



City of Santa Clara

Joint Meeting Minutes

Council and Authorities Concurrent & Santa Clara Stadium Authority Meeting

06/07/2022

4:00 PM

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

The City of Santa Clara will be conducting City Council meetings in a hybrid manner (in-person and continues to have methods for the public to participate remotely). Pursuant to Government Code Section 54953(e) and City of Santa Clara Resolution No. 22-9087, Councilmembers may teleconference from remote locations and the City continues to provide 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.

Closed Session - 4:00PM | Study Session - 6:00 PM | Regular Meeting - 7:00 PM

4:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Mayor/Chair Gillmor called the meeting to order at 4:03 PM.

Roll Call

Present: 7 - Council/Boardmember Kathy Watanabe, Council/Boardmember Raj Chahal, Council/Boardmember Karen Hardy, Council/Boardmember Kevin Park, Vice Mayor/Chair Suds Jain, Council/Boardmember Anthony Becker, and Mayor/Chair Lisa M. Gillmor

- 1.A [22-794](#) Conference with Legal Counsel-Anticipated Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(2) - Exposure to litigation
Number of potential cases: 1
Facts and Circumstances: Pursuant to Gov. Code § 54956.9(e)(1) - Not disclosed on agenda
- 1.B [22-767](#) Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8
Property: Please see below listing for APNs and addresses
City/Authority Negotiator: Rajeev Batra, City Manager/Executive Director (or designee)
Negotiating Parties: Please see below listing for names for negotiating party(ies)
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)
- 1.C [22-766](#) Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
Voluntary Petitions for Filing of Chapter 11 Bankruptcy, PG&E Corporation, Debtor, and Pacific Gas and Electric Company, Debtor, United States Bankruptcy Court, Northern District of California, San Francisco Division, jointly administered under No. 19-30088; AND, City of Santa Clara dba Silicon Valley Power and Northern California Power Agency, Claimants, v. California Department of Water Resources, Respondent, American Arbitration Association, Case No. 01-22-0001-3527
- 1.D [22-775](#) Conference with Labor Negotiators (CC)
Pursuant to Gov. Code § 54957.6
City representative: City Manager's 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)

Public Comment

None.

Convene to Closed Session (Council Conference Room)

Council convened to Closed Session at 4:04 PM and reconvened the meeting to Open Session at 6:21 PM.

6:00 PM STUDY SESSION

Call to Order in the Council Chambers

2. [22-101](#) Study Session: Review of the Proposed FY 2022/23 & FY 2023/24 Biennial Capital Improvement Program Budget and FY 2022/23 Operating Budget Changes and Review of Proposed FY 2022/23 Municipal Fee Schedule Changes to Library Community Room Rental Fees

Recommendation: Review and provide input on the Proposed FY 2022/23 & FY 2023/24 Biennial Capital Improvement Program Budget and FY 2022/23 Operating Budget Changes and the proposed FY 2022/23 Municipal Fee Schedule changes to Library community room rental fees.

City Manager Batra provided opening remarks and provided an overview from the prior budget Study Session.

Director of Finance Lee gave a Powerpoint presentation.

Council comments and questions followed.

Director of Finance Lee, City Manager Batra, and Director of Parks & Recreation Teixeira addressed the **Council** questions.

Public Speaker(s): Mary Grizzle
Public Speakers (2)
Betsy Megas
Dan Ondrasek
Donna
Skip Pearson
Jeff Houston (eComment)

Council comments followed.

City Manager Batra closing comments followed.

7:00 PM JOINT COUNCIL/STADIUM REGULAR MEETING

Call to Order

Mayor/Chair Gillmor called the regular meeting to order at 7:58 PM.

Pledge of Allegiance and Statement of Values

Council recited the Pledge of Allegiance.

Councilmember Chahal recited the Statement of Values.

Assistant City Clerk Pimentel recited the AB 23 Announcement and Behavioral Standards.

Assistant City Clerk Pimentel also noted that any registered Lobbyists speaking during a public meeting must identify themselves and whom they represent.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

Interim City Attorney Sanchez reported the following on Item 1.C:

A motion was made by **Councilmember Becker**, seconded by **Councilmember Hardy**, to authorize an appeal of Bankruptcy Court ruling related to the Co-Tenancy Agreement with the California Department of Water Resources.

Unanimously Approved - **Vice Mayor Jain** - Abstained - Due to potential conflict of interest due to serving on the Northern California Power Agency Board.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

Mayor Gillmor moved up Items 11, 12, and 13 to be heard after the Consent Calendar.

City Manager Batra noted the following items that must be heard this evening:

Items 4.H,4.I, 4.J, 4.N, 4.O, 4.Q, 5.E, 6, 8, and 9.

