



City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, April 23, 2024

4:30 PM

**Hybrid Meeting
City Hall Council
Chambers/Virtual
1500 Warburton Avenue
Santa Clara, CA 95050**

The City of Santa Clara is conducting City Council meetings in a hybrid manner (in-person and continues to have methods for the public to participate remotely).

- Via Zoom:
 - o <https://santaclaraca.zoom.us/j/99706759306>

Meeting ID: 997-0675-9306

How to Submit Written Public Comment Before City Council Meeting:

1. Use the eComment tab located on the City Council Agenda page <https://santaclaraca.legistar.com/Calendar.aspx>. eComments are directly sent to the iLegislate application used by City Council and staff, and become part of the public record. eComment closes 15 minutes before the start of a meeting.
2. By email to clerk@santaclaraca.gov by 12 p.m. the day of the meeting. Those emails will be forwarded to the Council and will be uploaded to the City Council Agenda as supplemental meeting material. Emails received after the 12 p.m. cutoff time up through the end of the meeting will form part of the meeting record. Please identify the Agenda Item Number in the subject line of your email.

NOTE: Please note eComments and Emails received as public comment will not be read aloud during the meeting.

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <https://santaclaraca.legistar.com/Calendar.aspx>

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 at the Office of the City Clerk at Santa Clara City Hall, 1500 Warburton Avenue, Santa Clara, CA 95050 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. For the final document, you may contact the Office of the City Clerk at (408) 615-2220 or Clerk@santaclaraca.gov.

Closed Session - 4:30 PM | Study Session - 5:00 PM | Regular Meeting - 7:00 PM

4:30 PM CLOSED SESSION

Call to Order in the Council Chambers

Confirmation of Quorum

1. **24-431** [Conference with Labor Negotiators \(CC\)](#)
[Pursuant to Gov. Code § 54957.6](#)

[City representatives: Jovan D. Grogan, Nadine Nader, Aracely Azevedo, Marco Mercado, Charles Sakai, Glen R. Googins](#)

[Employee Organization\(s\):](#)
[Units #5, 7 & 8 - City of Santa Clara Employees Association](#)
[Santa Clara Police Officers Association Unit #2](#)

Public Comment

The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.

Convene to Closed Session (Council Conference Room)

If additional time is required, Council will adjourn back into Closed Session immediately following the Regular Meeting.

5:00 PM STUDY SESSION

Call to Order in the Council Chambers

Confirmation of Quorum

- 2.A **24-80** [Study Session: Update on the Santa Clara Valley Transportation Authority's BART Silicon Valley Phase II Extension Project](#)

Recommendation: Note and file this report and provide any feedback to the VTA.

- 2.B **24-178** [Presentation of Voter Research Survey Results for a November 2024 Ballot Measure](#)

Recommendation: Provide initial feedback on survey results and note and file the report.

7:00 PM JOINT CITY COUNCIL/STADIUM AUTHORITY BOARD MEETING

Call to Order in the Council Chambers

Pledge of Allegiance and Statement of Values

Roll Call

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

SPECIAL ORDER OF BUSINESS

- 3.A 24-1478** [Proclamation of April as Autism Acceptance Month](#)
- 3.B 24-239** [Proclamation of Courageous Kids Day in the City of Santa Clara](#)
- 3.C 24-242** [Proclaim May 1, 2024 as Law Day in the City of Santa Clara](#)
- 3.D 24-394** [Proclamation of Drinking Water Week May 5-11, 2024](#)

CONSENT CALENDAR

[Items listed on the CONSENT CALENDAR are considered routine and will be adopted by one motion. There will be no separate discussion of the items on the CONSENT CALENDAR unless discussion is requested by a member of the Council, staff, or public. If so requested, that item will be removed from the CONSENT CALENDAR and considered under CONSENT ITEMS PULLED FOR DISCUSSION.]

- 4.A 24-07** [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:
Americans with Disabilities Act Committee - May 18, 2023
Bicycle & Pedestrian Advisory Committee - October 23, 2023
Board of Library Trustees - March 4, 2024
Cultural Commission - March 4, 2024
Governance and Ethics Committee - December 4, 2023
Parks & Recreation Commission - March 19, 2024

4.B 24-1611 [Action on the Federal and State Income Tax Exempt Reporting for Fiscal Year 2022/2023](#)

Recommendation: Authorize the Executive Director, or designee, to file the 2022 Internal Revenue Service Form 990 (Return of Organization Exempt from Income Tax) and the State of California Form 199 (Exempt Organization Annual Information Return) on behalf of the City of Santa Clara Public Facilities Financing Corporation.

4.C 24-282 [Action to Accept a \\$963,000 Award from FY 2024 Federal Appropriations Community Project Funding/Congressionally Directed Spending in Support of the Public Safety Communications Infrastructure Project and to Approve the Related Budget Amendments](#)

Recommendation:

1. Accept and approve FY 2024 Federal Appropriations Committee Community Project Funding/Congressionally Directed Spending (CPFCDS) funding to support the Public Safety Communications Infrastructure Project (\$963,000);
2. Approve the following FY 2023/24 budget amendments:
 - a. In the Communication Acquisitions Fund, recognize Revenue from Other Agencies in the amount of \$963,000 and increase the Capital Outlay budget in the amount of \$963,000 (**five affirmative Council votes required to appropriate additional revenue**); and
3. Authorize the City Manager and Finance Director to sign any and all documents required to accept the described funding in final forms approved by the City Attorney.

