



City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, January 30, 2024

5:00 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

- o Phone 1(669) 900-6833

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.

Joint Dinner - 5:00 PM | Closed Session - 6:00 PM | Regular Meeting - 7:00 PM

5:00 PM JOINT DINNER

Call to Order in the Council Chambers

Roll Call

1. **24-1427** [Joint Dinner Meeting with City Council and the Planning Commission](#)

6:00 PM CLOSED SESSION

Call to Order in the Council Chambers

2. **24-1628** [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](#)

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)

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

Call to Order in the Council Chambers

Pledge of Allegiance and Statement of Values

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

SPECIAL ORDER OF BUSINESS

3. **24-1454** [Recognize the Association of Indo Americans with a Commendation](#)

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 24-1899** [Action on the Minutes of the December 5, 2023 Joint Council and Authorities Concurrent and Stadium Authority Meeting; December 12, 2023 Joint Council and Authorities Concurrent and Stadium Authority Meeting; December 19, 2023 Special Joint Meetings of the Council and Stadium Authority; and January 9, 2024 Joint Council and Authorities Concurrent and Stadium Authority Meeting.](#)

Recommendation: Approve Minutes of December 5, 2023 Joint Council and Authorities Concurrent and Stadium Authority Meeting; December 12, 2023 Joint Council and Authorities Concurrent and Stadium Authority Meeting; December 19, 2023 Special Joint Meetings of the Council and Stadium Authority; and January 9, 2024 Joint Council and Authorities Concurrent and Stadium Authority Meeting.

- 4.B 24-01** [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:
Youth Commission - November 14, 2023
Historical and Landmarks Commission - October 5, 2023
Board of Library Trustees Minutes - November 6, 2023
Board of Library Trustees Minutes - December 4, 2023
Cultural Commission - December 4, 2023
Parks & Recreation Commission - November 21, 2023
Senior Advisory Commission - November 27, 2023

- 4.C 24-1389** [Action on City Bills and Claims Report for the period October 14, 2023 - November 10, 2023](#)

Recommendation: Approve the list of Bills and Claims for October 14, 2023 - November 10, 2023.

4.D 24-1592 [Action on a Resolution Accepting the AB1600 Report on Development Impact Fees for Fiscal Year Ended June 30, 2023](#)

Recommendation: Adopt a Resolution accepting the AB1600 Report on Development Impact Fees for fiscal year ending June 30, 2023 and making findings regarding the continuing need for the unexpended balances of certain impact fees as of June 22, 2023.

4.E 24-1360 [Approval of the Annual Investment Policy Statement for the City of Santa Clara, its Agencies and Corporations](#)

Recommendation: Approve the Annual Investment Policy Statement for the City of Santa Clara, its agencies and corporations.

4.F 24-1412 [Action on Award of Contract for the Great America Parkway and Tasman Drive Traffic Signal Interconnect Project to W. Bradley Electric and Related Budget Amendment](#)

Recommendation:

1. Determine the project to be exempt under CEQA Guidelines Section 15301 (Class 1) Categorical Exemption;
2. Award the Public Works Contract for the Great America Parkway and Tasman Drive Traffic Signal Interconnect Project to the lowest responsive and responsible bidder, W. Bradley Electric, in the amount of \$752,362 and authorize the City Manager to execute any and all documents associated with and necessary for the award, completion, and acceptance of this Project, in final forms approved by the City Attorney;
3. Authorize the City Manager to execute change orders up to approximately 15 percent of the original contract price, or \$112,855, for a total not-to-exceed amount of \$865,217; and
4. Approve the FY 2023/24 budget amendment in the Streets and Highways Capital Fund to decrease the Traffic Signal Enhancements Project (533-1219) and increase the Traffic Signal Interconnect Upgrade Project (533-1232) by \$697,415 (**majority affirmative Council votes required**).

4.G 24-1416 [Action on Award of Contract for the Bassett and Laurelwood Bicycle Lane Project to O’Grady Paving, Inc. and Related Budget Amendment](#)

