



City of Santa Clara

Joint Meeting Agenda of the Council and Authorities Concurrent & Santa Clara Stadium Authority

Tuesday, November 15, 2022

4:30 PM

Hybrid Meeting
City Hall 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. 22-9150 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

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 - 4:30 PM | Regular Meeting - 7:00 PM

4:30 PM CLOSED SESSION

Call to Order in the Council Chambers

Roll Call

- 1.A 22-1314** [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 \(Public Safety Non-Sworn Employees Association\)](#)
- 1.B 22-1351** [Conference with Legal Counsel - Anticipated Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(2\) and \(d\)\(4\)](#)
[Consider Authorization of Limited Scope Waiver of Privileged Communications and Any Other Response to Subpoena/Subpoena Duces Tecum](#)
- 1.C 22-1392** [Conference with Real Property Negotiators \(CC\)](#)
[Pursuant to Gov. Code § 54956.8](#)
[Property: 1601 Civic Center Drive, Santa Clara, CA 95050;](#)
[APN: 224-49-006](#)
[City/Authority Negotiator: Rajeev Batra, City Manager \(or designee\)](#)
[Negotiating Parties: Charities Housing, Kathy Robinson](#)
[Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property \(provisions, price and terms\)](#)
- 1.D 22-1429** [Conference with Legal Counsel - Existing Litigation \(SA\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)
[Forty Niners Stadium Management Company LLC v. Santa Clara Stadium Authority, JAMS Case No. 1110024318](#)

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 COUNCIL/STADIUM AUTHORITY MEETING

Call to Order

Pledge of Allegiance and Statement of Values

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

SPECIAL ORDER OF BUSINESS

- 2.A 22-1276** [Report from the Chair of the Historical and Landmarks Commission \(HLC\) on Commission Activities](#)

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 22-1336** [Action of the Minutes of June 21, 2022, July 5, 2022 Council and Authorities Concurrent & Special Stadium Authority, and July 12, 2022 Council and Authorities Concurrent & Special Stadium Authority and Planning Commission Meetings](#)

Recommendation: Approve the meeting minutes of:
June 21, 2022 Council and Authorities Concurrent & Special Stadium Authority Meeting; July 5, 2022 Special Stadium Authority Meeting; and
July 12, 2022 Council and Authorities Concurrent & Special Stadium Authority and Planning Commission Meeting

- 3.B 22-31** [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:
Planning Commission - September 21, 2022

- 3.C 22-1070** [Action on Monthly Financial Status and Investment Reports for July and August 2022, and Approve the Related Budget Amendments](#)

Recommendation: Note and file the Monthly Financial Status and Investment Reports for July and August 2022 as presented and Approve the Related Budget Amendments.

3.D 22-1153 [Action on the Vesting Tentative Subdivision Map for Development Area Plan \(DAP\) 1 of the Related Santa Clara Project at 5155 Stars and Stripes Drive](#)

Recommendation: Adopt a resolution approving the Vesting Tentative Subdivision Map for DAP 1 (Phase 1) for the Related Santa Clara development located at 5155 Stars and Stripes Drive.

3.E 22-1174 [Action on Award of Purchase Orders with Guerra Construction Group, SBV Concrete, Inc. DBA Valley Concrete, and Spencon Construction for As-Needed Asphalt and Concrete Repair and Replacement Services](#)

Recommendation:

1. Authorize the City Manager to execute a purchase order with Guerra Construction Group in the amount of \$560,000 for as-needed concrete services (Package A) and \$10,000 for asphalt cement pavement services (Package B) for an initial one-year term, with maximum compensation not-to-exceed \$570,000;
2. Authorize the City Manager to execute a purchase order with Spencon Construction in the amount of \$90,000 for asphalt cement pavement services (Package B) and \$7,500 for other work (Package C) for an initial one-year term, with maximum compensation not-to-exceed \$97,500;
3. Authorize the City Manager to execute a purchase order with Valley Concrete in the amount of \$42,500 for other work (Package C) and \$140,000 for as-needed concrete services (Package A) for an initial one-year term, with maximum compensation not-to-exceed \$182,500;
4. Authorize the City Manager to adjust compensation amounts between the purchase orders during the term, provided the aggregate compensation of the initial term does not exceed \$977,500, including a 15 percent contingency; and
5. Authorize the City Manager to exercise up to four one-year options to extend the purchase orders after the initial term, subject to the appropriation of funds.

3.F 22-990 [Action on an Agreement with CSG Consultants, Inc. for Design Professional Services for Annual Street Pavement Maintenance and Rehabilitation Projects \(2023 & 2024 Projects\)](#)

- Recommendation:**
1. Approve and authorize the City Manager to execute an agreement for Design Professional Services with CSG Consultants, Inc. for the Annual Street Pavement Maintenance and Rehabilitation Projects (2023 & 2024 Projects) for a combined total amount not-to-exceed \$668,184; and
 2. Authorize the City Manager to make minor modifications to the Agreement and to extend the term, if needed.

3.G 22-1229 [Action on a Revised Revenue Agreement with the County of Santa Clara for the Santa Clara Intensive Case Management and Homeless Prevention Program](#)

- Recommendation:** Approve and authorize the City Manager to execute the revised Revenue Agreement with the County of Santa Clara for the Santa Clara Intensive Case Management and Homeless Prevention Program for two years not to exceed \$350,000.

3.H 22-1187 [Action on an Agreement with the California Office of Traffic Safety for State and Community Highway Funding for the Santa Clara Pedestrian and Bicycle School Safety Project and Related Budget Amendment](#)

- Recommendation:**
1. Authorize the City Manager, Finance Director, and Transportation Manager to execute the grant agreement between the City of Santa Clara and the State of California for the Santa Clara Pedestrian and Bicycle School Safety Project;
 2. Approve the FY 2022/23 budget amendment in the Streets and Highways Capital Fund to increase the Other Agencies Revenue estimate by \$25,000 to recognize grant funding for the OTS grant and establish the new Santa Clara Pedestrian and Bicycle School Safety Project in the amount of \$25,000 (**five affirmative Council votes required to appropriate additional revenue**) and;
 3. Authorize the City Manager to make minor modifications to the Agreement and to extend the term, if needed.

3.I 22-1190 [Action on a Professional Services Agreement with Safe Moves, Inc. for the Safe Routes to School Project](#)

- Recommendation:**
1. Authorize the City Manager to execute a professional services Agreement with Safe Moves, Inc. for the Safe Routes to School Program for an initial three-year term with maximum compensation not-to-exceed \$600,000;
 2. Authorize the City Manager to make minor modifications to the Agreement and execute a one-year option to extend the agreement after the initial term, subject to the appropriation of funds.

3.J 22-1214 [Action on Historic Preservation Agreement \(Mills Act Contract\) for 957 Lewis Street](#)

- Recommendation:** Authorize the City Manager to execute a Mills Act Contract and adopt the 10-Year Restoration and Maintenance Plan associated with the property at 957 Lewis Street.

3.K 22-1113 [Action on Historic Preservation Agreement \(Mills Act Contract\) for 1184 Washington Street](#)

- Recommendation:** Authorize the City Manager to execute a Mills Act contract and adopt the Ten-Year Restoration and Maintenance Plan associated with the Historic Property Preservation Agreement for the property at 1184 Washington Street with applicants Robert and Julie Salinas; File No. PLN22-00244.

- 3.L 22-1378 [Action authorizing the City Manager to Negotiate and Execute an Amendment to the City's Loan Agreement with Monroe Street Housing Partners, L.P by an Increased Amount Not to Exceed \\$3.0 Million to Upgrade Approximately 1,860 Lineal Feet of Water Main to Support the Construction of a Residential Affordable Housing Project at 2330 Monroe Street and Related Budget Amendment \(Deferred from November 1, 2022\)](#)

Recommendation: 1. Adopt a resolution, Attachment 3, authorizing the City Manager to negotiate and execute an amendment to the City's loan agreement with Monroe Street Housing Partners, L.P by an increased amount not to exceed \$3.0 million to support the construction of a Residential Affordable Housing Project at 2330 Monroe Street; to make modifications to the Loan Agreement and attachments consistent with the Term Sheet and as reviewed by the City Attorney for form and consistency; to execute all documents necessary to implement the Loan Agreement and close escrow; and

2. Approve the FY 2022/23 budget amendment in the City Affordable Housing Fund to appropriate \$3.0 million to the Monroe Water Main Upgrade and reduce the unrestricted ending fund balance (**five affirmative Council votes required for the use of unused balances**).

- 3.M 22-167 [Action on a Resolution Authorizing the Use of City Electric Forces at Various Locations](#)

Recommendation: Determine the proposed actions are exempt from CEQA and adopt a Resolution authorizing the use of City Electric Forces for work detailed in this report located at 902 Lexington Street and 3131 Homestead Road.

3.N 22-169 [Action on a Resolution Authorizing the Use of City Electric Forces for New Dark Fiber Installations at Various Locations](#)

Recommendation: Determine the proposed actions are exempt from CEQA and adopt a Resolution authorizing the use of City Electric Forces for work detailed in this report at Santa Clara City Hall to Santa Clara Police Department Dispatch Datacenter, Primavera Sewer Lift Station, 1890 Lafayette Street, 3460 Brookdale Drive (Well 17-02), 2600 Benton Street (Well 25), Serra Tanks & Santa Clara Valley Water District Import, 2800 Mead Avenue, 3080 Raymond Street, 1700 Richard Avenue, 1525 Comstock Street, and 2151 Mission College Boulevard.

3.O 22-1172 [Action on Silicon Valley Power System Expansion Plan for California Independent System Operators Transmission Planning Process FY2023/024 Agreement with Power System Professionals, Inc. Doing Business as Power Pros \(Power Pros\), Related Budget Amendments \(Five Affirmative Votes Required\), and Addition of New Positions](#)

Recommendation:

1. Accept a report on the SVP System Expansion Plan for California Independent System Operators Transmission Planning Process FY2023/24;
2. Authorize the City Manager to negotiate and execute an Agreement for Services Between the City of Santa Clara, California and Power System Professionals, Inc. doing business as Power Pros for a maximum compensation not to exceed \$17,500,000, subject to appropriation of funds;
3. Authorize the City Manager to execute amendments to increase maximum compensation in the event that additional services are required, subject to the appropriation of funds and take such additional actions as needed or required in furtherance of the agreement;
4. Approve the addition of one Electric Program Manager, one Senior Electric Utility Engineer, one Senior Electric and Water System Operator, one Electric Utility Network Administrator, and one Service Coordinator positions in the Electric Utility Department; and
5. Approve the following FY2022/23 budget amendments:
 - a. In the Electric Utility Fund, increase the Electric Department appropriation by \$690,500 and reduce the unrestricted ending fund balance by \$690,500 (**five affirmative Council votes required for the use of unused balances**);
 - b. In the Electric Utility Capital Fund, increase the revenue estimate for developer contributions in the amount of \$2,000,000, and establish the New Transmission Loop 2 project appropriation in the amount of \$2,000,000 (**five affirmative Council votes required to appropriate additional revenue**).

- 3.P 22-1300** [Adopt the Side Letter Agreement that Updates the Procedures for Intermittent Bonding Leave Between the City of Santa Clara and Santa Clara Firefighters, International Association of Firefighters, Local 1171 \(Unit 1\)](#)

Recommendation: Adopt the Side Letter Agreement that updates the procedures for intermittent bonding leave between the City of Santa Clara and Santa Clara Firefighters, International Association of Firefighters, Local 1171 (Unit 1).

- 3.Q 22-1302** [Action to Adopt Resolutions to Set the Regular Meeting Schedules and Dates for the Cultural Commission, Youth Commission, Parks & Recreation Commission, and Senior Advisory Commission for Calendar Year 2023](#)

Recommendation: Adopt the proposed resolutions to set each of the 2023 Calendar of Regular Meetings for the Cultural Commission, Youth Commission, Parks & Recreation Commission, and Senior Advisory Commission.

- 3.R 22-1299** [Update on Request for Proposals Related to Janitorial Work at Various City Facilities](#)

Recommendation: Note and file the report incorporating changes discussed in this memorandum allowing Staff to move forward with issuing the RFP.

- 3.S 22-1291** [Action on a Request for a Special Permit to allow the Santa Clara First Baptist Church, located at 3111 Benton Street, to conduct an outdoor Christmas Pageant from December 8, 2022 through December 11, 2022, and December 7, 2023 through December 11, 2023.](#)

Recommendation: Approve the request of a Special Permit to allow the Santa Clara First Baptist Church, located at 3111 Benton Street, to conduct an outdoor Christmas Pageant from December 8, 2022 through December 11, 2022, and December 7, 2023 through December 11, 2023, subject to conditions.

- 3.T 22-1362 [Accept the resignation of James Hohenshelt from the Senior Advisory Commission, Declare a Vacancy on the Senior Advisory Commission, and Action on the appointment of Rick Andrews to the Senior Advisory Commission to serve a partial term ending June 30, 2023](#)

Recommendation: Accept the resignation of James Hohenshelt from the Senior Advisory Commission, Declare a vacancy on the Senior Advisory Commission and appoint Rick Andrews from the established eligibility list to serve a partial term ending June 30, 2023.

- 3.U 22-1252 [Informational Report Regarding Bi-Annual Project Status Report of the GIS Services Program](#)

Recommendation: Note and file the Informational Report regarding the Bi-annual Project Status Report of the GIS Services Program.

- 3.V 22-1188 [Informational Report Regarding the City's Shared Mobility Permit Program](#)

Recommendation: Note and file Informational Report Regarding the City's Shared Mobility Permit Program

- 3.W 22-1404 [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.

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

- 4.A 22-1205 [Action on Stadium Authority Bills and Claims for the Month of August 2022](#)

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

4.B 22-1332 [Action on Stadium Authority Bills and Claims for the Month of September 2022](#)

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

4.C 22-2219 [Action on the Santa Clara Stadium Authority Financial Status Report for Quarter Ending June 30, 2022](#)

Recommendation: Note and file the Santa Clara Stadium Authority Financial Status Report for the Quarter Ending June 30, 2022.

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. 22-1374 [Action to Waive Second Reading and Adopt Ordinance No. 2055, Adding Section 2.05.100 to the City Code, Amending the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City Council of the City of Santa Clara to Eliminate a Clause Relating to Temporary Employees](#)

Recommendation: Waive Second Reading and Adopt Ordinance No. 2055, Adding Section 2.05.100 to the City Code, Amending the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City Council of the City of Santa Clara to Eliminate a Clause Relating to Temporary Employees

6. 22-1317 [Action on Resolution for an Exception to the 180 Day Waiting Period To Appoint a Retired Annuitant To Serve as Temporary Extra Help \(Government Code Sections 7522.56 and 21224\)](#)

Recommendation: Alternative 1: Adopt the attached Resolutions for an Exception to the 180 Day Waiting Period To Appoint One Retired Annuitant To Serve as Temporary Extra Help (Government Code Sections 7522.56 and 21224).

7. **22-1268** [Hold a Public Hearing under the Tax and Equity Fiscal Responsibility Act \(TEFRA\) and Action on the Adoption of a Resolution Approving the California Municipal Finance Authority \(CMFA\) Reissuance of Tax-Exempt Bonds Relating to the Financing of 145-unit Affordable Housing Project for Low-income Households, Located in the City of Santa Clara, California at 3311 Kifer Road](#)

Recommendation: 1. Conduct the public hearing under the requirements of TEFRA and the Internal Revenue Code of 1986, as amended (the “Code”).
2. Adopt the resolution approving the reissuance of the Bonds by the CMFA for the benefit of Allied 2904 Corvin, L.P., to provide for the refinancing of the Project, such adoption is solely for the purposes of satisfying the requirements of TEFRA, the Code and the California Government Code Section 6500 (and following).

8. **22-1257** [Public Hearing: Actions on the Mitigated Negative Declaration \(MND\) and the Mitigation Monitoring and Reporting Program \(MMRP\), General Plan Amendment from Community Commercial to High Density Residential, Rezone from General Office \(OG\) to Planned Development \(PD\), and density bonus agreement to allow a multifamily affordable housing development with 108 rental units at 1601 Civic Center Drive \(Continued from September 27, 2022\)](#)

Recommendation: Alternative: 1, 2, 3 and 4:

1. Adopt a resolution to adopt the Mitigated Negative Declaration (MND) and the Mitigation Monitoring and Reporting Program (MMRP) for the Civic Center Family Housing Project.
2. Adopt a resolution to approve a General Plan Amendment from Community Commercial to High Density Residential.
3. Adopt a resolution to approve a Rezone from General Office (OG) to Planned Development (PD) to allow a five-story affordable housing development with 108 rental units, on-site parking and amenities, landscaping, and off-site improvements.
4. Authorize the City Manager to negotiate and execute a density bonus agreement in a form approved by the City Attorney.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

- 22-1389** [Tentative Meeting Agenda Calendar \(TMAC\)](#)

ADJOURNMENT

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



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
@SantaClaraCity

Agenda Report

22-1314

Agenda Date: 11/15/2022

SUBJECT

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)



City of Santa Clara

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Santa Clara, CA 95050
santaclaraca.gov
@SantaClaraCity

Agenda Report

22-1351

Agenda Date: 11/15/2022

SUBJECT

Conference with Legal Counsel - Anticipated Litigation (CC)

Pursuant to Gov. Code § 54956.9(d)(2) and (d)(4)

Consider Authorization of Limited Scope Waiver of Privileged Communications and Any Other
Response to Subpoena/Subpoena Duces Tecum



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
@SantaClaraCity

Agenda Report

22-1392

Agenda Date: 11/15/2022

SUBJECT

Conference with Real Property Negotiators (CC)

Pursuant to Gov. Code § 54956.8

Property: 1601 Civic Center Drive, Santa Clara, CA 95050; APN: 224-49-006

City/Authority Negotiator: Rajeev Batra, City Manager (or designee)

Negotiating Parties: Charities Housing, Kathy Robinson

Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms)



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
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Agenda Report

22-1429

Agenda Date: 11/15/2022

SUBJECT

Conference with Legal Counsel - Existing Litigation (SA)

Pursuant to Gov. Code § 54956.9(d)(1)

Forty Niners Stadium Management Company LLC v. Santa Clara Stadium Authority, JAMS Case No. 1110024318



Agenda Report

22-1276

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Report from the Chair of the Historical and Landmarks Commission (HLC) on Commission Activities

COUNCIL PILLAR

Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND

The Historical and Landmarks Commission acts in an advisory capacity to the City Council in all matters pertaining to historical places and landmarks. This Commission provides advice on the marking and preservation of historical landmarks and places, the naming and renaming of streets, and the establishment of museums in the City.

The Historical and Landmarks Commission consists of seven Commissioners that are volunteers and are appointed by the City Council.

DISCUSSION

The HLC requested the opportunity to provide an update to the City Council on the Commission's activities. The Commission is represented by Chair Patricia Leung.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4) in that it is an informational report that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

PUBLIC CONTACT

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Reviewed by: Andrew Crabtree, Community Development Director

Approved by: Rajeev Batra, City Manager



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
@SantaClaraCity

Agenda Report

22-1336

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action of the Minutes of June 21, 2022, July 5, 2022 Council and Authorities Concurrent & Special Stadium Authority, and July 12, 2022 Council and Authorities Concurrent & Special Stadium Authority and Planning Commission Meetings

COUNCIL PILLARS

Enhance Community Engagement and Transparency

RECOMMENDATION

Approve the meeting minutes of:

June 21, 2022 Council and Authorities Concurrent & Special Stadium Authority Meeting; July 5, 2022 Special Stadium Authority Meeting; and
July 12, 2022 Council and Authorities Concurrent & Special Stadium Authority and Planning Commission Meeting



City of Santa Clara

Draft

Meeting Minutes

Council and Authorities Concurrent and Special Santa Clara Stadium Authority Meeting

06/21/2022

4:30 PM

Hybrid Meeting
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1500 Warburton Avenue
Santa Clara, CA 95050

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

- Via email to PublicComment@santaclaraca.gov

(Comments received after 2:00 p.m. on the day of the meeting, will be made part of the public record but will not be read out loud during the meeting)

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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 June 21, 2022, at 4:30 pm for a Special Meeting to be held virtually and in the City Hall Council Chambers located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California, to consider the following matter(s) and to potentially take action with respect to them.

Closed Session - 4:30 PM | Regular Meeting - 6:00 PM

4:30 PM CLOSED SESSION

Call to Order in the Council Chambers

Mayor/Chairperson Gillmor called the meeting to order at 4:31 PM.

Roll Call

Present: 6 - Council/Boardmember Kathy Watanabe, Council/Boardmember Raj Chahal, Council/Boardmember Karen Hardy, Council/Boardmember Kevin Park, Vice Mayor/Chair Suds Jain and Mayor/Chair Lisa M. Gillmor

Absent: 1 - Council/Boardmember Anthony Becker

- 1.A** [22-848](#) 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)
- 1.B** [22-856](#) Conference with Legal Counsel-Existing Litigation (CC, SARDA)
Pursuant to Gov. Code § 54956.9(d)(1)
County of Santa Clara, et al., v. City of San Jose, et al.
Santa Clara County Superior Court Master Case Number (consolidated)
105CV046005
- 1.C** [22-857](#) 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)
City as potential defendant: Letter from County of Santa Clara dated May 13, 2022

Public Comment

None.

Convene to Closed Session (Council Conference Room)

Council convened to Closed Session at 4:32 PM.

Council/Boardmember Becker arrived at 4:51 PM.

6:00 PM COUNCIL REGULAR/SPECIAL STADIUM MEETING

Call to Order in the Council Chambers

Mayor/Chair Gillmor called the meeting to order at 6:05 PM.

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Chahal recited the Statement of Values.

Assistant City Clerk/Secretary Pimentel recited the AB23 Announcement and Behavioral Standards. **Assistant City Clerk/Secretary Pimentel** also noted that any registered Lobbyist speaking during a public meeting must identify themselves and whom they represent.

Mayor Gillmor asked for a moment of silence for **former Santa Clara Mayor and Councilmember Lawrence (Larry) Leroy Fargher**.

[22-1240](#)

Moment Of Silence- Post Meeting Material

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

Interim City Attorney Sanchez reported on Items 1B and 1C, the City Council voted unanimously to enter into an agreement with the City of San Jose upon the following material terms:

1. City of Santa Clara releases and forever discharges its current and former claims against the City of San Jose regarding its North San Jose Area Development Plan
2. City of San Jose agrees to the following:
 - a. Construct the lane-widening of Montague Expressway over Guadalupe River
 - b. \$9.33 million to \$14 million paid to City of Santa Clara over six annual payments
 - c. San Jose shall defend and indemnify Santa Clara against third party claims

In addition, the City Council has authorized mediation with the County and San Jose regarding the County's claims and demands related to the North San Jose Area Plan. After final execution of the agreement, a copy will be available for public inspection at the City Clerk's Office.

SENIOR ADVISORY COMMISSION INTERVIEWS

2. [22-854](#) Declare a Vacancy on the Senior Advisory Commission for a Partial Term Ending June 30, 2025, Interview and Action on Appointment to fill a partial term to the Senior Advisory Commission

Recommendation: Appoint one candidate to the Senior Advisory Commission to serve a partial term ending June 30, 2025.

Assistant City Clerk Pimentel provided a brief overview on this item.

Applicant Rick Andrews and **Applicant Veena Sterling** were called to interview.

Councilmembers each casted one vote for their top applicant:

Councilmember Becker: Veena Sterling

Councilmember Hardy: Rick Andrews

Vice Mayor Jain: Veena Sterling

Mayor Gillmor: Rick Andrews

Councilmember Chahal: Veena Sterling

Councilmember Watanabe: Rick Andrews

Councilmember Park: Veena Sterling

Rick Andrews will remain on the eligibility list.

A motion was made by Vice Mayor Jain, seconded by Councilmember Becker, to appoint Veena Sterling to the Senior Advisory Commission for a partial term ending June 30, 2025.

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

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

Mayor Gillmor moved up Items 9 and 10 after the Consent Calendar.

SPECIAL ORDER OF BUSINESS

3.A [22-661](#) Bay 2 Brooklyn Ride Recognition

Council recognized all participants of the Bay 2 Brooklyn Ride.

Firefighter Sales provided a few remarks and introduced those that participated.

3.B [22-795](#) Proclaim June 19, 2022 as Juneteenth

Mayor Gillmor proclaimed June 19th as Juneteenth.

Council comments followed.

Presentation By Assemblyman Elect Evan Low

Assemblyman Elect Evan Low recognized the month of June as LGBTQ+ Pride Month and acknowledged Arlene Rue and Clara of the LGBTQ+ community.

CONSENT CALENDAR

Mayor Gillmor abstained on Item 4.R due to a potential conflict of interest as her office is in the Franklin Square Mall.

Councilmember Becker pulled Item 4.O.

Councilmember Watanabe pulled Item 5.B1.

Assistant City Clerk Pimentel noted that there was a clerical error on the Neighborhood University Residents Committee minutes and that they have been corrected.

Assistant to the Executive Director Jung made a clarification on Item 5.D recommendation and Item 5.B2 recommendation.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve the balance of the Consent Calendar (except Items 4.O and 5.B1).

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 [22-21](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Planning Commission - March 9, 2022
Planning Commission - April 13, 2022
Planning Commission - May 11, 2022
Historical and Landmarks Commission - May 5, 2022
Neighborhood University Relations Committee (NURC) - February 7, 2022
Cultural Commission - May 2, 2022
Downtown Community Task Force - January 20, 2022

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

4.B [22-513](#) Action on Monthly Financial Status and Investment Reports for April 2022 and Approve the Related Budget Amendments

Recommendation: Note and file the Monthly Financial Status and Investment Reports for April 2022 as presented and Approve the Related Budget Amendments.

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

4.C [22-635](#) Action on the Appropriation of Asset Forfeiture Funds for FY 2022/23 and Approve the Related Budget Amendment

Recommendation: 1. Approve the appropriation of Asset Forfeiture Funds in the amount of \$41,000 pursuant to State and federal Regulations; and,
2. Approve the following FY 2022/23 budget amendments:
A. In the Expendable Trust Fund, recognize Beginning Fund Balance of \$41,000 from asset forfeiture funds received and establish a Transfer to the Police Operating Grant Trust Fund (**five affirmative Council votes required for the use of unused balances**); and
B. In the Police Operating Grant Trust Fund, establish a Transfer from the Expendable Trust Fund and establish a Seized Asset Funds appropriation in the amount of \$41,000 (**five affirmative Council votes required to appropriate additional revenue**).

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

- 4.D [22-646](#) Action on Award of Purchase Order to Universal Site Services, Inc. for Parking Lot Sweeping Services at Santa Clara Convention Center Complex - Maintenance District No. 183

Recommendation:

1. Authorize the City Manager to execute a purchase order with Universal Site Services, Inc. for parking lot sweeping services at the Santa Clara Convention Center Complex - Maintenance District No. 183 for an initial one-year term, with maximum compensation not-to-exceed \$66,947 inclusive of a contingency amount of \$6,086; and
2. Authorize the City Manager to execute up to four one-year options to extend the purchase order after the initial term and to approve potential annual price adjustments, subject to the appropriation of funds.

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

- 4.E [22-796](#) Action on Agreement Between the County of Santa Clara and City of Santa Clara for the Provision of Senior Nutrition Program - COVID-19 Emergency Meals and Related Budget Amendment

Recommendation:

1. Approve and authorize City Manager to execute an Agreement with the County of Santa Clara for the Senior Nutrition Program to provide emergency meals in an amount not to exceed \$56,000 for FY 2021/22;
2. Approve the related FY 2021/22 budget amendment in the Parks and Recreation Operating Grant Trust Fund to increase the Other Agencies Revenue estimate and the Senior Nutrition Program appropriation by \$56,000 (**five affirmative Council votes required to appropriate additional revenue**); and
3. Authorize the City Manager to negotiate and execute amendments and minor modifications to the Agreement for emergency meals, subject to Council appropriation of funds.

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

- 4.F [22-191](#) Action on Award of Contract for the 2022 ADA Curb Ramps Project to Sposeto Engineering, Inc.

Recommendation:

1. Award the Public Works Contract for the 2022 ADA Curb Ramps Project to the lowest responsive and responsible bidder, Sposeto Engineering, Inc., in the amount of \$317,209, and authorize the City Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project; and
2. Authorize the City Manager to execute change orders up to approximately 10 percent of the original contract price, or \$31,721, for a total not to exceed amount of \$348,930.

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

- 4.G [22-698](#) Action on Authorizing the City Manager to Negotiate and Execute two Lender Consent and Subordination Agreements for an Access Easement Agreement and Stormwater Easement Agreement for HomeSafe San Jose

Recommendation: Authorize the City Manager to negotiate and execute two Consent and Subordination Agreement for an Access Easement Agreement and Stormwater Easement Agreement for HomeSafe San Jose

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

- 4.H [22-492](#) Action on Amendment No. 1 to Extend the Term of the Agreement with Universal Site Services, Inc. for Cleaning Services at the Santa Clara Convention Center Complex - Maintenance District No. 183

Recommendation: Authorize the City Manager to execute Amendment No. 1 to the Agreement with Universal Site Services, Inc. for Santa Clara Convention Center Complex - Maintenance District No. 183 to extend the term of the agreement for one year ending on June 30, 2023, with no increase in the contract amount.

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

- 4.I [22-160](#) Action on Amendment No. 2 to the Grant Agreement with Bay Area Air Quality Management District Grant No. 2018.245

Recommendation:

1. Authorize the City Manager, or their designee, to execute Amendment No. 2 to the Grant Agreement with Bay Area Air Quality Management District (BAAQMD) Grant No. 2018.245 to extend the term of the grant to demonstrate the feasibility of battery energy storage systems for back-up power at data centers; and
2. Delegate authority to the City Manager, or their designee, to negotiate and approve any future amendments to extend the Grant Agreement with Bay Area Air Quality Management District Grant No. 2018.245 as needed to complete the project.

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

- 4.J [22-554](#) Action on the Third Amendment to the Contract Between the County of Santa Clara and City of Santa Clara - Congregate Meals for FY2022/23 and Related Budget Amendment

Recommendation:

1. Approve and authorize the City Manager to execute the Third Amendment to the Contract Between the County of Santa Clara and City of Santa Clara - Congregate Meals at the Santa Clara Senior Center in an amount not to exceed \$124,917.60 for FY 2022/23; and
2. Authorize the Office of the City Manager to negotiate and execute minor amendments to the Agreement, subject to Council appropriation of funds; and
3. Approve the related FY 2022/23 budget amendment in the Parks and Recreation Operating Grant Trust Fund to increase the Other Agencies Revenue estimate and the Senior Nutrition Program by \$3,594 (**five affirmative Council votes required to appropriate additional revenue**).

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

- 4.K [22-752](#) Action on Amendment No. 4 to an Agreement with Peninsula Corridor Joint Powers Board for the Santa Clara Train Station Parking Lot

Recommendation: Approve and authorize the City Manager to execute Amendment No. 4 to the Agreement with Peninsula Corridor Joint Powers Board to extend the term of the lease to December 31, 2022 with the option to extend up to two additional 6-month periods.

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

- 4.L [22-746](#) Action on a Resolution Authorizing the Use of City Electric Forces at Various Locations

Recommendation: Adopt a Resolution authorizing the use of City Electric Forces for work as described above at 630 Laurelwood Road, 2499 El Camino Real, 90 N. Winchester Boulevard, and 70 N. Winchester Boulevard.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to adopt Resolution No. 22-9114, authorizing the use of City Electric Forces for work as described above at 630 Laurelwood Road, 2499 El Camino Real, 90 N. Winchester Boulevard, and 70 N. Winchester Boulevard.

- 4.M** [22-157](#) Action on a Resolution Making Certain Findings and Determinations and Taking Certain Actions Related to Aligning Existing Reserves of the Electric Utility With the City's Current Budget and Fiscal Policies for Utility Funds Reserves

Recommendation: Adopt a Resolution making certain findings and determinations and taking certain actions related to aligning the existing reserves of the Electric Utility with the City's current Budget and Fiscal Policies for Utility Funds Reserves.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to adopt Resolution No. 22-9107 making certain findings and determinations and taking certain actions related to aligning the existing reserves of the Electric Utility with the City's current Budget and Fiscal Policies for Utility Funds Reserves.

- 4.N** [22-761](#) Action on a Resolution Authorizing the Use of City Electric Forces for New Dark Fiber Installations at Various Locations

Recommendation: Adopt a Resolution authorizing the use of City Electric Forces for New Dark Fiber Installations as described above at 1150 Walsh Avenue, 500 Benton Street, 351 Brokaw Road, and 6280 America Center Drive to 1350 Duane Avenue.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to adopt Resolution No. 22-9108, authorizing the use of City Electric Forces for New Dark Fiber Installations as described above at 1150 Walsh Avenue, 500 Benton Street, 351 Brokaw Road, and 6280 America Center Drive to 1350 Duane Avenue.

- 4.P** [22-726](#) Informational Report Regarding Bi-Annual Project Status Report of the GIS Services Program

Recommendation: Note and file the Informational Report regarding the Bi-annual Project Status Report of the GIS Services Program.

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

- 4.Q [22-815](#) Authorize the City Manager to execute the 2022-2025 Memorandum of Understanding Between the City of Santa Clara and the International Brotherhood of Electrical Workers (IBEW), Local 1245 (hereafter, "Unit 3"), that incorporates the terms of the Tentative Agreement, and Adoption of a Resolution to Update the Classified Salary Plan for Classifications represented by IBEW

- Recommendation:**
1. Authorize the City Manager to execute the Memorandum of Understanding between the City of Santa Clara and the International Brotherhood of Electrical Workers (IBEW), Local 1245 (Unit 3) with effective dates of December 19, 2021 - December 31, 2025, that incorporates the terms of the Tentative Agreement; and
 2. Adopt a Resolution to approve the revised salary plan for various classified positions to satisfy the requirements of California Code of Regulations Section 570.5.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to (1) authorize the City Manager to execute the Memorandum of Understanding between the City of Santa Clara and the International Brotherhood of Electrical Workers (IBEW), Local 1245 (Unit 3) with effective dates of December 19, 2021 - December 31, 2025, that incorporates the terms of the Tentative Agreement; and (2) adopt Resolution No. 22-9019 to approve the revised salary plan for various classified positions to satisfy the requirements of California Code of Regulations Section 570.5.

- 4.R [22-713](#) Informational Report Regarding Council's Request to Explore Alternatives to Fund Operations and Maintenance Costs for Parking Maintenance District No. 122 - Franklin Square

Recommendation: Note and file this informational report.

Mayor Gillmor abstained on Item 4.R due to a potential conflict of interest as her office is in the Franklin Square Mall.

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

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

Abstained: 1 - Mayor Gillmor

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

- 5.A** [22-802](#) Action to Award Purchase Orders to L.N. Curtis & Sons, Inc. for Personal Protective Equipment (PPE) Replacement Nomex Tops and Bottoms CapEx Project and Stryker for Lifepak CR2 AEDs Replacement CapEx Project

Recommendation: 1. Authorize the Executive Director to award a purchase order in the amount of \$9,385 to L.N. Curtis and Sons, Inc. to procure the PPE described in this report (PPE Replacement Nomex Tops CapEx Project and PPE Replacement Nomex Bottoms CapEx Project); and
2. Authorize the Executive Director to award a purchase order to Stryker in the amount of \$18,464 to procure the Lifepak CR2 AEDs described in this report (Lifepak CR2 AEDs Replacement CapEx Project).

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

5.C Action on Request Submitted by the Stadium Manager for Approval to Execute an Agreement with Silicon Valley Business Journal for a Non-NFL Events Marketing Email Campaign

- 5.C.1** [22-810](#) Request from the Stadium Manager for Approval to Execute an Agreement with Silicon Valley Business Journal for a Non-NFL Events Marketing Email Campaign

- 5.C.2** [22-811](#) Report from the Stadium Authority for Action Regarding Stadium Manager's Request for Approval to Execute an Agreement with Silicon Valley Business Journal for a Non-NFL Events Marketing Email Campaign

Recommendation: Approve the Stadium Manager's request for approval to execute an agreement with SVBJ for a September 2022 Non-NFL events marketing email campaign; 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 Chahal, seconded by Boardmember Hardy, to approve staff recommendation.

5.D Action on Request Submitted by the Stadium Manager to Award Purchase Orders to Benjamin Litho Inc. for Guest Services Printed Materials and Johnson Controls, Inc. Fire and Security for Security Cardkeys, Tags, and Supplies

- 5.D.1** [22-840](#) Request from the Stadium Manager to Award Purchase Orders to Benjamin Litho Inc. for Guest Services Printed Materials and Johnson Controls, Inc. Fire and Security for Security Cardkeys, Tags, and Supplies

5.D.2 [22-845](#)

Report from the Stadium Authority for Action Regarding the Stadium Manager's Request to Award Purchase Orders to Benjamin Litho Inc. for Guest Services Printed Materials and Johnson Controls, Inc. Fire and Security for Security Cardkeys, Tags, and Supplies

Recommendation: 1. Approve the Stadium Manager's request to award a purchase order to Benjamin Litho Inc. in the amount of \$12,501 for Guest Services printed materials; 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; and
2. Approve the Stadium Manager's request to award a purchase order to JCI in the amount of \$7,845 for security cardkeys, tags, and supplies; 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 Chahal, seconded by Boardmember Hardy, to approve staff recommendation.

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

9. [22-803](#)

Action on a Written Petition (Council Policy 030), Submitted by Brian Doyle, to Place an Agenda Item at a Future Council Meeting to Consider an Explanation by Councilmember Hardy and Chahal as to Non-Compliance with FPPC Law and Regulations, City of Santa Clara Lobbyist Ordinance and Council Policy 050

Recommendation: Staff makes no recommendation.

Written Petitioner Brian Doyle provided comments on his written petition.

A motion was made by **Vice Mayor Jain**, seconded by **Councilmember Park**, to request a deferral until litigation is resolved.

A substitute motion was made by **Councilmember Watanabe**, seconded by **Mayor Gillmor**, to amend as soon as possible.

Council comments followed.

A motion was made by Councilmember Watanabe, seconded by Mayor Gillmor, to consider the substitute motion.

Aye: 2 - Councilmember Watanabe, and Mayor Gillmor

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

Motion Failed.

Council comments & questions followed.

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

Public Speaker(s): Susan Hinton (eComment)

A motion was made by Councilmember Jain, seconded by Councilmember Park, to request deferral until litigation is resolved.

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

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

PUBLIC PRESENTATIONS

Public Speaker expressed comments regarding **Council** transparency and submitted a Written Petition regarding **Councilmember Park's** FPPC filing.

Brian Doyle expressed comments regarding freedom of speech and concern regarding his Written Petitions submitted.

Javier Hernandez expressed comments regarding Global Warming.

Edward Strine expressed comments regarding health and wellness.

10. [22-804](#) Action on a Written Petition (Council Policy 030), Submitted by Anurag Aggrawal and Ajay Thadhlani and Other Residents of North Santa Clara Around Levi's Stadium Requesting to Place an Agenda Item on a Future Council Meeting to Request a Debrief of the Coldplay Concert Held on Sunday, May 19, 2022

Recommendation: Staff makes no recommendation.

Written Petition Ajay Thadhlani expressed comments regarding his written petition.

Public Speaker(s): Lily

A motion was made by Councilmember Jain, seconded by Councilmember Watanabe, to place this item on a future agenda.

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

PUBLIC HEARING/GENERAL BUSINESS

6. [22-66](#) Public Hearing: Action on Resolutions Approving Water, Sewer and Recycled Water Rates to be Effective July 1, 2022 (NOT TO BE HEARD BEFORE 7:00 PM)

Recommendation: Alternative 1: Adopt the Proposed Resolutions Establishing Water Rate Schedule 2022-01, Recycled Water Rate Schedule 2022-02 and Sewer Rate Schedule S-22

Director of Water and Sewer Utilities Welling gave a Powerpoint presentation.

Council comments and questions followed.

Director of Water and Sewer Utilities Welling addressed **Council** questions.

Public Speaker(s): Edward Strine

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

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

Assistant City Clerk Pimentel noted that the City received 13 written protests relating to the proposed water increase, 14 to the proposed sewer increase which doesn't equate to a majority of the effected rate payers, therefore **Council** may proceed with considering the resolutions.

A motion was made by Vice Mayor Jain, seconded by Councilmember Watanabe, to approve Alternative 1: to adopt Resolution No. 22-9110 Establishing Water Rate Schedule 2022-01 and to adopt Resolution No. 22-9111 Recycled Water Rate Schedule 2022-02 and Sewer Rate Schedule S-22.

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

Mayor Gillmor called for a 10 minute recess at 8:24 PM and reconvened the meeting at 8:37 PM.

7. FISCAL YEAR 2022/23 AND FY 2023/24 BUDGET ACTION ITEMS

- 7.A [22-102](#) Public Hearing: Action on the Adoption of the Proposed FY 2022/23 & FY 2023/24 Biennial Capital Improvement Program Budget and FY 2022/23 Operating Budget Changes and Approval of FY 2022/23 Municipal Fee Changes to Library Community Room Rental Fees (NOT TO BE HEARD BEFORE 7:00 PM)

Recommendation: That the City Council, and the City Council acting as the Governing Boards of the Housing Authority and the Sports and Open Space Authority take the following actions:

1. Approve the Proposed FY 2022/23 and FY 2023/24 Biennial Capital Budget, including the recommended revisions detailed in Attachment 2 **(Majority Affirmative Council Votes Required)**;
2. Approve the FY 2022/23 Operating Budget changes included in the recommended revisions detailed in Attachment 2 **(Five Affirmative Council Votes Required)**;
3. Approve the Appropriation Schedule for capital funds totaling \$355,855,666 in FY 2022/23 and \$232,042,249 in FY 2023/24 and the FY 2022/23 Appropriation Schedule for operating funds totaling \$1,177,765,064 as detailed in Attachment 3 **(Majority Affirmative Council Votes Required)**;
4. Approve the Housing Authority FY 2022/23 expenditure budget of \$380,363 as presented in the Operating Budget **(Majority Affirmative Council Votes Required)**;
5. Approve the Sports and Open Space Authority FY 2022/23 expenditure budget of \$5,420 as presented in the Operating Budget **(Majority Affirmative Council Votes Required)**;
6. Adoption of a Resolution amending the library community room rental fees in FY 2022/23 Municipal Fee Schedule, including \$20 per meeting for non-profit or Santa Clara resident community events; \$90 per hour for non-resident use; and staff charges of \$30 per hour if groups require assistance throughout their reservation as shown on Attachment 4 **(Majority Affirmative Council Votes Required)**; and
7. Approve the revised Budget and Fiscal Policies as described in Attachment 6 **(Majority Affirmative Council Votes Required)**.

City Manager Batra made some opening remarks.

Director of Finance Lee gave a Powerpoint presentation on the FY 2022/23 & FY 2023/24 Biennial Capital Improvement Program Budget and FY 2022/23 Operating Budget Changes and FY 2022/23 appropriations limit.

Council comments and questions followed.

Director of Finance Lee and **City Manager Batra** addressed **Council** questions.

Public Speaker(s): Mathew Reed Betsy Megas
 John Cordes Vince Rocha
 Dennis Martin Donna West
 Zoe Siegel Carter Fulhorst (E-Mail)
 Jonathan Evans (eComment)

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

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

7.B [22-669](#) Action on a Resolution Establishing the Fiscal Year 2022/23 Appropriations Limit

Recommendation: Adopt a Resolution establishing the City's FY 2022/23 appropriations limit of \$592,639,131.

A motion was made by Vice Mayor Jain, seconded by Councilmember Park, to adopt Resolution No. 22-9113 Establishing the Fiscal Year 2022/23 Appropriations Limit.

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

- 7.A [22-102](#) Public Hearing: Action on the Adoption of the Proposed FY 2022/23 & FY 2023/24 Biennial Capital Improvement Program Budget and FY 2022/23 Operating Budget Changes and Approval of FY 2022/23 Municipal Fee Changes to Library Community Room Rental Fees (NOT TO BE HEARD BEFORE 7:00 PM)

Recommendation: That the City Council, and the City Council acting as the Governing Boards of the Housing Authority and the Sports and Open Space Authority take the following actions:

1. Approve the Proposed FY 2022/23 and FY 2023/24 Biennial Capital Budget, including the recommended revisions detailed in Attachment 2 **(Majority Affirmative Council Votes Required)**;
2. Approve the FY 2022/23 Operating Budget changes included in the recommended revisions detailed in Attachment 2 **(Five Affirmative Council Votes Required)**;
3. Approve the Appropriation Schedule for capital funds totaling \$355,855,666 in FY 2022/23 and \$232,042,249 in FY 2023/24 and the FY 2022/23 Appropriation Schedule for operating funds totaling \$1,177,765,064 as detailed in Attachment 3 **(Majority Affirmative Council Votes Required)**;
4. Approve the Housing Authority FY 2022/23 expenditure budget of \$380,363 as presented in the Operating Budget **(Majority Affirmative Council Votes Required)**;
5. Approve the Sports and Open Space Authority FY 2022/23 expenditure budget of \$5,420 as presented in the Operating Budget **(Majority Affirmative Council Votes Required)**;
6. Adoption of a Resolution amending the library community room rental fees in FY 2022/23 Municipal Fee Schedule, including \$20 per meeting for non-profit or Santa Clara resident community events; \$90 per hour for non-resident use; and staff charges of \$30 per hour if groups require assistance throughout their reservation as shown on Attachment 4 **(Majority Affirmative Council Votes Required)**; and
7. Approve the revised Budget and Fiscal Policies as described in Attachment 6 **(Majority Affirmative Council Votes Required)**.

A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to approve Alternative 1: approve the Proposed FY 2022/23 and FY 2023/24 Biennial Capital Improvement Program Budget, including the recommended revisions detailed in Attachment 2 (Majority Affirmative Council Votes Required);

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

A motion was made by Vice Mayor Jain, seconded by Councilmember Hardy, to approve Alternative 2 : approve the FY 2022/23 Operating Budget changes included in the recommended revisions detailed in Attachment 2 (Five Affirmative Council Votes Required).

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

A motion was made by Vice Mayor Jain, seconded by Councilmember Hardy, to approve Alternative 3: approve the Appropriation Schedule for capital funds totaling \$355,855,666 in FY 2022/23 and \$232,042,249 in FY 2023/24 and the FY 2022/23 Appropriation Schedule for operating funds totaling \$1,177,765,064 as detailed in Attachment 3 (Majority Affirmative Council Votes Required).

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

A motion was made by Vice Mayor Jain, seconded by Councilmember Hardy, to approve Alternative 4: approve the Housing Authority FY 2022/23 expenditure budget of \$380,363 as presented in the Operating Budget (Majority Affirmative Council Votes Required).

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

A motion was made by Vice Mayor Jain, seconded by Councilmember Hardy, to approve Alternative 5: approve the Sports and Open Space Authority FY 2022/23 expenditure budget of \$5,420 as presented in the Operating Budget (Majority Affirmative Council Votes Required).

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

A motion was made by Vice Mayor Jain, seconded by Councilmember Hardy, to approve Alternative 6: adopt Resolution No. 22-9112 amending the library community room rental fees in FY 2022/23 Municipal Fee Schedule, including \$20 per meeting for non-profit or Santa Clara resident community events; \$90 per hour for non-resident use; and staff charges of \$30 per hour if groups require assistance throughout their reservation as shown on Attachment 4 (Majority Affirmative Council Votes Required).

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

Nay: 1 - Councilmember Becker

A motion was made by Vice Mayor Jain, seconded by Councilmember Hardy, to approve Alternative 7: approve the revised Budget and Fiscal Policies as described in Attachment 6 (Majority Affirmative Council Votes Required).

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

Council comments and questions followed.

Director of Finance Lee, Director of Community Development Crabtree, City Manager Batra, and Interim City Attorney Sanchez addressed Council questions.

A motion was made by Vice Mayor Jain, seconded by Councilmember Becker, to approve Alternative 9: add funding of \$1.0 million in the General Fund to support the El Camino Real Specific Plan, offset by a reduction to the General Fund Land Sale Reserve (Five Affirmative Council Votes Required) and direct staff to return at a later date with design standard and scope for the El Camino Real Specific Plan.

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

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

Vice Mayor Jain recused himself from this item due a potential conflict of interest as noted by an FPPC letter.

Councilmember Watanabe presided over this item.

A motion was made by **Councilmember Becker** to approve Alternative 10: add funding of \$325,000 in the General Fund to support a precise plan for Downtown to study the potential move of City Hall to Downtown offset by a reduction to the City Council Initiatives carryover in the General Fund (Majority Affirmative Council Votes Required).

Council comments followed.

Councilmember Hardy requested a friendly amendment to include directing staff to do a comparison to building on the existing site from the 2019 study.

Councilmember Becker accepted the friendly amendment and **Councilmember Hardy** seconded the motion.

Council comments and questions followed.

Assistant City Manager Pineda and **Interim City Attorney Sanchez** addressed **Council** comments.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve Alternative 10: add funding of \$325,000 in the General Fund to support a precise plan for Downtown to study the potential move of City Hall to Downtown offset by a reduction to the City Council Initiatives carryover in the General Fund (Majority Affirmative Council Votes Required) and direct staff to do a comparison to building on the existing site from the 2019 study.

Aye: 5 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, and Councilmember Becker

Recused: 2 - Vice Mayor Jain, and Mayor Gillmor

Mayor Gillmor and **Vice Mayor Jain** returned to the Dais at 10:18 PM.

Council comments followed.

A motion was made by Councilmember Becker, seconded by Vice Mayor Jain, to approve Alternative 8: add funding of \$200,000 in the General Fund to support the Transportation Demand Management program offset by a reduction to the General Fund Land Sale Reserve (Five Affirmative Council Votes Required).

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 motion was made by **Councilmember Becker**, seconded by **Councilmember Chahal**, to add funding to fill the gap for the purchase of a new unit for the Lawn Bowl Club in the amount of up to \$575,000.

Council comments and questions followed.

Assistant City Manager Pineda, Director of Parks & Recreation Teixeira, and City Manager Batra addressed **Council** questions.

Councilmember Becker withdrew his motion.

CONSENT ITEMS PULLED FOR DISCUSSION

- 4.O [22-732](#) Consideration of the Schematic Design-Master Plan for the New Public Neighborhood Park proposed to be located at 1205 Coleman Avenue (Gateway Crossings Hunter Storm & Holland Partner Group Residential Project)

Recommendation: That Council approve the proposed Schematic Design-Master Plan for the New Public Neighborhood Park to be located at 1205 Coleman Avenue (Gateway Crossings Project) inclusive of added cross walk safety measures on Rickabaugh Way.

Councilmember Becker pulled this item for further discussion.

Council comments and questions followed.

Director of Parks and Recreation Teixeira addressed **Council** questions and comments.

A motion was made by **Councilmember Chahal**, seconded by **Councilmember Hardy**, to continue this item.

Public Speaker(s): Josh Rupert
Alden Smith

Council comments and questions followed.

Director of Parks and Recreation Teixeira addressed **Council** questions and comments.

Councilmember Chahal withdrew his motion.

A new motion was made by **Councilmember Chahal**, seconded by **Councilmember Watanabe**, to approve the proposed Schematic Design-Master Plan for the New Public Neighborhood Park to be located at 1205 Coleman Avenue (Gateway Crossings Project) inclusive of added crosswalk safety measures on Rickabaugh Way and to have developer the speak with Adam Thompson to review his recommendations and discuss feasibility on BBQ pits.

Council comments and questions followed.

Consultants Jacob Peterson (Peterson Studios) and Alden Smith (Holland Parter Group) addressed **Council** questions.

Public Speaker(s): Jonathan Evans (eComment)
Susan Hinton (eComment)

A motion was made by Councilmember Chahal, seconded by Councilmember Watanabe, to approve the proposed Schematic Design-Master Plan for the New Public Neighborhood Park to be located at 1205 Coleman Avenue (Gateway Crossings Project) inclusive of added crosswalk safety measures on Rickabaugh Way and to have the developer speak with Adam Thompson to review his recommendations and discuss feasibility on BBQ pits.

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

5.B Action on Request Submitted by the Stadium Manager to Execute Agreement with Blue's Roofing Company for Recoating Existing Traffic Bearing Membrane in the Seating Bowl and Concourse Areas at Levi's Stadium (General Areas/Coatings Main Deck CapEx Project)

5.B.1 [22-822](#) Request from the Stadium Manager to Execute Agreement with Blue's Roofing Company for Recoating Existing Traffic Bearing Membrane in the Seating Bowl and Concourse Areas at Levi's Stadium (General Areas/Coatings Main Deck CapEx Project)

Executive Director Batra recommended deferring this item to the next meeting due to last minute information he received.

A motion was made by Boardmember Becker, seconded by Boardmember Watanabe, to defer this item to July 5, 2022 meeting.

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

SANTA CLARA STADIUM AUTHORITY GENERAL BUSINESS

8. Action on Request Submitted by the Stadium Manager and StadCo to Add Stadium Builder's Licenses to Field Seats in the North and South End Zones of Levi's Stadium

8.A [22-580](#) Request from the Stadium Manager and StadCo to Add Stadium Builder's Licenses to Field Seats in the North and South End Zones of Levi's Stadium

- 8.B** [22-581](#) Report from the Stadium Authority for Action Regarding the Stadium Manager and StadCo's Request to Add Stadium Builder's Licenses to Field Seats in the North and South End Zones of Levi's Stadium

Recommendation: Alternatives 1, 2 and 3.

1. Approve Stadium Manager/StadCo's recommendation to add and sell SBLs priced at \$17,500 per seat for the field seats located in the North and South end zones of Levi's Stadium;
2. Authorize the Executive Director to negotiate and execute an agreement with StadCo regarding obligations related to the field seats consistent with the staff report prior to the Stadium Manager selling SBLs for the field seats; and
3. Authorize the Executive Director to work with the Stadium Manager to make modifications and provide clarifications and clean up language to the SBL template form that is in compliance with the Stadium Lease.

Executive Director Batra gave a Powerpoint presentation.

Interim Board Counsel Sanchez provided comments.

A motion was made by **Boardmember Becker**, seconded by **Boardmember Hardy**, to approve Alternatives 1, 2 and 3: (1) approve Stadium Manager/StadCo's recommendation to add and sell SBLs priced at \$17,500 per seat for the field seats located in the North and South end zones of Levi's Stadium; (2) authorize the Executive Director to negotiate and execute an agreement with StadCo regarding obligations related to the field seats consistent with the staff report prior to the Stadium Manager selling SBLs for the field seats; and (3) authorize the Executive Director to work with the Stadium Manager to make modifications and provide clarifications and clean up language to the SBL template form that is in compliance with the Stadium Lease and include a final review by the City Attorney's Office.

Board comments and questions followed.

Executive Director Batra, City Managers Office Shikada, Assistant to Executive Director Jung, and Executive Vice President, General Counsel Beauchman addressed **Board** questions.

Additional **Board** comments followed.

A motion was made by Boardmember Becker, seconded by Boardmember Hardy, to approve Alternatives 1, 2 and 3: (1) approve Stadium Manager/StadCo's recommendation to add and sell SBLs priced at \$17,500 per seat for the field seats located in the North and South end zones of Levi's Stadium; (2) authorize the Executive

Director to negotiate and execute an agreement with StadCo regarding obligations related to the field seats consistent with the staff report prior to the Stadium Manager selling SBLs for the field seats; and (3) authorize the Executive Director to work with the Stadium Manager to make modifications and provide clarifications and clean up language to the SBL template form that is in compliance with the Stadium Lease and include a final review by the City Attorney's Office.

Aye: 5 - Boardmember Chahal, Boardmember Hardy, Boardmember Park, Vice Chair Jain, and Boardmember Becker

Nay: 2 - Boardmember Watanabe, and Chair Gillmor

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Councilmember Becker reported on his attendance at the announcement that Santa Clara will host the Soccer World Cup in 2026.

Councilmember Watanabe reported attending the American Public Power Association Annual Conference and noted her attendance at the honorable Secretary Norman Mineta's Memorial Service.

Councilmember Watanabe also announced that on Wednesday nights Mission College will hold Concerts and encouraged attendance.

Councilmember Chahal reported on his attendance at the Former US Transportation of Secretary Norman Mineta's Memorial Service and noted his excitement that the City of Santa Clara will be hosting Soccer World Cup in 2026.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

None.

ADJOURNMENT

The meeting was adjourned at 12:52 AM in memory of **Laura Mahan (mother of former Santa Clara Mayor Patricia Mahan), Mario Joseph Geraci (Santa Clara resident), and former Santa Clara Mayor and Councilmember Lawrence (Larry) Leroy Fargher.**

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Chahal, 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, July 5, 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.



City of Santa Clara

Draft

Meeting Minutes Council and Authorities Concurrent & Special Stadium Authority Meeting

07/05/2022

5:30 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. 22-9096, 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

(Comments received after 2:00 p.m. on the day of the meeting, will be made part of the public record but will not be read out loud during the meeting)

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 July 5, 2022, at 5:30 pm for a Special Meeting to be held virtually and in the City Hall Council Chambers located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California, to consider the following matter(s) and to potentially take action with respect to them.

Closed Session - 5:30 PM | Regular/Special Stadium Authority Meeting - 6:30 PM

5:30 PM CLOSED SESSION

Call to Order in the Council Chambers

Mayor/Chairperson Gillmor called the meeting to order at 5:30 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. [22-890](#) 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

Public Comment

None.

Convene to Closed Session (Council Conference Room)

Council convened to Closed Session at 5:31 PM.

6:30 PM COUNCIL/SPECIAL STADIUM AUTHORITY MEETING

Call to Order

Mayor/Chair Gillmor called the Open Session to order at 6:32 PM.

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Chahal recited the Statement of Values.

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

Assistant City Clerk/Secretary Pimentel also noted that any registered
Lobbyist speaking at a public meeting must identify themselves and whom
they represent.

Mayor/Chair Gillmor requested a moment of silence to offer heartfelt
condolences to the families and friends of the victims of the shooting in
Highland Park, Illinois.

Mayor Gillmor noted the City of Santa Clara's 170th anniversary
celebration.

Councilmember Becker provided a few remarks and provided cakes to
celebrate the 170th anniversary.

[22-1237](#)

Moment of Silence - July 5, 2022 Council Meeting Post Meeting Material

Mayor Gillmor called a recess at 6:41 PM and reconvened the meeting at
6:47 PM.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

Interim City Attorney Ngo noted that there was no reportable action
taken in Closed Session.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

None.

SPECIAL ORDER OF BUSINESS

2.A [22-895](#) Verbal Report Update from Director of Water and Sewer Regarding the Local Drought Emergency

City Manager Batra made a few opening remarks and introduced **Director of Water and Sewer Welling** who gave a Powerpoint presentation.

Council comments and questions followed.

Director Water and Sewer Welling and **Assistant Director of Water and Sewer Mehta** addressed **Council** questions.

Councilmember Chahal requested Item 12 to be heard after Item 6.

2.B [22-835](#) Verbal Report from the Chief Emergency Services Officer regarding COVID-19 Pandemic

Chief Emergency Services Officer Schoenthal gave a verbal report regarding COVID-19 Pandemic:

- Santa Clara County considered high transmission;
- COVID-19 hospitalizations in the low 200s;
- on July 1, 2022, there were 25 people in ICU for COVID-19; and
- COVID-19 testing available at Central Park Library.

Council questions followed.

Chief Emergency Services Officer Schoenthal addressed **Council** questions.

City Manager Batra announced that as of July 8, 2022 City Hall and other city facilities will be opened to the public at a reduced hours.

SANTA CLARA STADIUM AUTHORITY CONSENT ITEM DEFERRED FROM JUNE 21, 2022

**3. Action on Request Submitted by the Stadium Manager to Execute Agreement with Blue's Roofing Company for Recoating Existing Traffic Bearing Membrane in the Seating Bowl and Concourse Areas at Levi's Stadium (General Areas/Coatings Main Deck CapEx Project)
(Deferred from June 21, 2022 Meeting)**

Boardmember Watanabe pulled this item for discussion on June 21, 2022 Council and Authorities Concurrent Meeting.

Executive Director Batra provided a verbal report on this item.

Board questions followed.

Executive Director's Office Shikada addressed **Board** questions.

3.A [22-887](#) Request from the Stadium Manager to Execute Agreement with Blue's Roofing Company for Recoating Existing Traffic Bearing Membrane in the Seating Bowl and Concourse Areas at Levi's Stadium (General Areas/Coatings Main Deck CapEx Project) (Deferred from June 21, 2022 Meeting)

3.B [22-888](#) Report from the Stadium Authority for Action Regarding Stadium Manager's Request to Execute Agreement with Blue's Roofing Company for Recoating Existing Traffic Bearing Membrane in the Seating Bowl and Concourse Areas at Levi's Stadium (General Areas/Coatings Main Deck CapEx Project) (Deferred from June 21, 2022 Meeting)

Recommendation:

Approve the Stadium Manager's request to execute an agreement with Blue's Roofing Company in the amount of \$2,505,744 for recoating the existing traffic bearing membrane in the seating bowl and concourse areas at Levi's Stadium (General Areas/Coatings Main Deck CapEx project); 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; authorize the Executive Director to approve the issuance and execution of change orders up to \$66,383, for a total not to exceed amount of \$2,572,127; 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 Jain, seconded by Boardmember Hardy, to approve the Stadium Manager's request to execute an agreement with Blue's Roofing Company in the amount of \$2,505,744 for recoating the existing traffic bearing membrane in the seating bowl and concourse areas at Levi's Stadium (General Areas/Coatings Main Deck CapEx project); 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; authorize the Executive Director to approve the issuance and execution of change orders up to \$66,383, for a total not to exceed amount of \$2,572,127; 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.

Aye: 5 - Boardmember Chahal, Boardmember Hardy, Boardmember Park, Vice Chair Jain, and Boardmember Becker

Nay: 2 - Boardmember Watanabe, and Chair Gillmor

CONSENT CALENDAR

Boardmember Watanabe and **Chair Gillmor** noted a "No" for Item 5.B.

A motion was made by Council/Boardmember Watanabe, seconded by Council/Boardmember Chahal, 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 [22-22](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Parks & Recreation Commission - May 17, 2022
Planning Commission - May 25, 2022
Senior Advisory Commission - May 23, 2022
Downtown Community Task Force - March 17, 2022
Downtown Community Task Force - April 21, 2022
Downtown Community Task Force - May 19, 2022

A motion was made by Councilmember Watanabe, seconded by Councilmember Chahal, to approve staff recommendation.

- 4.B [22-720](#) Action on Bills and Claims Report (CC, SCSA) for the period May 7, 2022 - June 3, 2022

Recommendation: Approve the list of Bills and Claims for May 7, 2022 - June 3, 2022.

A motion was made by Council/Boardmember Watanabe, seconded by Council/Boardmember Chahal, to approve staff recommendation.

- 4.C [22-714](#) Action on the 2022 Annual Report Related to the Federal Emergency Management Agency's National Flood Insurance Program's Community Rating System

Recommendation: Note and File the 2022 Annual Report for the Santa Clara County Multi-Jurisdictional Program for Public Information related to the Federal Emergency Management Agency's National Flood Insurance Program's Community Rating System.

A motion was made by Councilmember Watanabe, seconded by Councilmember Chahal, to approve staff recommendation.

- 4.D [22-274](#) Action on an Agreement with Data Ticket, Inc. for Citation Management with an Option to Expand Services to Include Permit Processing

Recommendation:

1. Authorize the City Manager to execute an agreement with Data Ticket, Inc. for parking citation and optional permit processing services for an initial term starting on September 1, 2022 and ending on August 31, 2027;
2. Authorize the City Manager to execute up to five one-year options to extend the agreement after the initial five-year term, with the final term ending on August 31, 2032 if all options are exercised, subject to appropriation of funds;
3. Authorize the City Manager to execute Purchase Orders with Data Ticket, Inc. for the purchase of handheld ticket writers, peripherals and accessories as may be required, subject to the annual appropriation of funds; and,
4. Approve the FY 2022/23 budget amendment in the General Fund to recognize citation revenue in the amount of \$150,000 and increase the Police Department appropriation in the amount of \$24,000 (**five affirmative Council votes required to appropriate additional revenue**)

A motion was made by Councilmember Watanabe, seconded by Councilmember Chahal, to approve staff recommendation.

- 4.E [22-502](#) Action on a Resolution Ordering the Vacation of a Pole Line Easement, Anchor Easement, and Portion of Public Utility Easement at 3941 Stevens Creek Boulevard

Recommendation: 1. Adopt a Resolution Ordering the Vacation of a Pole Line Easement, Anchor Easement, and Portion of Public Utility Easement at 3941 Stevens Creek Boulevard [APN 294-39-010 (2021-22); SC 22-0011]; and
2. Authorize the recordation of the Resolution.

A motion was made by Councilmember Watanabe, seconded by Councilmember Chahal, to adopt Resolution No. 22-9118, Ordering the Vacation of a Pole Line Easement, Anchor Easement, and Portion of Public Utility Easement at 3941 Stevens Creek Boulevard [APN 294-39-010 (2021-22); SC 22-0011]; and approve the authorization to record the Resolution.

- 4.F [22-774](#) 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 Watanabe, seconded by Councilmember Chahal, to adopt Resolution No. 22-9115, 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.G [22-744](#) Informational Report on 2022 Q1 & Q2 Legislative Updates

Recommendation: Note and file the informational report on 2022 Q2 Legislative Updates.

A motion was made by Councilmember Watanabe, seconded by Councilmember Chahal, to approve staff recommendation.

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

5. Action on Request Submitted by the Stadium Manager to Execute Agreement with Tyson Group, LLC for Stadium Builder's License (SBL) Sales Training Services

- 5.A [22-884](#) Request from the Stadium Manager to Execute Agreement with Tyson Group, LLC for Stadium Builder's License (SBL) Sales Training Services

- 5.B [22-885](#) Report from the Stadium Authority for Action Regarding Stadium Manager's Request to Execute Agreement with Tyson Group, LLC for Stadium Builder's License (SBL) Sales Training Services

Recommendation:

Approve the Stadium Manager's request to execute a one-year agreement with Tyson Group, LLC in the amount of \$80,000 for SBL sales training services, with the option to extend for two additional one-year periods, subject to budget appropriations; authorize the Executive Director to approve the exercise of any option to extend the agreement for up to two additional one-year periods, subject to budget appropriations; 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 Watanabe, seconded by Boardmember Chahal, to approve staff recommendation.

Aye: 5 - Boardmember Chahal, Boardmember Hardy, Boardmember Park, Vice Chair Jain, and Boardmember Becker

Nay: 2 - Boardmember Watanabe, and Chair Gillmor

PUBLIC PRESENTATIONS

Public Speaker inquired the status of a new clubhouse/renovations for the Lawn Bowl Club and was referred to speak with **City Manager Batra** regarding the Lawn Bowl Club.

Joseph Cervantes expressed comments regarding construction fire protection compliance.

Lee Broughman expressed comments of concern regarding Councilmembers attendance at a San Francisco 49ers football game.

CONSENT ITEMS PULLED FOR DISCUSSION

None.

PUBLIC HEARING/GENERAL BUSINESS

6. [22-891](#) Adoption of Resolutions Calling for a Municipal General Election and Ordering Consolidation with the Gubernatorial General Election for the Purpose of Submitting to the Voters a Business License Tax (BLT) Modernization Measure and Utility Transfer Charter Amendment; Authorizing the City Clerk to Contract with the County of Santa Clara for Services to be Performed in Connection with the Gubernatorial General Election to be Held on November 8, 2022, as well as Directing the City Attorney to Prepare an Impartial Analysis; and Setting Priorities for Ballot Arguments

- Recommendation:**
1. Adopt a resolution ordering submission of a ballot measure to the qualified electors of the City; calling for a Special Municipal Election to be held in the City of Santa Clara on Tuesday, November 8, 2022, for the purpose of submitting to City voters a measure modernizing the City's Business License Tax; requesting consolidation with the Gubernatorial General Election and election services from Santa Clara County; directing the City Attorney to prepare an impartial analysis; setting priorities for ballot arguments; and approval of the draft amendment to the Santa Clara City Code to incorporate the proposed changes if the measure is approved by the voters.
 2. Adopt a resolution ordering submission of a ballot measure to the qualified electors of the City; calling for a Special Municipal Election to be held in the City of Santa Clara on Tuesday, November 8, 2022, for the purpose of submitting to City voters a measure to amend the City's Charter regarding Utility Transfers; requesting consolidation with the Gubernatorial General Election and election services from Santa Clara County; directing the City Attorney to prepare an impartial analysis; setting priorities for ballot arguments; and approval of the draft amendment to the Santa Clara City Code to incorporate the proposed changes if the measure is approved by the voters.

City Manager Batra provided introductory comments.

Assistant City Manager Bojorquez and **Director of Finance Lee** gave a Powerpoint presentation regarding a Business License Tax Modernization and Utility transfer Charter Amendment.

Council comments and questions followed.

Director of Finance Lee and **Assistant City Manager Bojorquez** addressed **Council** questions.

Public Speaker(s): Ana Vargas Smith (gave her 2 minutes to Pete Constant)

Pete Constant
Christian Malesic
Teresa O'Neill
Dan Kostenbauder

Council comments continued.

Public Speaker(s): Anil Babbar
Lee Broughman

Council comments ensued.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve Alternative 2: to adopt Resolution No. 22-9116 ordering submission of a ballot measure to the qualified electors of the City; calling for a Special Municipal Election to be held in the City of Santa Clara on Tuesday, November 8, 2022, for the purpose of submitting to City voters a measure to amend the City's Charter regarding Utility Transfers; requesting consolidation with the Gubernatorial General Election and election services from Santa Clara County; directing the City Attorney to prepare an impartial analysis; setting priorities for ballot arguments; and approval of the draft amendment to the Santa Clara City Code to incorporate the proposed changes if the measure is approved by the voters.

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

Vice Mayor Jain, Councilmember Hardy, and Councilmember Chahal volunteered to write the ballot argument.

Council comments and questions followed.

Assistant City Manager Borjorquez and Interim City Attorney Ngo addressed **Council** questions.

A motion was made by Councilmember Chahal, seconded by Councilmember Becker, to continue this item to July 12, 2022 Council & Authorities Concurrent Meeting and have a subcommittee comprised of Councilmembers Chahal, Hardy and Park to have discussion with Silicon Valley Chamber of Commerce, staff and any other stakeholders.

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

Mayor Gillmor called for a recess at 9:41 PM and reconvened the meeting at 9:54 PM.

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

12. [22-917](#) Action on a Written Petition Submitted by Councilmember Becker Requesting to Place an Agenda Item at a Future Council Meeting to Discuss the Recent Planning Commission Appointment

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

Councilmember Becker provided comments regarding his Written Petition to discuss the recent Planning Commission Appointment.

Council comments and questions followed.

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

Public Speaker(s): Public Speaker

A motion was made by Councilmember Becker, seconded by Vice Mayor Jain, to place this Written Petition item on the July 12, 2022 Council and Authorities Concurrent meeting agenda.

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

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

7. [22-1761](#) Public Hearing: Action on Introduction of Ordinances to Establish Objective Zoning, Subdivision, and Design Standards for SB 9 Residential Projects by Amending Chapter 17.05 (Subdivisions) of Title 17 (Development) and Amending Title 18 (Zoning) to Create Chapter 18.13 (Two Unit Dwelling Residential Development and Urban Lot Splits); and Address Affordability Recommendations of the Planning Commission for SB 9 Developments

Recommendation: Alternatives 1, 4, and 5:

1. Waive first reading and introduce an ordinance to establish objective subdivision, zoning, and design standards for SB 9 residential projects by amending Title 18 (Zoning) to create Chapter 18.13 (Two Unit Dwelling Residential Development and Urban Lot Splits) with specific modifications to the draft ordinance as recommended by the Planning Commission related to front yard landscaping and solar access.
4. Waive first reading and introduce an ordinance amending Chapter 17.05 (Subdivisions) of Title 17 (Development) to revise the subdivision process for SB 9 developments.
5. Direct staff to bring back an ordinance amending Chapter 17.40 (Citywide Affordable Housing Requirements) of Title 17 (Development) to add SB 9 projects to the types of developments subject to an affordable housing fee.

Mayor Gillmor opened the public hearing.

City Manager Batra provided opening remarks and introduced **Director of Community Development Crabtree** to give a Powerpoint presentation.

Council comments and questions followed.

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

A motion was made by Councilmember Becker, seconded by Councilmember Chahal, 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 Vice Mayor Jain, seconded by Councilmember Becker, to approve Alternatives 1, 4, and 5: (1) waive first reading and introduce Ordinance No. 2048 to establish objective subdivision, zoning, and design standards for SB 9 residential projects by amending Title 18 (Zoning) to create Chapter 18.13 (Two Unit Dwelling Residential Development and Urban Lot Splits) with specific modifications to the draft ordinance as recommended by the Planning Commission related to front yard landscaping and solar access; (4) waive first reading and introduce Ordinance No. 2049 amending Chapter 17.05 (Subdivisions) of Title 17 (Development) to revise the subdivision process for SB 9 developments; (5) direct staff to bring back an ordinance amending Chapter 17.40 (Citywide Affordable Housing Requirements) of Title 17 (Development) to add SB 9 projects to the types of developments subject to an affordable housing fee and to return with recommendation to consist of affordability requirement, minimize paperwork and reporting for the homeowner's, and review the in-lieu fee for units greater than 800 SF.

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

10. [22-148](#) Consideration of Silicon Valley Power Quarterly Update

Recommendation: Note and file the Silicon Valley Power Quarterly Update.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to defer this item to a Council and Authorities Concurrent meeting after Council break (beginning July 12, 2022).

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

8. [22-849](#) Authorize the City Manager to Negotiate and Execute Amendment No. 3 to the Agreement for Design Services with Bellecci & Associates, Inc. and Associated Budget Amendment for the Loyalton Property

Recommendation: Alternatives

1. Authorize the City Manager to negotiate and execute Amendment No. 3 to the Agreement for Design Services with Bellecci & Associates, Inc. for engineering design services for the Loyalton fence and site remediation project at Loyalton, California, to increase the maximum compensation from \$170,000 to \$343,581;
2. Authorize the City Manager to add or delete services consistent with the scope of the agreement, and allow future rate adjustments subject to request and justification by contractor, approval by the City, and the appropriation of funds; and
3. Approve the following FY 2022/23 budget amendment in the Electric Utility Operating Fund to increase the Electric Utility Department budget by \$173,581 and decrease the unrestricted ending fund balance by \$173,581 (**five affirmative Council votes required for the use of unused balances**).

Chief Electric Utilities Officer Pineda gave a Powerpoint presentation.

Council questions followed.

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

A motion was made by **Councilmember Chahal** to note and file the report.

Motion failed due to a lack of a second.

Council questions followed.

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

A motion was made by **Vice Mayor Jain**, seconded by **Councilmember Hardy**, to (1) authorize the City Manager to negotiate and execute Amendment No. 3 to the Agreement for Design Professional Services with Bellecci & Associates, Inc. for conceptual engineering design services and engineers estimate for the Loyalton property fence and site remediation project at Loyalton, California, to increase the maximum additional compensation not to exceed \$40,000.

A motion was made by Vice Mayor Jain, seconded by Councilmember Hardy, to (1) authorize the City Manager to

negotiate and execute Amendment No. 3 to the Agreement for Design Professional Services with Bellecci & Associates, Inc. for conceptual engineering design services and engineers estimate for the Loyalton property fence and site remediation project at Loyalton, California, to increase the maximum compensation from \$170,000 to \$233,029; (2) authorize the City Manager to add or delete services consistent with the scope of the agreement, and allow future rate adjustments subject to request and justification by contractor, approval by the City, and the appropriation of funds; and (3) approve the following FY 2022/23 budget amendment in the Electric Utility Operating Fund to increase the Electric Utility Department budget by \$63,029 and decrease the unrestricted ending fund balance by \$63,029 (five affirmative Council votes required for the use of unused balances).

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

Nay: 1 - Councilmember Park

9. [22-118](#) Public Hearing: Action on a Resolution Confirming the 2022 Weed Abatement Program and Assessment

Recommendation: Adopt a Resolution confirming the 2022 Weed Abatement Program Assessment Report and Assessment.

Fire Marshall Tomlin gave a verbal report.

Council comments and questions followed.

Fire Marshall Tomlin addressed **Council** questions.

A motion was made by Councilmember Chahal, seconded by Councilmember 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 Chahal, to adopt Resolution No. 22-9117 confirming the 2022 Weed Abatement Program Assessment Report and Assessment.

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

SANTA CLARA STADIUM AUTHORITY GENERAL BUSINESS

11. [22-863](#) Action to Delegate Authority to Executive Director to Procure, Negotiate, and Execute an Agreement for Levi's Stadium Naming Rights Signage Assessment Services

Recommendation: Alternative 1

1. Authorize the Executive Director to procure, negotiate, and execute an agreement with a third-party vendor in an amount not to exceed \$30,000 to assess the Levi's Stadium Naming Rights exterior signs and make a recommendation on the most cost-effective long-term approach.

Executive Director Batra gave a Powerpoint presentation.

Board comments followed.

A motion was made by Boardmember Hardy, seconded by Vice Chair Jain, to approve Alternative 1: authorize the Executive Director to procure, negotiate, and execute an agreement with a third-party vendor in an amount not to exceed \$30,000 to assess the Levi's Stadium Naming Rights exterior signs and make a recommendation on the most cost-effective long-term approach.

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

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Councilmember Becker reported on his attendance at the 20th LGBTQ Caucus on June 23, 2022 in Sacramento and expressed gratitude for **Assemblymember Evan Low**. He also noted his attendance at the Winchester Mystery House for a tour, attended Special Olympics Torch Run, Stars and Stripes 5K Run, San Jose's Rose, White and Blue Parade, and the Santa Clara Fourth of July event.

Councilmember Park reported on his attendance at the Triton Museum of Art Board meeting and encouraged attendance.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

None.

[22-881](#) Update on City Council and Stadium Authority Staff Referrals

[22-920](#) Tentative Meeting Agenda Calendar (TMAC)

ADJOURNMENT

The meeting was adjourned at 11:42 PM.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to adjourn the meeting.

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

The next regular scheduled meeting is on Tuesday, July 12, 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.



City of Santa Clara

Draft

Joint Meeting Minutes

Council and Authorities Concurrent &

Special Stadium Authority and Planning Commission Meeting

07/12/2022

4:30 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. 22-9115, 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.

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 Planning Commission, to commence and convene on July 12, 2022, at 4:30 pm for a Special Meeting to be held virtually and in the City Hall Council Chambers located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California, to consider the following matter(s) and to potentially take action with respect to them.

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

4:30 PM CLOSED SESSION

Call to Order in the Council Chambers

Vice Mayor/Chair Jain called the meeting to order at 4:31 PM.

Roll Call

Mayor Gillmor was absent for Closed Session and Study Session and expected to arrive at 7:00 PM.

Present: 6 - Council/Boardmember Kathy Watanabe, Council/Boardmember Raj Chahal, Council/Boardmember Karen Hardy, Council/Boardmember Kevin Park, Vice Mayor/Chair Suds Jain, and Council/Boardmember Anthony Becker

Absent: 1 - Mayor/Chair Lisa M. Gillmor

1.A [22-896](#) 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)

1.B [22-939](#) Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8
Property: 5401 Lafayette Street, Santa Clara, CA, APN: 097-01-073
City/Authority Negotiator: Rajeev Batra, City Manager (or designee)
Negotiating Parties: Police Activities League, Mike Walke, President
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms)

Public Comment

None.

Convene to Closed Session (Council Conference Room)

Council convened to Closed Session at 4:33 PM.

5:30 PM JOINT COUNCIL AND PLANNING COMMISSION STUDY SESSION

Call to Order in the Council Chambers

Roll Call (Planning Commission)

Planning Commissioner Biagini, Planning Commission Chair Cheraku,
Planning Commissioner Saleme, Planning Commissioner Huang, Planning
Commissioner Bhatnagar

Absent: Planning Commission Vice Chair Herro

2. [22-886](#) Joint City Council and Planning Commission Study Session on the
Housing Element Update

Recommendation: Note and file the report on the Housing Element Update.

Director of Community Development Crabtree and Assistant Director
of Community Development Assistant Brilliot gave a Powerpoint
presentation.

Council and Planning Commission comments and questions followed.

Director of Community Development Crabtree and **Assistant
Director of Community Development Brilliot** addressed **Council** and
Planning Commission comments and questions.

Public Speaker(s): Public Speaker
Kalisha Webster
Housing Choice
Alex Shoor
Events SVH

Vice Mayor Jain called for a 5 minute recess.

Mayor Gillmor arrived at the dais at 7:41 PM.

7:00 PM JOINT COUNCIL/SPECIAL STADIUM AUTHORITY MEETING

Call to Order

Mayor/Chair Gillmor convened the regular meeting at 7:46 PM.

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Chahal recited the Statement of Values.

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

Assistant City Clerk/Secretary Pimentel also noted any registered
Lobbyist must identify themselves and whom they represent when
speaking at a Public meeting.

[22-1238](#)

Moment of Silence - July 12, 2022 Council Meeting Post Meeting Material

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

Interim City Attorney Ngo noted that there was no reportable action
from Closed Session.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

Councilmember Becker requested to move up Items 8, 11, 12 and
13 to be heard after the Consent Calendar.

11. [22-942](#) Response to Councilmember Becker's Written Request regarding the Recent Appointment of Ron Patrick to the Planning Commission

Recommendation: Staff has no recommendation

Interim City Attorney Ngo provided an overview of the item.

Council comments and questions followed.

Public Speaker(s): Ron Patrick
Shona Armstrong (#5017)
Public Speaker (1)

Council discussion ensued.

Interim City Attorney Ngo addressed **Council** comments.

Assistant City Clerk Pimentel provided comments on the Board/Commission recruitment process.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to direct staff to return at a future meeting with a determination if the staff investigation sufficiently provided evidence of irregularities regarding Mr. Patrick's residency and take action in accordance with Policy 032.

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

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

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

12. [22-869](#) Action on a Written Petition (Council Policy 030), Submitted by Cecilia Aguiar Requesting to Place an Agenda Item on a Future Council Meeting to Consider Traffic Calming Measures on Cabrillo Avenue

Recommendation: Staff makes no recommendation.

Assistant City Manager Pineda provided brief comments regarding the Written Petition.

A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to agendize the request submitted by Written Petitioner Cecilia Aguiar requesting to place an agenda item on a future Council and Authorities Concurrent Meeting agenda to consider traffic calming measures on Cabrillo Avenue.

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

13. [22-933](#) Action on a Written Petition (Council Policy 030), Submitted by Craig Larsen Requesting to Place an Agenda Item on a Future Council Meeting to Hear an Explanation by Councilmember Kevin Park on the Apparent Inconsistent Statements in Official Filings Regarding Employment and Sources of Income

Recommendation: Staff makes no recommendation.

Written Petitioner Craig Larsen provided comments on his Written Petition to hear an explanation by **Councilmember Kevin Park** on the apparent inconsistent statements in Official Filings regarding employment and sources of income.

Council comments followed.

Public Speaker(s): Lee Broughman
Debbie Tryforos (eComment)
Susan Hinton (eComment)

A motion was made by Mayor Gillmor, seconded by Councilmember Watanabe, to agendaize a Written Petition to a future Council and Authorities Concurrent meeting and to hear an explanation by Councilmember Kevin Park on the apparent inconsistent statements in official filings regarding employment and sources of income.

Aye: 3 - Councilmember Watanabe, Vice Mayor Jain, and Mayor Gillmor

Nay: 3 - Councilmember Chahal, Councilmember Hardy, and Councilmember Becker

Recused: 1 - Councilmember Park

Motion Fails.

3. [22-936](#) Discussion and Adoption of a Resolution Calling for a Municipal General Election and Ordering Consolidation with the Gubernatorial General Election for the Purpose of Submitting to the Voters a Business License Tax (BLT) Modernization Measure; Authorizing the City Clerk to Contract with the County of Santa Clara for Services to be Performed in Connection with the Gubernatorial General Election to be Held on November 8, 2022, as well as Directing the City Attorney to Prepare an Impartial Analysis; and Setting Priorities for Ballot Arguments (Continued from July 5, 2022)

Recommendation:

1. Adopt a resolution ordering submission of a ballot measure to the qualified electors of the City; calling for a Special Municipal Election to be held in the City of Santa Clara on Tuesday, November 8, 2022, for the purpose of submitting to City voters a measure modernizing the City's Business License Tax; requesting consolidation with the Gubernatorial General Election and election services from Santa Clara County; directing the City Attorney to prepare an impartial analysis; setting priorities for ballot arguments; and approval of the draft amendment to the Santa Clara City Code to incorporate the proposed changes if the measure is approved by the voters.

City Manager Batra provided opening remarks.

Assistant City Manager Bojorquez and **Director of Finance Lee** gave a Powerpoint presentation.

Council comments and questions followed.

Public Speaker(s): Christian D. Malesic
Kirk Vartan
Christian Pellecchia
Edward Strine
Alex Torres
Public Speaker (1)
Linda Leca (E-Mail)
Kawser Jamal (E-Mail)

Assistant City Manager Bojorquez and **Director of Finance Lee** addressed **Council** and public questions.

Council discussion ensued.

Public Speaker(s): Lee Broughman
Debbie Tryforos (eComment)

Council discussion and questions continued.

Assistant City Manager Bojorquez addressed **Council** questions.

A motion was made by **Councilmember Chahal**, seconded by **Vice Mayor Jain**, to approve Alternative 1: adopt a resolution ordering submission of a ballot measure to the qualified electors of the City; calling for a Special Municipal Election to be held in the City of Santa Clara on Tuesday, November 8, 2022, for the purpose of submitting to City voters a measure modernizing the City's Business License Tax; requesting consolidation with the Gubernatorial General Election and election services from Santa Clara County; directing the City Attorney to prepare an impartial analysis; setting priorities for ballot arguments; and approval of the draft amendment to the Santa Clara City Code to incorporate the proposed changes if the measure is approved by the voters as published in the supplemental materials by the Assistant City Clerk on July 12, 2022 and with technical changes to ballot question as stated and incorporated by reference by Director of Finance Lee.

Councilmember Park requested a friendly amendment to change the business tax cap from \$350,000 to \$250,000.

Councilmember Chahal declined the friendly amendment.

Council comments and questions followed.

A motion was made by Councilmember Chahal, seconded by Vice Mayor Jain, to approve Alternative 1: adopt Resolution No. 22-9130 ordering submission of a ballot measure to the qualified electors of the City; calling for a Special Municipal Election to be held in the City of Santa Clara on Tuesday, November 8, 2022, for the purpose of submitting to City voters a measure modernizing the City's Business License Tax; requesting consolidation with the Gubernatorial General Election and election services from Santa Clara County; directing the City Attorney to prepare an impartial analysis; setting priorities for ballot arguments; and approval of the draft amendment to the Santa Clara City Code to incorporate the proposed changes if the measure is approved by the voters as published in the supplemental materials by the Assistant City Clerk on July 12, 2022 and with technical changes to ballot question as stated and incorporated by reference by Director of Finance Lee.

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

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

Vice Mayor Jain, Councilmember Chahal, and Councilmember Hardy volunteered to write the argument.

Mayor Gillmor called for a recess at 10:29 PM and reconvened the meeting at 10:38 PM.

CONSENT CALENDAR

City Manager Batra deferred Item 4.I to a future Council and Authorities Concurrent Meeting.

Vice Mayor Jain recused himself from Item 4.J due to a potential conflict of interest as he sits on the board of the NCPA.

Councilmember Chahal requested to pull Item 4.P.

Councilmember Watanabe pulled Item 5.F.

A motion was made by Council/Boardmember Hardy, seconded by Councilmember Chahal, to approve the balance of the Consent Calendar (except Items 4.I, 4.P, and 5.F).

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 [22-830](#) Action on Council and Authorities Concurrent & Special Stadium Authority Meeting Minutes of March 8, 2022, Special City Council Meeting Minutes of March 9, 2022, Stadium Authority & Special City Council Meeting Minutes of March 15, 2022, Joint Council and Authorities Concurrent & Stadium Authority Meeting of March 22, 2022, and Special City Council Meeting of March 29, 2022

Recommendation: Approve the Meeting Minutes of:
March 8, 2022 Council and Authorities Concurrent & Special Stadium Authority Meeting;
March 9, 2022 Special City Council Meeting;
March 15, 2022 Stadium Authority & Special City Council Meeting;
March 22, 2022 Joint Council and Authorities Concurrent & Stadium Authority Meeting; and March 29, 2022 Special City Council Meeting

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

- 4.B [22-23](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Bicycle and Pedestrian Advisory Committee - March 28, 2022
Bicycle and Pedestrian Advisory Committee - May 11, 2022

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

- 4.C [22-750](#) Action on Award of Purchase Order to L.N. Curtis for Personal Protective Equipment for Emergency Response Personnel

Recommendation: Authorize the City Manager to execute a purchase order with L.N. Curtis for personal protective equipment for the Fire Department with maximum compensation not-to-exceed \$461,934.41.

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

- 4.D [22-189](#) Action on Award of Contract for the High-Intensity Activated Crosswalk Beacon on Scott Boulevard at Harrison Street Project to Bear Electrical Solutions, Inc.

Recommendation:

1. Award the Public Works Contract for the High-Intensity Activated Crosswalk Beacon on Scott Boulevard at Harrison Street Project to the lowest responsive and responsible bidder, Bear Electrical Solutions, Inc., in the amount of \$419,614, and authorize the City Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project; and
2. Authorize the City Manager to execute change orders up to approximately 10 percent of the original contract price, or \$41,961, for a total not to exceed amount of \$461,575.

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

- 4.E [22-837](#) Action on a Resolution Approving Purchase and Sale Agreements for Easements on the Memorex Junction Transmission Line Extension Project

Recommendation:

1. Adopt the Resolution approving the purchases of overhead electric easements at 2380 Lafayette Street [APN 224-63-020], 1045 Shulman Avenue [APN 224-63-006], and 2206 Lafayette Street [APN 224-67-042]; and
2. Authorize the recordation thereof.

A motion was made by Councilmember Hardy, seconded by Councilmember Chahal, to adopt Resolution No. 22-9119 approving the purchases of overhead electric easements at 2380 Lafayette Street [APN 224-63-020], 1045 Shulman Avenue [APN 224-63-006], and 2206 Lafayette Street [APN 224-67 042]; and Authorize the recordation thereof .

- 4.F [22-758](#) Action on an Agreement with Environmental Systems Research Institute, Inc. for ArcGIS Geographic Information System Software and Support Services

Recommendation:

1. Authorize the City Manager to execute an agreement with Environmental Systems Research Institute, Inc. for Arc GIS Geographic Information System software and support services for a three-year term starting on or around August 17, 2022 and ending on or around August 16, 2025, with maximum compensation not to exceed \$247,500, subject to the appropriation of funds;
2. Authorize the City Manager to execute amendments to add and/or delete system functionalities, subject to the appropriation of funds; and
3. Authorize the City Manager to renew the agreement with Environmental Systems Research Institute, Inc. at the end of the three-year term, for as long as the software is being used by the City and subject to the appropriation of funds.

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

- 4.G [22-819](#) Action on an Agreement with Orchard Commercial, Inc. for Property Management Services at the Santa Clara Convention Center Complex - Maintenance District No. 183

Recommendation:

1. Authorize the City Manager to execute an agreement with Orchard Commercial, Inc. for property management services at the Santa Clara Convention Center Complex - Maintenance District No. 183 for an initial five-year term, with maximum compensation not-to-exceed \$394,200; and
2. Authorize the City Manager to execute up to five one-year options to extend the agreement after the initial term and to approve potential annual price adjustments, subject to the appropriation of funds.

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

- 4.H [22-459](#) Action on Amendment No. 1 to Extend the Term of the Agreement with Brightview Landscape Services, Inc. for Landscaping and Tree Care Services at the Santa Clara Convention Center Complex - Maintenance District No. 183

Recommendation: Authorize the City Manager to execute Amendment No. 1 to the Agreement with Brightview Landscape Services, Inc. for Landscaping and Tree Care services at the Santa Clara Convention Center Complex - Maintenance District No. 183 to increase maximum compensation by \$40,000 for a revised maximum compensation of \$1,019,801, and extend the term of the agreement through August 31, 2022.

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

- 4.I [22-866](#) Action on the Approval of a Municipal Law Enforcement Services Agreement with San Francisco Police Department

Recommendation: Approve the Municipal Law Enforcement Services Agreement between the Santa Clara Stadium Authority, City of Santa Clara, and San Francisco Police Department for support services associated with events at Levi's Stadium.

A motion was made by Councilmember Hardy, seconded by Councilmember Chahal, to defer this item to a future Council and Authorities Concurrent meeting.

- 4.J [22-859](#) Action to Delegate Authority to the City Manager to Either A) Enter Into a Third Phase Agreement With Northern California Power Agency (NCPA), or B) Complete Negotiations and Execute a Renewable Energy Purchase and Sale Agreement With Calpine Corporation (Calpine) to Purchase Renewable Energy From a Portfolio of Geothermal Projects Owned by Calpine

Recommendation:

1. Authorize the City Manager, or designee, to either (a) enter into a Third Phase Agreement with the Northern California Power Agency (NCPA), or (b) complete negotiations and execute a renewable energy purchase and sale agreement directly with Calpine Corporation (Calpine) to purchase renewable energy from a portfolio of geothermal projects owned by Calpine, 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 either the Third Phase Agreement or renewable energy purchase and sale agreement; and
3. Authorize the City Manager, or designee, to approve and execute amendments to the either the Third Phase Agreement or renewable energy purchase and sale 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 recused himself from this item as he sits on the NCPA board.

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

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

Recused: 1 - Vice Mayor Jain

- 4.K [22-865](#) Action on Amendment to Covenants, Conditions, and Restrictions for Casa del Rey Homeowner Association Located at 1303 Karmen Court

Recommendation: Alternative 1:
Approve two versions of the proposed amendments to the CC&Rs for the Casa del Rey Homeowner Association: (1) the version originally proposed by the HOA, for immediate recordation, and (2) the version containing the two revisions required by the CAO; with a condition that the HOA shall submit the second version for a vote to its residents at its next board election.

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

- 4.L [22-162](#) Action on Contract No. 2420A with Hot Line Construction, Inc. for Electric Utility Overhead Services and Contract No. 2004D with Daleo, Inc. for Electric Utility Substructure and Aerial Fiber Optic Cable Authorizing the City Manager to Negotiate and Execute Amendments to the Contracts to Extend the Term One Year, Renegotiate Rates, and Increase Total Maximum Compensation.

Recommendation: Authorize the City Manager to:

1. Negotiate and execute Amendment No. 2 to Contract No. 2420A with Hot Line Construction, Inc. for Electric Utility Overhead Services to extend the term one year authorizing staff to issue call orders through July 31, 2023, renegotiate rates due to increased labor and material costs, and increase total maximum compensation by \$2,000,000 to \$5,000,000 and
2. Negotiate and execute Amendment No. 3 to Contract No. 2004D with Daleo, Inc. for Electric Utility Substructure and Aerial Fiber Optic Cable to extend the term of the agreement one year authorizing staff to issue call orders through July 31, 2023, renegotiate rates due to increased labor and material costs, and increase total maximum compensation by \$4,000,000 to \$10,000,000.

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

- 4.M [22-161](#) Action on a Resolution Authorizing the Use of City Electric Forces for New Dark Fiber Installations at Various Locations

Recommendation: Adopt a Resolution authorizing the use of City Electric Forces for work detailed in this report located at Lafayette Street to Calle Del Mundo, Fairway Glen Park, Montague Park, and 2800 Mead Avenue.

A motion was made by Councilmember Hardy, seconded by Councilmember Chahal, to adopt Resolution No. 22-9120 authorizing the use of City Electric Forces for work detailed in this report located at Lafayette Street to Calle Del Mundo, Fairway Glen Park, Montague Park, and 2800 Mead Avenue.

- 4.N [22-800](#) Action on a Resolution Authorizing the Use of City Electric Forces at Various Locations

Recommendation: Adopt a Resolution authorizing the use of City Electric Forces as described above at 3050 Oakmead Village Drive, 1850 El Camino Real, 915 Walsh Avenue, Patricia Drive, Los Padres Boulevard, Cabrillo Avenue, Monroe Street, Forbes Avenue, and Pomeroy Avenue.

A motion was made by Councilmember Hardy, seconded by Councilmember Chahal, to adopt Resolution No. 22-9121 authorizing the use of City Electric Forces as described above at 3050 Oakmead Village Drive, 1850 El Camino Real, 915 Walsh Avenue, Patricia Drive, Los Padres Boulevard, Cabrillo Avenue, Monroe Street, Forbes Avenue, and Pomeroy Avenue.

- 4.O [22-452](#) Action on a Resolution Ordering the Summary Vacation of Centennial Boulevard between Tasman Drive and Stars and Stripes Drive, a Portion of Stars and Stripes Drive, and a Portion of Tasman Drive

Recommendation: Adopt a Resolution ordering the summary vacation of Centennial Boulevard between Tasman Drive and Stars and Stripes Drive, and a portion of Stars and Stripes Drive [vicinity of APN104-03-036, 037, 038, 039, and 040 (2020-21)]; and a portion of Tasman Drive [vicinity of APN104-03-036, 037, and 038 (2021-22)] SC21-0025.

A motion was made by Councilmember Hardy, seconded by Councilmember Chahal, to adopt Resolution No. 22-9131 ordering the summary vacation of Centennial Boulevard between Tasman Drive and Stars and Stripes Drive, and a portion of Stars and Stripes Drive [vicinity of APN104-03-036, 037, 038, 039, and 040 (2020-21)]; and a portion of Tasman Drive [vicinity of APN104-0 -036, 037, and 038 (2021-22)] SC21-0025.

- 4.Q [22-877](#) Action on a Joint Resolution Delegating Authority to the City Manager/Executive Director for City/Santa Clara Stadium Authority/Contract Administrator for Sports and Open Space Authority/Executive Director for Housing Authority During the Council Recess from July 13, 2022 to August 15, 2022

Recommendation: That the City Council/Stadium Authority Board/Sports and Open Space Authority/Housing Authority:

Adopt a Joint Resolution delegating authority to the City Manager/Executive Officer for City/Santa Clara Stadium Authority/Contract Administrator for Sports and Open Space Authority/Executive Director for Housing Authority to approve project related documents during the Council recess from July 13, 2022 to August 15, 2022 and requiring the City Manager/Executive Director/Contract Administrator to submit a report on actions taken during the Council recess at a City Council/Stadium Authority/Sports and Open Space Authority/Housing Authority meeting in September 2022.

A motion was made by Council/Board/Authoritymember/Commissioner Hardy, seconded by Council/Board/Authoritymember/Commissioner Chahal, to adopt Resolution No. 22-9123 delegating authority to the City Manager/Executive Officer for City/Santa Clara Stadium Authority/Contract Administrator for Sports and Open Space Authority/Executive Director for Housing Authority to approve project related documents during the Council recess from July 13, 2022 to August 15, 2022 and requiring the City Manager/Executive Director/Contract Administrator to submit a report on actions taken during the Council recess at a City Council/Stadium Authority/Sports and Open Space Authority/Housing Authority meeting in September 2022.

- 4.R [22-899](#) 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 Hardy, seconded by Councilmember Chahal, to adopt Resolution No. 22-9124 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.S [22-912](#) Authorize the City Manager to execute the 2020-2025 Memorandum of Understanding Between the City of Santa Clara and the Santa Clara Firefighters, International Association of Firefighters, Local 1171 (hereafter, "Unit 1"), that incorporates the terms of the Tentative Agreement and Approve the Related Budget Amendment

Recommendation:

1. Authorize the City Manager to execute the Memorandum of Understanding between the City of Santa Clara and the Santa Clara Firefighters, International Association of Firefighters, Local 1171 (Unit 1) with effective dates of December 27, 2020 - December 31, 2025, that incorporates the terms of the Tentative Agreement.
2. Approve the FY 2022/23 budget amendment in the General Fund to increase the Fire Department's salaries and benefits appropriation by \$2.5 million and decrease the General Fund Land Sale Reserve by \$2.5 million (**five affirmative Council votes required**).

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

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

- 5.A [22-672](#) Action on Stadium Authority Bills and Claims for the Month of April 2022

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

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

- 5.B [22-921](#) Action on Amendment No. 1 to the Agreement as Amended with The Pun Group, LLP for Auditing Services for the Santa Clara Stadium Authority

Recommendation: Approve and authorize the Executive Director to execute Amendment No. 1 to the Agreement with The Pun Group, LLP for auditing services to retroactively extend the term of the agreement to March 31, 2023 and revise Attachment A relating to the “Agreed upon Procedures” to be performed.

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

5.C Action on Request Submitted by the Stadium Manager to Award Purchase Order to Lutron Services Co., Inc. (Lutron) for Technology Support Plan for Lutron Lighting System at Levi’s Stadium

- 5.C.1 [22-908](#) Request from the Stadium Manager to Award Purchase Order to Lutron Services Co., Inc. (Lutron) for Technology Support Plan for Lutron Lighting System at Levi’s Stadium

- 5.C.2 [22-909](#) Report from the Stadium Authority for Action Regarding Stadium Manager’s Request to Award Purchase Order to Lutron Services Co., Inc. (Lutron) for Technology Support Plan for Existing Lutron Lighting System at Levi’s Stadium

Recommendation: Approve the Stadium Manager’s request to award a purchase order to Lutron for technology support plan for Levi Stadium’s existing Lutron lighting system for a three year term from July 15, 2022 to July 14, 2025, in an amount not to exceed \$46,091 per contract year for a total not to exceed amount of \$138,273 over the three year period, subject to budget appropriations; 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 Hardy, seconded by Boardmember Chahal, to approve staff recommendation.

5.D Action on Request Submitted by the Stadium Manager to Award Purchase Order to LRG Technologies, Inc. DBA Mobile Pro Systems for Mobile Pro Falcon 3100 Trailers (Mobile Security Closed Circuit Television (CCTV) Pop Up Trailers CapEx Project)

- 5.D.1 [22-910](#) Request from the Stadium Manager to Award Purchase Order to LRG Technologies, Inc. DBA Mobile Pro Systems for Mobile Pro Falcon 3100 Trailers (Mobile Security Closed Circuit Television (CCTV) Pop Up Trailers CapEx Project)

- 5.D.2 [22-911](#) Report from the Stadium Authority for Action Regarding Stadium Manager's Request to Award Purchase Order to LRG Technologies, Inc. DBA Mobile Pro Systems for Mobile Pro Falcon 3100 Trailers (Mobile Security Closed Circuit Television (CCTV) Pop Up Trailers CapEx Project)

Recommendation: Approve the Stadium Manager's request to award a one-time purchase order to Mobile Pro in the amount of \$245,934 to purchase four Mobile Pro Falcon 3100 trailers (Mobile Security CCTV Pop Up Trailers 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 Hardy, seconded by Boardmember Chahal, to approve staff recommendation.

5.E Action on Request Submitted by the Stadium Manager to Award Purchase Orders to Pacific Coast Flag for City of Santa Clara Flags for Levi's Stadium and Guardian Booth LLC for Security 24/7 Gate C Employee Entrance Booth CapEx Project

- 5.E.1 [22-914](#) Request from the Stadium Manager to Award Purchase Orders to Pacific Coast Flag for City of Santa Clara Flags for Levi's Stadium and Guardian Booth LLC for Security 24/7 Gate C Employee Entrance Booth CapEx Project

- 5.E.2 [22-915](#) Report from the Stadium Authority for Action Regarding Stadium Manager's Request to Award Purchase Orders to Pacific Coast Flag for City of Santa Clara Flags for Levi's Stadium and Guardian Booth LLC for Security 24/7 Gate C Employee Entrance Booth CapEx Project

Recommendation:

1. Approve the Stadium Manager's request to award a purchase order to Pacific Coast Flag in the amount of \$1,280 to purchase City of Santa Clara flags for Levi's Stadium; 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; and
2. Approve the Stadium Manager's request to award a purchase order to Guardian Booth LLC in the amount of \$25,775 to purchase a pre-manufactured security guard booth (Security 24/7 Gate C Employee Entrance Booth 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 Hardy, seconded by Boardmember Chahal, to approve staff recommendation.

5.G Action on Request Submitted by the Stadium Manager to Award Purchase Orders to EyeP Solutions, Inc. for Software Upgrade to Genetec 5.8 CapEx Project, Video Analytics CapEx Project, License Plate Reader Cameras at Vehicle Entry Gates CapEx Project, and Additional Software License Subscriptions

5.G.1 [22-927](#) Request from the Stadium Manager to Award Purchase Orders to EyeP Solutions, Inc. for Software Upgrade to Genetec 5.8 CapEx Project, Video Analytics CapEx Project, License Plate Reader Cameras at Vehicle Entry Gates CapEx Project, and Additional Software License Subscriptions

5.G.2 [22-928](#) Report from the Stadium Authority for Action Regarding Stadium Manager's Request to Award Purchase Orders to EyeP Solutions, Inc. for Software Upgrade to Genetec 5.8 CapEx Project, Video Analytics CapEx Project, License Plate Reader Cameras at Vehicle Entry Gates CapEx Project, and Additional Software License Subscriptions

Recommendation:

1. Approve the Stadium Manager's request to award a one-time purchase order to EyeP Solutions, Inc. in the amount of \$15,500 to provide professional services to upgrade the Genetec security system (Software Upgrade to Genetec 5.8 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;
2. Approve the Stadium Manager's request to award a one-time purchase order to EyeP Solutions, Inc. in the amount of \$32,896 to provide KiwiVision software licenses to assist with video investigations (Video Analytics 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;
3. Approve the Stadium Manager's request to award a one-time purchase order to EyeP Solutions, Inc. in the amount of \$41,662 to provide camera kits, related Genetec software license subscriptions, and remote deployment services (License Plate Reader Cameras at Vehicle Entry Gates 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; and
4. Approve the Stadium Manager's request to award a one-time purchase order to EyeP Solutions, Inc. in the amount of \$2,746 to provide Genetec Federated and Omnicast Camera software license subscriptions; 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 Hardy, seconded by Boardmember Chahal, to approve staff recommendation.

