



City Council Meeting Agenda

Tuesday, November 18, 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

Please scroll to the end for information about the City Council Agenda and for the Rules of Conduct of the meeting.

Public Comment in Person Only

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- Adaptaciones para discapacitados serán proporcionadas a pedido. Mande correo electrónico ADA@sanjoseca.gov; Llame (408) 535-8430.
- Bất kỳ ai trong công-đồng cần sự hỗ-trợ xin gửi điện-thư cho Điều-phối-viên ADA theo địa-chỉ ADA@sanjoseca.gov hoặc gọi đến số (408) 535-8430.

THE LEVINE ACT

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<https://www.sanjoseca.gov/your-government/appointees/city-clerk/levine-act/-fsiteid-1#!/>

How to observe the Meeting (no public comment):

- 1) Cable Channel 26.
- 2) <https://sanjoseca.gov/news-stories/watch-a-meeting>
- 3) <https://youtube.com/CityofSanJoseCalifornia>
- 4) By Phone: (888) 475 4499. Webinar ID is 931 9759 7876. Alternative phone numbers are: US: +1 (213) 338-8477 or +1 (408) 638-0968 or (877) 853-5257 (Toll Free).
- 5) Online at: <https://sanjoseca.zoom.us/j/93197597876>

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How to provide spoken Public Comment during the City Council Meeting:

You may speak to the City Council about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the City Council. Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

Each speaker generally has two minutes to speak per item. The total amount of time allocated for public testimony for each public speakers or for an agenda item may be limited at the Mayor’s discretion, depending on the number of speakers or the length of the agenda. (California Government Code Section 54954.3; Council Policy 0-37)

Fill out a Yellow Speaker’s Card and submit it to boxes at the bottom of the Chambers. Do this before the meeting or before the item is heard. This will ensure that the name on the card is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants by calling speakers in an orderly manner. You may remain anonymous, but please fill out a card so we may call you. You can put “anonymous speaker” or “no name” on the card. When the Council reaches your item on the agenda, the Mayor will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk’s table. To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

• Call to Order and Roll Call

9:30 a.m. - Closed Session, Call to Order in Council Chambers

Open Session, Labor Negotiations Update (See Item 3.2)

Adjourn to Closed Session in Council Chambers Conference Room, W133

See Separate Agenda

[25-991](#)

Closed Session Agenda

1:30 p.m. - Regular Session, Council Chambers, City Hall

6:00 p.m. - Evening Session, Council Chambers, City Hall - RECOMMEND CANCELLATION

- Pledge of Allegiance
- Invocation (District 10)

Reverend Steve Pinkston, New Beginnings Community Church

- Orders of the Day

Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.

- Adjournment Recognition

This meeting will be adjourned in memory of Rudolph Tenes, who passed away on October 10, 2025. Born in Mexico, Rudolph dedicated his life to family and community. He was a proud San José resident and part of a generation that helped lay the foundation for the vibrant, diverse the City we know today. Rudolph will be remembered for his perseverance, kindness, and enduring commitment to those he loved and the community he called home.

- Closed Session Report

To be heard after Ceremonial Items

1. CEREMONIAL ITEMS

2. CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council requests discussion on a particular item, that item may be removed from the Consent Calendar and considered separately.

2.1 Approval of City Council Minutes.

[25-1190](#)

Approval of City Council Minutes.

Recommendation:

- (a) Regular City Council Meeting Minutes of October 21, 2025.
 - (b) Special City Council Closed Session Minutes of October 24, 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.

2.2 Final Adoption of Ordinances.

[25-1187](#)

Final Adoption of Ordinances.

Recommendation:

(a) Ordinance No. 31255 - An Ordinance of the City of San José Adding a New Chapter 10.54 to Title 10 of the San José Municipal Code Requiring All Law Enforcement Officers Operating in the City of San José to Wear Clearly Visible Identification and Prohibiting the Use of Face Coverings to Obscure Identity During Public Interaction, with Limited Exceptions.

