



City Council Meeting Minutes

Tuesday, December 16, 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 34-39 for the Closed Session Minutes.*

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

Absent Councilmembers: All present.

1:31 p.m. – Regular Session.

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

Absent Councilmembers: All present.

- **Pledge of Allegiance**

Mayor Matt Mahan led the Pledge of Allegiance.

- **Invocation (Mayor)**

Alicia Garcia, from WeHope, offered the invocation with a speech.

- **Orders of the Day**

Mayor Matt Mahan announced that the City Attorney's Office requested to defer Item 10.1(a).

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Domingo Candelas, and carried unanimously, Item 10.1(a) was *deferred*, per the City Attorney's Office request. (11-0-0)

- **Adjournment Recognition**

Councilmember Bien Doan announced that this meeting was adjourned in memory of Loc Vu, founder of the Viet Museum (Museum of the Boat People and the Republic of Vietnam), who passed away on November 29, 2025. As a founder and longtime leader of the Immigrant Resettlement and Cultural Center and a dedicated writer under the pen name Giao Chi, he spent his life preserving the history and voices of Vietnamese refugees. Loc Vu will be remembered for his service, vision, and profound contributions to the Vietnamese American community in San José.

- **Closed Session Report**

None provided.

1. CEREMONIAL ITEMS

- 1.1** Councilmember Rosemary Kamei presented a commendation recognizing Happy Hollow Foundation for their service and dedicated work in the City of San José.
- 1.2** Councilmember Bien Doan presented a commendation to the Venerable Thich Phap Luu, Abbot of the Di Lac Buddhist Temple, for his community service and contributions in providing thousands of healthy meals to seniors in San José.
- 1.3** Councilmember Peter Ortiz presented a proclamation declaring December 2025 as Native American Heritage Month to honor the Native American community and commemorate their histories, cultures, and contributions to the City of San José.
- 1.4** Mayor Matt Mahan and Councilmember Michael Mulcahy presented a commendation recognizing the Garcia Family who showed great compassion and bravery on November 28, 2025 when they provided shoppers fleeing the Valley Fair Mall shooting with food, shelter, and a sense of security.

2. CONSENT CALENDAR

Mayor Matt Mahan pulled Items 2.17 and 2.18 for questions. A separate vote was taken for Item 2.18.

Councilmember Michael Mulcahy pulled Item 2.21 for comments.

Councilmember Domingo Candelas pulled Item 2.27 for comments and questions.

Public Comment: Fred Buzo (Catholic Charities), Pascal Garcia (Life Moves-Safe Parking), Daniel Peralta (Gardner Center), Patricia Palomares, Angel Luna, and Ismael (Duran Construction Group), provided public testimony regarding the Consent Calendar.

Action: Upon motion by Councilmember Michael Mulcahy, seconded by Councilmember Domingo Candelas, and carried unanimously, the Consent Calendar was approved as a whole, *excluding Item 2.18, which was voted on separately*. The actions below were taken as indicated. (11-0-0)

2.1 [25-1357](#)

Approval of City Council Minutes.

(a) Regular City Council Meeting Minutes of November 18, 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 City Council Minutes were approved. (11-0-0)

2.2 [25-1345](#)**Final Adoption of Ordinances.**

(a) Ordinance No. 31279 - An Ordinance of the City of San José Rezoning Certain Real Property of Approximately 1.88 Gross Acres, Situated South of the Eastern Terminus of Bern Court (908 Bern Court) (APN: 241-15-009) from the LI(PD) Planned Development Zoning District to the CIC Combined Industrial/Commercial Zoning District.

[Passed for Publication on 12/2/2025 - Item 10.1(a) (25-1265)]

(b) Ordinance No. 31280 - An Ordinance of the City of San José Amending Section 13.48.020 and Section 13.48.240 of Chapter 13.48 of Title 13 of the San José Municipal Code to Add Definitions for “Detrimental,” “Historic Integrity,” and “Substantial Alteration,” Clarify Definitions for “Historic District” and “Landmark,” Clarify the Application of Historic Preservation Permit Findings, and Require Overriding Findings when Work is Detrimental to a Landmark or Property in a Historic District.

[Passed for Publication on 12/2/2025 - Item 10.2(b) (25-1267)]

(c) Ordinance No. 31281 - An Ordinance of the City of San José to Provide for a Business Tax Amnesty Program which Forgives Taxpayers who Pay Certain Past Due Business Taxes from Liability for Remaining Past Due Business Taxes, Interest, and Civil And Criminal Penalties.

[Passed for Publication on 12/9/2025 - Item 2.9(a) (25-1280)]

(d) Ordinance No. 31282 - An Ordinance of the City of San José to Provide for a Business Improvement District Assessment Amnesty Program which Forgives Businesses that Pay Certain Past Due Assessments from Liability for Interest and Penalties.

[Passed for Publication on 12/9/2025 - Item 2.9(b) (25-1280)]

(e) Ordinance No. 31284 - An Ordinance of the City of San José Granting a Commercial Solid Waste and Recyclables Collection Franchise to Compactor Management Company, LLC.

[Passed for Publication on 12/9/2025 - Item 6.1(b) (25-1292)]

(f) Ordinance No. 31285 - An Ordinance of the City of San José Granting a Commercial Solid Waste and Recyclables Collection Franchise to MTB Demolition.

[Passed for Publication on 12/9/2025 - Item 6.1(b) (25-1292)]

(g) Ordinance No. 31286 - An Ordinance of the City of San José Granting a Commercial Solid Waste and Recyclables Collection Franchise to Bayview Industrial Services, Inc.

[Passed for Publication on 12/9/2025 - Item 6.1(b) (25-1292)]

(h) Ordinance No. 31287 - An Ordinance of the City of San José Granting a Commercial Solid Waste and Recyclables Collection

Franchise to Dumpster Pro, Inc.

[Passed for Publication on 12/9/2025 - Item 6.1(b) (25-1292)]

(i) Ordinance No. 31288 - An Ordinance of the City Of San José Granting a Commercial Solid Waste and Recyclables Collection

Franchise to TDB Incorporated.

[Passed for Publication on 12/9/2025 - Item 6.1(b) (25-1292)]

Action: Ordinance No. 31279, Ordinance No. 31280, Ordinance No. 31281, Ordinance No. 31282, Ordinance No. 31284, Ordinance No. 31285, Ordinance No. 31286, Ordinance No. 31287, and Ordinance No. 31288, were adopted. (11-0-0)

2.3 Approval of Council Committee Minutes.

None provided.

2.4 Mayor and Council Excused Absence Requests.

None provided.

2.5 City Council Travel Reports.

None provided.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 [25-1304](#)

Actions Related to the Request for Proposals Rebid for Automated Teller Machine Concessions at the San José Mineta International Airport.

(a) Approve the selection of the top-ranking proposer for the request for proposals rebid for automated teller machine concessions at the San José Mineta International Airport.

(b) Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute an agreement with Bank of America, National Association for automated teller machine services at the San José Mineta International Airport for the initial term beginning on January 1, 2026, and ending on June 30, 2029, and exercise up to three one-year options to extend the term of the agreement through June 30, 2032.

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

Action: (a) The selection of the top-ranking proposer for the request for proposals rebid for automated teller machine concessions at the San José Mineta International Airport was approved; and (b) **Resolution No. RES2025-418** was adopted, authorizing the City Manager, or her designee, to negotiate

and execute an agreement with Bank of America, National Association for automated teller machine services at the San José Mineta International Airport for the initial term beginning on January 1, 2026, and ending on June 30, 2029, and exercise up to three one-year options to extend the term of the agreement through June 30, 2032. (11-0-0)

2.8 [25-1305](#)

Amendment to City Council Policy 9-5, Travel by Elected and Appointed City Officials.