- Recommendation:**
1. Determine the project to be exempt under CEQA Guidelines Section 15301 (Class 1) Categorical Exemption;
 2. Award the Public Works Contract for the Bassett and Laurelwood Bicycle Lane Project (CE 19-20-07), to the lowest responsive and responsible bidder, O’Grady Paving, Inc, in the amount of \$1,130,000 and authorize the City Manager to execute any and all documents associated with and necessary for the award, completion, and acceptance of this Project, in a final form approved by the City Attorney;
 3. Authorize the City Manager to execute change orders up to approximately 10 percent of the original contract price, or \$113,000, for a total contract not to exceed amount of \$1,243,000; and
 4. Approve the following FY 2023/24 budget amendments:
 - A. In the Streets and Highways Capital Fund, recognize a transfer from the Water Utility Capital Fund in the amount of \$1,500 and a transfer from the Sewer Utility Capital Fund in the amount of \$13,200, decrease the Uncontrolled Crosswalk Improvement Project by \$380,000 (to replace the funding source for the Central Santa Clara Bicycle and Pedestrian Improvement Project), decrease the Pedestrian and Bicycle Enhancement Facilities Project by a net of \$30,000 (\$380,000 returned from the Central Santa Clara Bicycle and Pedestrian Improvement Project and reallocating \$410,000 to the Bassett and Laurelwood Bicycle Lane Project), and increase the Bassett and Laurelwood Bicycle Lane Project by \$424,700 (**five affirmative Council votes required to appropriate additional revenue**);
 - B. In the Water Utility Capital Fund, establish a transfer to the Streets and Highways Capital Fund and decrease the Distribution System

- Replacement/Restoration project by \$1,500 (majority affirmative Council votes required); and
- C. In the Sewer Utility Capital Fund, establish a transfer to the Streets and Highways Capital Fund and decrease the Sanitary Sewer System Improvements project by \$13,200. (majority affirmative Council votes required).

4.H 24-1536 [Action on the Amendments to Council Policy 007 \(“Constituent Requests Addressed to City Council”\) as Recommended by the Governance and Ethics Committee](#)

Recommendation: Adopt a resolution amending Council Policy 007 (“Constituent Complaints Addressed to Council”) in the form presented.

4.I 24-1565 [Action on the Amendments to Council Policy 041 \(“Public Submittal of Written and Digital Materials”\) as Recommended by the Governance and Ethics Committee](#)

Recommendation: Adopt a Resolution amending Council Policy 041 (“Public Submittal of Written and Digital Materials”) in the form presented.

4.J 24-1609 [Action on Authorizing the Use of City Electric Forces at Various Locations](#)

- Recommendation:***
1. Determine the proposed action is exempt from CEQA pursuant to Sections 15302(c) (Class 2 - Replacement or Reconstruction) and 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 works located at 2300 Agnew Road, 3131 Homestead Avenue, 2310 Calle Del Mundo, 795 Comstock Street, and 750 Washington Street 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 these public works consistent with this authorization.

4.K 24-1590 [Action on Adoption of a Resolution Declaring Weeds a Public Nuisance and Setting February 20, 2024, for Public Hearing to Consider Testimony Regarding Non-Compliant Lots](#)

Recommendation:

1. Determine the proposed actions are exempt from CEQA pursuant to Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) of Title 14 of the California Code of Regulations;
2. Adopt a Resolution ordering the abatement of nuisance consisting of growing weeds in the City; and
3. Set February 20, 2024, as the date for the required Public Hearing to consider testimony regarding non-compliant lots.

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. 24-90 [Discussion of the George F. Haines International Swim Center Visual Observation Assessment Conducted by LPA, Inc. and an Overview of Next Steps](#)

Recommendation: Note and File Report

SANTA CLARA STADIUM AUTHORITY BOARD GENERAL BUSINESS

6. 24-107 [Action on a Proposed 10-Year Extension to the Stadium Naming Rights Agreement with Levi Strauss & Co., a Related Implementation Agreement with Forty Niners SC Stadium Company LLC \(StadCo\), and Delegation of Authority to the City Manager to Implement a Charitable Grants Agreement](#)

Recommendation:

1. Approve a First Amendment to the Naming Rights Agreement with Levi Strauss & Co. that will provide a 10-year extension and additional Naming Rights revenue to the Stadium Authority on the terms presented, in a final form approved by Authority Counsel;
2. Approve a Levi’s Stadium Naming Rights Extension and Enhanced Signage Project Implementation Agreement with Forty Niners SC Stadium Company LLC (StadCo) to coordinate the Enhanced Sign Project and the share in the costs for the design, construction, and installation of the signage, and memorialize StadCo’s \$4 million charitable commitment over 20 years, on the terms presented, in a final form approved by Authority Counsel; and
3. Authorize the City Manager to negotiate and execute a grants agreement and take other actions as may be required to implement StadCo’s charitable commitment, in final form(s) approved by the City Attorney.

CITY COUNCIL GENERAL BUSINESS

7. 24-1413 [Action on Appointments to City Committees and Outside Agency Committees for the 2024 Calendar Year](#)

Recommendation:

Approve the Appointments to the 2024 City Committees and Outside Agency Committees with any additional amendments

REPORTS OF MEMBERS, SPECIAL COMMITTEES AND COUNCILMEMBER 030

REQUESTS

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

ADJOURNMENT

The next regular scheduled meeting is on Tuesday, February 6, 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.