PUBLIC HEARING/GENERAL BUSINESS

8. [22-938](#) Action on Proposed Amendment No. 1 to Lozano Smith LLP Legal Services Agreement for Interim City Attorney Services to Increase Maximum Compensation to \$900,000, and to Modify Section 8 Billing Standards as well as Exhibit B

Recommendation: Staff makes no recommendation.

Interim City Attorney Sanchez and Jenica Maldonado (Outside Legal Counsel - Renne Public Law Group) provided an overview of the item.

Council comments and questions followed.

Jenica Maldonado, Interim City Attorney Sanchez and Interim Assistant City Attorney Ngo addressed **Council** questions.

Council discussion ensued.

A motion was made by **Vice Mayor Jain**, seconded by **Councilmember Becker**, to approve the proposed amendment No. 1 to Lozano Smith LLP Legal Services Agreement for Interim City Attorney services to increase the maximum compensation to \$900,000, and to modify Section 8 Billing Standards as well as Exhibit B.

Councilmember Watanabe requested a friendly amendment to add audit on the three invoices received from Lozano Smith LLP.

Vice Mayor Jain accepted the friendly amendment and **Councilmember Becker** declined the friendly amendment.

Council questions and comments followed.

Interim City Attorney Sanchez and Jenica Maldonado addressed **Council** questions.

Councilmember Hardy requested a friendly amendment to extend the lodging allowance to either attorney representing the City in person.

Vice Mayor Jain and **Councilmember Becker** accepted the friendly amendment.

Vice Mayor Jain modified his motion to change the travel time calculation from the closest location to the City from Law Office in Monterey or Walnut Creek for either attorney requiring the lodging, include a monthly spending report, and remove the monthly car allowance.

A motion was made by Vice Mayor Jain, seconded by Councilmember Becker, to approve the proposed amendment No. 1 to the Lozano Smith LLP Legal Services Agreement for Interim City Attorney services to increase the maximum compensation to \$900,000, and to modify Section 8 Billing Standards as well as Exhibit B, (2) change the travel time calculation to the distance from the closest location Law Office of either Monterey or Walnut Creek to the City of Santa Clara for either attorney requiring the lodging, (3) include a monthly spending report to the Council, (4) remove the monthly car allowance, and (4) to extend the lodging allowance to either attorney representing the City in person.

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

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

6. [22-735](#) Public Hearing: Action on a Resolution of Necessity to Acquire Certain Real Property Interests on 1040 Di Giulio Avenue, Santa Clara, California, from John P. Anderson, as Trustee of the John P. Anderson Revocable Living Trust, Dated September 11, 1984

Recommendation: Alternative 1: Adopt a Resolution of Necessity to acquire certain real property interests on 1040 Di Giulio Avenue, Santa Clara, California, from John P. Anderson. **(Five affirmative votes required [California Code of Civil Procedure section 1245.245]).**

Assistant City Manager Pineda gave a Powerpoint presentation.

A motion was made by Councilmember Becker, seconded by Vice Mayor Jain, 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 Vice Mayor Jain, seconded by Councilmember Becker, to approve Alternative 1: adopt Resolution No. 22-9125 of Necessity to acquire certain real property interests on 1040 Di Giulio Avenue, Santa Clara, California, from John P. Anderson. (Five affirmative votes required [California Code of Civil Procedure section 1245.245]).

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

7. [22-737](#) Public Hearing: Action on a Resolution of Necessity to Acquire Certain Real Property Interests on 2265 Lafayette Street, Santa Clara, California, from SEW LLC

Recommendation: Alternative 1: Adopt a Resolution of Necessity to Acquire Certain Real Property Interests on 2265 Lafayette Street, Santa Clara, California, from SEW, LLC.

(Five affirmative votes required [California Code of Civil Procedure section 1245.245]).

Assistant City Manager Pineda gave a Powerpoint presentation.

A motion was made by Councilmember Chahal, seconded by Councilmember 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 Chahal, seconded by Councilmember Becker, to Alternative 1: adopt Resolution No. 22-9126 of Necessity to Acquire Certain Real Property Interests on 2265 Lafayette Street, Santa Clara, California, from SEW, LLC.(Five affirmative votes required [California Code of Civil Procedure section 1245.245]).

9. [22-841](#) Public Hearing: Actions on a Multi-family Residential Project at 3141 - 3155 El Camino Real

Recommendation: Alternatives: 1, 2 and 4

1. Adopt a resolution to adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the 3155 El Camino Real Residential Project.
2. Adopt a resolution to approve a rezoning from Thoroughfare Commercial (CT) to Planned Development (PD) to allow development of 60 condominium units consisting of 40 townhomes and 20 flats, private street, landscaped open space, surface parking and site improvements. [Developer's Proposal]
4. Adopt a resolution to approve the Tentative Tract Map to subdivide the land into residential condominiums and a common interest lot to serve the development.

Councilmember Hardy recused herself from this item and left the dais at 11:55 PM as her property is within 500 ft. of the subject address.

Director of Community Development Crabtree gave a Powerpoint presentation.

Council comments and questions followed.

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

Tom Quaglia (Bayview Development Group) gave a Powerpoint presentation.

Council questions and comments followed.

Vice Mayor Jain noted having meetings with the applicant.

Applicant addressed **Council** questions.

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

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

Recused: 1 - Councilmember Hardy

A motion was made by Councilmember Becker, seconded by Councilmember Chahal, approve Alternatives:1, 2 and 4: (1) adopt Resolution No. 22-9127 to adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the 3155 El Camino Real Residential Project; (2) adopt Resolution No. 22-9128 to approve a rezoning from Thoroughfare Commercial (CT) to Planned Development (PD) to allow development of 60 condominium units consisting of 40 townhomes and 20 flats, private street, landscaped open space, surface parking and site improvements. [Developer's Proposal]; (4) adopt Resolution No. 22-9129 to approve the Tentative Tract Map to subdivide the land into residential condominiums and a common interest lot to serve the development.

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

Abstained: 1 - Councilmember Hardy

Councilmember Hardy returned to the dais at 12:25 AM.

10. [22-883](#) Action on Consideration of Installation of Centerline Pavement Striping on Bray Avenue

Recommendation: Staff makes no recommendation.

Director of Public Works Mobeck gave a Powerpoint presentation.

Councilmember Chahal recused himself from the discussion and left the dais at 12:27 AM due to a potential conflict of interest as he as property within close proximity of the subject item.

Council comments and questions followed.

A motion was made by Councilmember Watanabe, seconded by Councilmember Hardy, to approve Alternative 1: direct staff to install centerline striping on Bray Avenue between Scott Boulevard and Los Padres Avenue.

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

Recused: 1 - Councilmember Chahal

Councilmember Chahal returned to the dais at 12:33 AM.

PUBLIC PRESENTATIONS

None.

CONSENT ITEMS PULLED FOR DISCUSSION

4.P [22-868](#) Adopt a Resolution Declaring the Results of the Canvass of Returns of the Consolidated Special Municipal Election held on June 7, 2022 with the Statewide Direct Primary Election

Recommendation: Adopt a resolution declaring the results of the Consolidated Special Municipal Election held on June 7, 2022 with the Statewide Direct Primary Election

Councilmember Chahal pulled the item to inform the residents.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to adopt Resolution No. 22-9122 declaring the results of the Consolidated Special Municipal Election held on June 7, 2022, with the Statewide Direct Primary Election.

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

5.F Action on Request Submitted by the Stadium Manager to Award Purchase Order to MAMAVA, Inc. to Purchase Mamava XL Lactation Pods (Private Lactation Spaces CapEx Project)

Boardmember Watanabe pulled this item for further discussion.

Executive Director Batra addressed **Board** questions.

5.F.1 [22-924](#) Request from the Stadium Manager to Award Purchase Order to MAMAVA, Inc. to Purchase Mamava XL Lactation Pods (Private Lactation Spaces CapEx Project)

- 5.F.2 [22-926](#) Report from the Stadium Authority for Action Regarding Stadium Manager's Request to Award Purchase Order to MAMAVA, Inc. to Purchase Mamava XL Lactation Pods (Private Lactation Spaces CapEx Project)

Recommendation: Approve the Stadium Manager's request to award a one-time purchase order to MAMAVA, Inc. with an addendum in the amount of \$90,119 to purchase three Mamava XL lactation pods with custom graphics and related accessories (Private Lactation Spaces 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 Watanabe, seconded by Boardmember Park, to approve the Stadium Manager's request to award a one-time purchase order to MAMAVA, Inc. with an addendum in the amount of \$90,119 to purchase three Mamava XL lactation pods with custom graphics and related accessories (Private Lactation Spaces 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.

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

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Councilmember Chahal reported on the joint effort between **City of Santa Clara** and **City of Cupertino** receiving a grant for \$8 million for shuttle service from the State of California.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

City Manager Batra noted that this meeting was the last meeting before **Council** recess and the next Council and Authorities Concurrent Meeting would be August 16, 2022.

ADJOURNMENT

The meeting was adjourned at 12:44 AM in memory of **Tilly Goldsberry (Longtime Santa Clara Resident) and Former Prime Minister of Japan, Shinzo Abe.**

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, CouncilBoardmember Becker, and Mayor/Chair Gillmor

The next regular scheduled meeting is on Tuesday, August 16, 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.



City of Santa Clara

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Santa Clara, CA 95050
santaclaraca.gov
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Agenda Report

22-31

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Board, Commissions and Committee Minutes

COUNCIL PILLAR

Enhance Community Engagement and Transparency

RECOMMENDATION

Note and file the Minutes of:
Planning Commission - September 21, 2022



City of Santa Clara

Meeting Minutes

Planning Commission

09/21/2022

6:00 PM City Hall Council Chambers and Zoom (Hybrid Meeting)

The City of Santa Clara will be conducting Planning Commission meetings in a hybrid manner (in-person and virtual attendance). Pursuant to Government Code Section 54953(e) and City of Santa Clara Resolution 22-9135, Commissioners may teleconference from remote locations. The City continues to provide methods for the public to participate remotely:

- Via Zoom:
 - o <https://santaclaraca.zoom.us/j/91729202898>
 - Webinar ID: 917 2920 2898 or
 - o Phone: 1(669) 900-6833
- Via the City's eComment (available during the meeting)

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.

Public Comments prior to meeting may be submitted via email to PlanningPublicComment@SantaClaraCA.gov no later than noon on the day of the meeting; (Comments received after 12:00 PM on the day of the meeting will be made part of the public record but will not be read out loud during the meeting) and also before and during the meeting via eComment. Clearly indicate the project address, meeting body, and meeting date in the email.

PUBLIC PARTICIPATION IN ZOOM WEBINAR: Please follow the guidelines below when participating in a Zoom Webinar:

- The meeting will be recorded so you must choose 'continue' to accept and stay in the meeting.
- If there is an option to change the phone number to your name when you enter the meeting, please do so as your name will be visible online and will be used to notify you that it is your turn to speak.
- Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- Use the raise your hand feature in Zoom when you would like to speak on an item and lower when finished speaking. Press *9 to raise your hand if you are calling in by phone only.
- Identify yourself by name before speaking on an item.
- Unmute when called on to speak and mute when done speaking. If there is background noise coming from a participant, they will be muted by the host. Press *6 if you are participating by phone to unmute.
- If you no longer wish to stay in the meeting once your item has been heard, please exit the meeting.

6:00 PM REGULAR MEETING

Call to Order

Chair Cherukuru called the meeting to order at 6:02 p.m.

Pledge of Allegiance and Statement of Values

Secretary Bhatnagar read the Statement of Values

Roll Call

Present 7 - Commissioner Yashraj Bhatnagar, Commissioner Nancy A. Biagini, Chair Priya Cherukuru, Vice Chair Ricci Herro, Commissioner Qian Huang, Commissioner Mario Bouza, and Commissioner Lance Saleme

DECLARATION OF COMMISSION PROCEDURES

Secretary Bhatnagar read the Declaration of Commission Procedures

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

A motion was made by Commissioner Biagini, seconded by Commissioner Huang to approve the consent calendar.

Aye: 7 - Commissioner Bhatnagar, Commissioner Biagini, Chair Cherukuru, Vice Chair Herro, Commissioner Huang, Commissioner Bouza, and Commissioner Saleme

- 1.A [22-1157](#) Planning Commission Meeting Minutes of August 24, 2022 Special Meeting
- Recommendation:** Approve the Planning Commission Minutes of the August 24, 2022 Special Meeting
- 1.B [22-1096](#) Action to continue the public hearing for a Use Permit to allow on-site sale and consumption of beer and wine for an existing food-service establishment, Swaraj India, at 1855 El Camino Real, Santa Clara, 95050 to October 26th, 2022
- Recommendation:** Take action to open and continue the public hearing for a Use Permit to allow the on-site sale and consumption of beer and wine (ABC License Type 41) for a 3200 square foot, 76 seat restaurant, Swaraj India, located at 1855 El Camino Real, Santa Clara CA 95050, subject to conditions of approval to October 26th, 2022

PUBLIC PRESENTATIONS

None.

PUBLIC HEARING

2. [22-1039](#) Public Hearing: Action on a Variance for an increased total sign area, a reduced setback and increased size of monument signs, and the Architectural Approval for a Master Sign Program for an office complex (The Quad) at 2962 Bunker Hill Lane.

Recommendation: That the Planning Commission adopt the following:

- 1) A Resolution approving the variance for the increased total sign area and for a reduced setback and increased size of monument signs; and
- 2) A Resolution approving the Architectural Review for a Master Sign Program for an office complex (The Quad) at 2962 Bunker Hill Lane.

Associate Planner Nimisha Agrawal provided the staff PowerPoint.

Commissioner Biagini noted that she had visited the site and while wayfinding is a major concern for office campuses like this, the proposed sign program would address that. She further asked if sign variances would be addressed in the upcoming Zoning Code Update; **Planning Manager Lesley Xavier** confirmed that it would be. **Commissioners** asked clarifying questions including concerns of visual pollution with many signs on the site campus and asked if there will be broader guidelines going forward; staff confirmed the new Zoning Code Update will address issues of future variances for office campuses by changing the criteria for allowable sign square footage to be based on every linear foot of structure frontage instead of the street frontage. **Commissioner Biagini** asked if whatever action takes place tonight would set a precedent, **Assistant City Attorney Liz Klotz** noted this would not set a precedent.

Commissioners inquired on the size of the signs and number of businesses listed on the signs as well as the concern that there is a business in San Jose with the same name, Quad at Tasman.

Andrew Thomas, TMG Partners, provided the Applicant presentation. The applicant clarified for tenant retention signage is important.

A motion was made by Commissioner Biagni, seconded by Commissioner Bhatnagar to close public hearing.

Aye: 7 - Commissioner Bhatnagar, Commissioner Biagini, Chair Cherukuru, Vice Chair Herro, Commissioner Huang, Commissioner Bouza, and Commissioner Saleme

A motion was made by Commissioner Biagini, seconded by Commissioner Huang to approve Staff Recommendation 1.

Aye: 7 - Commissioner Bhatnagar, Commissioner Biagini, Chair Cherukuru, Vice Chair Herro, Commissioner Huang, Commissioner Bouza, and Commissioner Saleme

A motion was made by Commissioner Biagini, seconded by Commissioner Bouza to approve Staff Recommendation 2.

Aye: 7 - Commissioner Bhatnagar, Commissioner Biagini, Chair Cherukuru, Vice Chair Herro, Commissioner Huang, Commissioner Bouza, and Commissioner Saleme

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

Staff Aide II Elizabeth Elliott provided information on two upcoming conferences, Virtual APA California Conference October 1 - 4, 2022 and ILG Conference in person on October 7, 2022 in Cupertino.

2. Commissioner Travel and Training Reports, Requests to attend Trainings

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Update

Staff Aide II Elizabeth Elliott provided updates.

Commissioner Saleme requested a replacement keyboard for his Ipad and requested staff come back to the next meeting with pricing information and next steps.

2. Upcoming Agenda Items

Planning Manager Lesley Xavier provided updates.

3. City Council Actions

Planning Manager Lesley Xavier provided updates.

ADJOURNMENT:

A motion was made by Commissioner Biagini, seconded by Commissioner Saleme to adjourn the meeting.

The meeting adjourned at 7:25 p.m. The October 12, 2022 meeting is cancelled and the next regular scheduled meeting is October 26, 2022.

Aye: 7 - Commissioner Bhatnagar, Commissioner Biagini, Chair Cherukuru, Vice Chair Herro, Commissioner Huang, Commissioner Bouza, and Commissioner Saleme

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.

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.



Agenda Report

22-1070

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action on Monthly Financial Status and Investment Reports for July and August 2022, and Approve the Related Budget Amendments

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

In compliance with the Charter of the City of Santa Clara and the adopted Investment Policy, the monthly financial reports and monthly investment reports for July and August 2022 are submitted for your information. The financial reviews as of July 31, 2022 and August 31, 2022 provide a year-to-date financial update to the City Council for the current fiscal year. The analysis of the revenues collected and all expenditures measures the level of adherence to the annual budget and allows the City to monitor and project revenues and expenditures throughout the year.

The Adopted Budget incorporates the estimated revenues and planned expenditures for all funds. The attached Financial Status Report provides the budget to actual revenue and expenditure summaries for the General Fund, Special Revenue Funds and Enterprise Operating Funds, as well as expenditure summary for Capital Improvement Funds and Fund Reserve Balances. Any significant variances are explained in the report.

In accordance with City Council Policy 051 - Donations to the City, included in this report is a monthly activity and annual summary of donations received by department. Although the requirement of the policy is to report quarterly, in its ongoing effort to streamline reporting, the City will include this information monthly in the financial status report.

DISCUSSION

Monthly Financial Status Report (Attachments 1 and 3)

The attached reports summarize the City's financial performances as of July 31, 2022 and August 31, 2022. Financial analysis is provided for the General Fund, select Special Revenue Funds, Enterprise Operating Funds, and Capital Improvement Funds.

Attachment 1 shows that General Fund revenues (excluding transfers) were trending below budget at 1.8% through July 2022, largely due to the timing of payments, while Attachment 3 shows General Fund revenues at 4.2% through August 2022. In both cases, the revenues in some categories received in July and August account for activity that occurred in FY 2021/22 and those revenues are accrued back to that year. In other cases, such as property tax, most payments are scheduled to occur later in the fiscal year. While it is very early in the fiscal year and limited data is available,

General Fund revenues are currently tracking within estimated levels.

As shown in Attachment 1, General Fund departmental expenditures were at 6.7% of budget through July 2022 and Attachment 3 shows departmental expenditures at 14.4% through August 2022, which is below the par level of 16.7% of the budget. Several cost-control measures that were implemented in FY 2019/20 remain in place to generate expenditure savings. These measures include a hiring freeze and controls around overtime, as-needed staff, marketing, travel, technology and vehicle purchases. With these measures, expenditures are expected to end the year below budget.

As shown in Attachment 1 (July 2022) and Attachment 3 (August 2022), total revenues for Enterprise Funds (Electric, Water, Sewer, Cemetery, Solid Waste, and Water Recycling) were at 1.6% (July 2022) and 11% (August 2022) of the budget. Total expenses were at 2.7% through July and 11.5% through August.

In the month of July, the City received \$9,401 in donations, while the City received an additional \$1,142 in August, for total donations of \$10,543.

Economic indicators are mixed, and there is a tremendous amount of uncertainty. According to the UCLA September 2022 Forecast, the labor market remains strong, consumers have continued to spend, supply chain constraints have eased, commodity prices - particularly crude oil prices - have started to decline, domestic manufacturing along with government defense purchases and investments associated with the shift to renewable energy sources are expected to increase. On the flip side, core inflation remains elevated, the Fed is expected to continue to increase interest rates that may constrain consumer spending, consumers are more pessimistic, housing markets are starting to turn with the increases in mortgage rates, U.S. exports have become more expensive for consumers in other countries with the appreciation of the dollar against other currencies, and there is labor unrest with the decline in real wages and a low unemployment rate. While the UCLA Forecast does not forecast a recession at this time, it did point to an increased risk of a recession over the next 12 months. Companies are anticipating a slowdown. A recent survey of 400 leaders of large U.S. companies by the KPMG consulting firm found that 91% of these CEOs are predicting a recession in the next 12 months with only 34% believing the recession will be mild and short.

On a national level, the unemployment rate decreased slightly from 3.7% in August 2022 to 3.5% in September 2022. This rate was well below the record setting high of 14.7% in April 2020, and equal to the pre-pandemic unemployment rate of 3.5%. In September, the number of unemployed persons fell to 5.8 million from 6.0 million in August. This unemployment figure has nearly reached the pre-pandemic level of 5.7 million. In the second quarter 2022 estimate, the Gross Domestic Product (GDP) decreased by 0.6% as a result of rising inflation, higher interest rates, and supply chain issues.

At the State level, the UCLA September 2022 Forecast for California points to continued economic growth, but the forecast is a bit weaker than three months ago due to slowing of growth in the U.S. After the State's largest increase in the unemployment rate in April 2020, the California unemployment rate dropped to 4.1% in August 2022. California has now regained 98.3% of the 2.7 million jobs lost due to COVID-19 in March and April 2020. The unemployment rate in this region continues to outperform the State and the nation. The unadjusted unemployment rate in the San Jose-Sunnyvale-Santa Clara Metropolitan Statistical Area (MSA) was 2.4% in August 2022, slightly up from 2.2% in July 2022. However, the August 2022 rate is below the rate of 4.7% in August 2021

and 2.6% in February 2020.

Staff will continue to closely monitor the General Fund revenues and the City's overall financial performance as the fiscal year progresses.

Monthly Investment Report (Attachments 2 and 4)

All securities held by the City of Santa Clara as of July 31st and August 31, 2022 were in compliance with the City's Investment Policy Statement regarding current market strategy and long-term goals and objectives. All securities held are rated "A" or higher by two nationally recognized rating agencies. There is adequate cash flow and maturity of investments to meet the City's needs for the next six months.

The City's investment strategy for July and August 2022 was to invest funds not required to meet current obligations in securities listed in the prevailing Investment Policy Statement, with maturities not to exceed five years from the date of purchase. This strategy ensures safety of the City's funds, provides liquidity to meet the City's cash needs, and with a reasonable portfolio return of 1.45% in July and 1.51% in August.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

FISCAL IMPACT

From time to time, adjustments to the budget are required to reflect new information, align budgets with actual revenues and expenses, and correct for inadvertent errors. Recommended budget amendments are detailed in Attachment 5. In the General Fund, several actions are recommended, including a transfer from the Advanced Planning Reserve to the General Government Capital Fund to support the Downtown Master Plan project, a reallocation of funding from the Non-Departmental budget to the Department of Public Works' budget to align funding for stormwater report development costs, the recognition of SVP sponsorship funds to support Parks and Recreation community events, and the recognition of sponsorships and donations to support special events and Senior Center activities. In the Electric Utility Fund, an increase to the materials, services and supplies budget is recommended to address various needs. In both the Fire Department Operating Grant Trust Fund and the Public Donations Fund, actions are included to recognize a grant to the Fire Department and a donation to the Parks and Recreation Department, respectively. The attachment also includes a correction to the other fees for services estimate in the Vehicle Replacement Fund.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

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.

RECOMMENDATION

Note and file the Monthly Financial Status and Investment Reports for July and August 2022 as presented and Approve the Related Budget Amendments.

Reviewed by: Kenn Lee, Director of Finance

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Monthly Financial Status Report - July 2022
2. Monthly Investment Report - July 2022
3. Monthly Financial Status Report - August 2022
4. Monthly Investment Report - August 2022
5. FY 2022/23 Budget Amendments



City of Santa Clara

The Center of What's Possible

MONTHLY FINANCIAL STATUS REPORT

July 2022

This report summarizes the City's financial performance for the month ended July 31, 2022. Financial analysis for the report is provided for the General Fund, select Special Revenue Funds, Enterprise Operating Funds, and Capital Improvement Funds. Financial information included in this report is unaudited.

General Fund

The General Fund is the major operating fund for the City and includes multiple programs, services, and activities for the residents and businesses of the City. The adopted budget for operating revenues and expenditures for fiscal year 2022/23 was \$272.4 million. The amended budget for revenues and expenditures was adjusted to \$279.3 million to reflect carryover encumbrances from fiscal year 2021/22 and various budget amendments approved by the City Council through July 2022.

While it is very early in the fiscal year and limited data is available, General Fund revenues are currently tracking with estimated levels. Through July, expenditures are tracking slightly below budget and this trend is expected to continue as departments continue to control expenditures through various cost control measures.

Economic indicators are mixed and there is a tremendous amount of uncertainty. According to the UCLA September 2022 Forecast, the labor market remains strong, consumers have continued to spend, supply chain constraints have eased, commodity prices - particularly crude oil prices - have started to decline, domestic manufacturing along with government defense purchases and investments associated with the shift to renewable energy sources are expected to increase. On the flip side, core inflation remains elevated, the Fed is expected to continue to increase interest rates that may constrain consumer spending, consumers are more pessimistic, housing markets are starting to turn with the increases in mortgage rates, U.S. exports have become more expensive for consumers in other countries with the appreciation of the dollar against other currencies, and there is labor unrest with the decline in real wages and a low unemployment rate. While the UCLA Forecast does not forecast a recession at this time, it did point to an increased risk of a recession over the next 12 months¹.

Companies are anticipating a slowdown. A recent survey of 400 leaders of large U.S. companies by the KPMG consulting firm found that 91% of these CEOs are predicting a recession in the next 12 months with only 34% believing the recession will be mild and short.²

On a national level, the unemployment rate increased slightly from 3.5% in July 2022 to 3.7% in August 2022. This rate was well below the record setting high of 14.7% in April 2020, but slightly above the pre-pandemic unemployment rate of 3.5%. In August, the number of unemployed persons increased by 0.3 million, totaling 6.0 million. The labor market remains relatively unchanged.³

¹ UCLA Anderson Forecast, September 2022

² [CEOs are preparing for a recession, and they don't think it will be short | CNN Business](#)

³ https://www.bls.gov/news.release/archives/empst_09022022.pdf

Chart 1. Unemployment rate, seasonally adjusted, August 2019 – August 2022

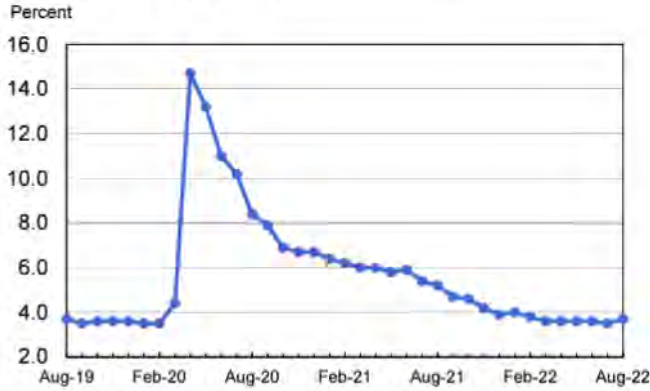
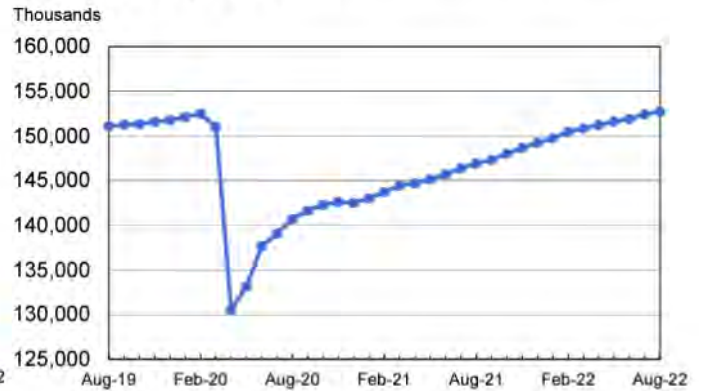
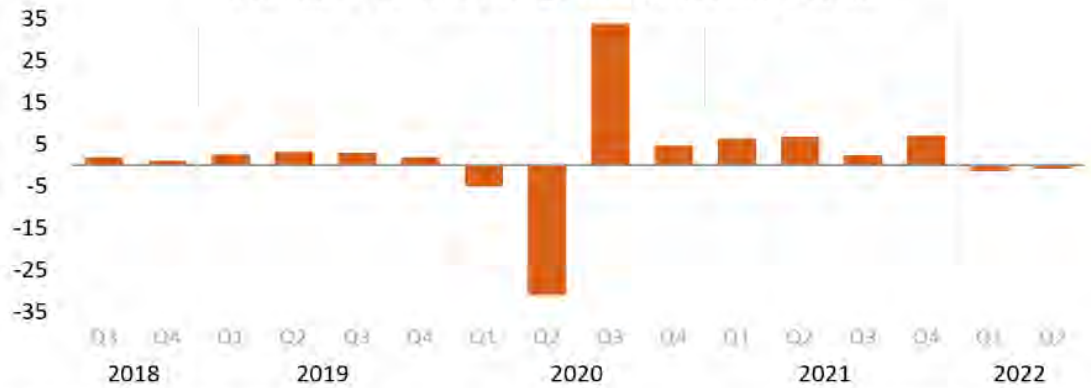


Chart 2. Nonfarm payroll employment, seasonally adjusted, August 2019 – August 2022



In the second quarter 2022 second estimate, the Gross Domestic Product (GDP) decreased by 0.9%, following a GDP decrease of 1.6% in the first quarter. The estimated decrease in the first quarter reflected increasing inflation, ongoing supply-chain issues as well as rising interest rates. The real GDP for the second quarter 2022 is 2.5% above the level experienced in the fourth quarter of 2019.⁴

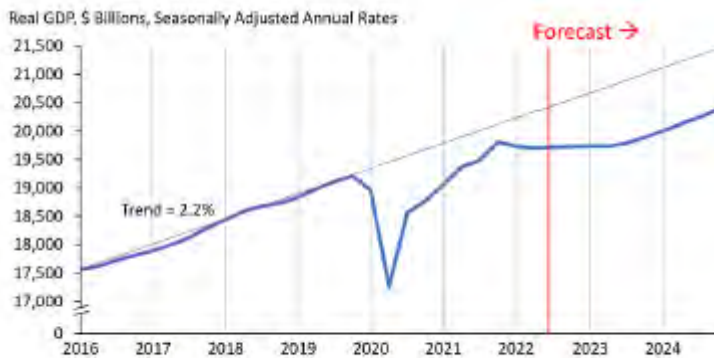
Real GDP: Percent change from preceding quarter



U.S. Bureau of Economic Analysis

Seasonally adjusted at annual rates

⁴ https://www.bea.gov/sites/default/files/2022-07/tech2q22_adv.pdf



The UCLA Anderson Forecast projects slow year-over-year GDP growth over the next few years: 1.5% in 2022, 0.3% in 2023, and 2.0% in 2024. By 2024, the UCLA Forecast expects the economy to rebound and for growth to accelerate slightly above long-term trends.

Source: UCLA Anderson Forecast and U.S. Bureau of Economic Analysis
Notes: \$ Billions, chained 2012 prices, seasonally adjusted annual rates

At the state level, the September 2022 UCLA Forecast for California points to continued economic growth with solid employment gains in the leisure and hospitality, health care and social services, technology, and construction industries as well as increases in demand in the defense and technology industries. However, this forecast points to headwinds that represent real near-term risks to the economy. “As a consequence of slowing of growth in the U.S. our forecast is now a bit weaker than three months ago. Further risks to the forecast are the course of the pandemic and domestic migration on the downside and increased international immigration and accelerated onshoring of technical manufacturing on the upside” wrote Jerry Nickelsburg, Director of UCLA Anderson Forecast.⁵

The State and local employment levels remain strong. After the State’s largest increase in the unemployment rate in April 2020, the California unemployment rate dropped to 3.9% in July 2022. This rate is the lowest unemployment rate on record since 1976. This rate is lower compared to the 4.2% rate in June 2022. With the decrease in the unemployment rate between February and July, California has now regained nearly 97.3% of the 2.7 million jobs lost due to COVID-19 in March and April 2020.⁷

The unadjusted unemployment rate in the San José-Sunnyvale-Santa Clara Metropolitan Statistical Area (MSA) was 2.4% in August 2022, up from a revised 2.2% in July 2022, but below the August 2021 level of 4.7% and the February 2020 level of 2.6%. Between August 2021 and August 2022, employment in this region increase by 52,200 jobs, or 4.6%.⁸ The largest increases were in professional and business services (up 14,200 jobs), leisure and hospitality (up 14,000 jobs), and private educational and health services (up 7,800 jobs).

Staff will continue to closely monitor the economic environment and the City’s financial performance and provide updates through the Monthly Financial Reports.

⁵ UCLA Anderson Forecast, California After Two Quarters of Negative GDP and CalExodus?, September 2022

⁷ https://edd.ca.gov/en/about_edd/news_releases_and_announcements/unemployment-july-2022/

⁵ [https://www.labormarketinfo.edd.ca.gov/file/lfmonth/sjos\\$pds.pdf](https://www.labormarketinfo.edd.ca.gov/file/lfmonth/sjos$pds.pdf)

⁸ [https://www.labormarketinfo.edd.ca.gov/file/lfmonth/sjos\\$pds.pdf](https://www.labormarketinfo.edd.ca.gov/file/lfmonth/sjos$pds.pdf)

General Fund Revenues

As of July 31, 2022, \$4.2 million or 1.8% of the General Fund estimated revenue (excluding transfers) was received. Transfers and use of reserves of \$40.7 million have occurred as budgeted. This very low collection level through July is largely due to the timing of payments. In some categories, the revenues received in July account for activity that occurred in FY 2021/22 and those revenues are accrued back to that year. In other cases, such as property tax, most payments are scheduled to occur later in the fiscal year.

**CITY OF SANTA CLARA
GENERAL FUND
REVENUES OVERVIEW AND COMPARISON BY TYPE**

Function	FISCAL YEAR 2022/23				PY REVENUE COMPARISON		
	Adopted Budget	Amended Budget	Actual Through 7/31/2022	Percentage Received	Actual Through 7/31/2021	\$ Change From Prior Year	Percentage Change
TAXES							
Sales Tax	\$ 60,173,000	\$ 60,173,000	\$ -	0.00%	\$ -	\$ -	N/A
Property Tax	75,261,000	75,261,000	-	0.00%	-	-	N/A
Transient Occupancy Tax	12,600,000	12,600,000	2,251,677	17.87%	(117,876)	2,369,553	-2010.21%
Other Taxes	6,260,000	6,260,000	61,746	0.99%	58,236	3,510	6.03%
Total Taxes	154,294,000	154,294,000	2,313,423	1.50%	(59,640)	2,373,063	-3978.98%
LICENSES & PERMITS							
Business Licenses	900,000	900,000	71,934	7.99%	85,687	(13,753)	-16.05%
Fire Operation Permits	2,100,000	2,100,000	140,341	6.68%	175,030	(34,689)	-19.82%
Building Permits	-	-	-	N/A	81,608	(81,608)	-100.00%
Electric Permits	-	-	-	N/A	12,274	(12,274)	-100.00%
Plumbing Permits	-	-	-	N/A	9,145	(9,145)	-100.00%
Mechanical Permits	-	-	-	N/A	7,910	(7,910)	-100.00%
Miscellaneous Permits	72,000	72,000	-	0.00%	11,693	(11,693)	-100.00%
Total Licenses & Permits	3,072,000	3,072,000	212,275	6.91%	383,347	(171,072)	-44.63%
FINES & PENALTIES	1,465,000	1,615,000	18,360	1.14%	2,236	16,124	721.11%
INTERGOVERNMENTAL	310,000	310,000	670	0.22%	-	670	N/A
CHARGES FOR SERVICES	31,258,098	31,258,098	1,252,044	4.01%	2,049,850	(797,806)	-38.92%
SILICON VALLEY POWER TRANSFER	26,170,000	26,170,000	-	0.00%	2,147,782	(2,147,782)	-100.00%
USE OF MONEY & PROPERTY							
Interest	2,532,000	2,532,000	(710,264)	-28.05%	(838,071)	127,807	-15.25%
Rent	10,584,266	10,584,266	712,759	6.73%	1,046,125	(333,366)	-31.87%
Total Use of Money & Property	13,116,266	13,116,266	2,495	0.02%	208,054	(205,559)	-98.80%
MISCELLANEOUS REVENUES	150,000	150,000	45,901	30.60%	45,212	689	1.52%
LAND PROCEED	-	-	-	N/A	-	-	N/A
OTHER FINANCING SOURCES							
Operating Transfer In - Storm Drain	1,454,000	1,454,000	1,454,000	100.00%	1,454,000	-	0.00%
Operating Transfer In - Reserves	25,812,244	32,632,195	32,632,195	100.00%	32,390,871	241,324	0.75%
Operating Transfer In - Fund Balances ⁽²⁾	4,484,726	4,484,726	4,484,726	100.00%	4,817,658	(332,933)	-6.91%
Operating Transfer In - Miscellaneous	2,127,374	2,127,374	2,127,374	100.00%	5,005,399	(2,878,025)	-57.50%
Total Other Financing Sources	33,878,344	40,698,295	40,698,295	100.00%	43,667,928	(2,969,634)	-6.80%
STADIUM OPERATION							
Charges for Services	7,889,147	7,889,147	(84,638)	-1.07%	(14,011)	(70,627)	504.08%
Rent and Licensing	752,500	752,500	460,000	61.13%	-	460,000	N/A
Total Stadium Operation	8,641,647	8,641,647	375,362	4.34%	(14,011)	389,373	-2779.05%
TOTAL GENERAL FUND	\$ 272,355,355	\$ 279,325,306	\$ 44,918,825	16.08%	\$ 48,430,758	\$ (3,511,933)	-7.25%

(1) The Operating Transfer In - Fund Balances includes the carryover encumbrances of open purchase orders as of June 30, 2022 and mid year budget amendment from reserves.

General Fund Revenues

Sales Tax: The City of Santa Clara sales tax rate is 9.0%, of which the City receives 1.0%. As of July 31, 2022, no sales tax has been collected. Given the timing of payments, the sales tax payments received in July accounted for activity in the prior fiscal year and those funds were accrued to last year.

Property Tax: No property tax receipts were received in July 2022. The majority of property tax revenue is collected in February and April each year. Based on initial information from the County of Santa Clara, property tax receipts are projected to end the year above the Adopted Budget estimate of \$75.3 million.

Transient Occupancy Tax (TOT): TOT is calculated as a percentage of City hotel/motel room charges. The City's TOT rate is 11.5%. Through July 31, 2022, \$2.3 million was booked in this category; however, these receipts were for activity in FY 2021/22 and will be accrued to FY 2021/22 as reflected in the August 2022 figures.

Other Taxes: Includes franchise tax and documentary transfer tax. The City has collected under \$0.1 million through July, which is approximately 6% higher than prior year collection levels. Receipts through July reflect franchise tax collections. No documentary transfer tax revenue is reflected through July as the receipts received in July were accrued to the prior fiscal year.

Licenses & Permits: Includes business licenses, fire operation permits, and miscellaneous permits and fees. Effective FY 2021/22, building, electric, plumbing and mechanical permits have all been budgeted in the new Building Development Services Fund, which will be reflected in the Special Revenue section of this report. Licenses and permits revenue collections are tracking slightly below par with receipts totaling \$0.2 million, or 6.9% of the \$3.1 million budget.

Fines & Penalties: Includes vehicle, parking, court fines, and miscellaneous penalty fines. The revenue collected in this category through July of \$18,000 is tracking to end the year well below the budgeted estimate of \$1.6 million largely due to the waiving of late fees in response to COVID-19. The City is applying for the California Arrearage Payment Program in order to alleviate the arrearages accrued as a result of the City's bill relief period.

Intergovernmental: Includes motor vehicle fees, state homeowner tax relief, state mandated reimbursement and redistribution of land sale proceeds and ground leases from the Successor Agency. Through July 31, 2022, very little revenue has been received in this category, which is consistent with the prior year.

Charges for Services: Includes various plan check and zoning-related fees, engineering fees, administrative fees, and community service revenue from various recreational activities. Through July 31, 2022, collections totaled approximately \$1.3 million or 4% of the budget. This reflects a 39% decrease compared to last year's collections through the same period of \$2.1 million. This large decrease is a result of timing differences in the booking of interdepartmental charges directly related to

the cost allocation plan. Last fiscal year, these charges were booked in July, whereas these charges have not yet occurred this fiscal year.

Silicon Valley Power Transfer: In accordance with the City's charter, Silicon Valley Power pays 5.0% of gross revenues to the General Fund. Through July, this transfer has not yet been received.

Use of Money & Property: Includes realized investment income and rental income. Interest income and rent revenue collections totaled less than \$3,000, or 0.2% of the budget. The negative amount under the interest category reflects an accrual to the prior year.

Miscellaneous Revenues: Includes developer fees, donations, damage recovery, sale of surplus, and one-time miscellaneous revenues. Through July 31, 2022, collections are consistent with prior year levels at \$45,000.

Stadium Operation: Through July 2022, collections totaled \$0.3 million, which is in line with prior year levels. The current negative amount under the charges for services category reflects an accrual amount for charges for services.

General Fund Expenditures

As of July 31, 2022, \$29.9 million or 10.7% of the General Fund operating budget had been expended. This is significantly lower than last fiscal year due to lower transfers to other funds; last year included a one-time transfer of the Building Inspection Reserve to the new Building Development Services Fund as well as higher transfers to Capital Funds. Overall, expenditures in the General Fund are within budgeted levels through July. Departmental expenditures totaled \$17.4 million, or 6.7% of the budget, which is below the par level of 8.3% of the budget. Several cost-control measures that were implemented in FY 2019/20 remain in place to generate expenditure savings. These measures include a hiring freeze and controls around overtime, as-needed staff, marketing, travel, technology and vehicle purchases. With these measures, expenditures are expected to end the year below budget.

CITY OF SANTA CLARA GENERAL FUND EXPENDITURES OVERVIEW AND COMPARISON BY FUNCTION

Function	FISCAL YEAR 2022/23				PY EXPENDITURES COMPARISON		
	Adopted Budget	Amended Budget	Actual Through 7/31/2022	Percentage Used	Actual Through 7/31/2021	Change From Prior Year	Percentage Change
GENERAL GOVERNMENT							
Non-Departmental	\$ 7,514,334	\$ 7,656,881	\$ 404,052	5.28%	\$ 405,519	\$ (1,467)	-0.36%
City Council	861,105	861,105	38,976	4.53%	64,139	(25,163)	-39.23%
City Clerk	2,076,112	2,080,362	79,502	3.82%	122,148	(42,646)	-34.91%
City Manager	6,085,321	6,277,494	358,840	5.72%	432,686	(73,846)	-17.07%
City Attorney	3,202,735	3,690,974	262,985	7.13%	184,411	78,574	42.61%
Human Resources	4,508,710	4,692,801	239,614	5.11%	288,683	(49,069)	-17.00%
Finance	19,045,131	19,836,493	1,246,401	6.28%	1,347,698	(101,297)	-7.52%
Total General Government	43,293,448	45,096,110	2,630,370	5.83%	2,845,284	(214,914)	-7.55%
PUBLIC WORKS	24,021,840	24,978,624	1,168,564	4.68%	2,051,744	(883,180)	-43.05%
COMMUNITY DEVELOPMENT	5,398,007	5,590,765	299,055	5.35%	432,075	(133,020)	-30.79%
PARKS AND RECREATION	21,695,302	22,082,661	1,281,419	5.80%	1,259,648	21,771	1.73%
PUBLIC SAFETY							
Fire	62,298,852	65,454,697	5,368,085	8.20%	5,068,882	299,203	5.90%
Police	84,615,023	84,924,035	5,943,854	7.00%	6,247,671	(303,817)	-4.86%
Total Public Safety	146,913,875	150,378,732	11,311,939	7.52%	11,316,553	(4,614)	-0.04%
LIBRARY	11,889,451	12,039,461	741,804	6.16%	657,000	84,804	12.91%
DEPARTMENTAL TOTAL	253,211,923	260,166,353	17,433,151	6.70%	18,562,304	(1,129,153)	-6.08%
OTHER FINANCING USES							
Operating Transfer Out - Miscellaneous	38,809	38,809	38,809	100.00%	23,250,142	(23,211,333)	-99.83%
Operating Transfer Out - Debt Services	1,402,275	1,402,275	1,402,275	100.00%	2,501,439	(1,099,164)	-43.94%
Operating Transfer Out - Maintenance Dtrct	842,700	842,700	842,700	100.00%	771,349	71,351	9.25%
Operating Transfer Out - Cemetery	870,000	870,000	870,000	100.00%	850,000	20,000	2.35%
Operating Transfer Out - CIP	8,625,501	8,625,501	8,625,501	100.00%	11,773,925	(3,148,424)	-26.74%
Operating Transfer Out - Reserves	-	-	-	N/A	3,309,009	(3,309,009)	-100.00%
Total Other Financing Uses	11,779,285	11,779,285	11,779,285	100.00%	42,455,864	(30,676,579)	-72.26%
STADIUM OPERATION	7,364,147	7,379,668	662,620	8.98%	268,744	393,876	146.56%
TOTAL GENERAL FUND	\$ 272,355,355	\$ 279,325,306	\$ 29,875,056	10.70%	\$ 61,286,912	\$ (31,411,856)	-51.25%

General Fund Expenditures

Below is an explanation of certain budget to actual expenditure variances by program.

Non-Departmental: Includes expenditures that are not attributable to a single department, but a function of the City in general. Through July, expenditures totaled \$0.4 million, or 5.3% of the budget. These expenditures are below the par level of 8.3% but are consistent with prior year levels.

City Attorney: Actual expenditures through July totaled approximately \$0.3 million, which is 7.1% of the budget, which is below par. Spending is significantly above the total expenditures through the same time last fiscal year by 42.6%. This increase is due to the higher activity levels for contractual legal services. This increase in spending is partially offset by internal service allocation charges, as they are not yet reflected in the July data.

City Clerk: Through July, actual expenditures were tracking below budget at \$0.1 million or approximately 3.8% of the budget, reflecting a 35% drop in spending compared to last fiscal year. This is a result of lower separation payout expenses as well as the internal service allocation charges, which are not yet reflected in the July data.

City Council: Through July, expenditures were at 4.5% of budget, which is below par. Compared to the same period through last fiscal year, this reflects a 39.2% decrease in expenditures. This is a result of the timing of the internal service allocation charges, which are not yet reflected in the July data in addition to savings due to vacancies in the department.

City Manager: The actual expenditures through July totaled \$0.3 million, or 5.7% of the budget, which is below par for this time of the year. Expenditures are approximately 17% lower compared with the spending level through the same period last fiscal year. This is a result of the timing of the internal service allocation charges, which are not yet reflected in the July data as well as vacancy savings within the department.

Community Development Department: This department consists of three divisions: Planning, Building, and Housing and Community Services. The Building Division of this department is reflected in the Building Development Services Fund, which falls under the special revenue section of this report. Through July, departmental expenditures for the Planning and Housing and Community Services divisions totaled \$0.3 million, or 5.4% of the budget, which is below par of 8.3%. This is a result of the timing of the internal service allocation charges, which are not yet reflected in the July data, as well as lower contractual services spending.

Finance Department: Through July, the Department's expenditures totaled \$1.2 million, or 6.3% of the budget, which is below par. This expenditure level was approximately 7.5% lower than through the same period last year. Similar to the other departmental tracking, this is a result of the timing of the internal service allocation charges, which are not yet reflected in the July data.

Fire Department: Through July, actual expenditures in the General Fund totaled \$5.4 million, or 8.2% of the budget, which is at par. These expenditures reflect a 5.9% increase from expenditures through

the same period last fiscal year. The increase in spending is partially offset by internal service allocation charges, as they are not yet reflected in the July data. Overtime expenditures are tracking at 14% of the budget, which is above par for this time of year. While this overtime figure is high, it is important to note that overtime is used to backfill for vacant positions and the vacancy savings offset a portion of the overtime costs.

Library Department: Through July, actual expenditures totaled \$0.7 million, or 6% of the budget, which is below par, but higher than expenditure levels last fiscal year. The higher spending is a result of the reopening of libraries, which began earlier this calendar year.

Parks and Recreation Department: Through July, actual expenditures totaled \$1.3 million, or 5.8% of the budget, which is below par, but consistent with prior year actuals of \$1.2 million. Similar to other departments, internal service allocation charges are not yet reflected in the July data.

Police Department: Expenditures through July are tracking at expected levels at \$5.9 million, or 7% of the budget; this is approximately 4.8% below prior year spending. Again, this is also a result of the timing of the internal service allocation charges, which are not yet reflected in the July data.

Stadium Operation: Stadium operating expenditures are incurred first and billed on a reimbursement basis creating a timing difference in revenue recognition. Stadium expenditures totaled \$0.6 million through July and are tracking at budgeted levels.

Special Revenue Funds

The table below is a summary of revenues and expenditures of select Special Revenue Funds as of July 31, 2022. The amended budget reflects carryover encumbrances from fiscal year 2021/22 and budget amendments approved by the City Council through July 2022. Effective July 1, 2021, all Building Division revenues and expenditures are now budgeted and accounted for in the Building Development Services Fund, which is included in the table below. Revenues totaled approximately \$2.3 million, while expenditures totaled approximately \$2.8 million through the end of July. Overall, revenues and expenditures are tracking above par. In the Housing Successor Fund, the expenditures are currently showing as overbudget as a result of a special disbursements for a housing loan, which was budgeted in FY 2021/22. An adjustment to carryover this budget will be brought forward as part of the Budgetary Year-End Report for FY 2021/22, expected to go to Council in December 2022.

CITY OF SANTA CLARA SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURE - OVERVIEW AND COMPARISON BY FUND

Fund Description	REVENUES - FISCAL YEAR 2022/23				PRIOR YEAR REVENUE COMPARISON		
	Adopted Budget	Amended Budget	Actual Through 7/31/2022	Percentage received	Actual Through 7/31/2021	\$ Change From Prior Year	Percent Change
Housing Authority Fund	\$ 280,000	\$ 280,000	\$ 5,776	2.06%	\$ 6,687	\$ (911)	-13.62%
City Affordable Housing Fund	682,000	682,000	32,279	4.73%	13,737	18,542	134.98%
Housing Successor Fund	350,000	350,000	106,560	30.45%	31,975	74,585	233.26%
Housing and Urban Development	1,810,000	1,810,000	78,768	4.35%	500	78,268	15653.60%
Building Development Services Fee Fund	14,112,000	14,112,000	2,044,953	14.49%	1,368,597	676,356	49.42%
TOTAL	\$ 17,234,000	\$ 17,234,000	\$ 2,268,336	13.16%	\$ 1,421,496	\$ 846,840	59.57%

Fund Description	EXPENDITURES - FISCAL YEAR 2022/23				PRIOR YEAR EXPENDITURE COMPARISON		
	Adopted Budget	Amended Budget	Actual through 7/31/2022	Percentage used	Actual through 7/31/2021	\$ Change From Prior Year	Percent Change
Housing Authority Fund	\$ 380,363	\$ 478,326	\$ 14,305	2.99%	\$ 3,681	\$ 10,624	288.62%
City Affordable Housing Fund	1,685,731	2,794,313	70,981	2.54%	125,761	(54,780)	-43.56%
Housing Successor Fund	1,242,599	1,374,178	1,621,232	117.98%	78,136	1,543,096	1974.88%
Housing and Urban Development	2,379,814	3,128,522	248,843	7.95%	308,817	(59,974)	-19.42%
Building Development Services Fee Fund	13,360,809	15,008,207	819,503	5.46%	651,932	167,571	25.70%
TOTAL	\$ 19,049,316	\$ 22,783,546	\$ 2,774,864	12.18%	\$ 1,168,327	\$ 1,606,537	137.51%

Governmental Capital Improvement Funds

The table below lists the total amended budget amounts for the Capital Improvement Funds, which consist of current year appropriations, prior year carryover encumbrance balances in Governmental Capital Improvement Funds, and budget amendments approved through July 2022. As of July 31, 2022, these capital fund expenditures totaled \$2.0 million, or 1.5% of the amended budget. As part of the adoption of the FY 2022/23 and FY 2023/24 capital improvement program budget, some capital funds were carried over for projects that were not anticipated to be completed by June 30, 2022. Necessary additional adjustments to the capital carryover amounts will be brought forward as part of the Budgetary Year-End Report for FY 2021/22, expected to go to Council in December 2022.

The carryover of prior year budget amounts is necessary when services or projects are started but not completed at the end of the fiscal year. This is especially true for the Capital Improvement Program (CIP) that typically spans several years. The table below displays the expenditure budget for the General Government capital funds excluding transfers.

**CITY OF SANTA CLARA
GOVERNMENTAL CAPITAL IMPROVEMENT FUNDS
SUMMARY OF EXPENDITURES**

EXPENDITURES - FISCAL YEAR 2022/23						
Fund Description	Current Year Appropriation	Prior Year Carryforward	Total Amended Budget	Actual Through 7/31/2022	Percentage Used	
Parks & Recreation	\$ 4,667,991	\$ 22,437,801	\$ 27,105,792	\$ 3,019	0.01%	
Streets & Highways	15,163,050	59,970,079	75,133,129	1,647,649	2.19%	
Storm Drain	963,432	6,657,501	7,620,933	1,877	0.02%	
Fire	661,766	1,768,679	2,430,445	1,045	0.04%	
Library	281,831	297,590	579,421	6,500	1.12%	
Public Buildings	1,189,532	4,061,069	5,250,601	37,300	0.71%	
General Govt - Other	1,950,000	7,453,526	9,403,526	221,605	2.36%	
Related Santa Clara Developer	2,902,465	598,382	3,500,847	97,015	2.77%	
Patrick Henry Drive Infrastructure Improvement Fund	69,205	-	69,205	-	0.00%	
Tasman East Specific Infrastructure Improvement Fund	2,876,218	-	2,876,218	-	0.00%	
TOTAL	\$ 30,725,490	\$ 103,244,627	\$ 133,970,117	\$ 2,016,010	1.50%	

Enterprise Funds

The table below is a summary of revenues and expenses for the Enterprise Operating Funds as of July 31, 2022. Overall, revenues and expenditures are tracking below budgeted levels.

The revenues are tracking significantly higher than prior year levels, while expenditures are currently lower from prior years levels. Similar to the General Fund departmental expenditures, the decrease in spending is partially due to the timing of the internal service allocation charges, which are not yet reflected in the July data. In the Electric Utility Fund, the transfer to the General Fund was not recorded for July, resulting in lower expenditures compared to last fiscal year.

CITY OF SANTA CLARA ENTERPRISE OPERATING FUNDS REVENUES AND EXPENSES - OVERVIEW AND COMPARISON BY FUND

Fund Description	REVENUES - FISCAL YEAR 2022/23				PRIOR YEAR REVENUE COMPARISON		
	Adopted Budget	Amended Budget	Actual Through 7/31/2022	Percentage received	Actual Through 7/31/2021	\$ Change From Prior Year	Percent Change
Electric Utility Fund	\$ 615,818,445	\$ 615,818,445	\$ 8,453,285	1.37%	\$ 4,968,213	\$ 3,485,072	70.15%
Water Utility Fund	48,358,520	48,358,520	1,588,763	3.29%	797,657	791,106	99.18%
Sewer Utility Fund	40,459,345	40,459,345	936,552	2.31%	283,214	653,338	230.69%
Cemetery Fund	600,000	600,000	20,825	3.47%	78,595	(57,770)	-73.50%
Solid Waste Utility Fund	37,245,092	37,245,092	1,039,802	2.79%	1,010,812	28,990	2.87%
Water Recycling Fund	5,708,446	5,708,446	65,223	1.14%	45,282	19,941	44.04%
TOTAL REVENUE	\$ 748,189,848	\$ 748,189,848	\$ 12,104,450	1.62%	\$ 7,183,773	\$ 4,920,677	68.50%

Fund Description	EXPENSES - FISCAL YEAR 2022/23				PRIOR YEAR EXPENSE COMPARISON		
	Adopted Budget	Amended Budget	Actual through 7/31/2022	Percentage Used	Actual through 7/31/2021	\$ Change From Prior Year	Percent Change
Electric Utility Fund	\$ 603,681,580	\$ 606,315,831	\$ 16,934,394	2.79%	\$ 39,278,149	\$ (22,343,755)	-56.89%
Water Utility Fund	46,797,065	48,412,861	621,621	1.28%	1,173,681	(552,060)	-47.04%
Sewer Utility Fund	30,825,023	31,046,671	895,090	2.88%	1,103,120	(208,030)	-18.86%
Cemetery Fund	1,539,796	1,539,796	67,418	4.38%	93,754	(26,336)	-28.09%
Solid Waste Utility Fund	36,626,118	40,159,684	895,993	2.23%	1,654,813	(758,820)	-45.86%
Water Recycling Fund	5,729,413	5,729,413	41,318	0.72%	65,164	(23,846)	-36.59%
TOTAL - Operating Appropriations	\$ 725,198,995	\$ 733,204,256	\$ 19,455,834	2.65%	\$ 43,368,681	\$ (23,912,847)	-55.14%

Revenues in the electric (which also includes the Electric Debt Service Fund), water, and sewer utility (which also includes the Sewer Debt Service Fund) and water recycling funds are primarily from customer service charges. The activity levels for these customer service charges also impact the resource and production costs on the expenditure side for these funds. The lower the revenue from customer service charges, the lower the expenditures in the resource and production category.

A summary of expenses in the Enterprise Capital Improvement Funds is detailed in the table below. Actuals through July 2022 totaled approximately \$1.4 million, or 0.5% of the amended budget. Similar to the general government capital funds, capital funds were carried over into next fiscal year as part of the FY 2022/23 and FY 2023/24 budget adoption process for those projects that have not yet been completed. Adjustments to the capital carryover amounts based on actual year-end expenditures will be brought forward in December 2022, as part of the FY 2021/22 year-end reconciliation process.

**CITY OF SANTA CLARA
ENTERPRISE CAPITAL IMPROVEMENT FUNDS
SUMMARY OF EXPENSES**

Fund Description	EXPENSES - FISCAL YEAR 2022/23					Prior Year
	Current Year Appropriation	Prior Year Carryforward	Total Amended Budget	Actual Through 7/31/2022	Percentage Used	Actual Through 7/31/2021
Electric Utility Fund	\$ 96,088,981	\$ 118,664,746	\$ 214,753,727	\$ 1,351,450	0.63%	\$ 30,746
Street Lighting ⁽¹⁾	71,455	4,820,273	4,891,728	5,841	0.12%	13,475
Water Utility Fund	6,665,000	1,368,212	8,033,212	84,511	1.05%	212,184
Sewer Utility Fund	19,815,641	25,615,224	45,430,865	-	0.00%	688,205
Cemetery Fund	9,225	278,397	287,622	-	-	700
Solid Waste Utility Fund	743,000	148,520	891,520	-	0.00%	1,879
Water Recycling Fund	50,000	-	50,000	-	-	-
Convention Center Capital Fund		2,622,854	2,622,854	-	-	201,462
TOTAL - CIP Appropriations	\$ 123,443,301	\$ 153,518,227	\$ 276,961,528	\$ 1,441,802	0.52%	\$ 1,148,651

(1) Street Lighting fund is part of Electric Capital Improvement Funds

Fund Reserves

By policy, City Council established the City's General Contingency Reserve, under which reserves for Budget Stabilization and Capital Projects were established.

- Budget Stabilization Reserve is set aside for weathering economic downturns, emergency financial crisis, or disaster situations. The reserve target is equal to the expenditures of the City's General Fund operations for three months (90-day or 25% General Fund Adopted Operating Budget). In FY 2022/23, the City Council approved an exception to the policy to allow the Reserve to drop below the 25% level.
- Capital Projects Reserve earmarks funds for the Capital Improvement Program.

Other General Reserves and Enterprise Fund Reserves included in this report are highlighted as follows:

- Technology Fee Reserve is set aside to update and/or replace the City's aging technology and to ensure internal controls are in compliance with current business standard and legal requirements.
- Land Sale Reserve is net proceeds from the sale of City-owned land, with interest earned on these funds available to be appropriated for General Fund operating expenditures. This reserve is available for appropriation by City Council action.
- The Electric Utility Rate Stabilization Reserve and Operations and Maintenance Reserve assures sufficient operating cash is available to cover day-to-day expenses, address unforeseen cost increases or revenue shortfalls, and ensure debt service coverage.
- The Replacement and Improvement Reserve in the Water and Sewer Utility Funds is for future capital improvement.

The table below summarizes select reserve balances.

**CITY OF SANTA CLARA
RESERVE BALANCES
July 31, 2022**

DETAIL OF SELECTED FUND RESERVE BALANCES:

	GENERAL FUND	ELECTRIC	WATER
Budget Stabilization Reserve	\$ 39,701,399		
Capital Projects Reserve	5,364,822		
Land Sale Reserve	10,474,520		
Technology Fee Reserve	2,353,804		
Electric Rate Stabilization Fund Reserve		\$ 44,898,011	
Electric Operations and Maintenance Reserve		112,838,357	
Replacement & Improvement			\$ 303,090
TOTALS	\$ 57,894,545	\$ 157,736,368	\$ 303,090

Long-Term Interfund Advances

The funds below have made advances/loans which are not expected to be repaid within the next year. The balances reflected in the table are through July 2022. The loan from the General Fund to Parks and Recreation Facilities reflects proceeds from the Land Sale Reserve for the purchase of property at the Reed and Grant Sports Park. This loan is anticipated to be repaid by 25% of future Mitigation Fee Act revenue until the loan is paid in full.

DETAIL OF LONG TERM INTERFUND ADVANCE BALANCES:

Fund Receiving Advance/Loan	Fund Making Advance/Loan	Type	Amount of Advance/Commitment
Parks and Recreation Facilities	General Fund	Loan	5,539,540
TOTALS			\$ 5,539,540

Donations to the City of Santa Clara

Donations received by department during the month of July 2022 and for fiscal year 2022/23 are shown in the table below.

Department	Jul-22	Fiscal Year 2022/23 Year To Date	Designated Use
Parks & Recreation	26	26	Roberta Jones Jr. Theatre
Parks & Recreation	9,375	9,375	Wade Brummal
TOTALS	\$ 9,401	\$ 9,401	



City of Santa Clara

The Center of What's Possible

MONTHLY INVESTMENT REPORT

July 2022

City of Santa Clara

Monthly Investment Report

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**CITY OF SANTA CLARA
SUMMARY OF INVESTMENT PORTFOLIO**

All securities held by the City of Santa Clara as of July 31, 2022 were in compliance with the City's Investment Policy Statement regarding current market strategy and long-term goals and objectives. All securities held are rated A or higher by two nationally recognized rating agencies. There is adequate cash flow and maturity of investments to meet the City's needs for the next six months.

The following table provides the breakdown of the total portfolio among the City, the Sports and Open Space Authority (SOSA), and the Housing Authority (HA) as of July 31, 2022.

	<u>COST VALUE</u>	<u>PERCENTAGE</u>
City	\$835,184,881	99.49%
SOSA	4,246	0.00%
HA	<u>4,239,631</u>	<u>0.51%</u>
Unrestricted	\$839,428,758	<u>100.00%</u>
Restricted Bond Proceeds	<u>2,152,428</u>	
Total Investments	<u>\$841,581,186</u>	

On July 31, 2022 the cost value and market value of the City's unrestricted pooled investment portfolio were \$839,428,758 and \$816,262,951 respectively.

Investment Strategy and Market Update

The City's investment strategy for July 2022 was to invest funds not required to meet current obligations, in securities listed in the prevailing Investment Policy Statement, with maturities not to exceed five years from date of purchase. This strategy ensures safety of the City's funds, provides liquidity to meet the City's cash needs, and earns a reasonable portfolio return.

On July 14, 2020, City Council approved entering into a contract with PFM Asset Management LLC ("PFM") for the management of the City's investment portfolio. The City has leveraged PFM's extensive investment management experience and dedicated credit and risk management personnel to further diversify the portfolio and enhance returns. PFM began actively managing the City's securities portfolio on September 1, 2020.

As of July 31, 2022, 44.34% of the City's portfolio consists of U.S. Treasury Notes, 21.84% consists of Federal Agencies, 19.79% consists of investment grade Corporate Notes, 8.32% consists of Local Agency Investment Fund (LAIF), 2.18% consists of investment grade Supranational Obligations, 1.37% consists of investment grade Asset-Back Securities, 1.31% consists of Negotiable Certificates of Deposit, and 0.49% consists of investment grade Municipal Bonds. In addition, City bond proceeds are invested in separate funds and are not included in the calculation of the City's portfolio yield.

The City's portfolio yield, including LAIF and money market accounts, was 1.45% and the average maturity of the City's portfolio was 2.02 years.

During 2022 annual Investment Policy review, the City updated on February 22, 2022 its performance benchmark to 24-Month moving average yield of the ICE BaML 1-5 US Treasury Index, from 0-5 US Treasury Index, as a measure of the performance of the portfolio and to help guide the maturity structure of the portfolio. Nevertheless, it is important to note full implementation will be effective July 1, 2022 to allow thoughtful realignment of portfolio securities.

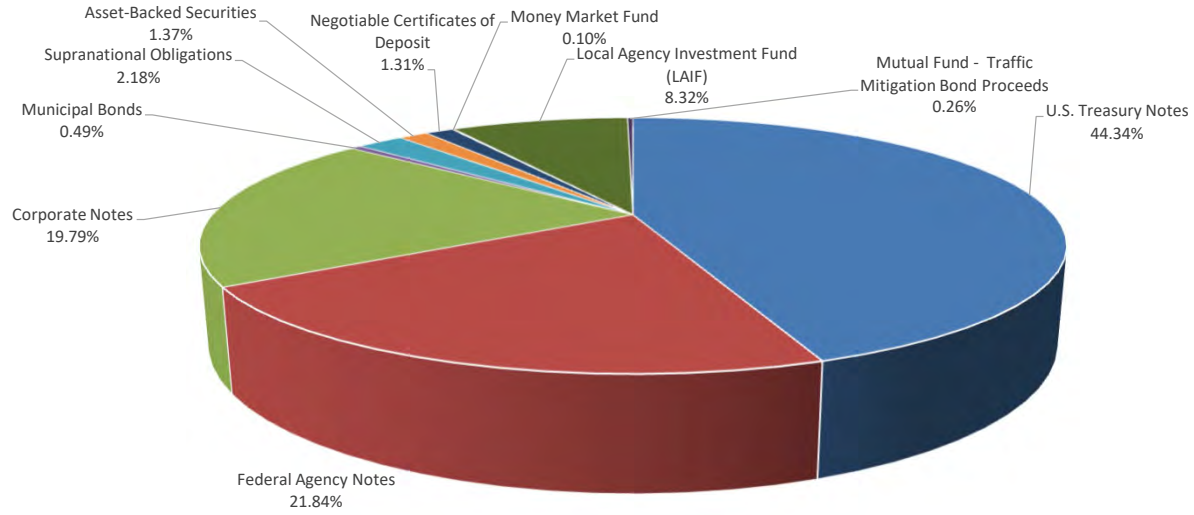
The City's securities portfolio compared to the ICE BaML 1-5 US Treasury Index (Benchmark) and ICE BaML 0-5 US Treasury Index as of July 31, 2022 was as follows:

Description	Average Maturity (Years)	Yield to Maturity (At Cost) ¹
Santa Clara Portfolio	2.20	1.51%
Benchmark – 1-5 US Treasury	2.68	0.94%
0-5 US Treasury Index	2.19	0.84%

1. *Yield to Maturity at Cost: The expected rate of return based on the original cost, annual interest receipts, maturity value, and the time period from purchase date to maturity, stated as a percentage on an annualized basis.*

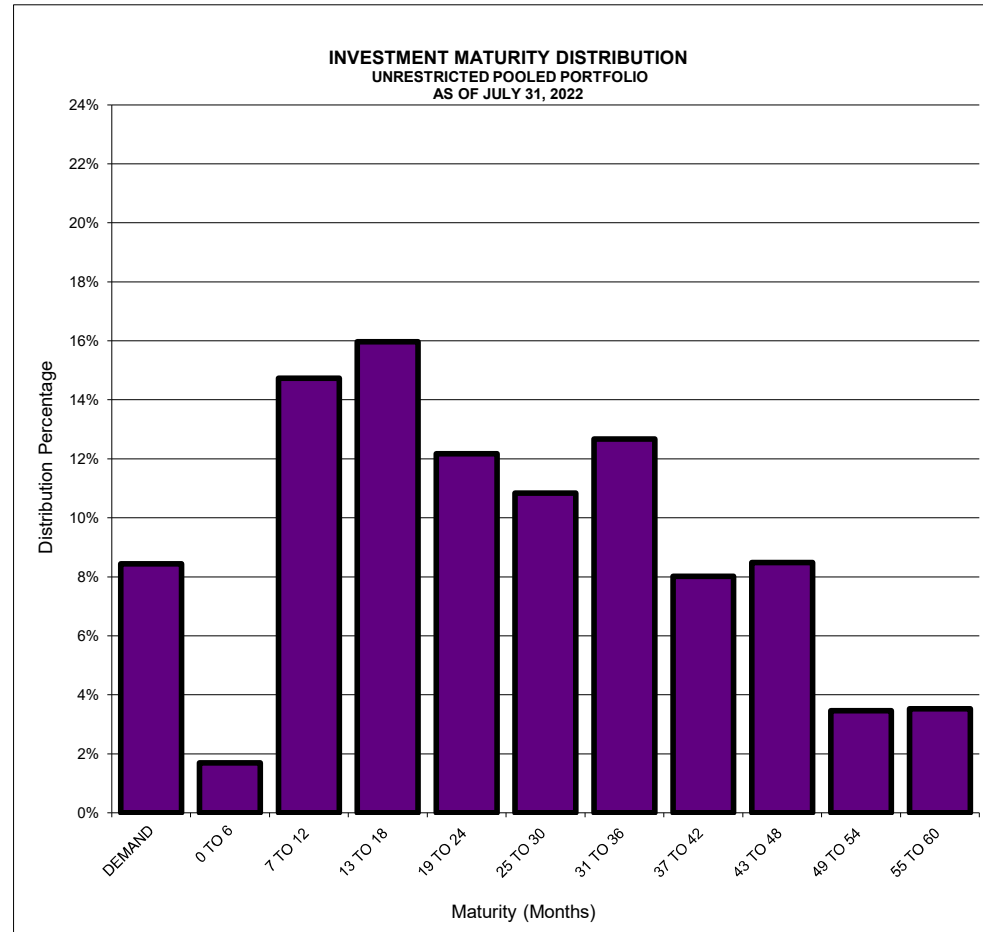
**CITY OF SANTA CLARA
SUMMARY OF INVESTMENTS JULY 31, 2022**

<u>INVESTMENT TYPE</u>	<u>COST VALUE</u>	<u>% OF PORTFOLIO</u>	<u>PER INVESTMENT POLICY</u>
U.S. Treasury Notes	373,190,378	44.34%	No Limit
Federal Agency Notes	183,772,271	21.84%	80%
Corporate Notes	166,525,011	19.79%	25%
Municipal Bonds	4,145,000	0.49%	20%
Supranational Obligations	18,376,628	2.18%	20%
Asset-Backed Securities	11,553,044	1.37%	10%
Negotiable Certificates of Deposit	11,000,000	1.31%	30%
Money Market Fund	839,679	0.10%	10% Per Fund
Local Agency Investment Fund (LAIF)	70,026,747	8.32%	\$75 M
Mutual Fund - Traffic Mitigation Bond Proceeds	2,152,428	0.26%	10% Per Fund
TOTAL INVESTMENTS	\$ 841,581,186	100.00%	



**INVESTMENT MATURITY DISTRIBUTION
AS OF JULY 31, 2022
UNRESTRICTED POOLED PORTFOLIO**

MATURITY (IN MONTHS)	COST VALUE	NUMBER OF INVESTMENTS	DISTRIBUTION
DEMAND	\$ 70,866,426 (a)	2	8.44%
0 TO 6	14,184,638	4	1.69%
7 TO 12	123,608,871	17	14.73%
13 TO 18	134,015,788	26	15.97%
19 TO 24	102,199,387	19	12.17%
25 TO 30	90,968,856	15	10.84%
31 TO 36	106,330,914	18	12.67%
37 TO 42	67,317,393	16	8.02%
43 TO 48	71,179,473	15	8.48%
49 TO 54	29,007,387	6	3.46%
55 TO 60	29,749,625	6	3.53%
TOTAL	\$ 839,428,758	144	100.00%



Average Maturity of Unrestricted Pool: 2.02 Years

(a) \$20 million is earmarked for the City's Electric Utility power-trading.

City of Santa Clara Monthly Report

7/31/2022

Description	Issue Date	Coupon Rate	Maturity Date	CUSIP	Par Value	S&P Rating	Settle Date	Cost Value	YTM at Cost	Market Value	Unrealized G/L
UNITED STATES TREASURY	11/30/2015	2.000%	11/30/2022	912828M80	5,000,000.00	AA+	12/15/2017	4,960,546.88	2.17%	4,988,300.00	27,753.12
UNITED STATES TREASURY	12/31/2015	2.125%	12/31/2022	912828N30	1,300,000.00	AA+	5/14/2018	1,260,187.50	2.84%	1,296,347.00	36,159.50
UNITED STATES TREASURY	1/15/2020	1.500%	1/15/2023	912828Z29	2,850,000.00	AA+	4/20/2020	2,947,968.75	0.24%	2,832,073.50	-115,895.25
UNITED STATES TREASURY	2/1/2016	1.750%	1/31/2023	912828P38	5,000,000.00	AA+	2/13/2018	4,810,937.50	2.57%	4,971,500.00	160,562.50
UNITED STATES TREASURY	2/1/2016	1.750%	1/31/2023	912828P38	1,485,000.00	AA+	2/28/2022	1,494,861.33	1.02%	1,476,535.50	-18,325.83
UNITED STATES TREASURY	2/29/2016	1.500%	2/28/2023	912828P79	10,000,000.00	AA+	2/27/2018	9,450,000.00	2.68%	9,918,400.00	468,400.00
UNITED STATES TREASURY	3/31/2016	1.500%	3/31/2023	912828Q29	10,000,000.00	AA+	4/10/2018	9,479,290.00	2.62%	9,904,700.00	425,410.00
UNITED STATES TREASURY	3/31/2021	0.125%	3/31/2023	912828CBU4	5,000,000.00	AA+	6/29/2021	4,992,187.50	0.21%	4,907,050.00	-85,137.50
UNITED STATES TREASURY	5/2/2016	1.625%	4/30/2023	912828R28	10,000,000.00	AA+	5/8/2018	9,446,875.00	2.82%	9,898,400.00	451,525.00
UNITED STATES TREASURY	5/31/2016	1.625%	5/31/2023	912828R69	10,000,000.00	AA+	7/16/2018	9,484,375.00	2.76%	9,890,200.00	405,825.00
UNITED STATES TREASURY	7/2/2018	2.625%	6/30/2023	9128284U1	5,030,000.00	AA+	8/26/2021	5,252,616.80	0.22%	5,016,268.10	-236,348.70
UNITED STATES TREASURY	6/30/2016	1.375%	6/30/2023	912828S35	20,000,000.00	AA+	1/17/2019	20,053,710.95	1.31%	19,710,200.00	-343,510.95
UNITED STATES TREASURY	7/31/2018	2.750%	7/31/2023	912828Y61	10,000,000.00	AA+	9/18/2018	9,918,710.94	2.93%	9,980,100.00	61,389.06
UNITED STATES TREASURY	8/31/2016	1.375%	8/31/2023	912828D1	5,000,000.00	AA+	9/12/2018	4,657,031.25	2.87%	4,915,800.00	258,768.75
UNITED STATES TREASURY	9/30/2016	1.375%	9/30/2023	912828T26	7,500,000.00	AA+	11/13/2018	6,947,167.97	3.01%	7,362,000.00	414,832.03
UNITED STATES TREASURY	10/15/2020	0.125%	10/15/2023	91282CAP6	5,260,000.00	AA+	3/26/2021	5,248,288.28	0.21%	5,085,157.60	-163,130.68
UNITED STATES TREASURY	10/31/2016	1.625%	10/31/2023	912828T91	5,000,000.00	AA+	1/25/2019	4,787,695.31	2.58%	4,919,150.00	131,454.69
UNITED STATES TREASURY	11/30/2018	2.875%	11/30/2023	9128285P1	9,745,000.00	AA+	6/23/2021	10,349,875.20	0.32%	9,735,060.10	-614,815.10
UNITED STATES TREASURY	11/30/2016	2.125%	11/30/2023	912828U57	10,000,000.00	AA+	2/28/2019	10,251,562.50	1.57%	9,893,400.00	-358,162.50
UNITED STATES TREASURY	1/3/2017	2.250%	12/31/2023	912828V23	5,000,000.00	AA+	3/13/2019	4,957,812.50	2.44%	4,949,800.00	-8,012.50
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	5,000,000.00	AA+	3/26/2021	4,981,445.31	0.26%	4,799,200.00	-182,245.31
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	2,510,000.00	AA+	3/31/2021	2,497,744.14	0.30%	2,409,198.40	-88,545.74
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	11,000,000.00	AA+	6/11/2021	10,972,500.00	0.22%	10,558,240.00	-414,260.00
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	5,525,000.00	AA+	7/14/2021	5,497,375.00	0.33%	5,303,116.00	-194,259.00
UNITED STATES TREASURY	1/31/2019	2.500%	1/31/2024	9128285Z9	5,000,000.00	AA+	4/14/2020	5,407,421.88	0.34%	4,966,400.00	-441,021.88
UNITED STATES TREASURY	2/28/2017	2.125%	2/29/2024	912828W48	1,625,000.00	AA+	4/15/2021	1,637,941.42	0.31%	1,603,485.00	-34,456.42
UNITED STATES TREASURY	4/15/2021	0.375%	4/15/2024	91282CBV2	5,415,000.00	AA+	10/15/2021	5,397,443.55	0.51%	5,183,996.10	-213,447.45
UNITED STATES TREASURY	4/30/2019	2.250%	4/30/2024	9128286R6	3,825,000.00	AA+	3/25/2022	3,827,838.87	2.21%	3,780,477.00	-47,361.87
UNITED STATES TREASURY	5/1/2017	2.000%	4/30/2024	912828X70	5,000,000.00	AA+	5/16/2019	4,952,734.38	2.20%	4,919,750.00	-32,984.38
UNITED STATES TREASURY	5/15/2014	2.500%	5/15/2024	912828WJ5	6,050,000.00	AA+	8/16/2019	6,332,174.65	1.48%	6,004,383.00	-327,791.65
UNITED STATES TREASURY	6/30/2019	1.750%	6/30/2024	9128286Z8	7,250,000.00	AA+	12/12/2019	7,253,398.44	1.74%	7,097,387.50	-156,010.94
UNITED STATES TREASURY	6/30/2017	2.000%	6/30/2024	912828XX3	5,000,000.00	AA+	8/29/2019	5,136,328.13	1.41%	4,916,800.00	-219,528.13
UNITED STATES TREASURY	7/15/2021	0.375%	7/15/2024	91282CCL3	5,250,000.00	AA+	9/10/2021	5,246,718.75	0.40%	5,000,625.00	-246,093.75
UNITED STATES TREASURY	7/31/2017	2.125%	7/31/2024	912828N9	5,000,000.00	AA+	9/10/2019	5,133,315.75	1.56%	4,924,600.00	-208,715.75
UNITED STATES TREASURY	8/31/2017	1.875%	8/31/2024	912828U3	2,985,000.00	AA+	3/10/2020	3,149,640.66	0.62%	2,922,732.90	-226,907.76
UNITED STATES TREASURY	8/31/2019	1.250%	8/31/2024	912828YE4	4,750,000.00	AA+	1/5/2021	4,928,867.19	0.21%	4,592,680.00	-336,187.19
UNITED STATES TREASURY	10/31/2017	2.250%	10/31/2024	9128283D0	10,000,000.00	AA+	11/18/2019	10,290,625.00	1.64%	9,864,800.00	-425,825.00
UNITED STATES TREASURY	11/30/2017	2.125%	11/30/2024	9128283J7	5,000,000.00	AA+	1/6/2020	5,118,945.31	1.62%	4,914,450.00	-204,495.31
UNITED STATES TREASURY	1/2/2018	2.250%	12/31/2024	9128283P3	10,000,000.00	AA+	1/7/2020	10,300,781.25	1.62%	9,855,500.00	-445,281.25
UNITED STATES TREASURY	1/15/2022	1.125%	1/15/2025	91282CDS7	2,095,000.00	AA+	4/12/2022	2,007,026.37	2.71%	2,008,916.45	1,890.08
UNITED STATES TREASURY	1/31/2020	1.375%	1/31/2025	912828Z52	5,000,000.00	AA+	4/22/2020	5,238,671.88	0.37%	4,820,300.00	-418,371.88
UNITED STATES TREASURY	1/31/2020	1.375%	1/31/2025	912828Z52	1,950,000.00	AA+	5/7/2021	2,013,146.48	0.50%	1,879,917.00	-133,229.48
UNITED STATES TREASURY	2/28/2018	2.750%	2/28/2025	9128283Z1	6,200,000.00	AA+	3/6/2020	6,850,757.82	0.61%	6,182,082.00	-668,675.82
UNITED STATES TREASURY	8/31/2020	0.250%	8/31/2025	91282CAJ0	4,120,000.00	AA+	8/2/2021	4,075,581.25	0.52%	3,806,962.40	-268,618.85
UNITED STATES TREASURY	10/31/2020	0.250%	10/31/2025	91282CAT8	5,400,000.00	AA+	10/7/2021	5,285,882.83	0.78%	4,972,212.00	-313,670.83
UNITED STATES TREASURY	10/31/2020	0.250%	10/31/2025	91282CAT8	5,510,000.00	AA+	6/7/2022	5,024,216.02	3.00%	5,073,497.80	49,281.78
UNITED STATES TREASURY	11/30/2020	0.375%	11/30/2025	91282CAZ4	4,450,000.00	AA+	11/4/2021	4,327,625.00	1.07%	4,107,572.50	-220,052.50

City of Santa Clara Monthly Report

7/31/2022

Description	Issue Date	Coupon Rate	Maturity Date	CUSIP	Par Value	S&P Rating	Settle Date	Cost Value	YTM at Cost	Market Value	Unrealized G/L
UNITED STATES TREASURY	12/31/2020	0.375%	12/31/2025	91282CBC4	3,820,000.00	AA+	5/3/2021	3,751,956.25	0.76%	3,519,633.40	-232,322.85
UNITED STATES TREASURY	1/31/2021	0.375%	1/31/2026	91282CBH3	8,025,000.00	AA+	11/30/2021	7,817,478.52	1.01%	7,380,512.26	-436,966.26
UNITED STATES TREASURY	1/31/2021	0.375%	1/31/2026	91282CBH3	4,050,000.00	AA+	1/6/2022	3,906,351.56	1.27%	3,724,744.50	-181,607.06
UNITED STATES TREASURY	1/31/2021	0.375%	1/31/2026	91282CBH3	7,735,000.00	AA+	2/25/2022	7,305,949.22	1.84%	7,113,802.14	-192,147.08
UNITED STATES TREASURY	1/31/2021	0.375%	1/31/2026	91282CBH3	8,710,000.00	AA+	5/3/2022	7,905,345.70	3.00%	8,010,499.90	105,154.20
UNITED STATES TREASURY	2/28/2021	0.500%	2/28/2026	91282CBQ3	3,575,000.00	AA+	8/31/2021	3,574,577.43	0.70%	3,297,258.26	-277,319.17
UNITED STATES TREASURY	2/28/2021	0.500%	2/28/2026	91282CBQ3	5,175,000.00	AA+	12/7/2021	5,035,517.58	1.15%	4,772,954.24	-262,563.34
UNITED STATES TREASURY	5/31/2021	0.750%	5/31/2026	91282CCF6	5,860,000.00	AA+	3/21/2022	5,520,989.84	2.20%	5,429,407.20	-91,582.64
UNITED STATES TREASURY	5/31/2021	0.750%	5/31/2026	91282CCF6	9,250,000.00	AA+	6/8/2022	8,477,480.47	2.99%	8,570,310.00	92,829.53
UNITED STATES TREASURY	9/30/2021	0.875%	9/30/2026	91282CCZ2	8,500,000.00	AA+	4/5/2022	7,878,769.53	2.61%	7,877,120.00	-1,649.53
UNITED STATES TREASURY	11/15/2016	2.000%	11/15/2026	912828U24	8,840,000.00	AA+	6/8/2022	8,472,242.19	3.01%	8,569,938.00	97,695.81
UNITED STATES TREASURY	12/31/2021	1.250%	12/31/2026	91282CDQ1	5,340,000.00	AA+	4/14/2022	5,000,617.97	2.69%	5,012,925.00	12,307.03
UNITED STATES TREASURY	2/15/2017	2.250%	2/15/2027	912828V98	2,100,000.00	AA+	4/20/2022	2,040,691.41	2.88%	2,055,123.00	14,431.59
UNITED STATES TREASURY	2/15/2017	2.250%	2/15/2027	912828V98	5,400,000.00	AA+	6/13/2022	5,159,109.38	3.29%	5,284,602.00	125,492.62
UNITED STATES TREASURY	2/15/2017	2.250%	2/15/2027	912828V98	7,910,000.00	AA+	7/7/2022	7,705,452.34	2.85%	7,740,963.30	35,510.96
U.S. Treasury Bond / Note				Subtotal	378,370,000.00			373,190,377.88		366,479,516.05	-6,710,861.83
FANNIE MAE	11/25/2020	0.250%	11/27/2023	3135G06H1	4,950,000.00	AA+	11/25/2020	4,944,357.00	0.29%	4,775,809.50	-168,547.50
FANNIE MAE	11/25/2020	0.250%	11/27/2023	3135G06H1	5,225,000.00	AA+	1/22/2021	5,230,799.75	0.21%	5,041,132.25	-189,667.50
FANNIE MAE	7/8/2019	1.750%	7/2/2024	3135G0V75	15,000,000.00	AA+	12/18/2019	15,566,089.75	0.90%	14,699,700.00	-866,389.75
FANNIE MAE	1/10/2020	1.625%	1/7/2025	3135G0X24	7,500,000.00	AA+	1/22/2020	7,499,025.00	1.63%	7,269,450.00	-229,575.00
FANNIE MAE	4/24/2020	0.625%	4/22/2025	3135G03U5	10,000,000.00	AA+	5/7/2020	10,050,600.00	0.52%	9,408,300.00	-642,300.00
FANNIE MAE	11/12/2020	0.500%	11/7/2025	3135G06G3	1,860,000.00	AA+	12/29/2020	1,864,929.00	0.44%	1,723,420.20	-141,508.80
FNMA Medium Term Note				Subtotal	44,535,000.00			45,155,800.50		42,917,811.95	-2,237,988.55
FEDERAL FARM CREDIT BANKS	3/16/2018	2.710%	12/16/2022	3133EJGU7	5,000,000.00	AA+	3/28/2018	5,015,935.00	2.64%	5,003,550.00	-12,385.00
FEDERAL FARM CREDIT BANKS	6/19/2018	2.890%	6/19/2023	3133EJSD2	5,000,000.00	AA+	11/28/2018	4,980,250.00	2.98%	4,995,850.00	15,600.00
FEDERAL FARM CREDIT BANKS	1/17/2020	1.600%	7/17/2023	3133ELHZ0	5,000,000.00	AA+	1/16/2020	4,998,200.00	1.61%	4,934,150.00	-64,050.00
FEDERAL FARM CREDIT BANKS	8/14/2018	2.900%	8/14/2023	3133EJWV7	5,000,000.00	AA+	9/17/2018	4,977,050.00	3.00%	4,995,350.00	18,300.00
FEDERAL FARM CREDIT BANKS	10/2/2018	3.050%	10/2/2023	3133EJD48	7,575,000.00	AA+	11/27/2018	7,583,620.35	3.02%	7,573,788.00	-9,832.35
FEDERAL FARM CREDIT BANKS	11/1/2017	2.200%	11/1/2023	3133EHN25	2,965,000.00	AA+	6/26/2019	3,006,094.90	1.87%	2,938,937.65	-67,157.25
FEDERAL FARM CREDIT BANKS	2/27/2019	2.610%	2/27/2024	3133EKBW5	5,000,000.00	AA+	3/20/2019	5,033,150.00	2.47%	4,970,900.00	-62,250.00
FEDERAL FARM CREDIT BANKS	4/22/2019	2.450%	7/22/2024	3133EKHV1	5,000,000.00	AA+	9/4/2019	5,250,650.00	1.38%	4,964,450.00	-286,200.00
FEDERAL FARM CREDIT BANKS	11/1/2019	1.650%	11/1/2024	3133EK4Y9	5,000,000.00	AA+	11/8/2019	4,962,850.00	1.81%	4,869,200.00	-93,650.00
FEDERAL FARM CREDIT BANKS	1/23/2020	1.650%	1/23/2025	3133ELJM7	7,320,000.00	AA+	5/18/2020	7,689,367.20	0.56%	7,103,108.40	-586,258.80
FEDERAL FARM CREDIT BANKS	5/14/2020	0.500%	5/14/2025	3133ELZM9	10,000,000.00	AA+	5/15/2020	9,982,800.00	0.53%	9,365,200.00	-617,600.00
FEDERAL FARM CREDIT BANKS	6/9/2020	0.500%	6/9/2025	3133ELH23	10,000,000.00	AA+	6/12/2020	9,997,540.00	0.50%	9,357,400.00	-640,140.00
FFCB Medium Term Note				Subtotal	72,860,000.00			73,477,507.45		71,071,884.05	-2,405,623.40
FEDERAL FARM CREDIT BANKS	7/2/2020	0.500%	7/2/2025	3133ELR71	10,000,000.00	AA+	7/14/2020	10,017,640.00	0.46%	9,344,400.00	-673,240.00
FFCB Coupon Note				Subtotal	10,000,000.00			10,017,640.00		9,344,400.00	-673,240.00
FEDERAL HOME LOAN BANKS	10/17/2014	2.375%	9/8/2023	3130A3DL5	5,000,000.00	AA+	9/5/2019	5,164,135.00	1.53%	4,965,950.00	-198,185.00
FEDERAL HOME LOAN BANKS	12/9/2013	3.375%	12/8/2023	3130A0F70	5,000,000.00	AA+	1/8/2019	5,147,870.00	2.73%	5,023,950.00	-123,920.00
FEDERAL HOME LOAN BANKS	1/16/2015	2.250%	12/8/2023	3130A3VC5	5,000,000.00	AA+	3/12/2020	5,282,425.00	0.72%	4,948,300.00	-334,125.00
FEDERAL HOME LOAN BANKS	5/8/2014	2.875%	6/14/2024	3130A1XJ2	5,000,000.00	AA+	11/20/2019	5,270,205.00	1.64%	4,992,100.00	-278,105.00

City of Santa Clara Monthly Report

7/31/2022

Description	Issue Date	Coupon Rate	Maturity Date	CUSIP	Par Value	S&P Rating	Settle Date	Cost Value	YTM at Cost	Market Value	Unrealized G/L
FEDERAL HOME LOAN BANKS	11/6/2014	2.750%	12/13/2024	3130A3GE8	5,000,000.00	AA+	3/12/2020	5,461,300.00	0.77%	4,974,450.00	-486,850.00
FHLB Medium Term Note				Subtotal	25,000,000.00			26,325,935.00		24,904,750.00	-1,421,185.00
FREDDIE MAC	5/7/2020	0.375%	5/5/2023	3137EAER6	5,000,000.00	AA+	5/8/2020	5,014,545.00	0.28%	4,901,150.00	-113,395.00
FREDDIE MAC	9/4/2020	0.250%	9/8/2023	3137EAEW5	1,640,000.00	AA+	9/4/2020	1,640,761.21	0.24%	1,592,653.20	-48,108.01
FREDDIE MAC	9/4/2020	0.250%	9/8/2023	3137EAEW5	4,295,000.00	AA+	9/4/2020	4,293,582.65	0.26%	4,171,003.35	-122,579.30
FREDDIE MAC	10/16/2020	0.125%	10/16/2023	3137EAEY1	3,270,000.00	AA+	10/16/2020	3,257,802.90	0.25%	3,160,749.30	-97,053.60
FREDDIE MAC	2/14/2020	1.500%	2/12/2025	3137EAEPO	5,000,000.00	AA+	5/20/2020	5,226,960.00	0.53%	4,832,250.00	-394,710.00
FREDDIE MAC	9/25/2020	0.375%	9/23/2025	3137EAEX3	9,390,000.00	AA+	9/25/2020	9,361,736.10	0.44%	8,694,201.00	-667,535.10
FHLMC Medium Term Note				Subtotal	28,595,000.00			28,795,387.86		27,352,006.85	-1,443,381.01
INTER-AMERICAN DEVELOPMENT BANK	9/23/2021	0.500%	9/23/2024	4581X0DZ8	11,065,000.00	AAA	9/23/2021	11,056,811.90	0.52%	10,494,931.20	-561,880.70
INTL BANK OF RECONSTRUCTION AND DEV	4/20/2021	0.125%	4/20/2023	459058JV6	7,335,000.00	AAA	4/20/2021	7,319,816.55	0.23%	7,187,126.40	-132,690.15
Supranational				Subtotal	18,400,000.00			18,376,628.45		17,682,057.60	-694,570.85
CALIFORNIA EARTHQUAKE AUTHORITY	11/24/2020	1.477%	7/1/2023	13017HAK2	1,430,000.00	NR	11/24/2020	1,430,000.00	1.48%	1,402,701.30	-27,298.70
LOS ANGELES COMMUNITY COLLEGE DISTRICT C	11/10/2020	0.773%	8/1/2025	54438CYK2	2,715,000.00	AA+	11/10/2020	2,715,000.00	0.77%	2,523,918.30	-191,081.70
Municipals				Subtotal	4,145,000.00			4,145,000.00		3,926,619.60	-218,380.40
3M COMPANY	9/14/2018	3.250%	2/14/2024	88579YBB6	5,000,000.00	A+	11/29/2021	5,241,250.00	1.03%	5,009,750.00	-231,500.00
3M COMPANY	3/27/2020	2.650%	4/15/2025	88579YBM2	2,560,000.00	A+	4/25/2022	2,511,616.00	3.32%	2,519,731.20	8,115.20
ADOBE INC	1/26/2015	3.250%	2/1/2025	00724FAC5	4,000,000.00	A+	1/26/2022	4,183,680.00	1.68%	4,015,400.00	-168,280.00
ALPHABET INC	4/27/2016	3.375%	2/25/2024	02079KAB3	5,330,000.00	AA+	11/23/2021	5,642,444.60	0.75%	5,367,096.80	-275,347.80
AMAZON.COM INC	5/12/2021	0.450%	5/12/2024	023135BW5	245,000.00	AA	5/12/2021	302,801.19	0.50%	234,697.75	-68,103.44
AMAZON.COM INC	5/12/2021	0.450%	5/12/2024	023135BW5	4,000,000.00	AA	3/14/2022	3,874,280.00	1.94%	3,831,800.00	-42,480.00
AMAZON.COM INC	4/13/2022	3.300%	4/13/2027	023135CF1	6,715,000.00	AA	4/25/2022	6,672,964.10	3.44%	6,760,124.80	87,160.70
APPLE INC	11/13/2017	2.750%	1/13/2025	037833DF4	5,000,000.00	AA+	3/9/2021	5,340,100.00	0.94%	4,975,200.00	-364,900.00
APPLE INC	11/13/2017	2.750%	1/13/2025	037833DF4	5,000,000.00	AA+	3/29/2021	5,355,200.00	0.84%	4,975,200.00	-380,000.00
BANK OF AMERICA	7/23/2013	4.100%	7/24/2023	06053FAA7	4,070,000.00	A-	9/15/2020	4,482,494.50	0.52%	4,095,193.30	-387,301.20
BANK OF AMERICA CORP	3/22/2022	3.384%	4/2/2026	06051GKM0	5,000,000.00	A-	3/22/2022	5,005,100.00	3.36%	4,883,950.00	-121,150.00
BANK OF NY MELLON CORP	1/28/2021	0.750%	1/28/2026	06406RAQ0	9,000,000.00	A	2/10/2021	9,025,920.00	0.69%	8,222,310.00	-803,610.00
BLACKROCK INC	3/28/2017	3.200%	3/15/2027	09247XAN1	4,140,000.00	AA-	5/18/2022	4,085,352.00	3.50%	4,145,878.80	60,526.80
BLACKROCK INC	3/28/2017	3.200%	3/15/2027	09247XAN1	4,140,000.00	AA-	5/18/2022	4,086,055.80	3.50%	4,145,878.80	59,823.00
BRISTOL-MYERS SQUIBB CO	11/13/2020	0.750%	11/13/2025	110122DN5	5,725,000.00	A+	6/30/2021	5,672,673.50	0.96%	5,295,109.75	-377,563.75
CATERPILLAR FINANCIAL SERVIC	1/10/2022	0.950%	1/10/2024	14913R2S5	2,535,000.00	A	1/10/2022	2,534,594.40	0.96%	2,461,713.15	-72,881.25
CATERPILLAR FINANCIAL SERVIC	1/10/2022	0.950%	1/10/2024	14913R2S5	3,100,000.00	A	3/14/2022	3,045,409.00	1.94%	3,010,379.00	-35,030.00
ELI LILLY & CO	3/5/2015	2.750%	6/1/2025	532457BH0	5,415,000.00	A+	2/10/2022	5,559,255.60	1.91%	5,376,553.50	-182,702.10
HERSHEY COMPANY	8/21/2015	3.200%	8/21/2025	427866AU2	3,000,000.00	A	3/30/2022	3,014,040.00	3.05%	2,994,300.00	-19,740.00
HONEYWELL INTERNATIONAL	5/18/2020	1.350%	6/1/2025	438516CB0	5,000,000.00	A	9/8/2021	5,097,900.00	0.82%	4,774,600.00	-323,300.00
HONEYWELL INTERNATIONAL	5/18/2020	1.350%	6/1/2025	438516CB0	2,255,000.00	A	3/22/2022	2,181,960.55	2.41%	2,153,344.60	-28,615.95
JOHN DEERE CAPITAL CORP	6/17/2021	1.050%	6/17/2026	24422EVR7	5,000,000.00	A	12/8/2021	4,908,600.00	1.47%	4,638,600.00	-270,000.00
JOHNSON & JOHNSON	8/25/2020	0.550%	9/1/2025	478160CN2	5,000,000.00	AAA	9/3/2020	5,023,550.00	0.45%	4,662,900.00	-360,650.00
JPMORGAN CHASE & CO	9/16/2020	0.653%	9/16/2024	46647PBS4	2,675,000.00	A-	9/16/2020	2,675,000.00	0.65%	2,575,597.00	-99,403.00

City of Santa Clara Monthly Report

7/31/2022

Description	Issue Date	Coupon Rate	Maturity Date	CUSIP	Par Value	S&P Rating	Settle Date	Cost Value	YTM at Cost	Market Value	Unrealized G/L
JPMORGAN CHASE & CO	8/10/2021	0.768%	8/9/2025	46647PCM6	2,340,000.00	A-	8/10/2021	2,340,000.00	0.77%	2,184,319.80	-155,680.20
JPMORGAN CHASE & CO	3/13/2020	2.005%	3/13/2026	46647PBH8	2,800,000.00	A-	3/22/2022	2,712,500.00	2.84%	2,647,876.00	-64,624.00
MASTERCARD INC	12/3/2019	2.000%	3/3/2025	57636QAN4	5,000,000.00	A+	3/9/2021	5,213,450.00	0.91%	4,877,250.00	-336,200.00
MASTERCARD INC	12/3/2019	2.000%	3/3/2025	57636QAN4	5,000,000.00	A+	3/10/2022	4,990,800.00	2.06%	4,877,250.00	-113,550.00
MERCK & CO INC	3/7/2019	2.900%	3/7/2024	58933YAU9	5,375,000.00	A+	11/23/2021	5,623,916.25	0.85%	5,359,036.25	-264,880.00
MICROSOFT CORP	2/6/2017	2.875%	2/6/2024	594918BX1	5,000,000.00	AAA	11/29/2021	5,202,600.00	1.00%	5,003,150.00	-199,450.00
MICROSOFT CORP	2/12/2015	2.700%	2/12/2025	594918BB9	5,000,000.00	AAA	3/9/2021	5,341,700.00	0.92%	4,988,600.00	-353,100.00
QUALCOMM INC	5/20/2015	3.450%	5/20/2025	747525AF0	5,850,000.00	A	5/19/2022	5,860,588.50	3.39%	5,883,871.50	23,283.00
STATE STREET BANK & TR	2/7/2022	1.746%	2/6/2026	857477BR3	1,115,000.00	A	2/7/2022	1,115,000.00	1.75%	1,063,498.15	-51,501.85
STATE STREET BANK & TR	10/29/2020	2.901%	3/30/2026	857477BM4	4,250,000.00	A	3/14/2022	4,275,372.50	2.74%	4,135,080.00	-140,292.50
TARGET CORP	1/24/2022	1.950%	1/15/2027	87612EBM7	990,000.00	A	1/24/2022	988,317.00	1.99%	940,549.50	-47,767.50
TARGET CORP	1/24/2022	1.950%	1/15/2027	87612EBM7	4,595,000.00	A	2/1/2022	4,567,889.50	2.08%	4,365,479.75	-202,409.75
TOYOTA MOTOR CREDIT CORP	1/11/2021	0.450%	1/11/2024	89236THU2	6,100,000.00	A+	1/11/2021	6,099,634.00	0.45%	5,864,235.00	-235,399.00
UNILEVER CAPITAL CORP	9/14/2020	0.375%	9/14/2023	904764BJ5	660,000.00	A+	9/14/2020	659,155.20	0.42%	640,992.00	-18,163.20
WAL-MART STORES INC	6/27/2018	3.550%	6/26/2025	931142ED1	5,700,000.00	AA	2/8/2022	6,011,847.00	1.87%	5,813,202.00	-198,645.00
Corporate Note				Subtotal	163,680,000.00			166,525,011.19		159,769,698.40	-6,755,312.79
CARMAX AUTO OWNER TRUST DISCOVER CARD EXECUTION NOTE TRUST	4/21/2021	0.520%	2/17/2026	14314QAC8	2,375,000.00	AAA	4/21/2021	2,374,488.19	0.52%	2,304,771.25	-69,716.94
HONDA AUTO RECEIVABLES OWNER T	9/27/2021	0.580%	9/15/2026	254683CP8	2,100,000.00	AAA	9/27/2021	2,099,550.39	0.58%	1,984,038.00	-115,512.39
HYUNDAI AUTO RECEIVABLES TRUST	11/24/2021	0.880%	1/21/2026	43815GAC3	1,615,000.00	NR	11/24/2021	1,614,659.56	0.89%	1,546,556.30	-68,103.26
HYUNDAI AUTO RECEIVABLES TRUST	4/28/2021	0.380%	9/15/2025	44933LAC7	1,575,000.00	AAA	4/28/2021	1,574,834.31	0.38%	1,527,860.25	-46,974.06
TOYOTA AUTO RECEIVABLES OWNER	11/17/2021	0.740%	5/15/2026	44935FAD6	1,245,000.00	AAA	11/17/2021	1,244,722.12	0.75%	1,191,589.50	-53,132.62
Asset-Backed Security				Subtotal	11,555,000.00			11,553,043.76		11,079,891.00	-473,152.76
BARCLAYS BANK PLC	2/3/2022	1.050%	2/1/2023	06742TG34	11,000,000.00	A-1	2/3/2022	11,000,000.00	1.05%	10,867,890.00	-132,110.00
Certificate of Deposit				Subtotal	11,000,000.00			11,000,000.00		10,867,890.00	-132,110.00
PRINCIPAL PUBLIC DEPOSIT SWEEP PROGRAM			8/1/2022	992995944	839,678.86		9/1/2020	839,678.86	0.07%	839,678.86	-
LOCAL AGENCY INVESTMENT FUND			8/1/2022		70,026,747.09		9/30/1997	70,026,747.09	0.62%	70,026,747.09	-
DREYFUS TREASURY			8/1/2022		2,152,427.75		10/31/1997	2,152,427.75	0.03%	2,152,427.75	-
Cash Equivalent				Subtotal	73,018,853.70			73,018,853.70		73,018,853.70	-
Grand Total			Count	145	841,158,853.70			841,581,185.79		818,415,379.20	(23,165,806.59)



City of Santa Clara

The Center of What's Possible

MONTHLY FINANCIAL STATUS REPORT

August 2022

This report summarizes the City's financial performance for the month ended August 31, 2022. Financial analysis for the report is provided for the General Fund, select Special Revenue Funds, Enterprise Operating Funds, and Capital Improvement Funds. Financial information included in this report is unaudited.