Adopt a resolution amending the City Council Policy 9-5 for Travel by Elected and Appointed City Officials to revise and conform the travel guidelines portion to the Employee Travel Policy, 1.8.2, that can be found in the City Administrative Policy Manual.

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

Action: **Resolution No. RES2025- 419** was adopted, amending City Council Policy 9-5 for Travel by Elected and Appointed City Officials to revise and conform the travel guidelines portion to the Employee Travel Policy, 1.8.2, that can be found in the City Administrative Policy Manual. (11-0-0)

2.9 [25-1307](#)

City Manager's Travel to Chula Vista, California.

Authorize travel for City Manager, Jennifer A. Maguire, to Chula Vista, California, on January 8-10, 2026 to participate in the Large Cities Executive Forum.

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

Action: City Manager, Jennifer A. Maguire's travel to Chula Vista, California, from January 8-10, 2026, to participate in the Large Cities Executive Forum was authorized. (11-0-0)

2.10 [25-1308](#)

Fourth Amendment to the CALeVIP Services Agreement with the Center for Sustainable Energy.

Adopt a resolution authorizing the Director of Energy or her designee to execute a Fourth Amendment to the Services Agreement by and between the City of San José and the Center for Sustainable Energy, extending the term dated July 8, 2020, through July 1, 2026, with no additional funds.

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

Action: **Resolution No. RES2025- 420** was adopted, authorizing the Director of Energy or her designee to execute a Fourth Amendment to the Services Agreement by and between the City of San José and the Center for Sustainable Energy, extending the term dated July 8, 2020, through July 1, 2026, with no additional funds. (11-0-0)

2.11 [25-1309](#)

Actions Related to the Purchase Order with Gillig LLC for Electric Buses.

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

(1) Execute a purchase order with Gillig LLC (Livermore, CA) for two new 40' low floor plus electric buses with a 290" wheelbase beginning on or about December 16, 2025, and ending on or about December 15, 2026, for a not-to-exceed amount of \$2,569,301;

(2) Approve a contingency of \$280,000 for unanticipated modifications to the electric buses order and specifications, subject to the appropriation of funds; and

(3) Exercise up to six one-year options to extend the term of the purchase order, with the last option ending on or about December 15, 2032, subject to the appropriation of funds.

(b) Adopt the following 2025-2026 Appropriation Ordinance amendments in the Airport Renewal and Replacement Fund:

(1) Increase the Zero Emissions Buses Appropriation to the Airport Department by \$333,000; and

(2) Decrease the Ending Fund Balance by \$333,000.

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

(Finance/City Manager)

Action: (a) **Resolution No. RES2025-421** was adopted, regarding actions related to the purchase order with Gillig LLC for electric buses; and

(b) **Appropriation Ordinance No. 31290** was adopted, regarding the amendments in the Airport Renewal and Replacement Fund. (11-0-0)

2.12 [25-1310](#)**Fourth Amendment to the Agreement with Granicus, LLC for an Electronic Filing System for Form 700 and Campaign Finance Forms.**

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute the Fourth Amendment to the Agreement with Granicus, LLC (Saint Paul, MN) for an electronic filing system for Form 700 and Campaign Finance Forms, to extend the term of the agreement for an additional one-year option term, for a total of seven options through December 31, 2026, under the same material terms and conditions as the original agreement, with a maximum compensation not to exceed \$62,754 for the option period beginning on January 1, 2026, and ending on December 31, 2026, 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: (a) **Resolution No. RES2025-422** was adopted, authorizing the City Manager or her designee to negotiate and execute the Fourth Amendment to the Agreement with Granicus, LLC (Saint Paul, MN) for an electronic filing system for Form 700 and Campaign Finance Forms.
(11-0-0)

2.13 [25-1311](#)**Report on the Request for Proposals for an Emergency Management AI-Integration Data Modeling Solution.**

Accept the report on the Request for Proposals for an emergency management AI-integration data modeling solution and adopt a resolution authorizing the City Manager or her designee to:

- (a) Negotiate and execute an agreement with Ladriss Technologies, Inc. (Grass Valley, CA) for the development and implementation of disaster preparedness and emergency modeling software and services to support planning and response efforts for emergencies requiring evacuation, for a total not-to-exceed amount of \$580,000, for the initial term ending on or around January 31, 2027, subject to the appropriation of funds;
- (b) Negotiate and execute amendments and change orders as required, to address unanticipated changes, software subscriptions, modules, integrations, and related professional services, for a contingency amount not-to-exceed \$50,000 during the initial term, subject to the appropriation of funds; and
- (c) Negotiate and execute up to five one-year options to extend the term of the agreement through January 31, 2032, 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: The report on the Request for Proposals for an emergency management AI-integration data modeling solution was accepted, and **Resolution No. RES2025-423** was adopted, regarding the report on the request for proposals for an Emergency Management AI-Integration Data Modeling Solution. (11-0-0)

2.14 [25-1312](#)**Report on the Request for Proposal for the Fire Department's Background Investigations Consultant Services.**

(a) Accept the report on the Request for Proposal for the Fire Department's Background Investigations Consultant Services.

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

(1) Negotiate and execute an agreement with DR Associates International to provide background investigations for an initial five-year term beginning February 10, 2026, through February 9, 2031, for a maximum compensation not to exceed \$630,000 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 five one-year options to extend the term of the agreement through January 1, 2036, 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)

Action: (a) The report on the Request for Proposal for the Fire Department's Background Investigations Consultant Services was accepted; and (b) **Resolution No. RES2025-424** was adopted, authorizing the City Manager, or her designee, to: (1) Negotiate and execute an agreement with DR Associates International to provide background investigations for an initial five-year term beginning February 10, 2026, through February 9, 2031, for a maximum compensation not to exceed \$630,000 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 five one-year options to extend the term of the agreement through January 1, 2036, subject to the appropriation of funds. (11-0-0)

2.15 [25-1313](#)**Fiscal Year 2024-2025 Affordable Housing Impact Fee and Commercial Linkage Fee Annual Report.**

Accept the Fiscal Year 2024-2025 Affordable Housing Impact Fee and Commercial Linkage Fee Annual Report prepared in accordance with the California Mitigation Fee Act (Government Code section 66000 et seq.) on the status and expenditure plans for the City's Affordable Housing Impact Fee and Commercial Linkage Fee.

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)

Action: The Fiscal Year 2024-2025 Affordable Housing Impact Fee and Commercial Linkage Fee Annual Report was accepted. (11-0-0)

2.16 [25-1314](#)**Actions Related to the Reallocation of Acquisition Funding to the Construction-Permanent Loan for the Gateway Tower Affordable Housing Development.**

(a) Accept the staff recommendation on reallocation of the Gateway Tower loan commitment.

(b) Adopt a resolution authorizing the reallocation of acquisition funding to increase the construction-permanent loan to \$38,440,000. CEQA: Supplemental Environmental Impact Report for the Gateway Tower Mixed-Use Development Project (Resolution No. 78005), and Addenda, thereto. Council District 3. (Housing)

Action: (a) The staff recommendation on reallocation of the Gateway Tower loan commitment was accepted; and (b) **Resolution No. RES2025-425** was adopted, authorizing the reallocation of acquisition funding to increase the construction-permanent loan to \$38,440,000. (11-0-0)

2.17 [25-1315](#)**Fourth Amendment to the Consultant Agreement with The Pun Group, LLP for Grant Monitoring Services.**

Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute a Fourth Amendment to the Consultant Agreement with The Pun Group LLP, for grant monitoring services, to increase the maximum total compensation by \$135,000, from \$731,500 to \$866,500 for the period of January 1, 2026, to June 30, 2026.

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

Mayor Matt Mahan pulled Item 2.17 for questions regarding the range of the audit and compliance activities.