[Passed for Publication on 10/28/2025 - Item 4.1 (25-1139)]

(b) Ordinance No. 31256 - An Ordinance of the City of San José Amending Various Sections of Title 24 (Technical Codes) of the San José Municipal Code to (1) Adopt the 2025 Editions of the California Building Code, California Residential Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, California Wildland Urban Interface Code, California Historical Building Code, California Fire Code, California Existing Building Code, and California Green Building Standards Code; (2) Find that the City of San José Local Climatic, Geological, and Topographical Conditions Warrant Additional Protections in the San José Municipal Code; and (3) Adopt Local Amendments Regarding Certain Structural Design Requirements, Fire Sprinkler Regulations, and Other Building Requirements.

[Passed for Publication on 10/28/2025 - Item 8.2(a) (25-1131)]

(c) Ordinance No. 31257 - An Ordinance of the City of San José Amending Chapter 24.10 and Chapter 24.12 of Title 24 of the San José Municipal Code to Adopt the 2025 California Green Building Standards and the California Energy Code.

[Passed for Publication on 10/28/2025 - Item 8.2(b) (25-1131)]

(d) Ordinance No. 31258 - An Ordinance of the City of San José Amending Chapter 17.12 and Chapter 17.68 of Title 17 (San José Fire Code) of the San José Municipal Code to: (1) Adopt the 2025 Edition of the California Fire Code; (2) Find that the City of San José Local Climatic, Geological, and Topographical Conditions Warrant Additional Protections in the San José Municipal Code; and (3) Adopt Local Amendments Regarding Certain Structural Design Requirements, Fire Sprinkler Regulations, and Other Building Requirements.

[Passed for Publication on 10/28/2025 - Item 8.2(c) (25-1131)]

2.3 Approval of Council Committee Minutes.

[25-1188](#)

Approval of Council Committee Minutes.

Recommendation:

- (a) Regular Joint Meeting for the Rules and Open Government Committee Minutes of October 22, 2025.
 - (b) Regular Meeting for the Community and Economic Development Committee Minutes of October 27, 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.

2.4 Mayor and Council Excused Absence Requests.

2.5 City Council Travel Reports.

2.6 Report from the Council Liaison to the Retirement Boards.

2.7 [25-1191](#)

Fifth Amendment to the Lease of the Airport Premises Agreement with Smiths Detection, Inc.

Recommendation:

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute the Fifth Amendment to the Lease of Airport Premises between the City of San José and Smiths Detection, Inc. to extend the term from March 16, 2026, to March 31, 2031.

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

2.8 [25-1192](#)

Fourth Amendment to the Lease of Airport Premises Agreement with Southwest Airlines Co. at 1239 Airport Boulevard.

Recommendation:

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute the Fourth Amendment to the Lease of Airport Premises Agreement between the City of San José and Southwest Airlines Co. to extend the term of the lease for five years from January 1, 2026, to December 31, 2030.

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

2.9 [25-1193](#) Amendment to the Master Agreement ICF Jones & Stokes, Inc. for On-Call Concession Services at the San José Mineta International Airport.

Recommendation: Adopt a resolution authorizing the City Manager or her designee to negotiate and execute the First Amendment to the Master Consultant Services Agreement with ICF Jones & Stokes, Inc. for On-Call Concession Services at the San José Mineta International Airport, to increase the maximum compensation by \$300,000 for a total agreement amount of \$620,000.

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

2.10 [25-1220](#) Boards and Commissions Appointment.

Recommendation: Approve the following Boards and Commissions appointment:

(a) Senior Citizens Commission:

(1) District 3 Seat: Appoint Lilian Koenig for term ending June 30, 2029.