SPECIAL ORDER OF BUSINESS

- 3.A [22-656](#) Presentation of 2022 City of Santa Clara/Silicon Valley Power Scholarships
- Kathleen Hughes (Silicon Valley Power Senior Electric Division Manager)** gave a verbal report and recognized the two students (**Surya Christopher Tallavarjula and Osiriz del Rosario Durana**) as the recipients of the 2022 Santa Clara Silicon Valley Power Scholarships.
- 3.B [22-599](#) Recognition of Local Organizations for Donations to Support City's COVID-19 Pandemic Response
- Council** recognized local organizations for donations to support City's COVID-19 Pandemic Response.
- 3.C [22-632](#) Verbal Report from the City Manager regarding COVID-19 Pandemic
- City Manager Batra** gave the following verbal report on the COVID-19 Pandemic:
- June 2, 2022 the CDC categorized the level of COVID-19 as high in Santa Clara County; and
 - Santa Clara County has high vaccination and booster rates
- 3.D [22-633](#) Verbal Report Update from City Manager Regarding the Local Drought Emergency
- Assistant Director of Water & Sewer Utilities Mehta** gave a verbal report update on the Local Drought Emergency.
- Council** questions followed.
- Assistant Director of Water & Sewer Utilities Mehta** addressed **Council** questions.
- 3.E [22-688](#) Presentation by Cultural Commission on the "Surviving COVID" Pocket Exhibition Winner, Upcoming Special Events, and Projects
- Cultural Commissioner Chair Von Huene** gave a Powerpoint presentation on Cultural Commission activities.

- 3.F [22-788](#) Proclaim June 2022 as Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, and Asexual (LGBTQIA+) Pride Month

Mayor Gillmor proclaimed June 2022 as LGBTQIA+ pride month.
Gabrielle Antonovich (President, Board of Billy DeFrank Center) accepted the recognition.

Councilmember Becker provided comments regarding his experience and LGBTQIA+ pride month.

A video message was displayed from **Jaime McLeod (City of Santa Clara City Councilmember 2004-2012)**.

CONSENT CALENDAR

Vice Mayor Jain abstained from Item 4.H. due to a potential conflict of interest as he has a financial interest in company involved with this item.

Assistant City Clerk Pimentel noted there was a clerical error on the Item 4.A minutes and it has been corrected and forwarded to the **Council**.

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Hardy, to approve the Consent Calendar.

Aye: 7 - Council/Boardmember Watanabe, Council/Boardmember Chahal, Council/Boardmember Hardy, Council/Boardmember Park, Vice Mayor/Chair Jain, Council/Boardmember Becker, and Mayor/Chair Gillmor

- 4.A [22-497](#) Action on the Meeting Minutes of February 22, 2022 Joint Council & Authorities Concurrent and Stadium Authority meeting, February 24, 2022 Special City Council Meeting, and March 1, 2022 Special City Council Meeting

Recommendation: Approve the Meeting Minutes of February 22, 2022 Joint Council & Authorities Concurrent and Stadium Authority Meeting, February 24, 2022 Special City Council Meeting, and March 1, 2022 Special City Council Meeting.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.B [22-20](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Senior Advisory Commission - March 28, 2022
Senior Advisory Commission - April 25, 2022

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.C [22-622](#) Action on Bills and Claims Report (CC, SCSA) for the Period April 2, 2022 - May 6, 2022

Recommendation: Approve the list of Bills and Claims for April 2, 2022 - May 6, 2022.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.D [22-437](#) Action on the FY 2021/22 Annual Report and Proposed Budget for FY 2022/23 for the Santa Clara Tourism Improvement District (SCTID) as Recommended by the SCTID Owner's Association

Recommendation: Alternative 1: Approve the FY 2021/22 Annual Report, SCTID assessment increase from 1.5% to 2.0% per its Council-approved District Management Plan, and Proposed Budget for FY 2022/23 for the Santa Clara Tourism Improvement District (SCTID) as recommended by the SCTID Owner's Association

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.E [22-621](#) Action on the Santa Clara Convention Center FY 2021/22 3rd Quarter Financial Status Report

Recommendation: Note and file the Santa Clara Convention Center Financial Status Report for the 3rd Quarter ending March 31, 2022, as submitted by Spectra.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.F [22-511](#) Action on Award of Purchase Order to Pestmaster Services, L.P. for Citywide Pest Control Maintenance and As-Needed Services

Recommendation:

1. Authorize the City Manager to execute a purchase order with Pestmaster Services, L.P. for citywide pest control maintenance and as-needed services for an initial one-year term, with maximum compensation not-to-exceed \$53,493;
2. Authorize the City Manager to execute change orders for a not-to-exceed contingency amount of \$5,349 for unanticipated services, subject to the appropriation of funds;
3. Authorize the City Manager to executed change orders or issue additional purchase order(s) with Pestmaster Services, L.P. for additional sites that may be added or deleted, subject to the same terms and conditions and appropriation of funds; and
4. Authorize the City Manager to execute up to four one-year options to extend the purchase order after the initial term, subject to the appropriation of funds.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

4.G [22-682](#) Action on a Mills Act Contract for the Property Located at 1765 Market Street

Recommendation: Authorize the City Manager to execute a Historic Preservation Agreement (Mills Act Contract) including a 10-Year Restoration and Maintenance Plan for the property at 1765 Market Street.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