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

Action: **Resolution No. RES2025-426** was adopted, authorizing the Housing Director, or his designee, to negotiate and execute a Fourth Amendment to the Consultant Agreement with The Pun Group LLP, for grant monitoring services, to increase the maximum total compensation by \$135,000, from \$731,500 to \$866,500 for the period of January 1, 2026, to June 30, 2026. (11-0-0)

2.18 [25-1316](#)**Actions Related to Grant Agreements for Multiple Emergency Interim Housing Program Sites.**

(a) Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute Emergency Interim Housing program grant agreements with the following nonprofit service providers:

(1) HomeFirst Services of Santa Clara County for the following Emergency Interim Housing sites:

(i) Felipe in an amount not to exceed \$1,248,122 from January 1, 2026 through June 30, 2026;

(ii) Mabury in an amount not to exceed \$1,227,854 from January 1, 2026 through June 30, 2026;

(iii) Monterey/Bernal in an amount not to exceed \$1,719,027 from January 1, 2026 through June 30, 2026;

(iv) Rue Ferrari in an amount not to exceed \$3,887,180 from January 1, 2026 through June 30, 2026; and

(v) Via del Oro in an amount not to exceed \$2,749,804 from January 1, 2026 through June 30, 2026.

(2) LifeMoves for the Guadalupe Emergency Interim Housing site in an amount not to exceed \$1,384,900 from January 1, 2026 through June 30, 2026; and

(3) PATH for the Evans Lane Emergency Interim Housing site in an amount not to exceed \$2,016,404 from January 1, 2026 through June 30, 2026.

(b) Adopt a resolution authorizing the City Manager, or her designee, to accept the contribution of \$3,000,000 from HCA Healthcare / Good Samaritan to fund operations for the Cherry Emergency Interim Housing site and affordable housing projects, and to negotiate and execute related documents to receive grant funds without requiring further City Council action.

(c) Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute an amendment to the current grant agreement with HomeFirst Services of Santa Clara County to replace Measure E Funding with the new HCA Healthcare / Good Samaritan funds, in an amount not to exceed \$2,000,000, to provide supporting services, 24/7 site operations, and asset management at the Cherry Emergency Interim Housing site in Fiscal Year 2025-2026.

(d) Adopt the following Appropriation Ordinance amendments in the Real Property Transfer Tax Fund:

(1) Decrease the Measure E - 15% Homeless Support Programs Reserve by \$3,926,546; and

(2) Increase the Interim Housing Construction and Operations (15% HSP) appropriation to the Housing Department by \$3,926,546.

(e) Adopt the following Appropriation Ordinance amendments in the General Fund:

(1) Decrease the Interim Housing - Rue Ferrari Expansion Capital Improvements appropriation to the Public Works Department by \$1,200,000; and

(2) Increase the Interim Housing Construction and Operation City-Wide Expenses appropriation to the Housing Department by \$1,200,000.

(f) Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the Multi-Source Housing Fund:

(1) Establish an estimate for Revenue from Local Agencies in the amount of \$3,000,000; and

(2) Establish the HCA Healthcare / Good Sam appropriation to the Housing Department in the amount of \$3,000,000.

(g) *Adopt the following Appropriation Ordinance amendments in the Homeless Housing, Assistance, and Prevention Fund:*

(1) *Decrease the Homelessness Prevention System appropriation to the Housing Department by 1,000,000; and*

(2) *Increase the Street Outreach and Support Services appropriation to the Housing Department by \$1,000,000. [this item was inadvertently listed as item 2.18(g) on the Council Agenda as posted, but is included in the memo for item 2.19(d)]*

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. Council Districts 2, 3, 6, 7, and 10. (Housing/City Manager)

Mayor Matt Mahan pulled Item 2.18 for a status update on the City's work to find cost efficiencies and optimization of the system the City has built.

Erik Solivan, Director, Housing Department responded to questions.

Motion: Vice Mayor Pam Foley moved approval of the staff recommendation and the December 12, 2025 joint memorandum she co-authored with Mayor Matt Mahan, Councilmember David Cohen, Councilmember Michael Mulcahy, and Councilmember George Casey. Councilmember George Casey seconded the motion.

Based on the recommendations from Staff, Councilmember Pamela Campos *replaced* recommendation 4 of her December 15, 2025 memorandum with the following amendment: *Direct the City Manager to report back to the City Council in quarter three of fiscal year 2025-2026 with an assessment of no encampment zones and the city's homeless outreach and engagement programs, including a budget component, as needed, to ensure that these programs are sustained at existing sites and expanded as new priority locations are identified.*

Substitute Motion: Councilmember Pamela Campos moved approval of the December 12, 2025 joint memorandum co-authored by Mayor Matt Mahan, Vice Mayor Pam Foley, Councilmember David Cohen, Councilmember Michael Mulcahy, and Councilmember George Casey; and moved approval of her December 15, 2025 memorandum, with the *replacement* to recommendation 4 as *amended* and noted above. Councilmember Domingo Candelas seconded the substitute motion.

Erik Solivan, Director, Housing Department, confirmed that recommendation 3 of Councilmember Campos' December 15, 2025 memorandum was feasible in response to questions from Council.

Jennifer Maguire, City Manager, City Manager's Office, recommended that an informational memorandum be incorporated into the motion on the floor

Lee Wilcox, Assistant City Manager, City Manager's Office, confirmed that an informational memorandum was feasible.

Friendly Amendment: Vice Mayor Pam Foley requested to make the following *additional amendments* to the *replaced* recommendation 4 of Councilmember Campos' December 15, 2025 memorandum with the following: Direct the City Manager to report back to the City Council in quarter three of fiscal year 2025-2026 with *an informational memorandum* on no encampment zones and the city's homeless outreach and engagement programs, including a budget component, as needed, to ensure that these programs are sustained at existing sites and expanded as new priority locations are identified.

The friendly amendment was accepted by the maker of the motion and seconder.

Action: On a call to question, the substitute motion *as amended*, including the friendly amendment, passed unanimously, (a) **Resolution No. RES2025-427** was adopted, authorizing the Housing Director, or his designee, to negotiate and execute Emergency Interim Housing program grant agreements; (b) **Resolution No. RES2025-428** was adopted, authorizing the City Manager, or her designee, to accept the contribution of \$3,000,000 from HCA Healthcare / Good Samaritan to fund operations for the Cherry Emergency Interim Housing site and affordable housing projects, and to negotiate and execute related documents to receive grant funds without requiring further City Council action; (c) **Resolution No. RES2025-429** was adopted, authorizing the Housing Director, or his designee, to negotiate and execute an amendment to the current grant agreement with HomeFirst Services of Santa Clara County to replace Measure E Funding with the new HCA Healthcare / Good Samaritan funds, in an amount not to exceed \$2,000,000, to provide supporting services, 24/7 site operations, and asset management at the Cherry Emergency Interim Housing site in Fiscal Year 2025-2026; (d) Appropriation **Ordinance No. 31291** was adopted, regarding the amendments in the Real Property Transfer Tax Fund; (e) Appropriation **Ordinance No. 31292** was adopted, regarding the amendments in the General Fund; (f) Appropriation **Ordinance No. 31293** and (f) Funding Sources **Resolution No. RES2025-442** were adopted, regarding the amendments in the Multi-Source Housing Fund; and (g) *Appropriation Ordinance No. 31294 was adopted, regarding the amendments in the Homeless Housing, Assistance, and Prevention Fund.* [this item was inadvertently listed as item 2.18(g) on the Council Agenda as posted, but is included in the memo for item 2.19(d)]

AND

Including approval of the December 12, 2025 joint memorandum co-authored by Mayor Matt Mahan, Vice Mayor Pam Foley, Councilmember David Cohen, Councilmember Michael Mulcahy, and Councilmember George Casey, recommending the following:

Accept the staff recommendation and direct the City Manager to:

- 1.) Prioritize efforts to centralize food, site security, and property and asset management services, implement resulting cost savings before the end of the third quarter of FY 2025-2026, and produce a Manager's Budget Addendum (MBA) that evaluates the cost savings from centralizing these services
- 2.) Develop a real-time dashboard by June 2026 to publicly report the following contractual outcomes and performance metrics for each interim housing site
 - a.) Total number of people housed
 - a.) Total number of exits
 - b.) Total number of successful exits, which includes other interim and permanent housing options, further broken down by exits to subsidized housing, unsubsidized housing, and family reunifications.
 - c.) Total number of other exits, broken down by incarceration, hospitalization, unsheltered homelessness, or program termination
 - d.) Total number of exits without notification / unit abandonments
 - e.) Total number of deaths
- 3.) Survey each site on acuity levels, employment and income summaries, and permanent housing rejections among current program participants
- 4.) Engage people with lived experience to help inform the City's efforts to progress clients along a continuum of housing options

AND

Also including approval of Councilmember Pamela Campos' December 15, 2025 memorandum, with the *replacement* to recommendation 4 as *amended*, recommending the following:

- 1.) Approve the memo from the Mayor, Vice Mayor, and Councilmembers Cohen, Mulcahy, and Casey.
- 2.) Direct the City Manager to prepare an informational memo or, at her discretion, return to the Neighborhood Services and Education Committee (NSE) with the proposed strategy for implementing Recommendation #4 in the memo from the Mayor, Vice Mayor, and Councilmembers Cohen, Mulcahy, and Casey. At appropriate intervals, provide the City Council with best practices and lessons learned from this important collection of information.
- 3.) Incorporate the following additional outcome and performance metrics into the real-time dashboard, along with benchmarks to contextualize all data collected:
 - a.) Breakdown of demographic information;
 - b.) Average and median length of stay;
 - c.) Percentage of individuals or households who successfully exited and remained housed (or sheltered) after 18 months; and
 - d.) State-mandated data regarding number of complaints from occupants, along with resolution or correction.
- 4.) ~~Refer for consideration by the City Council during approval of the March Budget Message a Manager's Budget Addendum (MBA) providing a sustainable framework for service delivery to respond to and proactively address community concerns, particularly those related to public nuisance, illegal activity, and the consistent enforcement of our designated no-encampment zones in neighborhoods hosting~~

~~emergency interim housing sites.~~ *Direct the City Manager to report back to the City Council in quarter three of fiscal year 2025-2026 with an **informational memorandum** on no encampment zones and the city's homeless outreach and engagement programs, including a budget component, as needed, to ensure that these programs are sustained at existing sites and expanded as new priority locations are identified.* (11-0-0)

2.19 [25-1317](#)

Actions Related to Grant Agreements for Multiple Programs Serving Households Experiencing Homelessness for Fiscal Year 2025-2026.

Adopt a resolution authorizing the Housing Director, or his designee, to negotiate and execute extension amendments to existing grant agreements for the following programs serving individuals and families experiencing homelessness, categorized by service type:

(a) Crisis Intervention Programs

(1) LifeMoves (Safe Parking for Recreational Vehicles program at the Santa Clara Valley Transportation Authority lot on Santa Teresa Boulevard) in an amount not to exceed \$765,740 from January 1, 2026, through June 30, 2026;

(2) WeHOPE (Safe Parking for Recreational Vehicles program at 1300 Berryessa Road) in an amount not to exceed \$1,402,071 from January 1, 2026, through June 30, 2026;

(3) WeHOPE (Dignity on Wheels program) in an amount not to exceed \$550,000 from January 1, 2026, through June 30, 2026;

(b) Motel Programs

(1) WeHOPE (Plaza Hotel) in an amount not to exceed \$791,988 retroactively from December 1, 2025, through June 30, 2026;

(2) LifeMoves (Motel Voucher Program) in an amount not to exceed \$2,425,440 from January 1, 2026, through June 30, 2026;

(c) Support Services Programs

(1) Bill Wilson (Youth Housing and Support Program) in an amount not to exceed \$2,000,000 from January 1, 2026, through June 30, 2027.

(d) *Adopt the following Appropriation Ordinance amendments in the Homeless Housing, Assistance, and Prevention Fund: (1) Decrease the Homelessness Prevention System appropriation to the Housing Department by 1,000,000; and (2) Increase the Street Outreach and Support Services appropriation to the Housing Department by \$1,000,000. [this item was inadvertently listed as item 2.18(g) on the Council Agenda as posted, but is included in the memo for item 2.19(d)]*

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

Action: **Resolution No. RES2025-430** was adopted, authorizing the Housing Director, or his designee, to negotiate and execute extension amendments to existing grant agreements for the programs listed above, serving individuals and families experiencing homelessness, categorized by service type; and *Appropriation Ordinance No. 31294* was adopted, regarding the amendments in the Homeless Housing, Assistance, and Prevention Fund. **[this item was inadvertently listed as item 2.18(g) on the Council Agenda as posted, but is included in the memo for item 2.19(d)]** (11-0-0)

2.20 [25-1318](#)

Amendments to the City Pay Plan.

Adopt a resolution amending the City of San José Pay Plan, effective December 21, 2025, to create the following classifications:

- (a) Chief of Staff to the City Manager (Unclassified) (1142) with an annual pensionable salary range of \$176,160.37 to \$284,576.11; and
- (b) Executive Office Administrator, City Manager's Office (Unclassified) (1384) with an annual pensionable salary range of \$92,601.60 - \$122,072.61.

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

Action: **Resolution No. RES2025-431** was adopted, amending the City of San José Pay Plan, effective December 21, 2025. (11-0-0)

2.21 [25-1319](#)

Report on Request for Proposals for the Gardner Community Center Grant Program and Facility Management.

- (a) Accept the report on the Gardner Community Center Grant Program and Facility Management Request for Proposal process and results.
- (b) Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a grant agreement, and all other necessary and /or ancillary documents, and any amendments thereto with Catholic Charities of Santa Clara County for the City-owned Gardner Community Center in an amount not to exceed \$1,000,000 through June 30, 2029.

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

Councilmember Michael Mulcahy welcomed Catholic Charities of Santa Clara County as the recommended partner.

Action: (a) The report on the Gardner Community Center Grant Program and Facility Management Request for Proposal process and results was accepted; and (b) **Resolution No. RES2025-432** was adopted, authorizing the City Manager or her designee to negotiate and execute a grant agreement, and all other necessary and/or ancillary documents, and any amendments thereto with Catholic Charities of Santa Clara County for the City-owned Gardner Community Center in an amount not to exceed \$1,000,000 through June 30, 2029. (11-0-0)

2.22 [25-1320](#)

Actions Related to the 2025 California Governor’s Office of Emergency Services Internet Crimes Against Children Task Force Grant.

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

- (a) Apply to and accept the 2025 California Governor’s Office of Emergency Services Internet Crimes Against Children Task Force Grant in the amount of \$1,350,000; and
- (b) Execute any Grant Agreements, amendments, and all related documents, including online certifications at time of award application, award acceptance, and reimbursement requests.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (Police)

Action: **Resolution No. RES2025-433** was adopted, regarding the actions related to the 2025 California Governor’s Office of Emergency Services Internet Crimes Against Children Task Force Grant. (11-0-0)

2.23 [25-1322](#)**Actions Related to the Proposed 2025-2027 Spending Plan for the Supplemental Law Enforcement Services Grant and Revised 2024-2026 Spending Plan for the Supplemental Law Enforcement Services Fund Grant. - DEFERRED**

(a) Approve the proposed 2025-2027 Spending Plan for the Supplemental Law Enforcement Grant in the amount of \$1,496,772 and authorize the Chief of Police to amend the Spending Plan in conformity to the budget priorities set out in this memorandum and in the event State Supplemental Law Enforcement Services Grant payments are less or more than expected.