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

2.11 [25-1194](#) **Designation as Surplus Land and Purchase and Sale Agreement of APN 264-43-078.**

Recommendation:

Adopt a resolution:

(a) Declaring, and making the requisite findings based on the staff memorandum, the property described as APN 264-43-078 as “surplus real property” pursuant to San José Municipal Code Section 4.20.010(L) and “surplus land” under California Gov. Code Sect. 54221(b)(1) as the property is surplus to the needs of the City and is not necessary for the City’s use; and

(b) Directing the City Manager, or her designee, to negotiate and execute a Purchase and Sale Agreement and Quitclaim Deed, and all other necessary documents to effectuate the property transfer to 288SOLD Realty Inc. from the City of San José, for the sale of APN 264-43-078 for the consideration of \$1,486,250, subject to \$36,250 payment for commission to the buyer’s broker, pursuant to San José Municipal Code Section 4.20.020 and in accordance with City Council Policy No. 7-13, and subject to a restrictive affordability covenant.

CEQA: Categorically Exempt, File No. ER25-234, CEQA Guidelines Section 15312, Surplus Government Property Sales. Council District 6. (Economic Development and Cultural Affairs)

2.12 [25-1195](#) **Master Consultant Agreement with HydroScience Engineers, Inc. for Consultant Engineering Services for the South Bay Water Recycling System Condition Assessment.**

Recommendation:

Approve a two-year term Master Consultant Agreement with HydroScience Engineers, Inc., to support completion of a condition assessment of the South Bay Water Recycling system for a total maximum compensation of \$500,000.

CEQA: Not a Project, File No. PP17-002, Consultant services for design, study, inspection, or other professional services with no commitment to future action. (Environmental Services)

2.13 [25-1196](#) **Amendment to the Agreement with EMC Research, Inc. for Biennial Surveys.**

Recommendation:

Approve a First Amendment to the Agreement with EMC Research, Inc. to conduct biennial surveys for the Environmental Services Department to increase the maximum total compensation from \$344,000 to \$394,750.

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

2.14 [25-1197](#) Master Consultant Agreement with Raftelis Financial Consultants, Inc. for Wastewater Flow and Loading Study.

Recommendation: Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute a Master Consultant Agreement with Raftelis Financial Consultants, Inc. for an amount not to exceed \$3,700,000. CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the Environment. (Environmental Services)

2.15 [25-1198](#) Report on the Request for Proposal for the Fire Department's Emergency Medical Advisor Services.

Recommendation: (a) Accept the San José Fire Department's report on the Request for Proposal for Emergency Medical Advisor Services, with optional Registered Nurse Consultant Services.
(b) Adopt a resolution authorizing the City Manager or her designee to:
 (1) Negotiate and execute an agreement with Stanford Health Care to provide emergency medical advisor services for an initial three-year term beginning December 1, 2025, through November 30, 2028, for a maximum compensation not to exceed \$510,000 for the initial term, subject to the appropriation of funds;
 (2) Negotiate and execute amendments as required to add, delete, or modify services to address seasonal variations, budgetary constraints, or unanticipated changes in demand, subject to the appropriation of funds; and
 (3) Exercise up to two one-year options to extend the term of the agreement through January 1, 2030, 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. (Fire)

2.16 [25-1199](#) Amendment to the Grant Agreement with HomeFirst Services of Santa Clara County for City Designated Overnight Warming Locations.

Recommendation: Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute the First Amendment to the grant agreement with HomeFirst Services of Santa Clara County for the continued operation of the Overnight Warming Locations Program at two City designated sites: Roosevelt Community Center (901 E. Santa Clara Street, San José, CA 95116) and Evergreen Branch Library (2635 Aborn Road, San José, CA 95121) in an amount not to exceed \$1,220,000, retroactive from the period of October 1, 2025, through June 30, 2026. CEQA: Categorically Exempt, File No. ER22-243, CEQA Guidelines Sections 15269, Emergency Projects and 15301, Existing Facilities. Council Districts 3, 8. (Housing)

2.17 [25-1200](#) Resolution Authorizing New Operators and Grant Agreements for the Motel Program.