4.H [22-156](#) Action to Authorize the City Manager to Complete Negotiations and Execute a Renewable Energy Purchase and Sale Agreement with Energia Sierra Juarez U.S., LLC to Purchase Renewable Energy from the Cimarrón Wind Project (Cimarrón Wind Project)

Recommendation:

1. Authorize the City Manager to negotiate, approve, and execute a Renewable Energy Purchase and Sale Agreement (Agreement) with Energia Sierra Juarez U.S., LLC, subject to budget appropriations;
2. Authorize the City Manager or designee, to execute all related documents or agreements, including, but not limited to, collateral assignment agreements; and take any and all actions as are necessary or advisable to implement and administer the Agreement; and
3. Authorize City Manager to approve and execute amendments to the Agreement, as may be required from time to time, so long as the contract price and length of the Agreement remain unchanged.

Vice Mayor Jain abstained from Item 4.H. due to a potential conflict of interest as he has a financial interest in company involved with this item.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

Aye: 6 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Councilmember Becker, and Mayor Gillmor

Abstained: 1 - Vice Mayor Jain

- 4.I [22-641](#) Action on a License Agreement for Silicon Valley Power (SVP) Authorizing the City Manager to:
1. Execute Amendment No. 1 to the current License Agreement with Energy Exemplar, LLC to add third party software used to generate forecast models for timing of power purchases; and
 2. Negotiate and execute additional amendments to add or delete services or licenses consistent with the scope of the agreement and allow future rate adjustments not to exceed a fifteen percent (15%) annual increase, subject to appropriation of funds.

Recommendation: Authorize the City Manager to:

1. Execute Amendment No. 1 to the current License Agreement with Energy Exemplar, LLC to add third party software used to generate forecast models for timing of power purchases; and
2. Negotiate and execute additional amendments to add or delete services or licenses consistent with the scope of the agreement and allow future rate adjustments not to exceed a fifteen percent (15%) annual increase, subject to appropriation of funds.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.J [22-653](#) Action on Amendment No. 3 to the Agreement with Moore Iacofano Goltsman, Inc. (MIG) for Preparation of the Freedom Circle Focus Area Plan, Amendment No. 3 to Reimbursement Agreement with Freedom Circle Venture, LLC, and Related Budget Amendment

Recommendation:

1. Approve the FY 2021/22 budget amendment in the Prefunded Plan Review Fund to recognize developer contributions in the amount of \$26,520 and establish an appropriation for the Freedom Circle Focus Area Plan in the amount of \$26,520 (**five affirmative council votes required to appropriate additional revenue**);
2. Authorize the City Manager to execute Amendment No. 3 to the Agreement with Moore Iacofano Goltsman (MIG) for professional services to prepare the Freedom Circle Focus Area Plan and related Environmental Review documents by increasing the amount of the agreement by \$26,520 for a revised not-to-exceed maximum compensation of \$778,155, subject to the appropriation of funds; and
3. Authorize the City Manager to execute Amendment No. 3 to the Reimbursement Agreement with Freedom Circle Venture LLC.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

4.K [22-663](#) Action on Public Service Grant Amendment No.3 with Rebuilding Silicon Valley Together for the Rebuilding Minor Repair Program

Recommendation: Approve and authorize the City Manager to execute Amendment No. 3 for the Grant Agreement with Rebuilding Together Silicon Valley for an amount not to exceed \$150,000 for their Minor Repair Program, and all related documents effective July 1, 2022 through June 30, 2023 contingent upon available funding and appropriation of funds, to extend the terms.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

4.L [22-592](#) Action on Public Service Grant Amendments No.4 with Abode Services and Bill Wilson Center for the City's Tenant-Based Rental Assistance Program (TBRA)

Recommendation:

1. Approve and authorize the City Manager to negotiate and execute Amendment No. 4 for the Public Service Grant Agreement with Abode Services for an amount not to exceed \$614,076 to administer the City's Tenant-Based Rental Assistance Program, and all related documents for the provision of administrative services for the TBRA Program effective July 1, 2022 through June 30, 2023 contingent upon available funding and appropriation of funds, to extend the terms;
2. Approve and authorize the City Manager to negotiate and execute Amendment No. 4 for the Public Service Grant Agreement with Bill Wilson Center for an amount not to exceed \$475,000 to administer the City's Tenant-Based Rental Assistance Program, and all related documents for the provision of administrative services for the TBRA Program effective July 1, 2022 through June 30, 2023 contingent upon available funding and appropriation of funds, to extend the terms; and
3. Authorize and direct the City Manager to make proportional adjustments to the Home Fund allocations in the event that the City's Final FY 2022/23 Award Amount is different than the projected amount. Each project will receive a proportional allocation of the recommended amount; subject to the appropriation of funds and after the City's administration set-aside and CHDO set-aside is calculated.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.M [22-759](#) Action on Approval of Amendment No. 5 to the Agreement with the California Highway Patrol

