



# *Memorandum*

**TO:** Honorable Mayor &  
City Council

**FROM:** Toni J. Taber, MMC  
City Clerk

**SUBJECT:** The Public Record  
December 18, 2025 – January 8, 2026

**DATE:** January 14, 2026

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## **ITEMS FILED FOR THE PUBLIC RECORD**

### **Letters from Boards, Commissions, and Committees**

### **Letters from the Public**

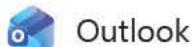
1. Letter from Ishaan Attawar, dated January 2, 2026, regarding: Regarding the Homelessness Crisis.
2. Letter from Hyde Park Neighborhood Association (Susan George), dated January 8, 2026, regarding: Letter of Complaint from the Hyde Park Neighborhood Association.

A handwritten signature in blue ink, appearing to read "Toni J. Taber".

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Toni J. Taber, MMC  
City Clerk

TJT/tt



## Regarding the Homelessness Crisis

**From** Ishaan Attawar [REDACTED]

**Date** Fri 1/2/2026 8:54 AM

**To** City Clerk <city.clerk@sanjoseca.gov>

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I am writing to express my deep concern regarding the ongoing homelessness crisis in our city, where over 6,250 of our neighbors remain unhoused. This issue is a priority for me because I believe addressing extreme poverty is a moral imperative for our community and society overall. Recent audit reports revealed that the city could not fully track the \$302 million spent on homelessness since 2020, and that several contracted nonprofits are failing to meet reporting requirements. To ensure our resources actually reach those in need, I urge the City to formally adopt and implement all of the City Auditor's recommendations for financial oversight. We cannot solve this crisis without transparency and accountability for every dollar spent.

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**Fw: Letter of Complaint from the Hyde Park Neighborhood Association**

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**From** City Clerk <city.clerk@sanjoseca.gov>

**Date** Thu 1/8/2026 11:17 AM

**To** Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

1 attachment (4 MB)

Tree Replacement Complaint 010826.pdf;

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

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

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

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**From:** Hyde Park [REDACTED]

**Sent:** Thursday, January 8, 2026 11:14 AM

**To:** City Clerk <city.clerk@sanjoseca.gov>

**Subject:** Letter of Complaint from the Hyde Park Neighborhood Association

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The letter is attached. Can you please forward it to the Mayor and City Council and the City Manager? Many thanks.

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hyde Park Neighborhood Association



January 8, 2026

Dear Councilmember Tordillos:

I am writing on behalf of the residents of the Hyde Park Neighborhood Association, located in Council District 3. I am currently serving as the President of the Association.

The residents of Hyde Park spent much of last year embroiled in an effort to save six Sycamore trees from destruction at the hands of PG&E. The trees are now history, but we continue to wrestle with the ongoing frustration of dealing with PG&E and the City's apparent lack of ability to hold PG&E accountable where residents' concerns are involved.

The following is a summary of what we have been dealing with since January 27, 2025:

- Six trees (at 941, 945, and 951 N. 3<sup>rd</sup> Street) were posted by the City's Department of Transportation (DOT) with Tree Removal Request notices on January 27, 2025. These notices indicated that PG&E wanted to remove the trees to construct new primary power lines and that a new replacement tree was to be provided for each tree. The notices also provided relevant information about the process for protesting the removal of the trees.
- The Hyde Park Neighborhood Association and a dozen or so individuals filed letters of protest with the Interim City Arborist and a hearing was held on February 19, 2025. There were a number of questions and suggestions provided by the members of the public that were left unanswered at that hearing and assurances were made by the City and PG&E that they would consider these suggestions and provide responses to questions.
- No new information was forthcoming, however, despite several inquiries from the public about the possible progress being made in City-PG&E meetings. On May 28, 2025, a Letter of Determination was issued by the Office of the Director of the DOT (enclosed). This letter denied all protests and approved the Tree Removal and Replacement permits. The basis for the denial was that "local jurisdictions lack the authority to require PG&E to obtain or comply with discretionary local permits,,,because the operation and maintenance of public utility facilities falls within the exclusive jurisdiction of the California Public Utilities Commission (CPUC) as well as the federal government - and is therefore preempted." We were extremely disappointed to say the least. After four months of delay, our protests were denied based upon something that the City most likely knew it would rely upon at the outset. To us, the process for protesting the PG&E permits was a sham.

