNEY
Office of the City Attorney

SAN JOSÉ CITY COUNCIL CLOSED SESSION AGENDA
September 23, 2025

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

Absent Councilmembers: Cohen, Tordillos, Kamei.

Place: City Hall Conference Room W-133

Time: 9:30 a.m.

Item(s) discussed:

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

1. Case Name: In re: Claim of Roman
Name(s) of Party(ies):
Court: Worker's Compensation Appeals Court
Case No: ADJ15681364
Amount of Money or Benefits
Other Relief Sought:

B. CONFERENCE REGARDING POTENTIAL THREAT TO PUBLIC SERVICES OR FACILITIES PURSUANT TO GOVERNMENT CODE SECTION 54957(a):

Consultation with: Security

C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:

Initiation of litigation pursuant to Sections 54956.9(d)(4) and (e)(1) of the Government code:

Number of matter(s) to be discussed: 2