Recommendation: Authorize the City Manager/Executive Director to execute Amendment No. 5 to the Agreement with the California Highway Patrol in the amount of \$2,875,189, for a maximum not to exceed amount of \$11,300,000, and extend the term of the agreement to June 30, 2024, for traffic management and support services for special events at Levi's Stadium.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.N [22-79](#) Adoption of a Resolution Calling and Giving Notice of a General Municipal Election to be held on Tuesday, November 8, 2022 for the Election of Two Councilmembers one for each Council District 2 and 3, and one Mayor; Requesting that the Board of Supervisors of the County of Santa Clara Consolidate the General Municipal Election with the Gubernatorial General Election; and Adopt Regulations for Candidate Statements of Qualifications Submitted to the Voters and Levying a Share of the Cost of the Candidates' Statements

Recommendation: Adopt a Resolution Calling and Giving Notice of a of a General Municipal Election to be held on Tuesday, November 8, 2022 for the Election of Two Councilmembers one for each Council District 2 and 3, and One Mayor; Requesting that the Board of Supervisors of the County of Santa Clara Consolidate the General Municipal Election with the Gubernatorial General Election; and Adopt Regulations for Candidate Statements of Qualifications Submitted to the Voters and Levying a Share of the Cost of the Candidates' Statements.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to adopt Resolution No. 22-9097 Calling and Giving Notice of a of a General Municipal Election to be held on Tuesday, November 8, 2022 for the Election of Two Councilmembers one for each Council District 2 and 3, and One Mayor; Requesting that the Board of Supervisors of the County of Santa Clara Consolidate the General Municipal Election with the Gubernatorial General Election; and Adopt Regulations for Candidate Statements of Qualifications Submitted to the Voters and Levying a Share of the Cost of the Candidates' Statements.

- 4.O [22-159](#) Action to Delegate Authority to the City Manager to Negotiate a Multi-Year Emergency Load Reduction Program

Recommendation: Delegate Authority to the City Manager to develop and approve a Multi-Year Emergency Load Reduction Program, including negotiating and approving agreements with SVP Customers, state agencies, and other potential stakeholders.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.P [22-655](#) Action on the Establishment of a Silicon Valley Power Scholarship - Silicon Valley Power Sustainable Futures (SVPSF) Program and Delegate Authority to the City Manager to Negotiate a Final Grant Agreement with Santa Clara University

Recommendation: Delegate authority to the City Manager to negotiate a final Grant Agreement with Santa Clara University to establish the Silicon Valley Power Sustainable Futures Program to be administered by Santa Clara University and for Silicon Valley Power to commit \$75,000 per year over five years.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.Q [22-773](#) Action on a Resolution Extending AB 361 Implementation to Allow City Legislative Bodies to Hold Public Meetings Solely by Teleconference or Otherwise Electronically During the Governor's Proclaimed COVID State of Emergency

Recommendation: Adopt a Resolution finding the existence of the need to extend AB 361 implementation to allow the City's legislative bodies to hold public meetings solely by teleconference or otherwise electronically pursuant to AB 361.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to adopt Resolution No. 22-9096 finding the existence of the need to extend AB 361 implementation to allow the City's legislative bodies to hold public meetings solely by teleconference or otherwise electronically pursuant to AB 361.

- 4.R [22-779](#) Authorize the City Manager to Execute the 2022-2025 Memorandum of Understanding Between the City of Santa Clara and the Police Officers Association (Unit 2) that Incorporates the Terms of the Joint Mediation Recommendation

Recommendation: Authorize the City Manager to execute the Memorandum of Understanding between the City of Santa Clara and the Police Officers Association with effective dates of December 19, 2021 - December 31, 2025, that incorporates the terms of the Joint Mediation Recommendation.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve staff recommendation.

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

- 5.A [22-660](#) Informational Report on Stadium Authority and Stadium Manager Meetings and Corresponding Minutes for the Period of January 1 to March 31, 2022

Recommendation: Note and file the quarterly report on Stadium Authority and Stadium Manager staff meetings and corresponding minutes for the period of January 1 to March 31, 2022.

A motion was made by Boardmember Becker, seconded by Boardmember Hardy, to approve staff recommendation.

- 5.B [22-504](#) Action on Stadium Authority Bills and Claims for the Month of February 2022

Recommendation: Approve the list of Stadium Authority Bills and Claims for February 2022.

A motion was made by Boardmember Becker, seconded by Boardmember Hardy, to approve staff recommendation.

- 5.C [22-566](#) Action on Stadium Authority Bills and Claims for the Month of March 2022

Recommendation: Approve the list of Stadium Authority Bills and Claims for March 2022.

A motion was made by Boardmember Becker, seconded by Boardmember Hardy, to approve staff recommendation.

- 5.D [22-770](#) Action on Second Amendment to Agreement with STR Marketplace, LLC for Stadium Builder License Website Marketing

Recommendation: Authorize the Executive Director to execute a second amendment to the agreement with STR to extend the term by one year from June 1, 2022 to May 31, 2023.