(b) Approve the revised 2024-2026 Spending Plan for the additional Supplemental Law Enforcement Services Grant in the amount of \$1,520,161.

(c) Adopt the following 2025-2026 Appropriation Ordinance and Funding Source Resolution amendments in the Supplemental Law Enforcement Services Fund:

(1) Increase the estimate for Revenue from State of California by \$3,016,933;

(2) Establish the SLES Grant 2025-2027 City-Wide Expense appropriation to the Police Department in the amount of \$1,496,772; and

(3) Increase the SLES Grant 2024-2026 City-Wide Expense appropriation to the Police Department by \$1,520,161.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (Police/City Manager)

DEFERRED TO 1/27/2026 PER ADMINISTRATION

2.24 [25-1323](#)

2024-2025 Annual Development In-Lieu Fee Report.

Adopt a resolution:

(a) Accepting the Fiscal Year 2024-2025 Annual and Five-Year Development In-Lieu Fee Report prepared in accordance with the Mitigation Fee Act (California Government Code Section 66000 et seq.) on the status of the in-lieu fees collected by the City of San José from developers in lieu of construction of public improvements; and
(b) Making certain findings as required by California Government Code Section 66001(d)(1).

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

Action: **Resolution No. RES2025-434** was adopted, regarding the 2024-2025 Annual Development In-Lieu Fee Report. (11-0-0)

2.25 [25-1324](#)

Second Amendment to the Consultant Agreement with HNTB Corporation for the US 101 / Mabury - Berryessa - Oakland Corridor Improvement Project.

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute the Second Amendment to the consultant agreement between the City and HNTB Corporation for engineering consultant services for the US 101 / Mabury-Berryessa-Oakland Corridor Improvement Project to increase the total not-to-exceed amount by \$1,800,000, from \$9,000,000 to \$10,800,000, and extend the term of the agreement to December 31, 2028.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. Council Districts 3, 4. (Transportation)

Action: **Resolution No. RES2025-435** was adopted, regarding the Second Amendment to the consultant agreement between the City and HNTB Corporation for engineering consultant services for the US 101 / Mabury-Berryessa-Oakland Corridor Improvement Project. (11-0-0)

2.26 [25-1325](#)**Resolution Establishing Speed Limits.**

Adopt a resolution repealing Resolution No. 2025-304 and set forth speed limits in the City of San José in compliance with state law to:

- (a) Re-establish speed limits with changes to 19 roadways, including portions of Barack Obama Boulevard, Blossom Hill Road, Branham Lane, Canoas Garden Avenue, Curtner Avenue, First Street, Hellyer Avenue, Johnson Avenue, King Road, Little Orchard Street, Prospect Road, Samaritan Drive, San Ignacio Avenue, Snell Avenue, Suncrest Avenue, 10th Street, Tully Road, Vistapark Drive, and Winchester Boulevard;
- (b) Maintain current speed limits on portions of Alum Rock Avenue, Branham Avenue, Hassler Parkway, Tasman Drive, and Yerba Buena Road; and
- (c) Make administrative corrections to the speed limit resolution as described in this memorandum.

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

Action: **Resolution No. RES2025-436** was adopted, repealing Resolution No. 2025-304 and set forth speed limits in the City of San José in compliance with state law. (11-0-0)

2.27 [25-1326](#)**Report on Bids and Award of Contract for the 10594 - 2026 Local Streets ADA Curb Ramps #2 Project.**

- (a) Report on bids and award a contract for the construction of 10594 - 2026 Local Streets ADA Curb Ramps #2 Project to the lowest responsive, responsible bidder, Spencon Construction, Inc., in the amount of \$1,224,200; and
- (b) Approve a 10% contingency in the amount of \$122,420.

CEQA: Categorically Exempt, File No. ER24-313, CEQA Guidelines Section 15301(c), Existing Facilities. Council Districts 2, 5, 8. (Transportation/Public Works)

Councilmember Domingo Candelas requested insight on the bid process, in connection to the initial lowest bidder for this item not receiving the award recommendations, and was deemed non-responsive for failing to submit the correct compliance documentation with their initial bid package, which they subsequently submitted the correct certificate but were still deemed non-responsive per the bid process.

Matt Loesch, Director, Public Works Department, responded to questions.

Action: (a) The report on bids and award a contract for the construction of 10594 - 2026 Local Streets ADA Curb Ramps #2 Project to the lowest responsive, responsible bidder, Spencon Construction, Inc., in the amount of \$1,224,200 was accepted; and (b) the 10% contingency in the amount of \$122,420 was approved. (11-0-0)

- 2.28 [25-1341](#) **Shared Micro-Mobility Device Fee Adjustment. – DEFERRED**
Adopt a resolution amending the 2025-2026 Schedule of Fees and Charges (Resolution No. 72737, as amended) to decrease the Shared Micro-Mobility Annual Permit and Program Monitoring Operating Fee from \$139 per device to \$100 per device, effective January 1, 2026. CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, Rates, Tolls, Fares, and Charges. (Transportation/City Manager)
[Deferred from 12/9/2025 Item 2.15 (25-1286)]

DEFERRED TO 1/13/2026 PER ADMINISTRATION

- 2.29 [25-1353](#) **Retroactive Approval and Approval of Various Events Sponsored by Council District 5 as City Council Sponsored Special Events to Expend City Funds and Accept Donations of Materials and Services for the Events.**
As recommended by the Rules and Open Government Committee on December 10, 2025:
(a) Retroactively approve the Plata Arroyo Neighborhood Association Police Appreciation BBQ scheduled on September 14, 2025 as a City Council sponsored Special Event and approve the expenditure of funds.
(b) Retroactively approve the Vela Apartment Block Party scheduled on October 17, 2025 as a City Council sponsored Special Event and approve the expenditure of funds.
(c) Retroactively approve the District 5 Christmas Tree Giveaway scheduled on December 6, 2025 as a City Council sponsored Special Event and approve the expenditure of funds.
(d) Approve the Muwekma Ohlone Tribe Flag Raising Event scheduled on December 16, 2025 as a City Council sponsored Special Event and approve the expenditure of funds.
(e) Approve and accept donations from various individuals, businesses or community groups to support the events.
CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Ortiz)
[Rules Committee referral 12/10/2025 - Items B.7 and B.11]

Action: Various City Council special events sponsored by Council District 5 were retroactively approved and approved. (11-0-0)

- 2.30 [25-1360](#) **Retroactive Approval of the Holiday Tree Giveaway Event Sponsored by Council District 3 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 December 10, 2025:
(a) Retroactively approve the District 3 Holiday Tree Giveaway Event on December 7, 2025 as a City Council sponsored Special Event and approve the expenditure of funds; and
(b) 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. (Tordillos)
[Rules Committee referral 12/10/2025 - Item B.8]

Action: The City Council special event sponsored by Council District 3 was retroactively approved. (11-0-0)

2.31 [25-1363](#)

Retroactive Approval of the Firefighter Community Safety Outreach Event Sponsored by Council District 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 December 10, 2025:

(a) Retroactively approve the Firefighter Community Safety Outreach Event scheduled on November 17, 2025 as a City Council sponsored Special Event and approve the expenditure of funds; and

(b) 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. (Casey)
[Rules Committee referral 12/10/2025 - Item B.9]

Action: The City Council special event sponsored by Council District 10 was retroactively approved. (11-0-0)