Recommendation: Adopt a resolution authorizing the Housing Director, or his designee, to increase the Motel Program operational funding by \$476,224, from \$6,860,045 previously approved by City Council to a total of \$7,336,269, and negotiate and execute grant agreements with the following entities to operate the Motel Program as provided below:

- (a) An amount not to exceed \$3,124,058 to HomeFirst for Bristol Hotel, Casa Linda Motel, and Fontaine Inn, retroactively from July 1, 2025, through November 30, 2025; retroactively for Motel 6 from July 1, 2025 through December 31, 2025; and for the continued operation of Alura Inn retroactively from July 1, 2025 through June 30, 2026;
- (b) An amount not to exceed \$1,312,400 to PATH, for Bristol Hotel, from December 1, 2025, to June 30, 2026;
- (c) An amount not to exceed \$818,933 to Razing the Bar, for Casa Linda Motel, from December 1, 2025, to June 30, 2026;
- (d) An amount not to exceed \$1,074,839 to PATH, for Fontaine Inn, from December 1, 2025, to June 30, 2026; and
- (e) An amount not to exceed \$1,006,039 to WeHOPE, for Motel 6, from January 1, 2026, to June 30, 2026.

CEQA: Addendum to the Emergency Interim Housing Programs Mitigated Negative Declaration (Resolution No. RES2023-380), File No. ER25-073, Motel Transitional Housing and Congregate Shelters. (Housing)

2.18 [25-1201](#) Amendment to the Grant Agreement Between the City of San José and the San José Public Library Foundation.

Recommendation: Adopt a resolution authorizing the City Manager or her designee to negotiate and execute an amendment to the grant agreement between the City of San José and the San José Public Library Foundation in the total amount not to exceed \$1,180,000 for:

- (a) Fiscal administration of the San José Learns funds (\$1,000,000)
- (b) Administration of the San José Learns Tutoring Expansion
- (c) Fiscal administration of the Equity, Diversity, and Inclusion programs and workshops in the amount not to exceed \$55,000.
- (d) Fiscal administration of the SJ Access Grant Program (\$50,000).
- (e) Fiscal administration of the Ignite Fellowship (\$75,000) in Fiscal Year 2025-2026.

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

2.19 [25-1202](#) Approval of "Free Use" of the Janet Gray Hayes Rotunda and East Plaza for the 10th Annual Nowruz Celebration.

Recommendation: Adopt a resolution authorizing "Free Use" for the 10th Annual Nowruz Celebration held at the Janet Gray Hayes Rotunda and East Plaza on Saturday, March 14, 2026, hosted by the Library Department.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to physical environment. (Library)

2.20 [25-1203](#) Amendment to the Agreement with HSRE-PMB San José, LLC for the 1410 S. Bascom Avenue Project.

Recommendation: (a) Approve an agreement for the refund of construction taxes in the amount of \$1,069,600 paid under the incorrect rate by HSRE-PMB San José, LLC, for a project located at 1410 S Bascom Ave.

(b) Adopt the following 2025-2026 Appropriation Ordinance amendments in the Building and Structure Construction Tax Fund:

- (1) Establish the Developer Refunds appropriation to the Department of Transportation in the amount of \$1,050,000; and
- (2) Decrease the Ending Fund Balance by \$1,050,000.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. Council District 6. (Planning, Building, and Code Enforcement/City Manager)

2.21 [25-1206](#) Temporary Deferral of the Diridon Station Area Basic Infrastructure Impact Fee for Non-Residential Development.

Recommendation:

Adopt a resolution pursuant to San José Municipal Code Section 14.35.040A:

(a) Authorizing the temporary deferral of payment of the Diridon Station Area Basic Infrastructure Impact Fee from building permit to occupancy for any non-residential development obtaining building permit for vertical construction by December 31, 2028;

(b) Authorizing the City Manager or designee to negotiate and execute project completion agreements to temporary defer payment of the Diridon Station Area Basic Infrastructure Impact Fee for any non-residential development obtaining building permit for vertical construction by December 31, 2028.

CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, adjustment to fees, rates and fares without changes to or expansion of services. Council District 6. (Planning, Building, and Code Enforcement)

2.22 [25-1204](#) Amendment to Chapter 6.88 of Title 6 (Business Licenses and Regulation) of the San José Municipal Code for the Cannabis Regulatory Program.

Recommendation:

Approve an ordinance amending Chapter 6.88 of Title 6 (Business Licenses and Regulation) of the San José Municipal Code for the Cannabis Regulatory Program to:

(a) Update the term of registration to be based on fiscal year to align with the annual operating fee;

(b) Increase the number of allowed delivery locations to correspond with the number of allowed retail storefront locations per business;

(c) Approve other changes to update the San José Municipal Code to better align with state regulations; and

(d) Make other technical, non-substantive, or formatting changes.

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

2.23 [25-1205](#) Fiscal Year 2024-2025 Traffic Impact Fee Report.

Recommendation: Accept the annual and five-year report prepared in accordance with the Mitigation Fee Act (Government Code section 66000 et seq.) on the status of the City's four traffic impact fee programs: North San José, Evergreen-East Hills, US-101/Oakland/Mabury, and Interstate 280/Winchester Boulevard.
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 1, 3, 4, 5, 6, 7, 8. (Transportation)

3. STRATEGIC SUPPORT**3.1 Report of the City Manager, Jennifer Maguire (Verbal Report).****3.2 Labor Negotiations Update.**

Accept Labor Negotiations Update.
TO BE HEARD AT 9:30 A.M.

4. PUBLIC SAFETY SERVICES**4.1 [25-1207](#) Military Equipment Annual Report.**

Recommendation: (a) Accept the annual report on military equipment for Calendar Year 2024.
 (b) Approve the requests for the authorization of the purchase of military equipment for use by the San José Police Department, subject to the appropriation of funds.
CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Police)

5. TRANSPORTATION & AVIATION SERVICES**6. ENVIRONMENTAL & UTILITY SERVICES**

6.1 [25-1210](#) Climate Smart San José Zero Waste Element Report.**Recommendation:**

As recommended by the Transportation and Environment Committee on October 6, 2025:

- (a) Accept the Climate Smart San José Zero Waste Element Report.
- (b) Approve the Zero Waste Element implementation into the Climate Smart San José Plan.

CEQA: Exempt, File No. PP17-001, Statutory Exemption for feasibility and planning studies with no commitment to future actions.

(Environmental Services)

[Transportation and Environment Committee referral 10/6/2025 Item (d)2]

7. NEIGHBORHOOD SERVICES**8. COMMUNITY & ECONOMIC DEVELOPMENT**

8.1 [25-1211](#) **Master Easements Agreement and Site Works Agreement with Microsoft Corporation and Valley Water for San José-Santa Clara Regional Wastewater Facility.**

Recommendation:

Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute:

(a) Master Easement Agreement with Microsoft Corporation in exchange for a payment of no less than \$9,274,314, including \$8,725,000 for the easements and \$549,314 for the City to purchase the potable water line serving the San José-Santa Clara Regional Wastewater Facility, that will:

(1) Convey permanent easements to install below-grade utilities, including potable water lines, recycled water lines, sanitary sewer lines, fire water lines, and storm drains across undeveloped buffer lands situated to the south of the San José-Santa Clara Regional Wastewater Facility operational area;

(2) Convey temporary construction easements as required to facilitate execution of the projects contemplated by this Agreement and enumerated in the staff memorandum;

(3) Convey an easement for the extension of McCarthy Lane and provide ingress and egress access across McCarthy Lane; and

(4) Convey a temporary construction easement to widen and improve Zanker Road to include bicycle lanes, a center median, pedestrian walkways, and bioswales; and

(b) Site Works Agreement with Microsoft Corporation and the Valley Water defining the scope, location, and terms of Microsoft Corporation's construction of a new visitor center on lands of the San José-Santa Clara Regional Wastewater Facility, which are leased to the Santa Clara Valley Water District, and other site improvements; and

(c) Any other documents related to and necessary to execute, administer, and/or enforce the above Agreements.