- The trees were removed last summer. As of this writing, no replacement trees have been planted. The owners of the impacted properties have had to deal with a series of challenges, most concerning of which is that PG&E has informed them that it will provide the replacement trees, but that planting of the trees is the responsibility of the property owners. This assertion does not mesh with the San Jose Municipal Code Section 13.28.310, which requires the **permittee** bear the cost of tree replacement. Leaving the financial burden of planting the new trees is unconscionable. The property owners did not request the destruction of these trees and were not supportive of PG&E's request to do so. They have lost six healthy, mature trees that shaded their structures, helped clean the air of pollutants, and increased the value of their properties. Exacerbating PG&E's position has been confusion about what trees are acceptable and where they can be planted. There has been conflicting advice from the City and PG&E. The property owners have had to negotiate their way through the bureaucracies of each entity. This is an unacceptable situation.

The Hyde Park Neighborhood Association remains extremely wary of PG&E's future plans for our neighborhood and especially our trees. Given the City's position regarding what we saw happen during 2025, we are afraid that the balance of our beautiful and mature trees could be just as quickly destroyed by PG&E and that PG&E would expect each of us to bear the cost of planting a "replacement" tree. We know that the City and PG&E entered into an "historic" agreement last year that was seen as a sign of a possible new era of cooperation. Perhaps the City could parlay some of this newfound cooperation and goodwill into finding solutions to the problems that PG&E creates for the City's residents.

We would like the City to take up the plight of the three property owners at 941, 945, and 951 N. 3<sup>rd</sup> Street. They have been negatively impacted by PG&E's project and by the City's laissez-faire attitude towards PG&E.

Sincerely,

Susan George  
President  
Hyde Park Neighborhood Association

Enclosure

c: Mayor and City Council  
City Manager  
Director, DOT  
San Jose Spotlight  
Mercury News



May 28, 2025

**RE: DECISION ON PROTEST RELATING TO STREET TREE REMOVAL PERMIT  
TO REMOVE SIX (6) STREET TREE LOCATED ADJACENT TO 941 N. 3<sup>rd</sup> St.,  
945 N. 3<sup>rd</sup> St., and 951 N. 3<sup>rd</sup> St. SAN JOSE, CA.**

Dear Property Owner/Appellant:

This serves as the written decision of the City of San José, Department of Transportation following the Protest Hearing on February 19th, 2025, relating to the application for street tree removal permits for the removal of six (6) street trees located adjacent to the property addresses referenced above.

Pacific Gas & Electric's (PG&E's) Pre-emption of Municipal Tree Removal Ordinances for Electric Utility Vegetation Management in California specifies their legal authority to supersede San José Municipal Code (SJMC).

Local jurisdictions lack the authority to require PG&E to obtain or comply with discretionary local permits (whether pertaining to siting, design, construction, operation or maintenance of utility facilities – and including tree removal/pruning permits) because the operation and maintenance of utility facilities falls within the exclusive jurisdiction of the California Public Utilities Commission (CPUC) as well as the federal government – and is therefore preempted.

The City of San Jose was brought to the property on January 27th, 2025, as requested by PG&E, and determined that there may be a conflict with these trees based upon PG&E's Pre-emption of Municipal Tree Removal Ordinances for Electric Utility Vegetation Management in California. In accordance with San José Municipal Code 13.28.360.

The Forestry Office subsequently received sixteen (16) verbal objections concerning the removal of the trees within the fourteen (14)-day period specified in SJMC 13.28.360.

Based on the objections, a Protest Hearing was conducted on February 19th, 2025, at 02:00 P.M. in compliance with SJMC 13.28.360. All persons who filed a timely objection were provided an opportunity to be heard and provide documents and testimony at the Hearing.

Based on the review of the application by the Forestry team, all protest letters, all documents, and testimony provided at the hearing, the inspection of the tree and all relevant information before us, PG&E's Pre-emption of Municipal Tree Removal Ordinances for Electric Utility Vegetation Management in California specifies their legal authority to supersede San José Municipal Code.

Therefore, the Department of Transportation **denies all protests** and approves the street tree removal permits for trees as described above.

JOHN RISTOW, Director  
Department of Transportation

By:  
Nara Baker  
Interim City Arborist

**NOTICE TO ALL PARTIES**

**AS AUTHORIZED BY THE SAN JOSE MUNICIPAL CODE, THESE ARE FINDINGS  
OF THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION FOR THE CITY  
OF SAN JOSE. THE TIME WITHIN WHICH JUDICIAL REVIEW MUST BE SOUGHT  
IS GOVERNED BY THE PROVISIONS SET FORTH IN CALIFORNIA CODE OF CIVIL  
PROCEDURE, SECTION 1094.6.**