

City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Call and Notice of Special Meeting

Santa Clara Stadium Authority



Tuesday, March 23, 2021

4:00 PM

Virtual Meeting

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented methods for the public to participate remotely:

- **Via Zoom:**

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

Meeting ID: 997-0675-9306 or

- o Phone: 1(669) 900-6833

- **Via the City's eComment (now available during the meeting)**

- **Via email to PublicComment@santaclaraca.gov**

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.

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 ("The Brown Act") and Section 708 of the Santa Clara City Charter, the Chair calls for a Special Meeting of the Governing Board of the Stadium Authority to commence and convene on March 23, 2021, at 4:00 pm for a Special Meeting to be held virtually via Zoom, to consider the following matter(s) and to potentially take action with respect to them.

4:00 PM CLOSED SESSION

Call to Order

Roll Call

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.

- 1.A 21-322** [Pursuant to California Government Code Section 54956.9\(d\)\(2\) and \(e\)\(3\) and Section 54956.9\(d\)\(4\):](#)
[CONFERENCE WITH CITY'S OUTSIDE ATTORNEY -](#)
[ANTICIPATED LITIGATION](#)
[One \(1\) item of anticipated litigation](#)
- 1.B 21-483** [Conference with Labor Negotiators \(CC\)](#)
[Pursuant to Gov. Code § 54957.6](#)
[City representative: Deanna J. Santana, City Manager \(or](#)
[designee\)](#)
[Employee Organization\(s\):](#)
[Unit #1-Santa Clara Firefighters Association, IAFF, Local 1171](#)
[Unit #2-Santa Clara Police Officer's Association](#)
[Unit #3-IBEW Local 1245 \(International Brotherhood of](#)
[Electrical Workers\)](#)
[Unit #4-City of Santa Clara Professional Engineers](#)
[Units #5, 7 & 8-City of Santa Clara Employees Association](#)
[Unit #6-AFSCME Local 101 \(American Federation of State,](#)
[County and Municipal Employees\)](#)
[Unit #9-Miscellaneous Unclassified Management Employees](#)
[Unit #9A-Unclassified Police Management Employees](#)
[Unit #9B-Unclassified Fire Management Employees](#)
[Unit #10-PSNSEA \(Public Safety Non-Sworn Employees](#)
[Association\)](#)
- 1.C 21-494** [Conference with Legal Counsel-Existing Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)
[Sommers, et al., v. City of Santa Clara, et al., United States](#)
[District Court, Northern District of California Case No.](#)
[5:17-cv-04469-BLF](#)

Convene to Closed Session

5:30 PM COUNCIL REGULAR/SPECIAL STADIUM AUTHORITY MEETING

**Open Session to be heard at 5:30 PM or shortly thereafter*

Pledge of Allegiance and Statement of Values

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

SPECIAL ORDER OF BUSINESS

2.A 21-349 [Presentation by State Senator Bob Wieckowski on 2021 Legislation and State COVID-19 Response](#)

2.B Items from the Task Force Diversity, Equity, and Inclusion

a. 21-171 [Verbal Quarterly Report from the Task Force on Diversity, Equity and Inclusion](#)

b. 21-460 [Adopt a Resolution Affirming the City's Commitment to Stand Against and Condemn Violence and Hate Crimes Against Asian Americans and Pacific Islanders](#)

Recommendation: Adopt a Resolution affirming the City's commitment to stand against and condemn violence and hate crimes against Asian Americans and Pacific Islanders.

2.C 21-430 [Verbal Report from City Manager regarding COVID-19 Pandemic](#)

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.]

3.A 21-07 [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:

Santa Clara Tourism Improvement District Advisory Board - July 7, 2020

Santa Clara Tourism Improvement District Advisory Board - July 9, 2020

Santa Clara Tourism Improvement District Advisory Board - August 13, 2020

Santa Clara Tourism Improvement District Advisory Board - September 10, 2020

Senior Advisory Commission - January 25, 2021

Youth Commission - February 9, 2021

Audit Committee - December 3, 2020

Bicycle and Pedestrian Advisory Committee - October 26, 2020

Economic Development, Communications, and Marketing Committee - November 18, 2020