General Fund

The General Fund is the major operating fund for the City and includes multiple programs, services, and activities for the residents and businesses of the City. The adopted budget for operating revenues and expenditures for fiscal year 2022/23 was \$272.4 million. The amended budget for revenues and expenditures was adjusted to \$279.3 million to reflect various budget amendments approved by the City Council through August 2022.

While it is very early in the fiscal year and limited data is available, General Fund revenues are currently tracking within estimated levels. Through August, expenditures are tracking below budget and this trend is expected to continue as departments continue to control expenditures through various cost control measures.

Economic indicators are mixed, and there is a tremendous amount of uncertainty. According to the UCLA September 2022 Forecast, the labor market remains strong, consumers have continued to spend, supply chain constraints have eased, commodity prices - particularly crude oil prices - have started to decline, domestic manufacturing along with government defense purchases and investments associated with the shift to renewable energy sources are expected to increase. On the flip side, core inflation remains elevated, the Fed is expected to continue to increase interest rates that may constrain consumer spending, consumers are more pessimistic, housing markets are starting to turn with the increases in mortgage rates, U.S. exports have become more expensive for consumers in other countries with the appreciation of the dollar against other currencies, and there is labor unrest with the decline in real wages and a low unemployment rate. While the UCLA Forecast does not forecast a recession at this time, it did point to an increased risk of a recession over the next 12 months¹. Companies are anticipating a slowdown. A recent survey of 400 leaders of large U.S. companies by the KPMG consulting firm found that 91% of these CEOs are predicting a recession in the next 12 months with only 34% believing the recession will be mild and short.²

On a national level, the unemployment rate decreased slightly from 3.7% in August 2022 to 3.5% in September 2022. This rate was well below the record setting high of 14.7% in April 2020, and equal to the pre-pandemic unemployment rate of 3.5%. In September, the number of unemployed persons fell to 5.8 million from 6.0 million in August. This unemployment figure has dropped closer to the pre-pandemic level of 5.7 million.³

¹ UCLA Anderson Forecast, September 2022

² [CEOs are preparing for a recession, and they don't think it will be short | CNN Business](#)

³ <https://www.bls.gov/news.release/pdf/empsit.pdf>

Chart 1. Unemployment rate, seasonally adjusted, September 2019 – September 2022

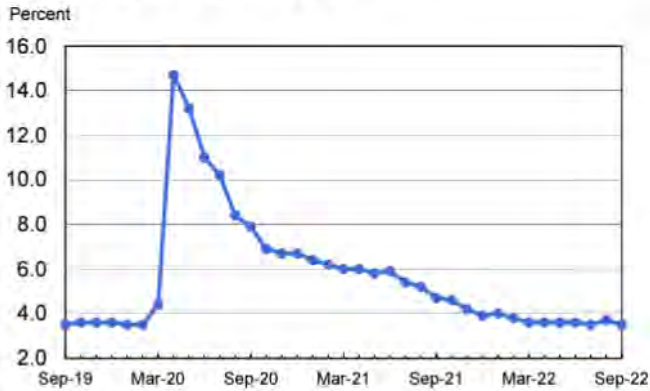
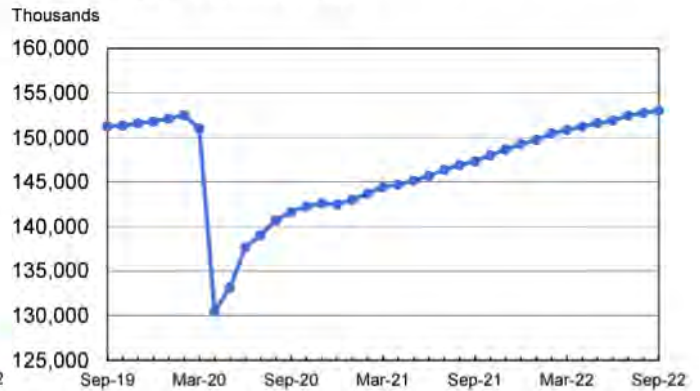
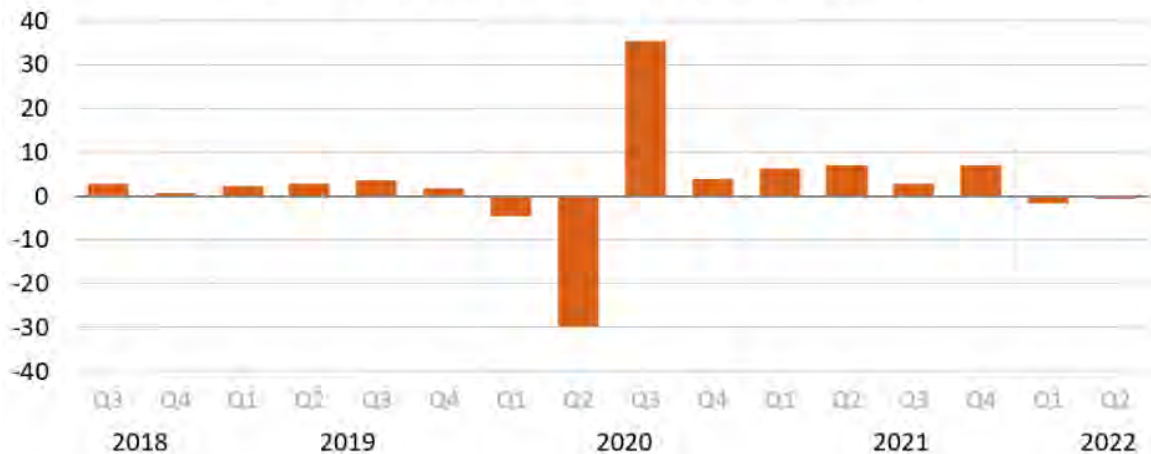


Chart 2. Nonfarm payroll employment, seasonally adjusted, September 2019 – September 2022



In the second quarter 2022 third estimate, the Gross Domestic Product (GDP) decreased by 0.6%, following a GDP decreased by 1.6% in the first quarter. The estimated decrease in the first quarter reflected increasing inflation, ongoing supply-chain issues as well as rising interest rates. The real GDP for the second quarter 2022 is 3.5% above the level experienced in the fourth quarter of 2019.⁴

Real GDP: Percent change from preceding quarter



U.S. Bureau of Economic Analysis

Seasonally adjusted at annual

⁴ https://www.bea.gov/sites/default/files/2022-09/tech2q22_3rd.pdf



Source: UCLA Anderson Forecast and U.S. Bureau of Economic Analysis
Notes: \$ Billions, chained 2012 prices, seasonally adjusted annual rates

The UCLA Anderson Forecast projects slow year-over-year GDP growth over the next few years: 1.5% in 2022, 0.3% in 2023, and 2.0% in 2024. By 2024, the UCLA Forecast expects the economy to rebound and for growth to accelerate slightly above long-term trends.

At the state level, the September 2022 UCLA Forecast for California points to continued economic growth with solid employment gains in the leisure and hospitality, health care and social services, technology, and construction industries as well as increases in demand in the defense and technology industries. However, this forecast points to headwinds that represent real near-term risks to the economy. “As a consequence of slowing of growth in the U.S. our forecast is now a bit weaker than three months ago. Further risks to the forecast are the course of the pandemic and domestic migration on the downside and increased international immigration and accelerated onshoring of technical manufacturing on the upside” wrote Jerry Nickelsburg, Director of UCLA Anderson Forecast.⁵

The State and local employment levels remain strong. After the State’s largest increase in the unemployment rate in April 2020, the California unemployment rate rose slightly from 3.9% in July to 4.1% in August. This rate is slightly lower compared to the 4.2% rate in June 2022. California has now regained 98.3% of the 2.7 million jobs lost due to COVID-19 in March and April 2020.⁷

The unadjusted unemployment rate in the San José-Sunnyvale-Santa Clara Metropolitan Statistical Area (MSA) was 2.4% in August 2022, up from a revised 2.2% in July 2022, but below the August 2021 level of 4.7% and the February 2020 level of 2.6%. Between August 2021 and August 2022, employment in this region increase by 52,200 jobs, or 4.6%.⁸ The largest increases were in professional and business services (up 14,200 jobs), leisure and hospitality (up 14,000 jobs), and private educational and health services (up 7,800 jobs).

Staff will continue to closely monitor the economic environment and the City’s financial performance and provide updates through the Monthly Financial Reports.

⁵ UCLA Anderson Forecast, California After Two Quarters of Negative GDP and CalExodus?, September 2022

⁷ https://edd.ca.gov/en/about_edd/news_releases_and_announcements/unemployment-August-2022/

⁸ [https://www.labormarketinfo.edd.ca.gov/file/lfmonth/sjos\\$pds.pdf](https://www.labormarketinfo.edd.ca.gov/file/lfmonth/sjos$pds.pdf)

General Fund Revenues

As of August 31, 2022, \$10.5 million or 4.2% of the General Fund estimated revenue (excluding transfers) was received. Transfers and use of reserves of \$40.7 million have occurred as budgeted. This very low collection level through August is largely due to the timing of payments. In some categories, the revenues received through August account for activity that occurred in FY 2021/22 and those revenues are accrued back to that year. In other cases, such as property tax, most payments are scheduled to occur later in the fiscal year.

CITY OF SANTA CLARA GENERAL FUND REVENUES OVERVIEW AND COMPARISON BY TYPE

Function	FISCAL YEAR 2022/23				PY REVENUE COMPARISON		
	Adopted Budget	Amended Budget	Actual Through 8/31/2022	Percentage Received	Actual Through 8/31/2021	Change From Prior Year	Percentage Change
TAXES							
Sales Tax	\$ 60,173,000	\$ 60,173,000	\$ -	0.00%	\$ -	\$ -	N/A
Property Tax	75,261,000	75,261,000	137,935	0.18%	46,714	91,221	195.28%
Transient Occupancy Tax	12,600,000	12,600,000	992,894	7.88%	459,117	533,777	116.26%
Other Taxes	6,260,000	6,260,000	215,174	3.44%	212,787	2,387	1.12%
Total Taxes	154,294,000	154,294,000	1,346,003	0.87%	718,618	627,385	87.30%
LICENSES & PERMITS							
Business Licenses	900,000	900,000	146,976	16.33%	159,930	(12,954)	-8.10%
Fire Operation Permits	2,100,000	2,100,000	301,265	14.35%	394,129	(92,864)	-23.56%
Building Permits	-	-	-	N/A	191,067	(191,067)	-100.00%
Electric Permits	-	-	-	N/A	45,302	(45,302)	-100.00%
Plumbing Permits	-	-	-	N/A	28,957	(28,957)	-100.00%
Mechanical Permits	-	-	-	N/A	35,417	(35,417)	-100.00%
Miscellaneous Permits	72,000	72,000	30,455	42.30%	12,983	17,472	134.58%
Total Licenses & Permits	3,072,000	3,072,000	478,696	15.58%	867,785	(389,089)	-44.84%
FINES & PENALTIES	1,465,000	1,615,000	28,881	1.79%	24,131	4,750	19.68%
INTERGOVERNMENTAL	310,000	310,000	24,666	7.96%	1,770	22,896	1293.56%
CHARGES FOR SERVICES	31,258,098	31,258,098	4,155,409	13.29%	4,332,894	(177,486)	-4.10%
SILICON VALLEY POWER TRANSFER	26,170,000	26,170,000	2,386,990	9.12%	4,295,563	(1,908,573)	-44.43%
USE OF MONEY & PROPERTY							
Interest	2,532,000	2,532,000	(153,222)	-6.05%	(567,735)	414,513	-73.01%
Rent	10,584,266	10,584,266	1,609,231	15.20%	1,774,697	(165,466)	-9.32%
Total Use of Money & Property	13,116,266	13,116,266	1,456,009	11.10%	1,206,962	249,047	20.63%
MISCELLANEOUS REVENUES	150,000	150,000	88,922	59.28%	52,734	36,188	68.62%
LAND PROCEED	-	-	-	N/A	-	-	N/A
OTHER FINANCING SOURCES							
Operating Transfer In - Storm Drain	1,454,000	1,454,000	1,454,000	100.00%	1,454,000	-	0.00%
Operating Transfer In - Reserves	25,812,244	32,632,195	32,632,195	100.00%	32,390,871	241,324	0.75%
Operating Transfer In - Fund Balances ⁽²⁾	4,484,726	4,484,726	4,484,726	100.00%	4,817,658	(332,933)	-6.91%
Operating Transfer In - Miscellaneous	2,127,374	2,127,374	2,127,374	100.00%	5,005,399	(2,878,025)	-57.50%
Total Other Financing Sources	33,878,344	40,698,295	40,698,295	100.00%	43,667,928	(2,969,634)	-6.80%
STADIUM OPERATION							
Charges for Services	7,889,147	7,889,147	91,272	1.16%	137,323	(46,051)	-33.53%
Rent and Licensing	752,500	752,500	483,361	64.23%	-	483,361	N/A
Total Stadium Operation	8,641,647	8,641,647	574,633	6.65%	137,323	437,310	318.45%
TOTAL GENERAL FUND	\$ 272,355,355	\$ 279,325,306	\$ 51,238,503	18.34%	\$ 55,305,709	\$ (4,067,206)	-7.35%

(1) The Operating Transfer In - Fund Balances includes the carryover encumbrances of open purchase orders as of June 30, 2022 and mid year budget amendment from reserves.

General Fund Revenues

Sales Tax: The City of Santa Clara sales tax rate is 9.0%, of which the City receives 1.0%. As of August 31, 2022, no sales tax has been collected. Given the timing of payments, the sales tax payments received through August accounted for activity in the prior fiscal year and those funds were accrued to last year.

Property Tax: Through August, 0.2% of the property tax budgeted estimate has been received. The majority of property tax revenue is collected in February and April each year. Based on initial information from the County of Santa Clara, property tax receipts are projected to end the year above the Adopted Budget estimate of \$75.3 million.

Transient Occupancy Tax (TOT): TOT is calculated as a percentage of City hotel/motel room charges. The City's TOT rate is 11.5%. Through August 31, 2022, approximately \$1.0 million has been received, which is significantly higher than receipts through the same period last fiscal year of \$0.5 million. As businesses continue to recover from the COVID-19 impacts, it is anticipated that TOT will increase compared to last fiscal year. While it is early in the fiscal year, TOT receipts are expected to meet or exceed the budgeted estimate of \$12.6 million based on current collection trends.

Other Taxes: Includes franchise tax and documentary transfer tax. The City has collected \$0.2 million through August, which is on par with prior year collection levels. Receipts through August reflect higher collections in the franchise tax category that is offset by lower receipts in the documentary transfer tax categories.

Licenses & Permits: Includes business licenses, fire operation permits, and miscellaneous permits and fees. Effective FY 2021/22, building, electric, plumbing and mechanical permits have all been budgeted in the new Building Development Services Fund, which will be reflected in the Special Revenue section of this report. Licenses and permits revenue collections are tracking slightly below par with receipts totaling \$0.5 million, or 15.6% of the budget of \$3.1 million.

Fines & Penalties: Includes vehicle, parking, court fines, and miscellaneous penalty fines. The revenue of approximately \$29,000 collected in this category through August is tracking to end the year well below the budgeted estimate of \$1.6 million largely due to the waiving of late fees in response to COVID-19. The City is applying for the California Arrearage Payment Program in order to alleviate the arrearages accrued as a result of the City's bill relief period.

Intergovernmental: Includes motor vehicle fees, state homeowner tax relief, state mandated reimbursement and redistribution of land sale proceeds and ground leases from the Successor Agency. Through August 31, 2022, \$25,000 has been received, which is well above receipts through the same period last year. This is a result of a reimbursement received for the Police Department for POST training courses.

Charges for Services: Includes various plan check and zoning-related fees, engineering fees, administrative fees, and community service revenue from various recreational activities. Through

August 31, 2022, collections totaled approximately \$4.2 million or 13.3% of the budget. This reflects a 4% decrease compared to last year's collections through the same period of \$4.3 million. This decrease is a result of timing of differences in the booking of interdepartmental charges directly related to the cost allocation plan. These charges have not yet been reflected this fiscal year. This is partially offset by higher collections for engineering fees and Fire CUPA fees.

Silicon Valley Power Transfer: In accordance with the City's charter, Silicon Valley Power pays 5.0% of gross revenues to the General Fund. As of August 31, 2022, \$2.4 million has been received. Transfers throughout the year are based on the budgeted estimate and will be trued up at the end of the fiscal year based on actual performance.

Use of Money & Property: Includes realized investment income and rental income. Interest income and rent revenue collections totaled \$1.6 million, or 11.1% of the budget. The negative amount under the interest category reflects an accrual to the prior year.

Miscellaneous Revenues: Includes developer fees, donations, damage recovery, sale of surplus, and one-time miscellaneous revenues. Through August 31, 2022, collections of \$89,000 are higher than collections through the same period last fiscal year by approximately 68.6%. This increase is primarily attributable to the level of donations received compared to last fiscal year.

Stadium Operation: As of August 31, 2022, charges for services collected through the Stadium totaled \$0.6 million, which is below par for this time of year. However, this is higher than collections through the same period last year resulting from the reopening of Stadium for events.

General Fund Expenditures

As of August 31, 2022, \$50.5 million or 18.1% of the General Fund operating budget had been expended. This is significantly lower than last fiscal year due to lower transfers to other funds; last year included a one-time transfer of the Building Inspection Reserve to the new Building Development Services Fund as well as higher transfers to Capital Funds. Overall, expenditures in the General Fund are within budgeted levels through August. Departmental expenditures totaled \$37.5 million, or 14.4% of the budget, which is below the par level of 16.7% of the budget. Several cost-control measures that were implemented in FY 2019/20 remain in place to generate expenditure savings. These measures include a hiring freeze and controls around overtime, as-needed staff, marketing, travel, technology and vehicle purchases. With these measures, expenditures are expected to end the year below budget.

CITY OF SANTA CLARA GENERAL FUND EXPENDITURES OVERVIEW AND COMPARISON BY FUNCTION

Function	FISCAL YEAR 2022/23				PY EXPENDITURES COMPARISON		
	Adopted Budget	Amended Budget	Actual Through 8/31/2022	Percentage Used	Actual Through 8/31/2021	Change From Prior Year	Percentage Change
GENERAL GOVERNMENT							
Non-Departmental	\$ 7,514,334	\$ 7,656,881	\$ 681,834	8.90%	\$ 552,144	\$ 129,690	23.49%
City Council	861,105	861,105	82,105	9.53%	139,207	(57,102)	-41.02%
City Clerk	2,076,112	2,080,362	158,246	7.61%	209,620	(51,374)	-24.51%
City Manager	6,085,321	6,277,494	700,340	11.16%	824,047	(123,707)	-15.01%
City Attorney	3,202,735	3,690,974	596,938	16.17%	435,670	161,268	37.02%
Human Resources	4,508,710	4,692,801	522,687	11.14%	570,591	(47,904)	-8.40%
Finance	19,045,131	19,836,493	2,503,339	12.62%	2,606,321	(102,982)	-3.95%
Total General Government	43,293,448	45,096,110	5,245,489	11.63%	5,337,600	(92,111)	-1.73%
PUBLIC WORKS	24,021,840	24,978,624	3,296,895	13.20%	3,911,605	(614,710)	-15.72%
COMMUNITY DEVELOPMENT	5,398,007	5,590,765	679,554	12.15%	886,012	(206,458)	-23.30%
PARKS AND RECREATION	21,695,302	22,082,661	3,170,571	14.36%	2,988,349	182,222	6.10%
PUBLIC SAFETY							
Fire	62,298,852	65,454,697	10,895,343	16.65%	10,537,598	357,745	3.39%
Police	84,615,023	84,924,035	12,636,356	14.88%	12,639,429	(3,073)	-0.02%
Total Public Safety	146,913,875	150,378,732	23,531,699	15.65%	23,177,027	354,672	1.53%
LIBRARY	11,889,451	12,039,461	1,554,011	12.91%	1,391,424	162,587	11.68%
DEPARTMENTAL TOTAL	253,211,923	260,166,353	37,478,219	14.41%	37,692,017	(213,798)	-0.57%
OTHER FINANCING USES							
Operating Transfer Out - Miscellaneous	38,809	38,809	38,809	100.00%	23,250,142	(23,211,333)	-99.83%
Operating Transfer Out - Debt Services	1,402,275	1,402,275	1,402,275	100.00%	2,501,439	(1,099,164)	-43.94%
Operating Transfer Out - Maintenance Dtrct	842,700	842,700	842,700	100.00%	771,349	71,351	9.25%
Operating Transfer Out - Cemetery	870,000	870,000	870,000	100.00%	850,000	20,000	2.35%
Operating Transfer Out - CIP	8,625,501	8,625,501	8,625,501	100.00%	11,773,925	(3,148,424)	-26.74%
Operating Transfer Out - Reserves	-	-	-	N/A	3,309,009	(3,309,009)	-100.00%
Total Other Financing Uses	11,779,285	11,779,285	11,779,285	100.00%	42,455,864	(30,676,579)	-72.26%
STADIUM OPERATION	7,364,147	7,379,668	1,232,445	16.70%	956,189	276,256	28.89%
TOTAL GENERAL FUND	\$ 272,355,355	\$ 279,325,306	\$ 50,489,949	18.08%	\$ 81,104,070	\$ (30,614,121)	-37.75%

General Fund Expenditures

Below is an explanation of certain budget to actual expenditure variances by program.

Non-Departmental: Includes expenditures that are not attributable to a single department, but a function of the City in general. As of August 31, 2022, expenditures totaled \$0.7 million, or 8.9% of the budget. These expenditures are below the par level of 16.7% but are higher than the prior year levels, primarily as a result of higher expenditures in the advertising and community promotion as well as salaries.

City Attorney: As of August 31, 2022, actual expenditures totaled approximately \$0.6 million, which is within expected levels at 16.2% of the budget. Spending is 37% above the total expenditures through the same time last fiscal year due to higher contractual legal services costs.

City Clerk: Through August, actual expenditures were tracking below budget at \$0.2 million or approximately 7.6% of the budget. This reflects a decrease of 24.5% over last year's spending through the same period. This is a result of the timing of the internal service allocation charges, which are not all yet reflected in the August data, as well as lower as-needed spending.

City Council: Through August, expenditures were at 9.5% of budget, which is below par. Compared to the same period through last fiscal year, this reflects a spending decrease of approximately 41%, which is primarily the result of the timing of internal service fund allocation charges. Additionally, lower spending is a result of savings due to vacancies within the department.

City Manager: The actual expenditures through August totaled \$0.7 million, or 11.2% of the budget, which is below par for this time of the year. Expenditures are 15% lower compared with the spending level through the same period last fiscal year. Similar to other departments, this is a result of the timing of the internal service allocation charges, which are not all yet reflected in the August data, as well as lower advertising spending.

Community Development Department: This department consists of three divisions: Planning, Building, and Housing and Community Services. The Building division of this department is reflected in the Building Development Services Fund, which falls under the special revenue section of this report. Through August, departmental expenditures for the Planning and Housing and Community Services divisions totaled \$0.7 million, or 12.2%, which is below the par level of 16.7%. Expenditures were also well below the spending through the same period last fiscal year due to the timing of the internal service allocation charges, which are not all yet reflected in the August data, as well as lower contractual services spending.

Finance Department: Through August, the Department's expenditures totaled \$2.5 million, or 12.6% of the budget, which is below par. This expenditure level was approximately 4% lower than expenditure levels through the same period last year. Similar to other departments, the timing of when the internal service fund allocations charges being recorded is a factor in the decrease.

Fire Department: As of August 31, 2022, actual expenditures totaled \$10.9 million, or 16.7% of the budget, which is at par. These expenditures reflect a 3.4% increase from expenditures through the same period last fiscal year. While salaries and benefits spending is higher than last fiscal year, this increase is partially offset by the timing of the internal service fund allocation charges, which are not fully captured through August data. Overtime expenditures are tracking at 29.1% of the budget, which is above par for this time of year. While this overtime figure is high, it is important to note that overtime is used to backfill for vacant positions and the vacancy savings offset a portion of the overtime costs.

Library Department: Through August, actual expenditures totaled \$1.6 million, or 12.9% of the budget, which is below par, but 11.7% higher than expenditure levels last fiscal year. This is a result of the resuming of full operations which began earlier this calendar year.

Parks and Recreation Department: Through August, actual expenditures totaled approximately \$3.2 million, or 14.4% of the budget, which is slightly below par, but above the prior year actuals of \$3.0 million. This is due to the department resuming activities that were previously impacted by COVID-19 restrictions.

Police Department: Expenditures as of August 2022 are tracking at expected levels at \$12.6 million, or 14.8% of the budget; this is consistent with prior year spending.

Stadium Operation: Stadium operating expenditures are incurred first and billed on a reimbursement basis creating a timing difference in revenue recognition. Stadium expenditures totaled \$1.2 million through August and are tracking below budgeted levels. However, this is 29% higher than expenditures through the same period last year, as a direct result of the reopening of the Stadium for events.

Special Revenue Funds

The table below is a summary of revenues and expenditures of select Special Revenue Funds as of August 31, 2022. The amended budget reflects carryover encumbrances from fiscal year 2021/22 and budget amendments approved by the City Council through August 2022. Effective July 1, 2021, all Building Division revenues and expenditures are now budgeted and accounted for in the Building Development Services Fund, which is included in the table below. Revenues totaled approximately \$3.5 million, while expenditures totaled approximately \$4.3 million through the end of August. Overall, both revenues and expenditures are tracking above par. In the Housing Successor Fund, the expenditures are currently showing as overbudget as a result of a special disbursements for a housing loan, which was budgeted in FY 2021/22. An adjustment to carryover this budget will be brought forward as part of the Budgetary Year-End Report for FY 2021/22, expected to go to Council in December 2022.

CITY OF SANTA CLARA SPECIAL REVENUE FUNDS REVENUE AND EXPENDITURE - OVERVIEW AND COMPARISON BY FUND

Fund Description	REVENUES - FISCAL YEAR 2022/23				PRIOR YEAR REVENUE COMPARISON		
	Adopted Budget	Amended Budget	Actual Through 8/31/2022	Percentage received	Actual Through 8/31/2021	\$ Change From Prior Year	Percent Change
Housing Authority Fund	\$ 280,000	\$ 280,000	\$ 17,897	6.39%	\$ 14,011	\$ 3,886	27.74%
City Affordable Housing Fund	682,000	682,000	75,663	11.09%	31,694	43,969	138.73%
Housing Successor Fund	350,000	350,000	136,440	38.98%	66,494	69,946	105.19%
Housing and Urban Development	1,810,000	1,810,000	78,408	4.33%	87,192	(8,784)	-10.07%
Building Development Services Fee Fund	14,112,000	14,112,000	3,208,522	22.74%	2,155,647	1,052,875	48.84%
TOTAL	\$ 17,234,000	\$ 17,234,000	\$ 3,516,930	20.41%	\$ 2,355,038	\$ 1,161,892	49.34%

Fund Description	EXPENDITURES - FISCAL YEAR 2022/23				PRIOR YEAR EXPENDITURE COMPARISON		
	Adopted Budget	Amended Budget	Actual through 8/31/2022	Percentage used	Actual through 8/31/2021	\$ Change From Prior Year	Percent Change
Housing Authority Fund	\$ 380,363	\$ 478,326	\$ 39,308	8.22%	\$ 31,440	\$ 7,868	25.03%
City Affordable Housing Fund	1,685,731	2,794,313	166,835	5.97%	176,890	(10,055)	-5.68%
Housing Successor Fund	1,242,599	1,374,178	1,755,713	127.76%	128,342	1,627,371	1268.00%
Housing and Urban Development	2,379,814	3,128,522	389,875	12.46%	888,910	(499,035)	-56.14%
Building Development Services Fee Fund	13,360,809	15,008,207	1,904,806	12.69%	1,482,855	421,951	28.46%
TOTAL	\$ 19,049,316	\$ 22,783,546	\$ 4,256,537	18.68%	\$ 2,708,437	\$ 1,548,100	57.16%

Governmental Capital Improvement Funds

The table below lists the total amended budget amounts for the Capital Improvement Funds, which consist of current year appropriations, prior year carryover encumbrance balances in Governmental Capital Improvement Funds, and budget amendments approved through August 2022. As of August 31, 2022, these capital fund expenditures totaled \$6.0 million, or 4.5% of the amended budget. As part of the adoption of the FY 2022/23 and FY 2023/24 capital improvement program budget, some capital funds were carried over for projects that were not anticipated to be completed by June 30, 2022. Necessary additional adjustments to the capital carryover amounts will be brought forward as part of the Budgetary Year-End Report for FY 2021/22, expected to go to Council in December 2022.

The carryover of prior year budget amounts is necessary when services or projects are started but not completed at the end of the fiscal year. This is especially true for the Capital Improvement Program (CIP) that typically spans several years. The table below displays the expenditure budget for the General Government capital funds excluding transfers.

CITY OF SANTA CLARA GOVERNMENTAL CAPITAL IMPROVEMENT FUNDS SUMMARY OF EXPENDITURES

EXPENDITURES - FISCAL YEAR 2022/23						
Fund Description	Current Year Appropriation	Prior Year Carryforward	Total Amended Budget	Actual Through 8/31/2022	Percentage Used	
Parks & Recreation	\$ 4,667,991	\$ 22,437,801	\$ 27,105,792	\$ 511,498	1.89%	
Streets & Highways	15,163,050	59,970,079	75,133,129	3,774,921	5.02%	
Storm Drain	963,432	6,657,501	7,620,933	863,170	11.33%	
Fire	661,766	1,768,679	2,430,445	43,000	1.77%	
Library	281,831	297,590	579,421	6,500	1.12%	
Public Buildings	1,189,532	4,061,069	5,250,601	125,265	2.39%	
General Gov't - Other	1,950,000	7,453,526	9,403,526	423,148	4.50%	
Related Santa Clara Developer	2,902,465	598,382	3,500,847	259,081	7.40%	
Patrick Henry Drive Infrastructure Improvement Fund	69,205	-	69,205	5,718	8.26%	
Tasman East Specific Infrastructure Improvement Fund	2,876,218	-	2,876,218	2,192	0.08%	
TOTAL	\$ 30,725,490	\$ 103,244,627	\$ 133,970,117	\$ 6,014,493	4.49%	

Enterprise Funds

The table below is a summary of revenues and expenses for the Enterprise Operating Funds as of August 31, 2022. Overall, revenues and expenditures are tracking below budgeted levels.

While revenues are tracking above last fiscal year levels, expenditures are tracking lower than prior year levels, primarily in the Water Utility and Solid Waste Funds. The decrease in expenditures is primarily due to lower expenditures in the resources and the garbage, disposal, and recycling categories, respectively.

CITY OF SANTA CLARA ENTERPRISE OPERATING FUNDS REVENUES AND EXPENSES - OVERVIEW AND COMPARISON BY FUND

Fund Description	REVENUES - FISCAL YEAR 2022/23				PRIOR YEAR REVENUE COMPARISON		
	Adopted Budget	Amended Budget	Actual Through 8/31/2022	Percentage received	Actual Through 8/31/2021	\$ Change From Prior Year	Percent Change
Electric Utility Fund	\$ 615,818,445	\$ 615,818,445	\$ 64,457,371	10.47%	\$ 53,823,384	\$ 10,633,987	19.76%
Water Utility Fund	48,358,520	48,358,520	8,128,611	16.81%	6,069,678	2,058,933	33.92%
Sewer Utility Fund	40,459,345	40,459,345	4,865,778	12.03%	4,095,652	770,126	18.80%
Cemetery Fund	600,000	600,000	134,321	22.39%	132,408	1,913	1.44%
Solid Waste Utility Fund	37,245,092	37,245,092	4,076,095	10.94%	3,785,465	290,630	7.68%
Water Recycling Fund	5,708,446	5,708,446	917,623	16.07%	1,097,574	(179,951)	-16.40%
TOTAL REVENUE	\$ 748,189,848	\$ 748,189,848	\$ 82,579,799	11.04%	\$ 69,004,161	\$ 13,575,638	19.67%

Fund Description	EXPENSES - FISCAL YEAR 2022/23				PRIOR YEAR EXPENSE COMPARISON		
	Adopted Budget	Amended Budget	Actual through 8/31/2022	Percentage Used	Actual through 8/31/2021	\$ Change From Prior Year	Percent Change
Electric Utility Fund	\$ 603,681,580	\$ 606,315,831	\$ 69,650,517	11.49%	\$ 77,898,641	\$ (8,248,124)	-10.59%
Water Utility Fund	46,797,065	48,412,861	3,244,601	6.70%	5,119,682	(1,875,081)	-36.62%
Sewer Utility Fund	30,825,023	31,046,671	6,458,697	20.80%	6,576,816	(118,119)	-1.80%
Cemetery Fund	1,539,796	1,539,796	192,373	12.49%	237,326	(44,953)	-18.94%
Solid Waste Utility Fund	36,626,118	40,159,684	3,530,642	8.79%	4,517,524	(986,882)	-21.85%
Water Recycling Fund	5,729,413	5,729,413	1,431,021	24.98%	1,251,718	179,303	14.32%
TOTAL - Operating Appropriations	\$ 725,198,995	\$ 733,204,256	\$ 84,507,851	11.53%	\$ 95,601,707	\$ (11,093,856)	-11.60%

Revenues in the electric (which also includes the Electric Debt Service Fund), water, and sewer utility (which also includes the Sewer Debt Service Fund) and water recycling funds are primarily from customer service charges. The activity levels for these customer service charges also impact the resource and production costs on the expenditure side for these funds. The lower the revenue from customer service charges, the lower the expenditures in the resource and production category.

A summary of expenses in the Enterprise Capital Improvement Funds is detailed in the table below. Actuals through August 2022 totaled approximately \$11.3 million, or 4% of the amended budget. Similar to the general government capital funds, capital funds were carried over into next fiscal year as part of the FY 2022/23 and FY 2023/24 budget adoption process for those projects that have not yet been completed. Adjustments to the capital carryover amounts based on actual year-end expenditures will be brought forward in December 2022, as part of the FY 2021/22 year-end reconciliation process.

CITY OF SANTA CLARA ENTERPRISE CAPITAL IMPROVEMENT FUNDS SUMMARY OF EXPENSES

Fund Description	EXPENSES - FISCAL YEAR 2022/23					Prior Year
	Current Year Appropriation	Prior Year Carryforward	Total Amended Budget	Actual Through 8/31/2022	Percentage Used	Actual Through 8/31/2021
Electric Utility Fund	\$ 96,088,981	\$ 118,664,746	\$ 214,753,727	\$ 8,412,359	3.92%	\$ 1,700,186
Street Lighting ⁽¹⁾	71,455	4,820,273	4,891,728	21,635	0.44%	43,022
Water Utility Fund	6,665,000	1,368,212	8,033,212	336,133	4.18%	441,284
Sewer Utility Fund	19,815,641	25,615,224	45,430,865	2,461,347	5.42%	5,078,831
Cemetery Fund	9,225	278,397	287,622	-	-	1,401
Solid Waste Utility Fund	743,000	148,520	891,520	42,107	4.72%	112,790
Water Recycling Fund	50,000	-	50,000	-	-	-
Convention Center Capital Fund		2,622,854	2,622,854	-	-	207,237
TOTAL - CIP Appropriations	\$ 123,443,301	\$ 153,518,227	\$ 276,961,528	\$ 11,273,581	4.07%	\$ 7,584,751

(1) Street Lighting fund is part of Electric Capital Improvement Funds

Fund Reserves

By policy, City Council established the City's General Contingency Reserve, under which reserves for Budget Stabilization and Capital Projects were established.

- Budget Stabilization Reserve is set aside for weathering economic downturns, emergency financial crisis, or disaster situations. The reserve target is equal to the expenditures of the City's General Fund operations for three months (90-day or 25% General Fund Adopted Operating Budget). In FY 2022/23, the City Council approved an exception to the policy to allow the Reserve to drop below the 25% level.
- Capital Projects Reserve earmarks funds for the Capital Improvement Program.

Other General Reserves and Enterprise Fund Reserves included in this report are highlighted as follows:

- Technology Fee Reserve is set aside to update and/or replace the City's aging technology and to ensure internal controls are in compliance with current business standard and legal requirements.
- Land Sale Reserve is net proceeds from the sale of City-owned land, with interest earned on these funds available to be appropriated for General Fund operating expenditures. This reserve is available for appropriation by City Council action.
- The Electric Utility Rate Stabilization Reserve and Operations and Maintenance Reserve assure sufficient operating cash is available to cover day-to-day expenses, address unforeseen cost increases or revenue shortfalls, and ensure debt service coverage.
- The Replacement and Improvement Reserve in the Water and Sewer Utility Funds is for future capital improvement.

The table below summarizes select reserve balances.

**CITY OF SANTA CLARA
RESERVE BALANCES
August 31, 2022**

DETAIL OF SELECTED FUND RESERVE BALANCES:

	GENERAL FUND	ELECTRIC	WATER
Budget Stabilization Reserve	\$ 39,701,399		
Capital Projects Reserve	5,364,822		
Land Sale Reserve	10,400,907		
Technology Fee Reserve	2,353,804		
Electric Rate Stabilization Fund Reserve		\$ 44,898,011	
Electric Operations and Maintenance Reserve		112,838,357	
Replacement & Improvement			\$ 303,090
TOTALS	\$ 57,820,932	\$ 157,736,368	\$ 303,090

Long-Term Interfund Advances

The funds below have made advances/loans which are not expected to be repaid within the next year. The balances reflected in the table are through August 2022. The loan from the General Fund to Parks and Recreation Facilities reflects proceeds from the Land Sale Reserve for the purchase of property at the Reed and Grant Sports Park. This loan is anticipated to be repaid by 25% of future Mitigation Fee Act revenue until the loan is paid in full.

DETAIL OF LONG TERM INTERFUND ADVANCE BALANCES:			
Fund Receiving Advance/Loan	Fund Making Advance/Loan	Type	Amount of Advance/Commitment
Parks and Recreation Facilities	General Fund	Loan	5,539,540
TOTALS			\$ 5,539,540

Donations to the City of Santa Clara

Donations received by department during the month of August 2022 and for fiscal year 2022/23 are shown in the table below.

Department	Aug-22	Fiscal Year 2022/23 Year To Date	Designated Use
City Manager's Office	\$ 25	\$ 25	Help Your Neighbor
Parks & Recreation	99	99	Case Management
Parks & Recreation	568	594	Roberta Jones Jr. Theatre
Parks & Recreation	450	9,825	Wade Brummal
TOTALS	\$ 1,142	\$ 10,543	



**City of
Santa Clara**
The Center of What's Possible

MONTHLY INVESTMENT REPORT

August 2022

City of Santa Clara

Monthly Investment Report

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**CITY OF SANTA CLARA
SUMMARY OF INVESTMENT PORTFOLIO**

All securities held by the City of Santa Clara as of August 31, 2022 were in compliance with the City's Investment Policy Statement regarding current market strategy and long-term goals and objectives. All securities held are rated A or higher by two nationally recognized rating agencies. There is adequate cash flow and maturity of investments to meet the City's needs for the next six months.

The following table provides the breakdown of the total portfolio among the City, the Sports and Open Space Authority (SOSA), and the Housing Authority (HA) as of August 31, 2022.

	<u>COST VALUE</u>	<u>PERCENTAGE</u>
City	\$837,435,436	99.50%
SOSA	3,867	0.00%
HA	<u>4,226,750</u>	<u>0.50%</u>
Unrestricted	\$841,666,053	<u>100.00%</u>
Restricted Bond Proceeds	<u>2,156,360</u>	
Total Investments	<u>\$843,822,413</u>	

On August 31, 2022 the cost value and market value of the City's unrestricted pooled investment portfolio were \$841,666,053 and \$809,294,517 respectively.

Investment Strategy and Market Update

The City's investment strategy for August 2022 was to invest funds not required to meet current obligations, in securities listed in the prevailing Investment Policy Statement, with maturities not to exceed five years from date of purchase. This strategy ensures safety of the City's funds, provides liquidity to meet the City's cash needs, and earns a reasonable portfolio return.

On July 14, 2020, City Council approved entering into a contract with PFM Asset Management LLC ("PFM") for the management of the City's investment portfolio. The City has leveraged PFM's extensive investment management experience and dedicated credit and risk management personnel to further diversify the portfolio and enhance returns. PFM began actively managing the City's securities portfolio on September 1, 2020.

As of August 31, 2022, 43.95% of the City's portfolio consists of U.S. Treasury Notes, 21.77% consists of Federal Agencies, 20.33% consists of investment grade Corporate Notes, 8.30% consists of Local Agency Investment Fund (LAIF), 2.18% consists of investment grade Supranational Obligations, 1.37% consists of investment grade Asset-Back Securities, 1.30% consists of Negotiable Certificates of Deposit, and 0.49% consists of investment grade Municipal Bonds. In addition, City bond proceeds are invested in separate funds and are not included in the calculation of the City's portfolio yield.

The City's portfolio yield, including LAIF and money market accounts, was 1.51% and the average maturity of the City's portfolio was 2.10 years.

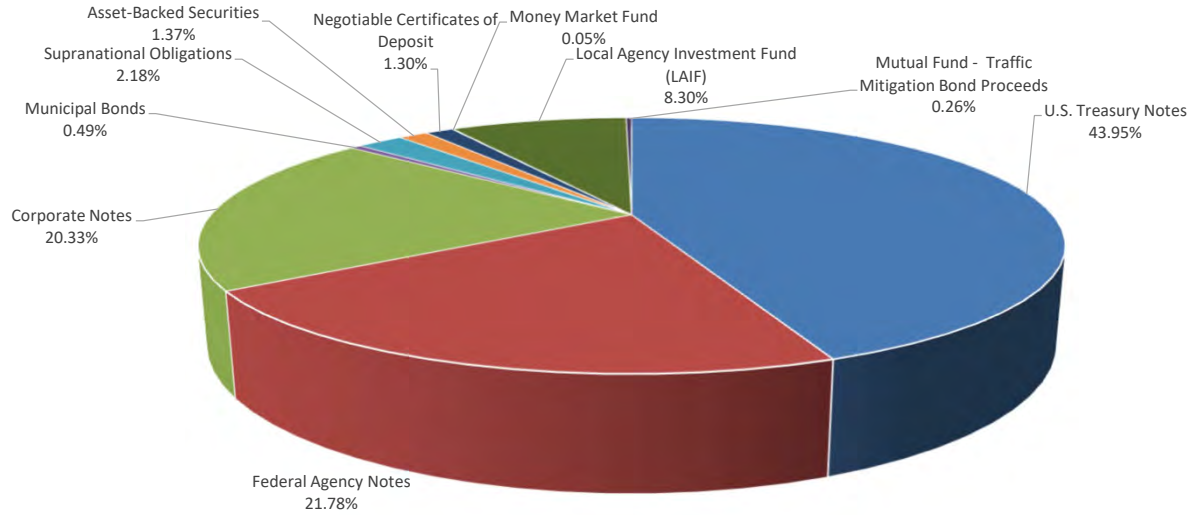
The City's securities portfolio compared to the Benchmark ICE BaML 1-5 US Treasury Index as of August 31, 2022 was as follows:

Description	Average Maturity (Years)	Yield to Maturity (At Cost) ¹
Santa Clara Portfolio	2.29	1.56%
1-5 US Treasury	2.70	1.08%

1. *Yield to Maturity at Cost: The expected rate of return based on the original cost, annual interest receipts, maturity value, and the time period from purchase date to maturity, stated as a percentage on an annualized basis.*

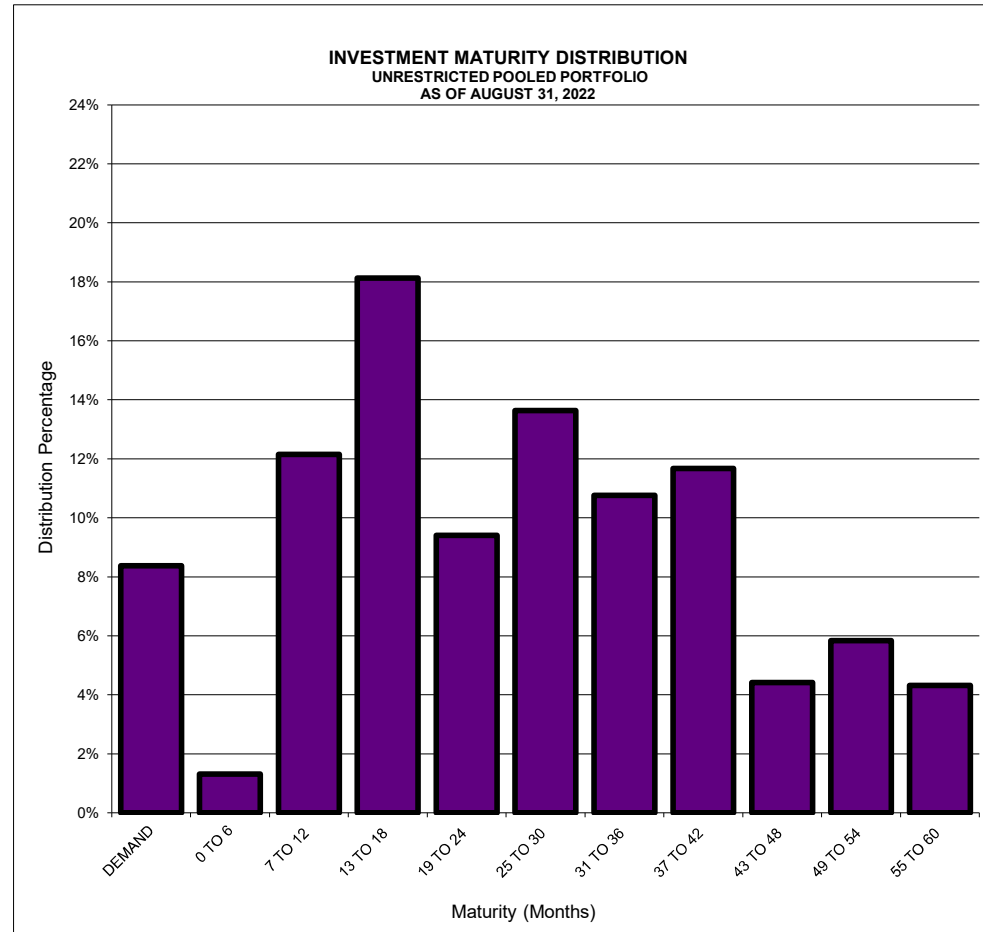
**CITY OF SANTA CLARA
SUMMARY OF INVESTMENTS AUGUST 31, 2022**

<u>INVESTMENT TYPE</u>	<u>COST VALUE</u>	<u>% OF PORTFOLIO</u>	<u>PER INVESTMENT POLICY</u>
U.S. Treasury Notes	370,847,334	43.95%	No Limit
Federal Agency Notes	183,754,336	21.77%	80%
Corporate Notes	171,517,009	20.33%	25%
Municipal Bonds	4,145,000	0.49%	20%
Supranational Obligations	18,376,628	2.18%	20%
Asset-Backed Securities	11,553,044	1.37%	10%
Negotiable Certificates of Deposit	11,000,000	1.30%	30%
Money Market Fund	445,955	0.05%	10% Per Fund
Local Agency Investment Fund (LAIF)	70,026,747	8.30%	\$75 M
Mutual Fund - Traffic Mitigation Bond Proceeds	2,156,360	0.26%	10% Per Fund
TOTAL INVESTMENTS	\$ 843,822,413	100.00%	



**INVESTMENT MATURITY DISTRIBUTION
AS OF AUGUST 31, 2022
UNRESTRICTED POOLED PORTFOLIO**

MATURITY (IN MONTHS)	COST VALUE	NUMBER OF INVESTMENTS	DISTRIBUTION
DEMAND	\$ 70,472,702 (a)	2	8.37%
0 TO 6	11,000,000	1	1.31%
7 TO 12	102,221,473	15	12.15%
13 TO 18	152,617,744	30	18.13%
19 TO 24	79,096,666	14	9.40%
25 TO 30	114,690,456	20	13.63%
31 TO 36	90,543,038	16	10.76%
37 TO 42	98,251,365	21	11.67%
43 TO 48	37,209,850	8	4.42%
49 TO 54	49,180,241	10	5.84%
55 TO 60	36,382,518	8	4.32%
TOTAL	\$ 841,666,053	145	100.00%



Average Maturity of Unrestricted Pool: 2.10 Years

(a) \$20 million is earmarked for the City's Electric Utility power-trading.

City of Santa Clara Monthly Report

8/31/2022

Description	Issue Date	Coupon Rate	Maturity Date	CUSIP	Par Value	S&P Rating	Settle Date	Cost Value	YTM at Cost	Market Value	Unrealized G/L
UNITED STATES TREASURY	3/31/2016	1.500%	3/31/2023	912828Q29	5,500,000.00	AA+	4/10/2018	5,213,609.50	2.62%	5,445,220.00	231,610.50
UNITED STATES TREASURY	3/31/2021	0.125%	3/31/2023	91282CBU4	5,000,000.00	AA+	6/29/2021	4,992,187.50	0.21%	4,910,750.00	-81,437.50
UNITED STATES TREASURY	5/2/2016	1.625%	4/30/2023	912828R28	10,000,000.00	AA+	5/8/2018	9,446,875.00	2.82%	9,885,900.00	439,025.00
UNITED STATES TREASURY	5/31/2016	1.625%	5/31/2023	912828R69	10,000,000.00	AA+	7/16/2018	9,484,375.00	2.76%	9,872,300.00	387,925.00
UNITED STATES TREASURY	7/2/2018	2.625%	6/30/2023	9128284U1	5,030,000.00	AA+	8/26/2021	5,252,616.80	0.22%	5,001,127.80	-251,489.00
UNITED STATES TREASURY	6/30/2016	1.375%	6/30/2023	912828S35	20,000,000.00	AA+	1/17/2019	20,053,710.95	1.31%	19,665,600.00	-388,110.95
UNITED STATES TREASURY	7/31/2018	2.750%	7/31/2023	912828Y61	10,000,000.00	AA+	9/18/2018	9,918,710.94	2.93%	9,942,600.00	23,889.06
UNITED STATES TREASURY	8/31/2016	1.375%	8/31/2023	9128282D1	5,000,000.00	AA+	9/12/2018	4,657,031.25	2.87%	4,896,500.00	239,468.75
UNITED STATES TREASURY	9/30/2016	1.375%	9/30/2023	912828T26	7,500,000.00	AA+	11/13/2018	6,947,167.97	3.01%	7,332,975.00	385,807.03
UNITED STATES TREASURY	10/15/2020	0.125%	10/15/2023	91282CAP6	5,260,000.00	AA+	3/26/2021	5,248,288.28	0.21%	5,067,063.20	-181,225.08
UNITED STATES TREASURY	10/31/2016	1.625%	10/31/2023	912828T91	5,000,000.00	AA+	1/25/2019	4,787,695.31	2.58%	4,896,100.00	108,404.69
UNITED STATES TREASURY	11/30/2018	2.875%	11/30/2023	9128285P1	9,745,000.00	AA+	6/23/2021	10,349,875.20	0.32%	9,674,543.65	-675,331.55
UNITED STATES TREASURY	11/30/2016	2.125%	11/30/2023	912828U57	10,000,000.00	AA+	2/28/2019	10,251,562.50	1.57%	9,838,700.00	-412,862.50
UNITED STATES TREASURY	1/3/2017	2.250%	12/31/2023	912828V23	5,000,000.00	AA+	3/13/2019	4,957,812.50	2.44%	4,919,900.00	-37,912.50
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	5,000,000.00	AA+	3/26/2021	4,981,445.31	0.26%	4,776,150.00	-205,295.31
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	2,510,000.00	AA+	3/31/2021	2,497,744.14	0.30%	2,397,627.30	-100,116.84
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	11,000,000.00	AA+	6/11/2021	10,972,500.00	0.22%	10,507,530.00	-464,970.00
UNITED STATES TREASURY	1/15/2021	0.125%	1/15/2024	91282CBE0	5,525,000.00	AA+	7/14/2021	5,497,375.00	0.33%	5,277,645.75	-219,729.25
UNITED STATES TREASURY	1/31/2019	2.500%	1/31/2024	9128285Z9	5,000,000.00	AA+	4/14/2020	5,407,421.88	0.34%	4,931,650.00	-475,771.88
UNITED STATES TREASURY	2/28/2017	2.125%	2/29/2024	912828W48	1,625,000.00	AA+	4/15/2021	1,637,941.42	0.31%	1,593,198.75	-44,742.67
UNITED STATES TREASURY	4/15/2021	0.375%	4/15/2024	91282CBV2	5,415,000.00	AA+	10/15/2021	5,397,443.55	0.51%	5,149,773.30	-247,670.25
UNITED STATES TREASURY	4/30/2019	2.250%	4/30/2024	9128286R6	3,825,000.00	AA+	3/25/2022	3,827,838.87	2.21%	3,749,838.75	-78,000.12
UNITED STATES TREASURY	5/1/2017	2.000%	4/30/2024	912828X70	5,000,000.00	AA+	5/16/2019	4,952,734.38	2.20%	4,882,250.00	-70,484.38
UNITED STATES TREASURY	5/15/2014	2.500%	5/15/2024	912828WJ5	6,050,000.00	AA+	8/16/2019	6,332,174.65	1.48%	5,953,321.00	-378,853.65
UNITED STATES TREASURY	6/30/2019	1.750%	6/30/2024	9128286Z8	7,250,000.00	AA+	12/12/2019	7,253,398.44	1.74%	7,029,672.50	-223,725.94
UNITED STATES TREASURY	6/30/2017	2.000%	6/30/2024	912828XX3	5,000,000.00	AA+	8/29/2019	5,136,328.13	1.41%	4,871,100.00	-265,228.13
UNITED STATES TREASURY	7/15/2021	0.375%	7/15/2024	91282CCL3	5,250,000.00	AA+	9/10/2021	5,246,718.75	0.40%	4,958,782.50	-287,936.25
UNITED STATES TREASURY	7/31/2017	2.125%	7/31/2024	9128282N9	5,000,000.00	AA+	9/10/2019	5,133,315.75	1.56%	4,877,350.00	-255,965.75
UNITED STATES TREASURY	8/31/2017	1.875%	8/31/2024	9128282U3	2,985,000.00	AA+	3/10/2020	3,149,640.66	0.62%	2,894,285.85	-255,354.81
UNITED STATES TREASURY	8/31/2019	1.250%	8/31/2024	912828YE4	4,750,000.00	AA+	1/5/2021	4,928,867.19	0.21%	4,549,075.00	-379,792.19
UNITED STATES TREASURY	10/31/2017	2.250%	10/31/2024	9128283D0	10,000,000.00	AA+	11/18/2019	10,290,625.00	1.64%	9,747,700.00	-542,925.00
UNITED STATES TREASURY	11/30/2017	2.125%	11/30/2024	9128283J7	5,000,000.00	AA+	1/6/2020	5,118,945.31	1.62%	4,853,700.00	-265,245.31
UNITED STATES TREASURY	1/2/2018	2.250%	12/31/2024	9128283P3	10,000,000.00	AA+	1/7/2020	10,300,781.25	1.62%	9,724,600.00	-576,181.25
UNITED STATES TREASURY	1/15/2022	1.125%	1/15/2025	91282CDS7	2,095,000.00	AA+	4/12/2022	2,007,026.37	2.71%	1,982,875.60	-24,150.77
UNITED STATES TREASURY	1/31/2020	1.375%	1/31/2025	912828Z52	5,000,000.00	AA+	4/22/2020	5,238,671.88	0.37%	4,757,250.00	-481,421.88
UNITED STATES TREASURY	1/31/2020	1.375%	1/31/2025	912828Z52	1,950,000.00	AA+	5/7/2021	2,013,146.48	0.50%	1,855,327.50	-157,818.98
UNITED STATES TREASURY	2/28/2018	2.750%	2/28/2025	9128283Z1	6,200,000.00	AA+	3/6/2020	6,050,757.82	0.61%	6,089,826.00	-760,931.82
UNITED STATES TREASURY	8/31/2020	0.250%	8/31/2025	91282CAJ0	4,120,000.00	AA+	8/2/2021	4,075,581.25	0.52%	3,741,001.20	-334,580.05
UNITED STATES TREASURY	10/31/2020	0.250%	10/31/2025	91282CAT8	5,400,000.00	AA+	10/7/2021	5,285,882.83	0.78%	4,879,008.00	-406,874.83
UNITED STATES TREASURY	10/31/2020	0.250%	10/31/2025	91282CAT8	5,510,000.00	AA+	6/7/2022	5,024,216.02	3.00%	4,978,395.20	-45,820.82
UNITED STATES TREASURY	11/30/2020	0.375%	11/30/2025	91282CAZ4	4,450,000.00	AA+	11/4/2021	4,327,625.00	1.07%	4,025,870.50	-301,754.50
UNITED STATES TREASURY	12/31/2020	0.375%	12/31/2025	91282CBC4	3,820,000.00	AA+	5/3/2021	3,751,956.25	0.76%	3,448,008.40	-303,947.85
UNITED STATES TREASURY	1/31/2021	0.375%	1/31/2026	91282CBH3	8,025,000.00	AA+	11/30/2021	7,817,478.52	1.01%	7,224,105.00	-593,373.52
UNITED STATES TREASURY	1/31/2021	0.375%	1/31/2026	91282CBH3	4,050,000.00	AA+	1/6/2022	3,906,351.56	1.27%	3,645,810.00	-260,541.56
UNITED STATES TREASURY	1/31/2021	0.375%	1/31/2026	91282CBH3	7,735,000.00	AA+	2/25/2022	7,305,949.22	1.84%	6,963,047.00	-342,902.22
UNITED STATES TREASURY	1/31/2021	0.375%	1/31/2026	91282CBH3	8,710,000.00	AA+	5/3/2022	7,905,345.70	3.00%	7,840,742.00	-64,603.70
UNITED STATES TREASURY	2/28/2021	0.500%	2/28/2026	91282CBQ3	3,575,000.00	AA+	8/31/2021	3,574,577.43	0.70%	3,225,615.25	-348,962.18

City of Santa Clara Monthly Report

8/31/2022

Description	Issue Date	Coupon Rate	Maturity Date	CUSIP	Par Value	S&P Rating	Settle Date	Cost Value	YTM at Cost	Market Value	Unrealized G/L
UNITED STATES TREASURY	2/28/2021	0.500%	2/28/2026	91282CBQ3	5,175,000.00	AA+	12/7/2021	5,035,517.58	1.15%	4,669,247.25	-366,270.33
UNITED STATES TREASURY	5/31/2021	0.750%	5/31/2026	91282CCF6	5,860,000.00	AA+	3/21/2022	5,520,989.84	2.20%	5,304,472.00	-216,517.84
UNITED STATES TREASURY	5/31/2021	0.750%	5/31/2026	91282CCF6	9,250,000.00	AA+	6/8/2022	8,477,480.47	2.99%	8,373,100.00	-104,380.47
UNITED STATES TREASURY	8/15/2016	1.500%	8/15/2026	9128282A7	5,350,000.00	AA+	8/15/2022	5,033,388.67	3.08%	4,966,298.00	-67,090.67
UNITED STATES TREASURY	9/30/2021	0.875%	9/30/2026	91282CCZ2	8,500,000.00	AA+	4/5/2022	7,878,769.53	2.61%	7,678,900.00	-199,869.53
UNITED STATES TREASURY	10/31/2021	1.125%	10/31/2026	91282CDG3	5,700,000.00	AA+	8/8/2022	5,267,601.56	3.05%	5,193,669.00	-73,932.56
UNITED STATES TREASURY	11/15/2016	2.000%	11/15/2026	912828U24	8,840,000.00	AA+	6/8/2022	8,472,242.19	3.01%	8,346,197.60	-126,044.59
UNITED STATES TREASURY	12/31/2021	1.250%	12/31/2026	91282CDQ1	5,340,000.00	AA+	4/14/2022	5,000,617.97	2.69%	4,879,638.60	-120,979.37
UNITED STATES TREASURY	2/15/2017	2.250%	2/15/2027	912828V98	2,100,000.00	AA+	4/20/2022	2,040,691.41	2.88%	1,999,683.00	-41,008.41
UNITED STATES TREASURY	2/15/2017	2.250%	2/15/2027	912828V98	5,400,000.00	AA+	6/13/2022	5,159,109.38	3.29%	5,142,042.00	-17,067.38
UNITED STATES TREASURY	2/15/2017	2.250%	2/15/2027	912828V98	7,910,000.00	AA+	7/7/2022	7,705,452.34	2.85%	7,532,139.30	-173,313.04
UNITED STATES TREASURY	4/30/2020	0.500%	4/30/2027	912828ZN3	7,000,000.00	AA+	8/3/2022	6,262,812.50	2.89%	6,138,930.00	-123,882.50
UNITED STATES TREASURY	5/15/2017	2.375%	5/15/2027	912828X88	5,400,000.00	AA+	8/8/2022	5,248,546.88	3.01%	5,163,534.00	-85,012.88
UNITED STATES TREASURY	6/30/2020	0.500%	6/30/2027	912828ZV5	5,675,000.00	AA+	8/15/2022	5,034,789.06	3.00%	4,956,091.00	-78,698.06
U.S. Treasury Bond / Note				Subtotal	377,360,000.00			370,847,334.09		359,075,353.75	-11,771,980.34
FANNIE MAE	11/25/2020	0.250%	11/27/2023	3135G06H1	4,950,000.00	AA+	11/25/2020	4,944,357.00	0.29%	4,757,445.00	-186,912.00
FANNIE MAE	11/25/2020	0.250%	11/27/2023	3135G06H1	5,225,000.00	AA+	1/22/2021	5,230,799.75	0.21%	5,021,747.50	-209,052.25
FANNIE MAE	7/8/2019	1.750%	7/2/2024	3135G0V75	15,000,000.00	AA+	12/18/2019	15,566,089.75	0.90%	14,552,850.00	-1,013,239.75
FANNIE MAE	1/10/2020	1.625%	1/7/2025	3135G0X24	7,500,000.00	AA+	1/22/2020	7,499,025.00	1.63%	7,192,575.00	-306,450.00
FANNIE MAE	4/24/2020	0.625%	4/22/2025	3135G03U5	10,000,000.00	AA+	5/7/2020	10,050,600.00	0.52%	9,259,300.00	-791,300.00
FANNIE MAE	11/12/2020	0.500%	11/7/2025	3135G06G3	1,860,000.00	AA+	12/29/2020	1,864,929.00	0.44%	1,692,674.40	-172,254.60
FNMA Medium Term Note				Subtotal	44,535,000.00			45,155,800.50		42,476,591.90	-2,679,208.60
FEDERAL FARM CREDIT BANKS	6/19/2018	2.890%	6/19/2023	3133EJSD2	5,000,000.00	AA+	11/28/2018	4,980,250.00	2.98%	4,973,900.00	-6,350.00
FEDERAL FARM CREDIT BANKS	1/17/2020	1.600%	7/17/2023	3133ELHZ0	5,000,000.00	AA+	1/16/2020	4,998,200.00	1.61%	4,915,150.00	-83,050.00
FEDERAL FARM CREDIT BANKS	8/14/2018	2.900%	8/14/2023	3133EJWV7	5,000,000.00	AA+	9/17/2018	4,977,050.00	3.00%	4,966,250.00	-10,800.00
FEDERAL FARM CREDIT BANKS	10/2/2018	3.050%	10/2/2023	3133EJD48	7,575,000.00	AA+	11/27/2018	7,583,620.35	3.02%	7,526,292.75	-57,327.60
FEDERAL FARM CREDIT BANKS	11/1/2017	2.200%	11/1/2023	3133EHN25	2,965,000.00	AA+	6/26/2019	3,006,094.90	1.87%	2,920,791.85	-85,303.05
FEDERAL FARM CREDIT BANKS	2/27/2019	2.610%	2/27/2024	3133EKBW5	5,000,000.00	AA+	3/20/2019	5,033,150.00	2.47%	4,930,800.00	-102,350.00
FEDERAL FARM CREDIT BANKS	4/22/2019	2.450%	7/22/2024	3133EKHV1	5,000,000.00	AA+	9/4/2019	5,250,650.00	1.38%	4,914,850.00	-335,800.00
FEDERAL FARM CREDIT BANKS	11/1/2019	1.650%	11/1/2024	3133EK4Y9	5,000,000.00	AA+	11/8/2019	4,962,850.00	1.81%	4,815,450.00	-147,400.00
FEDERAL FARM CREDIT BANKS	1/23/2020	1.650%	1/23/2025	3133ELJM7	7,320,000.00	AA+	5/18/2020	7,689,367.20	0.56%	6,997,773.60	-691,593.60
FEDERAL FARM CREDIT BANKS	5/14/2020	0.500%	5/14/2025	3133ELZM9	10,000,000.00	AA+	5/15/2020	9,982,800.00	0.53%	9,230,400.00	-752,400.00
FEDERAL FARM CREDIT BANKS	6/9/2020	0.500%	6/9/2025	3133ELH23	10,000,000.00	AA+	6/12/2020	9,997,540.00	0.50%	9,216,700.00	-780,840.00
FFCB Medium Term Note				Subtotal	67,860,000.00			68,461,572.45		65,408,358.20	-3,053,214.25
FEDERAL FARM CREDIT BANKS	7/2/2020	0.500%	7/2/2025	3133ELR71	10,000,000.00	AA+	7/14/2020	10,017,640.00	0.46%	9,198,900.00	-818,740.00
FFCB Coupon Note				Subtotal	10,000,000.00			10,017,640.00		9,198,900.00	-818,740.00
FEDERAL HOME LOAN BANKS	10/17/2014	2.375%	9/8/2023	3130A3DL5	5,000,000.00	AA+	9/5/2019	5,164,135.00	1.53%	4,940,500.00	-223,635.00
FEDERAL HOME LOAN BANKS	12/9/2013	3.375%	12/8/2023	3130A0F70	5,000,000.00	AA+	1/8/2019	5,147,870.00	2.73%	4,986,550.00	-161,320.00
FEDERAL HOME LOAN BANKS	1/16/2015	2.250%	12/8/2023	3130A3VC5	5,000,000.00	AA+	3/12/2020	5,282,425.00	0.72%	4,917,300.00	-365,125.00
FEDERAL HOME LOAN BANKS	5/8/2014	2.875%	6/14/2024	3130A1XJ2	5,000,000.00	AA+	11/20/2019	5,270,205.00	1.64%	4,937,650.00	-332,555.00
FEDERAL HOME LOAN BANKS	11/6/2014	2.750%	12/13/2024	3130A3GE8	5,000,000.00	AA+	3/12/2020	5,461,300.00	0.77%	4,918,100.00	-543,200.00
FHLB Medium Term Note				Subtotal	25,000,000.00			26,325,935.00		24,700,100.00	-1,625,835.00

City of Santa Clara Monthly Report

8/31/2022

Description	Issue Date	Coupon Rate	Maturity Date	CUSIP	Par Value	S&P Rating	Settle Date	Cost Value	YTM at Cost	Market Value	Unrealized G/L
FREDDIE MAC	5/7/2020	0.375%	5/5/2023	3137EAER6	5,000,000.00	AA+	5/8/2020	5,014,545.00	0.28%	4,895,700.00	-118,845.00
FREDDIE MAC	9/4/2020	0.250%	9/8/2023	3137EAEW5	1,640,000.00	AA+	9/4/2020	1,640,761.21	0.24%	1,584,781.20	-55,980.01
FREDDIE MAC	9/4/2020	0.250%	9/8/2023	3137EAEW5	4,295,000.00	AA+	9/4/2020	4,293,582.65	0.26%	4,150,387.35	-143,195.30
FREDDIE MAC	10/16/2020	0.125%	10/16/2023	3137EAAY1	3,270,000.00	AA+	10/16/2020	3,257,802.90	0.25%	3,148,650.30	-109,152.60
FREDDIE MAC	2/14/2020	1.500%	2/12/2025	3137EAEP0	5,000,000.00	AA+	5/20/2020	5,226,960.00	0.53%	4,769,450.00	-457,510.00
FREDDIE MAC	8/30/2022	4.050%	8/28/2025	3134GXSS4	5,000,000.00	AA+	8/30/2022	4,998,000.00	4.06%	4,996,800.00	-1,200.00
FREDDIE MAC	9/25/2020	0.375%	9/23/2025	3137EAEX3	9,390,000.00	AA+	9/25/2020	9,361,736.10	0.44%	8,552,693.70	-809,042.40
FHLMC Medium Term Note				Subtotal	33,595,000.00			33,793,387.86		32,098,462.55	-1,694,925.31
INTER-AMERICAN DEVELOPMENT BANK	9/23/2021	0.500%	9/23/2024	4581X0DZ8	11,065,000.00	AAA	9/23/2021	11,056,811.90	0.52%	10,398,997.65	-657,814.25
INTL BANK OF RECONSTRUCTION AND DEV	4/20/2021	0.125%	4/20/2023	459058JV6	7,335,000.00	AAA	4/20/2021	7,319,816.55	0.23%	7,179,864.75	-139,951.80
Supranational				Subtotal	18,400,000.00			18,376,628.45		17,578,862.40	-797,766.05
CALIFORNIA EARTHQUAKE AUTHORITY	11/24/2020	1.477%	7/1/2023	13017HAK2	1,430,000.00	NR	11/24/2020	1,430,000.00	1.48%	1,398,425.60	-31,574.40
LOS ANGELES COMMUNITY COLLEGE DISTRICT C	11/10/2020	0.773%	8/1/2025	54438CYK2	2,715,000.00	AA+	11/10/2020	2,715,000.00	0.77%	2,502,551.25	-212,448.75
Municipals				Subtotal	4,145,000.00			4,145,000.00		3,900,976.85	-244,023.15
3M COMPANY	9/14/2018	3.250%	2/14/2024	88579YBB6	5,000,000.00	A+	11/29/2021	5,241,250.00	1.03%	4,966,250.00	-275,000.00
3M COMPANY	3/27/2020	2.650%	4/15/2025	88579YBM2	2,560,000.00	A+	4/25/2022	2,511,616.00	3.32%	2,480,793.60	-30,822.40
ADOBE INC	1/26/2015	3.250%	2/1/2025	00724FAC5	4,000,000.00	A+	1/26/2022	4,183,680.00	1.68%	3,958,680.00	-225,000.00
ALPHABET INC	4/27/2016	3.375%	2/25/2024	02079KAB3	5,330,000.00	AA+	11/23/2021	5,642,444.60	0.75%	5,318,860.30	-323,584.30
AMAZON.COM INC	5/12/2021	0.450%	5/12/2024	023135BW5	245,000.00	AA	5/12/2021	302,801.19	0.50%	232,345.75	-70,455.44
AMAZON.COM INC	5/12/2021	0.450%	5/12/2024	023135BW5	4,000,000.00	AA	3/14/2022	3,874,280.00	1.94%	3,793,400.00	-80,880.00
AMAZON.COM INC	4/13/2022	3.300%	4/13/2027	023135CF1	6,715,000.00	AA	4/25/2022	6,672,964.10	3.44%	6,554,981.55	-117,982.55
APPLE INC	11/13/2017	2.750%	1/13/2025	037833DF4	5,000,000.00	AA+	3/9/2021	5,340,100.00	0.94%	4,904,550.00	-435,550.00
APPLE INC	11/13/2017	2.750%	1/13/2025	037833DF4	5,000,000.00	AA+	3/29/2021	5,355,200.00	0.84%	4,904,550.00	-450,650.00
BANK OF AMERICA	7/23/2013	4.100%	7/24/2023	06053FAA7	4,070,000.00	A-	9/15/2020	4,482,494.50	0.52%	4,076,878.30	-405,616.20
BANK OF AMERICA CORP	3/22/2022	3.384%	4/2/2026	06051GKM0	5,000,000.00	A-	3/22/2022	5,005,100.00	3.36%	4,824,850.00	-180,250.00
BANK OF AMERICA CORP	4/22/2021	1.734%	7/22/2027	06051GJS9	1,420,000.00	A-	8/10/2022	1,281,251.80	3.92%	1,260,037.00	-21,214.80
BANK OF NY MELLON CORP	1/28/2021	0.750%	1/28/2026	06406RAQ0	9,000,000.00	A	2/10/2021	9,025,920.00	0.69%	8,090,100.00	-935,820.00
BLACKROCK INC	3/28/2017	3.200%	3/15/2027	09247XAN1	4,140,000.00	AA-	5/18/2022	4,085,352.00	3.50%	4,072,807.80	-12,544.20
BLACKROCK INC	3/28/2017	3.200%	3/15/2027	09247XAN1	4,140,000.00	AA-	5/18/2022	4,086,055.80	3.50%	4,072,807.80	-13,248.00
BRISTOL-MYERS SQUIBB CO	11/13/2020	0.750%	11/13/2025	110122DN5	5,725,000.00	A+	6/30/2021	5,672,673.50	0.96%	5,208,719.50	-463,954.00
CATERPILLAR FINANCIAL SERVIC	1/10/2022	0.950%	1/10/2024	14913R2S5	2,535,000.00	A	1/10/2022	2,534,594.40	0.96%	2,443,410.45	-91,183.95
CATERPILLAR FINANCIAL SERVIC	1/10/2022	0.950%	1/10/2024	14913R2S5	3,100,000.00	A	3/14/2022	3,045,409.00	1.94%	2,987,997.00	-57,412.00
ELI LILLY & CO	3/5/2015	2.750%	6/1/2025	532457BH0	5,415,000.00	A+	2/10/2022	5,559,255.60	1.91%	5,311,248.60	-248,007.00
HERSHEY COMPANY	8/21/2015	3.200%	8/21/2025	427866AU2	3,000,000.00	A	3/30/2022	3,014,040.00	3.05%	2,950,320.00	-63,720.00
HONEYWELL INTERNATIONAL	5/18/2020	1.350%	6/1/2025	438516CB0	5,000,000.00	A	9/8/2021	5,097,900.00	0.82%	4,691,450.00	-406,450.00
HONEYWELL INTERNATIONAL	5/18/2020	1.350%	6/1/2025	438516CB0	2,255,000.00	A	3/22/2022	2,181,960.55	2.41%	2,115,843.95	-66,116.60
JOHN DEERE CAPITAL CORP	6/17/2021	1.050%	6/17/2026	24422EVR7	5,000,000.00	A	12/8/2021	4,908,600.00	1.47%	4,533,900.00	-374,700.00
JOHNSON & JOHNSON	8/25/2020	0.550%	9/1/2025	478160CN2	5,000,000.00	AAA	9/3/2020	5,023,550.00	0.45%	4,582,400.00	-441,150.00
JPMORGAN CHASE & CO	9/16/2020	0.653%	9/16/2024	46647PBS4	2,675,000.00	A-	9/16/2020	2,675,000.00	0.65%	2,572,494.00	-102,506.00

City of Santa Clara Monthly Report

8/31/2022

Description	Issue Date	Coupon Rate	Maturity Date	CUSIP	Par Value	S&P Rating	Settle Date	Cost Value	YTM at Cost	Market Value	Unrealized G/L
JPMORGAN CHASE & CO	8/10/2021	0.768%	8/9/2025	46647PCM6	2,340,000.00	A-	8/10/2021	2,340,000.00	0.77%	2,180,435.40	-159,564.60
JPMORGAN CHASE & CO	3/13/2020	2.005%	3/13/2026	46647PBH8	2,800,000.00	A-	3/22/2022	2,712,500.00	2.84%	2,625,784.00	-86,716.00
JPMORGAN CHASE & CO	4/22/2021	1.578%	4/22/2027	46647PCB0	4,100,000.00	A-	8/10/2022	3,710,746.00	3.80%	3,658,225.00	-52,521.00
MASTERCARD INC	12/3/2019	2.000%	3/3/2025	57636QAN4	5,000,000.00	A+	3/9/2021	5,213,450.00	0.91%	4,794,900.00	-418,550.00
MASTERCARD INC	12/3/2019	2.000%	3/3/2025	57636QAN4	5,000,000.00	A+	3/10/2022	4,990,800.00	2.06%	4,794,900.00	-195,900.00
MERCK & CO INC	3/7/2019	2.900%	3/7/2024	58933YAU9	5,375,000.00	A+	11/23/2021	5,623,916.25	0.85%	5,323,238.75	-300,677.50
MICROSOFT CORP	2/6/2017	2.875%	2/6/2024	594918BX1	5,000,000.00	AAA	11/29/2021	5,202,600.00	1.00%	4,948,200.00	-254,400.00
MICROSOFT CORP	2/12/2015	2.700%	2/12/2025	594918BB9	5,000,000.00	AAA	3/9/2021	5,341,700.00	0.92%	4,916,850.00	-424,850.00
QUALCOMM INC	5/20/2015	3.450%	5/20/2025	747525AF0	5,850,000.00	A	5/19/2022	5,860,588.50	3.39%	5,782,959.00	-77,629.50
STATE STREET BANK & TR	2/7/2022	1.746%	2/6/2026	857477BR3	1,115,000.00	A	2/7/2022	1,115,000.00	1.75%	1,049,694.45	-65,305.55
STATE STREET BANK & TR	10/29/2020	2.901%	3/30/2026	857477BM4	4,250,000.00	A	3/14/2022	4,275,372.50	2.74%	4,085,695.00	-189,677.50
TARGET CORP	1/24/2022	1.950%	1/15/2027	87612EBM7	990,000.00	A	1/24/2022	988,317.00	1.99%	921,373.20	-66,943.80
TARGET CORP	1/24/2022	1.950%	1/15/2027	87612EBM7	4,595,000.00	A	2/1/2022	4,567,889.50	2.08%	4,276,474.60	-291,414.90
TOYOTA MOTOR CREDIT CORP	1/11/2021	0.450%	1/11/2024	89236THU2	6,100,000.00	A+	1/11/2021	6,099,634.00	0.45%	5,841,055.00	-258,579.00
UNILEVER CAPITAL CORP	9/14/2020	0.375%	9/14/2023	904764BJ5	660,000.00	A+	9/14/2020	659,155.20	0.42%	638,220.00	-20,935.20
WAL-MART STORES INC	6/27/2018	3.550%	6/26/2025	931142ED1	5,700,000.00	AA	2/8/2022	6,011,847.00	1.87%	5,704,275.00	-307,572.00
Corporate Note				Subtotal	169,200,000.00			171,517,008.99		162,451,955.00	-9,065,053.99
CARMAX AUTO OWNER TRUST DISCOVER CARD EXECUTION NOTE TRUST	4/21/2021	0.520%	2/17/2026	14314QAC8	2,375,000.00	AAA	4/21/2021	2,374,488.19	0.52%	2,302,087.50	-72,400.69
HONDA AUTO RECEIVABLES OWNER T	9/27/2021	0.580%	9/15/2026	254683CP8	2,100,000.00	AAA	9/27/2021	2,099,550.39	0.58%	1,968,309.00	-131,241.39
HYUNDAI AUTO RECEIVABLES TRUST	11/24/2021	0.880%	1/21/2026	43815GAC3	1,615,000.00	NR	11/24/2021	1,614,659.56	0.89%	1,538,691.25	-75,968.31
HYUNDAI AUTO RECEIVABLES TRUST	4/28/2021	0.380%	9/15/2025	44933LAC7	1,575,000.00	AAA	4/28/2021	1,574,834.31	0.38%	1,524,915.00	-49,919.31
TOYOTA AUTO RECEIVABLES OWNER	11/17/2021	0.740%	5/15/2026	44935FAD6	1,245,000.00	AAA	11/17/2021	1,244,722.12	0.75%	1,187,593.05	-57,129.07
Asset-Backed Security				Subtotal	11,555,000.00			11,553,043.76		11,040,164.80	-512,878.96
BARCLAYS BANK PLC	2/3/2022	1.050%	2/1/2023	06742TG34	11,000,000.00	A-1	2/3/2022	11,000,000.00	1.05%	10,892,090.00	-107,910.00
Certificate of Deposit				Subtotal	11,000,000.00			11,000,000.00		10,892,090.00	-107,910.00
PRINCIPAL PUBLIC DEPOSIT SWEEP PROGRAM			9/1/2022	992995944	445,954.71		9/1/2020	445,954.71	0.07%	445,954.71	-
LOCAL AGENCY INVESTMENT FUND			9/1/2022		70,026,747.09		9/30/1997	70,026,747.09	0.62%	70,026,747.09	-
DREYFUS TREASURY			9/1/2022		2,156,359.85		10/31/1997	2,156,359.85	0.03%	2,156,359.85	-
Cash Equivalent				Subtotal	72,629,061.65			72,629,061.65		72,629,061.65	-
Grand Total			Count	146	845,279,061.65			843,822,412.75		811,450,877.10	(32,371,535.65)

FY 2022/23 Budget Amendments

General Fund (001)			
Department/Item	Source of Funds	Use of Funds	Explanation
Transfer to the General Government Capital Fund		22,610	Increases the transfer to the Downtown Precise Plan project in the General Government Capital Fund. This covers the costs for performing a sanitary sewer model run and a water supply assessment (five affirmative Council votes required for the use of unused balances) .
Advanced Planning Fee Reserve		(22,610)	Decreases the Advanced Planning Fee Reserve to offset the transfer to the General Government Capital Fund discussed above (five affirmative Council votes required for the use of unused balances) .
Non-Departmental - Materials/Services/Supplies		(9,487)	Decreases the Non-Departmental budget to shift funding to the Public Works Department to correctly budget stormwater report costs (majority affirmative Council votes required) .
Public Works Department - Materials/Services/Supplies		9,487	Increases the Public Works Department Material/Services/Supplies budget to shift funding from the Non-Departmental budget for contractual services to manage an electronic form that would create stormwater citations and produce invoices within the Accela module that should be budgeted in Public Works (majority affirmative Council votes required) .
Parks & Recreation - Other Revenue / Materials/Services/Supplies	35,000	35,000	Recognizes a sponsorship from Silicon Valley Power (SVP)'s Advertising and Community Promotion sponsorship program to support Parks and Recreation citywide community events. Sponsored events include the Santa Clara Art & Wine Festival, the July 4 All City Picnic, the Halloween event, and the Tree Lighting event. Funds are used towards the costs of performing artists, artist recruitment, sound engineering, and music licensing (five affirmative Council votes required to appropriate additional revenue) .

FY 2022/23 Budget Amendments

General Fund (001) (Cont'd.)

Department/Item	Source of Funds	Use of Funds	Explanation
Parks & Recreation - Other Revenue / Materials/Services/Supplies	4,000	4,000	Recognizes sponsorships for the Street Dance and Concerts in the Park series to expand programming at Commission special events. Funds are used to partially cover the costs of performing artists and sound engineering. Sponsors include Patelco, Parade of Champions, CEFCU, and the Rotary (five affirmative Council votes required to appropriate additional revenue) .
Parks & Recreation - Other Revenue / Materials/Services/Supplies	99	99	Recognizes a public donation in the Parks & Recreation Operating Budget to support Senior Center activities and programming (five affirmative Council votes required to appropriate additional revenue) .
	39,099	39,099	

Electric Utility Fund (091)

Department/Item	Source of Funds	Use of Funds	Explanation
Electric Utility Department - Materials/Services/Supplies		1,000,000	Increases the Electric Department - Materials/ Services/Supplies budget in the amount of \$1.0 million for additional maintenance work needed to complete testing for over 350 relays, CIP commissioning support, and WECC testing within the transmission (230kV) system in accordance with assigned workload measures. Additionally, a new transformer is needed at Agnew substation due to several leaks and an internal hotspot identified. An ongoing hotspot will eventually lead to the transformer failure and the replacement will consist of a spare transformer (five affirmative Council votes required for the use of unused balances) .
Unrestricted Ending Fund Balance		(1,000,000)	Decreases the Unrestricted Ending Fund Balance to offset the action above (five affirmative Council votes required for the use of unused balances) .
	-	-	

FY 2022/23 Budget Amendments

Fire Operating Grant Trust Fund (178)

Department/Item	Source of Funds	Use of Funds	Explanation
Other Agencies Revenue / Emergency Medical Services County Patient Care System 2022 Grant	38,811	38,811	Technical adjustment to correct the fiscal year (from FY 2021/22 to FY 2022/23) for the Emergency Medical Services County Patient Care System 2022 grant budget amendment approved on August 30, 2022 as part of RTC 22-332 (five affirmative Council votes required to appropriate additional revenue) .
Other Agencies Revenue / 2021 Emergency Management Preparedness Grant	33,000	33,000	Establishes a grant appropriation for the 2021 Emergency Management and Preparedness Grant issued by the County of Santa Clara Office of Emergency Services. Grant funds will be used to replace aging equipment in the Emergency Operation Centers including the purchase of laptops and charging carts (five affirmative Council votes required to appropriate additional revenue) .
	38,811	38,811	

General Government Capital Fund (539)

Department/Item	Source of Funds	Use of Funds	Explanation
Transfer from the General Fund / Downtown Master Plan	22,610	22,610	Establishes a transfer from the General Fund - Advanced Planning Reserve to the Downtown Master Plan project in the General Government Capital Fund. This covers the costs for performing a sanitary sewer model run and a water supply assessment (five affirmative Council votes required to appropriate additional revenue) .
	22,610	22,610	

Vehicle Replacement Fund (050)

Department/Item	Source of Funds	Use of Funds	Explanation
Other Fees for Services / Unrestricted Ending Fund Balance	65,173	65,173	Increases the revenue estimate for Other Fees for Services and the Unrestricted Ending Fund Balance to reflect a correction in the Adopted Budget. Funds were shifted for a fire engine replacement from the Fire Department to the Vehicle Replacement Fund as part of the Adopted Budget, but the corresponding revenue adjustment to the Vehicle Replacement Fund was inadvertently not included as an action (five affirmative Council votes required to appropriate additional revenue) .
	65,173	65,173	



Agenda Report

22-1153

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action on the Vesting Tentative Subdivision Map for Development Area Plan (DAP) 1 of the Related Santa Clara Project at 5155 Stars and Stripes Drive

COUNCIL PILLAR

Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND

The Applicant, Related Santa Clara, has filed an application requesting approval of the Development Area Plan (DAP) 1 Vesting Tentative Subdivision Map (File No. PLN21-15283) to modify the parcels within the boundary of DAP 1 in order to subdivide the area and the general surroundings, to be in alignment with the planned development of the Related Santa Clara project (previously known as "City Place"). DAP 1 of the Master Community Plan (MCP) is composed of three parcels (APN's: 104-03-037, 038 and 039), portions of two other parcels (APN's: 104-03-036 and 040), the east-west segment of Stars and Stripes Drive, and the Centennial Boulevard right-of-way north of Tasman Drive.

The project would divide DAP 1 into seven parcels, including three parcels for office, hotel, and serviced apartments as well as a vertical subdivision for the underground garage spanning the majority of the DAP 1 build out. The proposed Vesting Tentative Map would create separate parcels for Centennial and Avenue C that are above the underground garage and would take a small portion of the City's Tasman Garage parcel for Avenue A, also to be built as part of the project.

The overall Related Santa Clara project includes the proposed development of up to 9.16 million gross square feet of office buildings, retail and entertainment facilities, residential units, hotel rooms, surface and structured parking facilities, new open space and roads, landscaping and tree replacement, and new/upgraded/expanded infrastructure and utilities. The City previously (on June 28, 2016) certified an Environmental Impact Report (EIR) for the Project and approved a Planned Development - Master Community (PD-MC) Zone for the 240-acre project site. Each phase of the project is implemented through a Development Area Plan which provides a more detailed land use entitlement than the zoning. Two DAPs (DAP 1 and DAP 2) have been approved by the City Council, following recommendations of approval from the Planning Commission.

On March 24, 2020, the City Council approved the DAP 1 proposal (File Nos. PLN2019-14186, PLN2014-10554 and CEQ2014-01180). The staff report from the March 24, 2020 City Council meeting is provided as Attachment # 5 with this report.

The subject Vesting Tentative Map application covers the land within the first phase of the project, which is an approximately 14.3-acre area located along the north side of Tasman Drive, opposite

Levi's Stadium and the City's Youth Soccer Park. The first phase of development is expected to include the combined development of up to 1,047,000 square feet of gross building floor area consisting of new office, retail, hotel and residential serviced apartments built over a two-level underground parking garage, as identified in the approved DAP 1. Per the DAP 1 conditions of approval, the Vesting Tentative Map must be approved prior to issuance of any building permit (expected to be for the underground garage structure) and the parcels covered by the Vesting Tentative Map must obtain final map approval and be finally recorded prior to certificates of occupancy for any buildings within this first phase of development.

DISCUSSION

Vesting Tentative Subdivision Map applications are reviewed for General Plan and Zoning Code consistency and conformance with the Subdivision Map Act and the City's subdivision ordinance. The proposed Vesting Tentative Subdivision Map was reviewed by the City's Subdivision Clearance Committee and determined to be complete and to comply with the City's subdivision ordinance on October 4, 2022. The staff has also confirmed that the proposed subdivision will not result in any inconsistencies with the approved MCP for the property.

For subdivisions resulting in five or more parcels, the City Council reviews applications after Planning Commission recommendation, pursuant to SCCC section 17.05.300(g). On October 26, 2022, the Planning Commission reviewed the application for Vesting Tentative Subdivision Map and recommended approval after some clarifying questions and discussion.

The Planning Commission inquired about the vertical subdivision and if it was the first of its kind within the City. Staff confirmed that there have been no prior three-dimensional subdivision applications (other than condominiums) and noted that the City has brought in a third-party consultant to assist with this process. The Commission also asked if the garage parcel could function on its own and be sold disconnected from the parcels for which it provides parking. The outside legal counsel to the City for the Related project clarified that the land is City-owned property, the City would be ground leasing the property to Related Santa Clara and there will be a single ground lease for the office and the entire garage. Additionally, it was explained that there will be separate ground leases for the Hotel and Serviced Apartments to the entities that develop those parcels.

There were further questions as to whether the garage parcel being leased in conjunction with the office parcel would impact the future parking needs for the Hotel and Serviced Apartments parcel. The City's outside legal counsel clarified that there will be covenants, conditions, and restrictions in place to ensure adequate access between parcels, including access to the garage parcel for the Hotel and Serviced Apartments ground leased parcels. The project also has a condition of approval requiring agreements between all entities within the parcels in DAP 1 to ensure that access and availability of the garage is maintained.

The Planning Commission stated that the project will be an iconic project for the City that enables a much needed mixed-use development and communal feel. The Commission further inquired if the architectural drawings for the proposal were submitted and under staff review. Staff explained that the detailed Architectural Review plans were approved by the Community Development Director per the Master Community Plan on February 26, 2021, to obtain the building permit and the . .

The Planning Commission draft meeting minutes from October 26, 2022, are attached to this report

for reference (Attachment # 1).

ENVIRONMENTAL REVIEW

On June 28, 2016, the City Council certified the Environmental Impact Report (EIR), adopted a Statement of Overriding Considerations (SOC) and adopted a Mitigation Monitoring and Reporting Program (MMRP) for the project. Although the EIR and MMRP identified mitigation measures to reduce most project impacts to less-than-significant levels, the SOC was required given the EIR's conclusion that the proposed project would have significant unavoidable impacts in the areas of land use, transportation, air quality, greenhouse gas emissions, noise, and biology; and cumulative significant unavoidable utilities impacts.

The proposed subdivision was contemplated by and analyzed in the 2016 EIR and the 2020 Addendum to the EIR. The 2020 Addendum was prepared by consultant Environmental Science Associates to document analysis specific to DAP 1. The Addendum found that implementation of DAP 1 would not result in substantial changes or introduce new information not already analyzed in the Related Santa Clara EIR, primarily because the level of development now proposed for the site is within the broader development assumptions analyzed in the EIR, and would not cause new significant environmental impacts not previously identified in the EIR, or result in a substantial increase in the severity of previously identified significant unavoidable impacts. The Addendum concludes that the potential environmental impacts associated with DAP 1 have already been adequately analyzed in the project EIR that was previously certified by the City on June 28, 2016, and no further review or analysis under CEQA is required.

FISCAL IMPACT

There is no cost to the City other than administrative staff time to review and process the proposed Vesting Tentative Map. These expenses are paid for by the applicant through the tentative map application fee.

As was previously considered by the City Council in the decisions to offer development of the project site and subsequent approval of the initial land use entitlements, it was noted there will be social and economic benefits that will accrue to the City and region in terms of new retail and entertainment opportunities not readily found in the South Bay area, as well as creation of jobs, property tax and sales tax revenues, and land lease revenues. Development of the project will provide substantial land lease revenues to the City. Development fees and other exactions paid for and provided by the project (including up to \$17.4 million for implementation of a multimodal improvement plan and a voluntary contribution to VTA of approximately \$16 million) will also benefit the City.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

The notice of Planning Commission and City Council hearings for this item was posted in three locations within the City, including at least one posting within 1,000 feet of the project site, and was mailed to property owners within 1,000 feet of the project site, on October 13, 2022. In addition, a Notice of Planning Commission and City Council Hearing for this Application was published in the Weekly newspaper on October 12, 2022.

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.

No Public Comments have been received at the time of preparation of this report.

RECOMMENDATION

Adopt a resolution approving the Vesting Tentative Subdivision Map for DAP 1 (Phase 1) for the Related Santa Clara development located at 5155 Stars and Stripes Drive.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Excerpt Planning Commission Minutes of October 26, 2022
2. Planning Commission Staff Report of October 26, 2022
3. Resolution Approving the Vesting Tentative Subdivision Map
4. Conditions of Vesting Tentative Subdivision Map Approval
5. Web link slip sheet- City Council Staff Report, March 24, 2020
6. Vesting Tentative Subdivision Map

DRAFT EXCERPT MEETING MINUTES

2. [22-686](#) Action on a Development Area Plan (DAP) 1 Vesting Tentative Subdivision Map for the Related Santa Clara Project at 5155 Stars and Stripes Drive

Recommendation: Adopt a resolution recommending the City Council to approve the DAP I Vesting Tentative Subdivision Map Phase 1 for the Related development for the property located at 5155 Stars and Stripes Drive.

Commissioners inquired about the vertical subdivision and if it was the first of this kind in the City. Staff confirmed that there have been no prior three-dimensional subdivision applications and the City has brought in a third-party consultant to assist with this process. There were further questions if the garage parcel could function on its own and be sold unconnectedly. The outside Counsel to the City for the Related project clarified that the DAP I is a City-owned property, and the City would be ground leasing the property to Related ('Applicant'). There will be a single ground lease for the office and the entire garage. Additionally, there will be separate ground leases for the Hotel and Service Apartments to the entities that develop those parcels.

There were further questions about why the ground lease would only include the office parcel and the garage, and if it would impact the future parking needs for the Hotel and service apartments parcel. The outside Counsel clarified that the City controls the ground leases and any transfer to new lessees will be carefully reviewed by the City. Further, there will be covenants, and restrictions in place. The project also has a condition of approval to have agreements between all entities within the parcels in DAP 1 to ensure access and availability of garage remains in place.

Commissioners stated that the project will be an iconic project for the City that enables a much needed mixed-use development and communal feel. The Commission further inquired if the architectural drawings for the proposal were submitted and under staff review. Staff explained that the DAP I plans have been submitted to obtain the Building permit and the approval of the building permit was dependent on the approval of the Tentative Map before the Commission. The Outside Council further clarified that the broader proposal was approved by the Council previously (March 24, 2020) and the more detailed plans were approved administratively by the Community Development Director per the Master Community Plan (MCP) (on February 26, 2021).

A motion was made by Commissioner Saleme, seconded by Commissioner Huang to approve staff recommendation

Aye: 5 - Commissioner Bhatnagar, Chair Cherukuru, Commissioner Huang, Commissioner Bouza, and Commissioner Saleme

Absent: 2 - Commissioner Biagini, and Vice Chair Herro



Agenda Report

22-686

Agenda Date: 10/26/2022

REPORT TO PLANNING COMMISSION

SUBJECT

Action on a Development Area Plan (DAP) 1 Vesting Tentative Subdivision Map for the Related Santa Clara Project at 5155 Stars and Stripes Drive

BACKGROUND

The Applicant, Related Companies, has filed an application requesting approval of the Development Area Plan (DAP) 1 Vesting Tentative Subdivision Map (File No. PLN21-15283) to modify the parcels within the boundary of DAP 1 in order to subdivide the area and the general surroundings, to be in alignment with the planned development of the Related Santa Clara project (previously known as "City Place"). DAP 1 of the MCP is composed of three parcels (APN's: 104-03-037, 038 and 039), portions of two other parcels (APN's: 104-03-036 and 040), the east-west segment of Stars and Stripes Drive, and the segment of Centennial Boulevard right-of-way north of Tasman Drive. The project would divide DAP 1 into seven parcels, including three parcels for office, hotel, and serviced apartments as well as a vertical subdivision for the underground garage spanning the majority of the DAP 1 build out. The proposed Vesting Tentative Map would create separate parcels for Centennial and Avenue C that are above the underground garage and would carve a parcel out of the City's Tasman Garage parcel for Avenue A, also to be built as part of the project.

The overall Related Santa Clara project includes the proposed development of up to 9.16 million gross square feet of office buildings, retail and entertainment facilities, residential units, hotel rooms, surface and structured parking facilities, new open space and roads, landscaping and tree replacement, and new/upgraded/expanded infrastructure and utilities. The City previously (on June 28, 2016) certified an Environmental Impact Report (EIR) for the Project and approved a Planned Development - Master Community (PD-MC) Zoning. Each phase of the project is implemented through a Development Area Plan (DAP), which provides a more detailed land use entitlement than the Zoning. Two DAPs (DAP 1 and DAP 2) have been approved by the City Council, following recommendations of approval from the Planning Commission.

On March 24, 2020, the City Council approved the DAP 1 proposal (File Nos. PLN2019-14186, PLN2014-10554 and CEQ2014-01180). The staff report from the March 24, 2020 City Council meeting is provided as Attachment # 3 with this report. DAP 1 was analyzed and found to be consistent with the MCP and other applicable City standards. The Council also adopted an EIR Addendum for DAP 1, after finding that implementation of DAP 1 would not result in substantial changes or introduce new information not already analyzed in the previously-certified Project EIR, and would not cause new significant environmental impacts or a substantial increase in the severity of previously identified significant unavoidable impacts.

DAP 1 allows the development of three blocks within the area identified in the approved MCP as Block 5A, Block 5B and Block 5C. The proposed Block 5A would allow for construction of 440,000

square feet in area of new office, and 35,200 square feet of new retail food and beverage floor area. Block 5B would allow for the construction of 381,000 square feet of new hotel space for 480 rooms and 15,800 square feet of retail food and beverage service space. Block 5C would allow for the construction of 175,000 square feet of new residential floor area for 200 residential serviced apartments. The Vesting Tentative Map also includes a vertical subdivision to provide an underground garage spanning the majority of the Phase 1 build out area.

The subject Vesting Tentative Map application is within DAP 1 identified in the MCP. DAP 1 is the first phase of the project and an approximately 14.3-acre area located along the north side of Tasman Drive, opposite Levi's Stadium and the City's Youth Soccer Park. It would allow for the combined development of up to 1,047,000 square feet of gross building floor area consisting of new office, retail, hotel and residential serviced apartments built over a two-level underground parking garage, as identified in the MCP.

Planning Commission review, and a recommendation to the City Council, is required under Santa Clara City Code (SCCC) section 17.05.300(g) for Subdivision Map applications.

DISCUSSION

Vesting Tentative Subdivision Map applications are reviewed for General Plan and Zoning Code consistency and conformance with the Subdivision Map Act and the City's subdivision ordinance. The proposed Vesting Tentative Subdivision Map was reviewed by the City's Subdivision Clearance Committee and determined to be complete and to comply with the City's subdivision ordinance on October 4, 2022. Staff has also confirmed that the proposed subdivision will not result in any inconsistencies with the approved MCP for the property.

Pursuant to Section 17.05.300(g), the Planning Commission reviews the complete application and provides a recommendation to the City Council on whether a proposed subdivision complies with all of the requirements of the subdivision ordinance. The proposed subdivision conforms to and is consistent with the regulations set forth in Section 17.05.300 in that it is consistent with the policies and programs of the General Plan and the land use designation for the site, facilitating the General Plan's objective of transforming an underutilized site into a mix of retail, residential and hotel uses. The site is also physically suitable for the type and density of development given its location in an urbanized area, the presence of existing infrastructure, and the proposed construction of additional infrastructure pursuant to the Infrastructure Master Plan (which was completed with the MCP). In addition, the environmental impacts of the project have been analyzed in the 2016 EIR and 2020 Addendum and mitigated to the maximum extent feasible. Consequently, the proposed subdivision complies with all applicable provisions of the City's subdivision ordinance.

Conditions of Approval have been prepared and are provided as Attachment # 2. The conditions include a requirement for recordation of Covenants, Conditions and Restrictions (CC&R's) governing the shared use and maintenance of building structures and private on-site improvements (e.g. private street, surface parking, utilities, landscaping, fencing), as well public right-of-way improvements (complete street landscaping).

ENVIRONMENTAL REVIEW

On June 28, 2016, the City Council certified the Environmental Impact Report (EIR), adopted a Statement of Overriding Considerations (SOC) and adopted a Mitigation Monitoring or Reporting Program (MMRP) for the project. Although the EIR and MMRP identified mitigation measures to

reduce most project impacts to less-than-significant levels, the SOC was required given the EIR's conclusion that the proposed project would have significant unavoidable impacts in the areas of land use, transportation, air quality, greenhouse gas emissions, noise, and biology; and cumulative significant unavoidable utilities impacts.

The proposed subdivision was contemplated by and analyzed in the 2016 EIR and the 2020 Addendum to the EIR. The 2020 Addendum was prepared by consultant Environmental Science Associates to document analysis specific to DAP 1. The Addendum found that implementation of DAP 1 would not result in substantial changes or introduce new information not already analyzed in the Related Santa Clara EIR, primarily because the level of development now proposed for the site is within the broader development assumptions analyzed in the EIR, and would not cause new significant environmental impacts not previously identified in the EIR, or result in a substantial increase in the severity of previously identified significant unavoidable impacts. The Addendum concludes that the potential environmental impacts associated with DAP 1 have already been adequately analyzed in the Project EIR that was previously certified by the City on June 28, 2016, and no further review or analysis under CEQA is required.

FISCAL IMPACT

There is no cost to the City other than administrative staff time to review and process the proposed Vesting Tentative Map. These expenses are paid for by the applicant through the tentative map application fee.

As was previously considered by the City Council in the decisions to offer development of the project site and subsequent approval of the initial land use entitlements, it was noted there will be social and economic benefits that will accrue to the City and region in terms of new retail and entertainment opportunities not readily found in the South Bay area, as well as creation of jobs, property tax and sales tax revenues, and land lease revenues. Development of the Project will provide substantial land lease revenues to the City. Development fees and other exactions paid for and provided by the Project (including up to \$17.4 million for implementation of a multimodal improvement plan and a voluntary contribution to VTA of approximately \$16 million) will also benefit the City.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

The notice of public hearing for this item was posted in three locations within the City, including at least one posting within 1,000 feet of the project site, and was mailed to property owners within 1,000 feet of the project site, on October 13, 2022. In addition, a Notice of Hearing for this Application was published in the Weekly newspaper on October 12, 2022.

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.

RECOMMENDATION

Adopt a resolution recommending the City Council to approve the DAP I Vesting Tentative Subdivision Map Phase 1 for the Related development for the property located at 5155 Stars and Stripes Drive.