2.32 [25-1366](#)**Approval of Black History Month 2026 Flag Raising and Tower Lighting Sponsored by Council District 1 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 December 10, 2025:

- (a) Approve the Black History Month 2026 Flag Raising scheduled on February 13, 2026 as a City Council sponsored Special Event and approve the expenditure of funds.
- (b) Approve the Black History Month 2026 Tower Lighting scheduled from February 13-20, 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. (Kamei)
[Rules Committee referral 12/10/2025 - Item B.12]

Action: The City Council special event sponsored by Council District 1 was approved. (11-0-0)

2.33 [25-1367](#)**Boards and Commissions Appointment.**

Approve the following Boards and Commissions appointment:

- (a) Youth Commission:
 - (1) District 8 Seat: Appoint Micah Chung for a term ending May 31, 2026.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative activities resulting in no changes to the physical environment. (City Clerk)
[Rules Committee referral 12/10/2025 - Item A.1.a]

Action: The following Boards and Commissions appointment was approved:
Youth Commission: District 8 Seat: Micah Chung, for a term ending May 31, 2026.
(11-0-0)

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 [25-1331](#)**Fire Department Inventory Controls Over Controlled Substances Audit Report.**

As recommended by the Public Safety, Finance and Strategic Support Committee on December 4, 2025, accept the report on the audit of the Fire Department's inventory controls over controlled substances.

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

[Public Safety, Finance and Strategic Support Committee referral
12/4/2025 - Item (d)1]

Joe Rois, City Auditor, City Auditor's Department; Alison Pauly, Supervising Auditor, City Auditor's Department; and Maria Valle, Program Performance Auditor II, City Auditor's Department, offered the presentation and responded to questions.

Robert Sapien, Fire Chief, Fire Department; and Steve Bowie, Deputy Fire Chief, Emergency Medical Services Division, Fire Department, provided the administration's response.

Public Comment: None provided.

Action: Upon motion by Vice Mayor Pam Foley, seconded by Councilmember Bien Doan, and carried unanimously, the report on the audit of the Fire Department's inventory controls over controlled substances was accepted.
(11-0-0)

4. PUBLIC SAFETY SERVICES**4.1** [25-1337](#)**Amendment to Title 16 (Gaming Control) of the San José Municipal Code.- *DEFERRED***

Approve an ordinance amending Title 16 (Gaming Control) of the San José Municipal Code to:

- (a) Revise the immediate reporting requirement to the Police Department related to the discovery of crimes at cardroom premises from immediately upon discovery to either immediately upon discovery or, when immediate reporting is not feasible, then promptly upon making a determination that conduct has occurred which raises a reasonable suspicion that a crime has been committed, without compromising responsiveness to potential criminal conduct and revise the requirement to report to the Division of Gaming Control any conduct which raises a reasonable suspicion of a violation of Title 16 from four hours to no later than the next business day;
- (b) Expand the allowable betting layout design from 10 to 20 betting squares per player-position per card table, requiring advance approval from the Division of Gaming Control and labeling of all betting opportunities on table layouts to align with modern gaming practices;

- (c) Repeal Section 16.18.075 (Limitations on continuous presence at cardroom premises) as unnecessary given the minimal number of affected patrons and the disproportionate administrative effort required for enforcement;
 - (d) Remove the four-tournament-per-year limit and add an exception to the existing 25% charitable contribution requirement for cardrooms that make lump-sum charitable contributions under settlement agreements;
 - (e) Expressly permit the cardrooms to offer complimentary or discounted food and non-alcoholic beverages to patrons, provided such items are not conditioned on gambling participation and records are maintained, consistent with state law and responsible gaming principles; and
 - (f) Make other technical, non-substantive, or formatting changes.
- CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.
(Police)
[Deferred from 12/2/2025 - Item 4.1 (25-1258)]

DEFERRED TO 2/3/2026 PER ADMINISTRATION

5. TRANSPORTATION & AVIATION SERVICES

None provided.

6. ENVIRONMENTAL & UTILITY SERVICES

None provided.

7. NEIGHBORHOOD SERVICES

7.1 [25-1332](#)

Digital Empowerment and Broadband Strategy.

- (a) Accept the status report on the Digital Equity Assessment and recommendations to renew the City's 2017 Broadband and Digital Inclusion Strategy.
- (b) Adopt the Digital Empowerment and Broadband Strategy, affirming and continuing the City's hybrid approach to telecommunications partnerships.
- (c) Adopt a resolution to formally utilize the Federal Communications Commission's broadband speed definition of 100/20 Mbps and aspirational future speed goal of 1 Gbps/500 Mbps.
- (d) Direct staff to implement the Digital Empowerment and Broadband Strategy Work Plan and return to the City Council in 2027 with a status update.

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

Jill Bourne, City Librarian, Library Department; Ann Grabowski, Deputy Director, Public Services, Library Department; Abigail Shull, Division Manager, Digital Empowerment & Public Technology, Library Department; Uarporn Nopmongcol, Program Manager, Broadband & Partnerships, Library Department; and Harrison Phelan, Guidehouse Inc., offered the presentation and responded to questions.

Public Comment: David Witkowski (Joint Venture Silicon Valley), Jeremy Stroup (Verizon Wireless), Daniel P. (T-Mobile), Brian Darby, Charlie Mastoloni (ATT), Queyen Vong (ICANN), and Lennies Gutierrez (Comcast), provided public testimony regarding the item.

Action: Upon motion by Councilmember Pamela Campos, seconded by Councilmember Rosemary Kamei, and carried unanimously, (a) the status report on the Digital Equity Assessment and recommendations to renew the City's 2017 Broadband and Digital Inclusion Strategy was accepted; (b) the Digital Empowerment and Broadband Strategy, affirming and continuing the City's hybrid approach to telecommunications partnerships was adopted; (c) **Resolution No. RES2025-437** was adopted, to formally utilize the Federal Communications Commission's broadband speed definition of 100/20 Mbps and aspirational future speed goal of 1 Gbps/500 Mbps; and (d) staff was directed to implement the Digital Empowerment and Broadband Strategy Work Plan and return to the City Council in 2027 with a status update. (11-0-0)

7.2 [25-1333](#)**Abandoned Shopping Cart Retrieval Pilot Program Status Report.**

Accept the status report on the abandoned shopping cart retrieval pilot program.

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

Chris Burton, Director, Planning Building and Code Enforcement Department (PBCE); and Rachel Roberts, Deputy Director, PBCE, offered the presentation and responded to questions.

Public Comment: None provided.

Action: Upon motion by Councilmember David Cohen, seconded by Councilmember Bien Doan, and carried unanimously, the status report on the abandoned shopping cart retrieval pilot program was accepted. (11-0-0)

7.3 [25-1327](#)**Extension of the Urgency Interim Ordinance on the Temporary Moratorium on the Issuance of Tobacco Retail Licenses.**

Approve an ordinance extending the urgency interim Ordinance No. 31270 of the City of San José, establishing a temporary moratorium on the issuance of Tobacco Retail Licenses to businesses at new locations within San José, and setting forth findings to support such extension.

PLEASE NOTE: APPROVAL OF THIS EXTENSION OF URGENCY INTERIM ORDINANCE REQUIRES 8 OR MORE

AFFIRMATIVE VOTES. City Charter Section 605(d)

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

No presentation provided.

Public Comment: None provided.

Action: Upon motion by Councilmember Domingo Candelas, seconded by Vice Mayor Pam Foley, and carried unanimously, **Ordinance No. 31295** was adopted, extending the urgency interim Ordinance No. 31270 of the City of San José, establishing a temporary moratorium on the issuance of Tobacco Retail Licenses to businesses at new locations within San José and setting forth findings to support such extension. (11-0-0)

8. COMMUNITY & ECONOMIC DEVELOPMENT

8.1 [25-1334](#)

Preliminary Actions Required for the Creation of The Alameda Business Improvement District and Levy of Assessments for Fiscal Year 2025-2026.