4.D 24-91 [Action on Amendment No. 1 to the Agreement with David L. Gates & Associates, Inc. for Design Professional Services for the Henry Schmidt Park Playground Rehabilitation Project](#)

- Recommendation:**
1. Approve and authorize the City Manager to execute Amendment No. 1 to the Agreement for Design Professional Services with David L. Gates & Associates, Inc. for the Henry Schmidt Park Playground Rehabilitation Project in the amount not-to-exceed \$507,546, in a final form approved by the City Attorney; and
 2. Authorize the City Manager to make minor modifications to the Agreement, including time extensions, if needed.

4.E 24-102 [Action on Amendment No. 2 with Life Scan Wellness Center for Occupational Medical Services for Santa Clara Fire Department Personnel](#)

- Recommendation:**
1. Authorize the City Manager to execute Amendment No. 2 with Life Scan Wellness Center for occupational medical services for Fire Department personnel to increase the amount of the agreement by \$138,880 and to extend the term of the agreement through April 30, 2025, for a revised not-to-exceed maximum compensation of \$377,427; and
 2. Authorize the City Manager to exercise an optional extension for one additional year through April 30, 2026, pursuant to the terms and limitations of the Second Revised Exhibit B1, subject to the appropriation of funds, and in a form approved by the City Attorney.

4.F 24-306 [Action on Amendment No. 4 to the Agreement with InfoSend, Inc. for Utility Billing Print and Mail Services to Extend the Term by Six Months and Increase the Maximum Compensation by \\$280,000](#)

- Recommendation:**
- Authorize the City Manager to execute Amendment No. 4 to the Agreement with InfoSend, Inc. to extend the term of the Agreement by six months ending on December 31, 2024 and increase the maximum compensation by \$280,000 to \$2,660,000.

4.G 24-1597 [Action on a Resolution of Intention for Parking Maintenance District No. 122 - Franklin Square](#)

- Recommendation:**
1. Adopt a Resolution of Intention to order that the alternative method for the levy of benefit assessment be made applicable to the City of Santa Clara Parking Maintenance District No. 122;
 2. Set a hearing date of June 4, 2024 to approve the Director's Report FY 2024/25; and
 3. Authorize the publication, mailing, and posting of the Notice of Public Hearing as stated in the Resolution of Intention.

4.H 24-286 [Action on Software Licenses and Subscription Renewal Order with Accela, Inc. for Citizen Request Management Software \(MySantaClara\)](#)

- Recommendation:**
1. Authorize the City Manager to execute the Renewal Order Form with Accela, Inc., pursuant to the terms of the Master SaaS Agreement, for subscription and support services, covering the period from November 9, 2023 to November 10, 2024, for the Citizen Request Management Software, with a not-to-exceed maximum amount of \$35,696.57, for a total cumulative amount of \$254,410.10; and
 2. Authorize the City Manager to negotiate and execute future Renewal Order Forms pursuant to the terms of the Master SaaS Agreement to continue receiving subscription and support services from Accela, Inc. for as long as the Citizen Request Management Software is used by the City, subject to the appropriation of funds and the review and approval as to form by the City Attorney.

4.I 24-339 [Action on Authorizing the Use of City Electric Forces for a Project Located at 80 Saratoga Avenue](#)

- Recommendation:**
1. Determine the proposed action is exempt from CEQA pursuant to Section 15303 (Class 3 - New Construction or Conversion of Small Structures) of Title 14 of the California Code of Regulations; and
 2. Declare and determine in accordance with Section 1310 of the City Charter that the public work located at 80 Saratoga Avenue are better performed by the City with its own employees based on the information set forth in this Report to Council and authorize the performance of this public work consistent with this authorization.

4.J 24-227 [Informational Report on 2024 Q1 Legislative Updates](#)

- Recommendation:**
1. Note and file the informational report on 2024 Q1 legislative updates.

4.K 24-75 [Adoption of a Resolution of Intention for Maintenance District No. 183 - Santa Clara Convention Center Complex](#)

- Recommendation:**
1. Adopt a Resolution of Intention to order that the alternative method for the levy of benefit assessment be made applicable to the Santa Clara Convention Center Complex Maintenance District No. 183;
 2. Set a hearing date of June 4, 2024 to approve the Director's Report FY 2024/25; and
 3. Authorize the publication, mailing, and posting of the Notice of Public Hearing as stated in the Resolution of Intention.