Prepared by: Nimisha Agrawal, Associate Planner
Reviewed by: Alexander Abbe, Assistant City Attorney
Approved by: Lesley Xavier, Planning Manager

ATTACHMENTS

1. Resolution Recommending Council Approval of the Vesting Tentative Subdivision Map
2. Conditions of Vesting Tentative Subdivision Map Approval
3. Web link slip sheet- City Council Staff Report, March 24, 2020
4. Vesting Tentative Subdivision Map

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE A VESTING TENTATIVE SUBDIVISION MAP FOR PHASE ONE OF THE RELATED SANTA CLARA PROJECT SITUATED ON APPROXIMATELY 14.3 ACRES OF LAND LOCATED AT 5155 STARS AND STRIPES DRIVE (APNs 104-03-036 (portion), 104-03-040 (portion), 104-03-037; 104-03-038 AND 104-03-039)

PLN21-15283 (Vesting Tentative Subdivision Map for Development Area Plan 1)

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on December 10, 2021, Related Companies (the “Applicant”) filed an application (PLN21-15283) to modify the parcels within the boundary of DAP 1 and the general surroundings in order to subdivide the area to be in alignment with the approved “City Place Santa Clara Master Community Plan” (MCP) for the project site located at 5155 Stars and Stripes Drive (“Project Site”) and to facilitate development of the new multi-phased, mixed-use development known as the Related Santa Clara Project (the “Project”);

WHEREAS, on June 28, 2016, the Santa Clara City Council approved a number of entitlements for the proposed construction by Related Santa Clara, LLC of the Project;

WHEREAS, the Project entitlements approved by the City Council on June 28, 2016, included Resolution No. 16-8339, which rezoned the Project site to the PD-MC (Planned Development-Master Community) zoning district;

WHEREAS, on June 28, 2016, the City Council adopted Resolution No. 16-8337, certifying a Final Environmental Impact Report (“Final EIR”) pursuant to the provisions of the California Environmental Quality Act (Cal. Pub. Res. §§ 21000 et seq.) (“CEQA”) together with the State CEQA Guidelines (14 CCR § 15000 et seq.) (“CEQA Guidelines”) and adopting CEQA findings and a Mitigation Monitoring and Reporting Program (“MMRP”) in accordance with CEQA and the CEQA Guidelines;

WHEREAS, pursuant to Resolution No. 16-8339, buildout of the Project is governed by a Master Community Plan (the “MCP”) dated April 5, 2017, which anticipates up to eight potential phases of development, each of which would be governed by a “Development Area Plan,” or “DAP”;

WHEREAS, the Project analyzed in the Final EIR and approved via the MCP consists of up to 9.16 million gross square feet of office buildings, retail and entertainment facilities, residential units, hotel rooms, surface and structured parking facilities, new open space and roads, landscaping and tree replacement, and new/upgraded/expanded infrastructure and utilities;

WHEREAS, on March 24, 2020, the City Council approved the Development Area Plan (“DAP 1”) for Phase One of the Project (Resolution No. 20-8825);

WHEREAS, DAP 1 included certain modifications to the Project analyzed in the Final EIR, consisting of minor changes to the boundaries of Phase One of the Project, a minor increase in the maximum square footage permitted within Phase One of the Project, and a small change to the use mix permitted within Phase One of the Project;

WHEREAS, on March 24, 2020, in order to ensure that all potential environmental impacts of the Project under DAP 1 had been thoroughly analyzed, the City Council approved an addendum to the Final EIR, which found that implementation of DAP 1 would not result in substantial changes or introduce new information not already analyzed in the previously-certified Project EIR, and would not cause new significant environmental impacts or a substantial increase in the severity of previously identified significant unavoidable impacts (Resolution No. 20-8824);

WHEREAS, the 2016 EIR and the 2020 Addendum to the EIR (collectively, the “Environmental Documents”) discussed and analyzed the proposed subdivision;

WHEREAS, prior to taking action on this Resolution, the Planning Commission has exercised its independent judgement and determined that the conclusions reached in the Environmental

Documents are still accurate and therefore no further environmental review is required for the Vesting Tentative Subdivision Map for DAP 1;

WHEREAS, pursuant to Section 17.05.210 of the Code of the City of Santa Clara (“SCCC”), a Tentative Subdivision Map shall be required for all divisions of land into five or more parcels;

WHEREAS, on September 20, 2022, the Subdivision Clearance Committee determined that the application was complete and that the proposed Vesting Tentative Subdivision Map should proceed to the Planning Commission in conformance with Section 17.05.300 of the SCCC;

WHEREAS, SCCC Section 17.05.300(g) requires that the Planning Commission make recommendations of denial, approval, or conditional approval to the City Council on the Vesting Tentative Subdivision Map;

WHEREAS, on October 12, 2022, a notice of public hearing for the proposed Vesting Tentative Subdivision Map was published in the Weekly, a newspaper of general circulation in the City;

WHEREAS, on October 13, 2022, a notice of public hearing for the proposed Vesting Tentative Subdivision Map was posted in three locations within the City, including at least one posting within 1,000 feet of the project site, and was mailed to property owners within 1,000 feet of the project site; and

WHEREAS, on October 26, 2022, the Planning Commission held a duly noticed public hearing to consider the Vesting Tentative Subdivision Map for DAP 1, at which time interested persons were given an opportunity to give testimony and provide evidence in support of and in opposition to the proposed Map.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. Recitals. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. Findings. Pursuant to City Code Section 17.05.300(h), the Planning Commission makes the following findings:

A. The Vesting Tentative Subdivision Map is consistent with the objectives, policies, general land uses and programs specified in the City's General Plan in that the Vesting Tentative Subdivision Map subdivides the existing 14.3 acre Site (DAP 1) into seven parcels, and such a subdivision was contemplated in the Urban Center/Entertainment Land Use Designation for the Project Site and associated MCP. This includes three parcels for office, hotel, and serviced apartments as well as a vertical subdivision for the underground garage spanning the majority of Phase 1 build out, subject to conditions set forth in the Conditions of Tentative Subdivision Map Approval, attached hereto and incorporated by this reference.

B. The design and improvements of the proposed subdivision are consistent with the City's General Plan in that the Vesting Tentative Subdivision Map facilitates development of a mixed-use development program featuring approximately 1,047,000 square feet of office, retail, residential, and hotel uses that is within the development program contemplated by the MCP to establish a gateway into the City Center Mixed Use Zone primarily on Parcel 5; and furthermore complies with General Plan Land Use and Transitional Goals and Policies of the General Plan in that it transforms the underutilized properties from a vacant, low-intensity commercial use to a mixed use development that would transition in scale and intensity of use with existing and planned land uses.

C. The site is physically suitable for the proposed type of development, in that the Project would develop the underutilized land with a large mixed use development and establish a gateway into the City.

D. The site is physically suitable for the proposed density of development, in that the Project Site is in an urbanized area and is served by existing utilities and infrastructure and will additionally be served by new infrastructure to be constructed pursuant to the 2016 Infrastructure Master Plan.

E. The design of the subdivision and type of improvements are not likely to cause serious health problems in that the proposed subdivision is consistent with the approved DAP I and MCP, and does not propose the use of hazardous materials.

F. The design of the subdivision and type of improvements are not likely to cause substantial environmental damage and will not substantially or unavoidably injure fish or wildlife or their habitat in that the Project Site is located in an urbanized setting, is a developed site, and the proposed subdivision includes mitigation measures, as identified in the Environmental Documents and MMRP, which reduce impacts to biological resources to the maximum extent feasible.

G. The design of the subdivision and type of improvements will not conflict with easements acquired by the public at large or use of property within the proposed subdivision in that it is designed to avoid encroachment and conflicts with public easements in the site design.

H. The Vesting Tentative Subdivision Map provides, to the extent feasible, for future passive or natural heating or cooling opportunities, in that it would allow flexibility in the development standards to maximize the benefits of green building standards for site and building design.

3. Approval Recommendation. That the Planning Commission hereby recommends that the City Council approve the Vesting Tentative Subdivision Map for DAP 1, as conditioned in Attachment 1, which is attached hereto and incorporated by this reference.

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4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A SPECIAL MEETING THEREOF HELD ON THE 26TH DAY OF OCTOBER, 2022, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST:

ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachment Incorporated by Reference:

1. Conditions of Approval
2. Vesting Tentative Subdivision Map

CONDITIONS OF APPROVAL

GENERAL

- A. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
- B. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

- A. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

BUILDING DIVISION

- BD1. Any easements, covenants or other legal instruments pertaining to the egress of all Phase 1 structures shall be recorded, prior to any occupancy being granted.

PLANNING DIVISION

- P1. The project shall comply with all applicable conditions of approval including mitigation measures identified in the Mitigation Monitoring and Reporting Program for the Related Santa Clara Project. Developer shall obtain City approval for proposed new street names prior to City approval of Final Map.

FIRE

- F1. Identified locations for Emergency Vehicle Access will be recorded as Emergency Vehicle Access Easements.
- F2. Egress and ingress pathways will continue to be evaluated under appropriate permits. Appropriate egress access easements will be recorded.
- F3. Fire water mains that cross parcels will be recorded as utility easements.

PARKS & RECREATION

- PR1. Developer shall comply with the City's Park and Recreational Land Ordinance (SCCC Ch. 17.35), to the satisfaction of the Director of Parks & Recreation.

PUBLIC WORKS

ENGINEERING

- E1. Obtain site clearance through Public Works Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Public Works Department at (408) 615-3000 for further information.
- E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Public Works Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. Submit public improvement plans prepared in accordance with City Public Works Department procedures which provide for the installation of public improvements. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of parcel map and/or issuance of building permits.

- E4. Existing non-standard or non-ADA compliant frontage improvements shall be replaced with current City standard frontage improvements as directed by the City Engineer or his designee.
- E5. Dedicate, as required, on-site easements for new and existing utilities, new sidewalks, public access, traffic signal, etc. by Subdivision Map or approved instrument at time of development. Developer shall pay applicable easement preparation/processing fee.
- E6. Dedicate a sidewalk easement for the sidewalk and driveway portions within private property and pay the easement preparation fee. Sidewalk easement shall be 1' behind proposed back-of-walk if there is landscaping behind sidewalk and/or at the proposed back-of-walk with a cold joint if there is hardscape concrete behind sidewalk.
- E7. All non-City standard improvements within sidewalk and public utility easements, and public right-of-way shall require an easement encroachment agreement or included in the development wide maintenance agreement.
- E8. Obtain Council approval of a resolution ordering vacation of existing public easement(s) proposed to be abandoned, if any, through Public Works Department, and pay all appropriate fees, prior to start of construction
- E9. After City Council approval of the Tentative Map, submit the Subdivision Map, prepared by a Licensed Land Surveyor or a Registered Civil Engineer with Land Surveyor privileges to the Engineering Department. The submittal shall include a title report, closure calculations, and all appropriate fees.
- E10. Utility details are shown conceptually and are subject to approval of the encroachment permit process. If utility installations are unable to meet City standard clearances with the garage vertical parcel boundary as shown, the vertical parcel line may need to shift which may trigger an amendment to the TMAP.
- E11. The 3" buffer for waterproofing and slab area collection drains is a private facility and shall be privately maintained.

SILICON VALLEY POWER

- SVP1. All 12KV utility connection points terminate at the Customer Switchgear. UGEE easement up to the Customer Switchgear is required, along with an 18' drivable space. 10' working clearance is required in front of and behind the switchgear. 5' working clearance is required on the sides of the switchgear (with no panels). Customer 12KV Switchgear must be located outdoors on "real dirt" unless otherwise agreed upon with SVP. SVP owns and maintains the cable/conduit up to the customer switchgear. (Informational)
- SVP2. In events where electric service is provided at 120/208V or 277/480V the utility connection point is at the secondary compartment of SVP transformers. Customer owns and maintains the cable and conduits up to the SVP transformers. (Informational)
- SVP3. All SVP equipment shall be covered with an Underground Electric Easement ("UGEE"). Show all UGEE designations on final parcel map based on approved SVP developers work drawing.
- SVP4. All SVP pad mount transformers, switch vaults, & customer 12KV switchgear must be located on "real dirt" with appropriate clearances and drive-up access. All SVP switch vault doors must open towards the street. SVP pad mount transformers can follow clearance requirements outlined in UG1225. (Informational)
- SVP5. The developer shall grant to the City, without cost, all easements and/or right of way necessary for serving the property of the developer and for the installation of utilities (Santa Clara City Code chapter 17.15.110). (informational)

WATER & SEWER

- W1. DDW Approval: Pursuant to the exception to Section 64572(f), Title 22, CCR prohibiting the placement of potable water mainlines within 100 ft of a sanitary landfill, the project shall attain DDW approval of the proposed utility system prior to issuance of any permit for the construction of utilities for this project.
- W2. Operations and Maintenance Plan: Pursuant to the requirements of the exception to Section 64572(f), Title 22, CCR, the project shall submit an Operations and Maintenance plan (O&M Plan) for the

- proposed public water system. The O&M Plan shall be approved by the Water and Sewer Utilities Department and DDW prior to the issuance of any permit for the construction of utilities for this project.
- W3. Recycled Water Use: Pursuant to Chapter 13.15, Water, Article IV. Regulation of Recycled Water Service and Use, of the Municipal Code, the project is required to use recycled water for all non-potable uses where recycled water is made available and where provided for by Recycled Water regulations. This project is required to extend and connect to the City's existing Recycled Water System with this phase (Phase 1).
- W4. Recycled Water Applications: SBWR applications for all recycled water services within Phase 1 (Block WB, WC and WD) shall be submitted prior to issuance of building permits for each block.
- W5. Potable Water Redundancy: For all onsite industrial water use that requires uninterrupted service, the project shall provide a potable water back-up supply source that complies with all recycled water separation requirements.
- W6. Recycled Water Design: Each Recycled Water land use (irrigation, dual-plumbing, cooling system, industrial processes, etc.) shall have a separate metered service connection to the main. Applicant shall verify separations between all potable/fire lines and recycled water lines, pipe type, pipe depths, equipment types, warning lids, tags and signs.
- W7. On-site Recycled Water Construction: Construction and installation of all on-site recycled water system equipment shall not begin until the Compliance Division of Water and Sewer Utilities has approved the on-site recycled water design. Please note on-site designs are generally not the same as the Building Permit plans. On-site recycled water plans require SBWR and California State Water Resources Control Board, Division of Drinking Water signatures for final approval.
- W8. On-site Recycled Water Inspection: Inspections are required at all on-site recycled water systems being installed prior to backfilling trenches or cover in walls and ceilings. Request a recycled water inspection by email watercompliance@santaclaraca.gov or call (408) 615-2002. Please provide the site location, SBWR project ID, and date and time preferences. These inspections are in addition to the Building Permit inspections.
- a. Need to verify separations between all potable/fire lines and recycled water lines, pipe type, pipe depths, equipment types, warning lids, tags and signs.
- W9. Recycled Water Main: The applicant shall install all new recycled water mains needed to connect Phase 1 improvements to the existing City recycled water system at Great America Parkway. All new recycled water mains shall be 12" DIP minimum. The recycled water system shall be connected to the City's existing recycled water system and active prior to occupancy of any building.
- W10. Sewer Design and Hydraulic Modeling: The design of the proposed sewer system is currently under discussion and has not been approved by the Water and Sewer Utilities Department (W&S). The applicant shall submit an application to the Department of Public Works to perform hydraulic modeling for the revised sewer design for W&S's review and approval. The proposed sewer system shall meet all City design criteria and standards unless otherwise approved by the Director of Water and Sewer Utilities.
- W11. Composite Utility Plan: The utility design shown in the utility plans shall be modified to comply with all the requirements of these conditions of approval, including the following items:
- a. All recycled water mains shall be 12" DIP mains
 - b. The new underground garage shall have a separate water service if a restroom is proposed within the garage.
 - c. No FHs, water services, and sewer laterals shall pass through or be placed within any storm water treatment areas.
 - d. All utility services shall meet all City and DDW vertical crossing and horizontal separations.
 - e. a potable water service redundancy for recycled water industrial use shall be added.
 - f. a Fats, Oil, and Grease (FOG) control facility shall be added for all buildings with kitchens or food preparation facilities.
- W12. Encroachment Permit: Prior to issuance of Building Permits, the applicant shall submit an encroachment permit application and design plans for construction of water utilities that comply with the latest edition of the Water & Sewer Utilities Water Service and Use Rules and Regulations, Water System Notes, and

Water Standard Details and Specifications. In addition, prior to the City's issuance of Occupancy, the applicant shall construct all public water utilities per the approved plans. The Water & Sewer Utilities will inspect all public water utility installations and all other improvements encroaching public water utilities.

- W13. Utility Design Plans: Utility Design Plans shall indicate the pipe material and the size of existing water, recycled water and sewer main(s). The plans shall show the nearest existing fire hydrant and the two nearest existing water main line gate valves near the project area. The plans shall show meter and backflow configurations to scale and per City of Santa Clara Water & Sewer Utilities Standard Details. Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area. Fire hydrants should be located two feet behind monolithic sidewalk if sidewalk is present; two feet behind face of curb if no sidewalk is present, per City Std Detail 18. The plans shall provide the profile section details for utilities crossing water, sewer, or recycled water mains to ensure a 12" minimum vertical clearance is maintained.
- W14. Utility Separations: Applicant shall adhere to and provide a note indicating that all horizontal and vertical clearances comply with State and local regulations. The applicant shall maintain a minimum 12" of vertical clearance at water service crossing with other utilities, and all required minimum horizontal clearances from water services: 10' from sanitary sewer utilities, 10' from recycled water utilities, 8' from storm drain utilities, 5' from fire and other water utilities, 3' from abandoned water services, 5' from gas and electric utilities, and 5' from the edge of the propose or existing driveway. For sanitary sewer, water, and recycled water utilities, the applicant shall maintain a minimum horizontal clearance of 10' from existing and proposed trees. If applicant installs tree root barriers, clearance from tree reduces to 5' (clearance must be from the edge of tree root barrier to edge of water facilities). No structures (fencing, foundation, biofiltration swales, etc.) allowed over sanitary sewer, potable water and/or recycled water utilities and easements.
- W15. Separate Services: Applicant shall submit plans showing proposed water, recycled water, sanitary sewer, and fire services connected to a public main in the public right-of-way to the satisfaction of the Director of Water & Sewer Utilities. Different types of water and recycled water use (domestic, irrigation, fire) shall be served by separate water services, each separately tapped at the water main. Tapping on existing fire service line(s) is prohibited. Approved backflow prevention device(s) are required on all potable water services.
- W16. City Standard Meters and Backflows: All proposed meters and backflows for all water services shall meet the current City of Santa Clara Water & Sewer Utilities Standard Details. Plans shall show meter and backflow configurations to scale.
- W17. Existing Services: The applicant must indicate the disposition of all existing water and sewer services and mains on the plans. If the existing services will not be used, then the applicant shall properly abandon these services to the main per Water & Sewer Utilities standards and install a new service to accommodate the water needs of the project. The applicant shall bear the cost of any relocation or abandonment of existing Water Department facilities required for project construction to the satisfaction of the Director of Water and Sewer Utilities.
- W18. Fats, Oil and Grease (FOG): All food service land uses conducting commercial cooking operations including dishwashing activities and equipment cleaning that generate grease-laden wastewater are subject to review from the Water and Sewer Utilities Department, for FOG Control and grease interceptor installation requirements. All food service projects are required to have an approved stamp from the Santa Clara County Department of Environmental Health before plans can be accepted for review. Contact Compliance Division of the Water and Sewer Utilities at (408) 615-2002 for a Food Service Checklist to initiate the process. Items to address include: future maintenance agreements, identification of proposed plumbing and equipment, calculation for proposed grease control devise(s), identification of proposed grease control device(s), and waste/recycling/tallow storage.
- W19. On-Site Storm Drain Treatment: Prior to issuance of Building Permit, the applicant shall submit plans showing any onsite storm water treatment system. The plan shall include a section detail of the treatment system. No water, sewer, or recycled water facilities shall be located within 5-feet of any storm water treatment system.

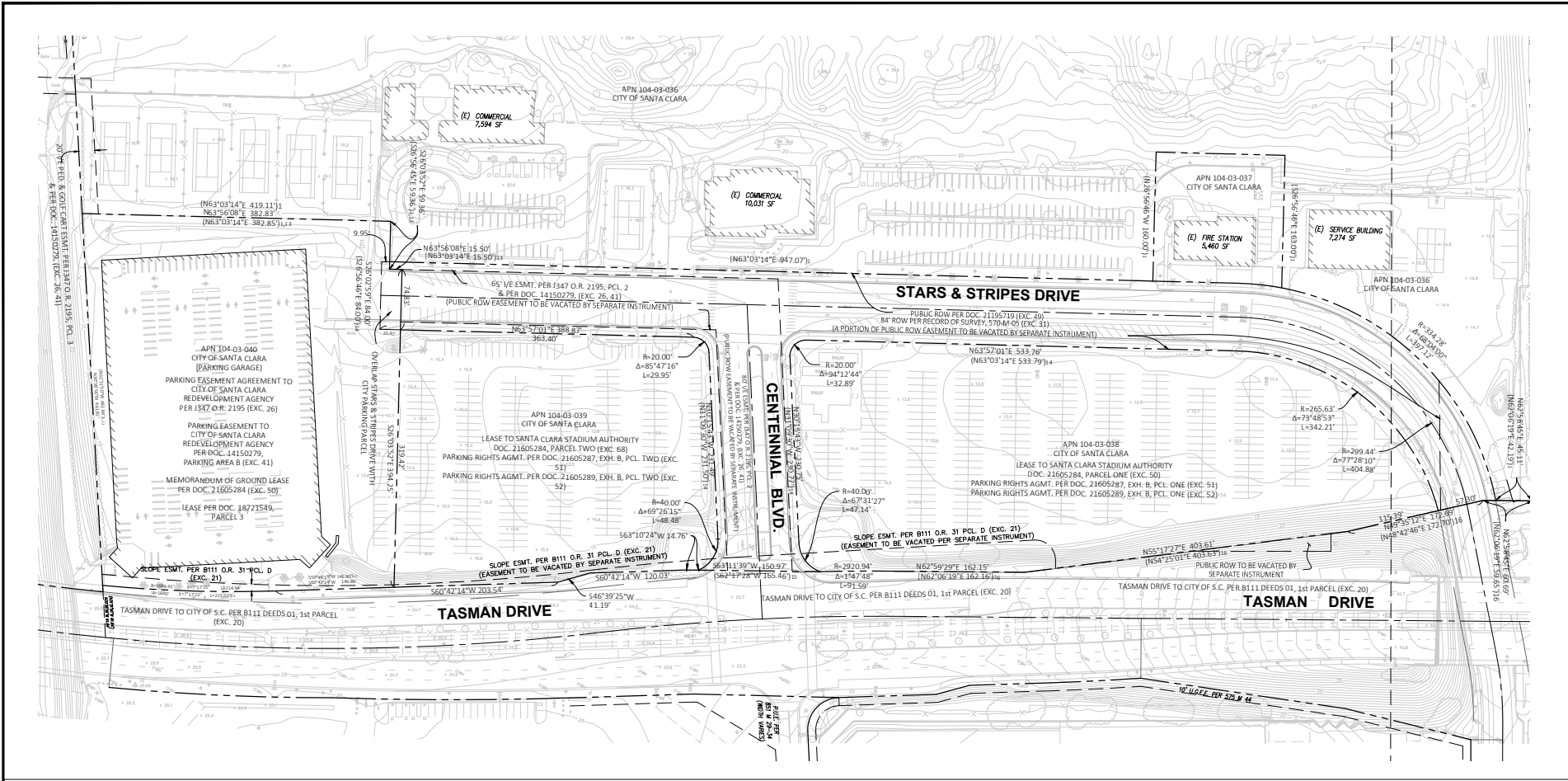
- W20. Water Usage: Prior to the issuance of Building Permits, the applicant shall provide documentation of water usage so the Water Division can verify the appropriate size of all proposed water meters. Please note that if the existing water services are incapable of supplying the water needs to the site, the existing services shall be abandoned, and new separate dedicated water services shall be provided for each use (domestic and irrigation).
- W21. Prior to issuance of Building Permits, the applicant shall submit plan details for all water features (including but not limited to fountains and ponds) designed to include provisions for operating the system without City potable water supply and capable of being physically disconnected from source of potable water supply during City declared water conservation periods, to the satisfaction of the Director of the Water & Sewer Utilities. Decorative water features may be permanently connected to the City's recycled water supply.
- W22. Easements: Prior to City's issuance of Building or Grading Permits, the applicant shall provide a dedicated water utility easement around the backflow prevention device onsite. The water utility easement for the water services and all other public water appurtenances shall be a minimum 15 feet wide and be adjacent to the public right-of-way without overlapping any public utility easement. Additionally, the applicant shall submit plans defining existing easements so Water Division can verify if there are any conflicts with proposed easements and water utilities.
- W23. Underground Fire Permit: Prior to issuance of Building Permits, applicant shall submit an underground fire permit unless otherwise waived by the Fire Department. If fire flow information is needed, applicant shall coordinate with Water and Sewer Utilities Department, for fire flow information at (408)615-2000. A dedicated fire service line, with an approved backflow prevention device, shall be used for on-site fire hydrants. Fire service lines required for commercial and industrial use shall be sized appropriately per fire flow demand and code requirements.
- W24. Record Drawings: Upon completion of construction and prior to the City's issuance of a Certificate of Occupancy, the applicant shall provide "as-built" drawings of the public water utility infrastructure prepared by a registered civil engineer to the satisfaction of the Director of Water & Sewer Utilities Department.
- W25. Water Shortage Response Actions: Pursuant to the City of Santa Clara's Urban Water Management Plan, during times of drought or water shortage, the City implements water shortage response actions in accordance with the level of water shortage declared. All construction activities and all new irrigation connections are subject to the Water Shortage Response Actions in effect at the time of construction and connection of the irrigation service.
- W26. Water Shortage Response Actions for Stage 2 and higher include water use restrictions that limit the use of potable water such as:
- a. prohibiting the installation of new potable water irrigation services. new irrigation connections, construction, and dust control.
 - b. restrict the use of potable water used for construction and dust control if recycled water is available.

This project is subject to all the requirements and restrictions of the Water Shortage Response Actions in place or adopted during the duration of the project. For more information, visit the City of Santa Clara Water & Sewer Utilities website at www.santaclaraca.gov/waterconservation.

Web link slip sheet- City Council Staff Report, March 24, 2022

[City of Santa Clara - File #: 20-408 \(legistar.com\)](#)

DRAWING NAME: \\s:\projects\156041_City_Place_City\Site_Improvements\Exc\2019_TMAP\SHEETS\04P_1\TM-2_LEVCOND.dwg
 PLOT DATE: 10-13-22
 PLOTTED BY: C. Lam



GENERAL NOTES

1. SLOPE EASEMENT, CENTENNIAL AVENUE EASEMENT, AND STARS AND STRIPES LANE EASEMENTS TO BE VACATED AND RE-RECORDED BY SEPARATE INSTRUMENTS.

SURVEY INFORMATION

BASIS OF BEARINGS:
 NAD83 CALIFORNIA COORDINATE SYSTEM, ZONE 3 GRID BEARING BASE OBTAINED BY GPS MEASUREMENTS TO PHOTO CONTROL POINTS FOR AERIAL MAPPING. LOCAL BEARING BASE IS BETWEEN CENTERLINE MONUMENTS FOUND AT THE CENTERLINES OF LAFAYETTE STREET AND CALLE DEL MUNDO (POINT "A" AS SHOWN HEREON), AND AT LAFAYETTE STREET AND GOLD STREET CONNECTOR (POINT "B" AS SHOWN HEREON). GRID BEARING BETWEEN SAID MONUMENTS IS N 24°25'51" W (GRID DISTANCE = 3760.16 FEET). CALCULATED GROUND BEARING AND DISTANCE BETWEEN SAID MONUMENTS AS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED IN VOLUME 737 OF MAPS, AT PAGES 1 THROUGH 4, SANTA CLARA COUNTY RECORDS, IS N 25°18'52" W 3760.36 FEET.

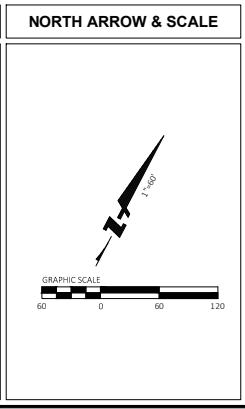
ALL MEASURED DISTANCES AS SHOWN ON THIS MAP ARE GRID DISTANCES. MULTIPLY BY 1.00055310 TO OBTAIN GROUND LEVEL DISTANCES.

ROTATE ALL MEASURED BEARINGS COUNTERCLOCKWISE 0°52'57" TO OBTAIN BEARINGS PER LOCAL BEARING BASE NOTED.

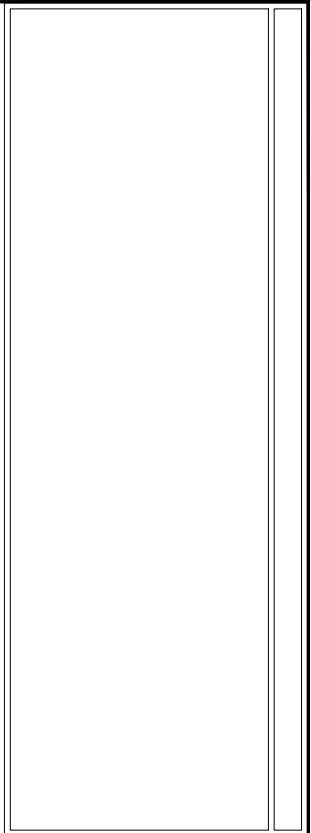
BENCHMARK STATEMENT:
 SANTA CLARA CITY BENCHMARK NO. B-10, TOP OF THE LETTER "C" IN THE WORD "CAL" ON TOP OF THE CATCH BASIN HOOD ON THE EAST SIDE OF LAFAYETTE STREET, APPROXIMATELY 285 FEET SOUTH OF THE CENTERLINE OF CALLE DE LUNA. ELEVATION IS 9.20 FEET (NAVD 88) PER 2011 DATUM.

SURVEY NOTE:
 THIS SURVEY WAS PREPARED BY BKF ENGINEERS. SURVEY WAS PERFORMED IN THE FIELD IN FEBRUARY, 2016, AND ADDITIONAL AERIAL AND GROUND SURVEY IN AUGUST, 2016.
 DAVIS THRESH P.L.S. #6868
 DAVID DARLING P.L.S. #7625

UTILITY NOTE:
 THE UTILITY LINES SHOWN ON THIS PLAN ARE DERIVED FROM SURFACE OBSERVATIONS AND ARE APPROXIMATE ONLY. NO WARRANTY IS IMPLIED AS TO THE ACTUAL LOCATION, SIZE OR PRESENCE OF ANY LINES SHOWN HEREON OR ANY ADDITIONAL UTILITY LINES NOT SHOWN ON THIS PLAN.



Date	10/04/22
Scale	AS SHOWN
Design	J.C.
Drawn	M.C.
Approved	P.C.
Job No	20156041
Revision	
TM-2	
2 OF 17	



LINE AND CURVE TABLE

LINE NO.	LENGTH	DIRECTION
L1	86.55	S091°17'33"W
L2	7.81	N80°27'21"W
L3	23.07	N80°27'21"W
L4	16.06	N68°17'27"E
L5	2.18	N68°28'00"E
L6	0.00	N27°30'00"W
L7	20.86	N27°30'00"W
L8	20.58	N65°17'27"E
L9	5.32	S27°30'00"E
L10	3.82	S27°26'01"E
L11	17.01	S62°33'30"W

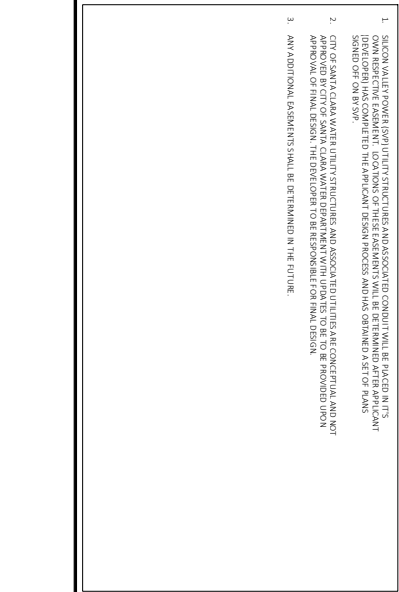
LINE NO.	LENGTH	DIRECTION
C1	39.92	68.00'
C2	39.92	68.00'
C3	39.92	68.00'
C4	39.92	68.00'
C5	39.92	68.00'
C6	39.92	68.00'
C7	39.92	68.00'
C8	39.92	68.00'
C9	39.92	68.00'
C10	39.92	68.00'
C11	39.92	68.00'
C12	39.92	68.00'
C13	39.92	68.00'
C14	39.92	68.00'
C15	39.92	68.00'
C16	39.92	68.00'
C17	39.92	68.00'
C18	39.92	68.00'
C19	39.92	68.00'
C20	39.92	68.00'
C21	39.92	68.00'
C22	39.92	68.00'
C23	39.92	68.00'
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C26	39.92	68.00'
C27	39.92	68.00'
C28	39.92	68.00'
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C81	39.92	68.00'
C82	39.92	68.00'
C83	39.92	68.00'
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C89	39.92	68.00'
C90	39.92	68.00'
C91	39.92	68.00'
C92	39.92	68.00'
C93	39.92	68.00'
C94	39.92	68.00'
C95	39.92	68.00'
C96	39.92	68.00'
C97	39.92	68.00'
C98	39.92	68.00'
C99	39.92	68.00'
C100	39.92	68.00'

LEGEND

- PROPOSED BOUNDARY LINE
- EXISTING BOUNDARY LINE
- PROPOSED EASEMENT LINE
- PHASE IMPROVEMENT OUTSIDE OF LEASE PREMISES TO BE RECONSTRUCTED ON THE
- TAKE DOWN & REPAIR
- TAKE DOWN & REPAIR (DIVIDED INTO IMPACT PACKETS ABOVE GRADING)
- TAKE DOWN & REPAIR (NO IMPACT SUBDIVISION)
- NO IMPACT

GENERAL NOTES

1. SECTIONALY PLANS FOR EASEMENTS, ENCUMBRANCES AND ASSOCIATED CONDITIONS SHALL BE PLACED IN ITS OWN RESPECTIVE EASEMENT. LOCATIONS OF THESE EASEMENTS WILL BE DETERMINED AFTER APPLICATION IS REVIEWED AND APPROVED BY THE APPLICANT DESIGN PROFESSIONAL AND HAS OBTAINED A SET OF PLANS SIGNED OFF ON BY SVP.
2. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF SAN JOSE SPECIFICATIONS AND LOCAL REGULATIONS. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF SAN JOSE SPECIFICATIONS AND LOCAL REGULATIONS. APPROVAL OF FINAL DESIGN SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO BE RESPONSIBLE FOR FINAL DESIGN.
3. ANY ADDITIONAL EASEMENTS SHALL BE DETERMINED IN THE FUTURE.



Revisions

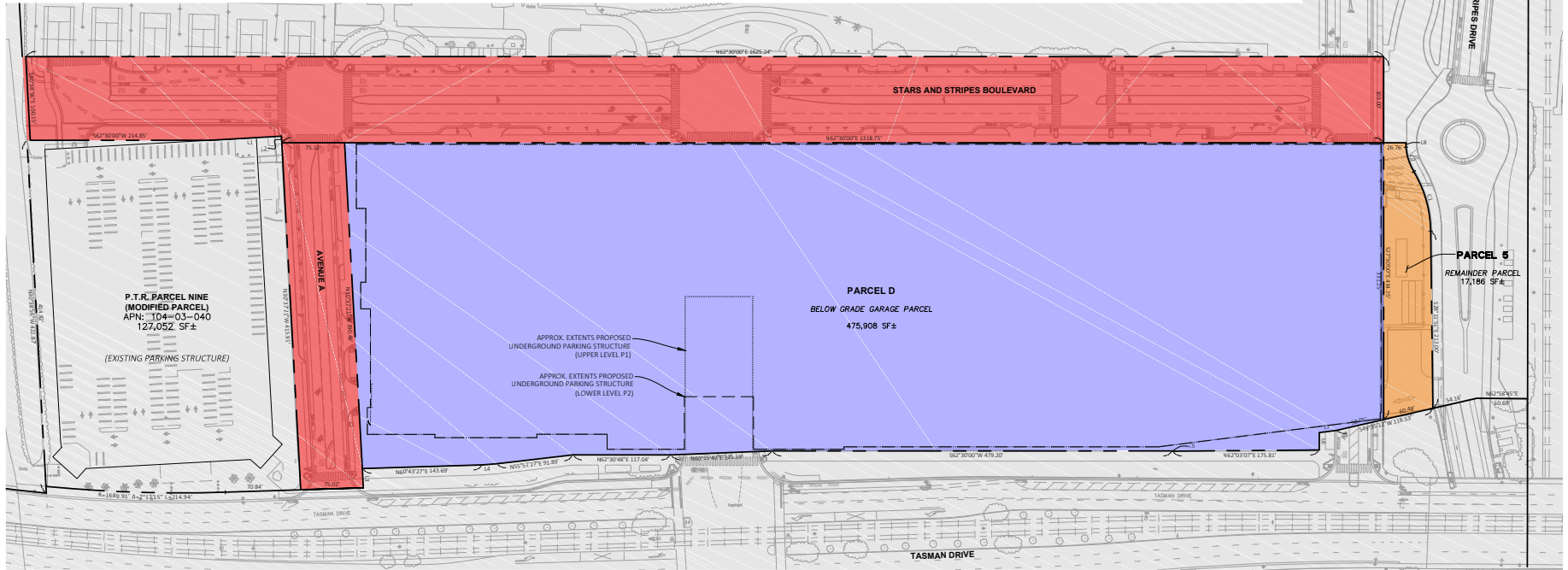
No.	Date	Description
1	10/04/22	DATE AS SHOWN
2		DESIGN JC
3		DRAWN MC
4		APPROVED PC
5		JOB NO 20156041

**5155 STARS & STRIPES DRIVE
 CITY PLACE VESTING TENTATIVE MAP
 CONCEPTUAL PARCELIZATION PLAN**

SANTA CLARA COUNTY CALIFORNIA

LINE AND CURVE TABLE

LINE TABLE			CURVE TABLE			
LINE NO.	LENGTH	DIRECTION	CURVE NO.	LENGTH	RADIUS	DELTA
L1	85.85	S59°17'33"W	C1	74.93	142.00	030°14'02"
L2	7.81	S30°34'44"E	C2	30.92	68.00	026°03'27"
L3	23.07	S30°37'26"E				
L4	16.98	N58°17'27"E				
L5	0.20	N27°30'00"W				
L6	20.86	N27°30'00"W				
L7	20.58	N55°17'27"E				
L8	5.32	S27°30'00"E				



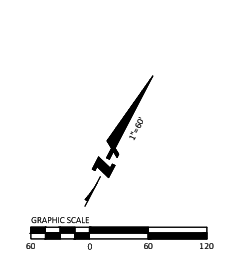
LEGEND

- PROPOSED BOUNDARY LINE
- EXISTING BOUNDARY LINE
- PROPOSED EASEMENT LINE
- PHASE IMPROVEMENT OUTSIDE OF LEASE PREMISES TO BE RETAINED BY CITY IN FEE
- TAKE DOWN & KEEP (TO GRADE ABOVE)
- TAKE DOWN & KEEP (NO AIRSPACE SUBDIVISION)

GENERAL NOTES

- SILICON VALLEY POWER (SVP) UTILITY STRUCTURES AND ASSOCIATED CONDUIT WILL BE PLACED IN ITS OWN RESPECTIVE EASEMENT. LOCATIONS OF THESE EASEMENTS WILL BE DETERMINED AFTER APPLICANT (DEVELOPER) HAS COMPLETED THE APPLICANT DESIGN PROCESS AND HAS OBTAINED A SET OF PLANS SIGNED OFF ON BY SVP.
- CITY OF SANTA CLARA WATER UTILITY STRUCTURES AND ASSOCIATED UTILITIES ARE CONCEPTUAL AND NOT APPROVED BY CITY OF SANTA CLARA WATER DEPARTMENT WITH UPDATES TO BE TO BE PROVIDED UPON APPROVAL OF FINAL DESIGN. THE DEVELOPER TO BE RESPONSIBLE FOR FINAL DESIGN.
- ANY ADDITIONAL EASEMENTS SHALL BE DETERMINED IN THE FUTURE.

NORTH ARROW & SCALE



DRAWING NAME: C:\2014\166941_C11\1-1-site improvements\DWG\2019 TM4\SHEETS\04P\1\TM-4_PRRB01.dwg
 PLOT DATE: 10-13-22
 PLOTTED BY: C:\m



BKF ENGINEERS
 1730 N. FIRST STREET
 SAN JOSE, CA 95112
 (408) 885-0100
 www.bkf.com

5155 STARS & STRIPES DRIVE
 CITY PLACE VESTING TENTATIVE MAP
 CONCEPTUAL PARCELIZATION PLAN

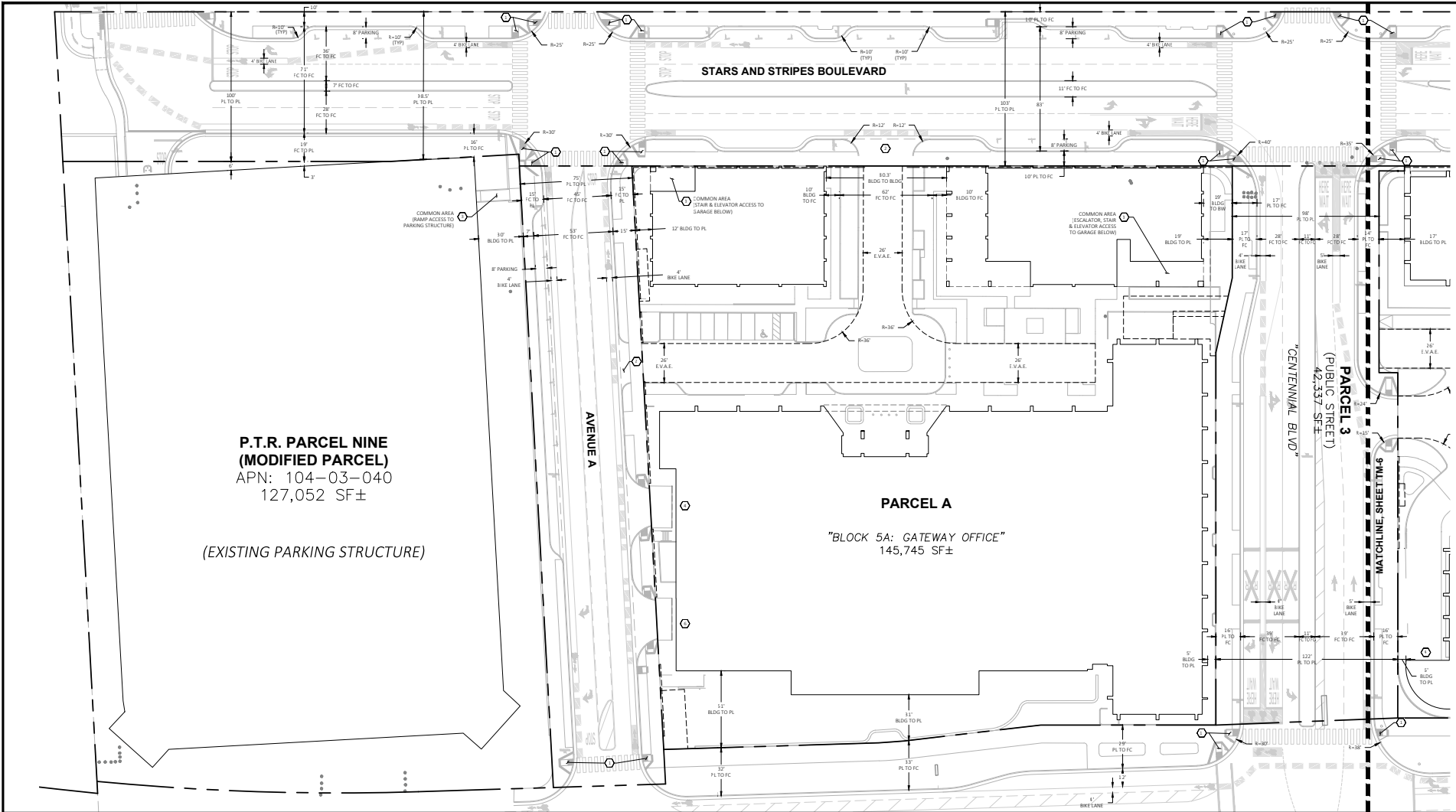
SANTA CLARA
 SANTA CLARA COUNTY
 CALIFORNIA

Date	10/04/22
Scale	AS SHOWN
Design	JC
Drawn	MC
Approved	PC
Job	No 20166941

TM-4
 4 OF 17



DRAWING NAME: \\s\proj\1566041\City_Plan\01\1-site improvement\dwg\2019 TMAP\SHEETS\04P\TM-5_PPH002.dwg
PLOT DATE: 10/13/22 PLOTTED BY: C.Lam



**P.T.R. PARCEL NINE
(MODIFIED PARCEL)**
APN: 104-03-040
127,052 SF±

(EXISTING PARKING STRUCTURE)

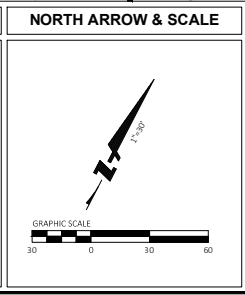
PARCEL A
"BLOCK 5A: GATEWAY OFFICE"
145,745 SF±

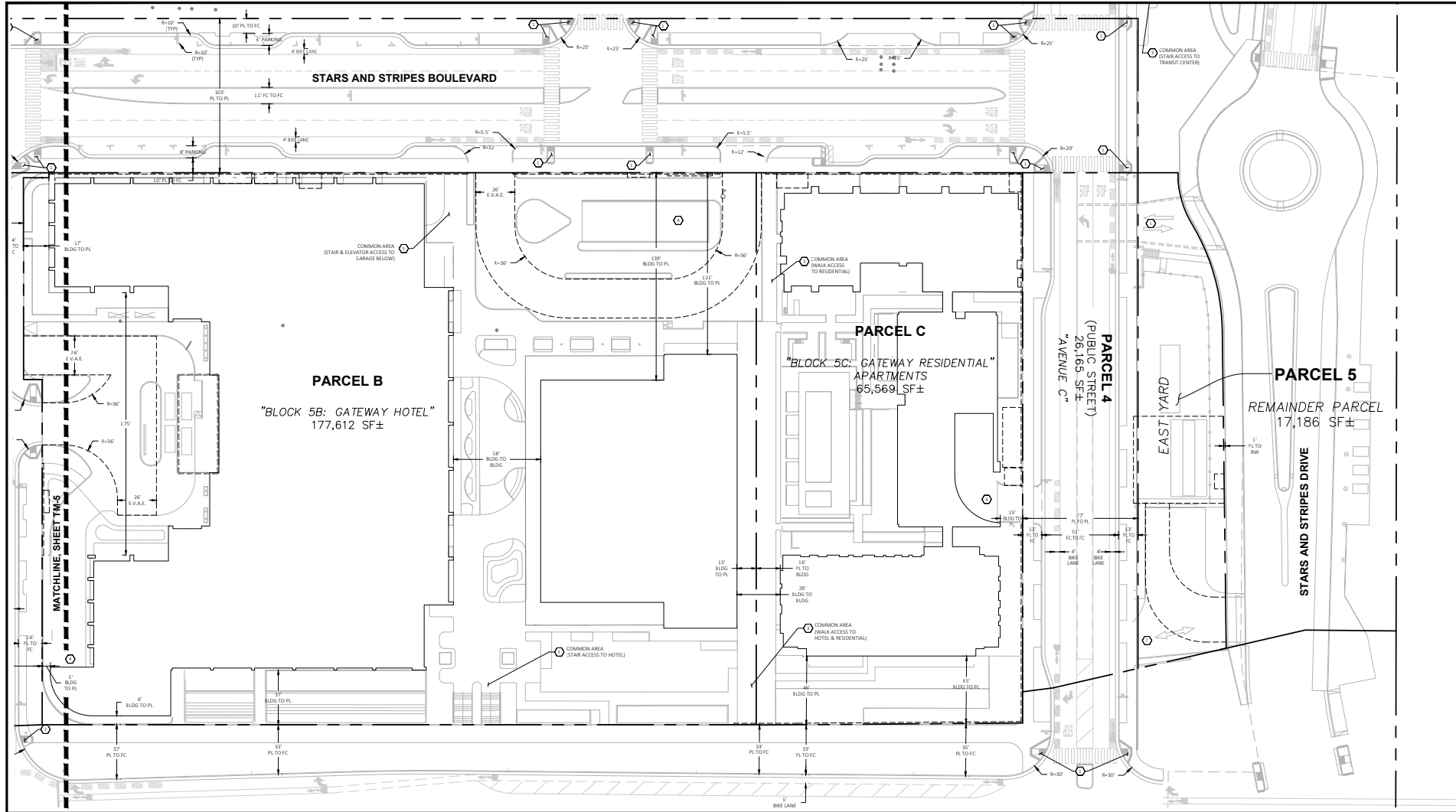
**PARCEL 3
(PUBLIC STREET)**
42,337 SF±

LEGEND	
	PROPOSED BOUNDARY LINE
	EXISTING BOUNDARY LINE

KEYNOTES	
	NEW ACCESSIBLE CURB RAMP
	NEW CONCRETE DRIVEWAY
	APPROXIMATE LOCATION OF STAIRS, ESCALATORS & ELEVATORS AS COMMON PUBLIC ACCESS AREAS
	ENTRANCE TO PARKING GARAGE P1
	ENTRANCE TO PARKING GARAGE P2
	ENTRANCE TO LOADING GARAGE LEVEL P1
	ENTRANCE TO LOADING GARAGE LEVEL P2

GENERAL NOTES					
Building Area Usage					
Parcel A	Parcel B	Parcel C	Parcel Coverage		
Office* & Retail	Hotel & Retail	Residential Service	Parcel A	Parcel B	Parcel C
Block Area	152,813 SF	186,683 SF	62,396 SF		
Building Use Area	440,000 SF (Office)	30,000 SF (Retail)	390,000 SF (Hotel)	10,000 SF (Retail)	175,000 SF
*OFFICE BUILDING INCLUDES 11,000 SF OF RETAIL ON GROUND FLOOR					
Area of Parcel (SF)	152,913	186,683	62,396		
Site Coverage (SF)	96,292	93,849	32,032		
Site Coverage (%)	63	50	51		
Landscape Area	56,621 SF	17%	92,834 SF	50%	10,364 SF



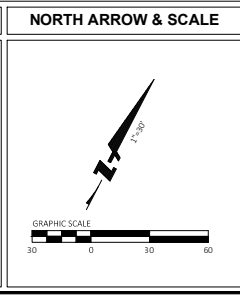


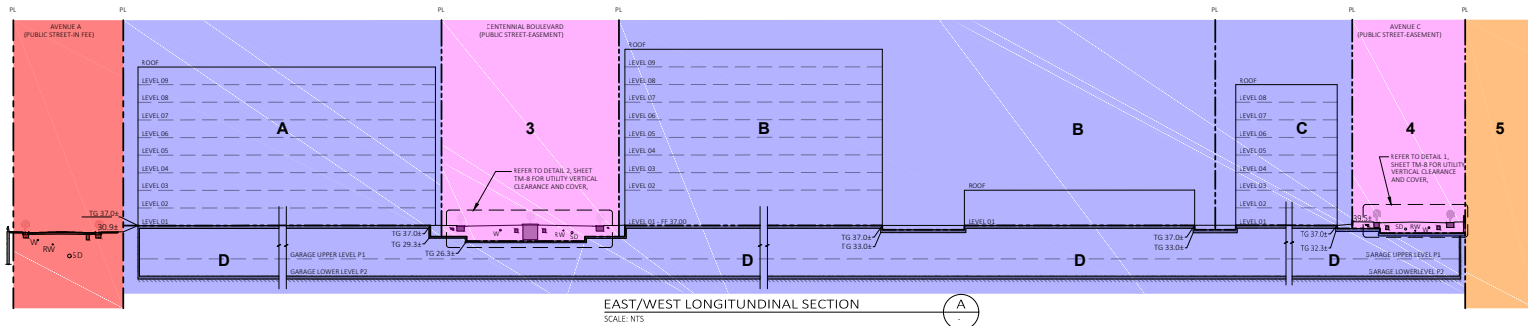
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LEGEND	
	PROPOSED BOUNDARY LINE
	EXISTING BOUNDARY LINE

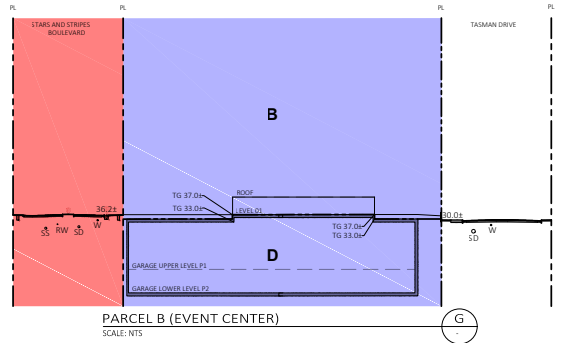
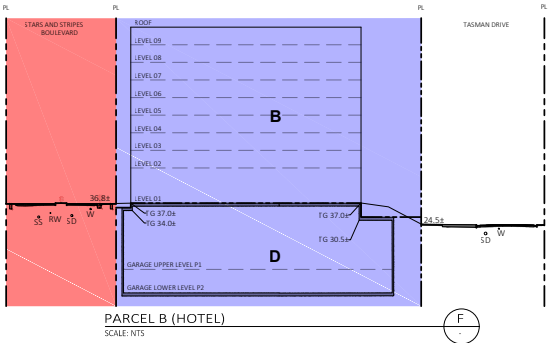
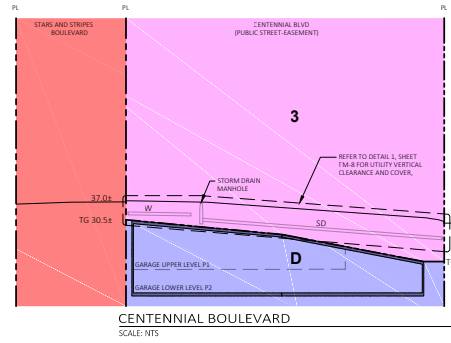
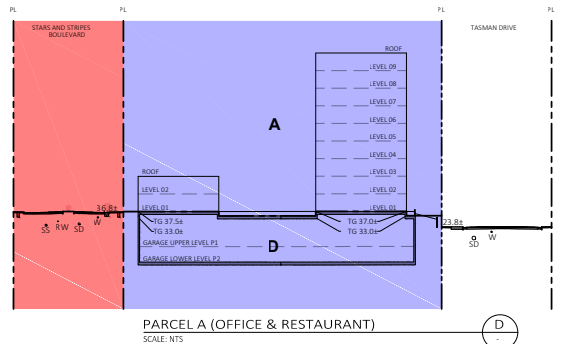
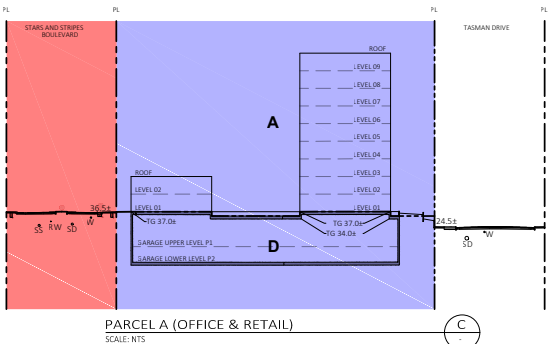
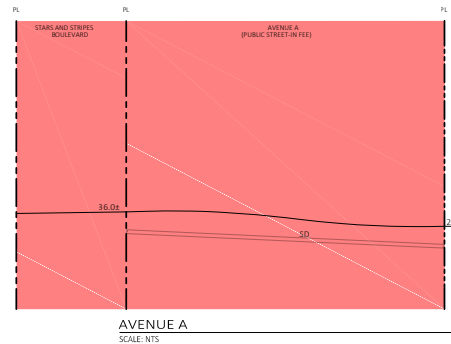
KEYNOTES	
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	APPROXIMATE LOCATION OF STAIRS, ESCALATORS & ELEVATORS AS COMMON PUBLIC ACCESS AREAS
	ENTRANCE TO PARKING GARAGE P1
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Building Area Usage					
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				92,834 SF	50%
				10,364 SF	49%
*OFFICE BUILDING INCLUDES 11,000 SF OF RETAIL ON GROUND FLOOR					





- LEGEND**
- PROPERTY LINE
 - PHASE IMPROVEMENT OUTSIDE OF LEASE PREMISES
 - TAKE DOWN & GRANT EASEMENT
 - TAKE DOWN & KEEP (DIVIDED INTO AIRSPACE PARCELS ABOVE GARAGE)
 - TAKE DOWN & KEEP (NO AIRSPACE SUBDIVISION)
- OWNED BY RELATED SANTA CLARA
- PARCEL A (BLOCK 5A GATEWAY OFFICE)
 - PARCEL B (BLOCK 5B GATEWAY HOTEL)
 - PARCEL C (BLOCK 5C GATEWAY RESIDENTIAL)
 - PARCEL D (UNDERGROUND PARKING STRUCTURE)
 - PARCEL 3 (CENTENNIAL WITH PUBLIC STREET EASEMENT)
 - PARCEL 4 (AVENUE C WITH PUBLIC STREET EASEMENT)
 - PARCEL 5 (REMANDER PARCELS)
- OWNED BY CITY OF SANTA CLARA
- STARS AND STRIPES
 - AVENUE A
 - TASMAN DRIVE
- UTILITY SECTIONS ARE TYPICAL. REFER TO EFD2-0264 FOR RETAILED UTILITY SECTIONS. HORIZONTAL SEPARATION MEETS CITY OF SANTA CLARA MINIMUMS.



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PLOT DATE: 10/04/22
PLOTTER BY: c1am

BKF ENGINEERS
1730 N. FIRST STREET
SAN JOSE, CA 95112
(408) 938-3100
www.bkf.com

CALIFORNIA

**5155 STARS & STRIPES DRIVE
CITY PLACE VESTING TENTATIVE MAP
CONCEPTUAL VERTICAL MAPPING SECTIONS**

SANTA CLARA COUNTY

Revisions	
Date	10/04/22
Scale	AS SHOWN
Design	JC
Drawn	MC
Approved	PC
Job No	20195694

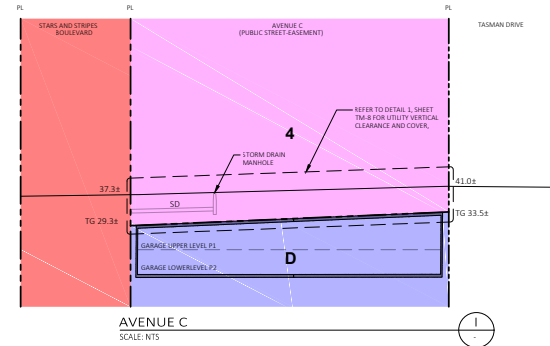
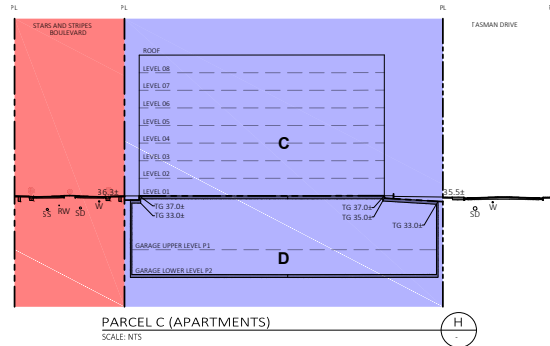
LEGEND

- PROPERTY LINE
- PHASE IMPROVEMENT OUTSIDE OF LEASE PREMISES
- TAKE DOWN & GRANT EASEMENT
- TAKE DOWN & KEEP (DIVIDED INTO AIRSPACE PARCELS ABOVE GARAGE)
- TAKE DOWN & KEEP (NO AIRSPACE SUBDIVISION)

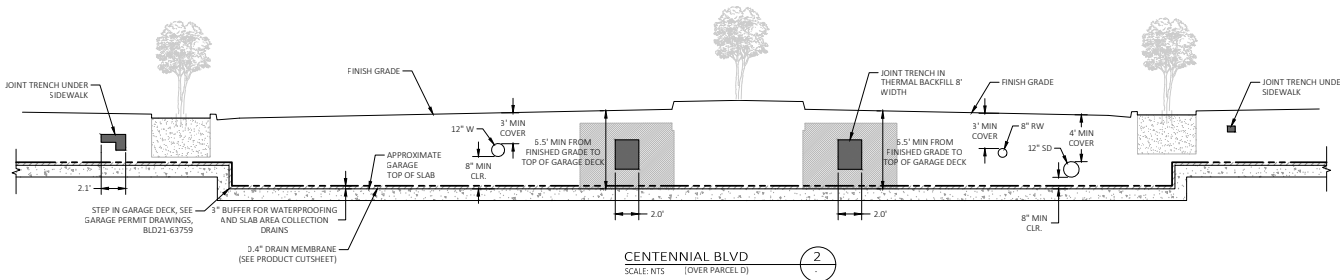
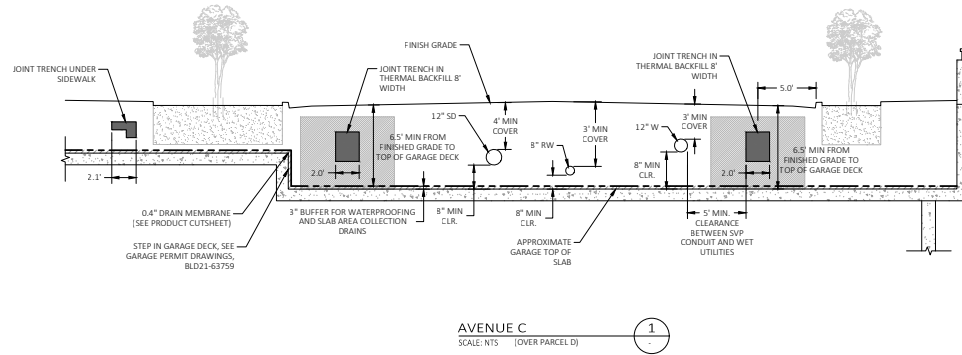
OWNED BY RELATED SANTA CLARA
 - PARCEL A (BLOCK 5A GATEWAY OFFICE)
 - PARCEL B (BLOCK 5B GATEWAY HOTEL)
 - PARCEL C (BLOCK 5C GATEWAY RESIDENTIAL)
 - PARCEL D (UNDERGROUND PARKING STRUCTURE)
 - PARCEL 3 (CENTENNIAL, WITH PUBLIC STREET EASEMENT)
 - PARCEL 4 (AVENUE C, WITH PUBLIC STREET EASEMENT)
 - PARCEL 5 (REMANDER PARCEL)

OWNED BY CITY OF SANTA CLARA
 - STARS AND STRIPES
 - AVENUE A
 - TASMAN DRIVE

UTILITY SECTIONS ARE TYPICAL. REFER TO EPD2-0264 FOR RETAILED UTILITY SECTIONS. HORIZONTAL SEPARATION MEETS CITY OF SANTA CLARA MINIMUMS.



CONCEPT UTILITY VIEWS:



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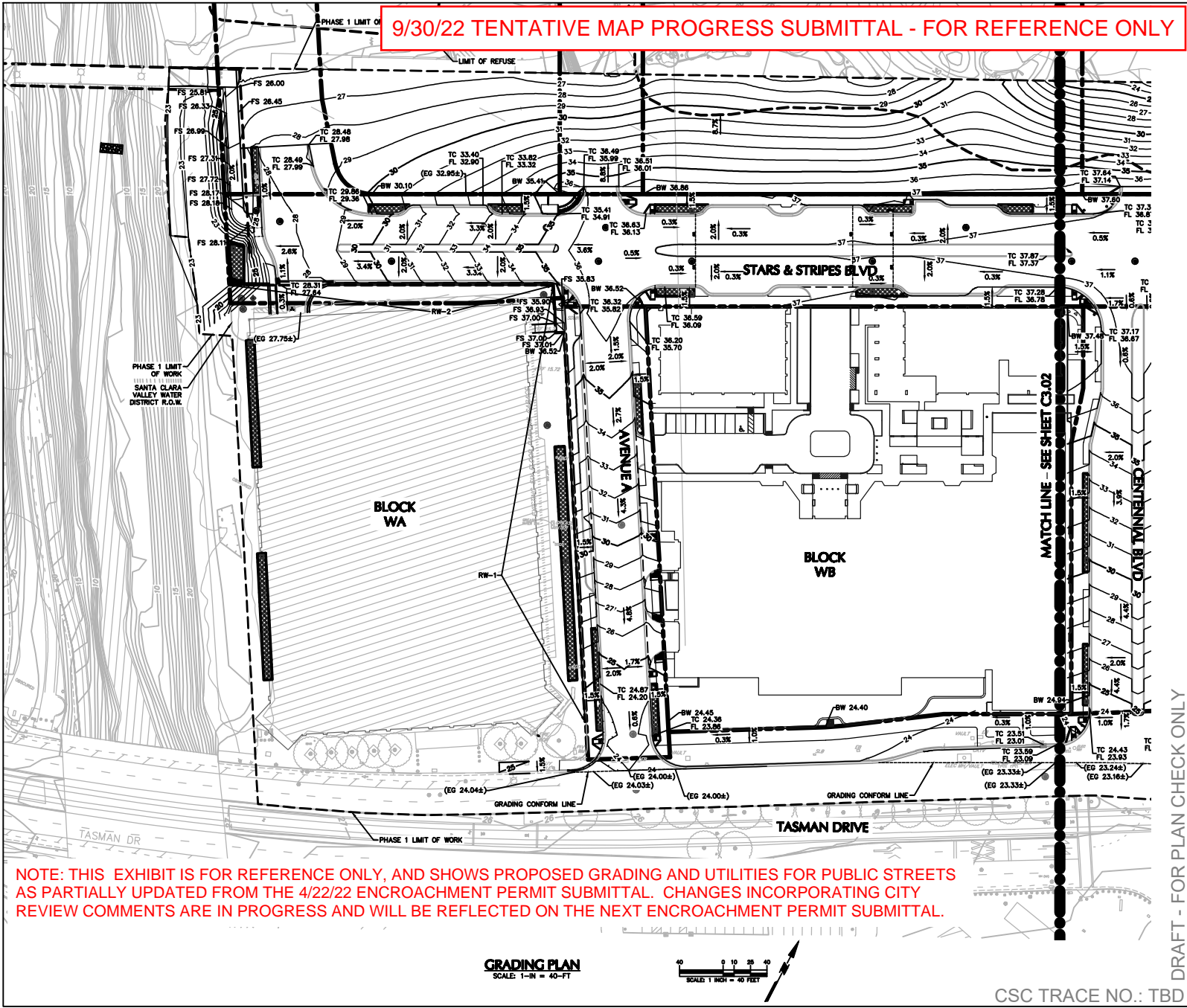
BKF ENGINEERS
 1730 N. FIRST STREET
 SAN JOSE, CA 95112
 (408) 283-0100
 www.bkf.com



5155 STARS & STRIPES DRIVE
 CITY PLACE VESTING TENTATIVE MAP
 CONCEPTUAL VERTICAL MAPPING SECTIONS
 SANTA CLARA COUNTY
 SANTA CLARA

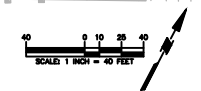
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Scale	AS SHOWN
Drawn	JC
Checked	MC
Approved	PC
Job No	201956041

9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



NOTE: THIS EXHIBIT IS FOR REFERENCE ONLY, AND SHOWS PROPOSED GRADING AND UTILITIES FOR PUBLIC STREETS AS PARTIALLY UPDATED FROM THE 4/22/22 ENCROACHMENT PERMIT SUBMITTAL. CHANGES INCORPORATING CITY REVIEW COMMENTS ARE IN PROGRESS AND WILL BE REFLECTED ON THE NEXT ENCROACHMENT PERMIT SUBMITTAL.

GRADING PLAN
SCALE: 1-IN = 40-FT



CSC TRACE NO.: TBD

DRAFT - FOR PLAN CHECK ONLY

LEGEND

-	PROPOSED ELEVATION
---	PROPOSED GRADE
---	GRADE BREAK
-	DISTING ELEVATION
---	PROPOSED CONTOUR

ABBREVIATIONS

MANHOLE
SIGNAL BOX
CATCH BASIN
SEWER
WATER
STORMWATER
STREET LIGHT
ELECTRICITY
CROSSING WALL
OUTLET LINE

RELATED SANTA CLARA
Contact: JR Radtke
5301 Great American Parkway, Suite 532
Santa Clara, CA 95054
Tel: 408.490.3700

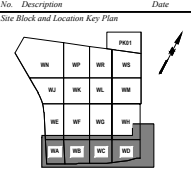
LANGAN
Civil and Geotechnical Engineers
1 Almaden Boulevard, Suite 590
San Jose, CA 95113
TEL: 408.283.3600

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Structural Engineers
865 The Alameda
San Jose, CA 95126
TEL: 408.296.5315

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1295 E. Duane Ave., Suite 230
Morgan Hill, CA 95037
Tel: 408.610.0958

BrightView
Landscape Architects of Record
8 Hughes, Suite 150
Irvine, CA 92618
Tel: 949.438.4900

Revision	
1. PERMIT SET	02/04/2022
2. PERMIT RESUBMITTAL	04/22/2022
3. PERMIT RESUBMITTAL	07/15/2022



Seal / Signature _____ Date _____

RELATED SANTA CLARA CITY CENTER

PHASE 1 STREETS & UTILITIES PERMIT SET

SHEET NAME
GRADING PLAN

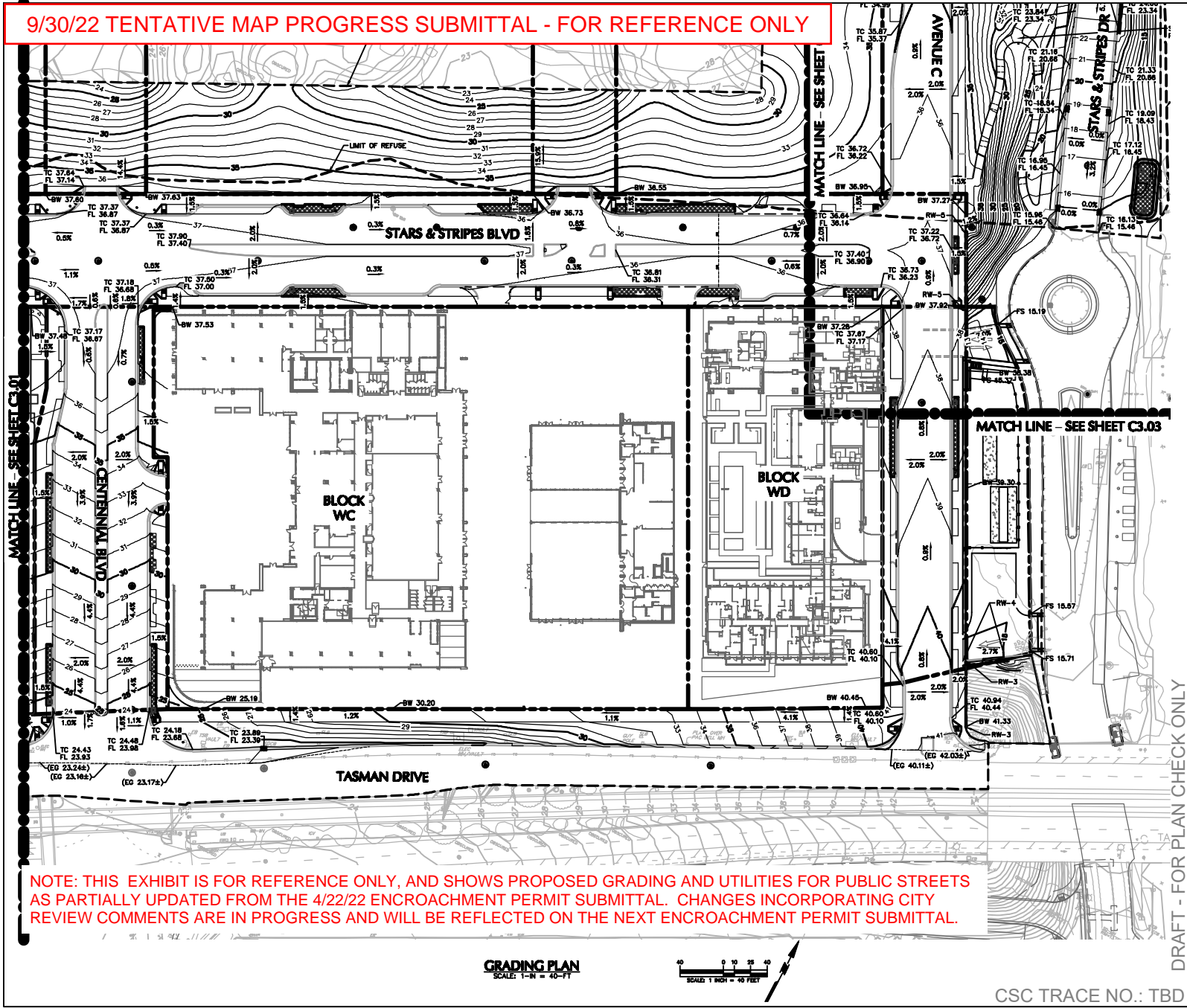
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Drawn: STAFF
Approved: DJH

DRAWING NO.
C3.01

SHEET
9 of 17

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9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



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GRADING PLAN
SCALE: 1" = 40'-0"



CSC TRACE NO.: TBD

LEGEND

- PROPOSED ELEVATION
- PROPOSED GRADE
- GRADE BREAK
- EXISTING ELEVATION
- PROPOSED CENTERLINE

ABBREVIATIONS

- BASE OF CURB
- BASE OF WALL
- FINISH GRADE
- PROPOSED GRADE
- PROPOSED CENTERLINE
- PROPOSED RIGHT OF WAY
- PROPOSED TRAIL
- OTHER LINE

RELATED SANTA CLARA
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Irvine, CA 92618
Tel: 949.438.4900

Revision

1	PERMIT SET	06/04/2022
2	PERMIT RESUBMITTAL	04/22/2022
3	PERMIT RESUBMITTAL	07/15/2022

No. Description Date

Site Block and Location Key-Plan

Seal/Signature

Signature _____ Date _____

RELATED SANTA CLARA CITY CENTER
PHASE 1 STREETS & UTILITIES PERMIT SET

SHEET NAME
GRADING PLAN

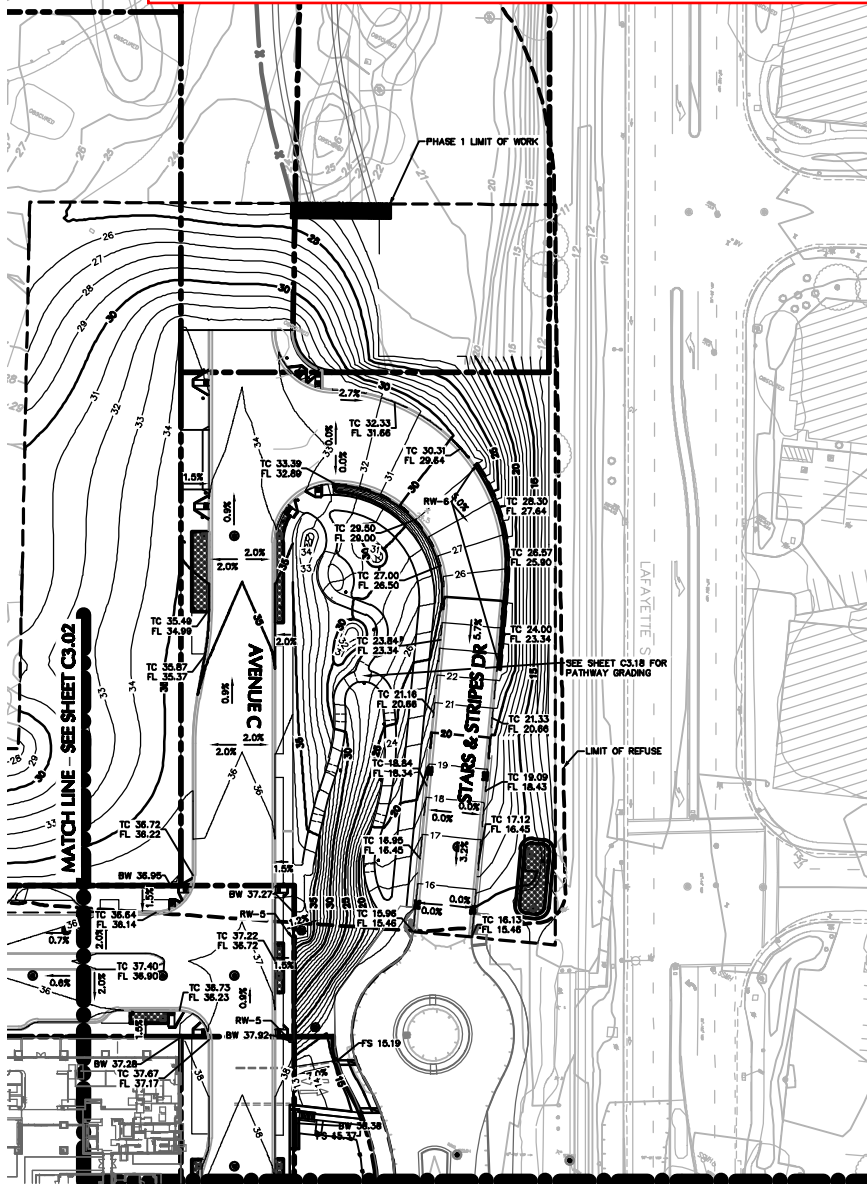
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Drawn: STAFF
Approved: DJH

DRAWING NO.
C3.02
SHEET
10 of 17

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FILE NAME: C:\Users\jradtke\OneDrive - Related Santa Clara\Documents\Projects\Phase 1 Streets & Utilities\Grading\Grading Plan\Grading Plan.dwg, September 28, 2022 - 10:46am USDR: Eban

9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



GRADING PLAN
SCALE: 1"=40'-0"



NOTE: THIS EXHIBIT IS FOR REFERENCE ONLY, AND SHOWS PROPOSED GRADING AND UTILITIES FOR PUBLIC STREETS AS PARTIALLY UPDATED FROM THE 4/22/22 ENCROACHMENT PERMIT SUBMITTAL. CHANGES INCORPORATING CITY REVIEW COMMENTS ARE IN PROGRESS AND WILL BE REFLECTED ON THE NEXT ENCROACHMENT PERMIT SUBMITTAL.

LEGEND

- PROPOSED ELEVATION
- PROPOSED GRADE
- GRADE BREAK
- EXISTING ELEVATION
- PROPOSED CONTOUR

ABBREVIATIONS

- BC: BASE OF CURB
- BY: BACK OF YARD
- FL: FINISH GRADE
- FS: FINISH SURFACE
- PG: PROPOSED GRADE
- PGS: PROPOSED GRADE SURFACE
- RE: RELIEF ELEVATION
- TR: TOP OF ROAD
- TL: TOP OF LOT
- OT: OTHER LINE

RELATED SANTA CLARA
Contact: JR Radtke
5311 Great American Parkway, Suite 532
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Tel: 408.490.3700

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Civil and Geotechnical Engineers
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San Jose, CA 95113
TEL: 408.283.3600

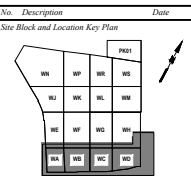
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Revision

1	PERMIT SET	06/04/2022
2	PERMIT RESUBMITTAL	04/22/2022
3	PERMIT RESUBMITTAL	07/15/2022



Seal / Signature _____ Date _____

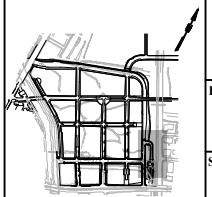
RELATED SANTA CLARA CITY CENTER
PHASE 1 STREETS & UTILITIES PERMIT SET

SHEET NAME
GRADING PLAN

Date: 04/22/2022
Scale: 1"=40'-0" FT
Design: STAFF
Drawn: STAFF
Approved: DJH

DRAWING NO.
C3.03
SHEET
11 of 17

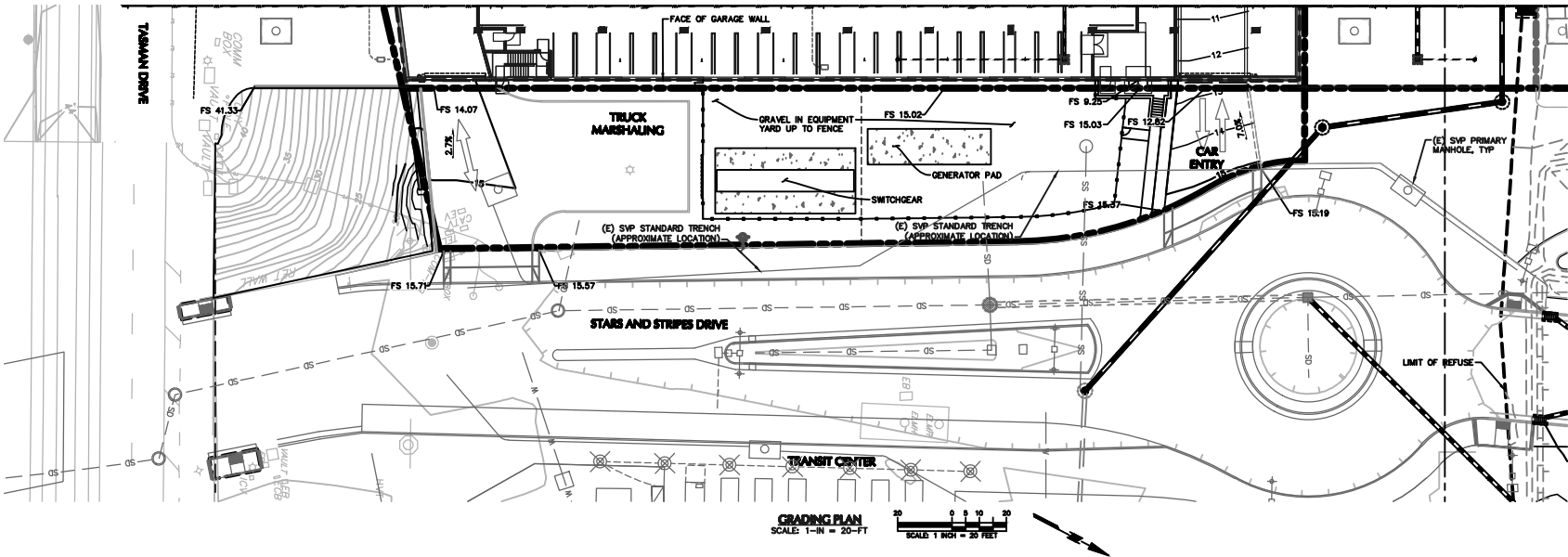
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CSC TRACE NO.: TBD

9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



GRADING PLAN
SCALE: 1-IN = 20-FT

FILE NAME: C:\Users\jvargas\p01\10100002\BSC-WI-1110-LUN-CY-06_C3.04_Grading_Plan.dwg PLOTTED: Thursday, September 29, 2022 - 8:18pm USER: vmaranda

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RELATED SANTA CLARA

Contact: JR Radtke
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San Jose, CA 95113
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865 The Alameda
San Jose, CA 95126
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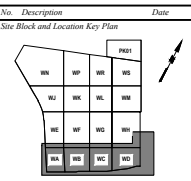
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Morgan Hill, CA 95037
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BrightView

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Revision	
1. PERMIT SET	06/04/2022
2. PERMIT RESUBMITTAL	04/22/2022
3. PERMIT RESUBMITTAL	07/15/2022



Seal / Signature _____
Signature _____ Date _____

RELATED SANTA CLARA CITY CENTER
PHASE 1 STREETS & UTILITIES PERMIT SET

SHEET NAME
GRADING PLAN

Date: 04/22/2022
Scale: 1-IN = 20-FT
Design: STAFF
Drawn: STAFF
Approved: DJH

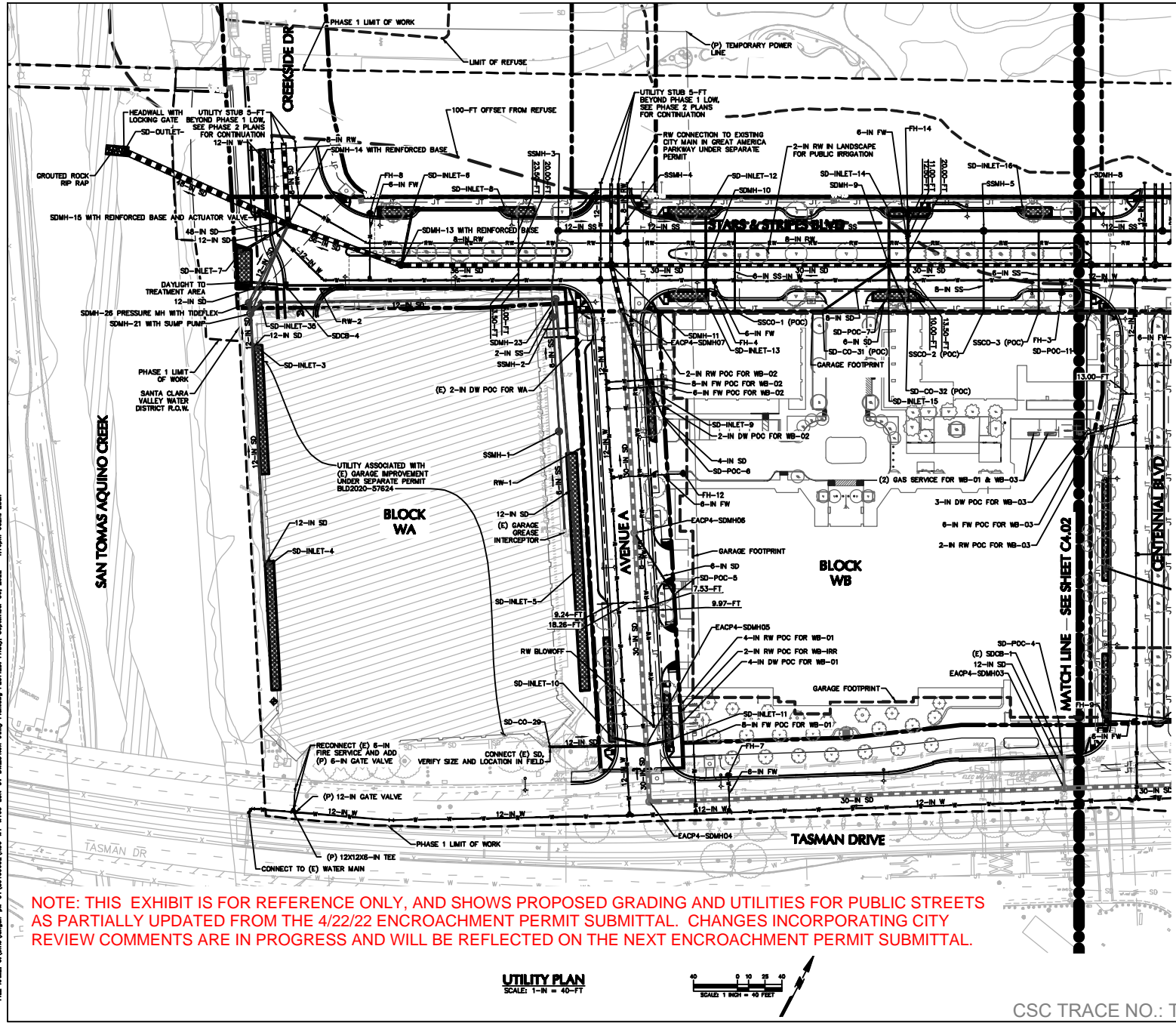
DRAWING NO.
C3.04

SHEET
12 of 17

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CSC TRACE NO.: TBD

9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



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UTILITY PLAN
SCALE: 1-IN = 40-FT



LEGEND

- LIMIT OF WORK
- GARAGE FOOTPRINT
- FILE SUPPORTED ROAD BOUNDARY
- (P) STORM DRAIN LINE
- (P) SANITARY SEWER LINE
- (P) WATER LINE
- (P) RECYCLED WATER LINE
- (P) JOINT TRENCH, SHOWN FOR REFERENCE ONLY
- (P) GAS LINE, SHOWN FOR REFERENCE ONLY
- (P) FIBER OPTIC, SHOWN FOR REFERENCE ONLY
- (E) STORM DRAIN LINE
- (E) SANITARY SEWER LINE
- (E) WATER LINE
- (E) ELECTRICAL LINE
- (E) TRANSMISSION LINE
- (E) OVERHEAD LINE
- (P) FIRE HYDRANT
- (P) WATER VALVE
- (P) BLOW OFF
- (P) STORM/SEWER MANHOLE
- (P) CLEAN OUT
- (P) STORM CATCH BASIN
- (P) STORM INLET/OVERFLOW STRUCTURE
- (P) SETTLEMENT VAULT
- (E) STORM/SEWER MANHOLE
- (E) STORM CATCH BASIN
- (P) LIGHT POLE, SHOWN FOR REFERENCE ONLY
- (P) SVP VAULT, SHOWN FOR REFERENCE ONLY
- (P) SVP TRANSFORMER, SHOWN FOR REFERENCE ONLY
- (P) SVP ELECTRIC SWITCHING GEAR CABINET, SHOWN FOR REFERENCE ONLY
- (E) VAPOR PROBE LOCATION
- (P) LPG COLLECTION WELL
- (P) CONDENSATE POT
- (P) RIPRAP
- (P) TREATMENT AREA

ABBREVIATIONS

- (E) EXISTING
- (P) PROPOSED
- BFP BACK FLOW PREVENTER
- CB CATCH BASIN
- DCDA DOUBLE CHECK DETECTION ASSEMBLY
- DIP DUCTILE IRON PIPE
- FW FIRE WATER
- IN INCH
- INW INVERT
- JT JOINT TRENCH
- LF LINEAR FEET
- MANH MANHOLE
- POC POINT OF CONNECTION
- PVC POLYVINYL CHLORIDE
- RPC REINFORCED CONCRETE PIPE
- RBP REDUCED PRESSURE BACKFLOW PREVENTION DEVICE
- RWP RECYCLED WATER
- SD SLOPE
- SDR STORM DRAIN
- SSR STANDARD DIMENSION RATIO
- SS SANITARY SEWER
- SVI SILICON VALLEY POWER
- SVP LANDFILL GAS VAPOR MONITORING PIPE
- W WATER
- WM WATER METER

REVISION

Permit Set	Date
1. PERMIT SET	06/04/2022
2. PERMIT RESUBMITTAL	04/22/2022
3. PERMIT RESUBMITTAL	07/15/2022

Signature

Signature _____ Date _____

RELATED SANTA CLARA CITY CENTER
PHASE 1 STREETS & UTILITIES PERMIT SET

SHEET NAME
UTILITY PLAN

Date: 04/22/2022
Scale: 1-IN = 40-FT
Design: STAFF
Drawn: STAFF
Approved: DJH

DRAWING NO.
C4.01

SHEET
13 of 17

RELATED SANTA CLARA
Contact: JR Radtke
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LANEAN
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San Jose, CA 95126
Tel: 408.296.5315

NTERRA GROUP

BrightView
Landscape Architects of Record
8 Hughes, Suite 150
Irvine, CA 92618
Tel: 949.438.4900

San Tommaso Aquino Creek
San Jose Aquino Creek

Block WA
Block WB

PHASE 1 LIMIT OF WORK

TASMAN DRIVE

AVENUE

CENTENIAL BLVD

MATCH LINE - SEE SHEET CA.02

CSC TRACE NO.: TBD

San Jose

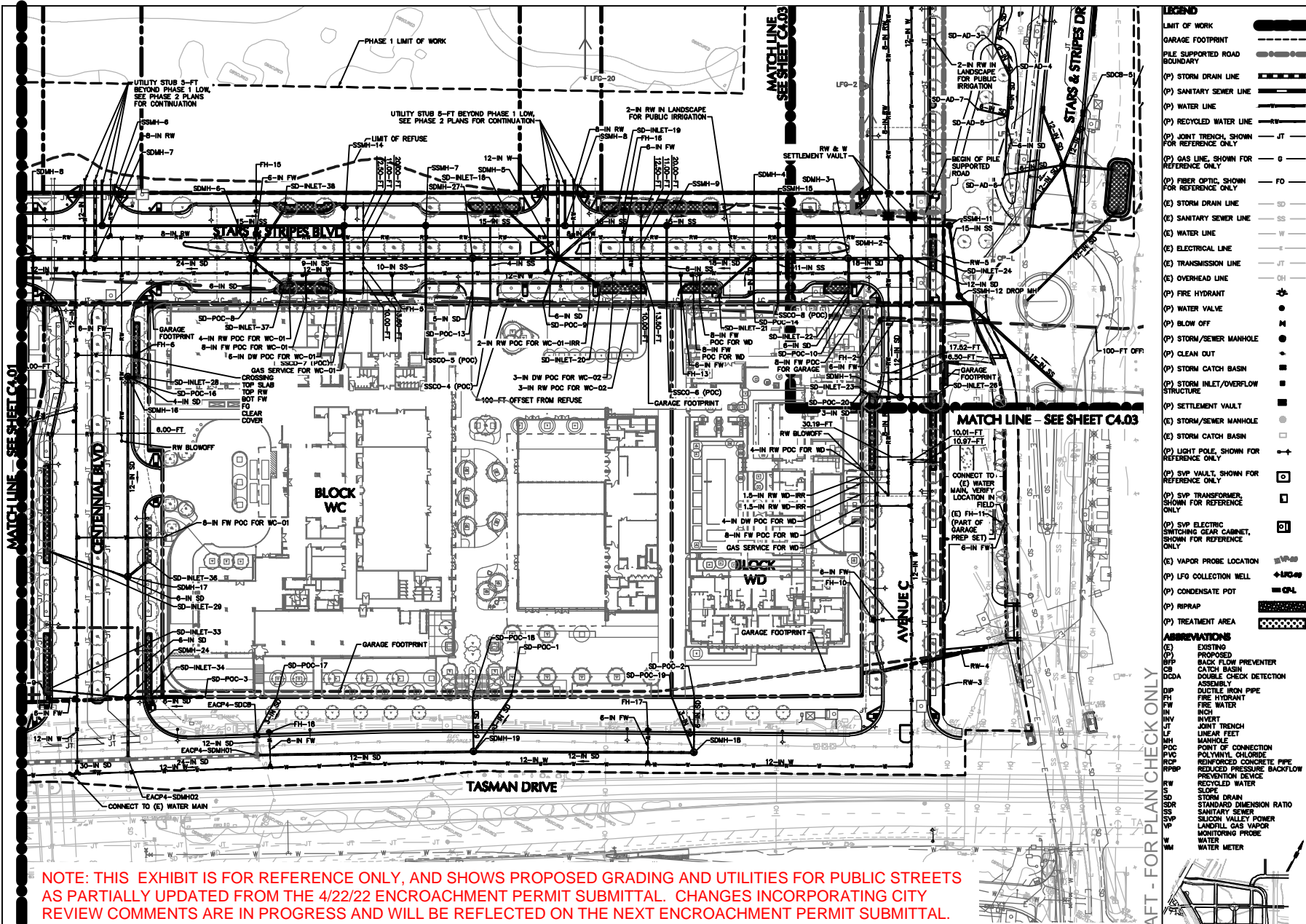
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DATE: 04/22/2022

TIME: 10:30 AM

USER: jradtke

9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



NOTE: THIS EXHIBIT IS FOR REFERENCE ONLY, AND SHOWS PROPOSED GRADING AND UTILITIES FOR PUBLIC STREETS AS PARTIALLY UPDATED FROM THE 4/22/22 ENCROACHMENT PERMIT SUBMITTAL. CHANGES INCORPORATING CITY REVIEW COMMENTS ARE IN PROGRESS AND WILL BE REFLECTED ON THE NEXT ENCROACHMENT PERMIT SUBMITTAL.

UTILITY PLAN
SCALE: 1-IN = 40-FT



CSC TRACE NO.: TBD

LEGEND

- LIMIT OF WORK
- GARAGE FOOTPRINT
- PILE SUPPORTED ROAD BOUNDARY
- (P) STORM DRAIN LINE
- (P) SANITARY SEWER LINE
- (P) WATER LINE
- (P) JOINTED WATER LINE
- (P) TRENCH, SHOWN FOR REFERENCE ONLY
- (P) GAS LINE, SHOWN FOR REFERENCE ONLY
- (P) FIBER OPTIC, SHOWN FOR REFERENCE ONLY
- (E) STORM DRAIN LINE
- (E) SANITARY SEWER LINE
- (E) WATER LINE
- (E) ELECTRICAL LINE
- (E) TRANSMISSION LINE
- (E) OVERHEAD LINE
- (P) FIRE HYDRANT
- (P) WATER VALVE
- (P) BLOW OFF
- (P) STORM/SEWER MANHOLE
- (P) CLEAN OUT
- (P) STORM CATCH BASIN
- (P) STORM INLET/OVERFLOW STRUCTURE
- (P) SETTLEMENT VAULT
- (E) STORM/SEWER MANHOLE
- (E) STORM CATCH BASIN
- (P) LIGHT POLE, SHOWN FOR REFERENCE ONLY
- (P) SVP VAULT, SHOWN FOR REFERENCE ONLY
- (P) SVP TRANSFORMER, SHOWN FOR REFERENCE ONLY
- (P) SVP ELECTRIC SWITCHING GEAR CABINET, SHOWN FOR REFERENCE ONLY
- (E) VAPOR PROBE LOCATION
- (P) LFG COLLECTION WELL
- (P) CONDENSATE POT
- (P) RIPRAP
- (P) TREATMENT AREA

ABBREVIATIONS

- (E) EXISTING
- (P) PROPOSED
- BFP BACK FLOW PREVENTER
- CB CATCH BASIN
- DCDA DOUBLE CHECK DETECTION ASSEMBLY
- DIP DUCTILE IRON PIPE
- FW FIRE HYDRANT
- IN INCH
- IRW IRON
- JT JOINT TRENCH
- LF LINEAR FEET
- MANHOLE MANHOLE
- POCC POINT OF CONNECTION
- PVC POLYVINYL CHLORIDE
- RCP REINFORCED CONCRETE PIPE
- RPB REDUCED PRESSURE BACKFLOW PREVENTION DEVICE
- RW RECYCLED WATER
- S SLOPE
- SDR STORM DRAIN
- SDR STANDARD DIMENSION RATIO
- SSR SANITARY SEWER
- SVP SILICON VALLEY POWER
- LANDFILL GAS VAPOR MONITORING PROBE
- W WATER
- WM WATER METER

REVISION

Rev	Description	Date
1	PERMIT SET	06/04/2022
2	PERMIT RESUBMITTAL	04/22/2022
3	PERMIT RESUBMITTAL	07/15/2022

Site Block and Location Key Plan

Signature

Signature _____ Date _____

RELATED SANTA CLARA CITY CENTER
PHASE 1 STREETS & UTILITIES PERMIT SET

SHEET NAME
UTILITY PLAN

Date: 04/22/2022
Scale: 1-IN = 40-FT
Design: STAFF
Drawn: STAFF
Approved: DJH

DRAWING NO.
C4.02

SHEET
14 of 17

RELATED SANTA CLARA
Contact: JR Radtke
5301 Great American Parkway, Suite 532
Santa Clara, CA 95054
Tel: 408.490.3700

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Santa Clara, CA 95051
TEL: 408.283.3600

BCR
Structural Engineers
865 The Alameda
San Jose, CA 95126
TEL: 408.296.5315

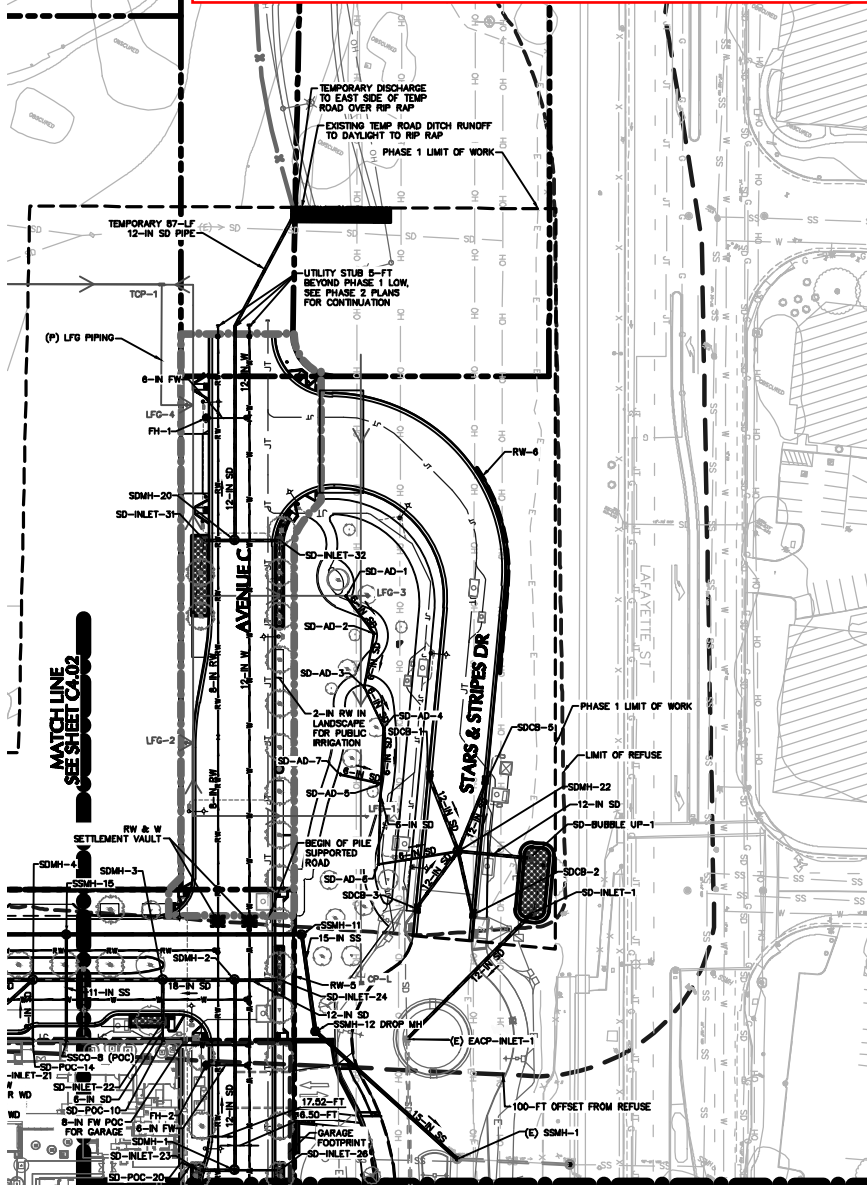
NTERRA GROUP
Dry Utility Consultant
1295 E. Duane Ave., Suite 230
Morgan Hill, CA 95037
Tel: 408.619.9958

BrightView
Landscape Architects of Record
8 Hughes, Suite 150
Irvine, CA 92618
Tel: 949.438.4900

FILE NAME: C:\jw\workspace\p1\0104062\WC-WI-WI00-LIN-CY-DR-CALX_Library_Plotting_PLOTTED: Friday, September 30, 2022 - 4:18pm USER: Ehan

DRAFT - FOR PLAN CHECK ONLY

9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



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DRAFT - FOR PLAN CHECK ONLY

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- RW RECYCLED WATER
- SD SLOPE
- SDR STORM DRAIN STANDARD DIMENSION RATIO
- SS SANITARY SEWER
- SVP SILICON VALLEY POWER
- VVP VAPOR MONITORING PROBE
- W WATER
- WM WATER METER

REVISION

Revision	Date
1. PERMIT SET	06/04/2022
2. PERMIT RESUBMITTAL	04/22/2022
3. PERMIT RESUBMITTAL	07/15/2022

Site Block and Location Key Plan

Signature

Signature _____ Date _____

RELATED SANTA CLARA CITY CENTER
PHASE 1 STREETS & UTILITIES PERMIT SET

SHEET NAME

UTILITY PLAN

Date: 04/22/2022
Scale: 1-IN = 40-FT
Design: STAFF
Drawn: STAFF
Approved: DJH

DRAWING NO.
C4.03

SHEET
15 of 17

RELATED SANTA CLARA
Contact: JR Radtke
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TEL: 408.283.3600

BCR
Structural Engineers
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San Jose, CA 95126
TEL: 408.296.5515

NTERRA GROUP
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Morgan Hill, CA 95037
Tel: 408.610.9958

BrightView
Landscape Architects of Record
8 Hughes, Suite 150
Irvine, CA 92618
Tel: 949.438.4900

FILE NAME: C:\Users\jradtke\OneDrive\Documents\Projects\PHASE 1 STREETS & UTILITIES\DWG\C4.03.dwg PLOTTED: Thursday, September 26, 2022 - 10:29am USER: Ehan

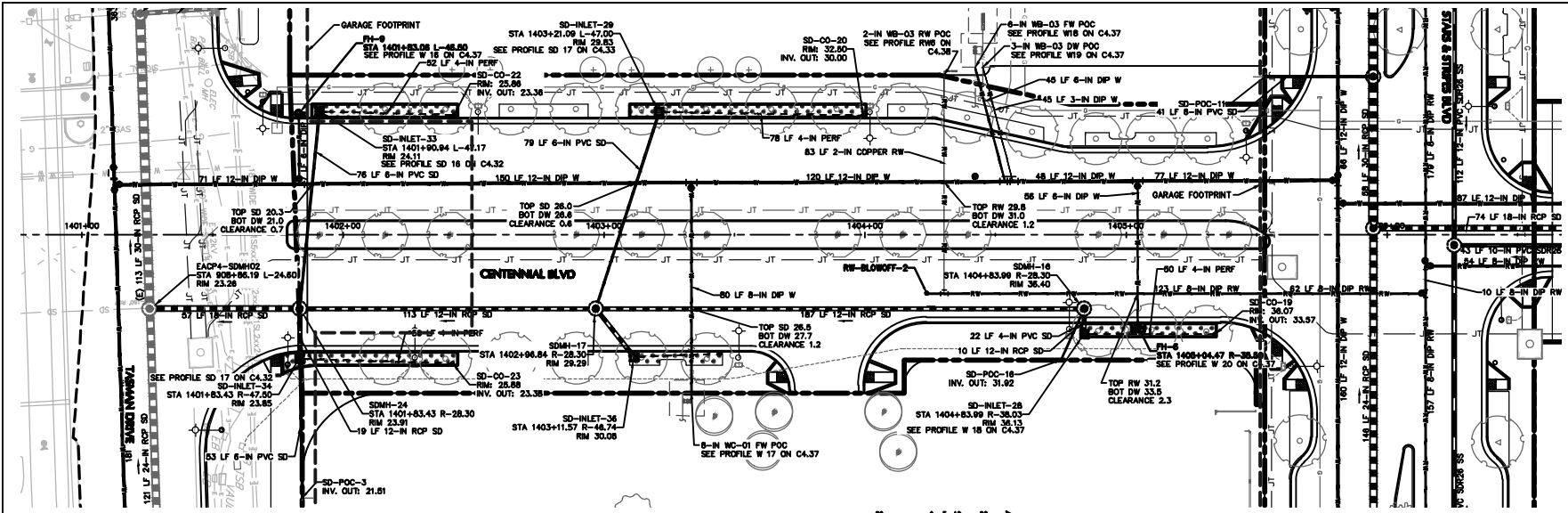
MATCH LINE SEE SHEET C4.02

MATCH LINE SEE SHEET C4.02

UTILITY PLAN
SCALE 1-IN = 40-FT

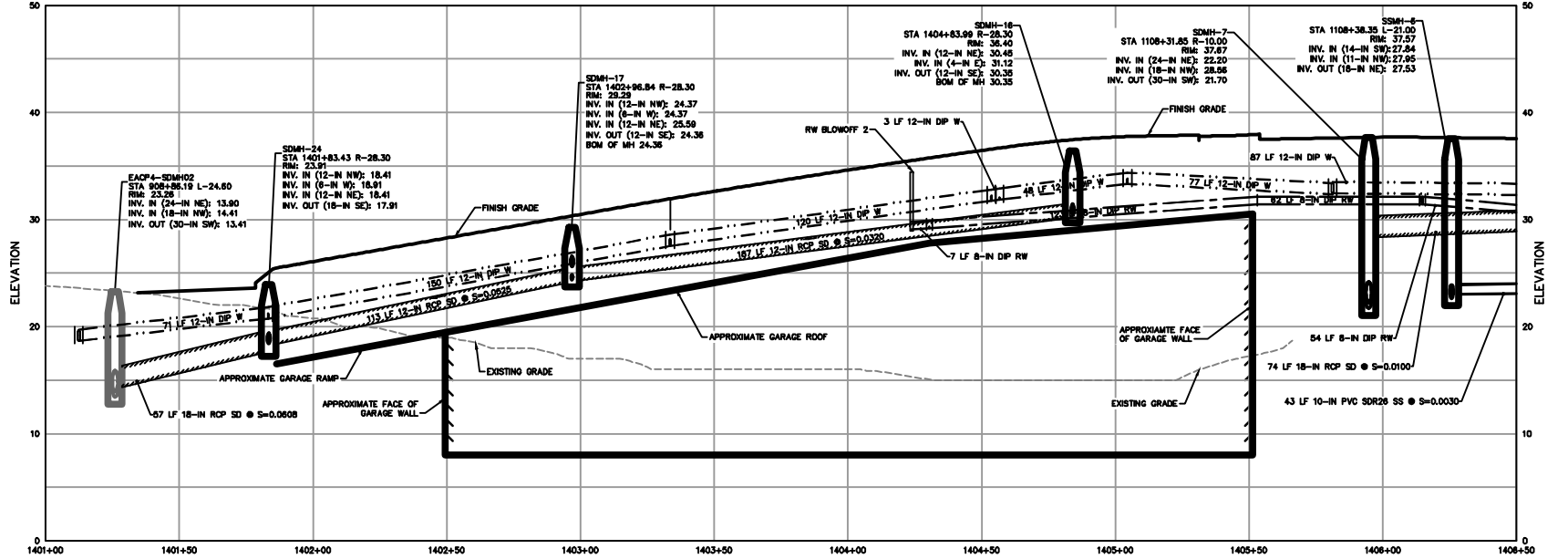
CSC TRACE NO.: TBD

9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



PLAN VIEW
SCALE: 1"=20'-FT
SCALE: 1"=30 FEET

NOTE: MINIMUM COVER FOR UTILITIES IN CENTENNIAL ABOVE GARAGE IS 3 FT OR GREATER. MINIMUM CLEARANCE TO GARAGE LID IS 8 IN. INSTALL CONCRETE SADDLE PER COSC DETAIL M-3 AT ALL CROSSINGS WITH CLEARANCE LESS THAN 1 FT.