(a) Adopt a resolution:

(1) Declaring the City Council's intention to establish The Alameda Business Improvement District;

(2) Setting a public meeting for January 13, 2026, at 1:30 p.m. and a public hearing for February 3, 2026, at 1:30 p.m. on the formation of The Alameda Business Improvement District;

(3) Directing the City Clerk to publish the required notices of the public meeting and public hearing; and

(4) Appointing the Alameda Business Association Advisory Board to advise the City Council on all issues related to The Alameda Business Improvement District.

(b) Subject to the establishment of The Alameda Business Improvement District:

(1) Preliminarily approve the Advisory Board's Service Plan, including assessment and fee structure, budget, and cost controls, for Fiscal Year 2025-2026; and

(2) Adopt a resolution of intention to levy an assessment for Fiscal Year 2025-2026 and set a public hearing for February 3, 2026, at 1:30 p.m. on the levy of assessments for Fiscal Year 2025-2026.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant impact on the environment. Council District 6. (Economic Development and Cultural Affairs)

Jen Baker, Director, City Manager's Office of Economic Development and Cultural Affairs; Blage Zelalich, Deputy Director, City Manager's Office of Economic Development and Cultural Affairs; Victor Farlie, Assistant to the City Manager, City Manager's Office of Economic Development and Cultural Affairs; and Sal Alvarez, Senior Executive Analyst, City Manager's Office of Economic Development and Cultural Affairs, offered the presentation and responded to questions.

Public Comment: None provided.

Action: Upon motion by Councilmember Michael Mulcahy, seconded by Councilmember David Cohen, and carried unanimously, (a) **Resolution No. RES2025-438** and (b)(2) **Resolution No. RES2025-439** were adopted, regarding the preliminary actions required for the creation of The Alameda Business Improvement District and Levy of Assessments for Fiscal Year 2025-2026; and the Advisory Board's Service Plan, including assessment and fee structure, budget, and cost controls, for Fiscal Year 2025-2026, was preliminarily approved. (11-0-0)

8.2 [25-1335](#)**Preliminary Actions Required for the Creation of the Alum Rock Santa Clara Street Business Improvement District and Levy of Assessments for Fiscal Year 2025-2026.**

(a) Adopt a resolution:

(1) Declaring the City Council's intention to establish the Alum Rock Santa Clara Street Business Improvement District;

(2) Setting a public meeting for January 13, 2026, at 1:30 p.m. and a public hearing for February 3, 2026, at 1:30 p.m. on the formation of the Alum Rock Santa Clara Street Business Improvement District;

(3) Directing the City Clerk to publish the required notice of the public meeting and public hearing; and

(4) Appointing the Alum Rock Santa Clara Street Business Association as the Advisory Board to advise the City Council on all issues related to the Alum Rock Santa Clara Street Business Improvement District.

(b) Subject to the establishment of the Alum Rock Santa Clara Street Business Improvement District:

(1) Preliminarily approve the estimated budget and fee structure for Fiscal Year 2025-2026; and

(2) Adopt a resolution of intention to levy an assessment for Fiscal Year 2025-2026 and set a public hearing for February 3, 2026, at 1:30 p.m. on the levy of assessments for Fiscal Year 2025-2026.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant impact on the environment. Council Districts 3, 5. (Economic Development and Cultural Affairs)

Jen Baker, Director, City Manager's Office of Economic Development and Cultural Affairs; Blage Zelalich, Deputy Director, City Manager's Office of Economic Development and Cultural Affairs; Victor Farlie, Assistant to the City Manager, City Manager's Office of Economic Development and Cultural Affairs; and Jessica Muñoz, Senior Executive Analyst, City Manager's Office of Economic Development and Cultural Affairs, offered the presentation and responded to questions.

Public Comment: Helen Masamori, Cynthia Velazquez, and Nathaniel Lim, provided public testimony regarding the item.

Action: Upon motion by Councilmember Peter Ortiz, seconded by Councilmember Anthony Tordillos Councilmember, and carried unanimously, (a) **Resolution No. RES2025-440** and (b)(2) **Resolution No. RES2025-441** were adopted, regarding the preliminary actions required for the creation of the Alum Rock Santa Clara Street Business Improvement District and Levy of Assessments for Fiscal Year 2025-2026. (11-0-0)

9. REDEVELOPMENT – SUCCESSOR AGENCY

None provided.

10. LAND USE

10.1 Land Use on Consent Calendar

10.1(a) [25-1336](#) PP25-001 - Amendment to Title 19 (Subdivision) and Various Sections of Title 20 (Zoning Code) of the San José Municipal Code for Compliance with State Law and to Streamline Regulations.-DEFERRED

(1) Adopt a resolution adopting the Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report and the Supplemental Program Environmental Impact Report, and the Supplemental Environmental Impact Report - 2023-2031 Housing Element Update and Addenda thereto for the amendments to Title 19 and Title 20 of the San José Municipal Code, in accordance with the California Environmental Quality Act.

(2) Approve an ordinance amending Title 19 (Subdivisions) and various sections of Title 20 (Zoning Ordinance or Zoning Code) of the San José Municipal Code to:

(i) Add a new Chapter 19.11, 'Ministerial Tentative Maps,' and related state law references; and

(ii) Implement City Council direction to amend Senate Bill 9 (SB 9) provisions in Chapter 20.30 by: (1) Revising existing SB 9 objective design standards within Part 8, 'Senate Bill 9 Implementation,' (2) Adding new Part 9, 'City permitted streamlined implementation for two-unit developments on a single lot within Two-Family Zoning Districts,' (3) Adding new Part 9.5, 'Streamlined implementation for properties of lesser significance listed on the Historic Resources Inventory within R-1 and R-2 Zoning Districts' to allow two-unit developments on a single lot, (4) Amending Sections 20.80.300, 20.80.450, 20.100.610, 20.100.1030 and 20.100.1040 to incorporate references to two-unit developments, and (5) Adding Section 20.200.675 to include new definition for 'lot coverage;'

(iii) Amend Chapter 20.200 to add Section 20.200.165 to include a new definition for 'Building, Main,' add Section 20.200.445 to include a new definition for 'Group Home,' amend existing definition of Residential Care Facility in Section 20.200.1010, amend existing definition of 'Residential Service Facility' in Section 20.200.1030, amend Section 20.200.1265, 'Permanent Supportive Housing,' and include references to Transitional and Supportive Housing in Table 20-50, Section 20.30.100, Chapter 20.30;

(iv) Amend Chapter 20.80 'Specific Use Regulations', Part 2.75, 'Accessory Dwelling Units' by amending Section 20.80.176, 'Streamlined Approval' and adding Section 20.80.177, 'Tree Removal', and Part 2.76 'Accessory Dwelling Unit Condominium' by amending Section 20.80.185, 'ADU Condominium Requirements', to revise existing Accessory Dwelling Unit provisions to ensure compliance with

state law;

(v) Amend Chapter 20.190 ‘Affordable Housing Density Bonuses and Incentives’ to improve readability and streamline existing text to ensure compliance with state law;

(vi) Amend Chapter 20.195 ‘Ministerial Approvals’ in its entirety to:

(1) Amend existing text to improve readability and maintain compliance with applicable state laws, and (2) Incorporate ministerial approval provisions pursuant to Senate Bill 684 and Senate Bill 1123;