A motion was made by Boardmember Becker, seconded by Boardmember Hardy, to approve staff recommendation.

5.E [22-760](#) Request to Carryover FY 2021/22 Command Post Window Treatment CapEx Project, Non-Slip Floor Matting CapEx Project, Lift Station CapEx Project, Mechanical and Electrical Closet Lighting CapEx Project, Loading Dock Lighting CapEx Project, and Rust Prevention Mitigation CapEx Project, and Approve Related Budget Amendments

- Recommendation:**
1. Approve a budget amendment to include the Command Post Window Treatment CapEx Project in the Stadium Authority FY 2022/23 CapEx Budget in the amount of \$9,425 from the Stadium Authority Capital Expense Reserve;
 2. Approve a budget amendment to include the Non-Slip Floor Matting CapEx Project in the Stadium Authority FY 2022/23 CapEx Budget in the amount of \$59,351 from the Stadium Authority Capital Expense Reserve;
 3. Approve a budget amendment to include the Lift Station CapEx Project in the Stadium Authority FY 2022/23 CapEx Budget in the amount of \$206,800 from the Stadium Authority Capital Expense Reserve;
 4. Approve a budget amendment to include the Mechanical and Electrical Closet Lighting CapEx Project in the Stadium Authority FY 2022/23 CapEx Budget in the amount of \$111,958 from the Stadium Authority Capital Expense Reserve;
 5. Approve a budget amendment to include the Rust Prevention Mitigation CapEx Project in the Stadium Authority FY 2022/23 CapEx Budget in the amount of \$18,945 from the Stadium Authority Capital Expense Reserve; and
 6. Approve a budget amendment to include the Loading Dock Lighting CapEx Project in the Stadium Authority FY 2022/23 CapEx Budget in the amount of \$65,059 from the Stadium Authority Capital Expense Reserve.

A motion was made by Boardmember Becker, seconded by Boardmember Hardy, to approve staff recommendation.

5.F Action on Request submitted by Stadium Manager to Execute Amendment No. 1 to the Agreement with Cupertino Electric, Inc. for the Primary Main Switch Gear Transformer Battery and 12KV Circuit Breakers and the 12KV Electrical Power Study, Assessment and Replacement at Primary Switch Gear at Quadrant Substations CapEx Projects

1. [22-736](#) Request from Stadium Manager to Execute Amendment No. 1 to the Agreement with Cupertino Electric, Inc. for the Primary Main Switch Gear Transformer Battery and 12KV Circuit Breakers CapEx Project and 12KV Electrical Power Study, Assessment and Replacement at Primary Switch Gear at Quadrant Substations CapEx Project

2. [22-742](#) Report from the Stadium Authority for Action Regarding Stadium Manager's Request to Execute Amendment No. 1 to the Agreement with Cupertino Electric, Inc. for the Primary Main Switch Gear Transformer Battery and 12KV Circuit Breakers CapEx Project and 12KV Electrical Power Study, Assessment and Replacement at Primary Switch Gear at Quadrant Substations CapEx Project

Recommendation:

1. Approve the Stadium Manager's request to execute an Amendment No. 1 to the Agreement with Cupertino Electric, Inc. to increase the total not to exceed amount from \$250,000 to \$764,298 for the second year of the agreement term to cover the cost of the Primary Main Switch Gear Transformer, Battery and 12KV Main Circuit Breakers CapEx project (\$193,583) and 12KV Electrical Power Study, Assessment and Replacement at Primary Switch Gear at Quadrant Substations CapEx project (\$320,715), and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager;
2. Authorize the Executive Director to approve the execution of any and all documents associated with, and necessary for the award, completion, and acceptance of the project; and
3. Authorize the Executive Director to approve the execution of change orders up to \$16,417 for the Primary Main Switch Gear Transformer, Battery & 12KV Main Circuit Breakers CapEx project and up to \$32,072 for the 12KV Electrical Power Study, Assessment and Replacement at Primary Switch Gear at Quadrant Substations CapEx project, and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager.

A motion was made by Boardmember Becker, seconded by Boardmember Hardy, to approve staff recommendation.

WRITTEN PETITION (COUNCIL POLICY 030) REQUESTS SUBMITTED BY THE PUBLIC/COUNCIL

11. [22-719](#) Action on a Written Petition (Council Policy 030), Submitted by Armando "Gary" Ferraris, to Place an Agenda Item at a Future Council Meeting to Discuss Recognizing Juneteenth as a City Holiday in Santa Clara

Recommendation: Staff makes no recommendation.

Written Petitioner Gary Ferraris provided comments on his written petition to add an agenda item to a future agenda to discuss recognizing Juneteenth as a City holiday.

Council questions followed.

Interim City Attorney Sanchez addressed **Council** questions.

A motion was made by Councilmember Watanabe, seconded by Councilmember Becker, to refer this item to staff and return after negotiations with the City's Bargaining Units.