PROFILE VIEW
HORIZONTAL SCALE: 1"=20'-FT
VERTICAL SCALE: 1"=5'-FT
SCALE: 1"=30 FEET

RELATED SANTA CLARA
Contact: JR Radtke
5301 Great American Parkway, Suite 532
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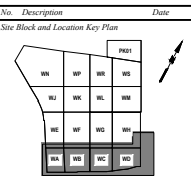
LANEAN
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Tel: 408.619.9958

BrightView
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Irvine, CA 92618
Tel: 949.438.4900

Revision	Date
1 PERMIT SET	05/04/2022
2 PERMIT RESUBMITTAL	04/22/2022
3 PERMIT RESUBMITTAL	07/15/2022



Seal/Signature

Signature _____ Date _____

RELATED SANTA CLARA CITY CENTER
PHASE 1 STREETS & UTILITIES PERMIT SET

SHEET NAME
UTILITY PLAN & PROFILE -
CENTENNIAL BLVD

Date: 04/22/2022
Scale: AS-SHOWN
Design: STAFF
Drawn: STAFF
Approved: DJH

DRAWING NO.
C4.15
SHEET
16 of 17

DRAFT - FOR PLAN CHECK ONLY

CSC TRACE NO.: TBD

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FILE NAME: C:\Users\knapen\p01\105100082\BSC-WI-W100-L04-CY-06-CALX LIBRY P&B.dwg PLOTTED: 1/16/24, September 30, 2022 - 4:02pm, USER: Ebn

PERMANENT RW CONNECTION AT GREAT AMERICA PARKWAY

CRITICAL ALIGNMENT IN AVENUE A AND CITY PLACE PARKWAY SERVING PHASE 1

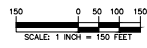
LEGEND:

- RW PHASE 2-4 RECYCLED WATER MAIN
- RW EXISTING RECYCLED WATER MAIN
- PHASE 2 RECYCLED WATER MAIN TO BE INSTALLED CONCURRENTLY WITH PHASE 1

PHASE 2
PHASE 1

NOTES:

1. THE CRITICAL ALIGNMENT ALONG AVENUE A AND CITY PLACE PARKWAY WILL BE INSTALLED CONCURRENTLY WITH PHASE 2 IMPROVEMENTS, UNDER SEPARATE PERMIT.
2. THE PHASE 1 RW SYSTEM WILL BE CONNECTED AND ACTIVE PRIOR TO PERMANENT OCCUPANCY OF PHASE 1 STRUCTURES.



LANGAN
 Langan Engineering and Environmental Services, Inc.
 1 Almaden Boulevard, Suite 590
 San Jose, CA 95113
 T: 408.283.3600 F: 408.283.3601
www.langan.com

Project
RELATED SANTA CLARA - PHASE 1
 SANTA CLARA
 CALIFORNIA

Drawing Title
RECYCLED WATER CONNECTION TO GREAT AMERICA PARKWAY THROUGH PHASE 2

Project No.	770611612	C4.04
Date	10/04/2022	
Drawn By	CH	
Checked By	RFS	
Sheet		17 of 17

Project No. 770611612

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
TO APPROVE A VESTING TENTATIVE SUBDIVISION MAP
FOR PHASE ONE OF THE RELATED SANTA CLARA PROJECT
SITUATED ON APPROXIMATELY 14.3 ACRES OF LAND
LOCATED AT 5155 STARS AND STRIPES DRIVE (APNs 104-
03-036 (portion), 104-03-040 (portion), 104-03-037; 104-03-038
AND 104-03-039)**

PLN21-15283 (Vesting Tentative Subdivision Map for Development Area Plan 1)

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on June 28, 2016, the Santa Clara City Council approved a number of entitlements for the proposed construction by Related Santa Clara, LLC for the project site located at 5155 Stars and Stripes Drive (“Project Site”) to facilitate development of the new multi-phased, mixed-use development known as the Related Santa Clara Project (the “Project”);

WHEREAS, the Project entitlements approved by the City Council on June 28, 2016, included Resolution No. 16-8339, which rezoned the Project site to the PD-MC (Planned Development-Master Community) zoning district;

WHEREAS, on June 28, 2016, the City Council adopted Resolution No. 16-8337, certifying a Final Environmental Impact Report (“Final EIR”) pursuant to the provisions of the California Environmental Quality Act (Cal. Pub. Res. §§ 21000 et seq.) (“CEQA”) together with the State CEQA Guidelines (14 CCR § 15000 et seq.) (“CEQA Guidelines”) and adopting CEQA findings and a Mitigation Monitoring and Reporting Program (“MMRP”) in accordance with CEQA and the CEQA Guidelines;

WHEREAS, pursuant to Resolution No. 16-8339, buildout of the Project is governed by a Master Community Plan (the “MCP”) dated April 5, 2017, which anticipates up to eight potential phases of development, each of which would be governed by a “Development Area Plan,” or “DAP”;

WHEREAS, the Project analyzed in the Final EIR and approved via the MCP consists of up to 9.16 million gross square feet of office buildings, retail and entertainment facilities, residential

units, hotel rooms, surface and structured parking facilities, new open space and roads, landscaping and tree replacement, and new/upgraded/expanded infrastructure and utilities;

WHEREAS, on March 24, 2020, the City Council approved the Development Area Plan (“DAP 1”) for Phase One of the Project (Resolution No. 20-8825);

WHEREAS, DAP 1 included certain modifications to the Project analyzed in the Final EIR, consisting of minor changes to the boundaries of Phase One of the Project, a minor increase in the maximum square footage permitted within Phase One of the Project, and a small change to the use mix permitted within Phase One of the Project;

WHEREAS, on March 24, 2020, in order to ensure that all potential environmental impacts of the Project under DAP 1 had been thoroughly analyzed, the City Council approved an addendum to the Final EIR, which found that implementation of DAP 1 would not result in substantial changes or introduce new information not already analyzed in the previously-certified Project EIR, and would not cause new significant environmental impacts or a substantial increase in the severity of previously identified significant unavoidable impacts (Resolution No. 20-8824);

WHEREAS, on December 10, 2021, Related Companies (the “Applicant”) filed an application (PLN21-15283) to modify the parcels within the boundary of DAP 1 and the general surroundings in order to subdivide the area to be in alignment with the approved MCP;

WHEREAS, the application is for a Vesting Tentative Subdivision Map (PLN21-15283) to subdivide the subdivides existing 14.3 acre Site (DAP 1) into seven parcels, consistent with the approved master Community Plan (MCP) (“Project”) as shown on the proposed Vesting Tentative Subdivision Map, attached hereto and incorporated herein by this reference;

WHEREAS, pursuant to Section 17.05.210 of the Code of the City of Santa Clara (“SCCC”), a Tentative Subdivision Map shall be required for all divisions of land into five or more parcels;

WHEREAS, on September 20, 2022, the Subdivision Clearance Committee determined that the application was complete and that the proposed Vesting Tentative Subdivision Map should proceed to the Planning Commission in conformance with Section 17.05.300 of the SCCC;

WHEREAS, the 2016 EIR and the 2020 Addendum to the EIR (collectively, the “Environmental Documents”) discussed and analyzed the proposed subdivision;

WHEREAS, the proposed Vesting Tentative Subdivision Map is consistent with the previously approved Project and would not result in a new impact on the environment or significantly increase the severity of any previously identified impact;

WHEREAS, SCCC Section 17.05.300(h) requires that the City Council conduct a public hearing before the approval of a Vesting Tentative Subdivision Map for the division of land;

WHEREAS, a notice of the public hearing was published in *The Weekly*, a newspaper of general circulation, on October 12, 2022, for the October 26, 2022, Planning Commission meeting and November 15, 2022, City Council meeting;

WHEREAS, on October 13, 2022, notices of the public hearing on the Vesting Tentative Subdivision Map were posted within 1000 feet of the Project Site and mailed to all property owners within 1,000 feet of the property, according to the most recent Assessor’s roll;

WHEREAS, the Planning Commission held a duly noticed public hearing on October 26, 2022, at the conclusion of which, the Planning Commission voted to recommend that the City Council approve the Vesting Tentative Subdivision Map; and

WHEREAS, on November 15, 2022, the City Council held a duly noticed public hearing to consider the Vesting Tentative Subdivision Map application, at which time all interested persons were given an opportunity to give testimony and the City Council considered the information presented in the Staff Report and all verbal and written evidence.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. Vesting Tentative Subdivision Map Findings. Pursuant to California Government Code Sections 66426 and 66428 and SCCC Section 17.05.300(h), the City Council finds and determines that:

A. The Vesting Tentative Subdivision Map is consistent with the objectives, policies, general land uses, and programs specified in the City's General Plan in that the Vesting Tentative Subdivision Map subdivides the existing 14.3 acre Site (DAP 1) into seven parcels, and such a subdivision was contemplated in the Urban Center/Entertainment Land Use Designation for the Project Site and associated MCP. This includes three parcels for office, hotel, and serviced apartments as well as a vertical subdivision for the underground garage spanning the majority of Phase 1 build out, subject to conditions set forth in the Conditions of Tentative Subdivision Map Approval, attached hereto and incorporated by this reference.

B. The design and improvements of the proposed subdivision are consistent with the City's General Plan in that the Vesting Tentative Subdivision Map facilitates development of a mixed-use development program featuring approximately 1,047,000 square feet of office, retail, residential, and hotel uses that is within the development program contemplated by the MCP to establish a gateway into the City Center Mixed Use Zone primarily on Parcel 5; and furthermore complies with General Plan Land Use and Transitional Goals and Policies of the General Plan in that it transforms the underutilized properties from a vacant, low-intensity commercial use to a mixed use development that would transition in scale and intensity of use with existing and planned land uses.

C. The site is physically suitable for the proposed type of development, in that the Project would develop the underutilized land with a large mixed use development and establish a gateway into the City.

D. The site is physically suitable for the proposed density of development, in that the Project Site is in an urbanized area and is served by existing utilities and infrastructure and will

additionally be served by new infrastructure to be constructed pursuant to the 2016 Infrastructure Master Plan.

E. The design of the subdivision and type of improvements are not likely to cause serious health problems, in that the proposed subdivision is consistent with the approved DAP I and MCP, and does not propose the use of hazardous materials.

F. The design of the subdivision and type of improvements are not likely to cause substantial environmental damage and will not substantially or unavoidably injure fish or wildlife or their habitat in that the Project Site is located in an urbanized setting, is a developed site, and the proposed subdivision includes mitigation measures, as identified in the Environmental Documents and MMRP, which reduce impacts to biological resources to the maximum extent feasible.

G. The design of the subdivision and type of improvements will not conflict with easements acquired by the public at large or use of property within the proposed subdivision in that it is designed to avoid encroachment and conflicts with public easements in the site design.

H. The Vesting Tentative Subdivision Map provides, to the extent feasible, for future passive or natural heating or cooling opportunities, in that it would allow flexibility in the development standards to maximize the benefits of green building standards for site and building design.

3. Based on the findings set forth in this Resolution and the evidence in the Staff Report and such other evidence as received at the public hearings on this matter, the City Council hereby approves the Vesting Tentative Subdivision Map, substantially in the form on file as shown on the attached Vesting Tentative Subdivision Map, and adopts the Conditions of Vesting Tentative Subdivision Map Approval, all of which are incorporated herein by this reference.

4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 15TH DAY OF NOVEMBER 2022, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. Vesting Tentative Subdivision Map
2. Conditions of Vesting Tentative Subdivision Map Approval

CONDITIONS OF APPROVAL

GENERAL

- A. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
- B. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

- A. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

BUILDING DIVISION

- BD1. Any easements, covenants or other legal instruments pertaining to the egress of all Phase 1 structures shall be recorded, prior to any occupancy being granted.

PLANNING DIVISION

- P1. The project shall comply with all applicable conditions of approval including mitigation measures identified in the Mitigation Monitoring and Reporting Program for the Related Santa Clara Project.
- P2. Developer shall obtain City approval for proposed new street names prior to City approval of Final Map.
- P3. An agreement between all entities within the parcels in DAP 1 shall be required to ensure that the access and availability of the underground garage is maintained.

FIRE

- F1. Identified locations for Emergency Vehicle Access will be recorded as Emergency Vehicle Access Easements.
- F2. Egress and ingress pathways will continue to be evaluated under appropriate permits. Appropriate egress access easements will be recorded.
- F3. Fire water mains that cross parcels will be recorded as utility easements.

PARKS & RECREATION

- PR1. Developer shall comply with the City's Park and Recreational Land Ordinance (SCCC Ch. 17.35), to the satisfaction of the Director of Parks & Recreation.

PUBLIC WORKS

ENGINEERING

- E1. Obtain site clearance through Public Works Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Public Works Department at (408) 615-3000 for further information.
- E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Public Works Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. Submit public improvement plans prepared in accordance with City Public Works Department procedures which provide for the installation of public improvements. Plans shall be prepared by a

Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of parcel map and/or issuance of building permits.

- E4. Existing non-standard or non-ADA compliant frontage improvements shall be replaced with current City standard frontage improvements as directed by the City Engineer or his designee.
- E5. Dedicate, as required, on-site easements for new and existing utilities, new sidewalks, public access, traffic signal, etc. by Subdivision Map or approved instrument at time of development. Developer shall pay applicable easement preparation/processing fee.
- E6. Dedicate a sidewalk easement for the sidewalk and driveway portions within private property and pay the easement preparation fee. Sidewalk easement shall be 1' behind proposed back-of-walk if there is landscaping behind sidewalk and/or at the proposed back-of-walk with a cold joint if there is hardscape concrete behind sidewalk.
- E7. All non-City standard improvements within sidewalk and public utility easements, and public right-of-way shall require an easement encroachment agreement or included in the development wide maintenance agreement.
- E8. Obtain Council approval of a resolution ordering vacation of existing public easement(s) proposed to be abandoned, if any, through Public Works Department, and pay all appropriate fees, prior to start of construction
- E9. After City Council approval of the Tentative Map, submit the Subdivision Map, prepared by a Licensed Land Surveyor or a Registered Civil Engineer with Land Surveyor privileges to the Engineering Department. The submittal shall include a title report, closure calculations, and all appropriate fees.
- E10. Utility details are shown conceptually and are subject to approval of the encroachment permit process. If utility installations are unable to meet City standard clearances with the garage vertical parcel boundary as shown, the vertical parcel line may need to shift which may trigger an amendment to the TMAP.
- E11. The 3" buffer for waterproofing and slab area collection drains is a private facility and shall be privately maintained.

SILICON VALLEY POWER

- SVP1. All 12KV utility connection points terminate at the Customer Switchgear. UGEE easement up to the Customer Switchgear is required, along with an 18' drivable space. 10' working clearance is required in front of and behind the switchgear. 5' working clearance is required on the sides of the switchgear (with no panels). Customer 12KV Switchgear must be located outdoors on "real dirt" unless otherwise agreed upon with SVP. SVP owns and maintains the cable/conduit up to the customer switchgear. (Informational)
- SVP2. In events where electric service is provided at 120/208V or 277/480V the utility connection point is at the secondary compartment of SVP transformers. Customer owns and maintains the cable and conduits up to the SVP transformers. (Informational)
- SVP3. All SVP equipment shall be covered with an Underground Electric Easement ("UGEE"). Show all UGEE designations on final parcel map based on approved SVP developers work drawing.
- SVP4. All SVP pad mount transformers, switch vaults, & customer 12KV switchgear must be located on "real dirt" with appropriate clearances and drive-up access. All SVP switch vault doors must open towards the street. SVP pad mount transformers can follow clearance requirements outlined in UG1225. (Informational)
- SVP5. The developer shall grant to the City, without cost, all easements and/or right of way necessary for serving the property of the developer and for the installation of utilities (Santa Clara City Code chapter 17.15.110). (informational)

WATER & SEWER

- W1. DDW Approval: Pursuant to the exception to Section 64572(f), Title 22, CCR prohibiting the placement of potable water mainlines within 100 ft of a sanitary landfill, the project shall attain DDW approval of the proposed utility system prior to issuance of any permit for the construction of utilities for this project.

- W2. Operations and Maintenance Plan: Pursuant to the requirements of the exception to Section 64572(f), Title 22, CCR, the project shall submit an Operations and Maintenance plan (O&M Plan) for the proposed public water system. The O&M Plan shall be approved by the Water and Sewer Utilities Department and DDW prior to the issuance of any permit for the construction of utilities for this project.
- W3. Recycled Water Use: Pursuant to Chapter 13.15, Water, Article IV. Regulation of Recycled Water Service and Use, of the Municipal Code, the project is required to use recycled water for all non-potable uses where recycled water is made available and where provided for by Recycled Water regulations. This project is required to extend and connect to the City's existing Recycled Water System with this phase (Phase 1).
- W4. Recycled Water Applications: SBWR applications for all recycled water services within Phase 1 (Block WB, WC and WD) shall be submitted prior to issuance of building permits for each block.
- W5. Potable Water Redundancy: For all onsite industrial water use that requires uninterrupted service, the project shall provide a potable water back-up supply source that complies with all recycled water separation requirements.
- W6. Recycled Water Design: Each Recycled Water land use (irrigation, dual-plumbing, cooling system, industrial processes, etc.) shall have a separate metered service connection to the main. Applicant shall verify separations between all potable/fire lines and recycled water lines, pipe type, pipe depths, equipment types, warning lids, tags and signs.
- W7. On-site Recycled Water Construction: Construction and installation of all on-site recycled water system equipment shall not begin until the Compliance Division of Water and Sewer Utilities has approved the on-site recycled water design. Please note on-site designs are generally not the same as the Building Permit plans. On-site recycled water plans require SBWR and California State Water Resources Control Board, Division of Drinking Water signatures for final approval.
- W8. On-site Recycled Water Inspection: Inspections are required at all on-site recycled water systems being installed prior to backfilling trenches or cover in walls and ceilings. Request a recycled water inspection by email watercompliance@santaclaraca.gov or call (408) 615-2002. Please provide the site location, SBWR project ID, and date and time preferences. These inspections are in addition to the Building Permit inspections.
- a. Need to verify separations between all potable/fire lines and recycled water lines, pipe type, pipe depths, equipment types, warning lids, tags and signs.
- W9. Recycled Water Main: The applicant shall install all new recycled water mains needed to connect Phase 1 improvements to the existing City recycled water system at Great America Parkway. All new recycled water mains shall be 12" DIP minimum. The recycled water system shall be connected to the City's existing recycled water system and active prior to occupancy of any building.
- W10. Sewer Design and Hydraulic Modeling: The design of the proposed sewer system is currently under discussion and has not been approved by the Water and Sewer Utilities Department (W&S). The applicant shall submit an application to the Department of Public Works to perform hydraulic modeling for the revised sewer design for W&S's review and approval. The proposed sewer system shall meet all City design criteria and standards unless otherwise approved by the Director of Water and Sewer Utilities.
- W11. Composite Utility Plan: The utility design shown in the utility plans shall be modified to comply with all the requirements of these conditions of approval, including the following items:
- a. All recycled water mains shall be 12" DIP mains
 - b. The new underground garage shall have a separate water service if a restroom is proposed within the garage.
 - c. No FHs, water services, and sewer laterals shall pass through or be placed within any storm water treatment areas.
 - d. All utility services shall meet all City and DDW vertical crossing and horizontal separations.
 - e. a potable water service redundancy for recycled water industrial use shall be added.
 - f. a Fats, Oil, and Grease (FOG) control facility shall be added for all buildings with kitchens or food preparation facilities.

- W12. Encroachment Permit: Prior to issuance of Building Permits, the applicant shall submit an encroachment permit application and design plans for construction of water utilities that comply with the latest edition of the Water & Sewer Utilities Water Service and Use Rules and Regulations, Water System Notes, and Water Standard Details and Specifications. In addition, prior to the City's issuance of Occupancy, the applicant shall construct all public water utilities per the approved plans. The Water & Sewer Utilities will inspect all public water utility installations and all other improvements encroaching public water utilities.
- W13. Utility Design Plans: Utility Design Plans shall indicate the pipe material and the size of existing water, recycled water and sewer main(s). The plans shall show the nearest existing fire hydrant and the two nearest existing water main line gate valves near the project area. The plans shall show meter and backflow configurations to scale and per City of Santa Clara Water & Sewer Utilities Standard Details. Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area. Fire hydrants should be located two feet behind monolithic sidewalk if sidewalk is present; two feet behind face of curb if no sidewalk is present, per City Std Detail 18. The plans shall provide the profile section details for utilities crossing water, sewer, or recycled water mains to ensure a 12" minimum vertical clearance is maintained.
- W14. Utility Separations: Applicant shall adhere to and provide a note indicating that all horizontal and vertical clearances comply with State and local regulations. The applicant shall maintain a minimum 12" of vertical clearance at water service crossing with other utilities, and all required minimum horizontal clearances from water services: 10' from sanitary sewer utilities, 10' from recycled water utilities, 8' from storm drain utilities, 5' from fire and other water utilities, 3' from abandoned water services, 5' from gas and electric utilities, and 5' from the edge of the propose or existing driveway. For sanitary sewer, water, and recycled water utilities, the applicant shall maintain a minimum horizontal clearance of 10' from existing and proposed trees. If applicant installs tree root barriers, clearance from tree reduces to 5' (clearance must be from the edge of tree root barrier to edge of water facilities). No structures (fencing, foundation, biofiltration swales, etc.) allowed over sanitary sewer, potable water and/or recycled water utilities and easements.
- W15. Separate Services: Applicant shall submit plans showing proposed water, recycled water, sanitary sewer, and fire services connected to a public main in the public right-of-way to the satisfaction of the Director of Water & Sewer Utilities. Different types of water and recycled water use (domestic, irrigation, fire) shall be served by separate water services, each separately tapped at the water main. Tapping on existing fire service line(s) is prohibited. Approved backflow prevention device(s) are required on all potable water services.
- W16. City Standard Meters and Backflows: All proposed meters and backflows for all water services shall meet the current City of Santa Clara Water & Sewer Utilities Standard Details. Plans shall show meter and backflow configurations to scale.
- W17. Existing Services: The applicant must indicate the disposition of all existing water and sewer services and mains on the plans. If the existing services will not be used, then the applicant shall properly abandon these services to the main per Water & Sewer Utilities standards and install a new service to accommodate the water needs of the project. The applicant shall bear the cost of any relocation or abandonment of existing Water Department facilities required for project construction to the satisfaction of the Director of Water and Sewer Utilities.
- W18. Fats, Oil and Grease (FOG): All food service land uses conducting commercial cooking operations including dishwashing activities and equipment cleaning that generate grease-laden wastewater are subject to review from the Water and Sewer Utilities Department, for FOG Control and grease interceptor installation requirements. All food service projects are required to have an approved stamp from the Santa Clara County Department of Environmental Health before plans can be accepted for review. Contact Compliance Division of the Water and Sewer Utilities at (408) 615-2002 for a Food Service Checklist to initiate the process. Items to address include: future maintenance agreements, identification of proposed plumbing and equipment, calculation for proposed grease control devise(s), identification of proposed grease control device(s), and waste/recycling/tallow storage.

- W19. On-Site Storm Drain Treatment: Prior to issuance of Building Permit, the applicant shall submit plans showing any onsite storm water treatment system. The plan shall include a section detail of the treatment system. No water, sewer, or recycled water facilities shall be located within 5-feet of any storm water treatment system.
- W20. Water Usage: Prior to the issuance of Building Permits, the applicant shall provide documentation of water usage so the Water Division can verify the appropriate size of all proposed water meters. Please note that if the existing water services are incapable of supplying the water needs to the site, the existing services shall be abandoned, and new separate dedicated water services shall be provided for each use (domestic and irrigation).
- W21. Prior to issuance of Building Permits, the applicant shall submit plan details for all water features (including but not limited to fountains and ponds) designed to include provisions for operating the system without City potable water supply and capable of being physically disconnected from source of potable water supply during City declared water conservation periods, to the satisfaction of the Director of the Water & Sewer Utilities. Decorative water features may be permanently connected to the City's recycled water supply.
- W22. Easements: Prior to City's issuance of Building or Grading Permits, the applicant shall provide a dedicated water utility easement around the backflow prevention device onsite. The water utility easement for the water services and all other public water appurtenances shall be a minimum 15 feet wide and be adjacent to the public right-of-way without overlapping any public utility easement. Additionally, the applicant shall submit plans defining existing easements so Water Division can verify if there are any conflicts with proposed easements and water utilities.
- W23. Underground Fire Permit: Prior to issuance of Building Permits, applicant shall submit an underground fire permit unless otherwise waived by the Fire Department. If fire flow information is needed, applicant shall coordinate with Water and Sewer Utilities Department, for fire flow information at (408)615-2000. A dedicated fire service line, with an approved backflow prevention device, shall be used for on-site fire hydrants. Fire service lines required for commercial and industrial use shall be sized appropriately per fire flow demand and code requirements.
- W24. Record Drawings: Upon completion of construction and prior to the City's issuance of a Certificate of Occupancy, the applicant shall provide "as-built" drawings of the public water utility infrastructure prepared by a registered civil engineer to the satisfaction of the Director of Water & Sewer Utilities Department.
- W25. Water Shortage Response Actions: Pursuant to the City of Santa Clara's Urban Water Management Plan, during times of drought or water shortage, the City implements water shortage response actions in accordance with the level of water shortage declared. All construction activities and all new irrigation connections are subject to the Water Shortage Response Actions in effect at the time of construction and connection of the irrigation service.
- W26. Water Shortage Response Actions for Stage 2 and higher include water use restrictions that limit the use of potable water such as:
- a. prohibiting the installation of new potable water irrigation services. new irrigation connections, construction, and dust control.
 - b. restrict the use of potable water used for construction and dust control if recycled water is available.

This project is subject to all the requirements and restrictions of the Water Shortage Response Actions in place or adopted during the duration of the project. For more information, visit the City of Santa Clara Water & Sewer Utilities website at www.santaclaraca.gov/waterconservation.

Web link slip sheet- City Council Staff Report, March 17, 2022

[City of Santa Clara - File #: 20-408 \(legistar.com\)](#)

VESTING TENTATIVE MAP
CITY PLACE - BLOCK 5A, 5B, 5C (DAP 1)
CITY OF SANTA CLARA, SANTA CLARA COUNTY, CALIFORNIA

ABBREVIATIONS

Table with 2 columns: SYMBOL and DESCRIPTION. Lists various engineering symbols such as @B AT, AC ASPHALT CONCRETE, AD AREA DRAIN, etc.

LEGEND

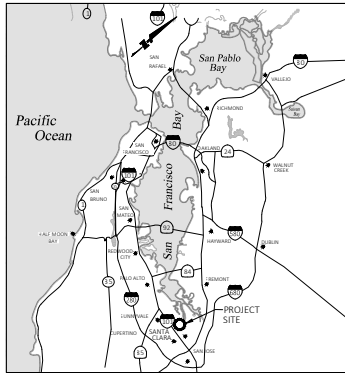
Table with 2 columns: SYMBOL and DESCRIPTION. Lists symbols for building lines, fences, easements, centerlines, monument lines, boundary lines, lot lines, right of way lines, setback lines, etc.

GENERAL NOTES

- 1. SOURCE OF TOPOGRAPHY: EXISTING TOPOGRAPHY SHOWN IS BASED ON TOPOGRAPHIC SURVEY PERFORMED ON FEBRUARY 29, 2016 AND ADDITIONAL AERIAL AND GROUND SURVEY IN AUGUST 2016 BY BKF ENGINEER DAVID DARLING, PLS #7623.
2. FEMA DESIGNATED FLOOD ZONE...
3. VESTING TENTATIVE MAP...
4. FUTURE DEDICATIONS...

SCOPE OF WORK

THE PHASE 1 SITE INCLUDES BLOCKS 5A, 5B, AND 5C, WHICH ARE LOCATED FACING LEVI'S STADIUM ON TASMAN DRIVE, FORMING ONE OF THE PRIMARY GATEWAYS INTO THE NEW DEVELOPMENT... BLOCK 5A CONTAINS A LAND USE PROGRAM OF OFFICE, RETAIL/FOOD & BEVERAGE AND BELOW GRADE PARKING... BLOCK 5B CONTAINS A LAND USE PROGRAM OF BUSINESS HOTEL WITH RETAIL/FOOD & BEVERAGE...



ZONING CONFORMANCE

DEVELOPMENT OF THE PROPERTY SHALL BE IN CONFORMANCE WITH THE CITY PLACE SANTA CLARA MASTER COMMUNITY PLAN, DATED APRIL 5, 2017... DEVELOPMENT AREA PLAN FOR PHASE ONE OF THE RELATED SANTA CLARA PROJECT APPROVED BY CITY COUNCIL RESOLUTION NO. 20-08825.

EXISTING ZONING

THE SUBDIVISION IS ZONED PLANNED DEVELOPMENT - MASTER COMMUNITY (PD-MC) PURSUANT TO CITY COUNCIL RESOLUTION NO. 16-8339, WHICH PROVIDES THAT THE LAND-USE CONTROLS FOR THE AREA ARE THOSE SET FORTH IN THE CITY PLACE SANTA CLARA MCP... DESIGN GUIDELINES FOR EACH OF THE PROPOSED DEVELOPMENT BLOCKS UNDER THIS SUBDIVISION AS FOLLOWS:

PROPERTY LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS: BEING A PORTION OF THE LANDS GRANTED TO THE CITY OF SANTA CLARA, A MUNICIPAL CORPORATION BY GRANT DEED, RECORDED OCTOBER 1, 1965 IN BOOK 7124 AT PAGE 626... BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF TASMAN DRIVE, SAID POINT BEING ALSO THE NORTH-EASTERLY TERMINUS OF A LINE SHOWN AS 'NS&P25301', 403.63 FEET' ON SHEET 4 OF SAID RECORD OF SURVEY (845 IN 1:8); THENCE CONTINUING ALONG SAID NORTHWESTERLY LINE OF TASMAN DRIVE, SOUTH 55°17'27" WEST, 20.58 FEET; THENCE LEAVING SAID NORTHWESTERLY LINE OF TASMAN DRIVE, SOUTH 27°30'00" EAST, 20.86 FEET; THENCE SOUTH 62°09'07" WEST, 175.81 FEET TO SAID NORTHWESTERLY LINE OF TASMAN DRIVE; THENCE LEAVING SAID NORTHWESTERLY LINE OF TASMAN DRIVE, THE FOLLOWING COURSES AND DISTANCES: NORTH 27°30'00" WEST, 0.20 FEET; SOUTH 42°30'00" WEST, 479.20 FEET; SOUTH 60°15'40" WEST, 121.59 FEET; SOUTH 60°30'44" WEST, 117.04 FEET; SOUTH 55°15'27" WEST, 91.89 FEET; SOUTH 58°17'21" WEST, 16.88 FEET; SOUTH 60°43'27" WEST, 143.69 FEET; SOUTH 30°37'21" EAST, 23.07 FEET TO SAID NORTHWESTERLY LINE OF TASMAN DRIVE; THENCE ALONG SAID NORTHWESTERLY LINE OF TASMAN DRIVE, THE FOLLOWING COURSES AND DISTANCES: SOUTH 60°42'34" WEST, 365.24 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1,689.91 FEET; SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°13'17", WITH AN ARC LENGTH OF 234.94 FEET TO THE NORTH-EASTERLY LINE OF THE LANDS OF THE SANTA CLARA VALLEY WATER DISTRICT BY GRANT DEED RECORDED IN BOOK 1288, AT PAGE 241, SANTA CLARA COUNTY RECORDS; THENCE ALONG SAID NORTH-EASTERLY LINE OF THE LANDS OF SANTA CLARA VALLEY WATER DISTRICT, NORTH 30°38'56" WEST, 514.97 FEET; THENCE LEAVING SAID NORTH-EASTERLY LINE OF THE LANDS OF SANTA CLARA VALLEY WATER DISTRICT, THE FOLLOWING COURSES AND DISTANCES: NORTH 63°30'00" EAST, 3629.24 FEET; SOUTH 27°30'00" EAST, 109.00 FEET; NORTH 62°30'00" EAST, 26.76 FEET; SOUTH 27°30'00" EAST, 5.32 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, HAVING A RADIUS OF 68.00 FEET, CONCAVE TO THE NORTHEAST, HAVING A RADIAL LINE THAT BEARS SOUTH 53°37'34" WEST, SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 26°03'07", WITH AN ARC LENGTH OF 30.92 FEET TO THE BEGINNING OF A REVERSE TANGENT CURVE, HAVING A RADIUS OF 142.00 FEET, SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 80°44'02", WITH AN ARC LENGTH OF 74.83 FEET; SOUTH 28°11'51" EAST, 232.00 FEET TO SAID NORTHWESTERLY LINE OF TASMAN DRIVE; THENCE ALONG SAID NORTHWESTERLY LINE OF TASMAN DRIVE, SOUTH 49°35'12" WEST, 118.53 FEET TO THE POINT OF BEGINNING; CONTAINING AN AREA OF 18.372 ACRES, MORE OR LESS.

PROJECT DATA

OWNER: RELATED SANTA CLARA, LLC
RELATED COMPANIES
3011 GREAT AMERICA PARKWAY, SUITE 532
SANTA CLARA, CA 95054
PHONE: (650) 253-0000
ENGINEER/SURVEYOR: BKF ENGINEERS
1730 N. FIRST STREET, STE. 600
SAN JOSE, CALIFORNIA 95112
PHONE: (650) 467-9100
CONTACT: PATRICK CHAN/DAVIS THRESH

SHEET INDEX

Table with 3 columns: PAGE NO, SHEET NO, DESCRIPTION. Lists mapping sheets (TM-1 to TM-8) and civil sheets (C3-01 to C4-04).

ENGINEER'S/SURVEYOR'S STATEMENT

THIS VESTING TENTATIVE MAP SUBMITTAL HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH STANDARD SURVEYING PRACTICE.

DAVIS THRESH
PRINCIPAL/VICE PRESIDENT
BKF ENGINEERS
P.L.S. #6568
DATE
PATRICK CHAN
VICE PRESIDENT
BKF ENGINEERS
R.C.E. 83189
DATE



DRAWING NAME: C:\projects\16604\CITY PLACE-01-1-16\improvements\levi\0109 TM-MAPS\SHEETS\DAP 1\TM-1-16.dwg
PLOT DATE: 10-13-22
PLOTTER BY: C:\im



CALIFORNIA

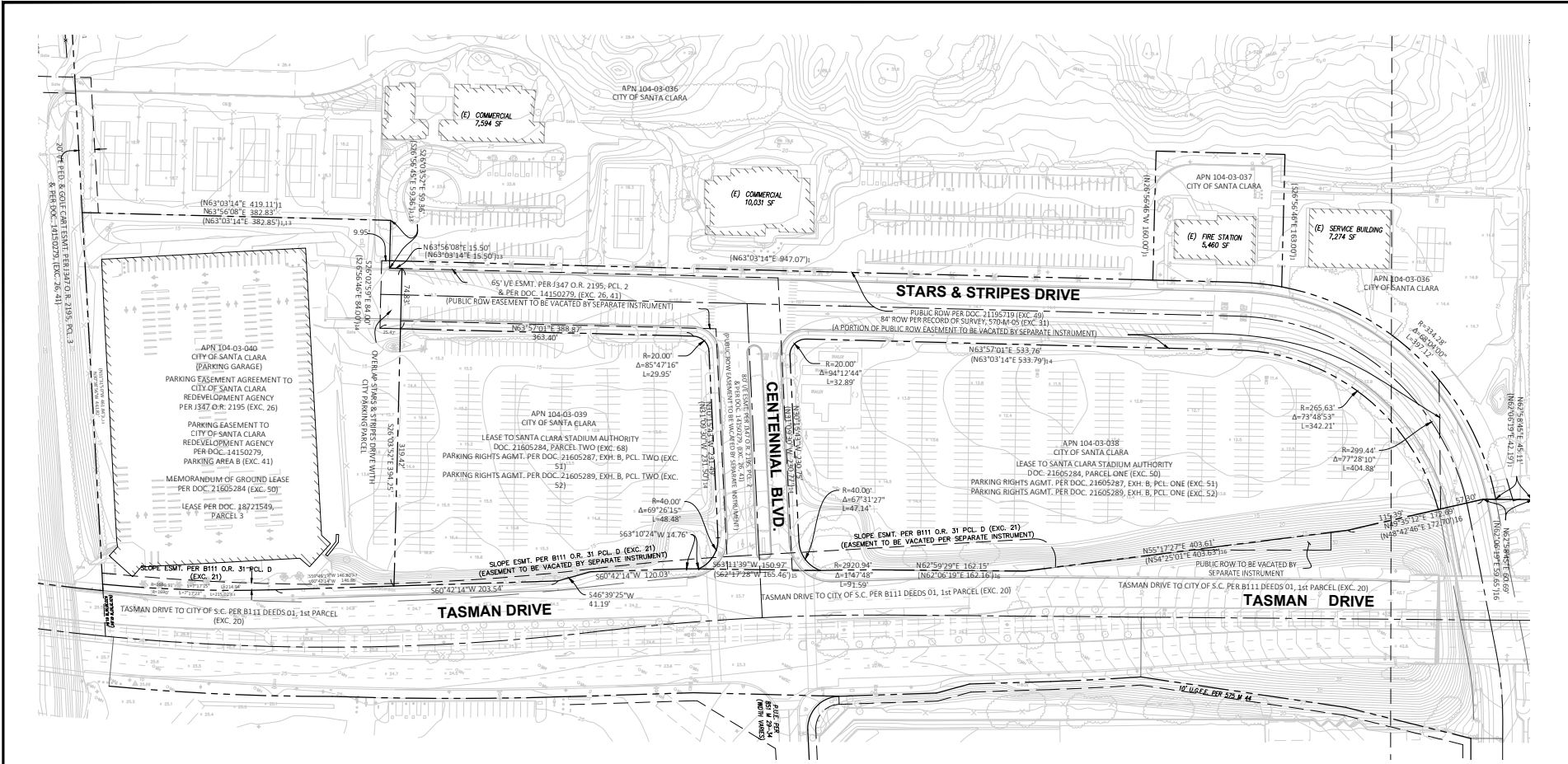
5155 STARS & STRIPES DRIVE
CITY PLACE VESTING TENTATIVE MAP
TITLE SHEET

SANTA CLARA COUNTY

SANTA CLARA

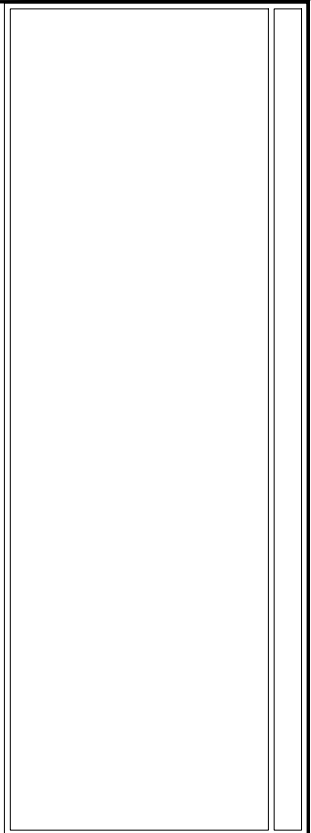
Revision table with columns: No., Date, and Description. Includes drawing information: Scale AS SHOWN, Design JC, Draw MC, Approved PC, Job No 20256404, Drawing Number: TM-1 1 OF 17.

DRAWING NAME: \\c:\projects\5155stars\5155stars\5155stars.dwg
PLOT DATE: 10-13-22
PLOTTER: B7: c:\im



GENERAL NOTES	SURVEY INFORMATION	NORTH ARROW & SCALE
<p>1. SLOPE EASEMENT, CENTENNIAL AVENUE EASEMENT, AND STARS AND STRIPES LANE EASEMENTS TO BE VACATED AND RE-RECORDED BY SEPARATE INSTRUMENTS.</p>	<p>BASIS OF BEARINGS:</p> <p>NAD83 CALIFORNIA COORDINATE SYSTEM, ZONE 3 GRID BEARING BASE OBTAINED BY GPS MEASUREMENTS TO PHOTO CONTROL POINTS FOR AERIAL MAPPING. LOCAL BEARING BASE IS BETWEEN CENTERLINE MONUMENTS FOUND AT THE CENTERLINES OF LAFAYETTE STREET AND CALLE DEL MUNDO (POINT "A" AS SHOWN HEREON), AND AT LAFAYETTE STREET AND GOLD STREET CONNECTOR (POINT "B" AS SHOWN HEREON). GRID BEARING BETWEEN SAID MONUMENTS IS N 24°25'54" W (GRID DISTANCE = 3760.16 FEET). CALCULATED GROUND BEARING AND DISTANCE BETWEEN SAID MONUMENTS AS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED IN VOLUME 737 OF MAPS, AT PAGES 1 THROUGH 4, SANTA CLARA COUNTY RECORDS, IS N 25°18'52" W 3760.36 FEET.</p> <p>ALL MEASURED DISTANCES AS SHOWN ON THIS MAP ARE GRID DISTANCES. MULTIPLY BY 1.00005310 TO OBTAIN GROUND LEVEL DISTANCES.</p> <p>ROTATE ALL MEASURED BEARINGS COUNTERCLOCKWISE 0°52'57" TO OBTAIN BEARINGS PER LOCAL BEARING BASE NOTED.</p> <p>BENCHMARK STATEMENT:</p> <p>SANTA CLARA CITY BENCHMARK NO. B-10, TOP OF THE LETTER "C" IN THE WORD "CAL" ON TOP OF THE CATCH BASIN HOOD ON THE EAST SIDE OF LAFAYETTE STREET, APPROXIMATELY 280 FEET SOUTH OF THE CENTERLINE OF CALLE DE LUNA. ELEVATION IS 9.20 FEET (NAVD 88) PER 2011 DATUM.</p> <p>SURVEY NOTE:</p> <p>THIS SURVEY WAS PREPARED BY BKF ENGINEERS. SURVEY WAS PERFORMED IN THE FIELD IN FEBRUARY, 2016, AND ADDITIONAL AERIAL AND GROUND SURVEY IN AUGUST, 2016. DAVIS THRESH P.L.S. #6868 DAVID DARLING P.L.S. #7625</p> <p>UTILITY NOTE:</p> <p>THE UTILITY LINES SHOWN ON THIS PLAN ARE DERIVED FROM SURFACE OBSERVATIONS AND ARE APPROXIMATE ONLY. NO WARRANTY IS IMPLIED AS TO THE ACTUAL LOCATION, SIZE OR PRESENCE OF ANY LINES SHOWN HEREON OR ANY ADDITIONAL UTILITY LINES NOT SHOWN ON THIS PLAN.</p>	<p>NORTH ARROW & SCALE</p>

Date	10/04/22
Scale	AS SHOWN
Design	JC
Drawn	MC
Approved	PC
Job No	20156041
<p>TM-2</p> <p>2 OF 17</p>	



LINE AND CURVE TABLE

LINE NO.	LENGTH	DIRECTION
L1	86.95	S091°17'33"W
L2	7.81	N80°27'21"W
L3	23.07	N80°27'21"W
L4	16.06	N68°17'27"E
L5	2.18	N68°28'00"E
L6	0.00	N27°30'00"W
L7	20.86	N27°30'00"W
L8	20.58	N65°17'27"E
L9	5.32	S27°30'00"E
L10	3.85	S27°30'00"E
L11	17.01	S62°33'30"W

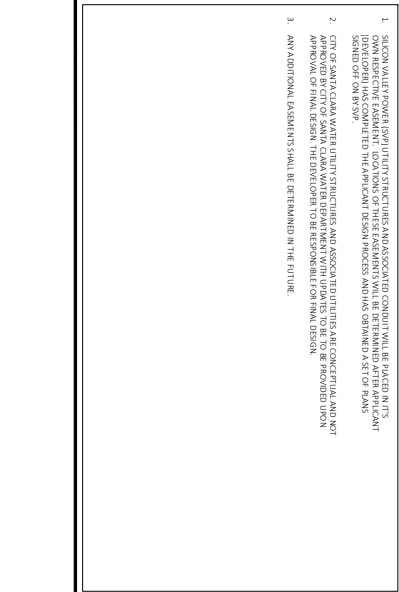
LINE NO.	LENGTH	DIRECTION
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C4	39.92	68.00
C5	39.92	68.00
C6	39.92	68.00
C7	39.92	68.00
C8	39.92	68.00
C9	39.92	68.00
C10	39.92	68.00
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C98	39.92	68.00
C99	39.92	68.00
C100	39.92	68.00

LEGEND

- PROPOSED BOUNDARY LINE
- EXISTING BOUNDARY LINE
- PROPOSED EASEMENT LINE
- PHASE IMPROVEMENT OUTSIDE OF EASEMENT AREAS TO BE REVISION ON THE
- TAKE DOWN & REPAIR (DIVIDED INTO IMPACT PACKETS ABOVE GRADING)
- TAKE DOWN & REPAIR (NO IMPACT SUBDIVISION)
- NO IMPACT

GENERAL NOTES

1. SECTIONALY PLANNING, DESIGN, CONSTRUCTION AND ASSOCIATED CONDITIONS SHALL BE PLACED IN THE OWNERSHIP OF THE CLIENT. LOCATIONS OF THESE EASEMENTS WILL BE DETERMINED AFTER APPLICATION IS REVIEWED BY THE APPLICANT DESIGN PROFESSIONAL AND HAS OBTAINED ALL NECESSARY PERMITS.
2. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF SAN JOSE SPECIFICATIONS AND ANY OTHER APPLICABLE REGULATIONS AND ORDINANCES. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SAN JOSE. THE DEVELOPER SHALL BE RESPONSIBLE FOR FINAL DESIGN.
3. ANY ADDITIONAL EASEMENTS SHALL BE DETERMINED IN THE FUTURE.



Revisions

No.	Date	Description
1	10/04/22	DATE AS SHOWN
2		DESIGN
3		DRAWN
4		APPROVED
5		JOB NUMBER

**5155 STARS & STRIPES DRIVE
 CITY PLACE VESTING TENTATIVE MAP
 CONCEPTUAL PARCELIZATION PLAN**

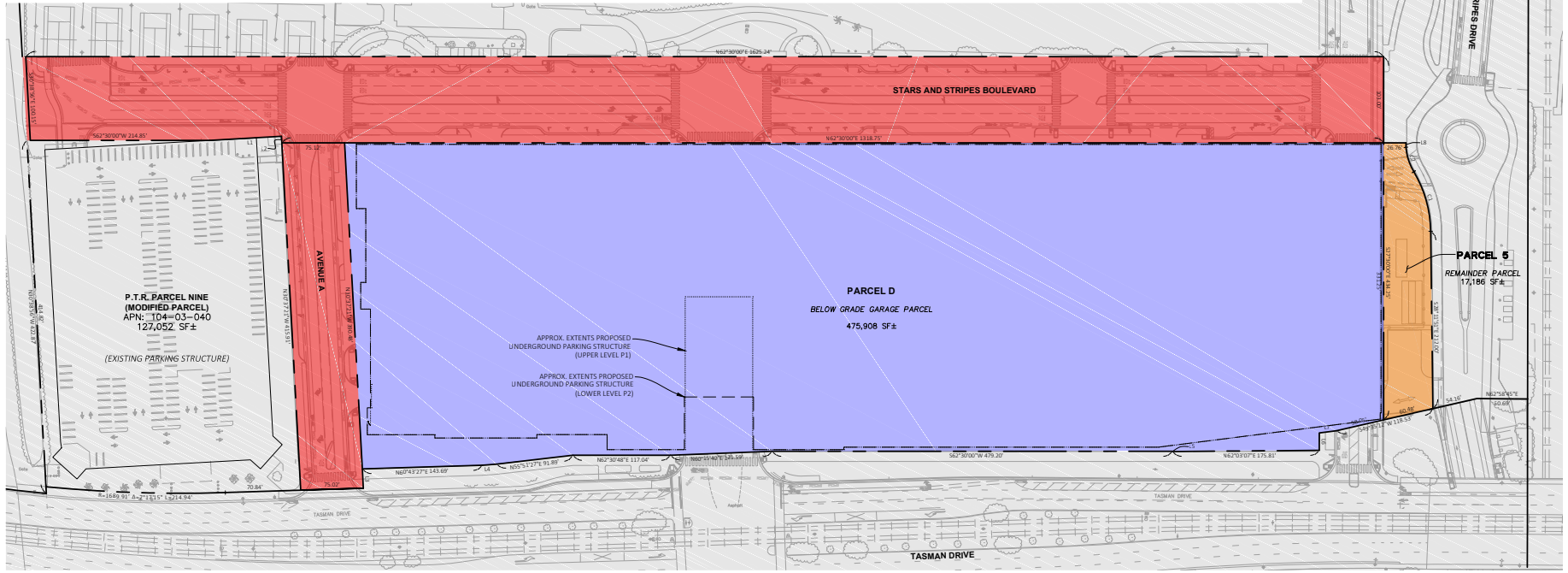
SANTA CLARA COUNTY CALIFORNIA

BKF ENGINEERS
 1730 N. FIRST STREET
 SUITE 600
 SAN JOSE, CA 95112
 (408) 467-9100
 www.bkf.com

BKF Engineers

LINE AND CURVE TABLE

LINE TABLE			CURVE TABLE			
LINE NO.	LENGTH	DIRECTION	CURVE NO.	LENGTH	RADIUS	DELTA
L1	85.85	S59°17'33"W	C1	74.93	142.00	030°14'02"
L2	7.81	S30°34'44"E	C2	30.92	68.00	028°03'27"
L3	23.07	S30°37'26"E				
L4	16.98	N58°17'27"E				
L5	0.20	N27°30'00"W				
L6	20.86	N27°30'00"W				
L7	20.58	N55°17'27"E				
L8	5.32	S27°30'00"E				



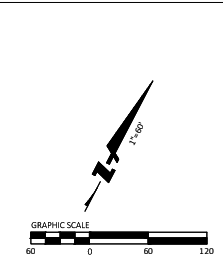
LEGEND

- PROPOSED BOUNDARY LINE
- EXISTING BOUNDARY LINE
- PROPOSED EASEMENT LINE
- PHASE IMPROVEMENT OUTSIDE OF LEASE PREMISES TO BE RETAINED BY CITY IN FEE
- TAKE DOWN & KEEP (TO GRADE ABOVE)
- TAKE DOWN & KEEP (NO AIRSPACE SUBDIVISION)

GENERAL NOTES

- SILICON VALLEY POWER (SVP) UTILITY STRUCTURES AND ASSOCIATED CONDUIT WILL BE PLACED IN ITS OWN RESPECTIVE EASEMENT. LOCATIONS OF THESE EASEMENTS WILL BE DETERMINED AFTER APPLICANT (DEVELOPER) HAS COMPLETED THE APPLICANT DESIGN PROCESS AND HAS OBTAINED A SET OF PLANS SIGNED OFF ON BY SVP.
- CITY OF SANTA CLARA WATER UTILITY STRUCTURES AND ASSOCIATED UTILITIES ARE CONCEPTUAL AND NOT APPROVED BY CITY OF SANTA CLARA WATER DEPARTMENT WITH UPDATES TO BE TO BE PROVIDED UPON APPROVAL OF FINAL DESIGN. THE DEVELOPER TO BE RESPONSIBLE FOR FINAL DESIGN.
- ANY ADDITIONAL EASEMENTS SHALL BE DETERMINED IN THE FUTURE.

NORTH ARROW & SCALE



DRAWING NAME: C:\2014\166941_C1\1-1-site improvements\DWG\2019 TM4\SHEETS\04P\1\TM4_PRRB04.dwg
 PLOT DATE: 10-13-22
 PLOTTED BY: C:\m



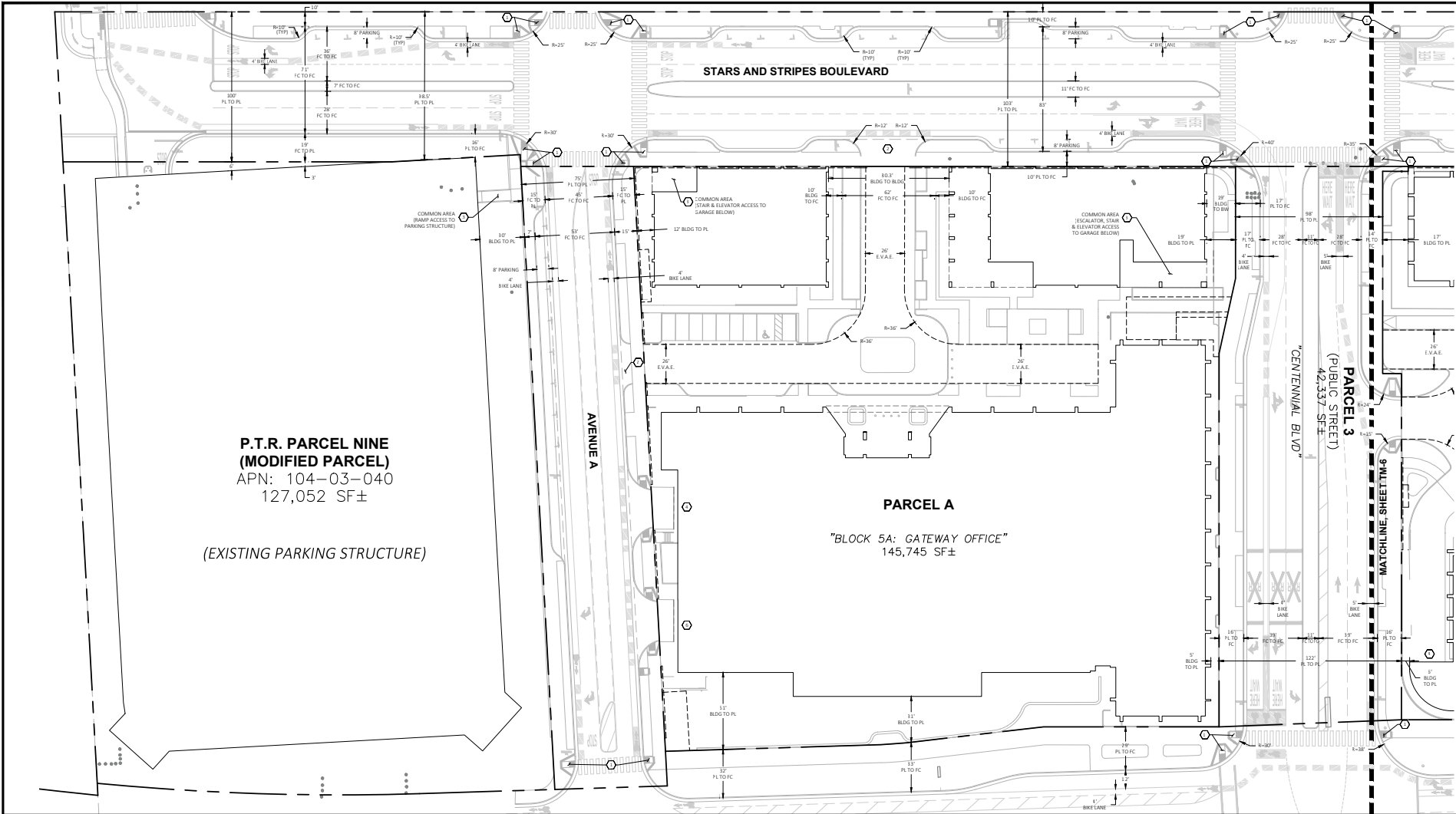
BKF ENGINEERS
 1730 N. FIRST STREET
 SAN JOSE, CA 95112
 (408) 885-9100
 www.bkf.com

5155 STARS & STRIPES DRIVE
 CITY PLACE VESTING TENTATIVE MAP
 CONCEPTUAL PARCELIZATION PLAN

SANTA CLARA
 SANTA CLARA COUNTY
 CALIFORNIA

Date	10/04/22
Scale	AS SHOWN
Design	JC
Drawn	MC
Approved	PC
Job	No 20166941

Drawing Number:
TM-4
 4 OF 17



**P.T.R. PARCEL NINE
(MODIFIED PARCEL)**
APN: 104-03-040
127,052 SF±

(EXISTING PARKING STRUCTURE)

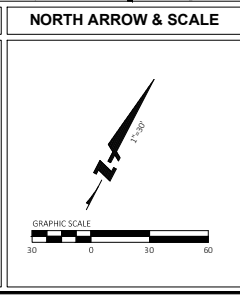
PARCEL A
"BLOCK 5A: GATEWAY OFFICE"
145,745 SF±

PARCEL 3
(PUBLIC STREET)
42,337 SF±

LEGEND	
	PROPOSED BOUNDARY LINE
	EXISTING BOUNDARY LINE

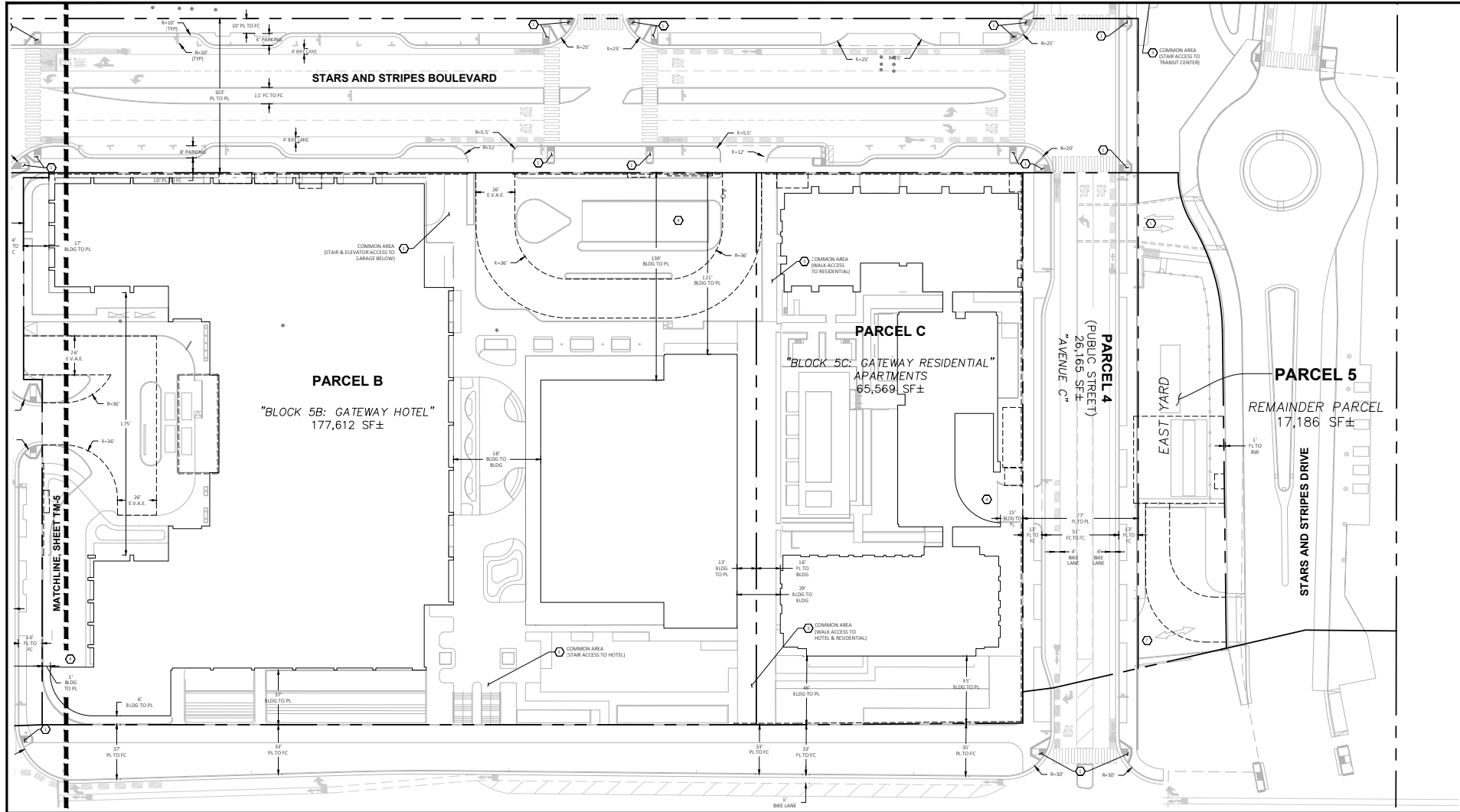
KEYNOTES	
	NEW ACCESSIBLE CURB RAMP
	NEW CONCRETE DRIVEWAY
	APPROXIMATE LOCATION OF STAIRS, ESCALATORS & ELEVATORS AS COMMON PUBLIC ACCESS AREAS
	ENTRANCE TO PARKING GARAGE P1
	ENTRANCE TO PARKING GARAGE P2
	ENTRANCE TO LOADING GARAGE LEVEL P1
	ENTRANCE TO LOADING GARAGE LEVEL P2

GENERAL NOTES				
Building Area Usage				
Parcel A	Parcel B	Parcel C		
Office* & Retail	Hotel & Retail	Residential Service		
Block Area	152,813 SF	186,683 SF	62,396 SF	
Building Use Area	440,000 SF (Office)	30,000 SF (Retail)	30,000 SF (Retail)	175,000 SF
*OFFICE BUILDING INCLUDES 11,000 SF OF RETAIL ON GROUND FLOOR				
Parcel Coverage				
Parcel A	Parcel B	Parcel C		
Area of Parcel (SF)	152,813	186,683	62,396	
Site Coverage (SF)	96,292	93,849	32,032	
Site Coverage (%)	63	50	51	
Landscape Area	56,621 SF	17%	92,834 SF	50%
			10,364 SF	49%





DRAWING NAME: I:\2014\156641_C1\1 - Plans\01 - Site Improvement\2019 TMAP\SHEETS\04P 1\TM-5_PRR002.dwg
PLOT DATE: 10-13-22
PLOTTER BY: C1am



LEGEND

- PROPOSED BOUNDARY LINE
- EXISTING BOUNDARY LINE

KEYNOTES

- NEW ACCESSIBLE CURB RAMP
- NEW CONCRETE DRIVEWAY
- APPROXIMATE LOCATION OF STAIRS, ESCALATORS & ELEVATORS AS COMMON PUBLIC ACCESS AREAS
- ENTRANCE TO PARKING GARAGE P1
- ENTRANCE TO PARKING GARAGE P2
- ENTRANCE TO LOADING GARAGE LEVEL P1
- ENTRANCE TO LOADING GARAGE LEVEL P2

GENERAL NOTES

Building Area Usage		Parcel A	Parcel B	Parcel C
	Office* & Retail		Hotel & Retail	Residential Service
Block Area		152,813 SF	186,683 SF	62,396 SF
Building Use Area	440,000 SF (Office)	30,000 SF (Retail)	392,000 SF (Hotel)	10,000 SF (Retail)
				175,000 SF

*OFFICE BUILDING INCLUDES 11,000 SF OF RETAIL ON GROUND FLOOR

Parcel Coverage

	Parcel A	Parcel B	Parcel C
Area of Parcel (SF)	152,913	186,683	62,396
Site Coverage (SF)	96,292	93,849	32,032
Site Coverage (%)	63	50	51
Landscape Area	56,621 SF	92,834 SF	10,364 SF
	37%	50%	49%

NORTH ARROW & SCALE

Revisions

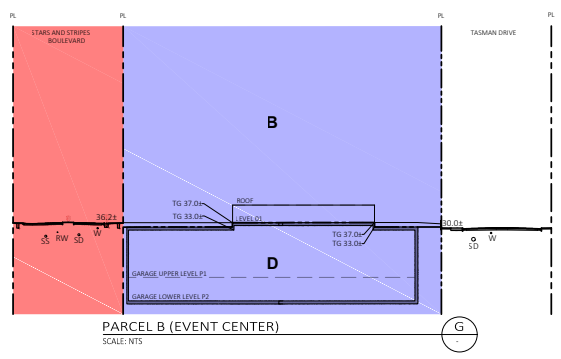
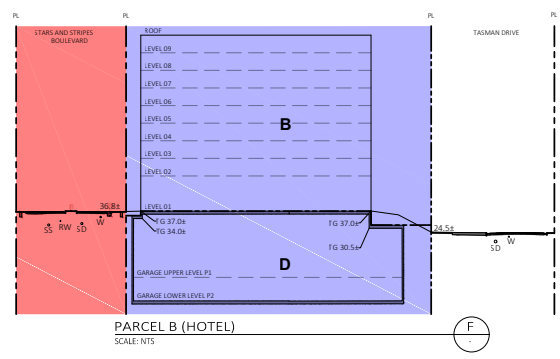
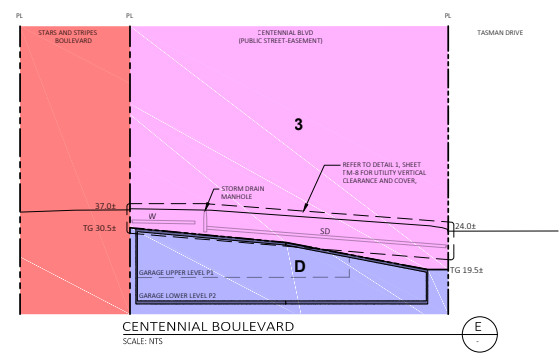
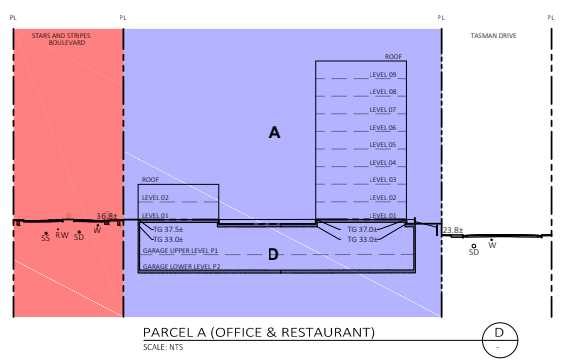
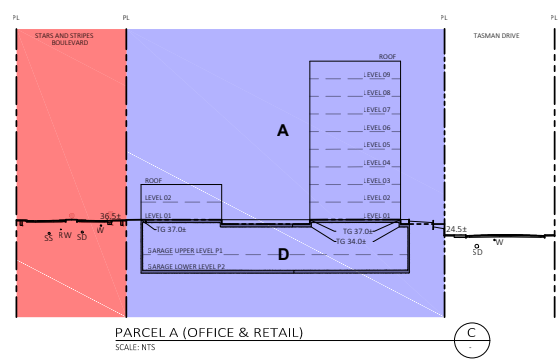
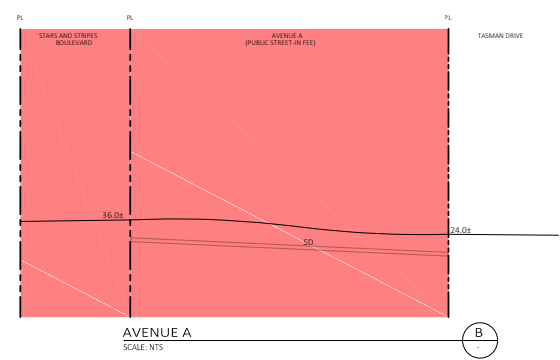
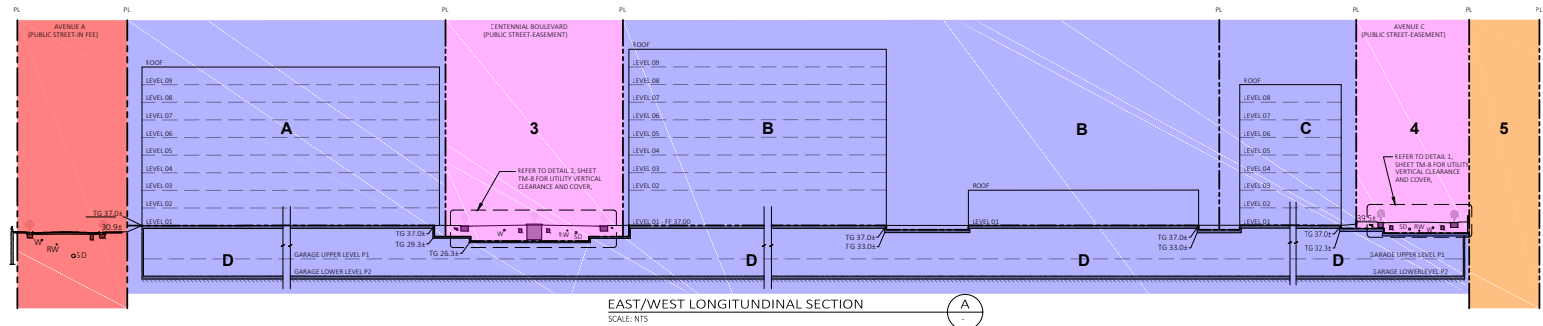
No.	Date	By	Scale	AS SHOWN
	10/04/22	JC		
		JC		
		MC		
		MC		

Date: 10/04/22
Scale: AS SHOWN
Design: JC
Drawn: MC
Approved: MC
Job No: 2015641

TM-6
6 OF 17

LEGEND

- PROPERTY LINE
 - PHASE IMPROVEMENT OUTSIDE OF LEASE PREMISES
 - TAKE DOWN & GRANT EASEMENT
 - TAKE DOWN & KEEP (DIVIDED INTO AIRSPACE PARCELS ABOVE GARAGE)
 - TAKE DOWN & KEEP (NO AIRSPACE SUBDIVISION)
- OWNED BY RELATED SANTA CLARA
- PARCEL A (BLOCK 5A GATEWAY OFFICE)
 - PARCEL B (BLOCK 5B GATEWAY HOTEL)
 - PARCEL C (BLOCK 5C GATEWAY RESIDENTIAL)
 - PARCEL D (UNDERGROUND PARKING STRUCTURE)
- OWNED BY CITY OF SANTA CLARA
- AVENUE A
 - STARS AND STRIPES
 - TASMAN DRIVE
- UTILITY SECTIONS ARE TYPICAL. REFER TO EFD2-0264 FOR RETAILED UTILITY SECTION. HORIZONTAL SEPARATION MEETS CITY OF SANTA CLARA MINIMUMS.



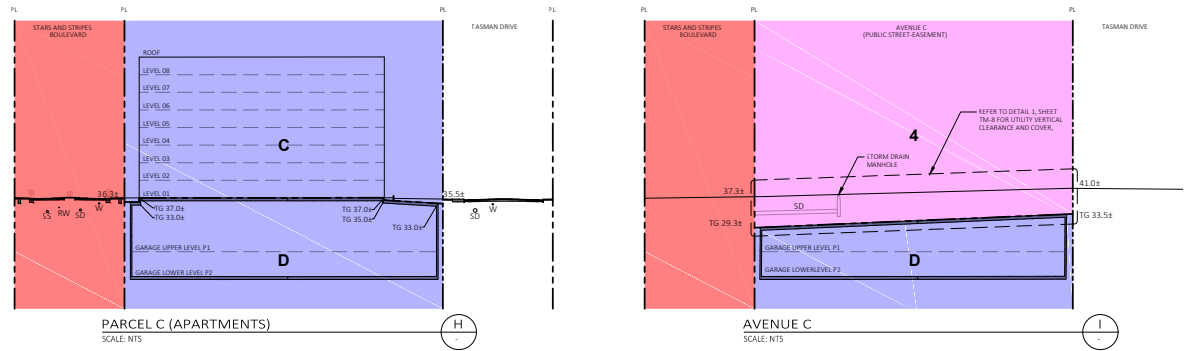
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PLOT DATE: 10/04/22
PLOTTER: B1: c1m



5155 STARS & STRIPES DRIVE
CITY PLACE VESTING TENTATIVE MAP
CONCEPTUAL VERTICAL MAPPING SECTIONS

SANTA CLARA COUNTY

Revisions	
Date	10/04/22
Scale	AS SHOWN
Design	JC
Drawn	MC
Approved	PC
Job No	20156694



LEGEND

- PROPERTY LINE
- TAKE DOWN & GRANT EASEMENT
- TAKE DOWN & KEEP (DIVIDED INTO AIRSPACE PARCELS ABOVE GARAGE)
- TAKE DOWN & KEEP (NO AIRSPACE SUBDIVISION)

OWNED BY RELATED SANTA CLARA:

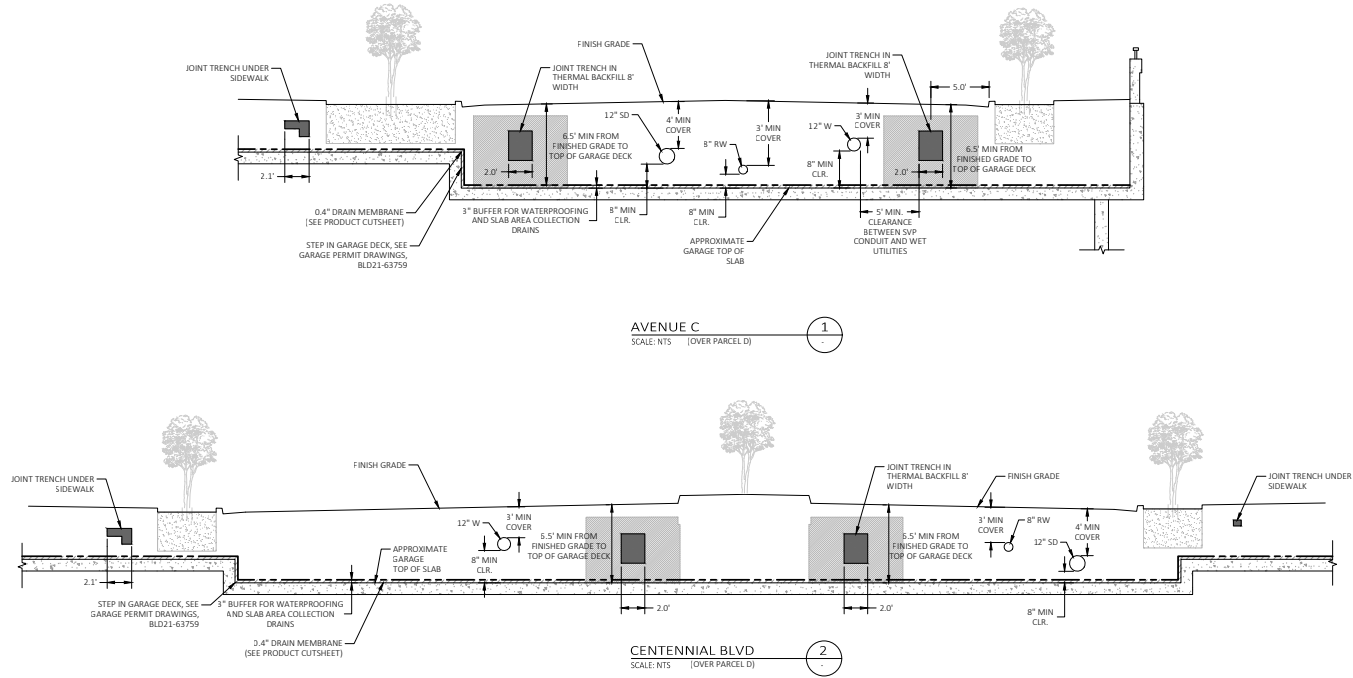
- PARCEL A (BLOCK 5A GATEWAY OFFICE)
- PARCEL B (BLOCK 5B GATEWAY HOTEL)
- PARCEL C (BLOCK 5C GATEWAY RESIDENTIAL)
- PARCEL D (UNDERGROUND PARKING STRUCTURE)
- PARCEL 3 (CENTENNIAL, WITH PUBLIC STREET EASEMENT)
- PARCEL 4 (AVENUE C, WITH PUBLIC STREET EASEMENT)
- PARCEL 5 (REMANDER PARCEL)

OWNED BY CITY OF SANTA CLARA:

- STARS AND STRIPES
- AVENUE A
- TASMAN DRIVE

UTILITY SECTIONS ARE TYPICAL. REFER TO EFD3-0264 FOR RETAILED UTILITY SECTIONS. HORIZONTAL SEPARATION MEETS CITY OF SANTA CLARA MINIMUMS.

CONCEPT UTILITY VIEWS:



DRAWING NAME: C:\30145\166941_C1\1 - Site Improvement\1 - Site Improvement\3 - EWD\2019 TMAR\SHEETS\ADP 1\TM-2_PRESCT.dwg
 PLOT DATE: 10/04/22
 PLOTTED BY: C:\m

BKF ENGINEERS
 1730 N. FIRST STREET
 SAN JOSE, CA 95112
 (408) 288-3100
 www.bkf.com

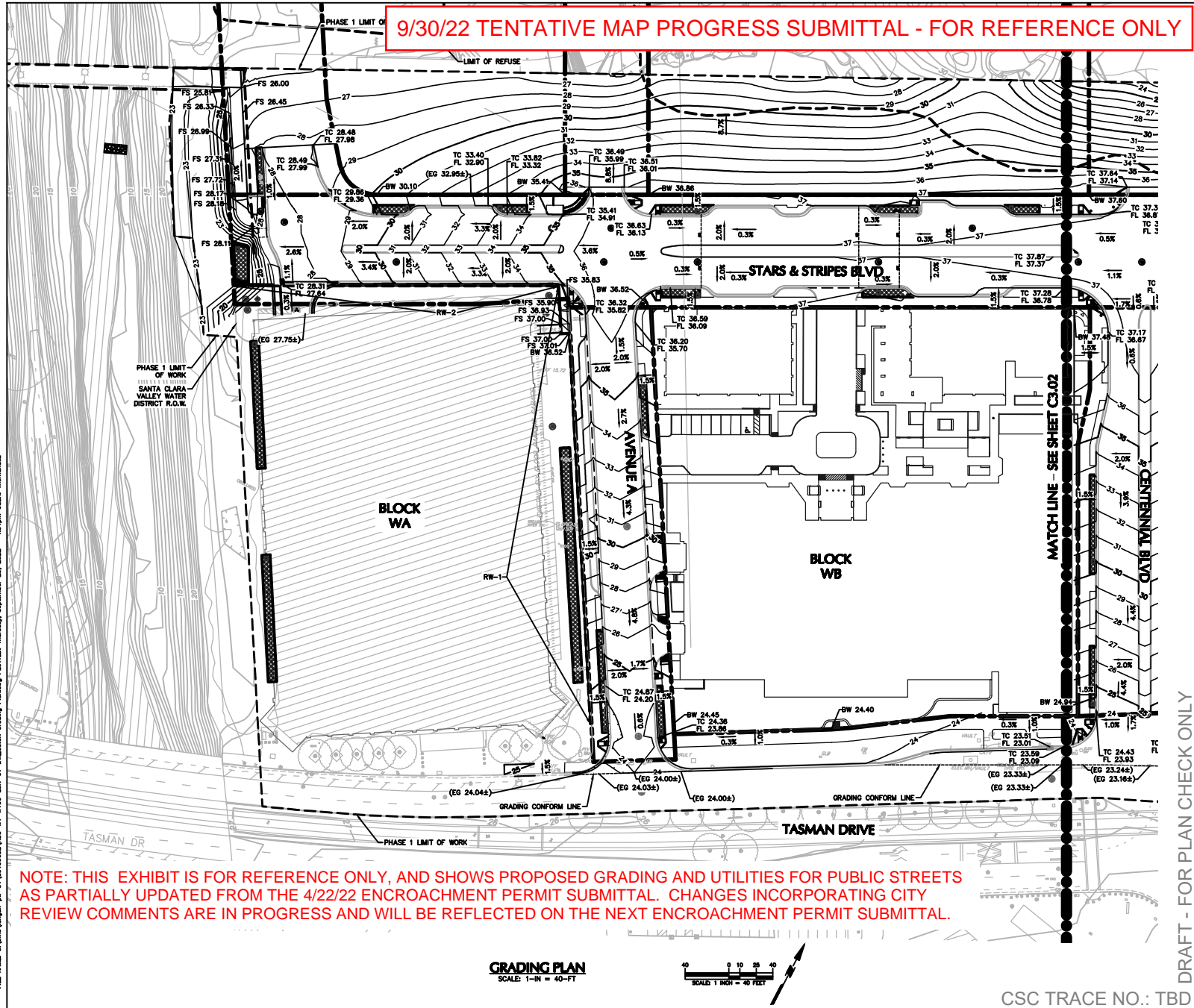


5155 STARS & STRIPES DRIVE
 CITY PLACE VESTING TENTATIVE MAP
 CONCEPTUAL VERTICAL MAPPING SECTIONS

SANTA CLARA COUNTY

Resubmittals	
Date	10/04/22
Scale	AS SHOWN
Design	JC
Drawn	MC
Approved	PC
Job No	20165641

9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



LEGEND
FS XXXX PROPOSED ELEVATION
XXXX PROPOSED GRADE
--- GRADE BREAK
---(EQ XXXX) EXISTING ELEVATION
--- PROPOSED CURB

ABBREVIATIONS
BACK OF CURB
FACE OF WALL
PROPOSED GRADE
PROPOSED CURB
EXISTING GRADE
EXISTING CURB
OUTER LINE

RELATED SANTA CLARA
Contact: JR Radtke
5301 Great American Parkway, Suite 532
Santa Clara, CA 95054
Tel: 408.490.3700

LANGAN
Civil and Geotechnical Engineers
1 Almaden Boulevard, Suite 590
San Jose, CA 95113
TEL: 408.283.3600

BCR
Structural Engineers
865 The Alameda
San Jose, CA 95126
TEL: 408.206.5151

NTERRA GROUP

Brightview
Landscape Architects of Record
8 Hughes, Suite 150
Irvine, CA 92618
Tel: 949.438.4900

Revision

1. PERMIT SET	06/04/2022
2. PERMIT RESUBMITTAL	04/22/2022
3. PERMIT RESUBMITTAL	07/15/2022

No. Description Date

Site Block and Location Key Plan

Seal / Signature _____ Date _____

SIGNATURE OF PROJECT MANAGER

RELATED SANTA CLARA CITY CENTER
PHASE 1 STREETS & UTILITIES PERMIT SET

SHEET NAME
GRADING PLAN

Date: 04/22/2022
Scale: 1-IN = 40-FT
Design: STAFF
Drawn: STAFF
Approved: DJH

DRAWING NO.
C3.01

SHEET
9 of 17

DRAFT - FOR PLAN CHECK ONLY

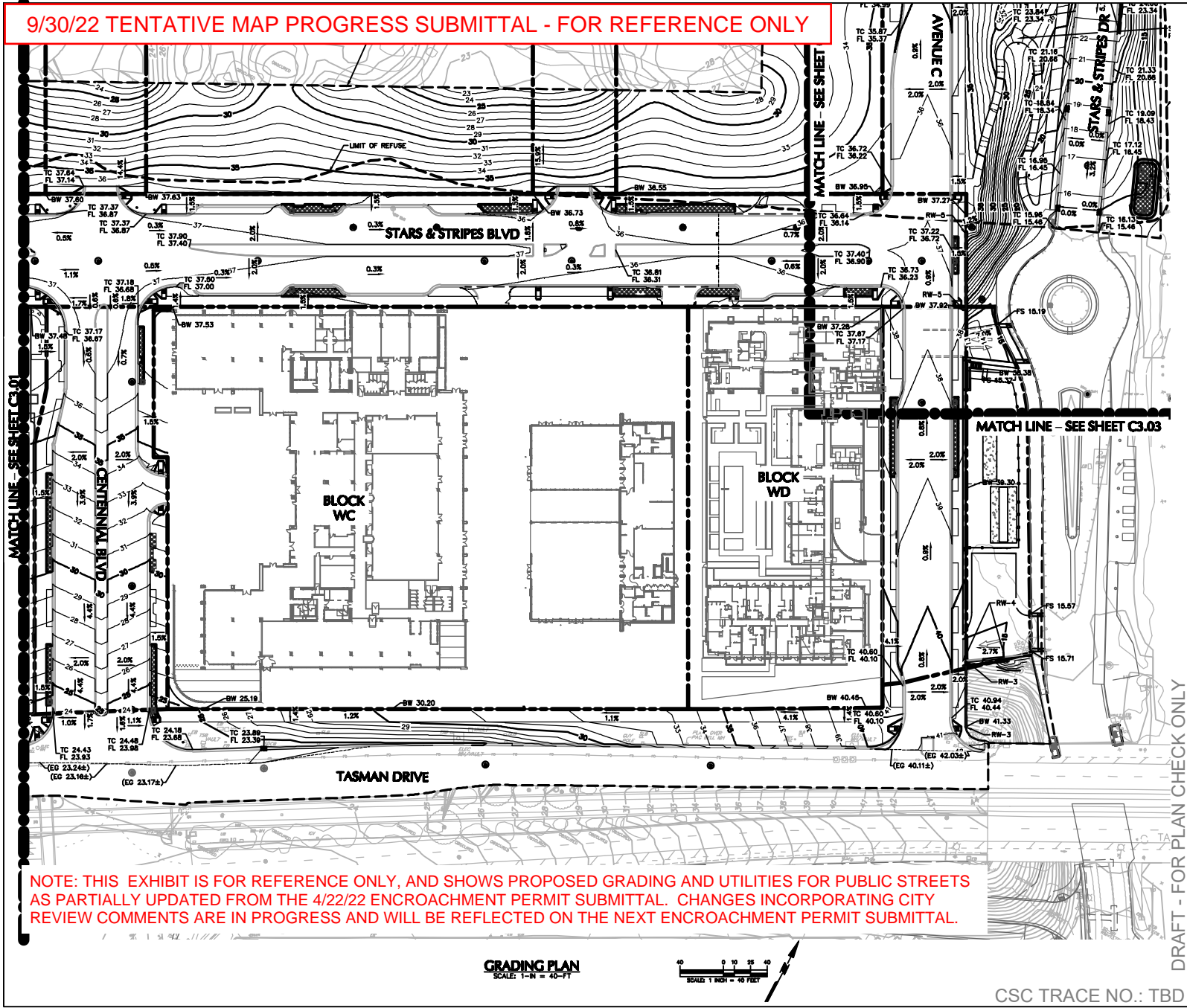
NOTE: THIS EXHIBIT IS FOR REFERENCE ONLY, AND SHOWS PROPOSED GRADING AND UTILITIES FOR PUBLIC STREETS AS PARTIALLY UPDATED FROM THE 4/22/22 ENCROACHMENT PERMIT SUBMITTAL. CHANGES INCORPORATING CITY REVIEW COMMENTS ARE IN PROGRESS AND WILL BE REFLECTED ON THE NEXT ENCROACHMENT PERMIT SUBMITTAL.

GRADING PLAN
SCALE: 1-IN = 40-FT



CSC TRACE NO.: TBD

9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



NOTE: THIS EXHIBIT IS FOR REFERENCE ONLY, AND SHOWS PROPOSED GRADING AND UTILITIES FOR PUBLIC STREETS AS PARTIALLY UPDATED FROM THE 4/22/22 ENCROACHMENT PERMIT SUBMITTAL. CHANGES INCORPORATING CITY REVIEW COMMENTS ARE IN PROGRESS AND WILL BE REFLECTED ON THE NEXT ENCROACHMENT PERMIT SUBMITTAL.

GRADING PLAN
SCALE: 1" = 40'-0"



CSC TRACE NO.: TBD

LEGEND

- PROPOSED ELEVATION
- PROPOSED GRADE
- GRADE BREAK
- EXISTING ELEVATION
- PROPOSED CENTERLINE

ABBREVIATIONS

- BASE OF CURB
- BASE OF WALL
- FINISH GRADE
- PROPOSED GRADE
- PROPOSED CENTERLINE
- PROPOSED RIGHT OF WAY
- PROPOSED TRAIL
- OTHER LINE

RELATED SANTA CLARA
Contact: JR Radtke
5301 Great American Parkway, Suite 532
Santa Clara, CA 95054
Tel: 408.490.3700

LANEAN
Civil and Geotechnical Engineers
1 Almaden Boulevard, Suite 590
San Jose, CA 95113
TEL: 408.283.3600

BCR
Structural Engineers
865 The Alameda
San Jose, CA 95126
TEL: 408.610.9958

NTERRA GROUP
Dry Utility Consultant
1295 E. Duane Ave., Suite 230
Morgan Hill, CA 95037
Tel: 408.610.9958

BrightView
Landscape Architects of Record
8 Hughes, Suite 150
Irvine, CA 92618
Tel: 949.438.4900

Revision

1	PERMIT SET	06/04/2022
2	PERMIT RESUBMITTAL	04/22/2022
3	PERMIT RESUBMITTAL	07/15/2022

No. Description Date

Site Block and Location Key-Plan

Seal/Signature

Signature _____ Date _____

RELATED SANTA CLARA CITY CENTER
PHASE 1 STREETS & UTILITIES PERMIT SET

SHEET NAME
GRADING PLAN

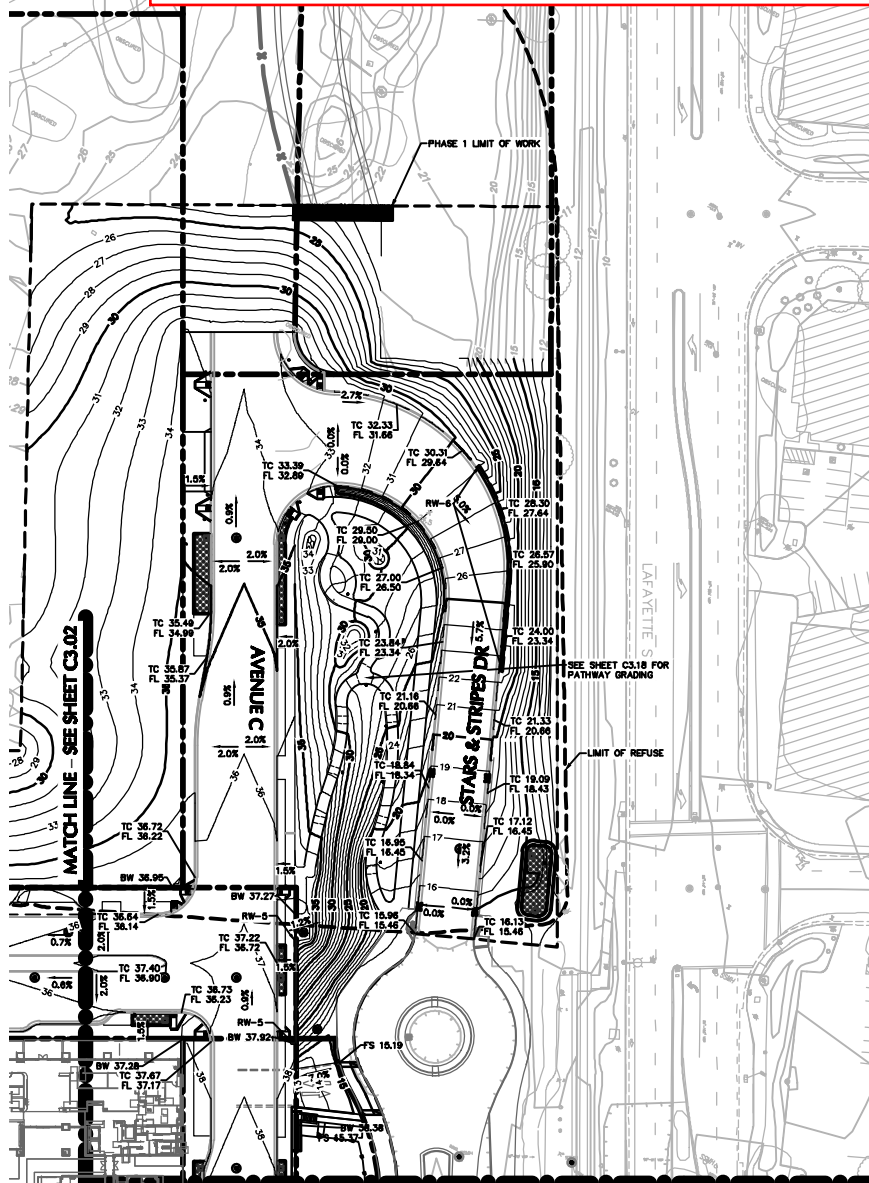
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Scale: 1" = 40'-0"
Design: STAFF
Drawn: STAFF
Approved: DJH

DRAWING NO.
C3.02
SHEET
10 of 17

DRAFT - FOR PLAN CHECK ONLY

FILE NAME: C:\Users\jradtke\OneDrive - Related Santa Clara\Documents\Projects\Phase 1 Streets & Utilities\Grading Plan\Grading Plan.dwg, Date: 9/30/22, 10:48am, User: jradtke

9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



GRADING PLAN
SCALE: 1"=40'-0"



NOTE: THIS EXHIBIT IS FOR REFERENCE ONLY, AND SHOWS PROPOSED GRADING AND UTILITIES FOR PUBLIC STREETS AS PARTIALLY UPDATED FROM THE 4/22/22 ENCROACHMENT PERMIT SUBMITTAL. CHANGES INCORPORATING CITY REVIEW COMMENTS ARE IN PROGRESS AND WILL BE REFLECTED ON THE NEXT ENCROACHMENT PERMIT SUBMITTAL.

LEGEND

	PROPOSED ELEVATION
	PROPOSED GRADE
	GRADE BREAK
	EXISTING ELEVATION
	PROPOSED CONTOUR

ABBREVIATIONS

BC	BASE OF CURB
BF	BASE OF WALL
BL	BASE OF LAMP
BR	BASE OF RAMP
BT	BASE OF TOWER
BT	BASE OF TOWER
BT	BASE OF TOWER
BT	BASE OF TOWER
BT	BASE OF TOWER
BT	BASE OF TOWER
BT	BASE OF TOWER
BT	BASE OF TOWER

RELATED SANTA CLARA
Contact: JR Radtke
5311 Great American Parkway, Suite 532
Santa Clara, CA 95054
Tel: 408.490.3700

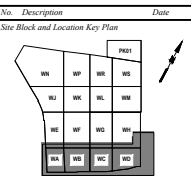
LANEAN
Civil and Geotechnical Engineers
1 Almaden Boulevard, Suite 590
San Jose, CA 95113
TEL: 408.283.3600

BCR
Structural Engineers
865 The Alameda
San Jose, CA 95126
TEL: 408.296.5515

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Morgan Hill, CA 95037
Tel: 408.610.9958

BrightView
Landscape Architects of Record
8 Hughes, Suite 150
Irvine, CA 92618
Tel: 949.438.4900

Revision	
No.	Description
1	PERMIT SET 06/04/2022
2	PERMIT RESUBMITTAL 04/22/2022
3	PERMIT RESUBMITTAL 07/15/2022



Seal / Signature _____ Date _____

RELATED SANTA CLARA CITY CENTER
PHASE 1 STREETS & UTILITIES PERMIT SET

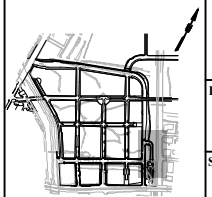
SHEET NAME
GRADING PLAN

Date: 04/22/2022
Scale: 1-IN = 40-FT
Design: STAFF
Drawn: STAFF
Approved: DJH

DRAWING NO.
C3.03

SHEET
11 of 17

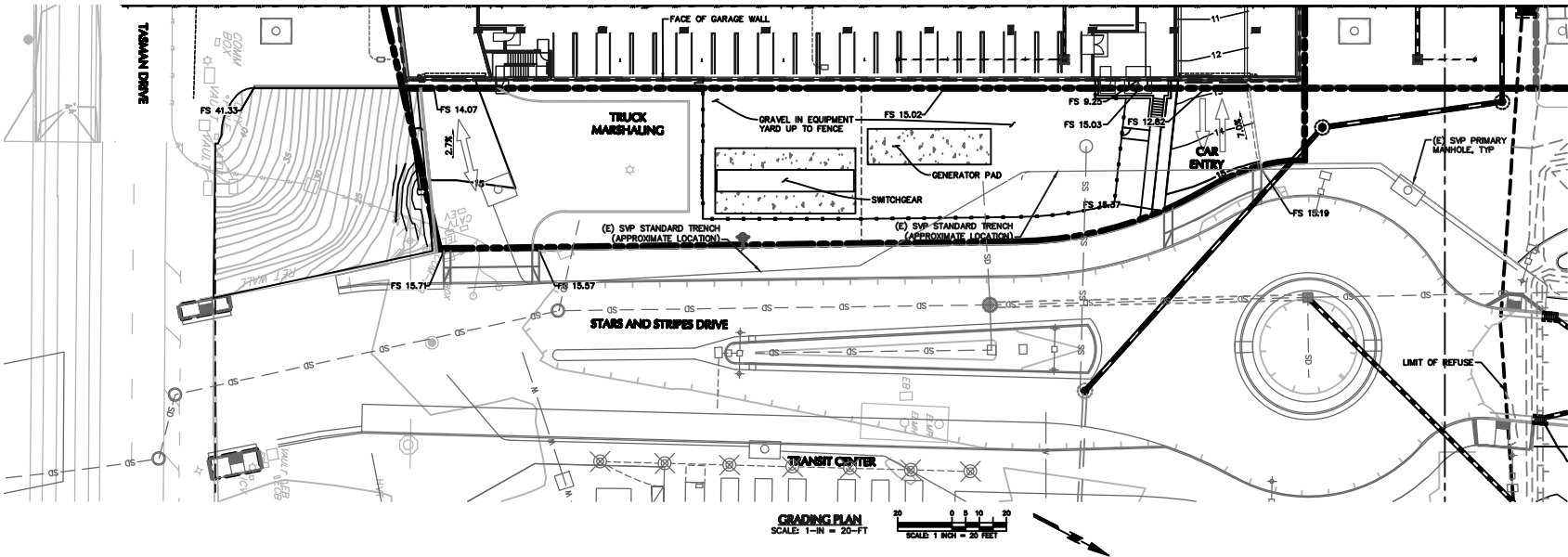
DRAFT - FOR PLAN CHECK ONLY



CSC TRACE NO.: TBD

FILE NAME: C:\Users\jradtke\OneDrive - Santa Clara County\Documents\Projects\2022\9-30-22\1045104625\BSC-WI-W100-LIN-CY-06-C3.03.DWG, Drawing Provided PLOTTED, Thursday, September 29, 2022 - 10:01pm USER: Eban

9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



GRADING PLAN
SCALE: 1-IN = 20-FT

FILE NAME: C:\Users\jvargas\p01\01000001\BSC-WI-1110-LUN-CY-06_C3.04_Gradng_Plan.dwg PLOTTED: Thursday, September 29, 2022 - 8:18pm USER: vmaranda

NOTE: THIS EXHIBIT IS FOR REFERENCE ONLY, AND SHOWS PROPOSED GRADING AND UTILITIES FOR PUBLIC STREETS AS PARTIALLY UPDATED FROM THE 4/22/22 ENCROACHMENT PERMIT SUBMITTAL. CHANGES INCORPORATING CITY REVIEW COMMENTS ARE IN PROGRESS AND WILL BE REFLECTED ON THE NEXT ENCROACHMENT PERMIT SUBMITTAL.

