



City of Santa Clara

Draft

Meeting Minutes Santa Clara Stadium Authority Call and Notice of Special Meeting City Council

02/16/2021

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 Mayor calls for a Special Meeting of the City Council of the City of Santa Clara to commence and convene on February 16, 2021 at 4:00 PM for a virtual meeting held via Zoom, to consider the following matter(s) and to potentially take action with respect to them.

4:00 PM STADIUM AUTHORITY/ SPECIAL COUNCIL MEETING

Call to Order

Mayor/Chair Gillmor called the meeting to order at 4:02 PM.

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance

Council/Boardmember Hardy recited the Statement of Values.

Assistant City Clerk/Secretary Pimentel recited the AB23
Announcement and Behavioral Standards.

Roll Call

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

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

None.

SPECIAL ORDER OF BUSINESS

1. [21-269](#) Verbal Report from City Manager regarding COVID-19 Pandemic

City Manager Santana provided the following verbal update on the COVID-19 Pandemic:

- Santa Clara County remains in the Purple Tier (most restricted);
- Cases continue to decline;
- New confirmed cases of the variants in Santa Clara County;
- State of California announced that in Mid-March residents under 65 years old and underlying health conditions;
- Lack of vaccine supply is still a challenge for Santa Clara County;
- Provided data on the number of residents that have received vaccinations;
- US Court of Appeals determined that Santa Clara County can continue to restrict in-door worship gatherings;
- Santa Clara Aquamaids to open on February 22, 2021;
- Library holds pick-up and drop-in pick-up will begin on February 22, 2021 (played video from Library); and
- Encourages monthly testing for essential workers; and
- COVID-19 testing available at Central Park Library on February 24, 2021.

Chief Emergency Services Coordinator Schoenthal provided a verbal report regarding COVID-19 Pandemic data in Santa Clara County and information from the State of California and addressed **Council** questions.

CONSENT CALENDAR

A motion was made by Boardmember Watanabe, seconded by Vice Chair Chahal, to approve the balance of the Consent Calendar (except Items 2.A and 2.B).

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

2.C [21-258](#) Authorization to Purchase Administrative Equipment and Approve Miscellaneous CapEx Public Safety Expenses Incurred Between July 4, 2020 and February 5, 2021

- Recommendation:**
1. Authorize the Executive Director to purchase administrative equipment outlined in the report (laptop and docking station), pursuant to Chapters 2.105 and 17.30 of the Santa Clara City Code; and
 2. Approve the miscellaneous CapEx public safety expenses detailed in Attachment 1 that were incurred by the Stadium Authority between July 4, 2020 and February 5, 2021.

A motion was made by Boardmember Watanabe, seconded by Vice Chair Chahal, to approve staff recommendation.

PUBLIC PRESENTATIONS

None.

CONSENT ITEMS PULLED FOR DISCUSSION

- 2.A [21-142](#) Action on Stadium Authority Bills and Claims for the Months of November 2020 and December 2020

Recommendation: Approve the list of Stadium Authority Bills and Claims for November 2020 and December 2020.

Vice Chair Chahal pulled this item for further clarification on how the Stadium Authority processes transactions to Stadium Authority budget.

Stadium Authority Treasurer Lee addressed **Vice Chair Chahal's** questions.

Stadium Authority Counsel noted the City/Stadium Authority Procurement Policy.

A motion was made by Vice Chair Chahal, seconded by Boardmember Hardy, to approve the list of Stadium Authority Bills and Claims for November 2020 and December 2020.

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

- 2.B [21-251](#) Authorization to Award Purchase Order to ECS Imaging, Inc. for Stadium Builder Licenses Laserfiche Integration and Training Services

Recommendation: Authorize the Executive Director to award a purchase order to ECS Imaging, Inc. in an amount not-to-exceed \$9,000 for Stadium Builder Licenses Laserfiche integration and training services.

Vice Chair Chahal pulled this item for further clarification on the Stadium Authority document retention and repository.

Executive Director Santana and Assistant to the Executive Director Jung addressed **Vice Chair Chahal's** questions.

A motion was made by Vice Chair Chahal, seconded by Boardmember Hardy, to authorize the Executive Director to award a purchase order to ECS Imaging, Inc. in an amount not-to-exceed \$9,000 for Stadium Builder Licenses Laserfiche integration and training services.

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

CLOSED SESSION

- 3.A** [21-187](#) 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
- 3.B** [21-275](#) Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
City of Santa Clara v. Yumori Kaku, et al., California Sixth District Court
of Appeal Case No. H046105
- 3.C** [21-276](#) Conference with Legal Counsel-Existing Litigation (SA)
Pursuant to Gov. Code § 54956.9(d)(1)
Forty Niners Stadium Management Company LLC and Forty Niners SC
Stadium Company LLC v. Santa Clara Stadium Authority, et al., Santa
Clara County Superior Court Case No. 17CV304903 and 19CV355432
(consolidated under lead case 17CV304903)
- 3.D** [21-277](#) Conference with Legal Counsel-Existing Litigation (SA)
Pursuant to Gov't Code § 54956.9(d)(1)
Forty Niners SC Stadium Company LLC, et al., v. Santa Clara Stadium
Authority, Demand for Arbitration through JAMS, 07/26/2019

Public Comment

None.

Convene to Closed Session

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

Stadium Authority Counsel/City Attorney Doyle noted that there was no reportable action from Closed Session.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

None.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

None.

ADJOURNMENT

The meeting was adjourned at 10:47 p.m.

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

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

The next regular scheduled meeting is on Tuesday evening, February 23, 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.