Task Force on Diversity, Equity, and Inclusion - January 11, 2021

Task Force on Diversity, Equity, and Inclusion - February 25, 2021

Historical and Landmarks Commission - February 4, 2021

- 3.B 21-285** [Action on Council & Authorities Concurrent Meeting Minutes of January 12, 2021 & January 26, 2021, Special City Council & Stadium Authority Meeting Minutes of January 19, 2021, and Special City Council & Successor Agency to the City of Santa Clara Redevelopment Agency Meeting Minutes of February 8, 2021](#)

Recommendation: Approve the meeting minutes of:
Council & Authorities Concurrent Meeting - January 12, 2021
Special City Council & Stadium Authority Meeting - January 19, 2021
Council & Authorities Concurrent Meeting - January 26, 2021
Special City Council & Successor Agency to the City of Santa Clara Redevelopment Agency - February 8, 2021

- 3.C 21-261** [Action on the Single Audit Report for Fiscal Year 2019-20](#)

Recommendation: Note and file the City of Santa Clara Single Audit Report for the year ended June 30, 2020, as recommended by the Council Audit Committee.

- 3.D 21-192** [Approval of the Annual Investment Policy Statement for the City of Santa Clara, its Agencies and Corporations](#)

Recommendation:
Alternative 1:
Approve the Investment Policy for the City of Santa Clara, its agencies and corporations with Sustainable Investing Option #3 Industry and Subindustry Exclusions.

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

STADIUM AUTHORITY GENERAL BUSINESS ITEMS

4. 21-360 [Action on the Santa Clara Stadium Authority Financial Status Report for Quarter Ending December 31, 2020 and Related Budget Amendments](#)

- Recommendation:**
1. Note and file the Santa Clara Stadium Authority Financial Status Report for the Quarter Ending December 31, 2020; and
 2. Approve Budget Amendments to the 2020/21 Santa Clara Stadium Authority Budget.

5. 21-46 [Action on the Proposed Santa Clara Stadium Authority Fiscal Year 2021/22 Budget, Stadium Operation and Maintenance Plan, and 2021 Marketing Plan \(Not to be heard prior to 6:00 PM\)](#)

- Recommendation:** Staff recommends Alternatives 1, 2, 3, 4, 5, 6, and 7:
1. Adopt the Santa Clara Stadium Authority Fiscal Year 2021/22 Operating, Debt Service, and Capital Budget
 2. Direct the Stadium Manager to provide a procurement plan and schedule of all the required repairs at the Stadium
 3. Direct the Stadium Manager to submit the budget to the Trust that is inclusive of the SCSA G&A budget of \$5.1 million
 4. Direct the Stadium Manager to respond to the questions outlined in the December 1, 2020 letter from Kenn Lee
 5. Delegate authority to the Executive Director to approve budget amendments that move funds from the Legal Contingency to Shared Expenses after the review of adequate documentation for costs
 6. Take No Action on the 2021 Marketing Plan
 7. If the Board wants to pursue an independent third-party consultant to review and assess the Non-NFL Events Marketing Plan, delegate authority to the Executive Director to conduct a competitive Request for Proposal, enter into an agreement for such services, and approve any budget amendments associated with this action. Staff will report on all actions related to this recommendation to the Board on a quarterly basis, as part of the quarterly financial report.

PUBLIC HEARING/GENERAL BUSINESS

6. **21-271** [Public Hearing: FY 2021-2022 DRAFT Annual Action Plan for the use of Federal Housing and Urban Development Grant Funds, and CDBG Guidelines](#)

Recommendation: 1. Approve the 2021-2022 DRAFT Annual Action Plan, and direct staff to incorporate all public comments into the final version to be presented before council on May 4, 2021; and
2. Approve the CDBG Policies & Procedures Manual and CDBG Monitoring Manual.

7. **21-497** [Discussion on Consideration of the Sale of the Loylton Ranch Property \(Continued from March 16, 2021\)](#)

Recommendation: Staff has no recommendation and is seeking Council direction.

8. **21-98** [Accept the 2020 General Plan Annual Progress Report](#)

Recommendation: Accept the General Plan Annual Progress Report as presented by staff.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

- 21-440** [Update on City Council and Stadium Authority Staff Referrals](#)

- 21-498** [Tentative Meeting Agenda Calendar \(TMAC\)](#)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, April 6, 2021.

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.

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)

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.