RELATED SANTA CLARA

Contact: JR Radtke
5301 Great American Parkway, Suite 532
Santa Clara, CA 95054
Tel: 408.490.3700

LANEAN

Civil and Geotechnical Engineers
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San Jose, CA 95113
TEL: 408.283.3600

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San Jose, CA 95126
TEL: 408.296.5515

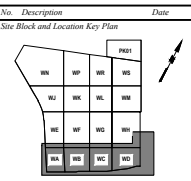
NTERRA GROUP

Dry Utility Consultant
1295 E. Duane Ave., Suite 230
Morgan Hill, CA 95037
Tel: 408.610.9958

BrightView

Landscape Architects of Record
8 Hughes, Suite 150
Irvine, CA 92618
Tel: 949.438.4900

Revision	
1. PERMIT SET	06/04/2022
2. PERMIT RESUBMITTAL	04/22/2022
3. PERMIT RESUBMITTAL	07/15/2022



Seal / Signature _____
Signature _____ Date _____

RELATED SANTA CLARA CITY CENTER
PHASE 1 STREETS & UTILITIES PERMIT SET

SHEET NAME
GRADING PLAN

Date: 04/22/2022
Scale: 1-IN = 20-FT
Design: STAFF
Drawn: STAFF
Approved: DJH

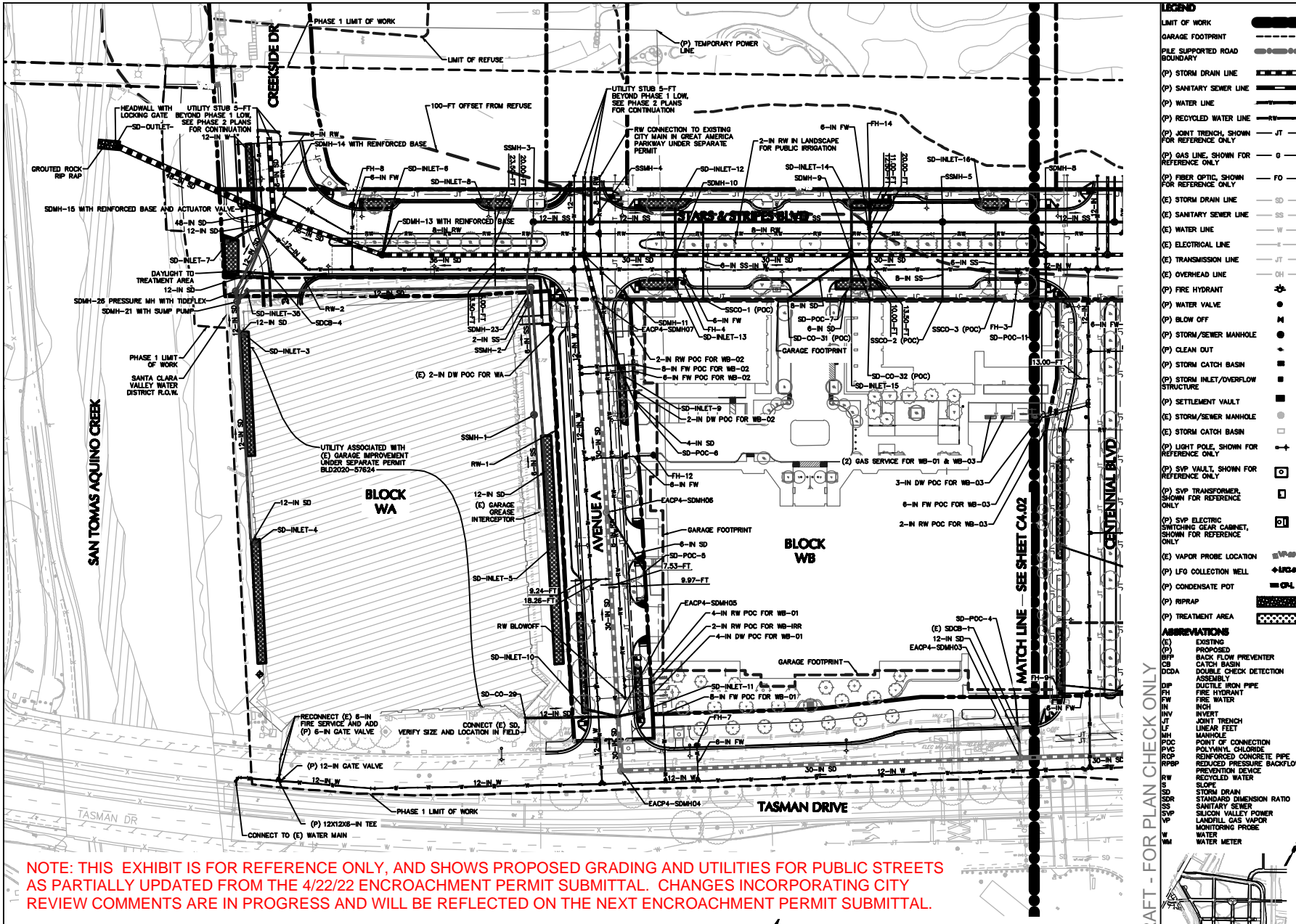
DRAWING NO.
C3.04

SHEET
12 of 17

DRAFT - FOR PLAN CHECK ONLY

CSC TRACE NO.: TBD

9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



NOTE: THIS EXHIBIT IS FOR REFERENCE ONLY, AND SHOWS PROPOSED GRADING AND UTILITIES FOR PUBLIC STREETS AS PARTIALLY UPDATED FROM THE 4/22/22 ENCROACHMENT PERMIT SUBMITTAL. CHANGES INCORPORATING CITY REVIEW COMMENTS ARE IN PROGRESS AND WILL BE REFLECTED ON THE NEXT ENCROACHMENT PERMIT SUBMITTAL.

LEGEND

LIMIT OF WORK (Dashed line)
GARAGE FOOTPRINT (Hatched area)
FILE SUPPORTED ROAD BOUNDARY (Thick dashed line)
(P) STORM DRAIN LINE (Line with 'S' symbols)
(P) SANITARY SEWER LINE (Line with 'SS' symbols)
(P) WATER LINE (Line with 'W' symbols)
(P) RECYCLED WATER LINE (Line with 'R' symbols)
(P) JOINT TRENCH, SHOWN FOR REFERENCE ONLY (Line with 'JT' symbols)
(P) GAS LINE, SHOWN FOR REFERENCE ONLY (Line with 'G' symbols)
(P) FIBER OPTIC, SHOWN FOR REFERENCE ONLY (Line with 'FO' symbols)
(E) STORM DRAIN LINE (Line with 'SD' symbols)
(E) SANITARY SEWER LINE (Line with 'SS' symbols)
(E) WATER LINE (Line with 'W' symbols)
(E) ELECTRICAL LINE (Line with 'E' symbols)
(E) TRANSMISSION LINE (Line with 'T' symbols)
(E) OVERHEAD LINE (Line with 'OH' symbols)
(P) FIRE HYDRANT (Circle with 'H')
(P) WATER VALVE (Circle with 'V')
(P) BLOW OFF (Circle with 'B')
(P) STORM/SEWER MANHOLE (Circle with 'M')
(P) CLEAN OUT (Circle with 'C')
(P) STORM CATCH BASIN (Square with 'CB')
(P) STORM INLET/OVERFLOW STRUCTURE (Square with 'I/O')
(P) SETTLEMENT VAULT (Square with 'SV')
(E) STORM/SEWER MANHOLE (Circle with 'E')
(E) STORM CATCH BASIN (Square with 'E')
(P) LIGHT POLE, SHOWN FOR REFERENCE ONLY (Circle with 'L')
(P) SVP VAULT, SHOWN FOR REFERENCE ONLY (Circle with 'SVP')
(P) SVP TRANSFORMER, SHOWN FOR REFERENCE ONLY (Circle with 'SVP-T')
(P) SVP ELECTRIC SWITCHING GEAR CABINET, SHOWN FOR REFERENCE ONLY (Circle with 'SVP-CG')
(E) VAPOR PROBE LOCATION (Circle with 'V')
(P) LFQ COLLECTION WELL (Circle with 'LFQ')
(P) CONDENSATE POT (Circle with 'CP')
(P) RIPRAP (Hatched area)
(P) TREATMENT AREA (Hatched area)

ABBREVIATIONS

(E) EXISTING
(P) PROPOSED
BF BACK FLOW PREVENTER
CB CATCH BASIN
DCDA DOUBLE CHECK DETECTION ASSEMBLY
DIP DUCTILE IRON PIPE
FW FIRE HYDRANT
IN FIRE WATER
INCH INCH
INVT INVERT
JT JOINT TRENCH
LF LINEAR FEET
MNH MANHOLE
POC POINT OF CONNECTION
PVC POLYVINYL CHLORIDE
RCP REINFORCED CONCRETE PIPE
RPP REDUCED PRESSURE BACKFLOW PREVENTION DEVICE
RW RECYCLED WATER
S SLOPE
SDR STORM DRAIN
SDR STANDARD DIMENSION RATIO
SS SANITARY SEWER
SVP SILICON VALLEY POWER
LANDFILL GAS VAPOR MONITORING PIPE
W WATER
WM WATER METER

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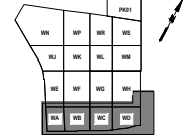
BrightView
 Landscape Architects of Record
 8 Hughes, Suite 190
 Irvine, CA 92618
 Tel: 949.438.4900

Revision

1	PERMIT SET	06/04/2022
2	PERMIT RESUBMITTAL	04/22/2022
3	PERMIT RESUBMITTAL	07/15/2022

No. Description Date

No.	Description	Date
	Site Block and Location Key Plan	



Seal/Signature

Signature Date

RELATED SANTA CLARA CITY CENTER
PHASE 1 STREETS & UTILITIES PERMIT SET

SHEET NAME
UTILITY PLAN

Date: 04/22/2022
 Scale: 1-IN = 40-FT
 Design: STAFF
 Drawn: STAFF
 Approved: DJH

DRAWING NO.
C4.01

UTILITY PLAN
 SCALE: 1-IN = 40-FT

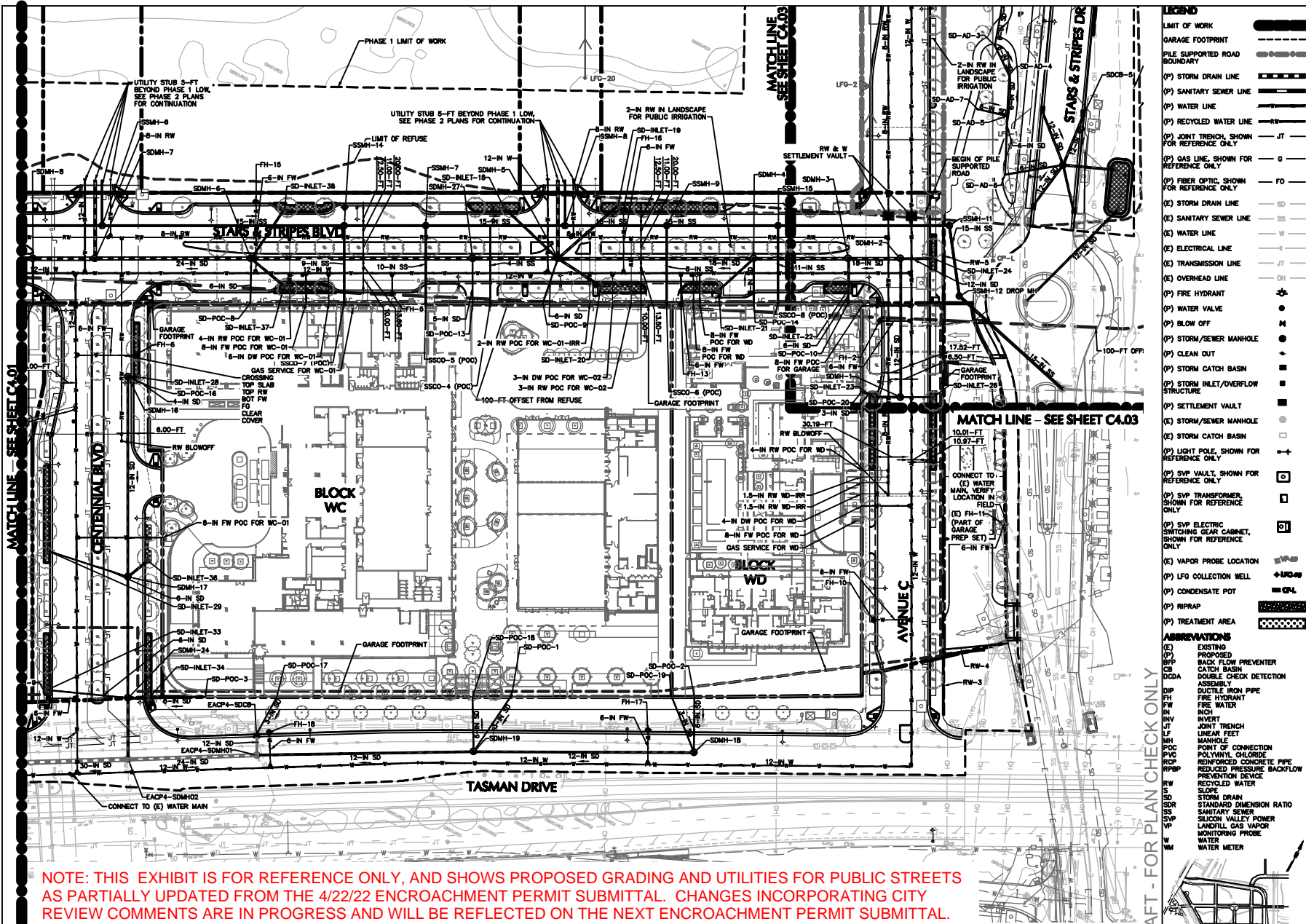


DRAFT - FOR PLAN CHECK ONLY

CSC TRACE NO.: TBD

FILE NAME: C:\Users\jradtke\OneDrive\Documents\Projects\2022\C4.01\Drawings\C4.01.dwg PLOTTED: Friday, September 30, 2022 - 4:10pm USER: Elnan

9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



NOTE: THIS EXHIBIT IS FOR REFERENCE ONLY, AND SHOWS PROPOSED GRADING AND UTILITIES FOR PUBLIC STREETS AS PARTIALLY UPDATED FROM THE 4/22/22 ENCROACHMENT PERMIT SUBMITTAL. CHANGES INCORPORATING CITY REVIEW COMMENTS ARE IN PROGRESS AND WILL BE REFLECTED ON THE NEXT ENCROACHMENT PERMIT SUBMITTAL.

UTILITY PLAN
SCALE: 1-IN = 40-FT



CSC TRACE NO.: TBD

LEGEND

- LIMIT OF WORK
- GARAGE FOOTPRINT
- PILE SUPPORTED ROAD BOUNDARY
- (P) STORM DRAIN LINE
- (P) SANITARY SEWER LINE
- (P) WATER LINE
- (P) JOINTED WATER LINE
- (P) TRENCH, SHOWN FOR REFERENCE ONLY
- (P) GAS LINE, SHOWN FOR REFERENCE ONLY
- (P) FIBER OPTIC, SHOWN FOR REFERENCE ONLY
- (E) STORM DRAIN LINE
- (E) SANITARY SEWER LINE
- (E) WATER LINE
- (E) ELECTRICAL LINE
- (E) TRANSMISSION LINE
- (E) OVERHEAD LINE
- (P) FIRE HYDRANT
- (P) WATER VALVE
- (P) BLOW OFF
- (P) STORM/SEWER MANHOLE
- (P) CLEAN OUT
- (P) STORM CATCH BASIN
- (P) STORM INLET/OVERFLOW STRUCTURE
- (P) SETTLEMENT VAULT
- (E) STORM/SEWER MANHOLE
- (E) STORM CATCH BASIN
- (P) LIGHT POLE, SHOWN FOR REFERENCE ONLY
- (P) SVP VAULT, SHOWN FOR REFERENCE ONLY
- (P) SVP TRANSFORMER, SHOWN FOR REFERENCE ONLY
- (P) SVP ELECTRIC SWITCHING GEAR CABINET, SHOWN FOR REFERENCE ONLY
- (E) VAPOR PROBE LOCATION
- (P) LFG COLLECTION WELL
- (P) CONDENSATE POT
- (P) RIPRAP
- (P) TREATMENT AREA

ABBREVIATIONS

- (E) EXISTING
- (P) PROPOSED
- BFP BACK FLOW PREVENTER
- CB CATCH BASIN
- DCDA DOUBLE CHECK DETECTION ASSEMBLY
- DIP DUCTILE IRON PIPE
- FW FIRE HYDRANT
- IN INCH
- IRW IRON
- JT JOINT TRENCH
- LF LINEAR FEET
- MANH MANHOLE
- POC POINT OF CONNECTION
- PVC POLYVINYL CHLORIDE
- RCP REINFORCED CONCRETE PIPE
- RPB REDUCED PRESSURE BACKFLOW PREVENTION DEVICE
- RW RECYCLED WATER
- S SLOPE
- SDR STORM DRAIN
- SDR STANDARD DIMENSION RATIO
- SS SANITARY SEWER
- SVP SILICON VALLEY POWER
- W WATER
- WM WATER METER

PERMIT SET

1	PERMIT SET	06/04/2022
2	PERMIT RESUBMITTAL	04/22/2022
3	PERMIT RESUBMITTAL	07/15/2022

Site Block and Location Key Plan

Signature

Signature _____ Date _____

RELATED SANTA CLARA CITY CENTER

PHASE 1 STREETS & UTILITIES PERMIT SET

SHEET NAME

UTILITY PLAN

Date: 04/22/2022

Scale: 1-IN = 40-FT

Design: STAFF

Drawn: STAFF

Approved: DJH

DRAWING NO.

C4.02

SHEET

14 of 17

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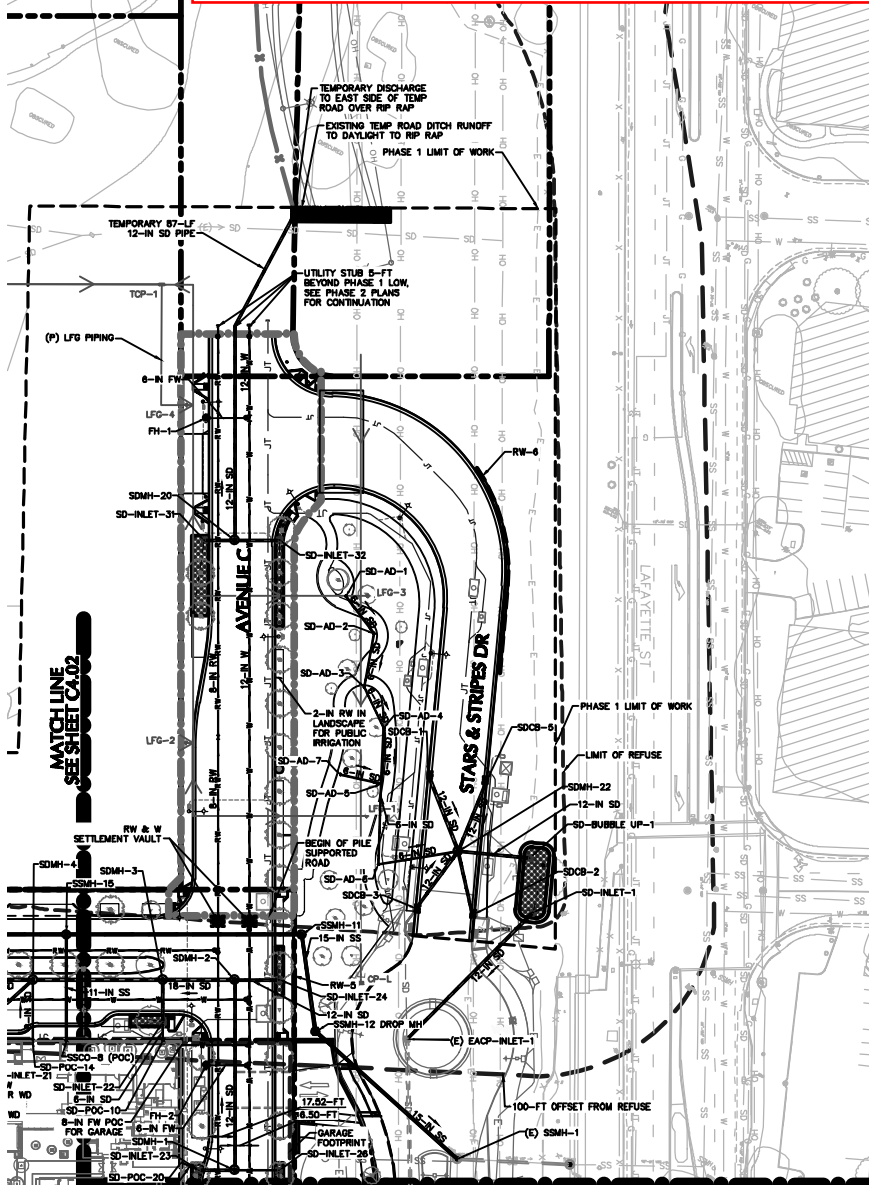
BrightView

Landscape Architects of Record
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FILE NAME: C:\Users\jradtke\OneDrive\Documents\Projects\2022\141801\141801.dwg USER: jradtke

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9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



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DRAFT - FOR PLAN CHECK ONLY

LEGEND

LIMIT OF WORK	--- -- --
GARAGE FOOTPRINT	- - - - -
PILE SUPPORTED ROAD BOUNDARY	- · - · - ·
(P) STORM DRAIN LINE	- · - · - ·
(P) SANITARY SEWER LINE	- - - - -
(P) WATER LINE	- · - · - ·
(P) RECYCLED WATER LINE	- - - - -
(P) JOINT TRENCH, SHOWN FOR REFERENCE ONLY	- - - - -
(P) GAS LINE, SHOWN FOR REFERENCE ONLY	- - - - -
(P) FIBER OPTIC, SHOWN FOR REFERENCE ONLY	- - - - -
(E) STORM DRAIN LINE	- SD -
(E) SANITARY SEWER LINE	- SS -
(E) WATER LINE	- W -
(E) ELECTRICAL LINE	- E -
(E) TRANSMISSION LINE	- JT -
(E) OVERHEAD LINE	- OH -
(P) FIRE HYDRANT	⊕
(P) WATER VALVE	○
(P) BLOW OFF	M
(P) STORM/SEWER MANHOLE	○
(P) CLEAN OUT	⬇
(P) STORM CATCH BASIN	■
(P) STORM INLET/OVERFLOW STRUCTURE	■
(P) SETTLEMENT VAULT	■
(E) STORM/SEWER MANHOLE	□
(E) STORM CATCH BASIN	□
(P) LIGHT POLE, SHOWN FOR REFERENCE ONLY	⊕
(P) SVP VAULT, SHOWN FOR REFERENCE ONLY	⊕
(P) SVP TRANSFORMER, SHOWN FOR REFERENCE ONLY	⊕
(P) SVP ELECTRIC SWITCHING GEAR CABINET, SHOWN FOR REFERENCE ONLY	⊕
(E) VAPOR PROBE LOCATION	⊕
(P) LFQ COLLECTION WELL	⊕
(P) CONDENSATE POT	⊕
(P) RIPRAP	⊕
(P) TREATMENT AREA	⊕

ABBREVIATIONS

(E)	EXISTING
(P)	PROPOSED
BFP	BACK FLOW PREVENTER
CB	CATCH BASIN
DDCA	DOUBLE CHECK DETECTION ASSEMBLY
DIP	DUCTILE IRON PIPE
FW	FIRE HYDRANT
FW	FIRE WATER
IN	INCH
INV	INVERT
JT	JOINT TRENCH
LF	LINEAR FEET
MH	MANHOLE
POC	POINT OF CONNECTION
PVC	POLYVINYL CHLORIDE
RCP	REINFORCED CONCRETE PIPE
RPBP	REDUCED PRESSURE BACKFLOW PREVENTION DEVICE
RW	RECYCLED WATER
S	SLOPE
SD	STORM DRAIN
SDR	STANDARD DIMENSION RATIO
SS	SANITARY SEWER
SVP	SILICON VALLEY POWER
VVP	LANDFILL GAS VAPOR MONITORING PROBE
W	WATER
WM	WATER METER

- RELATED SANTA CLARA**
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- NTERRA GROUP**
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- BrightView**
Landscape Architects of Record
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Tel: 949.438.4900

Revision	
No.	Description
1	PERMIT SET
2	PERMIT RESUBMITTAL
3	PERMIT RESUBMITTAL

Site Block and Location Key Plan

Signature: _____ Date: _____

RELATED SANTA CLARA CITY CENTER

PHASE 1 STREETS & UTILITIES PERMIT SET

SHEET NAME

UTILITY PLAN

Date: 04/22/2022

Scale: 1-IN = 40-FT

Design: STAFF

Drawn: STAFF

Approved: DJH

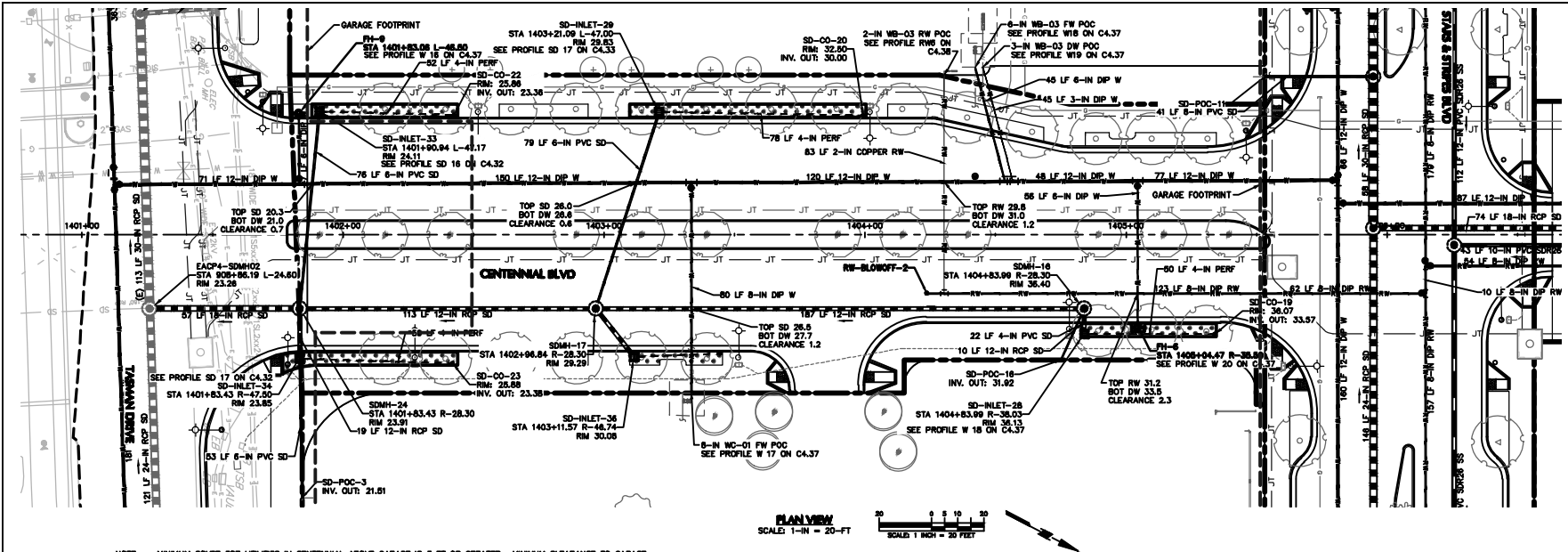
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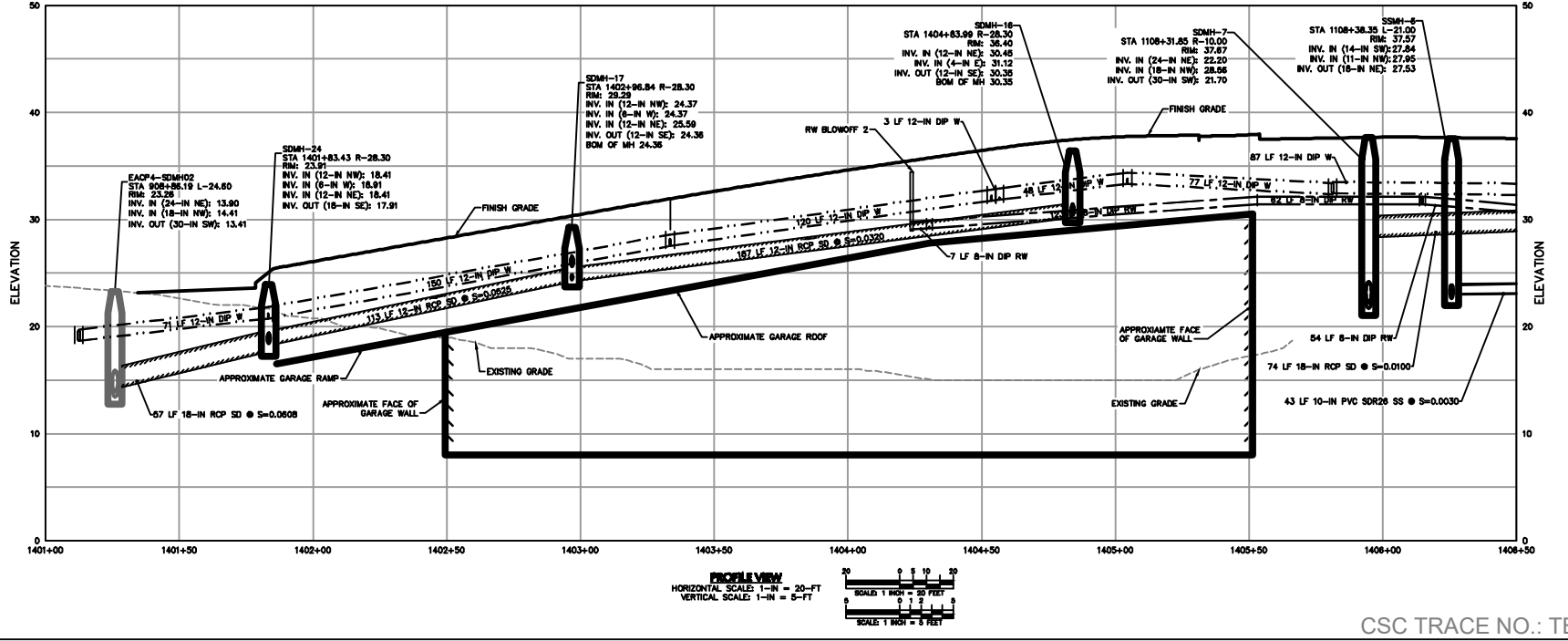
SHEET

15 of 17

9/30/22 TENTATIVE MAP PROGRESS SUBMITTAL - FOR REFERENCE ONLY



NOTE: MINIMUM COVER FOR UTILITIES IN CENTENNIAL ABOVE GARAGE IS 3 FT OR GREATER. MINIMUM CLEARANCE TO GARAGE LID IS 8 IN. INSTALL CONCRETE SADDLE PER COSC DETAIL M-3 AT ALL CROSSINGS WITH CLEARANCE LESS THAN 1 FT.



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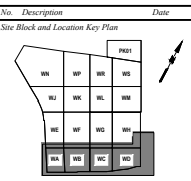
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Revision	Date
1 PERMIT SET	05/04/2022
2 PERMIT RESUBMITTAL	04/22/2022
3 PERMIT RESUBMITTAL	07/15/2022



Seal/Signature

Signature _____ Date _____

RELATED SANTA CLARA CITY CENTER
 PHASE 1 STREETS & UTILITIES PERMIT SET

SHEET NAME
 UTILITY PLAN & PROFILE - CENTENNIAL BLVD

Date: 04/22/2022
 Scale: AS-SHOWN
 Design: STAFF
 Drawn: STAFF
 Approved: DJH

DRAWING NO.
C4.15
 SHEET
 16 of 17

DRAFT - FOR PLAN CHECK ONLY

CSC TRACE NO.: TBD

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FILE NAME: C:\Users\knapen\p01\01000005\BSC-WI-WI00-LDR-CY-DR-CALX.LIBRY\BSP.dwg PLOTTED: 1/16/24, September 30, 2022 - 4:02pm, USER: Ebn

PERMANENT RW CONNECTION AT GREAT AMERICA PARKWAY

CRITICAL ALIGNMENT IN AVENUE A AND CITY PLACE PARKWAY SERVING PHASE 1

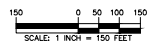
LEGEND:

- RW PHASE 2-4 RECYCLED WATER MAIN
- RW EXISTING RECYCLED WATER MAIN
- PHASE 2 RECYCLED WATER MAIN TO BE INSTALLED CONCURRENTLY WITH PHASE 1

PHASE 2
PHASE 1

NOTES:

1. THE CRITICAL ALIGNMENT ALONG AVENUE A AND CITY PLACE PARKWAY WILL BE INSTALLED CONCURRENTLY WITH PHASE 2 IMPROVEMENTS, UNDER SEPARATE PERMIT.
2. THE PHASE 1 RW SYSTEM WILL BE CONNECTED AND ACTIVE PRIOR TO PERMANENT OCCUPANCY OF PHASE 1 STRUCTURES.



LANGAN

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San Jose, CA 95113
T: 408.283.3600 F: 408.283.3601
www.langan.com

Project
RELATED SANTA CLARA - PHASE 1
SANTA CLARA CALIFORNIA

Drawing Title
RECYCLED WATER CONNECTION TO GREAT AMERICA PARKWAY THROUGH PHASE 2

Project No.	770611612	C4.04
Date	10/04/2022	
Drawn By	CH	
Checked By	RFS	
Sheet		17 of 17

Project No. 770611612



Agenda Report

22-1174

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action on Award of Purchase Orders with Guerra Construction Group, SBV Concrete, Inc. DBA Valley Concrete, and Spencon Construction for As-Needed Asphalt and Concrete Repair and Replacement Services

COUNCIL PILLAR

Deliver and Enhance High Quality Efficient Services and Infrastructure

BACKGROUND

The Department of Public Works (DPW) provides various services related to maintaining the City's sidewalks, curbs, and gutters. This work includes removing and replacing concrete to mitigate tripping hazards and addressing drainage problems. The City does not have adequate staff to maintain all these facilities and as a result, utilizes contractors to provide concrete repair and replacement services. The department has a budget of \$700,000 to address a portion of the repairs and replacements identified at various locations throughout the City. Additionally, other City departments work through DPW to repair concrete sidewalks, curbs and gutters resulting from work on underground utilities.

DPW also maintains City streets as well as various alleyways and parking lots. Most street rehabilitation work is scheduled in advance and performed by contractors under the Annual Street Rehabilitation program. DPW staff regularly performs minor asphalt removal and replacement, pothole repairs, and crack sealing. DPW does not have the capacity to efficiently complete large asphalt repairs.

DPW currently has purchase orders with two vendors to provide as-needed asphalt and concrete repair and replacement services which will expire on December 31, 2022. In order to continue providing these services, new purchase orders need to be awarded.

DISCUSSION

Pursuant to City Code Section 2.105.330, a formal Request for Bids (RFB) was conducted as the solicitation method for this procurement, with award recommendation to the lowest bidder(s). The bid allowed for multiple awards at the City's sole discretion if determined to be in the City's best interest.

The City released an RFB for as-needed asphalt and concrete repair and replacement services on the City's e-procurement site. Services were separated into three major pricing categories:

Package A: Concrete Services

Package B: Asphalt Cement Pavement Services

Package C: Other Work (Interlocking Concrete Pavers/Catch Basin Tops)

The estimated quantities used to determine the lowest bids for each package were based on aggregated quantities of work performed between 2017 through 2021. Bidders were allowed to submit bids for any of the packages with the award being made to the lowest responsive, responsible bidder(s) of the total base bid for each package.

A total of 34 companies viewed the solicitation and four bids were received as follows:

Bidder	Package A	Package B	Package C
Guerra Construction Group	\$1,897,300	\$85,000	\$59,760
Spenco Construction	\$2,744,200	\$76,500	\$45,200
SBV Concrete, Inc. DBA Valley Concrete	\$2,263,860	\$86,000	\$24,634
Golden Bay Construction, Inc.	\$3,196,077	\$131,750	\$50,064

Staff recommends awarding each package to two bidders in the event the primary (low) bidder is unable to complete the work within the timeframe specified by the City, providing greater capacity and flexibility for the City to respond to unanticipated repairs.

Package A: Concrete Services

Staff recommends award of purchase orders for Package A to Guerra Construction Group (80 percent) and Valley Concrete (20 percent).

Package B: Asphalt Cement Pavement Services

Staff recommends award of purchase orders for Package B to Spenco Construction (90 percent) and Guerra Construction Group (10 percent).

Package C: Other Work

Staff recommends award of purchase orders for Package C to Valley Concrete (85 percent) and Spenco Construction (15 percent).

The recommended base funding for the three packages is \$850,000 for the initial one-year purchase order term. A 15 percent contingency is also recommended, bringing the total maximum compensation to \$977,500 as shown below:

	Guerra	Spenco	Valley Concrete	Total
Package A	\$560,000		\$140,000	\$700,000
Package B	\$10,000	\$90,000		\$100,000
Package C		\$7,500	\$42,500	\$50,000
Sub-Total	\$570,000	\$97,500	\$182,500	\$850,000
15% Contingency				\$127,500
Total				\$977,500

Rates are fixed for the initial one-year term of the purchase order. After the initial term, price adjustments will be considered if properly substantiated by the contractor and subject to approval by the City. In addition, there are four one-year options to extend the purchase orders for a total of five years, assuming all options are exercised.

Prevailing wages will be paid under these purchase orders.

ENVIRONMENTAL REVIEW

The action being considered is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15301 "Existing Facilities," as the activity consists of the repair, maintenance or minor alteration of existing facilities involving no or negligible expansion of the use beyond that presently existing.

FISCAL IMPACT

The aggregate maximum compensation of the purchase orders is not-to-exceed \$977,500, which includes a 15 percent contingency. Funding of \$700,000 in the Sidewalk, Curb and Gutter Repair project in the Streets and Highways Fund FY 2022/23 Capital Improvement Project budget is available to fund a portion of the purchase order. Funding for other as-needed concrete and asphalt repairs will be identified for each project and will be charged accordingly.

The term of the purchase orders is from January 1, 2023 through December 31, 2023. This purchase order may be used for other projects as needs arise, subject to the availability of funds. Funding beyond the available budget is subject to the appropriation of funds.

COORDINATION

This report has been coordinated with the Finance Department and the City Attorney's Office.

PUBLIC CONTACT

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.

RECOMMENDATION

1. Authorize the City Manager to execute a purchase order with Guerra Construction Group in the amount of \$560,000 for as-needed concrete services (Package A) and \$10,000 for asphalt cement pavement services (Package B) for an initial one-year term, with maximum compensation not-to-exceed \$570,000;
2. Authorize the City Manager to execute a purchase order with Spencon Construction in the amount of \$90,000 for asphalt cement pavement services (Package B) and \$7,500 for other work (Package C) for an initial one-year term, with maximum compensation not-to-exceed \$97,500;
3. Authorize the City Manager to execute a purchase order with Valley Concrete in the amount of \$42,500 for other work (Package C) and \$140,000 for as-needed concrete services (Package A) for an initial one-year term, with maximum compensation not-to-exceed \$182,500;
4. Authorize the City Manager to adjust compensation amounts between the purchase orders during the term, provided the aggregate compensation of the initial term does not exceed \$977,500, including a 15 percent contingency; and
5. Authorize the City Manager to exercise up to four one-year options to extend the purchase orders after the initial term, subject to the appropriation of funds.

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Rajeev Batra, City Manager



Agenda Report

22-990

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action on an Agreement with CSG Consultants, Inc. for Design Professional Services for Annual Street Pavement Maintenance and Rehabilitation Projects (2023 & 2024 Projects)

COUNCIL PILLAR

Deliver and Enhance High Quality Efficient Services and Infrastructure

BACKGROUND

The Department of Public Works (DPW) oversees the City's Pavement Management Program, which includes annual street pavement maintenance and rehabilitation. Under this program, the pavement conditions of the City's street network are inspected and streets are prioritized annually to receive preventative maintenance and rehabilitation treatments based upon the funding available. The pavement maintenance and rehabilitation work is bid as part of DPW's construction contracts on an annual basis. The City's annual street pavement maintenance and rehabilitation work typically involves slurry seals, patching, cape seals, and asphalt overlays, including other ancillary work such as ADA curb ramps and traffic striping.

In order to prepare the 2023 and 2024 annual street pavement maintenance and rehabilitation contracts for public bidding, the City will need to retain a consultant to provide engineering design services.

DISCUSSION

A formal selection process was utilized to solicit proposals from consultants to provide the requested services. In August 2022, a competitive Request for Proposals (RFP) was published on the City's e-procurement platform for the project. The City received proposals from four firms: Bellecci & Associates, Inc., BKF Engineers, CSG Consultants, Inc., and Deenscorp, Inc.

A proposal review panel consisting of staff from the Design, Field Services, and Streets divisions of DPW evaluated each proposal against the criteria set forth in the RFP, including responsiveness to the RFP, qualifications of the firm, qualifications and availability of key staff, project approach, completeness and depth of scope of services, and project schedule and completion dates. Based on the panel's evaluation, CSG Consultants, Inc. (CSG) is recommended for award of contract. CSG submitted the best proposal, demonstrated a strong project understanding, and provided a project approach that would maximize the cost-effectiveness of the pavement maintenance and rehabilitation work. CSG has also successfully performed similar services for nearby public agencies including prior street pavement maintenance and rehabilitation projects for the City of Santa Clara.

The proposed agreement (Attachment 1) includes a refined scope of services based upon negotiations and the understanding of the work to be performed. The scope of services generally

includes: project management, preliminary engineering and evaluation, permitting, construction documents, bidding support, construction support, and project close-out. The agreement includes providing design services for two annual street pavement maintenance projects, the first to be constructed in 2023 and the second to be constructed in 2024. The agreement includes prevailing wage requirements.

Staff recommends entering into the Agreement for Design Professional Services with CSG for Annual Street Pavement Maintenance and Rehabilitation Projects (2023 & 2024 Projects). Approval of this agreement will provide the design professional services necessary to prepare construction documents to maintain the City's street infrastructure.

ENVIRONMENTAL REVIEW

This action is for design professional services and the action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") Guidelines section 15378 as the action being considered does not commit the City to undertake the project and future discretionary approvals are required by the City to approve the projects for construction. The pavement maintenance work being considered under the agreement will be evaluated in accordance with CEQA as part of the project development process prior to approval for construction. It is expected that the CEQA determination for pavement maintenance will be a categorical exemption pursuant to CEQA Guidelines section 15301 "Existing Facilities" as the activity consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities mechanical equipment or topographical features involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

FISCAL IMPACT

The proposed agreement is for a total not-to-exceed amount \$668,184. This amount includes \$607,440 for basic services, and \$60,744 for additional services, and includes both the 2023 and 2024 annual street pavement maintenance and rehabilitation projects. Funds for the agreement are available in the Capital Improvement Program budget in the Annual Street Maintenance and Rehabilitation Program project.

COORDINATION

This report has been coordinated with the Finance Department and the City Attorney's Office.

PUBLIC CONTACT

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.

RECOMMENDATION

1. Approve and authorize the City Manager to execute an agreement for Design Professional Services with CSG Consultants, Inc. for the Annual Street Pavement Maintenance and Rehabilitation Projects (2023 & 2024 Projects) for a combined total amount not-to-exceed \$668,184; and
2. Authorize the City Manager to make minor modifications to the Agreement and to extend the term,

if needed.

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Agreement
2. Street List

**AGREEMENT FOR DESIGN PROFESSIONAL SERVICES
BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
CSG CONSULTANTS, INC.
FOR
ANNUAL STREET PAVEMENT MAINTENANCE AND REHABILITATION PROJECTS
(2023 AND 2024 PROJECTS)**

PREAMBLE

This Agreement is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and CSG Consultants, Inc., a California corporation, (Contractor or Consultant). City and Contractor may be referred to individually as a “Party” or collectively as the “Parties” or the “Parties to this Agreement.”

RECITALS

- A. City desires to secure the design professional services more fully described in this Agreement, at Exhibit A, entitled “Scope of Services”;
- B. “Design professional” includes licensed architects, licensed landscape architects, registered professional engineers and licensed professional land surveyors;
- C. Contractor represents that it, and its subcontractors, if any, have the professional qualifications, expertise, necessary licenses and desire to provide certain goods and/or required services of the quality and type which meet objectives and requirements of City; and,
- D. The Parties have specified herein the terms and conditions under which such services will be provided and paid for.

The Parties agree as follows:

AGREEMENT TERMS AND CONDITIONS

1. AGREEMENT DOCUMENTS

The documents forming the entire Agreement between City and Contractor shall consist of these Terms and Conditions and the following Exhibits, which are hereby incorporated into this Agreement by this reference:

Exhibit A – Scope of Services

Exhibit B – Schedule of Fees

Exhibit C – Insurance Requirements

Exhibit D – Labor Compliance Addendum (if applicable)

This Agreement, including the Exhibits set forth above, contains all the agreements, representations and understandings of the Parties, and supersedes and replaces any previous agreements, representations and understandings, whether oral or written. In the event of any inconsistency between the provisions of any of the Exhibits and the Terms and Conditions, the Terms and Conditions shall govern and control.

2. TERM OF AGREEMENT

Unless otherwise set forth in this Agreement or unless this paragraph is subsequently modified by a written amendment to this Agreement, the term of this Agreement shall begin upon the date this Agreement is signed by both parties and terminate on December 31, 2025. Services may commence upon the City issuing a written notice to proceed.

3. SCOPE OF SERVICES & PERFORMANCE SCHEDULE

Contractor shall perform those Services specified in Exhibit A within the time stated in Exhibit A. Time is of the essence.

- A. All reports, costs estimates, plans and other documentation which may be submitted or furnished by Contractor shall be approved and signed by an appropriate qualified licensed professional in the State of California.
- B. The title sheet for specifications and reports, and each sheet of plans, shall bear the professional seal, certificate number, registration classification, expiration date of certificate and signature of the design professional responsible for their preparation.

4. WARRANTY

Contractor expressly warrants that all materials and services covered by this Agreement shall be fit for the purpose intended, shall be free from defect and shall conform to the specifications, requirements and instructions upon which this Agreement is based. Contractor agrees to promptly replace or correct any incomplete, inaccurate or defective Services at no further cost to City when defects are due to the negligence, errors or omissions of Contractor. If Contractor fails to promptly correct or replace materials or services, City may make corrections or replace materials or services and charge Contractor for the cost incurred by City.

5. QUALIFICATIONS OF CONTRACTOR - STANDARD OF CARE

Contractor represents and maintains that it has the expertise in the professional calling necessary to perform the Services, and its duties and obligations, expressed and implied, contained herein, and City expressly relies upon Contractor's representations regarding its skills and knowledge. Contractor shall perform such Services and duties in conformance to and consistent with the professional standards of a specialist in the same discipline in the State of California.

6. COMPENSATION AND PAYMENT

In consideration for Contractor's complete performance of Services, City shall pay Contractor for all materials provided and Services rendered by Contractor in accordance with Exhibit B, entitled "SCHEDULE OF FEES." The maximum compensation of this Agreement is six hundred sixty eight thousand one hundred eighty four dollars (\$668,184), subject to budget appropriations, which includes all payments that may be authorized for Services and for expenses, supplies, materials and equipment required to perform the Services. All work performed or materials provided in excess of the maximum compensation shall be at Contractor's expense. Contractor shall not be entitled to any payment above the maximum compensation under any circumstance.

7. TERMINATION

- A. Termination for Convenience. City shall have the right to terminate this Agreement, without cause or penalty, by giving not less than Thirty (30) days' prior written notice to Contractor.
- B. Termination for Default. If Contractor fails to perform any of its material obligations under this Agreement, in addition to all other remedies provided by law, City may terminate this Agreement immediately upon written notice to Contractor.
- C. Upon termination, each Party shall assist the other in arranging an orderly transfer and close-out of services. As soon as possible following the notice of termination, but no later than ten (10) days after the notice of termination, Contractor will deliver to City all City information or material that Contractor has in its possession.

8. ASSIGNMENT AND SUBCONTRACTING

City and Contractor bind themselves, their successors and assigns to all covenants of this Agreement. This Agreement shall not be assigned or transferred without the prior written approval of City. Contractor shall not hire subcontractors without express written permission from City.

Contractor shall be as fully responsible to City for the acts and omissions of its subcontractors, and of persons either directly or indirectly employed by them, as Contractor is for the acts and omissions of persons directly employed by it.

9. NO THIRD PARTY BENEFICIARY

This Agreement shall not be construed to be an agreement for the benefit of any third party or parties and no third party or parties shall have any claim or right of action under this Agreement for any cause whatsoever.

10. INDEPENDENT CONTRACTOR

Contractor and all person(s) employed by or contracted with Contractor to furnish labor and/or materials under this Agreement are independent contractors and do not act as agent(s) or employee(s) of City. Contractor has full rights to manage its employees in their performance of Services under this Agreement.

11. CONFIDENTIALITY OF MATERIAL

All ideas, memoranda, specifications, plans, manufacturing procedures, data, drawings, descriptions, documents, discussions or other information developed or received by or for Contractor and all other written information submitted to Contractor in connection with the performance of this Agreement shall be held confidential by Contractor and shall not, without the prior written consent of City, be used for any purposes other than the performance of the Services nor be disclosed to an entity not connected with performance of the Services. Nothing furnished to Contractor which is otherwise known to Contractor or becomes generally known to the related industry shall be deemed confidential.

12. OWNERSHIP OF MATERIAL

All material, which shall include, but not be limited to, data, sketches, tracings, drawings, plans, diagrams, quantities, estimates, specifications, proposals, tests, maps, calculations, photographs, reports, designs, technology, programming, works of authorship and other material developed, collected, prepared or caused to be prepared under this Agreement shall be the property of City but Contractor may retain and use copies thereof. City shall not be limited in any way or at any time in its use of said material. However, Contractor shall not be responsible for damages resulting from the use of said material for work other than Project, including, but not limited to, the release of this material to third parties.

13. RIGHT OF CITY TO INSPECT RECORDS OF CONTRACTOR

City, through its authorized employees, representatives or agents shall have the right during the term of this Agreement and for four (4) years from the date of final payment for goods or services provided under this Agreement, to audit the books and records of Contractor for the purpose of verifying any and all charges made by Contractor in connection with Contractor compensation under this

Agreement, including termination of Contractor. Contractor agrees to maintain sufficient books and records in accordance with generally accepted accounting principles to establish the correctness of all charges submitted to City. Any expenses not so recorded shall be disallowed by City. Contractor shall bear the cost of the audit if the audit determines that there has been a substantial billing deviation in excess of five (5) percent adverse to the City.

Contractor shall submit to City any and all reports concerning its performance under this Agreement that may be requested by City in writing. Contractor agrees to assist City in meeting City's reporting requirements to the State and other agencies with respect to Contractor's Services hereunder.

14. HOLD HARMLESS/INDEMNIFICATION

To the extent permitted by law, Contractor agrees to protect, defend, hold harmless and indemnify City, its City Council, commissions, officers, employees, volunteers and agents from and against any claim, injury, liability, loss, cost, and/or expense or damage, including all costs and attorney's fees in providing a defense to any such claim or other action, and whether sounding in law, contract, tort, or equity, to the extent arising out of, pertaining to, or related to the negligence, recklessness, or willful misconduct of the Contractor, its employees, subcontractors, or agents in the performance, or non-performance, of Services under this Agreement.

15. INSURANCE REQUIREMENTS

During the term of this Agreement, and for any time period set forth in Exhibit C, Contractor shall provide and maintain in full force and effect, at no cost to City, insurance policies as set forth in Exhibit C.

16. WAIVER

Contractor agrees that waiver by City of any one or more of the conditions of performance under this Agreement shall not be construed as waiver(s) of any other condition of performance under this Agreement. Neither City's review, acceptance nor payments for any of the Services required under this Agreement shall be constructed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

17. NOTICES

All notices to the Parties shall, unless otherwise requested in writing, be sent to City addressed as follows:

City of Santa Clara
Attention: Department of Public Works
1500 Warburton Avenue
Santa Clara, CA 95050
and by e-mail at engineering@santaclaraca.gov

And to Contractor addressed as follows:

CSG Consultants, Inc.
550 Pilgrim Drive
Foster City, CA 94404
and by e-mail at contracts@csgengr.com

The workday the e-mail was sent shall control the date notice was deemed given. An e-mail transmitted after 1:00 p.m. on a Friday shall be deemed to have been transmitted on the following business day.

18. COMPLIANCE WITH LAWS

Contractor shall comply with all applicable laws and regulations of the federal, state and local government, including but not limited to "The Code of the City of Santa Clara, California" ("SCCC"). In particular, Contractor's attention is called to the regulations regarding Campaign Contributions (SCCC Chapter 2.130), Lobbying (SCCC Chapter 2.155), Minimum Wage (SCCC Chapter 3.20), Business Tax Certificate (SCCC section 3.40.060), and Food and Beverage Service Worker Retention (SCCC Chapter 9.60), as such Chapters or Sections may be amended from time to time or renumbered. Additionally Contractor has read and agrees to comply with City's Ethical Standards (<http://santaclaraca.gov/home/showdocument?id=58299>).

19. CONFLICTS OF INTEREST

Contractor certifies that to the best of its knowledge, no City officer, employee or authorized representative has any financial interest in the business of Contractor and that no person associated with Contractor has any interest, direct or indirect, which could conflict with the faithful performance of this Agreement. Contractor is familiar with the provisions of California Government Code section 87100 and

following, and certifies that it does not know of any facts which would violate these code provisions. Contractor will advise City if a conflict arises.

20. FAIR EMPLOYMENT

Contractor shall not discriminate against any employee or applicant for employment because of race, sex, color, religion, religious creed, national origin, ancestry, age, gender, marital status, physical disability, mental disability, medical condition, genetic information, sexual orientation, gender expression, gender identity, military and veteran status, or ethnic background, in violation of federal, state or local law.

21. NO USE OF CITY NAME OR EMBLEM

Contractor shall not use City's name, insignia, or emblem, or distribute any information related to services under this Agreement in any magazine, trade paper, newspaper or other medium without express written consent of City.

22. GOVERNING LAW AND VENUE

This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California. The venue of any suit filed by either Party shall be vested in the state courts of the County of Santa Clara, or if appropriate, in the United States District Court, Northern District of California, San Jose, California.

23. SEVERABILITY CLAUSE

In case any one or more of the provisions in this Agreement shall, for any reason, be held invalid, illegal or unenforceable in any respect, it shall not affect the validity of the other provisions, which shall remain in full force and effect.

24. AMENDMENTS

This Agreement may only be modified by a written amendment duly authorized and executed by the Parties to this Agreement.

25. COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but both of which shall constitute one and the same instrument.

CONTINUED ON PAGE 8

The Parties acknowledge and accept the terms and conditions of this Agreement as evidenced by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

Approved as to Form: _____

Dated: _____

Office of the City Attorney
City of Santa Clara

Rajeev Batra
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

CSG CONSULTANTS, INC.
a California corporation

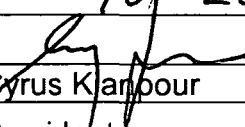
Dated: 10-26-2022
By (Signature): 
Name: Cyrus Klarbour
Title: President
Principal Place of Business Address: 550 Pilgrim Drive
Foster City, CA 94404
Email Address: cyrus@csgengr.com
Telephone: (650) 522-2500
Fax: (650) 522-2599
"CONTRACTOR"

EXHIBIT A SCOPE OF SERVICES

I. GENERAL

Description of Projects and Objective

CITY desires to engage CONSULTANT to provide engineering design services to prepare bid documents (plans, specifications, and engineer's estimate or PS&E) for public works bidding of pavement maintenance and rehabilitation construction contracts to support the City's Annual Street Pavement Maintenance and Rehabilitation Program.

This Agreement provides for services for two (2) street pavement maintenance and rehabilitation construction contracts as follows:

1. 2023 Annual Street Pavement Maintenance and Rehabilitation Project ("2023 Project")
2. 2024 Annual Street Pavement Maintenance and Rehabilitation Project ("2024 Project")

Each of the above projects shall be considered as a separate and distinct project under this Agreement. The projects shall be prosecuted and administered as independent projects and in the following sequence: design delivery for the 2023 Project, then subsequently upon construction bidding of the 2023 project, design delivery for the 2024 Project.

CONSULTANT shall receive written confirmation from CITY prior to proceeding with services for the 2024 Project.

Background

This Scope of Services is based upon CONSULTANT's proposal dated September 7, 2022 in response to CITY's Request for Proposals, and subsequent negotiations between CITY and CONSULTANT. It is mutually agreed by CITY and CONSULTANT that this Scope of Services incorporates CONSULTANT'S professional qualifications and experience and will meet CITY's objectives.

Baseline Solution

The following documents were prepared by CITY and attached to the Request for Proposals and are incorporated herein to this Agreement by reference:

- Attachment H1, 2023 Street List
- Attachment H2, 2023 Street Map
- Attachment I1, 2024 Street List
- Attachment I2, 2024 Street Map

The above documents provide for the presumed locations, construction costs, and pavement treatments for the 2023 Project and the 2024 Project and are based upon information derived from CITY's pavement management system, Streetsaver. These documents and information contained therein are considered preliminary and draft.

The City's anticipated budgets for the construction contract(s) for the projects are as follows:

- 2023 Project: \$3,500,000
- 2024 Project: \$2,700,000

The above budgets are considered as the construction cost only, inclusive of a ten percent (10%) construction contingency.

The final disposition of specific streets with their respective pavement treatments to be maintained and rehabilitated in each project are subject to change through the course of services dependent upon services provided by CONSULTANT during the Preliminary Engineering and Evaluation task. Under the Preliminary Engineering and Evaluation task for each project, CONSULTANT will evaluate the physical street conditions, analyze pavement treatments and associated costs, and provide recommendations in consideration of budgets and schedules.

The above referenced lists of streets with presumed pavement treatments and costs contained therein for each of the 2023 Project and the 2024 Project represent the Baseline Solution provided in this Scope of Services as the basis to develop this Scope of Services and the Schedule of Fees. The Baseline Solution is further defined as inclusive of all construction work necessary to fully implement the pavement treatments, inclusive of all ancillary work such as asphalt dig outs, concrete curb ramps, traffic striping, signal loop replacements, utility cover adjustments, and other similar ancillary work customary to a pavement maintenance and rehabilitation project administered by CITY. This Scope of Services and Schedule of Fees represents all design professional services to be provided by CONSULTANT as necessary to implement the Baseline Solution.

Should there be deviations from the Baseline Solution that results in services or fees being materially or significantly different than presumed for the Baseline Solution, the

Scope of Services and Schedule of Fees shall be addressed by CITY and CONSULTANT in writing prior to CONSULTANT proceeding to the Construction Documents task.

Assumptions

CITY and CONSULTANT agree on the following assumptions as being pertinent to this Scope of Services and Schedule of Fees:

1. The 2023 Project requires and assumes an accelerated design schedule that is accelerated beyond which would typically be performed for a street pavement maintenance and rehabilitation project of similar nature and scale within City's historical practices in order to meet the CITY's targeted bidding timeframe, which is April 2024. Said accelerated schedule is incorporated into this Scope of Services and Schedule of Fees accordingly. This Scope of Services and Schedule of Fees assumes the following design schedules:
 - 2023 Project:
 - Notice to Proceed: December 1, 2022
 - Submit Final Bid Package: April 5, 2023
 - 2024 Project:
 - Notice to Proceed: April 3, 2023
 - Submit Final Bid Package: November 2, 2023
2. The design will be reliant on CONSULTANT experience, and industry knowledge and practices, and does not contemplate physical testing, land surveying, or detailed engineering analysis for pavement treatment selection (e.g. R-value analysis, pavement section structural design).
3. Concrete improvements, including Americans with Disabilities Act (ADA) curb ramps, will not be designed using land surveys and detailed finish design elevations.
4. Changes to pavement drainage and slopes are not contemplated to be significant in the projects and the design will not include pavement land surveying and detailed design of finish elevations for pavement surfaces.
5. Conflicts with existing underground utilities and infrastructure are not contemplated to be significant in the projects and the design will not include potholing of existing utilities.

II. RESPONSIBILITIES OF CITY

CITY will provide the following information regarding the project as-available:

- Record drawings and maps (as-available)
- Information from City's Streetsaver pavement management system
- CITY's Standard Details, Specifications, Benchmark, and Design Criteria

- Storm Drain (SD), Sanitary Sewer (SS), Electric, Water and Recycled Water Block Book Maps (as-available)
- Geographic Information System (GIS) data including land parcels, street centerlines, City sanitary sewers, City storm drains, City water lines, City electric utilities, and aerial photographic tiles
- Payment of permit application fees, if required

III. BASIC SCOPE OF SERVICES

The Basic Scope of Services includes all professional services required to prepare bid documents (plans, specifications, and engineer's estimate or PS&E) for public works bidding of pavement maintenance and rehabilitation contracts to support the City's Street Pavement Street Maintenance and Rehabilitation Program.

The following tasks shall be completed for each project, the 2023 Project and the 2024 Project unless specifically described herein otherwise.

Hereinafter the term "project" may refer to either the 2023 Project or the 2024 Project, whichever project is underway and applicable at the time services are performed.

1. TASK 1: PROJECT MANAGEMENT

CONSULTANT shall:

- 1.1 Manage its team and overall project activities consistent with the direction from CITY in order to meet the project schedule and budget.
- 1.2 Coordinate with CITY, design team members, consultants, utility companies, other government agencies, and other affected parties as required throughout the duration of the project.
- 1.3 Prepare, monitor, and update progress schedule in MS Project format beginning at the kickoff meeting and ending at construction contract award. Schedule shall show significant milestones for the project. CONSULTANT shall notify CITY if there are delays in any phase of the project. In such cases, CONSULTANT shall make up the schedule in subsequent phases of the project or provide information to CITY substantiating a time extension. The schedule shall be maintained at all times and shall be updated each time progress and milestones are changed.
- 1.4 Meetings: The following meetings are assumed in this Scope of Services and Schedule of Fees which includes preparation for the meetings. A kick-off meeting shall be conducted with designated CITY staff prior to beginning work to review anticipated tasks and schedule, review available information and needs, and address any outstanding questions regarding the project moving forward raised by CITY or CONSULTANT. During the course of

services while there is active work on the project, CONSULTANT shall schedule and attend brief bi-weekly (every other week) conference calls with CITY. The purpose of the bi-weekly conference calls will be to keep CITY apprised on the project's progress and address any issues that may arise during the course of services. Bi-weekly conference calls shall not be considered as formal meetings and time for said calls shall be considered and invoiced as Project Management.

- Kickoff Meeting
- Two (2) Design Meetings

1.5 Provide monthly progress reports.

1.6 Stakeholder Coordination: CONSULTANT shall coordinate with project stakeholders as needed to inform each stakeholder of the project work and incorporate any necessary accommodations into the construction documents. The following are anticipated stakeholders:

- City Bicycle and Pedestrian Advisory Committee (BPAC), Caltrans, County of Santa Clara, City of San Jose, and Valley Transportation Authority (VTA)

1.7 Invoicing and Contract Administration: CONSULTANT administrative staff time spent preparing invoices for services complete shall be considered as included in the overhead of the CONSULTANT's basic hourly rates and shall not be billed. Additionally, addressing administrative issues regarding the professional services agreement, such as preparing additional services requests or budget modifications, shall also be considered as included in the overhead of the CONSULTANT's basic hourly rates and shall not be billed.

1.8 Only the designated Project Manager or approved delegates performing project management duties shall charge time to Task 1 Project Management. CONSULTANT's technical staff working on other tasks for the project shall not charge to the project management task. Additionally, if the Project Manager is performing technical work related to other tasks, time spent on those tasks shall be charged to the task and not to project management.

Deliverables:

1. Progress schedules in MS Project format (submitted electronically as an 11" x 17" pdf file and in native MS Project format).
2. Meeting agendas, preparation materials, and meeting minutes for each project meeting.
3. Monthly progress reports and invoices.

2. TASK 2: PRELIMINARY ENGINEERING AND EVALUATION

2.1. Data Collection & Field Review

CONSULTANT shall collect as-built record drawing information for the streets as necessary for subsequent project design. CONSULTANT shall review the information provided by CITY to verify completeness and identify any missing information that is necessary for design. For information that is required for non-CITY maintained facilities, CONSULTANT shall contact the appropriate owner to obtain information, as needed.

CONSULTANT shall perform a field review of the streets proposed for maintenance and rehabilitation to evaluate and document existing conditions and shall prepare field notes that generally describe conditions that may affect the work, such as pavement condition, visible surface utility information, traffic conditions, physical obstructions, and constructability.

CONSULTANT shall review existing curb ramps along the proposed streets and determine if they need to be replaced per ADA requirements based upon the street maintenance treatment involved. Provisions for replacement of ADA curb ramps will be prepared by CONSULTANT in the subsequent task.

On streets anticipated to receive pavement resurfacing, CONSULTANT shall identify areas of deficient concrete curb and gutter that is readily apparent based on visual observation that may result in impacts to the pavement such as poor storm water drainage or uplift due to tree roots. Design of corrections for these deficiencies shall not be considered as included in the Basic Scope of Services, but may be authorized as Additional Services in subsequent work.

CONSULTANT's field review should include a dig-out repair assessment.

2.2. Utility Coordination

CONSULTANT shall prepare a Notice of Intent to Construct (NOI) and submit it to the known utility operators in order to gather records for existing utilities for each street. Location map exhibits will be required to be submitted as part of the NOI. CONSULTANT shall provide CITY a draft copy of the NOI prior to sending it to the utility, maintain log of all NOI sent and received, and provide CITY all information received from the NOI. The purpose of the collection of utility information is to identify ownership of surface features that will be impacted by the work, and also to identify if there are any high-risk utilities within the project limits that may be impacted by the work.

Utility coordination will be focused on locations where potential impacts may occur, such as in dig-out areas.

2.3. 35% Design: Develop Memorandum of Preliminary Engineering Recommended Street List & Cost Estimate Scenarios

Based upon existing conditions, data collected, and field review, CONSULTANT shall propose recommended treatments for each street identified for the project and prepare preliminary cost estimates. As part of this task, CONSULTANT shall also evaluate and recommend alternatives for treatment for CITY's consideration, such as recommending treatments with a lower initial cost but shorter service life versus treatments at a higher initial cost but with a longer service life, etc.

The preliminary estimate shall account for all major work items that contribute to the cost. The purpose of the preliminary cost estimates is to ensure the project remains within budget and whether or not streets need to be added or removed from the project to remain within the established project budget and schedule.

CONSULTANT will prepare a preliminary Memorandum of Preliminary Engineering Recommended Street List, a Pavement Cost Matrix spreadsheet and Cost Scenario Estimates to document the findings of this task.

A meeting will be held with CITY staff to discuss the results.

2.4. Permitting (2023 Project Only)

Based upon the lists of streets contemplated, it is presumed that the only external agency with permitting authority involved in the projects is the City of San Jose for the 2023 Project. The assumption is the construction work will only require an encroachment permit during construction for traffic control. It is assumed that the permit will be obtained by the construction contractor, but CONSULTANT shall review the project with San Jose to ensure it is permit-ready from a design perspective.

CONSULTANT shall coordinate with permitting agencies including the City of San Jose as needed to secure final plans approval. This task will begin once the limits of pavement and treatment have been confirmed by CITY.

Deliverables:

1. Notice of Intent to Construct (NOI) forms, tracking log, and information received
2. Memorandum of Preliminary Engineering Recommended Street List, including cost estimates.

3. TASK 3: CONSTRUCTION DOCUMENTS (65%, 95%, and FINAL BID SET SUBMITTALS)

Upon CITY's approval of the preliminary design in Task 2 that defines the streets and treatment approach for the project, CONSULTANT shall prepare biddable and constructible construction contract documents.

If changes in the Scope of Services or Schedule of Fees under this task are required due to changes in the Baseline Solution identified during Task 2, changes shall be proposed by CONSULTANT and approved in writing by CITY prior to commencement of this task.

The Construction Documents will be progressively developed via milestone submittals per the subtasks outlined herein and shall be required for each project.

The following are assumptions for the Construction Documents which shall be incorporated to the extent appropriate at each milestone submittal in terms of completeness and design schedule for each milestone submittal involved:

- Plans will be prepared on a photographic background at a scale of 1"=40', using CITY already available images and available GIS information as a base. Where appropriate, adjacent buildings and/or driveways will be identified to aid in field orienting the plans to the site. Utility surface features (street iron) will be shown and dig-out repairs will be identified with a numbered symbol which will relate to a numbered table identifying dig-out depth and dimensions. Limits and types of surfacing treatments will be shown as well as locations and limits of ramp and other concrete work.
- ADA Curb Ramps: CONSULTANT shall provide schematic design of replacement ADA curb ramps. The design should show the type of ramp to be installed, overall geometric layout and orientation, and any adjacent concrete or pavement reconstruction required to meet ADA requirements to the extent required to provide accurate bidding quantities. CONSULTANT shall open existing utility boxes that may need to be adjusted to accommodate the curb ramp to verify that adjustment is feasible. It is presumed that the ramps will be specified for detailed field layout by construction contractor per standard details or modified details and requirements described in the bid documents. Full curb ramp design, including land surveying and detail design of finished grades, by CONSULTANT is not anticipated.
- Asphalt Dig Outs: CONSULTANT shall perform field work to mark asphalt dig out locations on streets in the field. CONSULTANT shall subsequently record the locations by any necessary means such that they can accurately be reflected on the project plans and re-established from the plans to the field during construction. CONSULTANT shall consider constructability

while marking dig outs. It is expected that the CONSULTANT's asphalt dig-out markings made during design for design purposes will remain on the pavement surface and will be refreshed prior to construction based on the contract plans. Refreshing the markings prior to construction will be performed by CITY based upon the existing markings and the project plans. CITY and CONSULTANT shall conduct a field meeting with appropriate staff to discuss and agree on the approach to dig-out markings prior to performing the marking.

- Striping Plans: CONSULTANT shall coordinate with CITY's traffic engineering division to determine striping to be installed. The proposed project striping is subject to change from the existing striping. The following is assumed:
 - The street list for the 2023 Project has been reviewed by BPAC and changes to striping for bicycle lanes are known and were included as Attachment J to the Request for Proposals and is incorporated herein by reference. The street list for the 2024 Project has not been reviewed by BPAC and recommendations for changes to striping for bicycle lanes is not known.
 - On streets where striping is simple replacement, e.g. residential slurry seal replacement, striping work may be shown on an outline street map (schematic map only).
 - On streets where more extensive striping is required, plans with more detail will be prepared and which can be combined with plans for other work such as dig outs.
- Signage Plans: If changes to signage is required due to changes in striping, sign work may be shown schematically on either the layout sheets, striping sheets, or any other sheet as appropriate and limited to show only signs that are changing. Full detailed and stand-alone sign plans showing all existing signs and proposed signs shall not be required.
- CITY BPAC Review: Per the CITY's complete streets policy, the project is required to undergo a 'Complete Streets Review' by the CITY's Bicycle and Pedestrian Advisory Committee (BPAC). CITY will be responsible for submitting the project to BPAC for review and attending the BPAC meeting if so required. CONSULTANT shall provide project plans to CITY for use in the BPAC submittal. It is assumed that this BPAC review will be completed at the 65% level, and that the 65% plans will be of sufficient quality and completeness to facilitate BPAC review.
- Signal Design: CONSULTANT shall show any signal loop replacement required as a result of the pavement or striping work. CONSULTANT shall

determine signal loop detectors that need to be replaced, and to show the replacement on the project plans. This includes determining presence or absence of existing detector hand holes and installing new hand holes where they do not currently exist. CONSULTANT shall also coordinate with CITY's traffic engineering division to ensure adequate detector lead-in-cables exist. CONSULTANT shall also design loop detector accommodations for bicycle detection should bicycle facilities be included on the pavement delineations plans according to complete streets and bicycle masterplan requirements.

- CONSULTANT shall identify, locate, and show the following surface features on the plans: manholes, boxes, City monuments, etc. These shall be obtained through field observation and measurements and are not required to be located by topographic land survey.
- Consultant shall evaluate the project for requirements under the State General Construction Permit and the Municipal Regional Permit and provide all necessary services to ensure the project is compliant and to incorporate requirements into the project bid documents. This includes determination of project type and risk level, if necessary, and if the project is a regulated project under the Municipal Regional Permit.
- It is assumed that traffic handling required to construct the project will be typical temporary traffic control systems per the requirements of the CITY's specifications and any necessary traffic handling plans that are required will be submitted by the construction contractor during construction. It is not anticipated that CONSULTANT will need to prepare traffic handling plans.
- Specifications shall include all Technical Specifications or Special Provisions required to construct the project. CITY will prepare the "frontend" contract specifications, i.e. Divisions 0 and 1 specifications of CITY's boilerplate. CONSULTANT shall provide all information required for CITY to complete the boilerplate. This information includes:
 - CONSULTANT's professional engineer seal and signature
 - Description of work
 - Type of Contractor's License required
 - Schedule of Bid Prices
 - Requirements for Contractor's Statement of Qualifications (e.g. experience requirements for previous construction contracts and contract values).
 - Working Days for Substantial and Final Completion
 - Recommendations for appropriate Liquidated Damages
 - Identification of any changes to the CITY's boilerplate that are required

- CONSULTANT shall be familiar with CITY's standard specifications and provide all Technical Specifications or Special Provisions such that they supplement, and do not conflict with, and are not redundant with the standard specifications. Changes to the CITY's boilerplate or deviations from the standard specifications shall be addressed by incorporating appropriate information into the project Technical Specifications or Special Provisions.
- CONSULTANT shall coordinate with CITY's traffic engineering division and determine allowable work hours, and allowable lane closure hours based on constructability and cost impacts, to be incorporated into the project documents. It is anticipated that lane closure charts will be included in the specifications for major multi-lane streets.
- The Engineer's Cost Estimate shall be an itemized list of bid items and shall be accurate and prepared based upon current construction pricing and escalated to time of bid using engineering judgement. CONSULTANT shall review recent bids, and contact vendors, suppliers, and contractors as necessary to develop an accurate cost estimate.
- CONSULTANT shall conduct QC reviews in accordance with its QA Program guidelines. CONSULTANT shall provide a copy of its QA Program guidelines. Time spent for QA-QC reviews for specific deliverables shall be budgeted and billed under each respective task requiring QA-QC review.

Deliverables will be reviewed for:

- Conformance to approved formats, criteria, specifications, & professional standards of practice.
- Adequacy, clarity, ease of interpretation
- Constructability
- Compatibility of design discipline interfaces
- Errors and discrepancies
- Coordination with related designs and project elements
- Integration of design disciplines
- Incorporation of design changes
- Conformance to required environmental mitigation

3.1. 65% Construction Documents Package

CONSULTANT shall perform engineering and design activities to develop a 65% level of completion construction documents. Review of the 65% submittal will identify and raise potential issues for resolution in subsequent submittals. Subsequent submittals shall provide opportunities to further refine the contract documents.

The 65% design submittal will include all the pavement slurry seal and dig-out work. Residential street slurry seal only work may be on an outline street map (schematic map only) similar to a vicinity map, only with slightly more detail in order to determine limits within the curb return. Streets that have more extensive striping, and or dig outs will be shown on a map with more detail to show dig out locations and quantities. The submittal package will be provided to the City for review and comment.

Striping plans will be presented on separate drawings to reduce visual clutter for larger collector and arterial streets, however, residential streets with minimal striping may include striping notes on the pavement plans for efficiency. Detector loop replacements (if needed) will be shown on the pavement improvement plans.

The 65% design submittal will include the following:

- Improvement Plans
 - All proposed pavement and resurfacing work
 - Any signal loop detector or detector handholes to be replaced or installed
- Identify location, proposed new ramps, and quantities of curb ramp
- Striping & Signage Plan
- Technical Specifications
- Engineer's Cost Estimate

Below are agencies who will receive 65% design submittal:

- City of Santa Clara
- Bicycle and Pedestrian Advisory Committee BPAC (Complete Streets Review, both 2023 Project and 2024 Project)

A design review meeting to review the CITY's comments and any refinements in direction will be scheduled as soon as the CITY completes its review. It is assumed a 2-week review period for CITY reviews.

3.2. 95% Construction Documents Package

The 95% design submittal will include all revisions made from the 65% submittal, with an emphasis on completeness, clarity of presentation, and elimination of ambiguity in the presentation of the intended work. 95% design submittal will include the following:

- Improvement Plans
 - All proposed pavement and resurfacing work
 - Any signal loop detector or detector handholes to be replaced or installed

- Reference all ramp work to curb ramp design plan
- Striping & Signage Plan
- Curb Ramp Design (Schematic design only)
- Technical Specifications
- Engineer's Cost Estimate
- Written responses from City's (& BPAC's) 65% comments

Below are agencies who will receive 95% design submittal:

- City of Santa Clara
- City of San Jose (if necessary)

A design review meeting will review any additional comments from the CITY. CONSULTANT and CITY staff will resolve any variations between the design as presented and the review comments and CONSULTANT will incorporate them into the Final Bid Set submittal. Any comments from agencies will also be resolved and incorporated into the Final Bid Set submittal.

3.3. Final Bid Set Construction Documents Package

The Final Design Submittal will incorporate all comments received from the City, and BPAC (and any other local agencies that may be impacted during construction). The final package will include signed plans and specifications camera ready for reproduction by the City for bidding.

The Final Bid Set Package shall comply with the following:

- CONSULTANT shall conduct a quality control (QC) review of the submittal in accordance with CONSULTANT's Quality Assurance/Quality Control (QA/QC) program.
- PEER Review: Peer review shall have been accomplished by this stage, with the statement and signature on the cover sheet. The professional shall sign, date and seal the following Certification of Peer Review on a letterhead document with the transmittal of the final plans and specifications:

“The undersigned hereby certifies that a professional peer review of these plans and the required designs was conducted by me, a professional engineer with expertise and experience in the appropriate fields of engineering equal to or greater than the Engineer of Record, and that appropriate corrections have been made.”

Deliverables:

1. 65% Construction Documents Package
2. 95% Construction Documents Package

3. Final Bid Set Construction Documents Package
4. Final Plans in autocad and pdf format
5. Final Specifications in word and pdf format
6. Final Cost Estimate in excel and pdf format

4. TASK 4: BID SUPPORT ASSISTANCE

Upon written request by CITY, CONSULTANT shall:

- 4.1. Provide clarifications and assistance during the bidding phase to satisfactorily answer any questions from prospective bidders, if requested by CITY. CITY to reproduce and distribute Contract Documents, maintain a planholder's list and log of bidders questions and responses.
- 4.2. Attend Pre-Bid Meeting, if required by the CITY. CONSULTANT shall coordinate with CITY to prepare agenda and meeting minutes.
- 4.3. Prepare Addenda to Construction Documents, if needed. CITY to reproduce and distribute all addenda.
- 4.4. Assist CITY in evaluating bids and preparation of recommendation letter to award the contract, if needed.
- 4.5. If addenda are issued, CONSULTANT will prepare a conformed set of documents that incorporated addenda into the documents.

Deliverables:

1. Written clarifications and response to prospective bidders, if needed
2. Addenda to the Bid Documents, if needed.
3. Written recommendation for award of contract, if needed.
4. Conformed construction documents, if needed.

5. TASK 5: CONSTRUCTION SUPPORT

THE CITY's Field Services Division will have primary responsibility for construction management and inspection. Upon written request by CITY, CONSULTANT shall:

- 5.1. Attend Pre-Construction Meeting upon request by CITY and respond to pre-construction meeting questions.
- 5.2. Review and approve shop drawings and submittals, including mix designs. Assumes reviews, comments, and review of revised submittals, as necessary and as applicable for each submittal.
- 5.3. Review Contractor's request for information (RFI's) and furnish additional drawings and/or specifications for supplementing, clarifying, and/or correcting purposes.
- 5.4. Attend meetings and site visits when necessary as determined and requested by CITY. Meetings and site visits shall be coordinated whenever possible.
- 5.5. Assist CITY with the review of construction, and other activities, as

- requested.
- 5.6. Prepare, review, and recommend approval of design related change orders, as requested.

Deliverables:

1. Shop drawing and submittal comments.
2. RFI responses.
3. Site visit memoranda, as required.
4. Drawings and specifications for supplementing, clarifying, and/or correcting the contract documents and for design related change orders.
5. Change orders, as required.

6. TASK 6: RECORD DRAWINGS AND PROJECT CLOSE-OUT

CONSULTANT shall:

- 6.1. Upon request by CITY, in accordance with Bid Documents, CONSULTANT shall assist CITY in determining if the project is ready for the stage of completion requested by the Contractor (Substantial or Final Completion). Attend the Final Walkthrough to provide input to final "punch list" and help determine if the work is ready for CITY acceptance. CONSULTANT shall provide CITY with a written recommendation.
- 6.2. At Final Completion of the project, provide CITY with one set of reproducible Record Drawing that reflects the changes to the work during construction based upon marked up prints, drawings, and other data furnished by the Contractor, CITY, and consultants. If CONSULTANT adds additional sheets to the plans, these shall be properly numbered, properly referenced on other affected drawings, and included in the drawing sheet index.
- 6.3. Provide a complete set of the Record Drawings and all X-ref files "bound," including other associated fonts, plot style files on AutoCAD, including electronic copies in PDF format. CONSULTANT may, at its own expense, prepare and retain a copy of each drawing for its permanent file.

Deliverables:

1. FINAL Punch List input and written recommendations for substantial and/or final completion.
2. Record Drawings on a CD using AutoCAD, and one set electronic copy in PDF format.
3. CD containing PDF copies of all submittals received during construction phase.

7. TASK 7: OPTIONAL TASKS

If deemed necessary during the course of services, this task provides for CONSULTANT to perform Optional Tasks as part of the Basic Scope of Services. Optional Tasks shall be authorized in writing prior to performing work, and shall only be invoiced if agreed by CITY and CONSULTANT in writing prior to performing work. Fees for Optional Tasks shall be considered as part of the fees for Basic Scope of Services.

7.1. OPTIONAL TASK: Changes to Baseline Solution

This task provides for design services due to changes to the Baseline Solution, as described elsewhere in this Agreement, throughout the course of services. Changes to the Baseline Solution are considered as those changes that materially and significantly alter the construction work from originally contemplated for each project and are determined within the sole discretion of CITY. By way of example, but not limited to, such changes may include: significantly higher or lower pavement treatments (e.g. changing from an assumed slurry seal to reconstruction or vice versa), adding or removing streets from projects, adding or removing curb ramp locations, adding or removing signal equipment, and etcetera.

If deemed necessary by CITY, CONSULTANT shall perform design services consistent with Tasks 1 through 6 of this Scope of Services for the changes to the Baseline Solution. The Schedule of Fees for this task included in Attachment B are considered allowances and are determined by CITY. Prior to performing any services under this task, CONSULTANT shall provide a written cost proposal showing the estimate of hours and dollars for services related to the changes. This task shall only be invoiced if authorized by CITY in writing prior to providing services. If this task is authorized, the budget allowances shown on the Schedule of Fees may be reallocated to and invoiced under Tasks 1 through 7 as appropriate and as agreed in writing by CITY and CONSULTANT. Should changes cause a reduction in the services required, e.g. streets are removed from a project, CITY reserves the right to reallocate fees from Tasks 1 through 6 to or from this task and to or from the projects.

EXHIBIT B SCHEDULE OF FEES

I. GENERAL PAYMENT

Billing shall be on a monthly basis based on the services performed for each task. Consultant shall, during the term of this Agreement, invoice the City for hours and dollars of work completed under this Agreement. The invoice shall describe the task invoiced, percent complete of the task, time and materials expended by task, and total amount during the invoice period. The invoice shall also show the total to be paid for the invoice period. All invoices shall provide a written description of work performed during the invoice period, deliverables completed, and progress to date on tasks being invoiced in order to support the amount invoiced. City will pay Consultant within thirty (30) days of City's receipt of an approved invoice

For invoicing purposes, Consultant shall administer the 2023 Project and 2024 Project as separate and distinct projects per the fees as described herein. City may reallocate fees between the 2023 Project and the 2024 Project as necessary in City's sole discretion throughout the course of services, which shall be in writing.

2023 Annual Street Pavement Maintenance and Rehabilitation Project ("2023 Project"):

The total payment to the Consultant for Basic Services, as stated in Exhibit A, shall not exceed \$340,380. The amount billed to City for Additional Services shall not exceed the sum of \$34,038. In no event shall the amount billed to City by Consultant for services under this Agreement exceed \$374,418, subject to budget appropriations.

2024 Annual Street Pavement Maintenance and Rehabilitation Project ("2024 Project"):

The total payment to the Consultant for Basic Services, as stated in Exhibit A, shall not exceed \$267,060. The amount billed to City for Additional Services shall not exceed the sum of \$26,706. In no event shall the amount billed to City by Consultant for services under this Agreement exceed \$293,766, subject to budget appropriations.

The total combined amount for both the 2023 Project and the 2024 Project billed to City by Consultants for services under this Agreement shall not exceed \$668,184 subject to budget appropriations.

II. BASIC SERVICES

The total payment to Consultant for all services necessary for performing all tasks, as stated in Exhibit A, shall be in proportion to services rendered and on a time and materials not-to-exceed basis.

The Consultant fee allocated to each task, as shown below, shall be the Consultant's full compensation for all services required by this Agreement, as directed by the City, and

no additional compensation shall be allowed. City may reallocate budget from tasks to other tasks or to or from additional services. The Consultant shall bill time and materials spent on a task under the appropriate task and will not be allowed to charge to future or inactive tasks unless approved in writing by City. The Consultant shall provide a summary of dates and hours charged per date by individual, and individual timesheets, if requested by City. The hours and amounts charged to each task shall be proportionate to the services rendered.

Tasks denoted as Optional Tasks, as stated in Exhibit A, require pre-approval in writing by CITY prior to performing any services under the task. Payment for any Optional Task is allowed only if written authorization is given by the City in advance of the work to be performed. Fees for Optional Tasks shall be considered as Basic Services.

The total amount of all the tasks is a not-to-exceed amount. Figures in the following tables include all subconsultant costs, reimbursable expenses, and administrative markups. The following table is a summary of the tasks based upon the negotiated Cost Proposal submitted by CSG Consultants, Inc. on October, 11, 2022 and agreed by CITY and CONSULTANT, and incorporated into this Exhibit B herein by reference.

CONSULTANT shall invoice time and materials according to the tasks identified in the Cost Proposal. The time and materials for services performed for subtasks may vary above or below the fees identified on the Cost Proposal provided that the total services performed for subtasks remains within the fee established for the task.

2023 Project:

Description		Amount
Task 1	Project Management	\$ 22,670
Task 2	Preliminary Engineering and Evaluation	\$ 44,100
Task 3	Construction Documents	\$ 219,540
Task 4	Bid Support Assistance	\$ 2,840
Task 5	Construction Support	\$ 31,110
Task 6	Record Drawings and Project Closeout	\$ 5,120
Subtotal		\$ 325,380
Task 7	Optional Tasks	\$ 15,000
Total		\$ 340,380

For the 2023 Project, in no event shall the amount billed to City by Consultant for Basic Services under this Agreement exceed three hundred forty thousand three hundred eighty dollars (\$340,380), subject to budget appropriations.

2024 Project:

Description		Amount
Task 1	Project Management	\$ 18,150
Task 2	Preliminary Engineering and Evaluation	\$ 33,320
Task 3	Construction Documents	\$ 162,390
Task 4	Bid Support Assistance	\$ 2,840
Task 5	Construction Support	\$ 29,880
Task 6	Record Drawings and Project Closeout	\$ 5,480
Subtotal		\$ 252,060
Task 7	Optional Tasks	\$ 15,000
Total		\$ 267,060

For the 2024 Project, in no event shall the amount billed to City by Consultant for Basic Services under this Agreement exceed two hundred sixty seven thousand sixty dollars (\$267,060), subject to budget appropriations.

In no event shall the total combined amount for both the 2023 Project and the 2024 Project billed to City by Consultant for Basic Services under this Agreement exceed six hundred seven thousand four hundred forty dollars (\$607,440), subject to budget appropriations.

III. REIMBURSABLE EXPENSES

Reimbursable Expenses shall not be billed by the Consultant under this Agreement. Full compensation for all expenses shall be considered as included in the hourly rates billed.

The following are samples of items that are considered as included as part of the hourly rates paid for Basic Services and are not considered for additional compensation:

- Basic Office Expenses such as overhead, paper, pens, pencils, ink cartridges
- Insurance Expenses, Applicable Taxes, Computer Time
- Travel Expenses (local and long distance), including meals and gas

- Faxes
- Local and Long Distance Telephone Expenses (land lines and cellular phones)
- US Mail
- Paper Cost
- Copying Cost
- Plotting Cost

IV. ADDITIONAL SERVICES

Additional Services consists of services not included in the Scope of Services outlined within this Agreement. Additional Services shall be billed to City at the fixed hourly rates shown below in Section V, RATE SCHEDULE, or at an agreed negotiated price. Monthly billing for Additional Services shall be consistent with the terms set forth in this Agreement. Payment for any Additional Services is allowed only if written authorization is given by City in advance of the work to be performed. Additional Services shall not exceed the following amounts:

2023 Project:	\$34,038
2023 Project:	\$26,706

In no event shall the total combined amount for Additional Services for both the 2023 Project and the 2024 Project billed to City by Consultant for under this Agreement exceed sixty thousand seven hundred forty-four dollars (\$60,744), subject to budget appropriations. Additional Services that exceed the above amounts will require a written amendment to the Agreement.

V. RATE SCHEDULE

Charges for personnel engaged in professional and/or technical work are based on the actual hours directly chargeable to the project.

Rates by classification are listed below and shall be fixed for the duration of the 2023 Project. Any classifications added, or staff members changing classifications throughout the course of services, shall be approved in writing by City.

Rates for the 2024 Project may be adjusted as described herein. Rates may be adjusted no more than once and shall occur no sooner than the written authorization to proceed with the 2024 Project. CONSULTANT shall propose any adjusted rates in writing for CITY’s consideration and acceptance in writing. Adjusted rates shall be no more than the percentage of difference between the Consumer Price Index (CPI) for Urban Wage Earners and Clerical Workers for the San Francisco-Oakland-Hayward, CA, area between the effective date of this Agreement and the CPI as may be available and nearest to and in advance of the month in which the adjustment is contemplated and shall be capped at a maximum of 5% for each classification. Following the adjustment, rates shall be fixed for the remaining duration of the 2024 Project.

Consultant understands and agrees that adjustments to rates does not cause an adjustment in the fees established for tasks or adjustment to the maximum compensation under this agreement. Consultant shall be required to provide the full services as described in Attachment A in accordance with the Fees established in this Attachment B, regardless of adjustments to rates.

CSG Consultants, Inc:

Classification	Hourly Rate
Project Manager/Principal	\$ 240
Senior Engineer	\$ 205
Associate Engineer	\$ 180
Assistant Engineer	\$ 150

EXHIBIT C
INSURANCE REQUIREMENTS

Without limiting the Contractor's indemnification of the City, and prior to commencing any of the Services required under this Agreement, the Contractor shall provide and maintain in full force and effect during the period of performance of the Agreement and for twenty-four (24) months following acceptance by the City, at its sole cost and expense, the following insurance policies from insurance companies authorized to do business in the State of California. These policies shall be primary insurance as to the City of Santa Clara so that any other coverage held by the City shall not contribute to any loss under Contractor's insurance. The minimum coverages, provisions and endorsements are as follows:

A. COMMERCIAL GENERAL LIABILITY INSURANCE

1. Commercial General Liability Insurance policy which provides coverage at least as broad as Insurance Services Office form CG 00 01. Policy limits are subject to review, but shall in no event be less than, the following:
 - \$1,000,000 Each Occurrence
 - \$2,000,000 General Aggregate
 - \$2,000,000 Products/Completed Operations Aggregate
 - \$1,000,000 Personal Injury
2. Exact structure and layering of the coverage shall be left to the discretion of Contractor; however, any excess or umbrella policies used to meet the required limits shall be at least as broad as the underlying coverage and shall otherwise follow form.
3. The following provisions shall apply to the Commercial Liability policy as well as any umbrella policy maintained by the Contractor to comply with the insurance requirements of this Agreement:
 - a. Coverage shall be on a "pay on behalf" basis with defense costs payable in addition to policy limits;
 - b. There shall be no cross liability exclusion which precludes coverage for claims or suits by one insured against another; and
 - c. Coverage shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of liability.

B. BUSINESS AUTOMOBILE LIABILITY INSURANCE

Business automobile liability insurance policy which provides coverage at least as broad as ISO form CA 00 01 with policy limits a minimum limit of not less than one million dollars (\$1,000,000) each accident using, or providing coverage at

least as broad as, Insurance Services Office form CA 00 01. Liability coverage shall apply to all owned (if any), non-owned and hired autos.

C. WORKERS' COMPENSATION

1. Workers' Compensation Insurance Policy as required by statute and employer's liability with limits of at least one million dollars (\$1,000,000) policy limit Bodily Injury by disease, one million dollars (\$1,000,000) each accident/Bodily Injury and one million dollars (\$1,000,000) each employee Bodily Injury by disease.
2. The indemnification and hold harmless obligations of Contractor included in this Agreement shall not be limited in any way by any limitation on the amount or type of damage, compensation or benefit payable by or for Contractor or any subcontractor under any Workers' Compensation Act(s), Disability Benefits Act(s) or other employee benefits act(s).
3. This policy must include a Waiver of Subrogation in favor of the City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents.

D. PROFESSIONAL LIABILITY

Professional Liability or Errors and Omissions Insurance as appropriate shall be written on a policy form coverage specifically designed to protect against negligent acts, errors or omissions of the Contractor. Covered services as designated in the policy must specifically include work performed under this agreement. Coverage shall be in an amount of not less than one million dollars (\$1,000,000) per claim or two million dollars (\$2,000,000) aggregate. Any coverage containing a deductible or self-retention must first be approved in writing by the City Attorney's Office.

E. COMPLIANCE WITH REQUIREMENTS

All of the following clauses and/or endorsements, or similar provisions, must be part of each commercial general liability policy, and each umbrella or excess policy.

1. Additional Insureds. City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents are hereby added as additional insureds in respect to liability arising out of Contractor's work for City, using Insurance Services Office (ISO) Endorsement CG 20 10 11 85, or the combination of CG 20 10 03 97 and CG 20 37 10 01, or its equivalent.
2. Primary and non-contributing. Each insurance policy provided by Contractor shall contain language or be endorsed to contain wording making it primary insurance as respects to, and not requiring contribution

from, any other insurance which the indemnities may possess, including any self-insurance or self-insured retention they may have. Any other insurance indemnities may possess shall be considered excess insurance only and shall not be called upon to contribute with Contractor's insurance.

3. Cancellation.

a. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided due to non-payment of premiums shall be effective until written notice has been given to City at least ten (10) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least ten (10) days prior to the effective date of non-renewal.

b. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided for any cause save and except non-payment of premiums shall be effective until written notice has been given to City at least thirty (30) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least thirty (30) days prior to the effective date of non-renewal.

4. Other Endorsements. Other endorsements may be required for policies other than the commercial general liability policy if specified in the description of required insurance set forth in Sections A through E of this Exhibit C, above.

F. ADDITIONAL INSURANCE RELATED PROVISIONS

Contractor and City agree as follows:

1. Contractor agrees to ensure that subcontractors, and any other party involved with the Services, who is brought onto or involved in the performance of the Services by Contractor, provide the same minimum insurance coverage required of Contractor, except as with respect to limits. Contractor agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this Agreement. Contractor agrees that upon request by City, all agreements with, and insurance compliance documents provided by, such subcontractors and others engaged in the project will be submitted to City for review.
2. Contractor agrees to be responsible for ensuring that no contract used by any party involved in any way with the project reserves the right to charge City or Contractor for the cost of additional insurance coverage required

be an insurance company of equal financial stability that is approved by the City or its insurance compliance representatives.

EXHIBIT C-06 Professional Service Contract

EXHIBIT D LABOR COMPLIANCE ADDENDUM

This Agreement is subject to the requirements of California Labor Code section 1720 et seq. requiring the payment of prevailing wages, the training of apprentices, and compliance with other applicable requirements.

A. Prevailing Wage Requirements

1. Contractor shall be obligated to pay not less than the General Prevailing Wage Rate, which can be found at www.dir.ca.gov and are on file with the City Clerk's office, which shall be available to any interested party upon request. Contractor is also required to have a copy of the applicable wage determination posted and/or available at each job site.
2. Specifically, contractors are reminded of the need for compliance with Labor Code Section 1774-1775 (the payment of prevailing wages and documentation of such), Section 1776 (the keeping and submission of accurate certified payrolls) and 1777.5 in the employment of apprentices on public works projects. Further, overtime must be paid for work in excess of 8 hours per day or 40 hours per week pursuant to Labor Code Section 1811-1813.
3. Special prevailing wage rates generally apply to work performed on weekends, holidays and for certain shift work. Depending on the location of the project and the amount of travel incurred by workers on the project, certain travel and subsistence payments may also be required. Contractors and subcontractors are on notice that information about such special rates, holidays, premium pay, shift work and travel and subsistence requirements can be found at www.dir.ca.gov.
4. Only bona fide apprentices actively enrolled in a California Division of Apprenticeship Standards approved program may be employed on the project as an apprentice and receive the applicable apprenticeship prevailing wage rates. Apprentices who are not properly supervised and employed in the appropriate ratio shall be paid the full journeyman wages for the classification of work performed.
5. As a condition to receiving progress payments, final payment and payment of retention on any and all projects on which the payment of prevailing wages is required, Contractor agrees to present to City, along with its request for payment, all applicable and necessary certified payrolls (for itself and all applicable subcontractors) for the time period covering such payment request. The term "certified payroll" shall include all required documentation to comply with the mandates set forth in Labor Code Section 1720 et seq, as well as any additional documentation requested by the City or its designee including, but not limited to: certified

payroll, fringe benefit statements and backup documentation such as monthly benefit statements, employee timecards, copies of wage statements and cancelled checks, proof of training contributions (CAC2 if applicable), and apprenticeship forms such as DAS-140 and DAS-142.

6. In addition to submitting the certified payrolls and related documentation to City, Contractor and all subcontractors shall be required to submit certified payroll and related documents electronically to the California Department of Industrial Relations. Failure to submit payrolls to the DIR when mandated by the project parameters shall also result in the withholding of progress, retention and/or final payment.
7. No contractor or subcontractor may be listed on a bid proposal for a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].
8. No contractor or subcontractor may be awarded a contract for public work on a public works project, unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5. Contractors **MUST** be a registered “public works contractor” with the DIR **AT THE TIME OF BID**. Where the prime contract is less than \$15,000 for maintenance work or less than \$25,000 for construction alternation, demolition or repair work, registration is not required.
9. All contractors/subcontractors and related construction services subject to prevailing wage, including but not limited to: trucking, surveying and inspection work must be registered with the Department of Industrial Relations as a “public works contractor”. Those you fail to register and maintain their status as a public works contractor shall not be permitted to perform work on the project.
10. Should any contractor or subcontractors not be a registered public works contractor and perform work on the project, Contractor agrees to fully indemnify the City for any fines assessed by the California Department of Industrial Relations against the City for such violation, including all staff costs and attorney’s fee relating to such fine.
11. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

B. Audit Rights

All records or documents required to be kept pursuant to this Agreement to verify compliance with this Addendum shall be made available for audit at no cost to City, at any time during regular business hours, upon written request by the City Attorney, City Auditor, City Manager, or a designated representative of any of these officers. Copies of such records or documents shall be provided to City for audit at City Hall when it is

practical to do so. Otherwise, unless an alternative is mutually agreed upon, the records or documents shall be made available at Contractor's address indicated for receipt of notices in this Agreement.

C. Enforcement

1. City shall withhold any portion of a payment; including the entire payment amount, until certified payroll forms and related documentation are properly submitted, reviewed and found to be in full compliance. In the event that certified payroll forms do not comply with the requirements of Labor Code Section 1720 et seq., City may continue to hold sufficient funds to cover estimated wages and penalties under the Agreement.
2. Based on State funding sources, this project may be subject to special labor compliance requirements of Proposition 84.
3. The City is not obligated to make any payment due to Contractor until Contractor has performed all of its obligations under these provisions. This provision means that City can withhold all or part of a payment to Contractor until all required documentation is submitted. Any payment by the City despite Contractor's failure to fully perform its obligations under these provisions shall not be deemed to be a waiver of any other term or condition contained in this Agreement or a waiver of the right to withhold payment for any subsequent breach of this Addendum.

City or the California Department of Industrial Relations may impose penalties upon contractors and subcontractors for failure to comply with prevailing wage requirements. These penalties are up to \$200 per day per worker for each wage violation identified; \$100 per day per worker for failure to provide the required paperwork and documentation requested within a 10-day window; and \$25 per day per worker for any overtime violation.



City of Santa Clara

ATTACHMENT 2

STREET LIST

<u>2023 Annual Street Maintenance and Rehabilitation Project</u>		
Street Name	Begin Location	End Location
AMELIA WAY	AZA DR.	ROYAL DR.
ANDREA PL.	WARBURTON AVE.	BARKLEY AVE.
ANDREA PL.	BARKLEY AVE.	CUL-DE-SAC
ASPEN DRIVE	BARTO ST.	WOODHAMS RD.
AZA DRIVE	AMELIA WAY	JOAN WAY
BARTO STREET	ASPEN DR.	FORBES AVE.
BEL AYRE DRIVE	CECIL AVE.	FOREST AVE.
BELLWOOD DRIVE	EASTWOOD CIRCLE	WILLOW WAY
BETTY COURT	WARBURTON AVE.	CUL-DE-SAC
BRASSWOOD COURT	EASTWOOD CIRCLE	CUL-DE-SAC
BROOKSIDE AVENUE	STEVENS CREEK BLVD.	FOREST AVE.
BROWNWOOD WAY	WILDWOOD WAY	GREENWOOD DR.
CARLETON PLACE	BARTO ST.	CUL-DE-SAC
CASTRO PLACE	GRAHAM LN.	LOS PADRES BLVD.
CATALA COURT	DE LA PENNA AVE.	MURGUIA AVE.
CECIL AVENUE	BEL AYRE DR.	DOUGLANE AVE.
CECIL AVENUE	WESTRIDGE DR.	HENRY AVE.
CECIL AVENUE	HENRY AVE.	DORCICH ST.
CLARKWOOD COURT	EASTWOOD CIRCLE	CUL-DE-SAC
COLGATE AVENUE	RADCLIFF DR.	HICKORY PL.
COLLINWOOD COURT	EASTWOOD CIRCLE	CUL-DE-SAC
CYPRESS AVENUE	STEVENS CREEK BLVD.	FOREST AVE.
DOUGLANE AVENUE	CECIL AVE.	FOREST AVE.
DORCICH STREET	HENRY AVE.	NORTH WINCHESTER BLVD.
EDGEFIELD DRIVE	WILDWOOD WAY	OAKWOOD DR.
EASTWOOD CIRCLE	GREENWOOD DR.	HEMLOCK CT.
EASTWOOD CIRCLE	HEMLOCK CT.	OAKWOOD DR.
FALLON AVENUE	MARKET ST.	LEXINGTON ST.
FLANNERY STREET	ASPEN ST.	FORBES AVE.
FREDERICK AVENUE	MARKET ST.	LEXINGTON ST.
GRAHAM LANE	WARBURTON AVE.	CABRILLO AVE.
GREENWOOD DRIVE	DE LA CRUZ BLVD.	BROWNWOOD WAY

2023 Annual Street Maintenance and Rehabilitation Project

Street Name	Begin Location	End Location
GREENWOOD DRIVE	BROWNWOOD WAY	EASTWOOD CIRCLE
HAROLD AVENUE	STEVENS CREEK BLVD.	FOREST AVE.
HAZELWOOD AVENUE	HICKORY PL.	BARTO ST.
HEMLOCK COURT	EASTWOOD CIRCLE	CUL-DE-SAC
HENRY AVENUE	STEVENS CREEK BLVD.	CECIL AVE.
HENRY AVENUE	CECIL AVE.	FOREST AVE.
HICKORY COURT	HICKORY PL.	CUL-DE-SAC
HICKORY PLACE	COLGATE AVE.	HAZELWOOD DR.
INGLEWOOD DRIVE	WOODSTOCK WAY	WILDWOOD WAY
JEFFERY COURT	WARBURTON AVE.	CUL-DE-SAC
JERALD AVENUE	NATALIE AVE.	SANTA CRUZ AVE.
JEFFERSON STREET	JONATHAN ST.	BELLOMY ST.
JEFFERSON STREET	BELLOMY ST.	HOMESTEAD RD.
JEFFERSON STREET	HOMESTEAD ROAD	BENTON STREET
JOAN WAY	AZA DR.	ROYAL DR.
JONATHAN STREET	JEFFERSON ST.	MONROE ST.
LEXINGTON STREET	FALLON AVE.	WINCHESTER CUT-THRU
MADISON STREET	FREMONT ST.	JONATHAN ST.
MENZEL PLACE	GRAHAM LN.	LOS PADRES BLVD.
MILLAR AVENUE	CALABAZAS BLVD.	FRANCIS AVE.
MONASTERY WAY	HOMESTEAD RD.	LEXINGTON ST.
MORENO LANE	DE LA PENNA AVE.	MURGUIA ST.
MURGUIA STREET	FALLON AVE.	SCOTT BLVD.
NATALIE AVE.	JERALD AVE.	WARBURTON AVE.
OAKWOOD DRIVE	DE LA CRUZ BLVD.	EASTWOOD CIRCLE
PINEWOOD PLACE	WILDWOOD WAY	CUL-DE-SAC
RAGGIO AVENUE	GRAHAM LN.	LOS PADRES BLVD.
RADCLIFF DRIVE	CARLETON PL.	TEMPLE CT.
RADCLIFF DRIVE	TEMPLE CT.	PRUNERIDGE AVE.
TAPER AVENUE	CALABAZAS BLVD.	ANDREA PL.
TEMPLE COURT	RADCLIFFE DR.	CUL-DE-SAC
TYLER AVENUE	STEVENS CREEK BLVD.	FOREST AVE.
UNIVERSITY STREET	LEXINGTON ST.	N. WINCHESTER BLVD.
VARGAS PLACE	GRAHAM LN.	LOS PADRES BLVD.
WOODBIDGE WAY	EASTWOOD CIRCLE	GREENWOOD DR.
WOODSTOCK WAY	INGLEWOOD DR.	EDGEFIELD DR.
WILLOW WAY	OAKWOOD DR.	BELLWOOD DR.
WILDWOOD WAY	INGLEWOOD DR.	EDGEFIELD DR.
WARBURTON AVENUE	DEAD END (SAN TOMAS EXPWY.)	LOS PADRES BLVD.

2023 Annual Street Maintenance and Rehabilitation Project

Street Name	Begin Location	End Location
WARBURTON AVENUE	LOS PADRES BLVD.	SCOTT BLVD.
WESTRIDGE DRIVE	FOREST AVE.	CECIL AVE.