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

12. [22-776](#) Action on Three (3) Written Petitions (Council Policy 030), Submitted by Craig Larsen, Charlotte Bobek, and Terri Peters to Place an Agenda Item at a Future Council Meeting to Discuss Santa Clara Tree Canopy Advocacy

Recommendation: Staff makes no recommendation.

Written Petitioner **Craig Larsen** provided comments regarding his written petition to agendize a discussion on a Santa Clara Tree Canopy Advocacy.

Public Speaker(s): Charlotte Bobek
Javier Hernandez
Betsy Megas

A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to agendize this written petition on a future agenda.

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

13. [22-780](#) Action on a Written Petition (Council Policy 030), Submitted by Brian Doyle, to Place an Agenda Item at a Future Council Meeting to Discuss an Explanation by Councilmember Kevin Park of the Apparent Inconsistent Statements in Official Filings Regarding His Employment and Sources of Income.

Recommendation: Staff makes no recommendation.

Written Petitioner **Brian Doyle** provided comments on his written petition to agendaize a discussion for an explanation by **Councilmember Kevin Park** of the apparent inconsistent statements in Official Filings regarding his employment and sources of income.

Council questions followed.

Interim City Attorney Sanchez addressed **Council** questions.

Council comments followed.

A motion was made by **Councilmember Watanabe**, seconded by **Mayor Gillmor**, to agendaizing this item for further discussion.

Council comments followed.

A substitute motion was made by **Councilmember Becker**, seconded by **Vice Mayor Jain**, to follow the advice of **Interim City Attorney** to withhold agendaizing for a future agenda until claims and litigation by **Brian Doyle** are resolved.

Public Speaker(s): Byron J. Fleck

A motion was made by Councilmember Becker, seconded by Vice Mayor Jain, to consider the substitute motion.

Aye: 5 - Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, and Councilmember Becker

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

Council comments followed.

A substitute motion was made by Councilmember Becker, seconded by Vice Mayor Jain, to follow the advice of Interim City Attorney to withhold agendaizing for a future agenda until claims and litigation by Brian Doyle are resolved.

Aye: 5 - Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, and Councilmember Becker

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

PUBLIC PRESENTATIONS

Javier Hernandez expressed comments regarding providing incentives for solar paneling.

Mary Grizzle expressed comments regarding the County Sheriff's Department looking to close the Downtown Palo Alto building and encourages to mediate a solution to close and move the Courthouse.

Dan Ondrasek expressed comments regarding moving the County Courthouse from Main Street in Downtown Santa Clara.

CONSENT ITEMS PULLED FOR DISCUSSION

None.

PUBLIC HEARING/GENERAL BUSINESS

6. [22-769](#) Action on the Freedom Circle Future Focus Area Plan Including: Adoption and Certification of the Environmental Impact Report (EIR) Prepared to Analyze the Potential Environmental Impacts for the Project and an Associated Mitigation Monitoring and Reporting Program; Adoption of a General Plan Text Amendment to Add Language Regarding the Creation of Additional Future Focus Areas, the Re-designation of Land Outside of Focus Areas, Creation of the New Very High-Intensity Office/Research & Development (R&D) Designation, and Adoption of a General Plan Amendment to Create the Freedom Circle Future Focus Area, Bounded by Great America Parkway to the West, Mission College Boulevard to the North, San Tomas Aquino Creek to the East, and Highway 101 to the South; Adoption of the Greystar General Plan Amendment to Change the Designation of the Greystar Site from High Intensity Office/Research & Development (R&D) (Maximum Floor Area Ratio of 2.0) to Very High Density Residential (51-100 Dwelling Units/Acre); and Adoption of the Planned Development Rezoning for the Greystar Site, Which Would Allow up to 1,100 Units on a 13.3 Gross Acre Site Bounded by Freedom Circle to the West, Mission College Boulevard to the North, San Tomas Aquino Creek to the East and Highway 101 to the South (Continued from May 24, 2022)

Recommendation:

1. Adopt a resolution approving and certifying the Final EIR prepared for the Freedom Circle Future Focus Area Plan and the Greystar Project General Plan Amendment (SCH #2020060425), including CEQA Findings and a statement of overriding consideration;
2. Adopt a resolution approving a General Plan text amendment to add language regarding the creation of additional Future Focus Areas, the re-designation of land outside of Focus Areas, creation of the new Very High-Intensity Office/R&D designation, and adoption of a General Plan Amendment to create the Freedom Circle Future Focus Area bounded by Great America Parkway to the west, Mission College Boulevard to the north, San Tomas Aquino Creek to the east and Highway 101 to the south, including modifications of the plan area diagram to change all Class II bike lanes to Class IV separated bikeways;
3. Adopt a resolution approving the Greystar General Plan Amendment from High Intensity Office/R&D (maximum Floor Area Ratio of 2.0) to Very High Density Residential (51-100 Dwelling Unit/Acre); and
4. Adopt a resolution approving the Planned Development Rezoning and Vesting Tentative Parcel Map for the Greystar site, which would allow up to 1,100 units on a 13.3 gross acre site bounded by Freedom Circle to the west, Mission College Boulevard to the north, San Tomas Aquino Creek to the east and Highway 101 to the south.