CEQA: Addendum to the San José Data Center Final Environmental Impact Report, as Addended. Council District 4. (Economic Development and Cultural Affairs/Environmental Services)

8.2 [25-1212](#) Request for Qualification Selection of Developer and Backup Developer for 159 acres at San José-Santa Clara Regional Wastewater Facility.

Recommendation:

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

- (a) Select Prologis Inc. as the preferred developer pursuant to the Request for Qualifications offered, for the 159 acres of economic development land belonging to the San José-Santa Clara Regional Wastewater Facility, and select a joint venture between Catellus Development Corporation and Deca Companies as the backup developer for these lands;
- (b) Negotiate and execute an Exclusive Negotiation Agreement with the selected developer for a term of two years with three one-year option terms at the City of San José's discretion; and
- (c) Negotiate and execute an Exclusive Negotiation Agreement with the backup developer, for a term of two years with three one-year option terms at the City of San José's discretion, should negotiations with the selected developer fail to provide an agreement with the terms and conditions sought by the City of San José for this project.

CEQA: Not a Project, File No. PP17-007, Preliminary direction to staff and eventual action requires approval from decision-making body.

(Economic Development and Cultural Affairs/Environmental Services)

8.3 [25-1216](#) 2026 Major Events Status Report.

Recommendation:

As recommended by the Community and Economic Development Committee on October 27, 2025, accept the Major Events Status Report on planning, marketing, sponsorships, local special events, and other activities supporting 2026 destination sports events.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of City action. (City Manager/Economic Development and Cultural Affairs)

[Community and Economic Development Committee referral on 10/27/2025 Item d(2)]

8.4 [25-1217](#) Amendments to Chapter 5.08 of Title 5 of the San José Municipal Code and Regulations for the Inclusionary Housing Ordinance.

Recommendation: Approve an ordinance amending Chapter 5.08 (Inclusionary Housing) of Title 5 of the San José Municipal Code to:

- (1) Update affordability levels;
- (2) Refine compliance options (including Surplus Credits);
- (3) Align the affordability term for inclusionary units with State practice; and
- (4) Clarify treatment of 100% affordable developments.

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

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

Notice to the public: There will be no separate discussion of Land Use Consent Calendar (Item 10.1) as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council requests discussion on a particular item, that item will be removed from the Land Use Consent Calendar (Item 10.1) and considered separately.

10.1 Land Use on Consent Calendar - TO BE HEARD IMMEDIATELY AFTER CONSENT

- (a) [25-1218](#) **PDC24-039, PD24-004, T24-011, & ER24-088 - Planned Development Rezoning, Vesting Tentative Map, and Planned Development Permit for Certain Real Property Located at 1170 Roberts Avenue.**

Recommendation:

- (1) Adopt a resolution adopting the Initial Study/Mitigated Negative Declaration for the Roberts Avenue Residential Project (ER24-088) and the associated Mitigation Monitoring and Reporting Program, in accordance with the California Environmental Quality Act.
- (2) Approve an ordinance rezoning certain real property of an approximately 1.0 gross acre site situated on the east side of Roberts Avenue, approximately 300 feet northwest of Le Compte Place (1170 Roberts Avenue, APN: 477-11-003) from the R-1-8 Single Family Residence Zoning District to the R-1-8(PD) Planned Development Zoning District;
- (3) Adopt a resolution approving, subject to conditions, a Vesting Tentative Map to subdivide the 1.0 gross-acre lot into eight lots.
- (4) Adopt a resolution approving, subject to conditions, a Planned Development Permit to allow the construction of eight detached single-family residences on eight lots and the construction of a private street to serve the new development.