2024 Annual Street Maintenance and Rehabilitation Project

Street Name	Begin Location	End Location
ALBERTA CT.	EL CAPITAN DR.	CUL-DE-SAC
ALVARADO DRIVE	CIMMARON DR.	ROOSEVELT CIRCLE
ARMOUR DRIVE	HOGAN DR.	EISENHOWER DR.
BENNETT AVENUE	MAURICIA AVE.	CLAREMONT AVE.
BONITA AVENUE	MACHADO AVE.	NOBILI AVE.
BONITA COURT	BONITA AVE.	CUL-DE-SAC
BURKE DRIVE	EISENHOWER DR.	HOGAN DR.
BUTCHER DRIVE	CUL-DE-SAC	CURTIS AVE.
CAPISTRANO DRIVE	MARQUETTE ST.	NOTRE DAME DR.
CAPITOLA WAY	PERREIRA DR.	GOLDEN STATE DR.
CAPITOLA WAY	BENTON ST.	GOLDEN STATE DR.
CARMEL WAY	HARRISON ST.	BENTON ST.
CATHERINE STREET	SCOTT BLVD.	PIERCE ST.
CHERRY LANE	GOLDEN STATE DR.	BUTCHER DR.
CHROMITE DRIVE	BOWERS AVE.	CORTEZ DR.
CIMARRON DRIVE	ROOSEVELT CIRCLE	ALVARADO DR.
CLAY STREET	SCOTT BLVD.	PIERCE ST.
CLIFFORD STREET	SCOTT BLVD.	PIERCE ST.
COOPER DRIVE	ST. MARYS PL.	FORDHAM DR.
CROCKER WAY	NOTRE DAME DR.	MARQUETTE ST.
CURTIS AVENUE	BENTON ST.	BROOKDALE DR.
DE PAUL PLACE	GEORGETOWN PL.	CREIGHTON PL.
DEL MONTE AVENUE	MACHADO AVE.	EARL DR.
DEMARET DRIVE	HOGAN DR.	EISENHOWER DR.
EARL DRIVE	DEL MONTE AVE.	NOBILI AVE.
EL CAPITAN AVENUE	CABRILLO AVE.	SHERATON DR.
EL CAPITAN AVENUE	SHERATON DR.	LOS PADRES BLVD.
ELMHURST AVENUE	GIBSON AVE.	CLAREMONT AVE.
ELMHURST COURT	ELMHURST AVE.	CUL-DE-SAC
EMMETT COURT	EMMETT PL.	CUL-DE-SAC
EMMETT PLACE	CAPISTRANO DR.	NOBILI AVE.
EISENHOWER DRIVE	LAFAYETTE ST.	EAST END
FAIRFIELD AVENUE	STAFFORD ST.	BENTON ST.
GIBSON COURT	GIBSON AVE.	CUL-DE-SAC
GIBSON AVENUE	MAURICIA AVE.	CLAREMONT AVE.
GOLDEN STATE DRIVE	CAPITOLA WAY	CURTIS AVE.
GOLDEN STATE DRIVE	CURTIS AVE.	LAWRENCE EXPWY.
GONZAGA PLACE	DE PAUL AVE.	FORDHAM DR.
GEORGETOWN PLACE	DE PAUL PL.	FORDHAM DR.
HARRISON STREET	SCOTT BLVD.	PIERCE ST.

2024 Annual Street Maintenance and Rehabilitation Project

Street Name	Begin Location	End Location
INVERNESS AVENUE	FAIRFIELD DR.	BENTON ST.
JULIE COURT	BENTON ST.	CUL-DE-SAC
MANGRUM DRIVE	HOGAN DR.	EISENHOWER DR.
MARQUETTE STREET	CROCKER WAY	CAPISTRANO DR.
MAURICIA AVENUE	DEAD END	CLAREMONT AVE.
MAURICIA AVENUE	CLAREMONT AVE.	RODONOVAN DR.
MAURICIA AVENUE	RODONOVAN DR.	MICHAEL WAY
MAURICIA AVENUE	MICHAEL WAY	CRONIN DR.
MAURICIA AVENUE	CRONIN DR.	WOODHAMS RD.
NOTRE DAME DRIVE	CROCKER WAY	NOBILI AVE.
PACIFIC DRIVE	MONROE ST.	NOTRE DAME DR.
PERREIRA DRIVE	POMEROY AVE.	BROOKDALE DR.
PIERCE STREET	HARRISON ST.	BENTON ST.
ROOSEVELT CIRCLE	MONROE ST.	END
ROOSEVELT COURT	ROOSEVELT CIRCLE	CUL-DE-SAC
SHAFER DRIVE	CURTIS AVE.	GOLDEN STATE DR.
SHERATON DRIVE	STAATS WAY	EL CAPITAN AVE.
SNEAD DRIVE	HOGAN DR.	EISENHOWER DR.
SOARES COURT	PERRERIA DR.	CUL-DE-SAC
SOLANO COURT	PERREIRA DR.	CUL-DE-SAC
SOUTH DRIVE	CHROMITE DR.	MONROE ST.
STAATS WAY	SHERATON DR.	EL CAPITAN AVE.
STAFFORD STREET	SCOTT BLVD.	CHAPEL DR.
ST. MARYS PLACE	COOPER DR.	STANFORD PL.



Agenda Report

22-1229

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action on a Revised Revenue Agreement with the County of Santa Clara for the Santa Clara Intensive Case Management and Homeless Prevention Program

COUNCIL PILLAR

Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND

The City of Santa Clara contracts with the County of Santa Clara to provide services related to reducing homelessness within the City. Most recently, on June 23, 2020, the City Council approved a two-year Revenue Agreement with the County committing \$250,000 to provide case management services to chronically homeless individuals through the County's Care Coordination Project (CCP). The CCP operates under the leadership of the County's Office of Supportive Housing, which partners with public and private agencies in coordinating care of the County's most vulnerable, long-term homeless residents. The Revenue Agreement also included a funding allocation of \$150,000 for the County's Homeless Prevention Program (HPP).

The Revenue Agreement directly contributes toward achievement of the City's goal of ending homelessness in the City. Through the Revenue Agreement, the County provides housing and case management on an ongoing basis for 20 homeless and chronically homeless individuals that are referred to the County by the City of Santa Clara Police Department's (SCPD) Community Response Team. The SCPD Community Response Team maintains a list of homeless and chronically homeless people considered to be the City's most vulnerable to incidences of both personal and public safety and makes referrals to the County based on this list.

The Revenue Agreement also provides services to the City utilizing County funds. Per the Revenue Agreement, the City funds case management services, while the County provides housing subsidies to these 20 individuals at no additional cost to the City. The housing subsidies are "permanent" (e.g., provide "Permanent Supportive Housing") as they do not expire unless a participant no longer meets the program eligibility qualifications. Based upon current usage in similar County programs, the estimate of the housing subsidy from the County per year for 20 housing units is approximately \$470,000.

To further the goal of ending homelessness in Santa Clara, the Revenue Agreement also seeks to prevent homelessness through a funding allocation for the County's HPP of \$50,000 in FY 2022/23 and \$50,000 in FY 2023/24, funded by the City's Affordable Housing Fund. This program is a countywide initiative to provide eligible households with emergency assistance such as rent, security deposits, food, work related transportation, medical assistance and utilities assistance to prevent homelessness. Eligible households would need to have sufficient household income to maintain

housing after receiving emergency assistance. The County estimates that Santa Clara's contribution to HPP would provide emergency financial assistance to at least 20 households.

On May 10, 2022, the City Council approved and authorized the City Manager to execute a Revised Revenue Agreement (Agreement) to extend these services, prior to the expiration of the Agreement on June 30, 2022. However, subsequent to that approval, the County Counsel Office is requiring additional changes to the Agreement before it can be dually executed. The dollar amounts in the Agreement have not changed.

DISCUSSION

Approval of the Agreement with the County of Santa Clara extends the City's participation in the Care Coordination Project and Homeless Prevention Program for an additional two years, from July 1, 2022 through June 30, 2024, and provides annual funding to cover the costs for both programs by an amount not to exceed \$350,000 over the term of the Agreement. The Agreement would be funded by \$220,000 from the City's Housing Successor Agency Fund and \$130,000 from the City Affordable Housing Fund, consistent with the funding for the original Revenue Agreement.

The changes requested by the County Counsel is because the agreement was on a prior template in which County has updated its standard provisions including indemnification, termination and compliance with laws. The changes to the Agreement requested by the County Counsel would not substantively modify the program in that the City's funding commitment would not change and the County would continue to provide the same services to the City. As described above, the Agreement is an important tool through which the City is able to deliver services to its homeless population, consistent with the City's service goals. Extending this Agreement will thus continue important services within Santa Clara in a cost-effective manner.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

The Agreement provides \$125,000 per fiscal year for the CPP intensive case manager, and \$50,000 per fiscal year for HPP services. The Agreement's annual total cost is \$175,000, totaling \$350,000 over the two-year term of the Agreement. Funding for this agreement was approved as part of the FY 2022/23 and FY 2023/24 budget adoption on June 21, 2022 in the City Affordable Housing (\$130,000) and Housing Successor Agency (\$220,000) Funds.

COORDINATION

This report has been coordinated with the Finance Department and the City Attorney's Office.

PUBLIC CONTACT

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.

RECOMMENDATION

Approve and authorize the City Manager to execute the revised Revenue Agreement with the County of Santa Clara for the Santa Clara Intensive Case Management and Homeless Prevention Program for two years not to exceed \$350,000.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

2022-2024 County - City Revenue Agreement for PSH and HPP

**REVENUE AGREEMENT BETWEEN THE COUNTY OF SANTA CLARA
AND THE CITY OF SANTA CLARA**

This Revenue Agreement (the “Agreement”) is entered into by and between the County of Santa Clara (the “County”) and the City of Santa Clara (the “City”), in order to provide funding for and establish roles, rights and responsibilities related to preventing and ending homelessness in the City of Santa Clara. The County and City are sometimes referred individually as a “Party,” and collectively as the “Parties.”

RECITALS

- A. WHEREAS, the Parties have endorsed the 2020-2025 Community Plan to End Homelessness in Santa Clara County and have approved resolutions finding that the problem of homelessness in Santa Clara County is a crisis;
- B. WHEREAS, the City, the County and other partners seek to reduce homelessness while sharing costs, prioritizing services to the community’s most vulnerable homeless persons, using resources strategically, and maintaining effective operational relationships;
- C. WHEREAS, in its role as the lead agency for the Santa Clara County Continuum Care (CoC), the County’s Office of Supportive Housing (OSH) coordinates permanent housing programs, shelter and transitional housing, supportive services, a homeless management information system and supportive housing policies and standards countywide;
- D. WHEREAS, the County has established effective partnerships to manage and coordinate programs such as Permanent Supportive Housing (PSH), Rapid Rehousing (RRH), Homelessness Prevention, Housing Problem Solving, temporary housing services, and outreach services;
- E. WHEREAS, the City seeks to prioritize permanent supportive housing for chronically homeless individuals who are significantly impacting the City’s neighborhoods and departments;
- F. WHEREAS, the City seeks to provide individuals and families who are at imminent risk of becoming homeless with financial assistance in order to prevent homelessness;
- G. WHEREAS, the City seeks to leverage the County’s resources and expertise in managing supportive housing programs by allowing the County to manage programs for homeless persons; and

H. WHEREAS, the County and City entered into a prior agreement on July 1, 2020 for these programs and it was extended through June 30, 2022, is no longer in effect. The Parties wish to continue their relationship by entering into this Agreement.

In consideration of the foregoing Recitals, and the mutual promises and covenants contained in this Agreement, the Parties agree as follows:

AGREEMENT

1) TERM

This Agreement is effective on July 1, 2022 and will continue thereafter until June 30, 2024 unless extended by mutual consent or terminated as provided below in Sections 4) and 14).

2) ROLES AND RESPONSIBILITIES

a) The Parties shall jointly develop, implement, and monitor the programs described in Exhibit A: Program Specifics ("Programs").

b) City's Responsibilities

i) The City's shall designate a Program Manager to:

(1) Serve as the County's liaison to the City's departments and City Council;

(2) Participate in the process of selecting services providers for the Programs, if applicable;

(3) Participate in management meetings for the Programs, which will be held as needed; and,

(4) Actively assist in the development and improvement of the Programs to ensure that the Programs meet their goals; and,

(5) Review and process all invoices from the County.

ii) They City shall reimburse the County for all expenses associated with this Agreement as follows:

Time Period	Total Maximum Financial Obligation
7/1/22 – 6/30/23	\$175,000
7/1/23 – 6/30/24	\$175,000
TOTAL	\$350,000

c) County’s Responsibilities

i) The County shall designate one or more Program Managers to:

(1) Serve as the City’s liaison to County departments;

(2) Plan and lead management and coordination meetings, which will be held as needed;

(3) Lead in development, management, and refinement of the Programs to ensure that the Programs meets their goals.

(4) Lead coordinating meetings with appropriate stakeholders to ensure the Programs’ success.

(5) Review and submit all invoices from the County.

ii) The County shall provide or subcontract Programs’ services. To the maximum extent practicable, the County shall leverage other resources to offset, expand, improve, or expand the Programs’ services. The County shall select subcontractors through a competitive procurement process unless the Board of Supervisors (“Board”) approves an exception to competitive procurement consistent with County Board Policy.

iii) The County or its contractors shall implement referral criteria and procedures consistent the Santa Clara County Continuum of Care’s Coordinated Assessment System.

d) The Parties shall work collaboratively to:

i) Establish the Programs’ success and outcome measures, which, to the greatest extent possible, shall be consistent with the Santa Clara County Continuum of Care’s System Performance Measures; and,

ii) Identify means and resources that would enable the Programs to more effectively use City and County fund and improve Programs.

- iii) Meet regularly to discuss the performance and progress of the Programs. When appropriate, the Parties shall jointly develop corrective actions to be implemented by the Programs' contractors.
 - iv) Jointly monitor the Programs' expenses and outcomes. Based on the availability of the City's funds in future years and the Programs' outcomes, the Parties will determine whether to continue, expand, contract, or terminate the Programs at the end of the Term.
- e) Funding for the Programs is contingent on annual appropriations that are approved by the City Council and the County Board of Supervisors.

3) MUTUAL INDEMNIFICATION

In lieu of and notwithstanding the pro rata risk allocation, which might otherwise be imposed between the Parties pursuant to Government Code Section 895.6, the Parties agree that all losses or liabilities incurred by a Party shall not be shared pro rata but, instead, the County and the City agree that, pursuant to Government Code Section 895.4, each of the Parties hereto shall fully indemnify and hold each of the other Parties, their officers, board members, employees, and agents, harmless from any claim, expense or cost, damage or liability imposed for injury (as defined in Government Code Section 810.8) occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying Party, its officers, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such party under this Agreement. No Party, nor any officer, board member, or agent thereof shall be responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of the other Parties hereto, their officers, board members, employees, or agents, under or in connection with or arising out of any work authority or jurisdiction delegated to such other Parties under this Agreement.

4) TERMINATION

Either Party may terminate this Agreement at any time for convenience and without cause, upon providing a ninety-day (90) notice to the other Party at the addresses set forth in section 13) below. The notice shall state the effective date of the termination.

5) ASSURANCE

Each Party represents and warrants that it has the authority to enter into this Agreement.

6) RELATIONSHIP

Nothing contained in this Agreement shall be deemed or construed by the Parties or any third party to create the relationship of partners or joint ventures between the City and the County.

7) CONFIDENTIALITY

The Parties agree that by virtue of entering into this Agreement they each shall have access to certain confidential information regarding the other Party's operations. Each of the Parties shall not disclose confidential information and/or materials without the prior written consent of the other Party, unless such disclosures are required by California law. Where appropriate, resident releases shall be secured before confidential resident information is exchanged.

8) ENTIRE AGREEMENT

This Agreement and its Appendices (if any) constitutes the final, complete and exclusive statement of the terms of the agreement between the parties. It incorporates and supersedes all the agreements, covenants and understandings between the parties concerning the subject matter hereof, and all such agreements, covenants and understandings have been merged into this Agreement. No prior or contemporaneous agreement or understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

9) MODIFICATION

This Agreement may not be enlarged, modified, or altered, except if it is evidenced in writing, signed by the Parties and endorsed to this Agreement.

10) INSURANCE

Each Party shall, at its own expense, keep in force during the Term, Workers' Compensation Insurance, insuring against and satisfying each Party's obligations and liabilities under the workers' compensation laws of the State of California, including employer's liability insurance in the limits required by the laws of the State of California.

11) SEVERABILITY

If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in force without being impaired or invalidated in any way.

12) NOTICES

Notices to the Parties in connection with this Agreement shall be given personally or by mail, registered or certified, postage prepaid with return receipt requested. Mailed notices shall be addressed to the Parties as follows:

COUNTY OF SANTA CLARA

Consuelo Hernandez, Director
Office of Supportive Housing
150 W. Tasman, 2nd Floor
San Jose, CA, 95134

CITY OF SANTA CLARA

Andrew Crabtree
Director of Community Development
1500 Warburton Avenue
Santa Clara, CA 95050

Notices delivered personally will be deemed communicated as of actual receipt; mailed notices will be deemed communicated on the date of delivery.

13) AMENDMENTS

This Agreement may be amended only by a written instrument signed by the Parties.

14) WAIVER

No delay or failure to require performance of any provision of this Agreement shall constitute a waiver of that provision as to that or any other instance. Any waiver granted by a Party must be provided, in writing, and shall apply to the specific instance expressly stated.

15) GOVERNING LAW AND VENUE

This Agreement has been executed and delivered in, and shall be construed and enforced in accordance with, the laws of the State of California. Proper venue for legal action regarding this Agreement shall be in the County of Santa Clara.

16) COUNTERPARTS

This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which together shall constitute one and the same instrument.

17) CONTRACT EXECUTION

Unless otherwise prohibited by law or County policy, the Parties agree that an electronic copy of a signed contract, or an electronically signed contract, has the same force and legal effect as a contract executed with an original ink signature. The term “electronic copy of a signed contract” refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed contract in a portable document format. The term “electronically signed contract” means a contract that is executed by applying an electronic signature using technology approved by the County.

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IN WITNESS WHEREOF, the Parties have caused this Agreement to be entered into as of the day and year of execution of this Agreement.

COUNTY OF SANTA CLARA

Dr. Jeffrey V. Smith, M.D., J.D.
County Executive Officer
Date: _____

APPROVED AS TO FORM AND LEGALITY

Aaron Coskey Voit
Deputy County Counsel
Date: _____

CITY OF SANTA CLARA

Rajeev Batra, City Manager
Date: _____

APPROVED AS TO FORM AND LEGALITY

Office of the City Attorney
Date: _____

**EXHIBIT A:
PROGRAM SPECIFICS**

This Exhibit describes the Programs that will be implemented under this Agreement.

A. Permanent Supportive Housing (PSH)

1. Program Description

PSH is permanent housing with indefinite leasing or rental assistance paired with supportive services to assist homeless persons with a disability or families with an adult or child member with a disability achieve housing stability.

2. Target Population

The Program shall serve chronically homeless households who are current or former residents of the City or who work or go to school in the City. The County will assess households who are considered to be most vulnerable to incidences of personal and public safety by the City of Santa Clara’s Community Response Team. Households shall be referred through the Santa Clara County Continuum of Care Coordinated Assessment System.

3. Number of Households

The County or its contractors shall serve 20 households at a given point in time.

4. Program Funding Amount

The City shall reimburse the County for expenses associated with the PSH Program including Intensive Case Manager (ICM) salary and benefits, program operation costs and client flex funds (to include essential items such as food, identification, transportation, etc.). The budget for the program is as follows:

Time Period	Maximum Financial Obligation for PSH
7/1/22 – 6/30/23	\$125,000
7/1/23 – 6/30/24	\$125,000
TOTAL	\$250,000

5. Program Requirements

- a) The program provides intensive case management services to the chronically homeless in the City of Santa Clara through the Care Coordination Project (CCP).

- b) The County will subcontract with a qualified 501(c)(3) organization to provide one Intensive Case Manager. The ICM will work with the 20 households to assist in securing and maintaining housing.

B. Homelessness Prevention (HP)

1. Program Description

HP programs provide temporary financial assistance (e.g. rent, deposit, or utilities payment) and service connections to low-income families or individuals who are at imminent risk of homelessness.

2. Target Population

The Program shall serve households with incomes 80% of Area Median Income or lower who are at imminent risk of homelessness and who are current or former residents of the City or who work or go to school in the City.

3. Number of Households

The County or its contractors shall serve 20 households.

4. Program Funding Amount

The City shall reimburse the County for expenses associated with the Homeless Prevention Program, the budget for the program is as follows:

Time Period	Maximum Financial Obligation for HP
7/1/22 – 6/30/23	\$50,000
7/1/23 – 6/30/24	\$50,000
TOTAL	\$100,000

5. Program Requirements

- a) Eligible households are individuals or families that:
 - (i) Are at imminent risk of becoming homeless and have income at or below 80% of Area Median Income; and
 - (ii) Have sufficient household income to maintain housing after receiving financial assistance; and
 - (iii) Have a qualifying Homeless Prevention Assessment Tool (HPAT) score.



Agenda Report

22-1187

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action on an Agreement with the California Office of Traffic Safety for State and Community Highway Funding for the Santa Clara Pedestrian and Bicycle School Safety Project and Related Budget Amendment

COUNCIL PILLAR

Deliver and Enhance High Quality Efficient Services and Infrastructure

BACKGROUND

In December 2021, the California Office of Traffic Safety (OTS) announced a Call-For-Projects for the FY 2022 grant cycle. The mission of the OTS is to effectively administer traffic safety grants that deliver innovative programs to eliminate traffic fatalities and injuries on California roadways. They partner with local jurisdictions to address California's roadway safety needs at the state, county, and local level. Funding for the grant is provided through the National Highway Traffic Safety Administration (NHTSA).

In January 2022, Department of Public Works (DPW) staff submitted a grant application for the Santa Clara Pedestrian and Bicycle School Safety Project (Project). The goal of the Project is to improve safety for children walking and biking to school by providing safety equipment (i.e. bicycle helmets and lights) and completing bicycle rodeos that teach children skills to ride a bicycle safely at Santa Clara schools.

DISCUSSION

On July 11, 2022, DPW received notification that the City was tentatively awarded a grant from the OTS in the amount of \$25,000. The NHTSA will approve the award upon execution of a grant agreement (Attachment 1). The grant agreement states grant funds must be expended by September 30, 2023 with the goal that this Project be completed in conjunction with the City's upcoming Safe Routes to School Program.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

The recommended budget action recognizes OTS grant funding in the amount of \$25,000 and allocates those funds to a new Santa Clara Pedestrian and Bicycle School Safety Project in the Streets and Highways Capital Fund.

Budget Amendment FY 2022/23			
	Current	Increase/ (Decrease)	Revised
Streets and Highways Capital Fund			
<u>Revenues</u>			
Other Agencies Revenue (OTS Grant)	\$18,164,426	\$25,000	\$18,189,426
<u>Expenditures</u>			
Santa Clara Pedestrian and Bicycle School Safety Project (New Project)	\$0	\$25,000	\$25,000

COORDINATION

This report was coordinated with the City Attorney's Office, Finance Department, and City Manager's Office.

PUBLIC CONTACT

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.

RECOMMENDATION

1. Authorize the City Manager, Finance Director, and Transportation Manager to execute the grant agreement between the City of Santa Clara and the State of California for the Santa Clara Pedestrian and Bicycle School Safety Project;
2. Approve the FY 2022/23 budget amendment in the Streets and Highways Capital Fund to increase the Other Agencies Revenue estimate by \$25,000 to recognize grant funding for the OTS grant and establish the new Santa Clara Pedestrian and Bicycle School Safety Project in the amount of \$25,000 (five affirmative Council votes required to appropriate additional revenue) and;
3. Authorize the City Manager to make minor modifications to the Agreement and to extend the term, if needed.

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Office of Traffic Safety Grant Agreement

1. GRANT TITLE
Pedestrian and Bicycle Safety Program

2. NAME OF AGENCY
Santa Clara

3. Grant Period
 From: 10/01/2022
 To: 09/30/2023

4. AGENCY UNIT TO ADMINISTER GRANT
Santa Clara Public Works Department

5. GRANT DESCRIPTION
 Best practice strategies will be conducted to reduce the number of persons killed and injured in crashes involving pedestrians and bicyclists. The funded strategies may include classroom education, bicycle rodeos, community events, presentations, and workshops. These countermeasures should be conducted in communities with high numbers of pedestrian and/or bicycle related crashes including underserved communities, older adults, and school-aged children. Coordinated efforts such as Safe Routes to School initiatives, Safe System Approach, and working with community based organizations are highly encouraged to prevent fatalities and injuries of vulnerable non-motorized road users.

6. Federal Funds Allocated Under This Agreement Shall Not Exceed: \$25,000.00

7. TERMS AND CONDITIONS: The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement:

- Schedule A – Problem Statement, Goals and Objectives and Method of Procedure
- Schedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable)
- Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable)
- Exhibit A – Certifications and Assurances
- Exhibit B* – OTS Grant Program Manual
- Exhibit C – Grant Electronic Management System (GEMS) Access

Items shown with an asterisk (), are hereby incorporated by reference and made a part of this agreement as if attached hereto.

These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov.

We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

8. Approval Signatures

A. GRANT DIRECTOR
 NAME: Jonathan Yee
 TITLE: Traffic Manager
 EMAIL: jyee@santaclaraca.gov
 PHONE: (408) 615-3021
 ADDRESS: 1500 Warburton Avenue
 Santa Clara, CA 95050

_____ (Signature) _____ (Date)

C. FISCAL OFFICIAL
 NAME: Kenn Lee
 TITLE: Finance Director
 EMAIL: klee@santaclaraca.gov
 PHONE: (408) 615-2344
 ADDRESS: 1500 Warburton Avenue
 Santa Clara, CA 95050

_____ (Signature) _____ (Date)

B. AUTHORIZING OFFICIAL
 NAME: Rajeev Batra
 TITLE: City Manager
 EMAIL: manager@santaclaraca.gov
 PHONE: (408) 615-2211
 ADDRESS: 1500 Warburton Avenue
 Santa Clara, CA 95050

_____ (Signature) _____ (Date)

D. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY
 NAME: Barbara Rooney
 TITLE: Director
 EMAIL: barbara.rooney@ots.ca.gov
 PHONE: (916) 509-3030
 ADDRESS: 2208 Kausen Drive, Suite 300
 Elk Grove, CA 95758

_____ (Signature) _____ (Date)

<p>E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY</p> <p>NAME: Carolyn Vu</p> <p>ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758</p>	<p>9. SAM INFORMATION</p> <p>SAM #: RK62GLSXRUK9</p> <p>REGISTERED</p> <p>ADDRESS: 1500 Warburton Ave</p> <p>CITY: Santa Clara</p> <p>ZIP+4: 95050-3713</p>
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10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
				AGREEMENT TOTAL		\$25,000.00
				AMOUNT ENCUMBERED BY THIS DOCUMENT		\$25,000.00
<p><i>I CERTIFY upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.</i></p>				PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT		\$ 0.00
				TOTAL AMOUNT ENCUMBERED TO DATE		\$25,000.00
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED			

<p>1. PROBLEM STATEMENT</p> <p>The City of Santa Clara (population: 127,647) has over 20 public elementary and middle schools in the Santa Clara Unified School District serving 10,203 students. Most of the schools are located adjacent to collector or higher capacity roadways that requires added caution when students walk or bike to school. Several schools have contacted the City to incorporate pedestrian and bicycle safety upgrades on nearby roadways. Overall, the City has had 89 bicycle collisions and 113 pedestrian collisions over a three-year period (2019 – 2021).</p> <p>The City has an area identified as an Equity Priority Community (EPC) by the Metropolitan Transportation Commission with 29,591 residents or over 23% of the citywide population. This area is considered an underserved community. One school within the EPC has submitted a petition from over 100 people to encourage the City to make bicycle and pedestrian safety improvements near the school. The OTS Grant will be used to conduct bike rodeos with safety education and distribute safety equipment at elementary and middle schools in Santa Clara. The bike rodeos in conjunction with other planned City projects will be used to address safety concerns with a goal of enhancing safety at the City’s schools.</p>	
<p>2. PERFORMANCE MEASURES</p> <p>A. Goals:</p> <ol style="list-style-type: none"> 1. Reduce the number of persons killed in traffic crashes. 2. Reduce the number of persons injured in traffic crashes. 3. Reduce the number of pedestrians killed in traffic crashes. 4. Reduce the number of pedestrians injured in traffic crashes. 5. Reduce the number of pedestrians killed under age 15 in traffic crashes. 6. Reduce the number of pedestrians injured under age 15 in traffic crashes. 7. Reduce the number of pedestrians killed over age 65 in traffic crashes. 8. Reduce the number of pedestrians injured over age 65 in traffic crashes. 9. Reduce the number of bicyclists killed in traffic crashes. 10. Reduce the number of bicyclists injured in traffic crashes. 11. Reduce the number of bicyclists under age 15 killed in traffic crashes. 12. Reduce the number of bicyclists under age 15 injured in traffic crashes. 13. Increase bicycle helmet usage. 	
<p>B. Objectives:</p> <ol style="list-style-type: none"> 1. Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release. 2. Participate in the following campaigns: National Walk to School Day, National Bicycle Safety Month, California's Pedestrian Safety Month and National Pedestrian Safety Month. 3. Conduct pedestrian and/or bicycle safety presentations with an effort to reach youth. 4. Develop a pedestrian and/or bicycle safety program and materials to be adopted as an on-going program in schools with an effort to reach students. 5. Distribute pedestrian/bicycle safety items at no cost to youth or community members in need, during bicycle rodeos, presentations, workshops, trainings, and community events to increase safety and visibility. 6. Participate in Safe Routes to School coalition meetings. 7. Conduct pre and post-grant activities bicycle helmet usage surveys during the months of October (start of the grant) and September (end of the grant). A pre-survey will be required to determine the base year helmet use rate and a post- 	<p>Target Number</p> <p>1</p> <p>4</p> <p>3</p> <p>1</p> <p>1</p> <p>4</p> <p>2</p>

survey will be required to determine the operational rate. Upload completed survey to GEMS.	
8. Distribute and properly fit bicycle helmets at no cost to community members in need, at bicycle rodeos, schools, workshops, and community events.	200
9. Purchase bicycle helmets.	200
10. Conduct bicycle rodeos with an effort to reach youth.	8
11. Execute subcontract(s) referenced in the budget. Prior to finalizing the subcontract, grantee will work with the OTS to ensure all costs in the sub contract are allowable. Upon execution of subcontract, upload a copy of the subcontract and request a revision to the grant budget to add detailed budget line items and/or units and unit rates for associated costs under contractual services. For any contract not yet executed, provide status and ETA.	1
3. METHOD OF PROCEDURE A. <u>Phase 1 – Program Preparation</u> (1st Quarter of Grant Year) <ul style="list-style-type: none"> Develop operational plans to implement the “best practice” strategies outlined in the objectives section. All training needed to implement the program should be conducted in the first quarter. All grant related purchases needed to implement the program should be made in the first quarter. <u>Media Requirements</u> <ul style="list-style-type: none"> Issue a press release approved by the OTS PIO announcing the kick-off of the grant by November 15, but no sooner than October 1. The kick-off release must be approved by the OTS PIO and only distributed after the grant is fully signed and executed. If you are unable to meet the November 15 deadline to issue a kick-off press release, communicate reasons to your OTS coordinator and OTS PIO. 	
B. <u>Phase 2 – Program Operations</u> (Throughout Grant Year) <u>Media Requirements</u> <p>The following requirements are for all grant-related activities:</p> <ul style="list-style-type: none"> Send all media advisories, alerts, videos, graphics, artwork, posters, radio/PSA/video scripts, storyboards, digital and/or print educational materials for grant-related activities to the OTS PIO at pio@ots.ca.gov for approval and copy your OTS coordinator. Optimum lead time would be 7 days before the scheduled release but at least 3 business days prior to the scheduled release date for review and approval is appreciated. The OTS PIO is responsible for the approval of the design and content of materials. The agency understands OTS PIO approval is not authorizing approval of budget expenditure or cost. Any cost approvals must come from the Coordinator. Pre-approval is not required when using any OTS-supplied template for media advisories, press releases, social media graphics, videos or posts, or any other OTS-supplied educational material. However, copy the OTS PIO at pio@ots.ca.gov and your OTS coordinator when any material is distributed to the media and public, such as a press release, educational material, or link to social media post. The OTS-supplied kick-off press release templates and any kickoff press releases are an exception to this policy and require prior approval before distribution to the media and public. If an OTS-supplied template, educational material, social media graphic, post or video is substantially changed, the changes shall be sent to the OTS PIO at pio@ots.ca.gov for approval and copy to your OTS Coordinator. Optimum lead time would be 7 days prior to the scheduled release date, but at least 3 business days prior to the scheduled release date for review and approval is appreciated. Press releases, social media posts and alerts on platforms such as NextDoor and Nixle reporting immediate and time-sensitive grant activities (e.g. enforcement operations, day of event highlights or announcements, event invites) are exempt from the OTS PIO approval process. The OTS PIO and your Coordinator should still be notified when the grant-related activity is happening (e.g. car seat checks, bicycle rodeos, community presentations, DUI checkpoints, etc.). 	

- Enforcement activities such as warrant and probation sweeps, court stings, etc. that are embargoed or could impact operations by publicizing in advance are exempt from the PIO approval process. However, announcements and results of activities should still be copied to the OTS PIO at pio@ots.ca.gov and your Coordinator with embargoed date and time or with “INTERNAL ONLY: DO NOT RELEASE” message in subject line of email.
- Any earned or paid media campaigns for TV, radio, digital or social media that are part of a specific grant objective, using OTS grant funds, or designed and developed using contractual services by a subgrantee, requires prior approval. Please send to the OTS PIO at pio@ots.ca.gov for approval and copy your grant coordinator at least 3 business days prior to the scheduled release date.
- Social media posts highlighting state or national traffic safety campaigns (Distracted Driving Month, Motorcycle Safety Awareness Month, etc.), enforcement operations (DUI checkpoints, etc.), or any other grant-related activity such as Bicycle rodeos, presentations, or events, are highly encouraged but do not require prior approval.
- Submit a draft or rough-cut of all digital, printed, recorded or video material (brochures, posters, scripts, artwork, trailer graphics, digital graphics, social posts connected to an earned or paid media campaign grant objective) to the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator for approval prior to the production or duplication.
- Use the following standard language in all press, media, and printed materials, space permitting: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Space permitting, include the OTS logo on all grant-funded print materials, graphics and paid or earned social media campaign grant objective; consult your OTS Coordinator for specifics, format-appropriate logos, or if space does not permit the use of the OTS logo.
- Email the OTS PIO at pio@ots.ca.gov and copy your OTS Coordinator at least 21 days in advance, or when first confirmed, a short description of any significant grant-related traffic safety event or program, particularly events that are highly publicized beforehand with anticipated media coverage so OTS has sufficient notice to arrange for attendance and/or participation in the event. If unable to attend, email the OTS PIO and coordinator brief highlights and/or results, including any media coverage (broadcast, digital, print) of event within 7 days following significant grant-related event or program. Media and program highlights are to be reflected in QPRs.
- Any press releases, work plans, scripts, storyboards, artwork, graphics, videos or any educational or informational materials that received PIO approval in a prior grant year needs to be resubmitted for approval in the current grant year.
- Contact the OTS PIO or your OTS Coordinator for consultation when changes from any of the above requirements might be warranted.

C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)

1. Prepare and submit invoice claims (due January 30, April 30, July 30, and October 30)
2. Prepare and submit Quarterly Performance Reports (QPR) (due January 30, April 30, July 30, and October 30)
 - Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
 - Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
 - Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
 - Collect, analyze and report statistical data relating to the grant goals and objectives.

4. METHOD OF EVALUATION

Using the data compiled during the grant, the Grant Director will complete the “Final Evaluation” section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant’s accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

5. ADMINISTRATIVE SUPPORT

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
402PS-23	20.600	State and Community Highway Safety	\$25,000.00

COST CATEGORY	FUND NUMBER	UNIT COST OR RATE	UNITS	TOTAL COST TO GRANT
A. PERSONNEL COSTS				
<u>Straight Time</u>				\$0.00
<u>Overtime</u>				\$0.00
Category Sub-Total				\$0.00
B. TRAVEL EXPENSES				
				\$0.00
				\$0.00
Category Sub-Total				\$0.00
C. CONTRACTUAL SERVICES				
Bicycle Traffic Safety Education Program - \$25,000	402PS-23	\$25,000.00	1	\$25,000.00
Bike Rodeos	402PS-23			\$0.00
Pedestrian/Bicycle Safety Items	402PS-23			\$0.00
Bicycle Helmets	402PS-23			\$0.00
Category Sub-Total				\$25,000.00
D. EQUIPMENT				
				\$0.00
Category Sub-Total				\$0.00
E. OTHER DIRECT COSTS				
				\$0.00
Category Sub-Total				\$0.00
F. INDIRECT COSTS				
				\$0.00
Category Sub-Total				\$0.00
GRANT TOTAL				\$25,000.00

BUDGET NARRATIVE
PERSONNEL COSTS -
TRAVEL EXPENSES -
CONTRACTUAL SERVICES Bicycle Traffic Safety Education Program - \$25,000 - Grantee will seek a vendor to conduct bicycle traffic safety education activities including but not limited to presentations, bike rodeos (on-bike traffic safety education clinics), community bike rides, helmet fittings and community outreach. Prior to finalizing the subcontract, grantee will work with the OTS to ensure the subcontract budget and all costs are allowable. Upon execution of subcontract, grantee will provide a copy of the subcontract to the OTS and will request a grant budget revision to include the associated costs of the subcontract in the grant budget as a prerequisite for claiming these costs.
Bike Rodeos - Vendor to conduct on-bike traffic safety clinic to teach children the skills and precautions to ride a bicycle safely.
Pedestrian/Bicycle Safety Items - Cost may include reflective arm and leg bands, tape, zipper pulls, bicycle headlights/taillights, and reflectors to be distributed at no cost during bicycle rodeos, presentations, workshops, trainings, and community events to increase safety and visibility. Additional items may be purchased if approved by OTS.
Bicycle Helmets - Helmets to be distributed at no cost during bicycle rodeos and other bicycle safety related events. Cost per helmet not to exceed a unit price of \$15, including shipping, handling and tax. More expensive helmets may be purchased if approved by OTS.
EQUIPMENT -
OTHER DIRECT COSTS -
INDIRECT COSTS -
STATEMENTS/DISCLAIMERS There will be no program income generated from this grant.

CERTIFICATIONS AND ASSURANCES FOR HIGHWAY SAFETY GRANTS
(23 U.S.C. Chapter 4; Sec. 1906, Pub. L. 109-59, As Amended By Sec. 4011, Pub. L. 114-94)

The officials named on the grant agreement, certify by way of signature on the grant agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies, and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but are not limited to, the following:

GENERAL REQUIREMENTS

- 23 U.S.C. Chapter 4 – Highway Safety Act of 1966, as amended
- Sec. 1906, Pub. L. 109-59, as amended by Sec. 4011, Pub. L. 114-94
- 23 CFR part 1300 – Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR part 1201 – Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

NONDISCRIMINATION

(applies to all subrecipients as well as States)

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 *et seq.*), **and Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

The Subgrantee-

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;
- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non- Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:
 - "During the performance of this contract/funding agreement, the contractor/funding recipient agrees—
 - a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
 - b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;
 - c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
 - d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
 - e. To insert this clause, including paragraphs (a) through (e), in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

The Subgrantee will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
 1. The dangers of drug abuse in the workplace;
 2. The grantee's policy of maintaining a drug-free workplace;
 3. Any available drug counseling, rehabilitation, and employee assistance programs;
 4. The penalties that may be imposed upon employees for drug violations occurring in the workplace;
 5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –
 1. Abide by the terms of the statement;
 2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an

- employee or otherwise receiving actual notice of such conviction;
- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted –
 1. Taking appropriate personnel action against such an employee, up to and including termination;
 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
 - f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

POLITICAL ACTIVITY (HATCH ACT)

(applies to all subrecipients as well as States)

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING

(applies to all subrecipients as well as States)

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The signed certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESTRICTION ON STATE LOBBYING

(applies to all subrecipients as well as States)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

(applies to all subrecipients as well as States)

Instructions for Primary Tier Participant Certification (States)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered Transactions

(1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment

rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

BUY AMERICA ACT

(applies to all subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE

(applies to all subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

POLICY ON SEAT BELT USE

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at www.trafficsafety.org. The NHTSA website (www.nhtsa.gov) also provides information on statistics, campaigns, and program evaluations and references.

POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.



Agenda Report

22-1190

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action on a Professional Services Agreement with Safe Moves, Inc. for the Safe Routes to School Project

COUNCIL PILLAR

Deliver and Enhance High-Quality Efficient Services and Infrastructure

BACKGROUND

Since 2011, the City has completed two phases of the Safe Routes to School program (SRTS Program), which encourages students to walk, bike, or scooter to and from school through various educational activities. The SRTS Program was facilitated through a collaborative effort with the Santa Clara Unified School District (SCUSD) that includes classroom education, after school skills training, encouragement activities and events, and the creation of maps. The program has been well received and aims to increase the number of students walking and biking to the participating schools. Together staff and the SCUSD have selected 17 schools to participate in Phase 3 of the SRTS Program.

Funding for the SRTS Program was previously received through a Vehicle Emissions Reductions Based at Schools (VERBS) grant; however, VERBS grant funds are no longer available. Staff confirmed with the Santa Clara Valley Transportation Authority (VTA) that funds received from the 2016 Measure B Bicycle & Pedestrian Education and Encouragement Program are eligible to use on the SRTS Program.

On June 9, 2020, the City Council approved and authorized the City Manager to execute an agreement with the VTA to receive funds from the 2016 Measure B Bicycle & Pedestrian Education and Encouragement Program (Agenda Item 3.E.). This program covers three main categories: 1) activities and the development and distribution of materials that are designed and intended to promote, educate, and/or encourage safe walking or bicycling for residents or visitors of all ages and abilities, 2) communication to residents and visitors about the benefits of walking and bicycling, and 3) communication to school children, residents, and visitors about the rights and responsibilities of pedestrians, bicyclists, and motorists.

DISCUSSION

Pursuant to the City Code, a formal Request for Proposals (RFP) was conducted as the solicitation method for this procurement, with the award recommendation based on "best value."

The City published an RFP for professional services for Phase 3 of the SRTS Program on July 15, 2022 using the City's e-procurement platform. The City received one proposal from Safe Moves, Inc. (Safe Moves) which was thoroughly reviewed and evaluated by staff who determined that their proposal satisfied all the RFP requirements. The City elected to conduct a Best and Final Offer

(BAFO) to memorialize clarifications and provide a final opportunity for Safe Moves to revise their cost proposal.

Staff recommends awarding the agreement to Safe Moves for having submitted the sole responsive proposal. Safe Moves assisted the City with Phase 2 of the SRTS Program and also has extensive experience completing SRTS Program activities for other municipalities.

Under the agreement, Safe Moves will provide professional services to assist the City with the education, encouragement, and evaluation aspects of the SRTS Program. Compensation will be fixed for the initial three-year term of the agreement and will be paid on an hourly basis with not-to-exceed limits. In addition to the initial term, there is one one-year option to extend the term of the agreement for a total of four years, assuming the option is exercised.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

The proposed agreement is for a total not-to-exceed amount of \$600,000. This amount includes \$568,384.75 for basic services and a contingency of \$31,615.25 for potential additional services needed throughout the three-year project. Funds for the agreement are available in the Safe Routes to School Project (CIP 1376) in the Streets and Highways Capital Fund.

COORDINATION

This report has been coordinated with the Finance Department and the City Attorney’s Office.

PUBLIC CONTACT

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.

RECOMMENDATION

1. Authorize the City Manager to execute a professional services Agreement with Safe Moves, Inc. for the Safe Routes to School Program for an initial three-year term with maximum compensation not-to-exceed \$600,000;
2. Authorize the City Manager to make minor modifications to the Agreement and execute a one-year option to extend the agreement after the initial term, subject to the appropriation of funds.

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Agreement with Safe Moves, Inc.

**AGREEMENT FOR SERVICES
BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
SAFE MOVES, INC.**

PREAMBLE

This Agreement is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City) and Safe Moves, Inc., a California corporation, (Consultant). City and Consultant may be referred to individually as a “Party” or collectively as the “Parties” or the “Parties to this Agreement.”

RECITALS

- A. City desires to secure the services more fully described in this Agreement, at Exhibit A, entitled “Scope of Services”;
- B. Consultant represents that it, and its subconsultants, if any, have the professional qualifications, expertise, necessary licenses and desire to provide certain goods and/or required services of the quality and type which meet objectives and requirements of City; and,
- C. The Parties have specified herein the terms and conditions under which such services will be provided and paid for.

The Parties agree as follows:

AGREEMENT TERMS AND CONDITIONS

1. AGREEMENT DOCUMENTS

The documents forming the entire Agreement between City and Consultant shall consist of these Terms and Conditions and the following Exhibits, which are hereby incorporated into this Agreement by this reference:

Exhibit A – Scope of Services

Exhibit B1 – Schedule of Fees

Exhibit B2 – Fees by Task and Year

Exhibit C – Insurance Requirements

Exhibit D – Notice of Exercise of Option to Extend Agreement

This Agreement, including the Exhibits set forth above, contains all the agreements, representations and understandings of the Parties, and supersedes and replaces any previous agreements, representations and understandings, whether oral or written. In the event of any inconsistency between the provisions of any of the Exhibits and the Terms and Conditions, the Terms and Conditions shall govern and control.

2. TERM OF AGREEMENT

- A. Unless otherwise set forth in this Agreement or unless this paragraph is subsequently modified by a written amendment to this Agreement, the term of this Agreement shall begin on November 16, 2022 and terminate on November 30, 2025.
- B. After the Initial Term, the City reserves the right, at its sole discretion, to extend the term of this Agreement for up to one (1) additional one-year terms through November 30, 2026 (“Option Periods”), subject to the appropriation of funds. See Exhibit D for Notice of Exercise to Option to Extend Agreement Form.

3. SCOPE OF SERVICES & PERFORMANCE SCHEDULE

Consultant shall perform those Services specified in Exhibit A within the time stated in Exhibit A. Time is of the essence.

4. WARRANTY

Consultant expressly warrants that all materials and services covered by this Agreement shall be fit for the purpose intended, shall be free from defect and shall conform to the specifications, requirements and instructions upon which this Agreement is based. Consultant agrees to promptly replace or correct any incomplete, inaccurate or defective Services at no further cost to City when defects are due to the negligence, errors or omissions of Consultant. If Consultant fails to promptly correct or replace materials or services, City may make corrections or replace materials or services and charge Consultant for the cost incurred by City.

5. QUALIFICATIONS OF CONSULTANT - STANDARD OF CARE

Consultant represents and maintains that it has the expertise in the professional calling necessary to perform the Services, and its duties and obligations, expressed and implied, contained herein, and City expressly relies upon Consultant’s representations regarding its skills and knowledge. Consultant shall perform such Services and duties in conformance to and consistent with the professional standards of a specialist in the same discipline in the State of California.

6. COMPENSATION AND PAYMENT

In consideration for Consultant's complete performance of Services, City shall pay Consultant for all materials provided and Services rendered by Consultant in accordance with Exhibit B1, entitled "SCHEDULE OF FEES." The maximum compensation of this Agreement is **Six Hundred Thousand Dollars (\$600,000)**, subject to budget appropriations, which includes all payments that may be authorized for Services and for expenses, supplies, materials and equipment required to perform the Services. All work performed or materials provided in excess of the maximum compensation shall be at Consultant's expense. Consultant shall not be entitled to any payment above the maximum compensation under any circumstance.

7. TERMINATION

- A. Termination for Convenience. City shall have the right to terminate this Agreement, without cause or penalty, by giving not less than Thirty (30) days' prior written notice to Consultant.
- B. Termination for Default. If Consultant fails to perform any of its material obligations under this Agreement, in addition to all other remedies provided by law, City may terminate this Agreement immediately upon written notice to Consultant.
- C. Upon termination, each Party shall assist the other in arranging an orderly transfer and close-out of services. As soon as possible following the notice of termination, but no later than ten (10) days after the notice of termination, Consultant will deliver to City all City information or material that Consultant has in its possession.

8. ASSIGNMENT AND SUBCONTRACTING

City and Consultant bind themselves, their successors and assigns to all covenants of this Agreement. This Agreement shall not be assigned or transferred without the prior written approval of City. Consultant shall not hire subconsultants without express written permission from City.

Consultant shall be as fully responsible to City for the acts and omissions of its subconsultants, and of persons either directly or indirectly employed by them, as Consultant is for the acts and omissions of persons directly employed by it.

9. NO THIRD PARTY BENEFICIARY

This Agreement shall not be construed to be an agreement for the benefit of any third party or parties and no third party or parties shall have any claim or right of action under this Agreement for any cause whatsoever.

10. INDEPENDENT CONSULTANT

Consultant and all person(s) employed by or contracted with Consultant to furnish labor and/or materials under this Agreement are independent Consultants and do not act as agent(s) or employee(s) of City. Consultant has full rights to manage its employees in their performance of Services under this Agreement.

11. CONFIDENTIALITY OF MATERIAL

All ideas, memoranda, specifications, plans, manufacturing procedures, data, drawings, descriptions, documents, discussions or other information developed or received by or for Consultant and all other written information submitted to Consultant in connection with the performance of this Agreement shall be held confidential by Consultant and shall not, without the prior written consent of City, be used for any purposes other than the performance of the Services nor be disclosed to an entity not connected with performance of the Services. Nothing furnished to Consultant which is otherwise known to Consultant or becomes generally known to the related industry shall be deemed confidential.

12. OWNERSHIP OF MATERIAL

All material, which shall include, but not be limited to, data, sketches, tracings, drawings, plans, diagrams, quantities, estimates, specifications, proposals, tests, maps, calculations, photographs, reports, designs, technology, programming, works of authorship and other material developed, collected, prepared or caused to be prepared under this Agreement shall be the property of City but Consultant may retain and use copies thereof. City shall not be limited in any way or at any time in its use of said material. However, Consultant shall not be responsible for damages resulting from the use of said material for work other than Project, including, but not limited to, the release of this material to third parties.

13. RIGHT OF CITY TO INSPECT RECORDS OF CONSULTANT

City, through its authorized employees, representatives or agents shall have the right during the term of this Agreement and for four (4) years from the date of final payment for goods or services provided under this Agreement, to audit the books and records of Consultant for the purpose of verifying any and all charges made by Consultant in connection with Consultant compensation under this Agreement, including termination of Consultant. Consultant agrees to maintain sufficient books and records in accordance with generally accepted accounting principles to establish the correctness of all charges submitted to City. Any expenses not so recorded shall be disallowed by City. Consultant shall bear the cost of the audit if the audit determines that there has been a substantial billing deviation in excess of five (5) percent adverse to the City.

Consultant shall submit to City any and all reports concerning its performance under this Agreement that may be requested by City in writing. Consultant

agrees to assist City in meeting City's reporting requirements to the State and other agencies with respect to Consultant's Services hereunder.

14. HOLD HARMLESS/INDEMNIFICATION

- A. To the extent permitted by law, Consultant agrees to protect, defend, hold harmless and indemnify City, its City Council, commissions, officers, employees, volunteers and agents from and against any claim, injury, liability, loss, cost, and/or expense or damage, including all costs and attorney's fees in providing a defense to any such claim or other action, and whether sounding in law, contract, tort, or equity, in any manner arising from, or alleged to arise in whole or in part from, or in any way connected with the Services performed by Consultant pursuant to this Agreement – including claims of any kind by Consultant's employees or persons contracting with Consultant to perform any portion of the Scope of Services – and shall expressly include passive or active negligence by City connected with the Services. However, the obligation to indemnify shall not apply if such liability is ultimately adjudicated to have arisen through the sole active negligence or sole willful misconduct of City; the obligation to defend is not similarly limited.
- B. Consultant's obligation to protect, defend, indemnify, and hold harmless in full City and City's employees, shall specifically extend to any and all employment-related claims of any type brought by employees, Consultants, subconsultants or other agents of Consultant, against City (either alone, or jointly with Consultant), regardless of venue/jurisdiction in which the claim is brought and the manner of relief sought.
- C. To the extent Consultant is obligated to provide health insurance coverage to its employees pursuant to the Affordable Care Act ("Act") and/or any other similar federal or state law, Consultant warrants that it is meeting its obligations under the Act and will fully indemnify and hold harmless City for any penalties, fines, adverse rulings, or tax payments associated with Consultant's responsibilities under the Act.

15. INSURANCE REQUIREMENTS

During the term of this Agreement, and for any time period set forth in Exhibit C, Consultant shall provide and maintain in full force and effect, at no cost to City, insurance policies as set forth in Exhibit C.

16. WAIVER

Consultant agrees that waiver by City of any one or more of the conditions of performance under this Agreement shall not be construed as waiver(s) of any other condition of performance under this Agreement. Neither City's review, acceptance nor payments for any of the Services required under this Agreement

shall be constructed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

17. NOTICES

All notices to the Parties shall, unless otherwise requested in writing, be sent to City addressed as follows:

City of Santa Clara
Attention: Department of Public Works, Carol Shariat
1500 Warburton Avenue
Santa Clara, CA 95050
and by e-mail at cshariat@santaclaraca.gov

And to Consultant addressed as follows:

Pat Hines
Safe Moves
15500 Erwin Street #2457
Van Nuys, CA 91411
and by e-mail at phinesafety@aol.com

The workday the e-mail was sent shall control the date notice was deemed given. An e-mail transmitted after 1:00 p.m. on a Friday shall be deemed to have been transmitted on the following business day.

18. COMPLIANCE WITH LAWS

Consultant shall comply with all applicable laws and regulations of the federal, state and local government, including but not limited to "The Code of the City of Santa Clara, California" ("SCCC"). In particular, Consultant's attention is called to the regulations regarding Campaign Contributions (SCCC Chapter 2.130), Lobbying (SCCC Chapter 2.155), Minimum Wage (SCCC Chapter 3.20), Business Tax Certificate (SCCC section 3.40.060), and Food and Beverage Service Worker Retention (SCCC Chapter 9.60), as such Chapters or Sections may be amended from time to time or renumbered. Additionally Consultant has read and agrees to comply with City's Ethical Standards (<http://santaclaraca.gov/home/showdocument?id=58299>).

19. CONFLICTS OF INTEREST

Consultant certifies that to the best of its knowledge, no City officer, employee or authorized representative has any financial interest in the business of Consultant and that no person associated with Consultant has any interest, direct or indirect, which could conflict with the faithful performance of this Agreement. Consultant is familiar with the provisions of California Government Code section 87100 and

following, and certifies that it does not know of any facts which would violate these code provisions. Consultant will advise City if a conflict arises.

20. FAIR EMPLOYMENT

Consultant shall not discriminate against any employee or applicant for employment because of race, sex, color, religion, religious creed, national origin, ancestry, age, gender, marital status, physical disability, mental disability, medical condition, genetic information, sexual orientation, gender expression, gender identity, military and veteran status, or ethnic background, in violation of federal, state or local law.

21. NO USE OF CITY NAME OR EMBLEM

Consultant shall not use City's name, insignia, or emblem, or distribute any information related to services under this Agreement in any magazine, trade paper, newspaper or other medium without express written consent of City.

22. GOVERNING LAW AND VENUE

This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California. The venue of any suit filed by either Party shall be vested in the state courts of the County of Santa Clara, or if appropriate, in the United States District Court, Northern District of California, San Jose, California.

23. SEVERABILITY CLAUSE

In case any one or more of the provisions in this Agreement shall, for any reason, be held invalid, illegal or unenforceable in any respect, it shall not affect the validity of the other provisions, which shall remain in full force and effect.

24. AMENDMENTS

This Agreement may only be modified by a written amendment duly authorized and executed by the Parties to this Agreement.

25. COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but both of which shall constitute one and the same instrument.

The Parties acknowledge and accept the terms and conditions of this Agreement as evidenced by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

Approved as to Form: _____

Dated: _____

Office of the City Attorney
City of Santa Clara

Rajeev Batra
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

SAFE MOVES, INC.
a California corporation

Dated: _____

By (Signature): _____

Name: Pat Hines

Title: Founder/Executive Director

Principal Place of Business Address: 15500 Erwin Street, #2457

Van Nuys, CA 91411

Email Address: phinesafety@aol.com

Telephone: (408) 374-8991

Fax: N/A

"CONSULTANT"

**EXHIBIT A
SCOPE OF SERVICES**

The following Scope of Services defines the services and responsibilities of Consultant and City to provide professional services to continue the implementation of the City’s Safe Routes to School program.

The Scope of Services, including Exhibit A and Consultant’s proposal and BAFO responses provide context, supplemental information, and are incorporated by reference to the extent not inconsistent with the Agreement.

1. GENERAL

- 1.1. Consultant will provide professional services to implement the City’s Safe Routes to School (SRTS) program which encourages students to walk, bike, or scooter to and from school. Services will include education, encouragement, and evaluation aspects of the SRTS program.
- 1.2. Consultant will provide services to build upon the existing program and expand the program to include seventeen (17) Santa Clara Unified School District (School District) schools within Santa Clara. Services provided by Consultant will include developing SRTS maps, updating existing SRTS maps, outreach to schools, parents, Parent Teacher Associations (PTAs), neighbors, and students, and before and after surveys.

2. SCHOOLS

- 2.1. Phase 3 of the SRTS program will include the original 12 schools and five (5) additional schools: Pomeroy Elementary, Central Park Elementary, Milliken Elementary, Buchser Middle School, and Laurelwood Elementary. This third phase of the program will continue through Summer 2025.

School	Phase 2	Phase 3 (This Project)
Bowers Elementary	X	X
Bracher Elementary	X	X
Briarwood Elementary	X	X
Cabrillo Middle School	X	X
Callejon (K-8)	X	X
Haman Elementary	X	X
Hughes Elementary	X	X
Montague Elementary	X	X
Scott Lane Elementary	X	X

School	Phase 2	Phase 3 (This Project)
Sutter Elementary	X	X
Washington Elementary	X	X
Westwood Elementary	X	X
Pomeroy Elementary		X
Central Park Elementary		X
Milliken Elementary		X
Buchser Middle School		X
Laurelwood Elementary		X

2.2. There are several documents relevant that the City has completed. In addition, the Consultant shall review and be familiar with the following documents for successful completion of this project:

- 2.2.1. Pedestrian Master Plan - <https://www.santaclaraca.gov/our-city/departments-g-z/public-works/engineering/traffic-engineering/pedestrian-master-plan>
- 2.2.2. Bicycle Master Plan - <https://www.santaclaraca.gov/our-city/departments-g-z/public-works/engineering/traffic-engineering/bicycle-master-plan-update-2018>.
- 2.2.3. Safe Routes to School Phase 1 Final Report – City to provide to Consultant
- 2.2.4. Safe Routes to School Phase 2 Final Report – City to provide to Consultant

3. TASKS

3.1. The Consultant’s general scope of work includes the implementation of the City’s SRTS program; organize, facilitate, promote events and activities relating to the program and facilitate and document before and after surveys. The program must include the training of teachers/PTA/volunteers to continue the program beyond this third phase of the project.

3.2. TASK 1: PROJECT INITIATION/MANAGEMENT

- 3.2.1. Task 1.1 Project Kick-off Meeting
 - 3.2.1.1. Upon receipt of a written “Authorization to Proceed” from the City, the City will hold a kick-off meeting with the

Consultant team to review project scope, data requests, progress reports, deliverables, and timeline. City staff requires three (3) weeks for review and comment on administrative draft deliverables.

- 3.2.1.2. Consultant will provide an agenda for the project kick-off meeting with action items for review, and upon approval, distribute the final agenda.
- 3.2.1.3. Consultant will produce a short, informative PowerPoint to outline the work plan and strategies to be used to accomplish the project goals and objectives.
- 3.2.1.4. Consultant will provide a draft of the post-meeting notes, with action items, no later than seventy-two (72) hours after the meeting. A final draft will be provided within forty-eight (48) hours after receiving feedback from City project Manager.

3.2.2. Task 1.2 Staff Coordination with Consultant

Biweekly face-to-face or conference call project team meetings with Consultant will be held to ensure good communication on upcoming tasks and to make sure the project remains on time and within budget.

3.2.3. Task 1.3 Project Invoicing

- 3.2.3.1. Consultant will prepare monthly invoices broken down by tasks with project reports that will be a concise summary status of activities and deliverables.
- 3.2.3.2. Monthly project report will document the program highlights, program activities, schedules of upcoming activities, certification forms documenting activities, meeting agendas and summary notes, photos/videos, copies of all collateral materials and copies of print and electronic media.
- 3.2.3.3. Monthly progress reports and invoices will be sent by the Consultant to the City Project Manager.

3.2.4. Below are the deliverables for Task 1.

Task	Deliverable
1.1	<i>Meeting agenda and minutes</i>
1.2	<i>Biweekly meeting agenda, minutes, and action items</i>

Task	Deliverable
1.3	<i>Monthly progress reports and invoices</i>

3.3. TASK 2: OUTREACH

3.3.1. Task 2.1 Website, Voicemail, and Email

3.3.1.1. Website Production and Monitoring:

3.3.1.1.1. Consultant will produce and monitor website and social media platform such as Facebook, Twitter, Instagram, Pinterest, YouTube and Vine.

3.3.1.1.2. The goals of the website and social media are to:

- Generate content to develop an online community with parents, teachers, school administrators, and neighboring residents and business
- Generate participation of SRTS Pop-Up events
- Calendar listing of school events
- Encourage active transportation options
- Provide an online open forum for conversation
- Increase awareness of bicycle and pedestrian safety

3.3.1.1.3. In coordination with the City Project Manager and Santa Clara Unified School District Consultant will prepare an outline for relevant and timely social media updates and schedule of suggested social media posts.

3.3.1.1.4. Consultant will create social media platforms with unique names and hashtags for the campaign (for example, @SantaClara SRTS, #SantaClaraSRTS) and encourage followers to use the hashtags when sharing campaign messages.

3.3.1.1.5. Consultant will work with the City Project Manager to develop an editorial calendar to be posted on the City and School websites that will

outline topics to be covered throughout the project term.

3.3.1.1.6. Consultant will develop content for a quarterly electronic newsletter to be posted on school and City websites.

3.3.1.2. Consultant will create a project phone number/hotline and email address for the public to leave comments regarding the project.

3.3.1.2.1. Consultant will monitor the phone line daily, and all calls will be answered within 48 hours. A summary of calls and comments will be included in the monthly reports.

3.3.1.2.2. Consultant will monitor emails and all emails will be answered within 48 hours.

3.3.2. Task 2.2 Event Advertisement

3.3.2.1. The Consultant will provide advertising material to promote events documented in Task 3 and 4 to students, parents, school staff and other stakeholders. Advertising material can include items such as flyers (digital), posters, press release for SRTS kick-off event, text for both school and City websites and principal emails. All text on flyers, posters, and school websites related to all the events/activities must be approved by School District before distribution.

3.3.2.2. As described in Tasks 3 and 4, the Consultant will conduct a total of 237 events/workshops over the three (3) year program period. The Consultant will prepare 237 digital flyers (one flyer for each event) to be posted on the Peachjar website/platform.

3.3.2.2.1. Press release/advertisement/text will need to be developed for all 237 events that will be posted on both the City's project website page and each school's webpage. Finally, a total of 1,422 posters (6 posters for each event) shall be prepared to be displayed on each school campus.

3.3.3. Below are the deliverables for Task 2.

Task	Deliverable
2.1	<i>Project website, promotion materials</i>
2.2	<i>237 digital flyers 1,422 Posters Press release/advertisement text all 237 events to be placed on all 17 school's webpages and City's website.</i>

3.4. TASK 3: EDUCATION

3.4.1. Task 3.1 Safe Routes to School Maps

- 3.4.1.1. Consultant will conduct a walk audit within a half-mile of Washington Elementary which was included in Phase 2 of the program, along with Laurelwood Elementary and Milliken Elementary schools which are included in this phase of the program, to determine the best walking and biking routes to the school. Based on the walk audit along with 5-year collision history and crime statistics, the Consultant shall develop a SRTS walking/biking map for both elementary schools. The map must show locations of stop sign and traffic signal controlled intersections, marked crosswalks, crossing guards, all existing signs and marking, and other features that would concert study safety when walking/biking to school. An electronic copy of the map will be provided to the schools.
- 3.4.1.2. Consultant will identify infrastructure deficiencies such as sidewalks, crosswalk treatments, signing and striping upgrades, signalization modification, and other physical improvements. An infrastructure deficiency inventory list and maps showing the location of the improvements for all three schools listed above, along with engineering cost estimates for the improvements shall be provided to the City.
- 3.4.1.3. Consultant will review all SRTS maps already produced for the other 14 schools. SRTS maps were produced for Pomeroy Elementary, Central Park Elementary, and Buchser Middle school as part of the Santa Clara Pedestrian Master Plan. Consultant will update the maps to reflect existing conditions and to modify SRTS maps if safer biking/walking routes are found. Consultant will also take into consideration the most recent 5-year collision

data and crime statistics while updating all the existing maps. An electronic copy of the updated maps will be provided to each of the schools.

3.4.2. Task 3.2 Bicycle and Pedestrian Student Skills Training Rodeos

3.4.2.1. Consultant will teach students how to safely bike, walk, or scooter to school and follow traffic laws while doing so. Consultant will conduct 51 bicycle and pedestrian student skills training (one rodeo each year at each of the 17 schools) over the three-year program. The rodeos must be completed for each class and one grade at a time to accommodate the learning abilities of all the different ages of students. The Consultant will be at one school all day for maximum efficiency to train all the students at each school. A total of 51 bicycle and pedestrian student skills training courses will occur over the course of the three-year program.

3.4.2.2. Consultant will create a rodeo toolkit that can be used for the bicycle and pedestrian student skills training courses described above. This toolkit can then be used at all of schools every year of the program.

3.4.3. Task 3.3 Parent/Teacher/Coordinator Training Workshops

3.4.3.1. Consultant will train parents, teachers, PTA members, coordinators, volunteers and/or other stakeholders how to continue the SRTS program beyond this phase of the project through a workshop. Consultant will conduct 17 parent/teacher/coordinator training workshops (one workshop at each of the 17 schools) over the three-year program.

3.4.3.1.1. The workshop will include the following components:

- The need, approach and benefits of bicycle and pedestrian safety education
- Responsibilities of the SRTS volunteer (qualifications, screening, time commitment)
- Teaching skills (Do's and Don'ts)
- Understanding children's behaviors
- Program Evaluation
- Training techniques for bicycle and pedestrian safety
- How to fit and adjust bicycles helmets

- Bicycle Maintenance
- Distribution of Handbook

3.4.3.2. A SRTS Toolkit that was developed in the last phase of the program will be used to train all those that maybe involved in continuing the SRTS program. The Consultant will review the SRTS Toolkit and revise it based on their expertise. The revised Toolkit will be used at these training workshops. Consultant will convert the SRTS toolkit to an on-line learning platform.

3.4.3.3. In addition, to the basic tasks to sustaining the SRTS program participants will be taught:

- 3.4.3.3.1. How to use the Safe Routes Toolkit
- 3.4.3.3.2. Safe places to ride and walk
- 3.4.3.3.3. Unsafe places to ride and walk
- 3.4.3.3.4. Explanation of traffic signs and signals
- 3.4.3.3.5. Rights and responsibilities of bicyclists and pedestrians
- 3.4.3.3.6. Helmet use (proper fit and adjustment)
- 3.4.3.3.7. Recognition and avoidance of common bicycle and pedestrian collisions
- 3.4.3.3.8. Explanation and demonstration of the role of crossing guards
- 3.4.3.3.9. Explanation/simulation of traffic environment (infrastructure)
- 3.4.3.3.10. Understanding of driver, bicyclist and pedestrian behaviors
- 3.4.3.3.11. School transportation/traffic policies (pick-up and drop-off procedures)
- 3.4.3.3.12. Explanation of the school routes/neighborhood maps
- 3.4.3.3.13. Effects of bicycling and walking for a cleaner environment
- 3.4.3.3.14. Identification and avoidance of hot spots (crime, bullies, hazards, corners & crosswalks, truck traffic)
- 3.4.3.3.15. Explanation and promotion of Walking School Buses, Bicycle Trains, and scheduled encouragement programs

3.4.4. Below are the deliverables for Task 3.

Task	Deliverable
3.1	<i>Draft Safe Routes to School Maps (17)</i> <i>Final Safe Routes to School Maps (17)</i> <i>Draft Infrastructure Deficiency List, Map, and Cost Estimates (3 schools)</i> <i>Final Infrastructure Deficiency List, Map, and Cost Estimates (3 schools)</i>
3.2	<i>Bicycle and Pedestrian Rodeos (51 events)</i> <i>Summary of Conducted Rodeos, including pictures (51 workshops)</i> <i>Rodeo Toolkit (1)</i>
3.3	<i>Parent/teacher/coordinator training workshops (17 workshops)</i> <i>Summary of Conducted Workshops, including pictures (17 workshops)</i> <i>Electronic copy of the revised Draft Safe Routes to School Toolkit</i> <i>Electronic copy of the revised Final Safe Routes to School Toolkit</i>

3.5. TASK 4: ENCOURAGEMENT

3.5.1. Task 4.1 Kick-off Event

Consultant will conduct one SRTS kick-off event which will be conducted at one of the new participating schools. Consultant will coordinate with the School District to decide which school will host the kick-off event. Attendees at the event can include the Mayor, Councilmembers, motorcycle or bicycle Police Officers, Sharkie or 49ers mascot, etc. A press release will be conducted related to the event as well.

3.5.2. Task 4.2 Pop-Up Events

Consultant will conduct 15 SRTS pop-up events (five events per year). The pop-up events are recommended to be booths at City community events such as the Art & Wine Festival, Earth Day, Health Fair, and Back-to-school night. Walking and biking incentives can be given out at these events such as helmets, safety lights, and pedometers.

3.5.3. Task 4.3 Encouragement Events

3.5.3.1. Consultant will conduct 153 total events (three events each year at each of the 17 schools) over the three-year program. The events will promote and encourage walking and bicycling to school and can include helmet decorating contests, “walk and roll” Fridays, helmet fitting events, walking school buses, and bicycle trains. The walking school buses and bicycle trains will coincide with October’s Walk to School Day and May’s Bike to School Day, respectively. Consultant will set up a meeting between the school principals, school district representatives, and City representatives to plan all events/activities.

3.5.3.2. The City received a California Office of Traffic Safety grant where a portion of the grant must be used to purchase helmets. Consultant must purchase \$5000 worth of helmets to give away at any of the education or encouragement events. In addition, Consultant will purchase another \$5,000 worth of any of the following combined: bicycle lights, pedometers, rubber bracelets that have a safety message written across them or other safety devices to encourage safe walking and bicycling and can be handed out at all of the encouragement events/activities.

3.5.4. Below are the deliverables for Task 4.

Task	Deliverable
4.1	<i>One (1) Kick-Off Event Meeting agenda, minutes, and action items for kick-off event (1 school) Draft Press Release Final Press Release Summary of kick-off event, including pictures</i>
4.2	<i>Pop-up events (15 total events) Summary of each pop-up event, including pictures (15 total events)</i>

Task	Deliverable
4.3	<i>Encouragement events (153 total events) Meeting agenda, minutes, and action items for each event (153 total activities/events) Summary of each encouragement event/activity, including pictures (153 total activities/events) \$10,000 worth of bicycle helmets, lights, or other safety devices.</i>

3.6. TASK 5: PROGRAM EVALUATION

3.6.1. Task 5.1 Surveys

3.6.1.1. Consultant will create, distribute, analyze, and tabulate parent surveys and in-class student hand tallies yearly at each of the schools using standard Federal SRTS forms to evaluate changes in behavior associated with the program and to establish a baseline and ongoing data. Consultant will distribute one hand tally per classroom for each round of surveying and work with the teachers so that they understand how to administer the survey. Parent surveys will be provided in English, Spanish, and Chinese as these are the three most spoken languages within Santa Clara. An online survey must also be created and placed on the project’s webpage. Consultant will conduct one parent survey and student tally at the beginning of the school year and at the end of the school year for all three years of the program, a total of six (6) surveys/tallies.

3.6.1.2. Consultant will need to do a tally of students using helmets at the start of the project, in the first year of the program, and then again in September of 2023. Each tally will be done at all 17 schools in the program. Consultant will provide a short summary report of the results of both tallies to the City.

3.6.2. Task 5.2 Annual Reports and Evaluation Report

3.6.2.1. Consultant will produce an annual report to summarize the program activities including number of events held, number of participants, and results of the parent surveys and student tallies for each of the schools.

3.6.2.1.1. The annual report will include the following:

- Program Highlights / Success Stories
- Summary of Key Policies and Documents
- Outline of Goals and Objectives
- Milestones
- School Databases
- Summary of Program Activities
- Certification Forms documenting activities
- Milestones
- Summary of helmet and safety equipment distribution
- Copies of Meeting Agendas and Summary Notes
- Photos/Videos of Educational and Encouragement Programs
- Program Pre and Post Surveys (parent, student & helmet)
- Copies of all Collateral Material and Promotional Material
- Letters of Support/Appreciation
- Results of Contests
- Copies of Print and Electronic Media
- Challenges - Barriers and how they were overcome
- Next Steps/Strategies for Stakeholders
- Directory of all Resource materials
- Recommendations for future programming / sustainability

3.6.2.2. At the end of the project, the Consultant will produce a final program evaluation report for all three program years which should include recommendations, so the program continues and remains sustainable in the future.

3.6.2.2.1. The final report will be submitted in the following formats:

- Final PDF
- Original Word
- Five (5) bound copies
- One (1) unbound hard copy

3.6.3. Below are the deliverables for Task 5.

Task	Deliverable
5.1	<i>Draft Parent survey and student tally form (17 schools)</i> <i>Final Parent survey and student tally form (17 schools)</i> <i>Parent surveys and student tallies (6 total surveys/tallies at all 17 schools)</i> <i>Parent survey in English, Spanish, and Chinese</i> <i>Students using helmet tally (2 total tallies at all 17 schools)</i> <i>Summary report of two helmet tallies</i>
5.2	<i>Three (3) annual reports (17 schools)</i> <i>One (1) program evaluation report</i>

**EXHIBIT B1
SCHEDULE OF FEES**

1. MAXIMUM COMPENSATION

- 1.1. The maximum amount payable for all services provided under this Agreement shall not exceed **Six Hundred Thousand Dollars (\$600,000)**, during the initial term of the Agreement. No additional services will be performed unless both Parties execute an amendment outlining the services requested and the compensation agreed for such services.
- 1.2. All payments are based upon City's acceptance of Consultant's performance of services specified in Exhibit A, Scope of Services. City shall have no obligation to pay unless Consultant has successfully completed the work for which payment is due.
- 1.3. The compensation amount is specified below:

Table B1: Total Compensation

Description	Total
Total for All Tasks for Three Program Years (See B2 for Task Cost Breakdown by Year)	\$568,384.75
Contingency	\$31,615.25
TOTAL MAXIMUM COMPENSATION NOT-TO-EXCEED	\$600,000.00

2. FEES

- 2.1. The hourly rates for Consultant's Personnel are listed below in Table B2:

Table B2: Hourly Rates

Title	Personnel	Hourly Rate
Program Manager (Safe Moves)	Pat Hines	\$127.02
Program Coordinator (Safe Moves)	Pamela Nye Pedersen	\$46.22
Instructor (Safe Moves)	Quinn Danz	\$36.98
Instructor (Safe Moves)	Will Mellon	\$36.98
Instructor (Safe Moves)	Marni Spencer-Delvin	\$36.98
Graphic and Social Media Coordinator (Safe Moves)	Eve Mazzara	\$46.22

Title	Personnel	Hourly Rate
Program Manager (KOA)	Carlos Velasquez	\$164.99
Associate Planner (KOA)	Alberto Salgado	\$115.00
Associate Planner (KOA)	Sarai Osorio	\$51.76

2.2. The City will pay the Consultant for each task based on the task breakdown with rates as specified in Exhibit B2.

3. PRICING

- 3.1. Pricing is fixed for the Initial Three-Year Term of the Agreement.
- 3.2. Price Adjustments: Contractor may request adjustments to rates prior to the one-year option to renew the Agreement after the Initial Term. Price increase requests must be tied to CPI, PPI, or relevant industry specific index. Requests for increase must be fully documented by Contractor. Price adjustments are subject to City's approval.

4. INVOICING REQUIREMENTS

- 4.1. Consultant shall invoice the City on a monthly basis for services performed by Consultant during the preceding month and provide the invoice in a format approved by the City, including, but not limited to supporting documentation, and is subject to verification and approval by the City.
- 4.2. City shall pay Consultant within thirty (30) days of City's receipt of an approved invoice.
- 4.3. Invoices shall include, at a minimum, the following:
 - 3.6.4. Date work was provided;
 - 3.6.5. Identify the task services were provided for;
 - 3.6.6. Description of work performed;
 - 3.6.7. Deliverables completed;
 - 3.6.8. The percentage complete of task;
 - 3.6.9. Time and materials;
 - 3.6.10. Hours for work performed;
 - 3.6.11. Hourly price/unit price;
 - 3.6.12. Extended price; and
 - 3.6.13. Total amount of invoice.

**EXHIBIT B2
FEES BY TASK AND YEAR**

1. The City will pay Consultant for Year 1 based on the task and fee breakdown below:

Task #	Task	Hours	Hourly Rate	Total
1	Project Initiation			
1.1	Project Kick-Off Meeting - Meeting Agenda, Minutes, Action Items			
	- Pat Hines, Program Manager (Safe Moves)	20	\$127.02	\$2,540.40
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	10	\$46.22	\$462.20
1.2	Staff Coordination with Consultant - Biweekly Meetings			
	- Pat Hines, Program Manager (Safe Moves)	80	\$127.02	\$10,161.60
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	50	\$46.22	\$2,311.00
1.3	Project Invoicing - Monthly Progress Reports with Invoicing			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	50	\$46.22	\$2,311.00
Total for Task 1		240		\$21,596.80
2	Outreach			
2.1	Website, Voicemail, and Email			
	Produce and monitor website			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	70	\$46.22	\$3,235.40
	Establish and monitor phone lines/voicemails/emails			
	- Pat Hines, Program Manager (Safe Moves)	20	\$127.02	\$2,540.40
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
2.2	Event Advertisement			
	Advertising/promotional materials			
	- Pat Hines, Program Manager (Safe Moves)	40	\$127.02	\$5,080.80
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	50	\$46.22	\$2,311.00
	85 event/workshops announcements posted & 508 posters printed/displayed			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60

Task #	Task	Hours	Hourly Rate	Total
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	50	\$46.22	\$2,311.00
Total for Task 2		450		\$30,495.00
3	Education			
3.1	Safe Routes to School Maps			
	Walk Audits (3 Schools)			
	- Pat Hines, Program Manager (Safe Moves)	25	\$127.02	\$3,175.50
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	15	\$46.22	\$693.30
	- Quinn Danz, Instructor (Safe Moves)	25	\$36.98	\$924.50
	- Will Mellon, Instructor (Safe Moves)	25	\$36.98	\$924.50
	- Marni Spencer-Devlin, Instructor (Safe Moves)	25	\$36.98	\$924.50
	- Carlos Velasquez, Program Manager (KOA)	25	\$164.99	\$4,124.75
	- Alberto Salgado, Associate Planner (KOA)	40	\$54.19	\$2,167.60
	- Sarai Osorio, Associate Planner (KOA)	40	\$51.76	\$2,070.40
	Infrastructure Deficiency Inventory List, Map & Costs			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	- Carlos Velasquez, Program Manager (KOA)	15	\$164.99	\$2,474.85
	- Alberto Salgado, Associate Planner (KOA)	35	\$54.19	\$1,896.65
	- Sarai Osorio, Associate Planner (KOA)	35	\$51.76	\$1,811.60
	Review/Revise School Maps (14 schools)			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
	- Quinn Danz, Instructor (Safe Moves)	10	\$36.98	\$369.80
	- Will Mellon, Instructor (Safe Moves)	15	\$36.98	\$554.70
	- Marni Spencer-Devlin, Instructor (Safe Moves)	15	\$36.98	\$554.70
	- Carlos Velasquez, Program Manager (KOA)	15	\$164.99	\$2,474.85
	- Alberto Salgado, Associate Planner (KOA)	35	\$54.19	\$1,896.65
	- Sarai Osorio, Associate Planner (KOA)	35	\$51.76	\$1,811.60
3.2	Bicycle and Pedestrian Student Skills Training Rodeos			
	Bike, Scooter & Pedestrian Skill Trainings & Summary			
	- Pat Hines, Program Manager (Safe Moves)	50	\$127.02	\$6,351.00
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	30	\$46.22	\$1,386.60
	- Quinn Danz, Instructor (Safe Moves)	125	\$36.98	\$4,622.50
	- Will Mellon, Instructor (Safe Moves)	125	\$36.98	\$4,622.50

Task #	Task	Hours	Hourly Rate	Total
	Rodeo Toolkit (See pricing under Printing Year 1 Category and SRTS Toolkit under Task 3.3)			
3.3	Parent/Teacher/Coordinator Training Workshops			
	Workshops			
	- Pat Hines, Program Manager (Safe Moves)	75	\$127.02	\$9,526.50
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	SRTS Toolkit (1)			
	- Pat Hines, Program Manager (Safe Moves)	55	\$127.02	\$6,986.10
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	30	\$46.22	\$1,386.60
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	80	\$46.22	\$3,697.60
	Workshop Content			
	- Pat Hines, Program Manager (Safe Moves)	40	\$127.02	\$5,080.80
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
Total for Task 3		1215		\$ 85,447.15
4	Encouragement			
4.1	Kick-off Event (1)			
	- Pat Hines, Program Manager (Safe Moves)	25	\$127.02	\$3,175.50
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
	- Quinn Danz, Instructor (Safe Moves)	10	\$36.98	\$369.80
	- Will Mellon, Instructor (Safe Moves)	10	\$36.98	\$369.80
	- Marni Spencer-Devlin, Instructor (Safe Moves)	10	\$36.98	\$369.80
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	35	\$46.22	\$1,617.70
4.2	Pop-Up Events (2)			
	- Pat Hines, Program Manager (Safe Moves)	50	\$127.02	\$6,351.00
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
	- Quinn Danz, Instructor (Safe Moves)	50	\$36.98	\$1,849.00
	- Will Mellon, Instructor (Safe Moves)	50	\$36.98	\$1,849.00
	- Marni Spencer-Devlin, Instructor (Safe Moves)	50	\$36.98	\$1,849.00
4.3	Encouragement Events			
	Walking, scooter riding and bicycle riding encouragement events (51)			

Task #	Task	Hours	Hourly Rate	Total
	- Pat Hines, Program Manager (Safe Moves)	90	\$127.02	\$11,431.80
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	60	\$46.22	\$2,773.20
	- Quinn Danz, Instructor (Safe Moves)	100	\$36.98	\$3,698.00
	- Will Mellon, Instructor (Safe Moves)	100	\$36.98	\$3,698.00
	- Marni Spencer-Devlin, Instructor (Safe Moves)	100	\$36.98	\$3,698.00
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	60	\$46.22	\$2,773.20
	OTS funded helmets and safety equipment			
	- Pat Hines, Program Manager (Safe Moves)	25	\$127.02	\$3,175.50
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	50	\$46.22	\$2,311.00
	- Quinn Danz, Instructor (Safe Moves)	20	\$36.98	\$739.60
	- Will Mellon, Instructor (Safe Moves)	20	\$36.98	\$739.60
	Total for Task 4	965		\$55,149.50
5	Program Evaluation			
5.1	Surveys			
	Pre and Post Parent Surveys and Student Tallies			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	- Quinn Danz, Instructor (Safe Moves)	20	\$36.98	\$739.60
	- Will Mellon, Instructor (Safe Moves)	20	\$36.98	\$739.60
	- Marni Spencer-Devlin, Instructor (Safe Moves)	20	\$36.98	\$739.60
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
	OTS Pre and Post Helmet Surveys (17 Schools)			
	- Pat Hines, Program Manager (Safe Moves)	40	\$127.02	\$5,080.80
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	- Quinn Danz, Instructor (Safe Moves)	50	\$36.98	\$1,849.00
	- Will Mellon, Instructor (Safe Moves)	50	\$36.98	\$1,849.00
	- Marni Spencer-Devlin, Instructor (Safe Moves)	100	\$36.98	\$3,698.00
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	30	\$46.22	\$1,386.60
5.2	(1) Annual Report (17 Schools)			
	- Pat Hines, Program Manager (Safe Moves)	25	\$127.02	\$3,175.50
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	20	\$46.22	\$924.40
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	30	\$46.22	\$1,386.60

Task #	Task	Hours	Hourly Rate	Total
Total for Task 5		540		\$30,232.40
TOTAL FOR ALL TASKS				\$222,920.85
Printing				
Rodeo Flyer & Permission Form for 17 Rodeos				\$1,500.00
SRTS Toolkit (Guide)				\$2,500.00
508 Posters				\$1,200.00
Safety Tips for Students & Parents				\$2,500.00
51 Encouragement Event Flyers				\$2,300.00
TOTAL FOR PRINTING				\$10,000.00
EQUIPMENT (PURCHASED FIRST YEAR FOR ALL 3 YEARS)				
714 OTS Funded Helmets @ \$7.00 per helmet (includes tax & handling)				\$5,000.00
2,500 Pedometers @ \$1.00 per pedometer (includes tax & handling)				\$2,500.00
300 Front/Rear Bike Lights @ \$8.30 per light (includes tax & handling)				\$2,490.00
TOTAL FOR EQUIPMENT				\$9,990.00
YEAR 1 TOTAL				\$242,910.85

2. The City will pay Consultant for Year 2 based on the task and fee breakdown below:

Task #	Task	Hours	Hourly Rate	Total
1	Project Initiation			
1.1	Project Kick-Off Meeting - Meeting Agenda, Minutes, Action Items			
	- Pat Hines, Program Manager (Safe Moves)	20	\$127.02	\$2,540.40
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	10	\$46.22	\$462.20
1.2	Staff Coordination with Consultant - Biweekly Meetings			
	- Pat Hines, Program Manager (Safe Moves)	80	\$127.02	\$10,161.60
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	50	\$46.22	\$2,311.00
1.3	Project Invoicing - Monthly Progress Reports with Invoicing			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	50	\$46.22	\$2,311.00
Total for Task 1		240		\$21,596.80
2	Outreach			
2.1	Website, Voicemail, and Email			
	Produce and monitor website			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60

Task #	Task	Hours	Hourly Rate	Total
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	Establish and monitor phone lines/voicemails/emails			
	- Pat Hines, Program Manager (Safe Moves)	20	\$127.02	\$2,540.40
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
2.2	Event Advertisement			
	Advertising/promotional materials			
	- Pat Hines, Program Manager (Safe Moves)	40	\$127.02	\$5,080.80
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	30	\$46.22	\$1,386.60
	85 event/workshops announcements posted & 508 posters printed/displayed			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	30	\$46.22	\$1,386.60
	Total for Task 2	380		\$27,259.60
3	Education			
3.1	Safe Routes to School Maps			
	Walk Audits (3 Schools)			
	- Pat Hines, Program Manager (Safe Moves)	25	\$127.02	\$3,175.50
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	15	\$46.22	\$693.30
	- Quinn Danz, Instructor (Safe Moves)	25	\$36.98	\$924.50
	- Will Mellon, Instructor (Safe Moves)	25	\$36.98	\$924.50
	Infrastructure Deficiency Inventory List, Map & Costs			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	Review/Revise School Maps (14 schools)			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
3.2	Bicycle and Pedestrian Student Skills Training Rodeos			
	Bike, Scooter & Pedestrian Skill Trainings & Summary			
	- Pat Hines, Program Manager (Safe Moves)	50	\$127.02	\$6,351.00

Task #	Task	Hours	Hourly Rate	Total
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	30	\$46.22	\$1,386.60
	- Quinn Danz, Instructor (Safe Moves)	125	\$36.98	\$4,622.50
	- Will Mellon, Instructor (Safe Moves)	125	\$36.98	\$4,622.50
	Rodeo Toolkit (Developed in Year 1)			
3.3	Parent/Teacher/Coordinator Training Workshops			
	Workshops			
	- Pat Hines, Program Manager (Safe Moves)	75	\$127.02	\$9,526.50
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	SRTS Toolkit (1) (Developed in Year 1)			
	Workshop Content			
	- Pat Hines, Program Manager (Safe Moves)	40	\$127.02	\$5,080.80
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
	Total for Task 3	710		\$50,244.20
4	Encouragement			
4.1	Kick-off Event (1) NONE			
4.2	Pop-Up Events (5)			
	- Pat Hines, Program Manager (Safe Moves)	50	\$127.02	\$6,351.00
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
	- Quinn Danz, Instructor (Safe Moves)	50	\$36.98	\$1,849.00
	- Will Mellon, Instructor (Safe Moves)	50	\$36.98	\$1,849.00
	- Marni Spencer-Devlin, Instructor (Safe Moves)	50	\$36.98	\$1,849.00
4.3	Encouragement Events			
	Walking, scooter riding and bicycle riding encouragement events (51)			
	- Pat Hines, Program Manager (Safe Moves)	90	\$127.02	\$11,431.80
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	60	\$46.22	\$2,773.20
	- Quinn Danz, Instructor (Safe Moves)	100	\$36.98	\$3,698.00
	- Will Mellon, Instructor (Safe Moves)	100	\$36.98	\$3,698.00
	- Marni Spencer-Devlin, Instructor (Safe Moves)	100	\$36.98	\$3,698.00
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	OTS funded helmets and safety equipment (Purchased in year 1)			
	Total for Task 4	715		\$40,201.30

Task #	Task	Hours	Hourly Rate	Total
5	Program Evaluation			
5.1	Surveys			
	Pre and Post Parent Surveys and Student Tallies			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	- Quinn Danz, Instructor (Safe Moves)	20	\$36.98	\$739.60
	- Will Mellon, Instructor (Safe Moves)	20	\$36.98	\$739.60
	- Marni Spencer-Devlin, Instructor (Safe Moves)	20	\$36.98	\$739.60
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
	OTS Pre and Post Helmet Surveys (17 Schools) N/A			
5.2	(1) Annual Report (17 Schools)			
	- Pat Hines, Program Manager (Safe Moves)	25	\$127.02	\$3,175.50
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	20	\$46.22	\$924.40
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	30	\$46.22	\$1,386.60
Total for Task 5		230		\$14,520.20
TOTAL FOR ALL TASKS				\$153,822.10
Printing				
Rodeo Flyer & Permission Form for 17 Rodeos				\$1,500.00
508 Posters				\$1,200.00
Safety Tips for Students & Parents				\$2,500.00
51 Encouragement Event Flyers				\$2,300.00
TOTAL FOR PRINTING				\$7,500.00
YEAR 2 TOTAL				\$161,322.10

3. The City will pay Consultant for Year 3 based on the task and fee breakdown below:

Task #	Task	Hours	Hourly Rate	Total
1	Project Initiation			
1.1	Project Kick-Off Meeting - Meeting Agenda, Minutes, Action Items			
	- Pat Hines, Program Manager (Safe Moves)	20	\$127.02	\$2,540.40
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	10	\$46.22	\$462.20
1.2	Staff Coordination with Consultant - Biweekly Meetings			
	- Pat Hines, Program Manager (Safe Moves)	80	\$127.02	\$10,161.60

Task #	Task	Hours	Hourly Rate	Total
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	50	\$46.22	\$2,311.00
1.3	Project Invoicing - Monthly Progress Reports with Invoicing			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	50	\$46.22	\$2,311.00
Total for Task 1		240		\$21,596.80
2	Outreach			
2.1	Website, Voicemail, and Email			
	Produce and monitor website			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	Establish and monitor phone lines/voicemails/emails			
	- Pat Hines, Program Manager (Safe Moves)	20	\$127.02	\$2,540.40
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
2.2	Event Advertisement			
	Advertising/promotional materials			
	- Pat Hines, Program Manager (Safe Moves)	40	\$127.02	\$5,080.80
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	30	\$46.22	\$1,386.60
	85 event/workshops announcements posted & 508 posters printed/displayed			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	30	\$46.22	\$1,386.60
Total for Task 2		380		\$27,259.60
3	Education			
3.1	Safe Routes to School Maps			
	Walk Audits (3 Schools)			
	- Pat Hines, Program Manager (Safe Moves)	25	\$127.02	\$3,175.50
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	15	\$46.22	\$693.30
	- Quinn Danz, Instructor (Safe Moves)	25	\$36.98	\$924.50

Task #	Task	Hours	Hourly Rate	Total
	- Will Mellon, Instructor (Safe Moves)	25	\$36.98	\$924.50
	Infrastructure Deficiency Inventory List, Map & Costs			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	Review/Revise School Maps (14 schools)			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
3.2	Bicycle and Pedestrian Student Skills Training Rodeos			
	Bike, Scooter & Pedestrian Skill Trainings & Summary			
	- Pat Hines, Program Manager (Safe Moves)	50	\$127.02	\$6,351.00
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	30	\$46.22	\$1,386.60
	- Quinn Danz, Instructor (Safe Moves)	125	\$36.98	\$4,622.50
	- Will Mellon, Instructor (Safe Moves)	125	\$36.98	\$4,622.50
	Rodeo Toolkit (Developed in Year 1)			
3.3	Parent/Teacher/Coordinator Training Workshops			
	Workshops			
	- Pat Hines, Program Manager (Safe Moves)	75	\$127.02	\$9,526.50
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	SRTS Toolkit (1) (Developed in Year 1)			
	Workshop Content			
	- Pat Hines, Program Manager (Safe Moves)	40	\$127.02	\$5,080.80
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
	Total for Task 3	710		\$50,244.20
4	Encouragement			
4.1	Kick-off Event (1) NONE			
4.2	Pop-Up Events (5)			
	- Pat Hines, Program Manager (Safe Moves)	50	\$127.02	\$6,351.00
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
	- Quinn Danz, Instructor (Safe Moves)	50	\$36.98	\$1,849.00
	- Will Mellon, Instructor (Safe Moves)	50	\$36.98	\$1,849.00
	- Marni Spencer-Devlin, Instructor (Safe Moves)	50	\$36.98	\$1,849.00
4.3	Encouragement Events			
	Walking, scooter riding and bicycle riding encouragement events (51)			

Task #	Task	Hours	Hourly Rate	Total
	- Pat Hines, Program Manager (Safe Moves)	90	\$127.02	\$11,431.80
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	60	\$46.22	\$2,773.20
	- Quinn Danz, Instructor (Safe Moves)	100	\$36.98	\$3,698.00
	- Will Mellon, Instructor (Safe Moves)	100	\$36.98	\$3,698.00
	- Marni Spencer-Devlin, Instructor (Safe Moves)	100	\$36.98	\$3,698.00
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	OTS funded helmets and safety equipment (Purchased in Year 1)			
	Total for Task 4	715		\$40,201.30
5	Program Evaluation			
5.1	Surveys			
	Pre and Post Parent Surveys and Student Tallies			
	- Pat Hines, Program Manager (Safe Moves)	30	\$127.02	\$3,810.60
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	- Quinn Danz, Instructor (Safe Moves)	20	\$36.98	\$739.60
	- Will Mellon, Instructor (Safe Moves)	20	\$36.98	\$739.60
	- Marni Spencer-Devlin, Instructor (Safe Moves)	20	\$36.98	\$739.60
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	25	\$46.22	\$1,155.50
	OTS Pre and Post Helmet Surveys (17 Schools) N/A			
5.2	(1) Annual Report (17 Schools) & Program Evaluation Report (17 Schools)			
	- Pat Hines, Program Manager (Safe Moves)	40	\$127.02	\$5,080.80
	- Pamela Nye Pedersen, Program Coordinator (Safe Moves)	30	\$46.22	\$1,386.60
	- Eve Mazzara, Graphic and Social Media Coordinator (Safe Moves)	40	\$46.22	\$1,848.80
	Total for Task 5	265		\$17,349.90
	TOTAL FOR ALL TASKS			\$156,651.80
	Printing			
	Rodeo Flyer & Permission Form for 17 Rodeos			\$1,500.00
	508 Posters			\$1,200.00
	Safety Tips for Students & Parents			\$2,500.00
	51 Encouragement Event Flyers			\$2,300.00
	TOTAL FOR PRINTING			\$7,500.00
	YEAR 3 TOTAL			\$164,151.80

EXHIBIT C
INSURANCE REQUIREMENTS

Without limiting the Contractor's indemnification of the City, and prior to commencing any of the Services required under this Agreement, the Contractor shall provide and maintain in full force and effect during the period of performance of the Agreement and for twenty-four (24) months following acceptance by the City, at its sole cost and expense, the following insurance policies from insurance companies authorized to do business in the State of California. These policies shall be primary insurance as to the City of Santa Clara so that any other coverage held by the City shall not contribute to any loss under Contractor's insurance. The minimum coverages, provisions and endorsements are as follows:

A. COMMERCIAL GENERAL LIABILITY INSURANCE

1. Commercial General Liability Insurance policy which provides coverage at least as broad as Insurance Services Office form CG 00 01. Policy limits are subject to review, but shall in no event be less than, the following:
 - \$1,000,000 Each Occurrence
 - \$2,000,000 General Aggregate
 - \$2,000,000 Products/Completed Operations Aggregate
 - \$1,000,000 Personal Injury
2. Exact structure and layering of the coverage shall be left to the discretion of Contractor; however, any excess or umbrella policies used to meet the required limits shall be at least as broad as the underlying coverage and shall otherwise follow form.
3. The following provisions shall apply to the Commercial Liability policy as well as any umbrella policy maintained by the Contractor to comply with the insurance requirements of this Agreement:
 - a. Coverage shall be on a "pay on behalf" basis with defense costs payable in addition to policy limits;
 - b. There shall be no cross liability exclusion which precludes coverage for claims or suits by one insured against another; and
 - c. Coverage shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of liability.

B. BUSINESS AUTOMOBILE LIABILITY INSURANCE

Business automobile liability insurance policy which provides coverage at least as broad as ISO form CA 00 01 with policy limits a minimum limit of not less than one million dollars (\$1,000,000) each accident using, or providing coverage at least as broad as, Insurance Services Office form CA 00 01. Liability coverage shall apply to all owned (if any), non-owned and hired autos.

C. WORKERS' COMPENSATION

1. Workers' Compensation Insurance Policy as required by statute and employer's liability with limits of at least one million dollars (\$1,000,000) policy limit Bodily Injury by disease, one million dollars (\$1,000,000) each accident/Bodily Injury and one million dollars (\$1,000,000) each employee Bodily Injury by disease.
2. The indemnification and hold harmless obligations of Contractor included in this Agreement shall not be limited in any way by any limitation on the amount or type of damage, compensation or benefit payable by or for Contractor or any subcontractor under any Workers' Compensation Act(s), Disability Benefits Act(s) or other employee benefits act(s).
3. This policy must include a Waiver of Subrogation in favor of the City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents.

D. PROFESSIONAL LIABILITY

Professional Liability or Errors and Omissions Insurance as appropriate shall be written on a policy form coverage specifically designed to protect against negligent acts, errors or omissions of the Contractor. Covered services as designated in the policy must specifically include work performed under this agreement. Coverage shall be in an amount of not less than one million dollars (\$1,000,000) per claim or two million dollars (\$2,000,000) aggregate. Any coverage containing a deductible or self-retention must first be approved in writing by the City Attorney's Office.

E. COMPLIANCE WITH REQUIREMENTS

All of the following clauses and/or endorsements, or similar provisions, must be part of each commercial general liability policy, and each umbrella or excess policy.

1. Additional Insureds. City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents are hereby added as additional insureds in respect to liability arising out of Contractor's work for City, using Insurance Services Office (ISO) Endorsement CG 20 10 11 85,

or the combination of CG 20 10 03 97 and CG 20 37 10 01, or its equivalent.

2. Primary and non-contributing. Each insurance policy provided by Contractor shall contain language or be endorsed to contain wording making it primary insurance as respects to, and not requiring contribution from, any other insurance which the indemnities may possess, including any self-insurance or self-insured retention they may have. Any other insurance indemnities may possess shall be considered excess insurance only and shall not be called upon to contribute with Contractor's insurance.
3. Cancellation.
 - a. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided due to non-payment of premiums shall be effective until written notice has been given to City at least ten (10) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least ten (10) days prior to the effective date of non-renewal.
 - b. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided for any cause save and except non-payment of premiums shall be effective until written notice has been given to City at least thirty (30) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least thirty (30) days prior to the effective date of non-renewal.
4. Other Endorsements. Other endorsements may be required for policies other than the commercial general liability policy if specified in the description of required insurance set forth in Sections A through E of this Exhibit C, above.

F. ADDITIONAL INSURANCE RELATED PROVISIONS

Contractor and City agree as follows:

1. Contractor agrees to ensure that subcontractors, and any other party involved with the Services, who is brought onto or involved in the performance of the Services by Contractor, provide the same minimum insurance coverage required of Contractor, except as with respect to limits. Contractor agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this Agreement. Contractor agrees that upon request by City, all agreements with, and insurance compliance

documents provided by, such subcontractors and others engaged in the project will be submitted to City for review.

2. Contractor agrees to be responsible for ensuring that no contract used by any party involved in any way with the project reserves the right to charge City or Contractor for the cost of additional insurance coverage required by this Agreement. Any such provisions are to be deleted with reference to City. It is not the intent of City to reimburse any third party for the cost of complying with these requirements. There shall be no recourse against City for payment of premiums or other amounts with respect thereto.
3. The City reserves the right to withhold payments from the Contractor in the event of material noncompliance with the insurance requirements set forth in this Agreement.

G. EVIDENCE OF COVERAGE

Prior to commencement of any Services under this Agreement, Contractor, and each and every subcontractor (of every tier) shall, at its sole cost and expense, provide and maintain not less than the minimum insurance coverage with the endorsements and deductibles indicated in this Agreement. Such insurance coverage shall be maintained with insurers, and under forms of policies, satisfactory to City and as described in this Agreement. Contractor shall file with the City all certificates and endorsements for the required insurance policies for City's approval as to adequacy of the insurance protection.

H. EVIDENCE OF COMPLIANCE

Contractor or its insurance broker shall provide the required proof of insurance compliance, consisting of Insurance Services Office (ISO) endorsement forms or their equivalent and the ACORD form 25-S certificate of insurance (or its equivalent), evidencing all required coverage shall be delivered to City, or its representative as set forth below, at or prior to execution of this Agreement. Upon City's request, Contractor shall submit to City copies of the actual insurance policies or renewals or replacements. Unless otherwise required by the terms of this Agreement, all certificates, endorsements, coverage verifications and other items required to be delivered to City pursuant to this Agreement shall be emailed to:

ctsantaclara@ebix.com

Or mailed to:

EBIX Inc.
City of Santa Clara Department of Public Works
P.O. Box 100085 – S2
Duluth, GA 30096

Telephone number: 951-766-2280
Fax number: 770-325-0409

I. QUALIFYING INSURERS

All of the insurance companies providing insurance for Contractor shall have, and provide written proof of, an A. M. Best rating of at least A minus 6 (A- VI) or shall be an insurance company of equal financial stability that is approved by the City or its insurance compliance representatives.

**EXHIBIT D
NOTICE OF EXERCISE OF OPTION TO EXTEND AGREEMENT**

AGREEMENT TITLE:	
CONTRACTOR:	
DATE:	

Pursuant to Section ___ of the Agreement referenced above, the City of Santa Clara hereby exercises its option to extend the term under the following provisions:

OPTION NO.	# of #
-------------------	--------

NEW OPTION TERM

Begin date:	
End date:	

CHANGES IN RATE OF COMPENSATION

Percentage change in CPI upon which adjustment is based:	
--	--

Pursuant to Section ___ of the Agreement the rates of compensation are hereby adjusted as follows:
(use attachment if necessary)

MAXIMUM COMPENSATION for New Option Term:	
--	--

For the option term exercised by this Notice, City shall pay Contractor an amount not to exceed the amount set forth above for Contractor's services and reimbursable expenses, if any. The undersigned signing on behalf of the City of Santa Clara hereby certifies that an unexpended appropriation is available for the term exercised by this Notice, and that funds are available as of the date of this signature.

Approved as to Form: _____ Dated: _____

Office of the City Attorney
City of Santa Clara

Rajeev Batra
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771



Agenda Report

22-1214

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action on Historic Preservation Agreement (Mills Act Contract) for 957 Lewis Street

COUNCIL PILLAR

Promote and Enhance Economic Housing and Transportation Development

BACKGROUND

Property owners Brian and Christine Allen applied for approval of a Preservation Agreement (Mills Act Contract) for the property located at 957 Lewis Street. The subject property is a 0.15-acre lot located on the northeast corner of Lewis Street and Washington Street. The existing residence is a single-story Vernacular architectural style constructed circa 1895. There is a detached garage/shed located to the rear of the residence that is not historically significant as it was constructed more than 50 years after the construction of the residence.

A requirement of the Mills Act is that the building must be a qualified structure, listed on either a local, State, or National register. The property is currently listed on the City's Historic Resource Inventory (HRI) based on the age and the architectural integrity of the residential structure. The property owner has submitted the requisite application, including a Historic Survey (DPR 523A Form) of the property, Statement of Justification for the request, and a 10-Year Restoration and Maintenance Plan for evaluation of the proposed workplan to restore, rehabilitate and maintain the property. The Mills Act Contract with 10-Year Restoration and Maintenance Plan and supporting documents were made part of the Historical and Landmarks Commission staff report, included here as Attachments 1 and 2 respectively, and reviewed at the September 1, 2022 Historical and Landmarks Commission meeting.