Director of Community Development Crabtree gave a Powerpoint presentation.

Council comments and questions followed.

Director of Community Development Crabtree addressed **Council** questions.

Public Speaker(s): Dan Deibel (Lobbyist)
Aidan Marshall
Edward Strine

A motion was made by **Councilmember Becker**, seconded by **Councilmember Watanabe**, to (1) adopt a Resolution approving and certifying the Final EIR prepared for the Freedom Circle Future Focus Area Plan and the Greystar Project General Plan Amendment (SCH #2020060425), including CEQA Findings and a statement of overriding consideration; (2) adopt a Resolution approving a General Plan text amendment to add language regarding the creation of additional Future Focus Areas, the redesignation of land outside of Focus Areas, creation of the new Very High-Intensity Office/R&D designation, and adoption of a General Plan Amendment to create the Freedom Circle Future Focus Area bounded by Great America Parkway to the west, Mission College Boulevard to the north, San Tomas Aquino Creek to the east and Highway 101 to the south, including modifications of the plan area diagram to change all Class II bike lanes to Class IV separated bikeways; (3) adopt a resolution approving the Greystar General Plan Amendment from High Intensity Office/R&D (maximum Floor Area Ratio of 2.0) to Very High Density Residential (51-100 Dwelling Unit/Acre); and (4) adopt a resolution approving the Planned Development Rezoning and Vesting Tentative Parcel Map for the Greystar site, which would allow up to 1,100 units on a 13.3 gross acre site bounded by Freedom Circle to the west, Mission College Boulevard to the north, San Tomas Aquino Creek to the east and Highway 101 to the south.

Vice Mayor Jain requested a friendly amendment with the additional conditions of the 3 affordable tiers 5% of 50% AMI, 5% of 80% AMI, and 5% of 120% AMI, prohibition on the basic plant species, construction all times everyday of the week until the first unit is occupied, class IV separated bike lanes.

Councilmember Becker accepted the friendly amendment.

Council comments and questions followed.

Director of Community Development Crabtree addressed Council comments and questions.

A motion was made by Councilmember Becker, seconded by Councilmember Watanabe, to (1) adopt Resolution No. 22-9098 approving and certifying the Final EIR prepared for the Freedom Circle Future Focus Area Plan and the Greystar Project General Plan Amendment (SCH #2020060425), including CEQA Findings and a statement of overriding considerations; (2) adopt Resolution No. 22-9099 approving a General Plan text amendment to add language regarding the creation of additional Future Focus Areas, the redesignation of land outside of Focus Areas, the creation of the new Very High-Intensity Office/R&D designation, and the adoption of a General Plan Amendment to create the Freedom Circle Future Focus Area, bounded by Great America Parkway to the west, Mission College Boulevard to the north, San Tomas Aquino Creek to the east and Highway 101 to the south, including modifications of the plan area diagram to change all Class II bike lanes to Class IV separated bikeways; (3) adopt a Resolution No. 22-9100 approving the Greystar General Plan Amendment from High Intensity Office/R&D (maximum Floor Area Ratio of 2.0) to Very High Density Residential (51-100 Dwelling Units/Acre); and (4) adopt Resolution No. 22-9101 approving the Planned Development Rezoning and Vesting Tentative Parcel Map for the Greystar site, which would allow up to 1,100 units on a 13.3 gross acre site bounded by Freedom Circle to the west, Mission College Boulevard to the north, San Tomas Aquino Creek to the east and Highway 101 to the south, with the additional conditions of the 3 affordable tiers of 5% at 50% AMI, 5% at 80% AMI, and 5% at 120% AMI, with a prohibition on invasive plant species from the Plant Right invasive species list, and with construction allowed all times every day of the week until the first unit within 500 feet of the project site is occupied.

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

8. [22-224](#) Public Hearing: Adoption of a Resolution Approving the Levy of Benefit Assessment upon the City of Santa Clara Parking Maintenance District No. 122 - Franklin Square

Recommendation: Alternative 1:
Adopt a Resolution approving the levy of benefit assessment upon the City of Santa Clara Parking Maintenance District No. 122 and approving, confirming, and adopting the Director's Report for FY 2022/23.

Mayor Gillmor recused herself from this item due to a potential conflict of interest as her business is in Franklin Square Mall.

Mayor Gillmor left the dais at 10:20 PM and **Vice Mayor Jain** presided over the meeting.

Director of Public Works Mobeck gave a verbal report.

Council comments and questions followed.

Director of Public Works Mobeck addressed Council questions.

A motion was made by Councilmember Chahal, seconded by Councilmember Becker, to close the Public Hearing.

Aye: 6 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, and Councilmember Becker

Abstained: 1 - Mayor Gillmor

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve Alternative 1: adopt Resolution No. 22-9102 approving the levy of benefit assessment upon the City of Santa Clara Parking Maintenance District No. 122 and approving, confirming, and adopting the Director's Report for FY 2022/23 and reserve the right to dissolve the Maintenance District at any time.