(vii) Incorporate provisions of Senate Bill 1418 by amending Table 20-90, Section 20.40.100, Chapter 20.40, ‘Commercial Zoning Regulations’; amending Table 20-110, Section 20.50.100, Chapter 20.50, ‘Industrial Zoning Regulations’; amending Table 29-138, Section 20.55.203, Chapter 20.55, ‘Urban Village and Mixed-Use Zoning District Use Regulations,’ amending Table 20-140, Section 20.70.100, Chapter 20.70, ‘Downtown Zoning Regulations’; amending Section 20.80.600, Part 8 ‘Gasoline Service Station Conversions,’ of Chapter 20.80, ‘Specific Use Regulations’; and incorporate provisions of Assembly Bill 2632 in Table 20-140, Section 20.70.100, Chapter 20.70, ‘Downtown Zoning Regulations’;

(viii) Amend Chapter 20.80, ‘Specific Use Regulations,’ Part 11, ‘Off-Sale of Alcoholic Beverages’ Section 20.80.900, ‘Off-Sale of Alcoholic Beverages’ to allow alcoholic beverages within previously established Entertainment Zone Boundary;

(ix) Incorporate heat pumps by amending Chapter 20.30, ‘Residential Zoning Districts,’ Section 20.30.400, ‘Setback Areas - Setback area to be kept open, unobstructed, and unoccupied,’ Chapter 20.40, ‘Commercial Zoning Districts and Public/Quasi-Public Zoning District,’ Section 20.40.400, ‘Setback areas - open, unobstructed, and unoccupied,’ Chapter 20.50 ‘Industrial Zoning Districts,’ Section 20.50.270, ‘Setback areas - open, unobstructed, and unoccupied,’ Chapter 20.55, ‘Urban Village and Mixed-Use Zoning Districts’ Part 2, Development Regulations’ Section 20.55.101, ‘Exceptions to Setback Regulations’;

(x) Amend Section 20.55.104, ‘MUN Mixed Use Neighborhood Development Standards’ to revise existing development standards for improved clarity;

(xi) Amend Chapter 20.100, ‘Administration and Permits’, Part 7, ‘Special Use Permits’ to incorporate amendment provisions and add Section 20.100.860, ‘Amendment Findings;’ and

(xii) Make other technical, non-substantive, or formatting changes within those sections of Title 19 or Title 20 of the San José Municipal Code.

CEQA: Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report (Resolution No. 76041) and the

Supplemental Environmental Impact Report (Resolution No. 77617), and Supplemental Environmental Impact Report - 2023-2031 Housing Element Update (Resolution No. 2023-262) and Addenda thereto. File Nos. PP25-001 & ER25-220. Planning Commission recommends approval (9-0-1; Casey absent) (Item 5.d on the 11/19/2025 Planning Commission agenda). (Planning, Building, and Code Enforcement)

DEFERRED DURING ORDERS OF THE DAY PER CITY ATTORNEY'S OFFICE

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

• Open Forum

1. Brian Darby spoke to traffic accidents, infractions related to driving under the influence (DUI's), and California state matters.

• Adjournment

The Council of the City of San José adjourned the meeting 5:04 p.m., in memory and honor of Loc Vu.

Minutes Recorded, Prepared, and Respectfully Submitted by,



Yasmin Johnson,
Deputy City Clerk City of San José

Approved at Council on:

of Actions: 9

Attest by:



Toni Taber, MMC
City Clerk, City of San José



Office of the City Attorney

SAN JOSÉ CITY COUNCIL CLOSED SESSION MINUTES

December 16, 2025

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

Present Councilmembers: All present.

Place: City Hall, Conference Room W-133

Time: 9:30 a.m.

CLOSED SESSION ITEM(S) DISCUSSED:

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

1. Case Name: Gupta, Preety v. City of San Jose
 Name(s) of Party(ies): PREETY GUPTA, CITY OF SAN JOSE
 Court: Santa Clara County Superior Court
 Case No: 24cv440560
 Amount of Money or Damages according to proof
 Other Relief Sought:
2. Case Name: Smith, Jeffrey v. City of San Jose
 Name(s) of Party(ies): JEFFREY A SMITH, ET AL; CITY OF SAN JOSE
 Court: Santa Clara County Superior Court
 Case No: 24cv446781
 Amount of Money or Damages according to proof
 Other Relief Sought:

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): In re: Claim of Nuñez, Bobby
 City Department: Housing and PRNS
2. Claimants(s): In re: Claim of William Ek (4)

City Department: Housing and PRNS

3. Claimants(s): In re: Claim of Quiroz, Yisela Galeana

City Department: Housing and PRNS

**C. CONFERENCE WITH REAL PROPERTY DESIGNATED REPRESENTATIVES
PURSUANT TO GOVERNMENT CODE SECTION 54956.8:**

1. Property Street Address, Parcel Number, or Other Unique Reference of Property: The Fay Apartments, 10 E. Reed Street
San Jose, CA 95112
- Negotiating Parties: Lessee: Erik Solivan, Housing Director for the City of San Jose, Lessor: WestBank Corp., Andrew Jacobson, Vice President
- Under Negotiation: Master Lease of Residential Units
- Likely Range of Value of Property: Negotiated Price based on use of the property and comparable rental values

D. 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: 2

**E. PUBLIC EMPLOYMENT/PUBLIC EMPLOYEE EVALUATION PURSUANT TO
GOVERNMENT CODE SECTION 54957:**

1. Department or Agency: City Manager's Office
Title: City Manager
2. Department or Agency: City Clerk's Office
Title: City Clerk
3. Department or Agency: City Auditor's Office
Title: City Auditor
4. Department or Agency: City Attorney's Office
Title: City Attorney
5. Department or Agency: Independent Police Auditor
Title: Police Auditor

F. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT

CODE SECTION 54957.6:

City Negotiator: Jennifer Schembri, 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: **International Association of Firefighters (IAFF), Local 230 (IAFF#230)**
 Nature of negotiations: wages/salaries, hours, working conditions, etc.
 Name of Existing Contract or MOA: Memorandum of Agreement Between City of San José and International Association of Firefighters (IAFF), Local 230
 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/iaff>
 Telephone – Employee Relations: (408) 535-8150

7. Organization or Name and Title of Unrepresented Employees: **International Brotherhood of Electrical Workers, Local 332 (IBEW)**

- Nature of negotiations: wages/salaries, hours, working conditions, etc.
- Name of Existing Contract or MOA: Memorandum of Agreement Between City of San José and International Brotherhood of Electrical Workers, Local 332 (IBEW)
- 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/ibew>
Telephone – Employee Relations: (408) 535-8150
8. 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
9. Organization or Name and Title of Unrepresented Employees: **International Union of Operating Engineers, Local No. 3 (OE#3)**
- Nature of negotiations: wages/salaries, hours, working conditions, etc.
- Name of Existing Contract or MOA: Memorandum of Agreement Between City of San José and International Union of Operating Engineers, Local No. 3 (OE#3)
- 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/oe-3>
Telephone – Employee Relations: (408) 535-8150
10. Organization or Name and Title of Unrepresented Employees: **San José Police Dispatchers’ Association (SJPDA)**
- Nature of negotiations: wages/salaries, hours, working conditions, etc.

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| 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 |
- 11. Organization or Name and Title of Unrepresented Employees:** **San José Police Officers’ Association (SJPOA)**
- Nature of negotiations: wages/salaries, hours, working conditions, etc.
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| Name of Existing Contract or MOA: | Memorandum of Agreement — City of San José and San José Polices’ Association |
| 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/poa
Telephone – Employee Relations: (408) 535-8150 |
- 12. Organization or Name and Title of Unrepresented Employees:** **Peace Officer Park Ranger Association (POPRA)**
- Nature of negotiations: wages/salaries, hours, working conditions, etc.
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| Name of Existing Contract or MOA: | Memorandum of Agreement – City of San Jose and Peace Officer Park Ranger Association |
| 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/popra
Telephone – Employee Relations: (408) 535-8150 |