CEQA: Mitigated Negative Declaration for the 1170 Roberts Avenue Residential Project. Planning Commission recommends approval (8-0-2; Bickford and Oliverio absent) (Item 4.b on the 10/22/2025 Planning Commission Agenda). Council District 7. (Planning, Building, and Code Enforcement)

- (b) [25-1219](#) **PDC24-040, PD24-005, T24-012, & ER24-09 - Planned Development Rezoning, Vesting Tentative Map, and Planned Development Permit for Certain Real Property Located at 1190 Roberts Avenue.**

Recommendation:

- (1) Adopt a resolution adopting the Initial Study/Mitigated Negative Declaration for the Roberts Avenue Residential Project (File No. ER24-092) and the associated Mitigation Monitoring and Reporting Program, in accordance with the California Environmental Quality Act.
- (2) Approve an ordinance rezoning certain real property of an approximately 1.02 gross acre site situated on the east side of Roberts Avenue, approximately 100 feet northwest of Le Compte Place (1190 Roberts Avenue, APN: 477-11-001) from the R-1-8 Single Family Residence Zoning District to the R-1-8(PD) Planned Development Zoning District.
- (3) Adopt a resolution approving, subject to conditions, a Vesting Tentative Map to subdivide the 1.02-gross-acre lot into eight lots.
- (4) Adopt a resolution approving, subject to conditions, a Planned Development Permit to allow the construction of eight detached single-family residences on eight lots and the construction of a private street to serve the new development.
- CEQA: Mitigated Negative Declaration for the 1190 Roberts Avenue Residential Project. Planning Commission recommends approval (8-0-2; Bickford and Oliverio absent) (Item 4.c on the 10/22/2025 Planning Commission Agenda). Council District 7. (Planning, Building, and Code Enforcement)

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

- **Open Forum**

Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the City Council. Members of the public may only speak at Open Forum once.

- **Adjournment**

This meeting will be adjourned in memory of Rudolph Tenes, who passed away on October 10, 2025. Born in Mexico, Rudolph dedicated his life to family and community. He was a proud San José resident and part of a generation that helped lay the foundation for the vibrant, diverse the City we know today. Rudolph will be remembered for his perseverance, kindness, and enduring commitment to those he loved and the community he called home.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection online at <https://sanjose.legistar.com/Calendar.aspx> or at the Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street, Tower 14th Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Please go to the Clerk's Records Database <https://records.sanjoseca.gov/Pages/Search.aspx> for the final document, or you may also contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov.

ABOUT THE AGENDA

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- **Strategic Support** - The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- **Public Safety** - Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.
- **Transportation & Aviation Services** - A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- **Environmental and Utility Services** - Manage environmental services and utility systems to ensure a sustainable environment for the community.
- **Neighborhood Services** - Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- **Community & Economic Development** - Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.

The San José City Council meets every Tuesday at 1:30 p.m. and Tuesday at 6 p.m. as needed, unless otherwise noted. The City Council, or less than a quorum, may adjourn any regular, special or adjourned meeting to a later date, time and place specified in the order of adjournment. If all members are absent, the City Clerk may declare the meeting adjourned to a stated date, time and place. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <https://sanjose.legistar.com/Calendar.aspx>. Council Meetings are televised live and rebroadcast on Channel 26.

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- (a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- (b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- (c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- (d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- (e) Persons in the audience will not place their feet on the seats in front of them.
- (f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- (g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- (a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions: § No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- (b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- (c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

3. Addressing the Council, Committee, Board or Commission:
- (a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
 - (b) Meeting attendees are usually given two (2) minutes to speak on any discussion item and/or during open forum; the total amount of time allocated for public testimony for each public speaker or for an agenda item is in the discretion of the Chair of the meeting and may be limited when appropriate. (California Government Code Section 54954.3; Council Policy 0-37) Applicants and appellants in land use matters are usually given more time to speak. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Council, Committee, Board or Commission.
 - (c) Speakers should discuss only the agenda item when called to speak for that item, and only topics related to City business when called to speak during open forum on the agenda.
 - (d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
 - (e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.'
 - (f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
 - (g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.