Aye: 5 - Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, and Councilmember Becker

Nay: 1 - Councilmember Watanabe

Abstained: 1 - Mayor Gillmor

Mayor Gillmor returned to the Dais at 10:29 PM.

9. [22-227](#) Public Hearing: Adoption of a Resolution Approving the Levy of Benefit Assessment Upon the Santa Clara Convention Center Complex - Maintenance District No. 183

Recommendation: Alternative 1:

Adopt a resolution approving the levy of benefit assessment upon the Santa Clara Convention Center Complex - Maintenance District No. 183, and approving, confirming, and adopting the Director's Report for FY 2022/23.

A motion was made by Councilmember Becker, seconded by Watanabe, to close the Public Hearing.

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

A motion was made by Councilmember Watanabe, seconded by Councilmember Becker, to adopt Resolution No. 22-9103 approving the Levy of Benefit Assessment Upon the Santa Clara Convention Center Complex - Maintenance District No. 183.

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

10. [22-201](#) Action on Climate Action Plan, General Plan Amendment to Adopt the Updated Climate Action Plan 2022 and an Addendum to the General Plan Environmental Impact Report

Recommendation: 1. Adopt a resolution approving the Addendum to the 2010 - 2035 General Plan EIR prepared for the updated Climate Action Plan 2022.
2. Adopt a resolution approving the amendment to the General Plan Appendix 8.13 to adopt the updated Climate Action Plan 2022, with a modification to require a 20% VMT reduction requirement for multi-family residential projects, but only half of that amount (a 10% reduction) must come from active TDM measures.

Sustainability Manager Templeton gave a Powerpoint presentation.

Council comments and questions followed.

Sustainability Manager Templeton addressed **Council** questions.

Public Speaker(s): Dash Leeds
Edward Strine
Rosie Chen
Charlotte
Betsy Megas

Council comments followed.

A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to (1) adopt Resolution No.22-9104 approving the Addendum to the 2010 - 2035 General Plan EIR prepared for the updated Climate Action Plan 2022; (2) adopt Resolution No. 22-9105 approving the amendment to the General Plan Appendix 8.13 to adopt the updated Climate Action Plan 2022, with a modification to require a 20% VMT reduction requirement for multi-family residential projects, but only half of that amount (a 10% reduction) must come from active TDM measures with an amendment regarding equity protection.

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

7. [22-768](#) Action on a Resolution Declaring the Loyalton Ranch Property Surplus (Deferred from May 24, 2022)

Recommendation: There is no staff recommendation.

City Manager Batra provided opening remarks and **Chief Electric Utility Officer Pineda** gave a Powerpoint presentation.

Council comments followed.

Vice Mayor Jain gave a Powerpoint presentation.

Council comments and questions followed.

A motion was made by **Councilmember Becker**, seconded by **Councilmember Hardy**, to declare the vacant Loyalton Ranch Property Surplus.

Interim City Attorney Sanchez and **Chief Electric Utility Officer Pineda** addressed **Council** questions.

A friendly amendment was made by **Councilmember Chahal**, to return with report with the costs to hire a consultant for cleaning and protect the fencing of the property.

Council comments and questions followed.

City Manager Batra recommended separating the motion.

Councilmember Becker agreed and dropped the friendly amendment.

Chief Electric Utility Officer Pineda addressed **Council** questions.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to adopt Resolution No. 22-9106 declaring the vacant Loyalton Ranch Property Surplus.

Aye: 4 - Councilmember Chahal, Councilmember Hardy, Vice Mayor Jain, and Councilmember Becker

Nay: 3 - Councilmember Watanabe, Councilmember Park, and Mayor Gillmor

Council comments and questions followed.

Chief Electric Utility Officer Pineda addressed **Council** questions.

A motion was made by Councilmember Chahal, seconded by Councilmember Becker, to direct the City Manager to return with the cost for the design and construction estimate for the fencing and demolition/remediation of the Loyalton Property.

Aye: 5 - Councilmember Chahal, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

Nay: 2 - Councilmember Watanabe, and Councilmember Hardy

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Councilmember Park noted the Triton Museum of Art has a exhibit on the winners of the 2022 pocketed exhibit on surviving Covid and encourages everyone to visit the museum.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

None.

[22-762](#)

Update on City Council and Stadium Authority Staff Referrals

[22-801](#)

Tentative Meeting Agenda Calendar (TMAC)

ADJOURNMENT

The meeting was adjourned at 12:19 AM in memory of **Santa Clara resident Maryann "Ann" Garcia.**

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Park, to adjourn the meeting.

Aye: 7 - Council/Boardmember Watanabe, Council/Boardmember Chahal, Council/Boardmember Hardy, Council/Boardmember Park, Vice Mayor/Chair Jain, Council/Boardmember Becker, and Mayor/Chair Gillmor

The next regular scheduled meeting is on Tuesday, June 21, 2022 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.

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.

ATTEST:



Assistant City Clerk/Secretary

APPROVE:



Mayor/Chairperson