- 4.L 24-348** [Authorize the Mayor to Execute an Agreement with Daniel Keen in the amount of \\$50,000 to Facilitate the Performance Evaluation Process for Council Appointees \(City Manager and City Attorney\)](#)

Recommendation: Authorize the Mayor to execute a Services Agreement with Daniel Keen in the amount of \$50,000 for a term through December 31, 2025, and two, one year options to extend the term through December 31, 2027 if both options are exercised, to facilitate the Performance Appraisal Process for each Council Appointee (City Manager and City Attorney) in a final form approved by the City Attorney's Office.

- 4.M 24-354** [Action on Addition of a New Limited-Term \(5-year\) Assistant Director of Electric Utility Position for Silicon Valley Power to Support Delivery of System Expansion Capital Projects](#)

Recommendation: That the City Council approve the addition of a new Limited-Term Assistant Director of Electric Utility Position for Silicon Valley Power to Support Delivery of the System Expansion Capital Projects.

- 4.N 24-391** [Action to Approve Official Travel Request from Councilmember Kevin Park for the AAPI LeaD \(Leadership Elected and Appointed\) Summit](#)

Recommendation: Action on approval for Official Travel Request from Councilmember Kevin Park for the inaugural AAPI LeaD Summit.

- 4.O 24-398** [Action on a Resolution Revising the Council and Authorities/Stadium Authority Regular Meetings Dates for the 2024 Calendar Year](#)

Recommendation: Adopt a Resolution revising the Council and Authorities/Stadium Authority regular meeting dates for the 2024 calendar year to reflect the cancelation of the November 5, 2024 meeting and to set November 12, 2024 as a Joint Council and Authorities Concurrent/Stadium Authority regular meeting.

- 4.P 24-422 [Action to Waive Second Reading and Adopt Ordinance No. 2068 to Authorize the Substantial Building, Construction, Reconstruction, and Development of Henry Schmidt Park in Accordance with the Updated Henry Schmidt Master Plan](#)

Recommendation: Waive Second Reading and Adopt Ordinance No. 2068 to Authorize the Substantial Building, Construction, Reconstruction, and Development of Henry Schmidt Park in Accordance with the Updated Henry Schmidt Master Plan.

PUBLIC PRESENTATIONS

[This item is reserved for persons to address the Council or authorities on any matter not on the agenda that is within the subject matter jurisdiction of the City or Authorities. The law does not permit action on, or extended discussion of, any item not on the agenda except under special circumstances. The governing body, or staff, may briefly respond to statements made or questions posed, and appropriate body may request staff to report back at a subsequent meeting. Although not required, please submit to the City Clerk your name and subject matter on the speaker card available in the Council Chambers.]

CONSENT ITEMS PULLED FOR DISCUSSION

PUBLIC HEARING/GENERAL BUSINESS

5. 24-336 [Update on the George F. Haines International Swim Center \(ISC\)](#)

Recommendation: It is recommended that the City Council:
1. Note and file the report.

6. 24-101 [Public Hearing: Action on the Adoption of the FY 2024/25 Proposed Municipal Fee Schedule](#)

Recommendation:

1. Approve Resolution Adopting the “City of Santa Clara 2024/25 Municipal Fee Schedule” with an effective date of July 1, 2024, which (1) sets new Fees; (2) amends existing Fees; (3) retains unchanged Fees for various City departments; and (4) deletes certain fees.

7. **24-433** [Action on Proposed Changes to the City's 4th of July Special Event Activities and an Amendment to Silicon Valley Power's Sponsorship List of Annual Events and Activities to Include Sponsorship of the 4th of July Fireworks Show in the Amount of \\$50,000](#)

Recommendation:

1. Authorize the City Manager to continue negotiations with Mission College and Great America and take all necessary steps to host and provide services for the 2024 All-City Picnic and Fireworks Extravaganza in alignment with the plan outlined in this Report; and
2. Approve the addition of the 4th of July Fireworks show to Silicon Valley Power's List of Annual Sponsorships in the amount of \$50,000.

REPORTS OF MEMBERS, SPECIAL COMMITTEES AND COUNCILMEMBER 030 REQUESTS

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

ADJOURNMENT

The next regular scheduled meeting is on Tuesday, May 7, 2024 in the City Hall Council Chambers.

MEETING DISCLOSURES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

STREAMING SERVICES: As always, the public may view the meetings on SantaClaraCA.gov, Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City's YouTube channel or Facebook page.

Note: The public cannot participate in the meeting through these livestreaming methods; livestreaming capabilities may be disrupted at times, viewers may always view and participate in meetings in-person and via Zoom as noted on the agenda.

AB23 ANNOUNCEMENT: Members of the Santa Clara Stadium Authority, Sports and Open Space Authority and Housing Authority are entitled to receive \$30 for each attended meeting.

Note: The City Council and its associated Authorities meet as separate agencies but in a concurrent manner. Actions taken should be considered actions of only the identified policy body.

LEGEND: City Council (CC); Stadium Authority (SA); Sports and Open Space Authority (SOSA); Housing Authority (HA); Successor Agency to the City of Santa Clara Redevelopment Agency (SARDA); Bayshore North Project Enhancement Authority (BNPEA); Public Facilities Financing Corporation (PFFC)

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.