Following review of the application, staff report and public testimony, the Historical and Landmarks Commission recommended that Council approve the Mills Act Contract and adopt the Ten-Year Restoration and Maintenance Plan for 957 Lewis Street. An excerpt of the draft Minutes of the September 1, 2022 Historical and Landmarks Commission meeting is provided as Attachment 3.

DISCUSSION

The purpose of the Mills Act Contract is to offer owner(s) of historically significant properties an economic incentive to maintain and preserve the historical physical integrity of their properties, which thereby also increases the aesthetic and economic health of the surrounding neighborhood and the City. A Ten-Year Restoration and Maintenance Plan is required to document specific maintenance and preservation activities proposed to be undertaken by the property owners for the Contract property.

The Council established a process for evaluating Mills Act Contract requests on September 4, 1993 (Resolution No. 5843), that set a limit of five contracts per year. In 2004, the City Council increased

the number of allowable contracts to 10 per year. If approved, the subject property would be the fifth for 2022 and within the City's allowed number of ten contracts for 2022.

The property owner's Statement of Justification along with the 10-Year Restoration and Maintenance Plan demonstrate the property owner's intent to invest in the subject property consistent with the purpose of Mills Act Contracts.

ENVIRONMENTAL REVIEW

The Mills Act program is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15331 of the CEQA Guidelines (Class 31 - Historical Resource Restoration / Rehabilitation). Class 31 consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties ("SOI Standards"). The Project will result in the restoration and rehabilitation of the 1903 structure consistent with the SOI Standards.

FISCAL IMPACT

The amount of the property tax reduction depends upon the property, location, size, and comparable properties in the area. Currently, the assessed value of the property is approximately \$1,045,394 (6/30/2022 information) and the annual property tax is approximately \$12,394 (2021/22 value) (Source: Santa Clara County Assessor's Office). The City receives approximately ten percent (10%) of the base property tax. The Mills Act tax reduction is based on an income capitalization method (ICM) calculation based on the average monthly rent, average maintenance costs, and an amortization schedule to arrive at a reduced appraisal value resulting in lower property taxes. The anticipated tax reduction would be 20 percent to 70 percent based on the County's evaluation of the property's age, condition, and local market value factors in accordance with the formula set by state law. Based on the latest information available, the estimated annual fiscal impact to the City for this individual Mills Act contract would be a decrease of property tax revenue in the range of \$248 to \$868. The actual future fiscal impact may be greater due to the reassessment of property value by the County upon transfer of ownership.

As the current Council policy allows up to ten Mills Act Contracts to be approved each year, the cumulative economic impact for multiple Mills Act contract does not significantly reduce the overall property tax income for the City. The Mills Act contract is the fifth such request in 2022.

COORDINATION

This report has been coordinated with the Finance Department and the City Attorney's Office.

PUBLIC CONTACT

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.

RECOMMENDATION

Authorize the City Manager to execute a Mills Act Contract and adopt the 10-Year Restoration and Maintenance Plan associated with the property at 957 Lewis Street.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Mills Act Contract and 10-Year Restoration and Maintenance Plan
2. Staff Report from Historical and Landmarks Commission meeting of September 1, 2022
3. Draft Excerpt Historical and Landmarks Commission meeting minutes of September 1, 2022

**RECORD WITHOUT FEE
PURSUANT TO GOV'T CODE SECTION 6103**

Recording Requested by:
Office of the City Attorney
City of Santa Clara, California

When Recorded, Mail to:
Office of the City Clerk
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Form per Gov't Code Section 27361.6

[SPACE ABOVE THIS LINE FOR RECORDER'S USE]

HISTORIC PROPERTY PRESERVATION AGREEMENT

This Agreement, (herein, "Agreement"), is made and entered into this [REDACTED] day of [REDACTED], 2022, ("Effective Date"), by and between Brian and Christine Allen, owners of certain real property located at 957 Lewis Street, Santa Clara, CA 95050 ("OWNERS") and the City of Santa Clara, California, a chartered California municipal corporation with its primary business address at 1500 Warburton Avenue, Santa Clara, California 95050("CITY"). CITY and OWNERS may be referred to herein individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

A. Recitals.

(1) California Government Code Section 50280, et seq. authorizes the CITY to enter into a contract with the OWNERS of qualified Historical Property to provide for the use, maintenance, and restoration of such Historical Property so as to retain its characteristics as property of historical significance.

(2) OWNERS possesses fee title in and to that certain real property, together with associated structures and improvements thereon, shown on the 2021 Santa Clara County Property Tax Rolls as Assessors' Parcel Number 269-05-065, and generally located at the street address 957 Lewis Street, in the City of Santa Clara ("Historic Property"). A legal description of the Historic Property is attached hereto as "Legal Description," marked as "Exhibit A," and incorporated herein by reference.

(3) The Historic Property is on the City of Santa Clara Architecturally or Historically Significant Properties list. OWNERS submitted a Mills Act Proposal to City on June 30, 2022. The Proposal included a Primary Record from the State of California's Department of Parks and Recreation. A true and correct copy of the Proposal is attached to this Agreement as "Exhibit B".

(4) CITY and OWNERS, for their mutual benefit, now desire to enter into this Agreement both to protect and preserve the characteristics of historical significance of the Historic Property and to qualify the Historic Property for an assessment of valuation pursuant to Section 439.2 of the California Revenue and Taxation Code.

B. **Agreement.**

NOW, THEREFORE, CITY and OWNERS, in consideration of the mutual covenants and conditions set forth herein, do hereby agree as follows:

(1) **Effective Date and Term of Agreement.** The term of this Agreement shall commence on the effective date of this Agreement and shall remain in effect for a term of ten (10) years thereafter. Each year upon the anniversary of the effective date, such term will automatically be extended as provided in paragraph 2, below.

(2) **Renewal.**

(a) Each year on the anniversary of the effective date of this Agreement, ("renewal date"), one (1) year shall automatically be added to the term of this Agreement unless notice of nonrenewal is mailed as provided herein.

(b) If either the OWNERS or CITY desires in any year not to renew the Agreement, OWNERS or CITY shall serve written notice of nonrenewal of the Agreement. Unless such notice is served by OWNERS to CITY at least ninety (90) days prior to the annual renewal date, or served by CITY to OWNERS at least sixty (60) days prior to the annual renewal date, one (1) year shall automatically be added to the balance of the remaining term of the Agreement as provided herein.

(c) OWNERS may make a written protest of a nonrenewal notice issued by CITY. CITY may, at any time prior to the annual renewal date of the Agreement, withdraw its notice to OWNERS of nonrenewal. If either CITY or OWNERS serves notice to the other of nonrenewal in any year, the Agreement shall remain in effect for the balance of the term then remaining, from either original execution date or the last renewal date of the Agreement, whichever is applicable.

(3) **Standards for Historical Property.** During the term of this Agreement, the Historic Property shall be subject to the following conditions, requirements, and restrictions:

(a) OWNERS shall preserve and maintain the characteristics of historical significance of the Historic Property. "The Secretary of the Interior's Standards for Rehabilitation," marked as "Exhibit C" to this agreement, and incorporated herein by this reference, contains a list of those minimum standards and conditions for maintenance, use, and preservation of the Historic Property, which shall apply to such property throughout the term of this Agreement.

(b) OWNERS shall, when necessary or as determined by the Director of Planning and Inspection, restore and rehabilitate the property to conform to the rules and regulations of the Office of Historic Preservation of the State Department of Parks and Recreation, the United States Secretary of the Interior Standards for Rehabilitation and the California Historical Building Code and in accordance with the attached schedule of potential home improvements, drafted by the OWNERS and approved by the City Council, attached hereto as "The Description of the Preservation and Restoration Efforts," marked as "Exhibit D" to this agreement, and incorporated herein by this reference.

(c) OWNERS shall allow, and CITY requires, that after five (5) years, and every five (5) years thereafter, an inspection of the property's interior and exterior shall be conducted by a party appointed by CITY, to determine OWNERS' continued compliance with the terms of this

Agreement. OWNERS acknowledge that the required inspections of the interior and exterior of the property were conducted prior to the effective date of this Agreement.

(4) Provision for Information.

(a) OWNERS hereby agree to furnish CITY with any and all information requested by the CITY to determine compliance with the terms and provisions of this Agreement.

(b) It shall be the duty of the OWNERS to keep and preserve, for the term of the Agreement, all records as may be necessary to determine the eligibility of the property involved, and the OWNERS compliance with the terms and provisions of this Agreement, including, but not limited to blueprints, permits, historical and/or architectural review approvals, and schedules of potential home improvements drafted by the OWNERS and approved by the City Council.

(5) Cancellation.

(a) CITY, following a duly noticed public hearing as set forth in California Government Code Section 50280, et seq., shall cancel this Agreement or bring an action in court to enforce this Agreement if it determines any one of the following:

(i) the OWNERS breached any of the terms or conditions of this Agreement; or

(ii) the OWNERS have allowed the property to deteriorate to the point that it no longer meets standards for a qualified historic property.

(b) CITY may also cancel this Agreement if it determines that:

(i) the OWNERS have allowed the property to deteriorate to the point that it no longer meets building standards of the City Code and the codes it incorporates by reference, including, but not limited to, the Uniform Housing Code, the California Historical Building Code, the California Fire Code, and the Uniform Code for the Abatement of Dangerous Buildings or;

(ii) the OWNERS have not complied with any other local, State, or federal laws and regulations.

(iii) the OWNERS have failed to restore or rehabilitate the property in the manner specified in subparagraph 3(b) of this Agreement.

(c) In the event of cancellation, OWNERS shall pay those cancellation fees set forth in California Government Code Section 50280, et seq. As an alternative to cancellation, OWNERS may bring an action in court to enforce the Agreement.

(6) No Waiver of Breach.

(a) No waiver by CITY of any breach under this Agreement shall be deemed to be a waiver of any other subsequent breach. CITY does not waive any claim of breach by OWNERS if CITY does not enforce or cancel this Agreement. All other remedies at law or in equity which are not otherwise provided for under the terms of this Agreement or in the City's laws and regulations are available to the City.

(7) Mediation.

(a) Any controversies between OWNERS and CITY regarding the construction or application of this Agreement, and claim arising out of this contract or its breach, shall be submitted to mediation upon the written request of one party after the service of that request on the other party.

(b) If a dispute arises under this contract, either party may demand mediation by filing a written demand with the other party.

(c) The parties may agree on one mediator. If they cannot agree on one mediator, there shall be three: one named in writing by each of the parties within five days after demand for mediation is given, and a third chosen by the two appointed. Should either party refuse or neglect to join in the appointment of the mediator(s) or to furnish the mediator(s) with any papers or information demanded, the mediator(s) may proceed ex parte.

(d) A hearing on the matter to be arbitrated shall take place before the mediator(s) in the city of Santa Clara, County of Santa Clara, State of California, at the time and place selected by the mediator(s). The mediator(s) shall select the time and place promptly and shall give party written notice of the time and place at least fifteen (15) days before the date selected. At the hearing, any relevant evidence may be presented by either party, and the formal rules of evidence applicable to judicial proceedings shall not govern. Evidence may be admitted or excluded in the sole discretion of the mediator(s). The mediator(s) shall hear and determine the matter and shall execute and acknowledge the award in writing and cause a copy of the writing to be delivered to each of the parties.

(e) The submission of a dispute to the mediator(s) and the rendering of a decision by the mediator(s) shall be a condition precedent to any right of legal action on the dispute. A judgment confirming the award may be given by any Superior Court having jurisdiction, or that Court may vacate, modify, or correct the award in accordance with the prevailing provisions of the California Mediation Act.

(f) Each party shall bear their own cost(s) of mediation.

(8) Binding Effect of Agreement.

(a) The OWNERS hereby subjects the Historic Property described in Exhibit "A" hereto to the covenants, reservations, and restrictions as set forth in this Agreement. CITY and OWNERS hereby declare their specific intent that the covenants, reservations, and restrictions as set forth herein shall be deemed covenants running with the land and shall pass to and be binding upon the OWNERS successors and assigns in title or interest to the Historic Property. Each and every contract, deed, or other instrument hereinafter executed, covering, encumbering, or conveying the Historic Property, or any portion thereof, shall conclusively be held to have been executed, delivered, and accepted subject to the covenants, reservations, and restrictions expressed in this Agreement, regardless of whether such covenants, reservations, and restrictions are set forth in such contract, deed, or other instrument.

(b) CITY and OWNERS hereby declare their understanding and intent that the burden of the covenants, reservations, and restrictions set forth herein touch and concern the land in that OWNERS' legal interest in the Historic Property.

(c) CITY and OWNERS hereby further declare their understanding and intent that the benefit of such covenants, reservations, and restrictions touch and concern the land by enhancing and maintaining the historic characteristics and significance of the Historic Property for the benefit of the CITY, public (which includes, but is not limited to the benefit to the public street generally located at 957 Lewis Street), and OWNERS.

(9) **Notice.**

(a) Any notice required to be given by the terms of this Agreement shall be provided at the address of the respective parties as specified below or at any other address as may be later specified by the parties hereto.

CITY: City of Santa Clara
Attn: City Clerk
1500 Warburton Avenue
Santa Clara, CA 95050

OWNERS: Brian Allen	Christine Allen
957 Lewis Street	957 Lewis Street
Santa Clara, CA 95050	Santa Clara, CA 95050

(b) Prior to entering a contract for sale of the Historic Property, OWNERS shall give thirty (30) days notice to the CITY and it shall be provided at the address of the respective parties as specified above or at any other address as may be later specified by the parties hereto.

(10) **No Partnership or Joint Enterprise Created.** None of the terms, provisions, or conditions of this Agreement shall be deemed to create a partnership between the parties hereto and any of their heirs, successors, or assigns; nor shall such terms, provisions, or conditions cause them to be considered joint ventures or members of any joint enterprise.

(11) **Hold Harmless and Indemnification.** To the extent permitted by law, OWNERS agree to protect, defend, hold harmless and indemnify CITY, its City Council, commissions, officers, agents, and employees from and against any claim, injury, liability, loss, cost, and/or expense or damage, however same may be caused, including all costs and reasonable attorney's fees in providing a defense to any claim arising there from for which OWNERS shall become legally liable arising from OWNERS' acts, errors, or omissions with respect to or in any way connected with this Agreement.

(12) **Attorneys' Fees.** In the event legal proceedings are brought by any party or parties to enforce or restrain a violation of any of the covenants, reservations, or restrictions contained herein, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding may recover all reasonable attorney's fees to be fixed by the court, in addition to costs and other relief ordered by the court.

(13) **Restrictive Covenants Binding.** All of the agreements, rights, covenants, reservations, and restrictions contained in this Agreement shall be binding upon and shall inure to the benefit of the parties herein, their heirs, successors, legal representatives, assigns and all persons acquiring any part or portion of the Historic Property, whether by operation of law or in any manner pursuant to this Agreement.

(14) **Mills Act Historic Property Contract Application Requirements.** An application for a Mills Act Historic Property Contract shall be made through the Planning Division and shall include the following:

- a. a Historic Resources Inventory form;
- b. the description of the preservation or restoration efforts to be undertaken as referenced in paragraph 3 (b) as Exhibit "D";
- c. a statement of justification for the Mills Act Historic Property designation and reassessment; and,
- d. the Mills Act Historic Property Contract filing fee pursuant to paragraph 17.

(15) **Mills Act Historic Property Contract Approval.** Based upon the Historical and Landmarks Commission's ("Commission") review of the Mills Act Historic Property Contract criteria and recommendation to Council, and based upon the recommendation and approval by Council, a Mills Act Historic Property Contract may be entered into with OWNERS. The decision of the City Council shall be final and conclusive in the matter.

(16) **Recordation and Notice.** No later than twenty (20) days after the parties execute and enter into this Agreement, the CITY shall cause this Agreement to be recorded in the office of the County Recorder of the County of Santa Clara.

(17) **Fees.** The Planning Department may collect such Mills Act Historic Property Contract application fee of _____ (s _____ dollars), or other fees for the administration of this contract as are authorized from time to time by the City Council. Such fees do not exceed the reasonable cost of providing the service for which these fees are charged. OWNERS shall pay the County Recorder's Office recordation fees for recordation of this Mills Act Historic Property Contract and the recordation of the OWNERS updated Historic Resources Inventory form.

(18) **Ordinary Maintenance.** Nothing in this contract shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in or on any Historic Property covered by this contract that does not involve a change in design, material, or external appearance thereof, nor does this contract prevent the construction, reconstruction, alteration, restoration, demolition, or removal of any such external architectural feature when the Director of Planning and Inspection determines that such action is required for the public safety due to an unsafe or dangerous condition which cannot be rectified through the use of the California Historical Building Code and when such architectural feature can be replaced according to the Secretary of Interior's Standards.

(19) **California Historical Building Code.** The California Historical Building Code ("CHBC") provides alternative building regulations for the rehabilitation, preservation, restoration, or relocation of structures designated as Historic Properties. The CITY's building permit procedure shall be utilized for any Historic Property which is subject to the provisions of this Agreement, except as otherwise provided in this Agreement or the CHBC. Nothing in this Agreement shall be deemed to prevent any fire, building, health, or safety official from enforcing laws, ordinances, rules, regulations, and standards to protect the health, safety, welfare, and property of the OWNERS or occupants of the Historic Property or the public.

(20) **Conservation Easements.**

(a) Conservation easements on the facades of the Historical Property may be acquired by the CITY, or on the CITY's behalf, by a nonprofit group designated by the CITY through purchase, donation, or condemnation pursuant to California Civil Code Section 815.

(b) The OWNERS, occupant, or other person in actual charge of the Historical Property shall keep in good repair all of the exterior portions of the Historic Property, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior architectural feature.

(c) It shall be the duty of the Director of Planning and Building Inspection to enforce this section.

(21) **Severability.** If any section, sentence, clause, or phrase of this Agreement is, for any reason, held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, or by subsequent preemptive legislation, such decision shall not affect the validity and enforceability of the remaining provisions or portions of this Agreement. CITY and OWNERS hereby declare that they would have adopted this Agreement, and each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared invalid or unconstitutional.

(22) **Integrated Agreement - Totality of Agreement.** This Agreement embodies the agreement between CITY and OWNERS and its terms and conditions. No other understanding, agreements, or conversations, or otherwise, with any officer, agent, or employee of CITY prior to execution of this Agreement shall affect or modify any of the terms or obligations contained in any documents comprising this Agreement. Any such verbal agreement shall be considered as unofficial information and in no way binding upon CITY.

(23) **Captions.** The captions of the various sections, paragraphs and subparagraphs are for convenience only and shall not be considered or referred to in resolving questions of interpretation.

(24) **Statutes and Law Governing Contract.** This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California.

(25) **Amendments.** This Agreement may be amended, in whole or in part, only by a written recorded instrument executed by the parties hereto.

IN WITNESS WHEREOF, CITY and OWNERS have executed this Agreement on the day and year first written above.

**CITY OF SANTA CLARA, CALIFORNIA,
a chartered California municipal corporation**

APPROVED AS TO FORM:

City Attorney

Rajeev Batra
City Manager

ATTEST:

1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax Number: (408) 241-6771

Hosam Haggag
City Clerk

“CITY”

**Brian and Christine Allen,
Owners of 957 Lewis Street**

By: _____
Brian Allen
957 Lewis Street
Santa Clara, CA 95050

By: _____
Christine Allen
957 Lewis Street
Santa Clara, CA 95050

“OWNERS”

Exhibits:

- A – Property Description
- B – Primary Record
- C – Standards for Rehabilitation
- D – Restoration Schedule

I:\PLANNING\2022\Project Files Active\PLN22-00385 957 Lewis St (Mills Act)\Mills Act Contract.doc

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 269-05-065

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTHERLY LINE OF LEWIS STREET SAID POINT BEING DISTANT THEREON 101 FEET EASTERLY FROM THE POINT OF INTERSECTION OF SAID NORTHERLY LINE OF LEWIS STREET WITH THE EASTERLY LINE OF WASHINGTON STREET; RUNNING THENCE EASTERLY ALONG SAID NORTHERLY LINE OF LEWIS STREET 50 FEET; THENCE AT RIGHT ANGLES NORTHERLY 137 FEET; THENCE AT RIGHT ANGLES WESTERLY 50 FEET; THENCE AT RIGHT ANGLES SOUTHERLY 137 FEET TO THE POINT OF COMMENCEMENT, AND BEING A PART OF BLOCK 5 NORTH RANGE 1 EAST, AS REPRESENTED UPON THE OFFICIAL MAP OF THE TOWN OF SANTA CLARA, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

State of California — The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary #
 HRI #
 Trinomial
 NRHP Status Code

Other Listings
 Review Code

Reviewer

Date

Page 1 of

*Resource Name or #: 957 Lewis Street

P1. Other Identifier:

*P2. Location: Not for Publication Unrestricted

*a. County: Santa Clara

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad:

Date:

T ; R ; ¼ of ¼ of Sec ; M.D. B.M.

c. Address: 957 Lewis Street

City: Santa Clara

Zip: 95050

d. UTM: Zone: 10 ; mE/ mN (G.P.S.)

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) Elevation: APN# 269-05-065

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The property is located on the northerly line of Lewis St said point being distant whereon 101 feet eastwardly from the point of the intersection of said northerly line of Lewis St with the easterly line of Washington St; running thence easterly along said northerly line of Lewis St 50 feet; thence at right angles northerly 137 feet; thence at right angles westerly 50 feet; thence at a right angle suddenly 137 feet to the point of commencement, and being a part of blocked 5 north range 1 East, as represented up on the official map of the town of Santa Clara, County of Santa Clara, state of California

This property falls within the old quad area of Santa Clara, which contains hundreds of houses dating from the 19th century through the 1930s, along with many newer buildings. The old quad encompasses the area bordered by Scott Blvd to the West, Newhall Street to the South and east, and the railroad tracks to the north and east. A moderate number of homes in this area date to the 1850s - 1880s, and a very large number date to the 1890s - 1900s. Along the eastern edge the neighborhood is Santa Clara University which consists of about eight large buildings dating from 1911 - 1930, plus newer buildings. By contrast, Santa Clara historic downtown was razored in 1960s through urban renewal.

957 Lewis St is a single-story wooden residence constructed on a rectangular plan and a unique cooler style. This structure exhibits a double hipped roof with two street facing gables. The roof line is also characterized by a very small eave projection around the gables but a pronounced eave, boxed cornice and large plane frieze where it joins the exterior wall. A low-hipped, wrapped around veranda further defines the facade. The body of the house is sheathed in wide shiplap with wide end boards. Fish scale shingles ornate ornament the two gables. The front veranda exhibits a very low overhang and is supported by ornately carved turn post with carved brackets. The porch is reached by a five-step wooden stairway. The porch banister is composed of simple wooden one inch by two-inch stakes. Fenestration is simple, rectangular in form, asymmetrically placed and double hung. A small palladian style window/vent ornaments the lower gable. The main entry is recessed under the veranda overhang and is in placed adjacent to the slightly angled bay. A detached garage/shed is located to the rear of the house.

The site is significant primarily due to its architectural style. The unusual wrap around veranda and double front-facing gables at a definite farm influence to the residence. The vernacular forms by definition add a quality of uniqueness to their design which, while not particularly find piece of architectural in this case, add to the distinctiveness of this neighborhood in the city. The earliest owner/occupant of the residence is listed in the 1908 City Directory as William J Foley who was a clerk. Foley is also listed as owner/occupant in the 1915 Directory. There are earlier listings of William Foley, but they are from widely different addresses around Santa Clara. No address listing is found for the site before 1908 despite the fact that the building predates that year. The house has shown on the 1901 Sanborn map but not the 1891 map.

This information was obtained from the Historic Resources Inventory report prepared by Guidici / Zavlaris of URC dated November 18, 1980, for the purpose of a special plaque request, see attached.

The residence is listed on the Architecturally Historically Significant Properties on page 8.9-9, See attached

The owners are in the process of obtaining a permit to demolish the existing garage/shed and add a ADU at the rear of the property. Bonnie Bamburg of Urban Programmers conducted a review of the house and the garage/shed. Bamburg found that the house had been recently painted, the front yard had been landscaped, the double hung windows had been replaced with updated like window inserts. Bamburg found that there were no other significant structural changes to the house. Bamburg found that the garage/shed does not contribute to the character of the house, having been built more the 50 years later. The garage shed is not architecturally aligned with the house and does not add to the historical character of the house or two other structures in the area, refer to attach report.

*P3b. Resource Attributes: (List attributes and codes)

*P4. Resources Present: Building Structure Object Site District Element of District Other (Isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo: (View, date, accession #) Front of residence located at 957 Lewis Street.

*P6. Date Constructed/Age and Sources: Historic Prehistoric Both

*P7. Owner and Address:
Brian & Christine Allen
957 Lewis Street
Santa Clara, 95050

*P8. Recorded by: (Name, affiliation, and address)
Bonnie Bamburg
Urban Programmers
10710 Ridgeview Ave
San Jose, Ca 95127

*P9. Date Recorded: April 2022

*P10. Survey Type: (Describe)
General

*P11. Report Citation: (Cite survey report and other sources, or enter "none.") Guidici / Zavlaris of URC, 11/18/1980; Polks City Directories 1892,

1900, 1902, 1904, 1908, 1915, Sanborn Maps 1891, 1901

*Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record Artifact Record Photograph Record Other (List):

DPR 523A (1/95)

*Required information

Secretary of Interior's Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

June 25, 2022

Brian and Christine Allen

957 Lewis Street

Santa Clara, CA 95050

10-Year Restoration Maintenance Plan

Foley, c. 1895

Dear Planning Staff and Historic & Landmark Commissioners,

The following is our 10-year plan for the restorations and maintenance of our historic home at 957 Lewis Street. All items to meet the Secretary of interiors standards for Treatment of Historic Properties:

Years 1-2 (2023-2024)

Front Porch: The flooring of the front porch is designed using 1X3 tongue and groove planks. Over time, it has weathered, splitting, and is rotting due to moisture. The treads of the front stairs are also pulling away from the stringers and will need to be repaired or replaced. Once repaired, the front porch and stairs will need to be sealed and painted to prevent additional moisture damage. All changes will be like for like.

Years 2-3 (2025-2026)

Foundation/grading/Drainage: Improve rainwater management around the perimeter of the house: The existing grade (soil) around the house is inadequately sloped (towards the house) which can lead to foundation settlement and compromise the structural integrity of the historic residence. The grade also contacts the historic wood siding / framing which can lead to rot and termite damage. Therefore, we propose to regrade around the perimeter of the residents as required by the building code, correct, improperly sloped roof gutters, and connect the rainwater leader downspouts to concrete splash blocks or sub surfaces drain lines to outlet downhill away from the residents.

Years 4-6 (2026-2028)

Roofing: Replace failing asphalt composition shingle roofing (improperly flashed resulting in leaks with water damage); Install new triple layer (tri-lam) asphalt composition shingle roofing (example: Certainteed Landmark TL) with a more similar profile in shadow line of wood shingles that was originally on the home.

Years 7-8 (2029-2030)

Doors and Windows: Repair all weatherstripping and seals on all doors and windows. Air leakage and the secretion of water can cause mold, rot to form, and uses more energy to heat and cool the residence.

Years 9-10 (2031-2032) exterior of

Exterior Painting: repaint entire residents including all exterior wood siding, eaves, gutters, downspouts, windows and doors and their associated trim, all porches, and railings. Any minor dry rot or pest damage to all wood material shall be repaired with epoxy. Where wood elements have excessive damage, they shall be replaced with salvage or custom milled wood to match existing.

When we lived across the street where our son and his family currently now live, we always admired this house, especially the front porch. We absolutely love this historic home and the old quad neighborhood. We look forward to the memories we will make here with our family.



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
@SantaClaraCity

Agenda Report

22-950

Agenda Date: 9/1/2022

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Consideration of a Historical Preservation Agreement (Mills Act Contract) for 957 Lewis Street

BACKGROUND

Property owners Brian and Christine Allen are requesting a Historical Preservation Agreement (Mills Act Contract) for the property located at 957 Lewis Street. A requirement of the Mills Act is that the building must be a qualified structure, listed on either a local, State or National register. The property is currently listed on the City's Historic Resource Inventory (HRI) for age and the architectural integrity of the residential structure.

The subject property is a 0.15-acre lot located on the northeast corner of Lewis Street and Washington Street. The existing residence is a single-story Vernacular architectural style constructed circa 1895. The main house exhibits a double hipped roof with two street facing gables. The front veranda exhibits a very low overhang and is supported by ornately carved turn post. There is a detached garage/shed located to the rear of the residence that is not historically significant as it was constructed more than 50 years after the construction of the residence. The owners plan to demolish the existing garage/shed to build a new Accessory Dwelling Unit (ADU) at a later time.

The proposal includes approval of a Mills Act Contract and adoption of a 10-Year Restoration and Maintenance Plan associated with the Historical Preservation Agreement.

DISCUSSION

A Department of Recreation (DPR) 523A Form was prepared by Bonnie Bamburg of Urban Programmers in April 2022, assessing the historical significance of the property, and is attached to this report (Attachment 2). The evaluator finds 957 Lewis Street has been well maintained and its architectural integrity has only been slightly diminished with the historic use of the building remaining the same. The evaluator concluded that the property continues to retain sufficient integrity to qualify as a historic property since first designated as a Historically Significant Property on the City's HRI.

The property owners have submitted a Statement of Justification and 10-Year Plan for restoration and maintenance of the property. The Plan includes repairing the front porch, regrading around the perimeter of the residence, re-roofing, window restoration, and exterior painting. The property owners will obtain Significant Property Alteration permits for the work described in the Plan as required by the Historic Preservation Ordinance.

Staff finds that the work proposed in the 10-Year Restoration and Maintenance Plan adheres to the Secretary of the Interior's Standards for Rehabilitation. The proposed improvements support the preservation, protection, and maintenance of a locally designated significant structure.

ENVIRONMENTAL REVIEW

The Mills Act program is exempt from the California Environmental Quality Act (CEQA) environmental review requirements per CEQA Section 15331, which exempts project limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior Standards.

PUBLIC CONTACT

No public comments have been received at the time of preparation of this report.

RECOMMENDATION

Staff recommends that the Historical and Landmarks Commission find that the Mills Act Application and associated 10-Year Plan for restoration and maintenance accomplish the intent of preserving and maintaining the historical significance of the property; and therefore, recommend Council approval of a Mills Act Contract, and the adoption of a 10-Year Restoration and Maintenance Plan associated with the Historical Preservation Agreement.

Prepared by: Tiffany Vien, Assistant Planner, Community Development

Approved by: Lesley Xavier, Planning Manager, Community Development

ATTACHMENTS

1. Legal Property Description
2. Historic Survey (DPR 523A Form)
3. Secretary of the Interior's Standards for Rehabilitation
4. Statement of Justification
5. 10-Year Restoration and Maintenance Plan
6. Draft Historic Property Preservation Agreement (Mills Act Contract)

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 269-05-065

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SANTA CLARA, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTHERLY LINE OF LEWIS STREET SAID POINT BEING DISTANT THEREON 101 FEET EASTERLY FROM THE POINT OF INTERSECTION OF SAID NORTHERLY LINE OF LEWIS STREET WITH THE EASTERLY LINE OF WASHINGTON STREET; RUNNING THENCE EASTERLY ALONG SAID NORTHERLY LINE OF LEWIS STREET 50 FEET; THENCE AT RIGHT ANGLES NORTHERLY 137 FEET; THENCE AT RIGHT ANGLES WESTERLY 50 FEET; THENCE AT RIGHT ANGLES SOUTHERLY 137 FEET TO THE POINT OF COMMENCEMENT, AND BEING A PART OF BLOCK 5 NORTH RANGE 1 EAST, AS REPRESENTED UPON THE OFFICIAL MAP OF THE TOWN OF SANTA CLARA, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA.

**State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD**

**Primary #
HRI #
Trinomial
NRHP Status Code**

**Other Listings
Review Code**

Reviewer

Date

Page 1 of

*Resource Name or #: 957 Lewis Street

P1. Other Identifier:

*P2. Location: Not for Publication Unrestricted

*a. County: Santa Clara

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad:

Date:

T ; R ; 1/4 of 1/4 of Sec ; M.D. B.M.

c. Address: 957 Lewis Street

City: Santa Clara

Zip: 95050

d. UTM: Zone: 10 ; mE/ mN (G.P.S.)

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) Elevation: APN# 269-05-085

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The property is located on the northerly line of Lewis St said point being distant whereon 101 feet eastwardly from the point of the intersection of said northerly line of Lewis St with the easterly line of Washington St; running thence easterly along said northerly line of Lewis St 50 feet; thence at right angles northerly 137 feet; thence at right angles westerly 50 feet; thence at a right angle suddenly 137 feet to the point of commencement, and being a part of blocked 5 north range 1 East, as represented up on the official map of the town of Santa Clara, County of Santa Clara, state of California

This property falls within the old quad area of Santa Clara, which contains hundreds of houses dating from the 19th century through the 1930s, along with many newer buildings. The old quad encompasses the area bordered by Scott Blvd to the West, Newhall street to the South and east, and the railroad tracks to the north and east. A moderate number of homes in this area date to the 1850s - 1880s, and a very large number date to the 1890s - 1900s. Along the eastern edge the neighborhood is Santa Clara University which consists of about eight large buildings dating from 1911 - 1930, plus newer buildings. By contrast, Santa Clara historic downtown was razed in 1960s through urban renewal.

957 Lewis St is a single story wooden residence constructed on a rectangular plan and a unique cooler style. This structure exhibits a double hipped roof with two street facing gables. Roofline is also characterized by a very small eave projection around the gables like the pronounced eave, boxed cornice and large plane frieze where it joins the exterior wall. A low hipped, wrapped around veranda further defines the facade. The body of the house is sheathed in wide shiplap with wide end boards. Fish scale shingles ornament the two gables. The front veranda exhibits a very low overhang and is supported by ornately carved turn post with carved brackets. The porch is reached a five step wooden stairway. The porch banister is composed of simple wooden one inch by two inch steaks. Fire escape is simple, rectangular in form, a simile placed in double hung. A small pavilion style window slash vent ornaments the lower gable the main entry is recessed under the veranda overhang and is placed adjacent to the slightly angled Bay. A detached garage/shed is located to the rear of the house.

The site is significant primarily due to its architect architectural style. The unusual wrap around veranda and double front-facing gables at a definite farm influence to the residence. The vernacular forms by definition add a quality of uniqueness to their design which, while not particularly find piece of architectural in this case, add to the distinctiveness of this neighborhood in the city. The earliest owner/occupant of the residence is listed in the 1908 City Directory as William J Foley who was a clerk. Foley is also listed as owner/occupant in the 1915 Directory. There are earlier listings of William Foley but they are from widely different addresses around Santa Clara. No address listing is found for the site before 1908 despite the fact that the building predates that year. The house has shown on the 1901 Sanborn map but not the 1891 map.

This information was obtained from the the Historic Resources Inventory report prepared by Guidici / Zavlaris of URC dated November 18, 1980 for the purpose of a special plaque request, see attached.

The residence is listed on the Architecturally Historically Significant Properties on page 8.9-9, See attached

The owners are in the process of obtaining a permit to demolish the existing garage/shed and add a ADU at the rear of the property . Bonnie Bamburg of Urban Programmers conducted a review of the house and the garage/shed. Bamburg found that the house had been recently painted, the front yard had been landscaped, the double hung windows had been replaced with updated like window inserts. Bamburg found that there were no other significant structural changes to the house. Bamburg found that the garage/shed does not contribute to the character of the house, having been built more the 50 years later. The garage shed is not architecturally aligned with the house and does not add to the historical character of the house or two other structures in the area, refer to attach report.

*P3b. Resource Attributes: (List attributes and codes)

*P4. Resources Present: Building Structure Object Site District Element of District Other (Isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo: (View, date, accession #) Front of residence located at 957 Lewis Street.

*P6. Date Constructed/Age and Sources: Historic Prehistoric Both

*P7. Owner and Address:
Brian & Christine Allen
957 Lewis Street
Santa Clara, 95050

*P8. Recorded by: (Name, affiliation, and address)
Bonnie Bamburg
Urban Programmers
10710 Ridgeview Ave
San Jose, Ca 95127

*P9. Date Recorded: April 2022

*P10. Survey Type: (Describe)
General

*P11. Report Citation: (Cite survey report and other sources, or enter "none.") Guidici / Zavlaris of URC, 11/18/1980; Polks City Directories 1892,

1900, 1902, 1904, 1908, 1915, Sanborn Maps 1891, 1901

*Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List):

DPR 523A (1/95)

*Required information

CONTINUATION SHEET

Property Name: _____
Page ____ of ____



CONTINUATION SHEET

Property Name: _____
Page ____ of ____



April 28, 2022

Brian Allen
957 Lewis Street
Santa Clara CA 95050

Dear Mr. Allan,

At your request Urban Programmers investigated the large shed constructed behind your home at 957 Lewis Street, Santa Clara. The purpose of the investigation was to determine if the structure was a historic resource and if it added historical importance to the house which is listed in the Santa Clara Inventory of Historic Resources.

Methodology: To determine when the structure was constructed we researched the City of Santa Clara Building Permits- no permit was found. We then researched the Sanborn Insurance Maps for Santa Clara, 1915- updated to 1950, and found the structure was not on the property in 1950. The Santa Clara County Assessor's property files indicate a structure was present in 1968. The son of the former owner told you the structure was constructed from salvaged materials, and that is consistent with what exists today. In fact , the materials, wood, window, corrugated metal roofing, brick, tile, etc., do not exhibit stable construction.

To understand the purpose of the structure, we researched the City Directories for Santa Clara beginning in 1945-2002, when Eulalio (Ed) Delgado Contreras is shown as the owner-occupant. Eulalio (Ed) Contreras lived in the house until the early 2000s, he passed away(1903-2007). During his working career Eulalio held several positions at Western Forge and Flange Company (reference City directories 1945-1974). The shed was used as a personal workshop, storage area, and outside BBQ area.

The shed has single wall construction without concern for structural stability and using a mixture of board lengths and widths. There is no foundation. The metal sheet roofing is nailed directly to roof rafters. Interior surfaces include boards and cardboard without finishes.

Conclusion: The structure does not contribute to the historical character of the house. The house was constructed c.1905,- and the shed was constructed more than 50 years later. The shed is not architecturally aligned with the house and does not add to the historic character of the house at 975 Lewis Street, or to other structures in the area. There have been no changes to the house since 1979.

Best regards,



Bonnie Bamberg

Bonnie Bamberg, owner
10710 Ridgeview Avenue
San Jose California
95127
USA

Phone: 408-254-7171
Fax: 408-254-0969
E-mail: bbamberg@USA.net

photographs- Shed at 957 Lewis Street



Front of the shed facing into the rear yard. The overhang and side addition were constructed at the same time as the peaked roof section. All materials are salvage.



Front of the shed showing the various sizes of wood boards and condition of the shed.



Interior of the shed partitioned for storage and salvaged building materials. Floor is salvaged roofing and tile.

The Historic Survey prepared in by Urban Rural Conservation, Patricia Guidici and William Zavlaris, November 18, 1979 was reviewed and compared to the existing condition of the property. The house is unchanged and well maintained. The landscaping is slightly improved in the front and the rear shed fills most of what was the rear yard. Therefore, the 1979 Historical survey of 957 Lewis stands as written and does not need to be updated at this time.

Secretary of Interior's Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
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4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
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10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

957 Lewis Street
Santa Clara CA

Greetings,

My wife and I both grew up in Santa Clara. We started our family in the 1980's across the street from our current residence. The previous owner, Joe and Polly Contreras had lived in this home since the 1950's. As neighbors, we became friends and looked out for one another. We always loved the style of their home, especially the front porch. In the 1990's, we moved from Lewis Street to escape the traffic, especially since we had young children. We stayed in contact with Polly over the years and we told her that if she ever wanted to sale her home, we would be interested in purchasing it. Our son and his family now live in our original home on Lewis Street and in 2019, Polly' health was failing, and she asked us if we still wanted to buy her home. We said yes and were extremely happy to move back into Santa Clara and back into the old quad neighborhood. We love our home and refer to it as the **Polly House**. We enjoy being so close to our kids, grandkids and all the conveniences of Santa Clara. My son and I have a business together and his wife teaches at a local school. We enjoy watching our grandkids daily.

Since moving into the Polly house, we have dryscaped the front yard and have given her a fresh coat of paint. We are committed to preserving our little house and the required investment to safeguard it.

Sincerely,

Brian & Christine Allen

June 25, 2022

Brian and Christine Allen

957 Lewis Street

Santa Clara, CA 95050

10-Year Restoration Maintenance Plan

Foley, c. 1895

Dear Planning Staff and Historic & Landmark Commissioners,

The following is our 10-year plan for the restorations and maintenance of our historic home at 957 Lewis Street. All items to meet the Secretary of interiors standards for Treatment of Historic Properties:

Years 1-2 (2023-2024)

Front Porch: The flooring of the front porch is designed using 1X3 tongue and grove planks. Over time, it has weathered, splitting, and is rotting due to moisture. The treads of the front stairs are also pulling away from the stringers and will need to be repaired or replaced. Once repaired, the front porch and stairs will need to be sealed and painted to prevent additional moisture damage.

Years 2-3 (2025-2026)

Foundation/grading/Drainage: Improve rainwater management around the perimeter of the house: The existing grade (soil) around the house is inadequately sloped (towards the house) which can lead to foundation settlement and compromise the structural integrity of the historic residence. The grade also contacts the historic wood siding / framing which can lead to rot and termite damage. Therefore, we propose to regrade around the perimeter of the residents as required by the building code, correct, improperly sloped roof gutters, and connect the rainwater leader downspouts to concrete splash blocks or sub surfaces drain lines to outlet downhill away from the residents.

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Roofing: Replace failing asphalt composition shingle roofing (improperly flashed resulting in leaks with water damage): Install new triple layer (tri-lam) asphalt composition shingle roofing (example: Certaineed Landmark TL) with a more similar profile in shadow line of wood shingles that was originally on the home.

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Doors and Windows: Replace and/or repair all weatherstripping and seals on all doors and windows. Air leakage and the secretion of water can cause mold, rot to form, and uses more energy to heat and cool the residence.

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Exterior Painting: repaint entire residents including all exterior wood siding, eaves, gutters, downspouts, windows and doors and their associated trim, all porches, and railings. Any minor dry rot or pest damage to all wood material shall be repaired with epoxy. Where wood elements have excessive damage, they shall be replaced with salvage or custom milled wood to match existing.

When we lived across the street where our son and his family currently now live, we always admired this house, especially the front porch. We absolutely love this historic home and the old quad neighborhood. We look forward to the memories we will make here with our family.

**RECORD WITHOUT FEE
PURSUANT TO GOV'T CODE SECTION 6103**

Recording Requested by:
Office of the City Attorney
City of Santa Clara, California

When Recorded, Mail to:
Office of the City Clerk
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Form per Gov't Code Section 27361.6

[SPACE ABOVE THIS LINE FOR RECORDER'S USE]

HISTORIC PROPERTY PRESERVATION AGREEMENT

This Agreement, (herein, "Agreement"), is made and entered into this [REDACTED] day of [REDACTED], 2022, ("Effective Date"), by and between Brian and Christine Allen, owners of certain real property located at 957 Lewis Street, Santa Clara, CA 95050 ("OWNERS") and the City of Santa Clara, California, a chartered California municipal corporation with its primary business address at 1500 Warburton Avenue, Santa Clara, California 95050("CITY"). CITY and OWNERS may be referred to herein individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

A. Recitals.

(1) California Government Code Section 50280, et seq. authorizes the CITY to enter into a contract with the OWNERS of qualified Historical Property to provide for the use, maintenance, and restoration of such Historical Property so as to retain its characteristics as property of historical significance.

(2) OWNERS possesses fee title in and to that certain real property, together with associated structures and improvements thereon, shown on the 2021 Santa Clara County Property Tax Rolls as Assessors' Parcel Number 269-05-065, and generally located at the street address 957 Lewis Street, in the City of Santa Clara ("Historic Property"). A legal description of the Historic Property is attached hereto as "Legal Description," marked as "Exhibit "A," and incorporated herein by reference.

(3) The Historic Property is on the City of Santa Clara Architecturally or Historically Significant Properties list. OWNERS submitted a Mills Act Proposal to City on June 30, 2022. The Proposal included a Primary Record from the State of California's Department of Parks and Recreation. A true and correct copy of the Proposal is attached to this Agreement as "Exhibit B".

(4) CITY and OWNERS, for their mutual benefit, now desire to enter into this Agreement both to protect and preserve the characteristics of historical significance of the Historic Property and to qualify the Historic Property for an assessment of valuation pursuant to Section 439.2 of the California Revenue and Taxation Code.

B. **Agreement.**

NOW, THEREFORE, CITY and OWNERS, in consideration of the mutual covenants and conditions set forth herein, do hereby agree as follows:

(1) **Effective Date and Term of Agreement.** The term of this Agreement shall commence on the effective date of this Agreement and shall remain in effect for a term of ten (10) years thereafter. Each year upon the anniversary of the effective date, such term will automatically be extended as provided in paragraph 2, below.

(2) **Renewal.**

(a) Each year on the anniversary of the effective date of this Agreement, ("renewal date"), one (1) year shall automatically be added to the term of this Agreement unless notice of nonrenewal is mailed as provided herein.

(b) If either the OWNERS or CITY desires in any year not to renew the Agreement, OWNERS or CITY shall serve written notice of nonrenewal of the Agreement. Unless such notice is served by OWNERS to CITY at least ninety (90) days prior to the annual renewal date, or served by CITY to OWNERS at least sixty (60) days prior to the annual renewal date, one (1) year shall automatically be added to the balance of the remaining term of the Agreement as provided herein.

(c) OWNERS may make a written protest of a nonrenewal notice issued by CITY. CITY may, at any time prior to the annual renewal date of the Agreement, withdraw its notice to OWNERS of nonrenewal. If either CITY or OWNERS serves notice to the other of nonrenewal in any year, the Agreement shall remain in effect for the balance of the term then remaining, from either original execution date or the last renewal date of the Agreement, whichever is applicable.

(3) **Standards for Historical Property.** During the term of this Agreement, the Historic Property shall be subject to the following conditions, requirements, and restrictions:

(a) OWNERS shall preserve and maintain the characteristics of historical significance of the Historic Property. "The Secretary of the Interior's Standards for Rehabilitation," marked as "Exhibit C" to this agreement, and incorporated herein by this reference, contains a list of those minimum standards and conditions for maintenance, use, and preservation of the Historic Property, which shall apply to such property throughout the term of this Agreement.

(b) OWNERS shall, when necessary or as determined by the Director of Planning and Inspection, restore and rehabilitate the property to conform to the rules and regulations of the Office of Historic Preservation of the State Department of Parks and Recreation, the United States Secretary of the Interior Standards for Rehabilitation and the California Historical Building Code and in accordance with the attached schedule of potential home improvements, drafted by the OWNERS and approved by the City Council, attached hereto as "The Description of the Preservation and Restoration Efforts," marked as "Exhibit D" to this agreement, and incorporated herein by this reference.

(c) OWNERS shall allow, and CITY requires, that after five (5) years, and every five (5) years thereafter, an inspection of the property's interior and exterior shall be conducted by a party appointed by CITY, to determine OWNERS' continued compliance with the terms of this Agreement. OWNERS acknowledge that the required inspections of the interior and exterior of the property were conducted prior to the effective date of this Agreement.

(4) Provision for Information.

(a) OWNERS hereby agree to furnish CITY with any and all information requested by the CITY to determine compliance with the terms and provisions of this Agreement.

(b) It shall be the duty of the OWNERS to keep and preserve, for the term of the Agreement, all records as may be necessary to determine the eligibility of the property involved, and the OWNERS compliance with the terms and provisions of this Agreement, including, but not limited to blueprints, permits, historical and/or architectural review approvals, and schedules of potential home improvements drafted by the OWNERS and approved by the City Council.

(5) Cancellation.

(a) CITY, following a duly noticed public hearing as set forth in California Government Code Section 50280, et seq., shall cancel this Agreement or bring an action in court to enforce this Agreement if it determines any one of the following:

(i) the OWNERS breached any of the terms or conditions of this Agreement; or

(ii) the OWNERS have allowed the property to deteriorate to the point that it no longer meets standards for a qualified historic property.

(b) CITY may also cancel this Agreement if it determines that:

(i) the OWNERS have allowed the property to deteriorate to the point that it no longer meets building standards of the City Code and the codes it incorporates by reference, including, but not limited to, the Uniform Housing Code, the California Historical Building Code, the California Fire Code, and the Uniform Code for the Abatement of Dangerous Buildings or;

(ii) the OWNERS have not complied with any other local, State, or federal laws and regulations.

(iii) the OWNERS have failed to restore or rehabilitate the property in the manner specified in subparagraph 3(b) of this Agreement.

(c) In the event of cancellation, OWNERS shall pay those cancellation fees set forth in California Government Code Section 50280, et seq. As an alternative to cancellation, OWNERS may bring an action in court to enforce the Agreement.

(6) No Waiver of Breach.

(a) No waiver by CITY of any breach under this Agreement shall be deemed to be a waiver of any other subsequent breach. CITY does not waive any claim of breach by OWNERS if CITY does not enforce or cancel this Agreement. All other remedies at law or in equity which are not otherwise provided for under the terms of this Agreement or in the City's laws and regulations are available to the City.

(7) Mediation.

(a) Any controversies between OWNERS and CITY regarding the construction or application of this Agreement, and claim arising out of this contract or its breach, shall be submitted to mediation upon the written request of one party after the service of that request on the other party.

(b) If a dispute arises under this contract, either party may demand mediation by filing a written demand with the other party.

(c) The parties may agree on one mediator. If they cannot agree on one mediator, there shall be three: one named in writing by each of the parties within five days after demand for mediation is given, and a third chosen by the two appointed. Should either party refuse or neglect to join in the appointment of the mediator(s) or to furnish the mediator(s) with any papers or information demanded, the mediator(s) may proceed ex parte.

(d) A hearing on the matter to be arbitrated shall take place before the mediator(s) in the city of Santa Clara, County of Santa Clara, State of California, at the time and place selected by the mediator(s). The mediator(s) shall select the time and place promptly and shall give party written notice of the time and place at least fifteen (15) days before the date selected. At the hearing, any relevant evidence may be presented by either party, and the formal rules of evidence applicable to judicial proceedings shall not govern. Evidence may be admitted or excluded in the sole discretion of the mediator(s). The mediator(s) shall hear and determine the matter and shall execute and acknowledge the award in writing and cause a copy of the writing to be delivered to each of the parties.

(e) The submission of a dispute to the mediator(s) and the rendering of a decision by the mediator(s) shall be a condition precedent to any right of legal action on the dispute. A judgment confirming the award may be given by any Superior Court having jurisdiction, or that Court may vacate, modify, or correct the award in accordance with the prevailing provisions of the California Mediation Act.

(f) Each party shall bear their own cost(s) of mediation.

(8) Binding Effect of Agreement.

(a) The OWNERS hereby subjects the Historic Property described in Exhibit "A" hereto to the covenants, reservations, and restrictions as set forth in this Agreement. CITY and OWNERS hereby declare their specific intent that the covenants, reservations, and restrictions as set forth herein shall be deemed covenants running with the land and shall pass to and be binding upon the OWNERS successors and assigns in title or interest to the Historic Property. Each and every contract, deed, or other instrument hereinafter executed, covering, encumbering, or conveying the Historic Property, or any portion thereof, shall conclusively be held to have been executed, delivered, and accepted subject to the covenants, reservations, and restrictions expressed in this Agreement,

regardless of whether such covenants, reservations, and restrictions are set forth in such contract, deed, or other instrument.

(b) CITY and OWNERS hereby declare their understanding and intent that the burden of the covenants, reservations, and restrictions set forth herein touch and concern the land in that OWNERS' legal interest in the Historic Property.

(c) CITY and OWNERS hereby further declare their understanding and intent that the benefit of such covenants, reservations, and restrictions touch and concern the land by enhancing and maintaining the historic characteristics and significance of the Historic Property for the benefit of the CITY, public (which includes, but is not limited to the benefit to the public street generally located at 957 Lewis Street), and OWNERS.

(9) **Notice.**

(a) Any notice required to be given by the terms of this Agreement shall be provided at the address of the respective parties as specified below or at any other address as may be later specified by the parties hereto.

CITY: City of Santa Clara
Attn: City Clerk
1500 Warburton Avenue
Santa Clara, CA 95050

OWNERS: Brian Allen	Christine Allen
957 Lewis Street	957 Lewis Street
Santa Clara, CA 95050	Santa Clara, CA 95050

(b) Prior to entering a contract for sale of the Historic Property, OWNERS shall give thirty (30) days notice to the CITY and it shall be provided at the address of the respective parties as specified above or at any other address as may be later specified by the parties hereto.

(10) **No Partnership or Joint Enterprise Created.** None of the terms, provisions, or conditions of this Agreement shall be deemed to create a partnership between the parties hereto and any of their heirs, successors, or assigns; nor shall such terms, provisions, or conditions cause them to be considered joint ventures or members of any joint enterprise.

(11) **Hold Harmless and Indemnification.** To the extent permitted by law, OWNERS agree to protect, defend, hold harmless and indemnify CITY, its City Council, commissions, officers, agents, and employees from and against any claim, injury, liability, loss, cost, and/or expense or damage, however same may be caused, including all costs and reasonable attorney's fees in providing a defense to any claim arising there from for which OWNERS shall become legally liable arising from OWNERS' acts, errors, or omissions with respect to or in any way connected with this Agreement.

(12) **Attorneys' Fees.** In the event legal proceedings are brought by any party or parties to enforce or restrain a violation of any of the covenants, reservations, or restrictions contained herein, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding

may recover all reasonable attorney's fees to be fixed by the court, in addition to costs and other relief ordered by the court.

(13) Restrictive Covenants Binding. All of the agreements, rights, covenants, reservations, and restrictions contained in this Agreement shall be binding upon and shall inure to the benefit of the parties herein, their heirs, successors, legal representatives, assigns and all persons acquiring any part or portion of the Historic Property, whether by operation of law or in any manner pursuant to this Agreement.

(14) Mills Act Historic Property Contract Application Requirements. An application for a Mills Act Historic Property Contract shall be made through the Planning Division and shall include the following:

- a. a Historic Resources Inventory form;
- b. the description of the preservation or restoration efforts to be undertaken as referenced in paragraph 3 (b) as Exhibit "D";
- c. a statement of justification for the Mills Act Historic Property designation and reassessment; and,
- d. the Mills Act Historic Property Contract filing fee pursuant to paragraph 17.

(15) Mills Act Historic Property Contract Approval. Based upon the Historical and Landmarks Commission's ("Commission") review of the Mills Act Historic Property Contract criteria and recommendation to Council, and based upon the recommendation and approval by Council, a Mills Act Historic Property Contract may be entered into with OWNERS. The decision of the City Council shall be final and conclusive in the matter.

(16) Recordation and Notice. No later than twenty (20) days after the parties execute and enter into this Agreement, the CITY shall cause this Agreement to be recorded in the office of the County Recorder of the County of Santa Clara.

(17) Fees. The Planning Department may collect such Mills Act Historic Property Contract application fee of _____ (s _____ dollars), or other fees for the administration of this contract as are authorized from time to time by the City Council. Such fees do not exceed the reasonable cost of providing the service for which these fees are charged. OWNERS shall pay the County Recorder's Office recordation fees for recordation of this Mills Act Historic Property Contract and the recordation of the OWNERS updated Historic Resources Inventory form.

(18) Ordinary Maintenance. Nothing in this contract shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in or on any Historic Property covered by this contract that does not involve a change in design, material, or external appearance thereof, nor does this contract prevent the construction, reconstruction, alteration, restoration, demolition, or removal of any such external architectural feature when the Director of Planning and Inspection determines that such action is required for the public safety due to an unsafe or dangerous

condition which cannot be rectified through the use of the California Historical Building Code and when such architectural feature can be replaced according to the Secretary of Interior's Standards.

(19) **California Historical Building Code.** The California Historical Building Code ("CHBC") provides alternative building regulations for the rehabilitation, preservation, restoration, or relocation of structures designated as Historic Properties. The CITY's building permit procedure shall be utilized for any Historic Property which is subject to the provisions of this Agreement, except as otherwise provided in this Agreement or the CHBC. Nothing in this Agreement shall be deemed to prevent any fire, building, health, or safety official from enforcing laws, ordinances, rules, regulations, and standards to protect the health, safety, welfare, and property of the OWNERS or occupants of the Historic Property or the public.

(20) **Conservation Easements.**

(a) Conservation easements on the facades of the Historical Property may be acquired by the CITY, or on the CITY's behalf, by a nonprofit group designated by the CITY through purchase, donation, or condemnation pursuant to California Civil Code Section 815.

(b) The OWNERS, occupant, or other person in actual charge of the Historical Property shall keep in good repair all of the exterior portions of the Historical Property, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior architectural feature.

(c) It shall be the duty of the Director of Planning and Building Inspection to enforce this section.

(21) **Severability.** If any section, sentence, clause, or phrase of this Agreement is, for any reason, held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, or by subsequent preemptive legislation, such decision shall not affect the validity and enforceability of the remaining provisions or portions of this Agreement. CITY and OWNERS hereby declare that they would have adopted this Agreement, and each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared invalid or unconstitutional.

(22) **Integrated Agreement - Totality of Agreement.** This Agreement embodies the agreement between CITY and OWNERS and its terms and conditions. No other understanding, agreements, or conversations, or otherwise, with any officer, agent, or employee of CITY prior to execution of this Agreement shall affect or modify any of the terms or obligations contained in any documents comprising this Agreement. Any such verbal agreement shall be considered as unofficial information and in no way binding upon CITY.

(23) **Captions.** The captions of the various sections, paragraphs and subparagraphs are for convenience only and shall not be considered or referred to in resolving questions of interpretation.

(24) **Statutes and Law Governing Contract.** This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California.

(25) **Amendments.** This Agreement may be amended, in whole or in part, only by a written recorded instrument executed by the parties hereto.

IN WITNESS WHEREOF, CITY and OWNERS have executed this Agreement on the day and year first written above.

**CITY OF SANTA CLARA, CALIFORNIA,
a chartered California municipal corporation**

APPROVED AS TO FORM:

Office of the City Attorney
City Attorney

ATTEST:

Nora Pimentel MMC
Assistant City Clerk

Rajeev Batra
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax Number: (408) 241-6771

“CITY”

**Brian and Christine Allen,
Owners of 957 Lewis Street**

By: _____
Brian Allen
957 Lewis Street
Santa Clara, CA 95050

By: _____
Christine Allen
957 Lewis Street
Santa Clara, CA 95050

“OWNERS”

Exhibits:

- A – Property Description
- B – Primary Record
- C – Standards for Rehabilitation
- D – Restoration Schedule

I:\PLANNING\2022\Project Files Active\PLN22-00385 957 Lewis St (Mills Act)\Mills Act Contract.doc



City of Santa Clara

Meeting Minutes

Historical & Landmarks Commission

09/01/2022

6:00 PM

Virtual Meeting

Pursuant to California Government Code section 54953(e) and City of Santa Clara Resolution 22-9135, the Historical and Landmarks Commission meeting will be held by teleconference only. No physical location will be available for this meeting; however, the City of Santa Clara continues to provide methods for the public to participate remotely:

- Via Zoom:
 - o <https://santaclaraca.zoom.us/j/97233262035> or
 - o Phone: 1 (669) 900-6833
 - o Webinar ID: 972 3326 2035

Public Comments prior to meeting may be submitted via email to PlanningPublicComment@santaclaraca.gov no later than noon on the day of the meeting. Clearly indicate the project address, meeting body, and meeting date in the email.

PUBLIC PARTICIPATION IN ZOOM WEBINAR:

Please follow the guidelines below when participating in a Zoom Webinar:

- The meeting will be recorded so you must choose 'continue' to accept and stay in the meeting.
- If there is an option to change the phone number to your name when you enter the meeting, please do so as your name will be visible online and will be used to notify you that it is your turn to speak.
- Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- Use the raise your hand feature in Zoom when you would like to speak on an item and lower when finished speaking. Press *9 to raise your hand if you are calling in by phone only.
- Identify yourself by name before speaking on an item.
- Unmute when called on to speak and mute when done speaking. If there is background noise coming from a participant, they will be muted by the host. Press *6 if you are participating by phone to unmute.
- If you no longer wish to stay in the meeting once your item has been heard, you may leave the meeting.

CALL TO ORDER AND ROLL CALL

Chair Leung called the meeting to order at 6:06 p.m.

Present 7 - Commissioner Michael Celso , Commissioner Amy Kirby, Chair Patricia Leung, Commissioner Kathleen Romano, Commissioner Ed Stocks, Commissioner Megan Swartzwelder , and Vice Chair Ana Vargas-Smith

CONSENT CALENDAR

A motion was made by Commissioner Vargas-Smith, seconded by Commissioner Stocks to approve the Consent Calendar with a minor revision to the minutes.

1.A [22-993](#) Historical and Landmarks Commission Minutes of June 2, 2022

Recommendation: Approve the Historical and Landmarks Commission Minutes of June 2, 2022.

Commissioner Swartzwelder abstained from voting due to her absence at the June meeting. **Commissioner Romano** noted a change to be made on the minutes under Item 5.

Aye: 6 - Commissioner Celso, Commissioner Kirby, Chair Leung, Commissioner Romano, Commissioner Stocks, and Vice Chair Vargas-Smith

Abstained: 1 - Commissioner Swartzwelder

1.B [22-1023](#) Historical and Landmarks Commission 2023 Calendar of Meetings

Recommendation: Approve the Historical and Landmarks Commission 2023 Calendar of Meetings.

Aye: 7 - Commissioner Celso, Commissioner Kirby, Chair Leung, Commissioner Romano, Commissioner Stocks, Commissioner Swartzwelder, and Vice Chair Vargas-Smith

PUBLIC PRESENTATIONS

None.

GENERAL BUSINESS

- 2. [22-950](#) Consideration of a Historical Preservation Agreement (Mills Act Contract) for 957 Lewis Street

Recommendation: Staff recommends that the Historical and Landmarks Commission find that the Mills Act Application and associated 10-Year Plan for restoration and maintenance accomplish the intent of preserving and maintaining the historical significance of the property; and therefore, recommend Council approval of a Mills Act Contract, and the adoption of a 10-Year Restoration and Maintenance Plan associated with the Historical Preservation Agreement.

Staff Liaison Rebecca Bustos provided the staff presentation.

Homeowner Brian Allen spoke regarding the project and answered questions from the Commission.

Commissioner Vargas-Smith recused from voting on this item due to the project's proximity to her residence.

A motion was made by Commissioner Stocks, seconded by Commissioner Romano to close public hearing.

Aye: 6 - Commissioner Celso, Commissioner Kirby, Chair Leung, Commissioner Romano, Commissioner Stocks, and Commissioner Swartzwelder

Recused: 1 - Vice Chair Vargas-Smith

A motion was made by Commissioner Romano, seconded by Commissioner Swartzwelder to approve staff recommendation with the following modifications to the 10-Year Plan:

-For Years 1-2, note that changes will be like for like and match the existing materials

-For Years 7-8, refer to the work as repair rather than replacement

Aye: 6 - Commissioner Celso, Commissioner Kirby, Chair Leung, Commissioner Romano, Commissioner Stocks, and Commissioner Swartzwelder

Recused: 1 - Vice Chair Vargas-Smith

STAFF REPORT

1. Berryessa Adobe Maintenance

Staff Liaison Rebecca Bustos updated the Commission that they are unable to use their budget toward the maintenance of the Berryessa Adobe. She stated that staff would work with **Chair Leung** to agendize an item for a future City Council meeting to update the Council on the Commission's activities and to request prioritizing funds for the Berryessa Adobe maintenance.

COMMISSIONERS REPORT

1. Subcommittee Reporting - 20 minutes

Commissioners present reported on subcommittee activities. The Marketing Subcommittee stated that they had not met. The Outreach and Education Subcommittee shared that they had met to discuss context statement and that they plan to work with **City Historian and Historical Advisor to the Commission Lorie Garcia** on this effort.

2. Board and Committee Assignments - 15 minutes

Commissioners present reported on assignments.

Board/Committee	Lead/Alternate
Santa Clara Arts and Historic Consortium	Leung / Romano
Historic Preservation Society of Santa Clara	Vargas-Smith / Leung
Old Quad Residents Association	Leung / Romano
Development Review Hearing	Romano / Vargas-Smith
BART/ High Speed Rail/ VTA BRT Committee	Vargas-Smith / Swartzwelder
Zoning Ordinance Update	Romano / Swartzwelder
El Camino Real Specific Plan Community Advisory Committee	Leung
Downtown Revitalization	Vargas-Smith / Romano

3. Announcements and Other Items - 10 minutes

Commissioner Vargas-Smith announced that the Parade of Champions is being held on October 1.

4. Commissioner Travel and Training Requests - 10 minutes

None.

ADJOURNMENT

A motion was made by Commissioner Vargas-Smith, seconded by Commissioner Romano to adjourn the meeting.

The meeting adjourned at 7:01 p.m.

The next regular scheduled meeting is on October 6, 2022.

Aye: 7 - Commissioner Celso, Commissioner Kirby, Chair Leung, Commissioner Romano, Commissioner Stocks, Commissioner Swartzwelder, and Vice Chair Vargas-Smith

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.

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.



Agenda Report

22-1113

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action on Historic Preservation Agreement (Mills Act Contract) for 1184 Washington Street

COUNCIL PILLAR

Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND

Robert and Julie Salinas, the homeowners of the residence at 1184 Washington Street, are requesting approval of a Mills Act Contract, also known as a Historic Property Preservation Agreement, with the City which includes approval of a Ten-Year Restoration and Maintenance Plan.

The State of California enacted legislation that allows owners of historically designated properties to enter into a "Mills Act" contract with the legislative bodies of local agency jurisdictions, pursuant to Government Code Section 50280 and following. Mills Act Contract properties then qualify for property tax incentives contained in the California Revenue and Taxation Code. The purpose of a Mills Act Contract is to offer owner(s) of historically significant properties an economic incentive to maintain and preserve the historic physical integrity of their properties, which thereby also increases the aesthetic and economic health of the surrounding neighborhood and the City. A Ten-Year Restoration and Maintenance Plan is required to document specific maintenance and preservation activities proposed to be undertaken by the property owners for the Contract property.

The City Council established a process for evaluating Mills Act Contract requests on September 4, 1993 (Resolution No. 5843), that set a limit of five contracts per year. In 2004, the City Council increased the number of allowable contracts to ten per year. If approved, the subject proposal would be the sixth Mills Act Contract for the 2022 calendar year and within the City's allowed number of ten contracts for 2022.

The subject property is currently listed on the City's Historic Resource Inventory (HRI). An updated State Department of Parks and Recreation (DPR) form evaluating the significance of the structure (Historical Survey) was prepared for the current proposal and concluded that the property retains sufficient integrity to merit continued listing on the Inventory.

The project request was considered by the Historical and Landmarks Commission (HLC) at its meeting on October 6, 2022. The HLC reviewed the Historical Survey and Proposed Ten-Year Restoration and Maintenance Plan and recommended Council approval of the requested Mills Act Contract.

DISCUSSION

The applicants' Statement of Justification and the proposed Mills Act Contract with exhibits including

the DPR and the Proposed Ten-year Restoration and Maintenance Plan (Attachment 1) demonstrate sufficient intent by the property owners to invest in the property consistent with the purpose for Mills Act Contracts. The City conducts periodic review of Mills Act Contract properties to verify that property owners are performing the maintenance and preservation activities described in the Ten-Year Restoration and Maintenance Plan.

Based upon information provided by the applicant, the subject property has sufficient historical value as to warrant use of a Mills Act Contract to promote the ongoing preservation of the property. The staff report for the October 6, 2022 HLC meeting is attached for reference (Attachment 2).

ENVIRONMENTAL REVIEW

The Mills Act program is exempt from CEQA environmental review requirements per CEQA Section 15331, which exempts projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior Standards.

FISCAL IMPACT

The amount of the property tax reduction depends upon the property, location, size, and comparable properties in the area. Currently, the assessed value of the property is \$1,750,000 and annual property taxes of \$20,640 (source: Santa Clara County Assessor's Office). The City receives approximately 10% of the base property tax. The Mills Act tax reduction is based on an income capitalization method (ICM) calculation based on the average monthly rent, average maintenance costs, and an amortization schedule to arrive at a reduced appraisal value resulting in lower property taxes. The anticipated reduction in taxes would be between 20% to 70% based on the County's evaluation of the property's age, condition, and local market value factors in accordance with the formula set by state law. Based on the latest information available, the estimated annual fiscal impact for the City for this individual Mills Act Contract would be a decrease of property tax revenue in the range of approximately \$413 to \$1,445.

As the current Council policy allows up to ten Mills Act Contracts to be approved each year, and the subject contract will be the sixth one for this year, the cumulative economic impact for multiple Mills Act Contracts does not significantly reduce the overall property tax income for the City.

COORDINATION

This report has been coordinated with the Finance Department and the City Attorney's Office.

PUBLIC CONTACT

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 or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Authorize the City Manager to execute a Mills Act contract and adopt the Ten-Year Restoration and Maintenance Plan associated with the Historic Property Preservation Agreement for the property at 1184 Washington Street with applicants Robert and Julie Salinas; File No. PLN22-00244.

Reviewed by: Andrew Crabtree, Director of Community Development
Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Historic Preservation Agreement Including 10-Year Rehabilitation Plan
2. Historical and Landmarks Commission Staff Report of October 6, 2022

**RECORD WITHOUT FEE
PURSUANT TO GOV'T CODE SECTION 6103**

Recording Requested by:
Office of the City Attorney
City of Santa Clara, California

When Recorded, Mail to:
Office of the City Clerk
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Form per Gov't Code Section 27361.6

[SPACE ABOVE THIS LINE FOR RECORDER'S USE]

HISTORIC PROPERTY PRESERVATION AGREEMENT

This Agreement, (herein, "Agreement"), is made and entered into this ____ day of _____, 2022, ("Effective Date"), by and between Robert and Julie Salinas, owners of certain real property located at 1184 Washington Street, Santa Clara, CA 95050 ("OWNERS") and the City of Santa Clara, California, a chartered California municipal corporation with its primary business address at 1500 Warburton Avenue, Santa Clara, California 95050("CITY"). CITY and OWNERS may be referred to herein individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

A. **Recitals.**

(1) California Government Code Section 50280, et seq. authorizes the CITY to enter into a contract with the OWNERS of qualified Historical Property to provide for the use, maintenance, and restoration of such Historical Property so as to retain its characteristics as property of historical significance.

(2) OWNERS possesses fee title in and to that certain real property, together with associated structures and improvements thereon, shown on the 2021 Santa Clara County Property Tax Rolls as Assessors' Parcel Number 269-15-043, and generally located at the street address 1184 Washington Street, in the City of Santa Clara ("Historic Property"). A legal description of the Historic Property is attached hereto as "Legal Description," marked as "Exhibit A," and incorporated herein by reference.

(3) The Historic Property is on the City of Santa Clara Architecturally or Historically Significant Properties list. OWNERS submitted a Mills Act Proposal to City on June 4, 2022. The Proposal included a Primary Record from the State of California's Department of Parks and Recreation. A true and correct copy of the Proposal is attached to this Agreement as "Exhibit B".

(4) CITY and OWNERS, for their mutual benefit, now desire to enter into this Agreement both to protect and preserve the characteristics of historical significance of the Historic Property and to qualify the Historic Property for an assessment of valuation pursuant to Section 439.2 of the California Revenue and Taxation Code.

B. **Agreement.**

NOW, THEREFORE, CITY and OWNERS, in consideration of the mutual covenants and conditions set forth herein, do hereby agree as follows:

(1) **Effective Date and Term of Agreement.** The term of this Agreement shall commence on the effective date of this Agreement and shall remain in effect for a term of ten (10) years thereafter. Each year upon the anniversary of the effective date, such term will automatically be extended as provided in paragraph 2, below.

(2) **Renewal.**

(a) Each year on the anniversary of the effective date of this Agreement, ("renewal date"), one (1) year shall automatically be added to the term of this Agreement unless notice of nonrenewal is mailed as provided herein.

(b) If either the OWNERS or CITY desires in any year not to renew the Agreement, OWNERS or CITY shall serve written notice of nonrenewal of the Agreement. Unless such notice is served by OWNERS to CITY at least ninety (90) days prior to the annual renewal date, or served by CITY to OWNERS at least sixty (60) days prior to the annual renewal date, one (1) year shall automatically be added to the balance of the remaining term of the Agreement as provided herein.

(c) OWNERS may make a written protest of a nonrenewal notice issued by CITY. CITY may, at any time prior to the annual renewal date of the Agreement, withdraw its notice to OWNERS of nonrenewal. If either CITY or OWNERS serves notice to the other of nonrenewal in any year, the Agreement shall remain in effect for the balance of the term then remaining, from either original execution date or the last renewal date of the Agreement, whichever is applicable.

(3) **Standards for Historical Property.** During the term of this Agreement, the Historic Property shall be subject to the following conditions, requirements, and restrictions:

(a) OWNERS shall preserve and maintain the characteristics of historical significance of the Historic Property. "The Secretary of the Interior's Standards for Rehabilitation," marked as "Exhibit C" to this agreement, and incorporated herein by this reference, contains a list of those minimum standards and conditions for maintenance, use, and preservation of the Historic Property, which shall apply to such property throughout the term of this Agreement.

(b) OWNERS shall, when necessary or as determined by the Director of Planning and Inspection, restore and rehabilitate the property to conform to the rules and regulations of the Office of Historic Preservation of the State Department of Parks and Recreation, the United States Secretary of the Interior Standards for Rehabilitation and the California Historical Building Code and in accordance with the attached schedule of potential home improvements, drafted by the OWNERS and approved by the City Council, attached hereto as "The Description of the Preservation and Restoration Efforts," marked as "Exhibit D" to this agreement, and incorporated herein by this reference.

(c) OWNERS shall allow, and CITY requires, that after five (5) years, and every five (5) years thereafter, an inspection of the property's interior and exterior shall be conducted by a
Historic Property Preservation Agreement/1184 Washington Street
Typed: 04/14/2022

party appointed by CITY, to determine OWNERS' continued compliance with the terms of this Agreement. OWNERS acknowledge that the required inspections of the interior and exterior of the property were conducted prior to the effective date of this Agreement.

(4) Provision for Information.

(a) OWNERS hereby agree to furnish CITY with any and all information requested by the CITY to determine compliance with the terms and provisions of this Agreement.

(b) It shall be the duty of the OWNERS to keep and preserve, for the term of the Agreement, all records as may be necessary to determine the eligibility of the property involved, and the OWNERS compliance with the terms and provisions of this Agreement, including, but not limited to blueprints, permits, historical and/or architectural review approvals, and schedules of potential home improvements drafted by the OWNERS and approved by the City Council.

(5) Cancellation.

(a) CITY, following a duly noticed public hearing as set forth in California Government Code Section 50280, et seq., shall cancel this Agreement or bring an action in court to enforce this Agreement if it determines any one of the following:

(i) the OWNERS breached any of the terms or conditions of this Agreement; or

(ii) the OWNERS have allowed the property to deteriorate to the point that it no longer meets standards for a qualified historic property.

(b) CITY may also cancel this Agreement if it determines that:

(i) the OWNERS have allowed the property to deteriorate to the point that it no longer meets building standards of the City Code and the codes it incorporates by reference, including, but not limited to, the Uniform Housing Code, the California Historical Building Code, the California Fire Code, and the Uniform Code for the Abatement of Dangerous Buildings or;

(ii) the OWNERS have not complied with any other local, State, or federal laws and regulations.

(iii) the OWNERS have failed to restore or rehabilitate the property in the manner specified in subparagraph 3(b) of this Agreement.

(c) In the event of cancellation, OWNERS shall pay those cancellation fees set forth in California Government Code Section 50280, et seq. As an alternative to cancellation, OWNERS may bring an action in court to enforce the Agreement.

(6) No Waiver of Breach.

(a) No waiver by CITY of any breach under this Agreement shall be deemed to be a waiver of any other subsequent breach. CITY does not waive any claim of breach by OWNERS if CITY does not enforce or cancel this Agreement. All other remedies at law or in equity which are not otherwise provided for under the terms of this Agreement or in the City's laws and regulations are available to the City.

(7) **Mediation.**

(a) Any controversies between OWNERS and CITY regarding the construction or application of this Agreement, and claim arising out of this contract or its breach, shall be submitted to mediation upon the written request of one party after the service of that request on the other party.

(b) If a dispute arises under this contract, either party may demand mediation by filing a written demand with the other party.

(c) The parties may agree on one mediator. If they cannot agree on one mediator, there shall be three: one named in writing by each of the parties within five days after demand for mediation is given, and a third chosen by the two appointed. Should either party refuse or neglect to join in the appointment of the mediator(s) or to furnish the mediator(s) with any papers or information demanded, the mediator(s) may proceed ex parte.

(d) A hearing on the matter to be arbitrated shall take place before the mediator(s) in the city of Santa Clara, County of Santa Clara, State of California, at the time and place selected by the mediator(s). The mediator(s) shall select the time and place promptly and shall give party written notice of the time and place at least fifteen (15) days before the date selected. At the hearing, any relevant evidence may be presented by either party, and the formal rules of evidence applicable to judicial proceedings shall not govern. Evidence may be admitted or excluded in the sole discretion of the mediator(s). The mediator(s) shall hear and determine the matter and shall execute and acknowledge the award in writing and cause a copy of the writing to be delivered to each of the parties.

(e) The submission of a dispute to the mediator(s) and the rendering of a decision by the mediator(s) shall be a condition precedent to any right of legal action on the dispute. A judgment confirming the award may be given by any Superior Court having jurisdiction, or that Court may vacate, modify, or correct the award in accordance with the prevailing provisions of the California Mediation Act.

(f) Each party shall bear their own cost(s) of mediation.

(8) **Binding Effect of Agreement.**

(a) The OWNERS hereby subjects the Historic Property described in Exhibit "A" hereto to the covenants, reservations, and restrictions as set forth in this Agreement. CITY and OWNERS hereby declare their specific intent that the covenants, reservations, and restrictions as set forth herein shall be deemed covenants running with the land and shall pass to and be binding upon the OWNERS successors and assigns in title or interest to the Historic Property. Each and every contract, deed, or other instrument hereinafter executed, covering, encumbering, or conveying the Historic Property, or any portion thereof, shall conclusively be held to have been executed, delivered, and accepted subject to the covenants, reservations, and restrictions expressed in this Agreement, regardless of whether such covenants, reservations, and restrictions are set forth in such contract, deed, or other instrument.

(b) CITY and OWNERS hereby declare their understanding and intent that the burden of the covenants, reservations, and restrictions set forth herein touch and concern the land in that OWNERS' legal interest in the Historic Property.

(c) CITY and OWNERS hereby further declare their understanding and intent that the benefit of such covenants, reservations, and restrictions touch and concern the land by enhancing and maintaining the historic characteristics and significance of the Historic Property for the benefit of the CITY, public (which includes, but is not limited to the benefit to the public street generally located at 1184 Washington Street), and OWNERS.

(9) Notice.

(a) Any notice required to be given by the terms of this Agreement shall be provided at the address of the respective parties as specified below or at any other address as may be later specified by the parties hereto.

CITY: City of Santa Clara
Attn: City Clerk
1500 Warburton Avenue
Santa Clara, CA 95050

OWNERS: Robert and Julie Salinas
1184 Washington Street
Santa Clara, CA 95050

(b) Prior to entering a contract for sale of the Historic Property, OWNERS shall give thirty (30) days notice to the CITY and it shall be provided at the address of the respective parties as specified above or at any other address as may be later specified by the parties hereto.

(10) No Partnership or Joint Enterprise Created. None of the terms, provisions, or conditions of this Agreement shall be deemed to create a partnership between the parties hereto and any of their heirs, successors, or assigns; nor shall such terms, provisions, or conditions cause them to be considered joint ventures or members of any joint enterprise.

(11) Hold Harmless and Indemnification. To the extent permitted by law, OWNERS agree to protect, defend, hold harmless and indemnify CITY, its City Council, commissions, officers, agents, and employees from and against any claim, injury, liability, loss, cost, and/or expense or damage, however same may be caused, including all costs and reasonable attorney's fees in providing a defense to any claim arising there from for which OWNERS shall become legally liable arising from OWNERS' acts, errors, or omissions with respect to or in any way connected with this Agreement.

(12) Attorneys' Fees. In the event legal proceedings are brought by any party or parties to enforce or restrain a violation of any of the covenants, reservations, or restrictions contained herein, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding may recover all reasonable attorney's fees to be fixed by the court, in addition to costs and other relief ordered by the court.

(13) Restrictive Covenants Binding. All of the agreements, rights, covenants, reservations, and restrictions contained in this Agreement shall be binding upon and shall inure to the benefit of the parties herein, their heirs, successors, legal representatives, assigns and all persons acquiring any part or portion of the Historic Property, whether by operation of law or in any manner pursuant to this Agreement.

(14) **Mills Act Historic Property Contract Application Requirements.** An application for a Mills Act Historic Property Contract shall be made through the Planning Division and shall include the following:

- a. a Historic Resources Inventory form;
- b. the description of the preservation or restoration efforts to be undertaken as referenced in paragraph 3 (b) as Exhibit "D";
- c. a statement of justification for the Mills Act Historic Property designation and reassessment; and,
- d. the Mills Act Historic Property Contract filing fee pursuant to paragraph 17.

(15) **Mills Act Historic Property Contract Approval.** Based upon the Historical and Landmarks Commission's ("Commission") review of the Mills Act Historic Property Contract criteria and recommendation to Council, and based upon the recommendation and approval by Council, a Mills Act Historic Property Contract may be entered into with OWNERS. The decision of the City Council shall be final and conclusive in the matter.

(16) **Recordation and Notice.** No later than twenty (20) days after the parties execute and enter into this Agreement, the CITY shall cause this Agreement to be recorded in the office of the County Recorder of the County of Santa Clara.

(17) **Fees.** The Planning Department may collect such Mills Act Historic Property Contract application fee of \$8,078.70 (eight thousand, and seventy-eight dollars and seventy cents), or other fees for the administration of this contract as are authorized from time to time by the City Council. Such fees do not exceed the reasonable cost of providing the service for which these fees are charged. OWNERS shall pay the County Recorder's Office recordation fees for recordation of this Mills Act Historic Property Contract and the recordation of the OWNERS updated Historic Resources Inventory form.

(18) **Ordinary Maintenance.** Nothing in this contract shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in or on any Historic Property covered by this contract that does not involve a change in design, material, or external appearance thereof, nor does this contract prevent the construction, reconstruction, alteration, restoration, demolition, or removal of any such external architectural feature when the Director of Planning and Inspection determines that such action is required for the public safety due to an unsafe or dangerous condition which cannot be rectified through the use of the California Historical Building Code and when such architectural feature can be replaced according to the Secretary of Interior's Standards.

(19) **California Historical Building Code.** The California Historical Building Code ("CHBC") provides alternative building regulations for the rehabilitation, preservation, restoration, or relocation of structures designated as Historic Properties. The CITY's building permit procedure shall be utilized for any Historic Property which is subject to the provisions of this Agreement, except as otherwise provided in this Agreement or the CHBC. Nothing in this Agreement shall be deemed to prevent any fire, building, health, or safety official from enforcing laws, ordinances, rules, regulations, and standards to protect the health, safety, welfare, and property of the OWNERS or occupants of the Historic Property or the public.

(20) **Conservation Easements.**

(a) Conservation easements on the facades of the Historical Property may be acquired by the CITY, or on the CITY's behalf, by a nonprofit group designated by the CITY through purchase, donation, or condemnation pursuant to California Civil Code Section 815.

(b) The OWNERS, occupant, or other person in actual charge of the Historical Property shall keep in good repair all of the exterior portions of the Historic Property, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior architectural feature.

(c) It shall be the duty of the Director of Planning and Building Inspection to enforce this section.

(21) **Severability.** If any section, sentence, clause, or phrase of this Agreement is, for any reason, held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, or by subsequent preemptive legislation, such decision shall not affect the validity and enforceability of the remaining provisions or portions of this Agreement. CITY and OWNERS hereby declare that they would have adopted this Agreement, and each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared invalid or unconstitutional.

(22) **Integrated Agreement - Totality of Agreement.** This Agreement embodies the agreement between CITY and OWNERS and its terms and conditions. No other understanding, agreements, or conversations, or otherwise, with any officer, agent, or employee of CITY prior to execution of this Agreement shall affect or modify any of the terms or obligations contained in any documents comprising this Agreement. Any such verbal agreement shall be considered as unofficial information and in no way binding upon CITY.

(23) **Captions.** The captions of the various sections, paragraphs and subparagraphs are for convenience only and shall not be considered or referred to in resolving questions of interpretation.

(24) **Statutes and Law Governing Contract.** This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California.

(25) **Amendments.** This Agreement may be amended, in whole or in part, only by a written recorded instrument executed by the parties hereto.

IN WITNESS WHEREOF, CITY and OWNERS have executed this Agreement on the day and year first written above.

**CITY OF SANTA CLARA, CALIFORNIA,
a chartered California municipal corporation**

APPROVED AS TO FORM:

Office of the City Attorney
City of Santa Clara

Rajeev Batra
City Manager

ATTEST:

1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax Number: (408) 241-6771

“CITY”

**Robert and Julie Salinas,
Owners of 1184 Washington Street**

By: _____
Robert Salinas
1184 Washington Street
Santa Clara, CA 95050

By: _____
Julie Salinas
1184 Washington Street
Santa Clara, CA 95050

“OWNERS”

Exhibits:

- A – Property Description
- B – Primary Record
- C – Standards for Rehabilitation
- D – Restoration Schedule

I:\PLANNING\2022\Project Files Active\PLN22-00244 1184 Washington Street (Mills Act, Variance)\10.06.22 HLC\Mills Act Contract.doc

LEGAL DESCRIPTION

Real property in the City of Santa Clara, County of Santa Clara, State of California, described as follows:

BEGINNING AT A POINT ON THE WESTERLY LINE OF WASHINGTON STREET, DISTANT THEREON 50 FEET SOUTHERLY FROM THE POINT OF THE INTERSECTION OF THE WESTERLY LINE OF WASHINGTON STREET WITH THE SOUTHERLY LINE OF FREMONT STREET; THENCE RUNNING SOUTHERLY AND ALONG THE WESTERLY LINE OF WASHINGTON STREET, 66.20 FEET; THENCE RUNNING WESTERLY AND PARALLEL WITH THE SOUTHERLY LINE OF FREMONT STREET, 152.50 FEET; THENCE RUNNING NORTHERLY AND PARALLEL WITH THE WESTERLY LINE OF WASHINGTON STREET, 66.20 FEET; THENCE RUNNING EASTERLY AND PARALLEL WITH THE SOUTHERLY LINE OF FREMONT STREET, 152.20 FEET TO THE POINT OF BEGINNING AND BEING A PORTION OF LOT 1 IN BLOCK 2 NORTH RANGE 1 WEST OF THE CITY OF SANTA CLARA, AS SHOWN UPON THE OFFICIAL MAP THEREOF OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA IN [BOOK "B" OF MAPS, PAGE 103](#).

APN: 269-15-043

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 29 *Resource Name or #: (Assigned by recorder) 1184 Washington Street

P1. Other Identifier: _____

P2. Location: Not for Publication Unrestricted *a: County Santa Clara
and (P2c, P2e, and P2b or P2d. Attach Location Map as necessary.)

*b. USGS 7.5' Quad _____ Date _____ T _____; R _____; _____ 1/4 of _____ 1/4 of Sec _____; _____ B.M.

c. Address 1184 Washington Street City Santa Clara Zip 95050

d. UTM: (Give more than one for large and/or linear resources) Zone _____; _____ mE/ _____ mN

*e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

Old Quad

This property falls within the Old Quad area of Santa Clara, which contains hundreds of houses dating from the 19th century through the 1930s, along with many newer buildings. It encompasses the area bordered by Scott Boulevard to the west, Newhall Street to the south and east, and the railroad tracks to the north and east.

(See Continuation Sheet, page 2.)



*P3b Resource Attributes: (List attributes and codes) _____

*P4. Resources Present:
 Building Structure Object
 Site District Element of District Other (isolates, etc.)

P5b. Description of Photo:
(View, date)
View looking west

*P6. Date Constructed/Age and Source: Historic

Prehistoric Both
1850s or early 1860s

*P7. Owner and Address:
Julie and Shea Salinas
1184 Washington Street
Santa Clara, CA. 95050

*P8. Recorded by: (Name, affiliation, and address)
William Kostura
P. O. Box 60211
Palo Alto, CA 94306

*P9. Date Recorded: September 2021

*P10. Survey Type: intensive

P11. Report Citation*: (Cite survey report and other sources, or enter "none".) none

*Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List)

Page 2 of 29

Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021

Continuation Update

Description (continued)

The area immediately surrounding the subject house is a mix of older and newer houses. Older houses include 1091 Fremont, which has been dated 1868; very fine Queen Anne houses, perhaps the best of this style in the city, at 1116 Washington and 981 Fremont (both 1892); a large Classical/Colonial Revival house at 1179 Washington (1905); and a large Craftsman bungalow at 1061 Fremont (ca. 1918). Three houses from about the 1930s can be found at 908, 925, and 936 Fremont. More modern houses include 1010, 1011-1025, and 1155 Fremont, and a pair of houses plus apartments at 1124 Washington. The older houses are more numerous and more conspicuous than the newer ones, and as a result the immediate neighborhood has a historic feel to it.

The subject property

Grounds and outbuildings

The subject property consists of a house, a barn, a garage, and a pool house on a suburban lot measuring 66 feet in width by 152'-6" in depth. The garage is a small, inexpensively-built wooden building that shows on a 1961 Sanborn map and thus most likely dates to the mid-20th century. The barn is a two-story gabled building clad in board-and-batten siding; its sliding doors are filled diagonal boards. It does not show on the 1961 Sanborn map, and therefore must post-date that year, although it looks older. The pool house resembles the barn in its materials — board and batten siding, and doors with diagonal boards. Given their similarities, it was probably built at about the same time as the barn. The landscaping is also recent. This consists of a picket fence on a low brick wall in front, brick pathways in the front and back yards, and a swimming pool in the back.

The house

The house is two stories in height, sits on a brick foundation, is wood-framed in construction, has a cross-gabled roof with boxed eaves, and is clad in beveled siding. In plan it is T-shaped, with a broad block in front that contains the living room and bedrooms; and a narrow stem centered in the rear containing the kitchen. The front block measures roughly forty feet in width by sixteen feet in depth, while the stem to the rear is approximately fifteen feet wide by 25 feet deep.

One of the angles between these two blocks, at rear-left as one faces the house (at the southwest corner), is mostly filled by a one-story addition that has a shed roof. A 1915 Sanborn map shows this addition with a dotted line, indicating a porch with open sides; but now the walls are filled with bevel siding, which must have been added at a later date.

(See Continuation Sheet, page 3.)

Page 3 of 29

Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021

Continuation Update

Description (continued)

The composition of the front block is symmetrical on all three of its sides. In the front wall, a squeezed gable in the center of the roofline is directly over a second story window and the main entrance. Four windows can be found in the first story, two to either side of the entrance. On the north and south sides of the front block the composition is again symmetrical, with two evenly-spaced windows in each story. Brick chimneys rise from the ridgeline of the roof, each just a foot or two from the north and south sides.

This symmetry is broken up in the rear stem of the house. On the north side of the stem, one small window is in the second story, while the first story has (from left to right) an entrance and two windows, all evenly spaced. The rear wall of this stem has two evenly-spaced windows in the second story, and an entrance and a window in the first. As mentioned above, the south side of this rear stem is largely filled by the early addition. However, two small windows are visible in the second story, above this addition.

The style of the house is predominantly Gothic Revival, though there is a notable Greek Revival element as well. The Gothic elements include carved bargeboard in the squeezed front gable and a drip mold over the second story window, just below the gable. The steep pitch of the gables enhances the Gothic feeling.

The primary Greek Revival element is the front entrance. Here, a shallow, cornice with a curved soffit and a frieze are supported by pilasters with restrained Doric capitals and blocky bases. Incised stripes add detailing to the frieze and pilasters. Within this framing are a paneled door with a transom window, transom bar, and sidelights. The door has four panels, those at the top being taller, with arched heads. Sidelights are narrow, with five lights each. Although the classical details of this entrance composition are restrained, they are a clear expression of the Greek Revival style. Hardware on this door include a ceramic knob, circular brass knob plate, and an ornamental iron ringer with ceramic handle. All of these elements appear to be original or very early.

A simpler version of this entrance is found on the north side of the rear stem. Here, a paneled door with glazing is flanked by sidelights with four lights each. These are trimmed by flat boards within a thin surrounding molding.

With one important exception, nearly all of the windows in this house have six-over-six sash with what appear to be original muntins. The main exception is the second story window under the front gable. It is a paired casement with four lights per casement. Smaller windows in the upper story of the rear stem and in the addition on the south side also depart from the six-over-six pattern.

(See Continuation Sheet, page 4.)

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Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021

Continuation Update

Description (continued)

The corners of this house are lined or enclosed with extremely narrow panels (or battens) that are incised with vertical lines. These incised lines relate to the incised pilasters and frieze in the main entrance.

A screen door in the west wall of the rear stem most likely dates to the early 20th century. It has wooden spindles and a metal pull and strap hinge.

To summarize, all elements of the exterior appear to be original, or very early, except for the one-story addition on the south side that fills the angle between the front block and rear stem, and the screen door in the rear. A few windows in the second story of the rear were not closely observed, and so their dates are uncertain.

The interior has a number of important early or original features. These include a staircase with a tapering newel post, turned balusters, and wooden railing; an ornamental metal gas light fixture with a glass globe (now electric); fireplaces with carved wooden mantels; a metal vent grille with an ornamental pattern; and a fir floor.

Page 5 of 29

*NRHP Status Code _____

*Resource Name or # (Assigned by recorder) 1184 Washington Street

B1. Historic Name: Calvin Russell house

B2. Common Name: _____

B3. Original Use: residence B4. Present Use: residence

*B5. Architectural Style: Gothic Revival

*B6. Construction History: (Construction date, alterations, and date of alterations)
Built in the 1850s or early 1860s.

*B7. Moved? No Yes Unknown Date: _____ Original Location: _____

*B8. Related Features:
none

B9a. Architect: unknown b. Builder: probably Calvin Russell

*B10. Significance: Theme _____ Area Santa Clara
Period of Significance _____ Property Type residence Applicable Criteria _____

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

History

This section will cover the history of the Old Quad neighborhood of Santa Clara; the history of the subject house; and a list of Greek Revival and Gothic Revival houses in Santa Clara that puts the architectural history of this house in context.

Old Quad history

The Old Quad covers the quadrangle shown in an 1866 survey by J.J. Bowen. It encompasses the area bordered by Scott Boulevard to the west, Newhall Street to the south and east, and the railroad tracks to the north and east. The area includes Santa Clara University, which was once the site of Mission Santa Clara. Generally speaking, the Old Quad is the oldest part of Santa Clara. The overwhelming majority of its historic buildings are located here.

(See Continuation Sheet, page 6.)

B11. Additional Resource Attributes: (List attributes and codes) _____

*B12. References:

See Continuation Sheet, pages 17-18.

B13. Remarks:

*B14. Evaluator: William Kostura

Date of Evaluation: September 2021

(This space reserved for official comments.)

(Sketch map with north arrow required)

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Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021 Continuation Update

Old Quad history (continued)

Major factors in Santa Clara's growth and economy include:

1777. Founding of Mission Santa Clara de Asis by the Franciscan order of Spain. This mission was secularized by Mexico in 1833 but the mission chapel continued to function as a church afterward. It was enlarged and rebuilt several times over the next century.

1851-present. After the takeover of California by the United States, Jesuits acquired the mission and established Santa Clara College in 1851. It became known as the University of Santa Clara in 1912 and as Santa Clara University in 1985. The older buildings on this campus date to the period 1911-1930 and were designed by architects Will D. Shea, John J. Donovan, and Henry A. Minton. The chapel of 1928 was designed by Minton to replicate the old adobe mission building of ca. 1824.

1852. The City of Santa Clara incorporates.

1863. The railroad connecting San Francisco and San Jose reaches Santa Clara. The railroad depot still stands, now at 1005 Railroad Avenue.

1885-1990s. Agnew's State Hospital. The Victorian building of 1885 collapsed in the earthquake of 1906, with great loss of life. New buildings were built from 1908 through the 1910s to designs by the State Architect George C. Sellon. After the campus was sold to Sun Microsystems in the late 1990s, only the best four of the Agnew's buildings were retained, and the rest were demolished.

1890s-1950s. Santa Clara Tannery. This long-lasting business occupied many wooden buildings at the northeast corner of Lexington and Grant streets.

1890s-1960s. The Pacific Manufacturing Company was a huge business occupying many buildings in the block of Alviso, Bellomy, Grant, and Locust streets, plus warehouses and sprawling lumber yards in adjacent blocks. It made coffins, window sash, doors, blinds, cabinets, and windmills.

1910s-1960s. Fruit canning. There were several canneries in Santa Clara during these decades, and of these three were the largest and longest lasting: Rosenberg Brothers and Company; the Pratt-Low Preserving Company; and Libby, McNeill and Libby. Pratt-Low's complex included a huge one-story cannery building plus 25 seasonal workers' cabins in 1915, and by 1950 it had expanded to include over 100 workers' cabins. By 1950 Rosenberg Brothers had absorbed Libby, McNeill and Libby, and by 1961 Rosenberg Brothers had been taken over by the Mayfair Packing Company. Collectively, these canneries must have been the largest employers in the City of Santa Clara during most of the 20th century.

(See Continuation Sheet, page 7.)

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Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021 Continuation Update

Old Quad history (continued)

1960s-present. The semiconductor industry becomes important in Santa Clara.

1963. The city's old downtown is razed in order to receive funding from the federal government for urban renewal.

To the above list should be added Santa Clara's close proximity to the city of San Jose, where some Santa Clara residents worked.

The demolition of the city's old downtown was a major loss, and as far as is known none of the tannery, fruit canning, or Pacific Manufacturing buildings still stand. The built environment in Santa Clara is nevertheless able to represent, or evoke, most of the other important themes in Santa Clara's early history. An adobe house at 3260 The Alameda (now the Santa Clara Women's Club) is a ca. 1790s building that was part of the Spanish-era mission complex. The Berryessa adobe at 373 Jefferson Street (late 1840s) represents the Mexican or very early American period. Two properties evoke Santa Clara's early agricultural economy. The older is the James Lick flour mill complex, at 4101 Lick Mill Boulevard, at Mansion Park Drive. Its four buildings were built in 1857, the 1860s, and the 1880s and include a granary, a house, an office, and a hall. The Harris-Lass house at 1889 Market Street (1865) includes a farmhouse, a barn, a water tank, and farming implements. As mentioned above, four early twentieth century buildings survive at Agnew's State Hospital, and about eight buildings from 1911-1930 survive at Santa Clara University.

Most prolifically, the Old Quad area is filled with hundreds of 19th and early 20th century houses that retain good to high integrity. A few houses date to the 1850s, a moderate number date to each decade of the 1860s, 1870s, and 1880s, and very many date to the 1890s-1930s. While it is beyond the scope of this report to describe these houses in any detail, it can be said that they range from modest, vernacular working-class houses to large houses built for the well-to-do. Houses in the latter group are often elaborately decorated, but smaller houses, especially those built before the 1920s, often possess fine details as well.

Because the subject house is a blend of Gothic and Greek revivals in style and dates from the 1850s or slightly later, a number of similar houses are illustrated below for purposes of historic context.

(See Continuation Sheet, page 8.)

Page 8 of 29

Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021 Continuation Update

History of the subject house

Section 8.9 of the City of Santa Clara's General Plan is entitled "Historic Preservation and Resource Inventory." In this document, which is on the internet, the subject house is called the Russell-Robinson house and is dated 1861. Another page of the city's website, "Historic Properties," states that the front block was built in about 1860 and was added to an older house already standing. The first, or first known, owner was a carpenter named Calvin Russell, who purchased the property in 1856. After his death, his widow continued to live here through 1887, and she sold the house in 1891 to druggist John G. Robinson and his wife Mary. For this report, primary research was performed to support or question the above information.

It seems unlikely that the rear part of the house was built first and that the front part was added to it in 1860 or 1861. Because it was common to build a kitchen wing at the rear of a house, and because the bevel siding and six-over-six windows are the same in both the front and rear parts, it seems much more likely that the entire house was built at once. (This does not count the low addition that fills the angle at the southwest corner, which was added after 1891.) Another similarity between the front and rear parts is the use of similar sidelights in the front entrance and in the entrance on the north side of the rear stem; this also argues that the front and rear parts were built at the same time.

From the style of the house, a construction date of the 1850s or 1860s is all but certain. The Greek Revival style was most common in northern California during the 1850s, and Gothic Revival was common in the 1850s and 1860s. The latter was only rarely built during the 1870s. On balance, an 1850s construction date for this house is most likely. Please see a further discussion of the occurrence of these styles in Santa Clara below.

The first owner and builder was probably Calvin Russell. He was born in Pennsylvania in 1807 or 1808, and his wife Eliza was born in the same state in about 1816. They arrived in Santa Clara at an early date, some time during the 1850s. Charlene Duval, a Santa Clara County historian, states that he does not show up in the 1850 or 1852 tax assessment rolls for the county, but he is listed here in the 1852 state census. The next three U. S. censuses, of 1860, 1870, and 1880, all show the Russells living in the city of Santa Clara and owning real estate (\$1,050 in 1860 and \$5,000 in 1870). In all three censuses his occupation is listed as that of a carpenter. When Calvin Russell died in 1886, a brief newspaper notice stated his estate consisted of \$3,800 worth of real estate.

None of these censuses list addresses. Two sources, however, tie the Russells to the subject site. One is the city's website, which states that Russell purchased this property in 1856. Shortly after Calvin's death, a newspaper notice announced that any creditors of his should see the administratrix of his estate,

(See Continuation Sheet, page 9.)

Page 9 of 29

Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021 Continuation Update

History of the subject house (continued)

Eliza A. Russell, at her residence at the southwest corner of Washington and Fremont streets (site of the subject property). While more documentation would be desirable, the above sources strongly suggest that Calvin Russell built this house as his and Eliza's residence soon after 1856 and that they lived here until his death in 1886. He worked as a carpenter at least through 1880 and must have built many houses in Santa Clara, though none of these other houses are known of.

The next known owners were John G. and Mary A. Robinson. They were each born in about 1854, he in Oregon and she in California. The city's website states that they bought the house in 1891. They were listed as living here in city directories beginning in 1896 and in censuses through 1940.

Mary Ann Robinson was born in 1852 on her family's ranch in Lawrence, Santa Clara County. Her parents were James Enright and Margaret (Duncan) Enright. A relative of her mother is said to have been Isadora Duncan, who was a native of San Francisco. Although Isadora Duncan lived in Europe and New York after becoming a dancer, according to the city's website she once performed at this house.

John G. Robinson was born in 1850 in Oregon Territory. In 1870 he was living in the town of Santa Clara and working as a druggist. In 1880, still single, he worked as a druggist in Colusa, which he continued to do for "many years," according to his obituary. At an unknown date he returned to Santa Clara, married Mary Enright, opened his pharmacy at 1072 Franklin Street, and (by 1896) purchased and moved into 1184 Washington Street. He retired some time between 1910 and 1920 and lived in this house until his death in 1931. His wife's widowed sister, Mrs. Louise Reidy, moved in with her, and they continued to live in this house until Mary's death in 1941.

Gothic Revival and Greek Revival houses in northern California and Santa Clara

Ancient Greek architecture was rediscovered by western European architects in the mid-18th century and influenced American architecture by the early 19th century. In the United States, the War of 1812 aroused renewed antagonism against England, and by extension, against English models for architecture, leaving the way clear for new styles in this country. One of the first American examples of the Greek Revival was the Bank of the United States, in Philadelphia (1818). Further interest in this style was generated by American sympathy for Greece in their war of independence during 1821-1832. Published carpenter guides and pattern books by Asher Benjamin and Minard Lefever disseminated Greek Revival details nationwide. In her book *A Field Guide to American Houses* (2015), Virginia Savage McAlester estimates that, among domestic examples, the Greek Revival style was common in the United States from about 1830 into the early 1860s. It began in east coast cities, where it faded during the 1840s, but persisted in rural and midwestern areas where newer styles were slower to take hold.

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Recorded by William Kostura

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Gothic Revival and Greek Revival houses in northern California and Santa Clara (continued)

Greek Revival became so popular in the United States, and so ubiquitous in some places, that a reaction naturally arose against it and during the 1840s it was replaced by more picturesque styles, principally the Gothic Revival. This style had debuted in England in 1749 but did not make its first notable appearance in the United States until 1832, when the architect Alexander Jackson Davis designed a Gothic house in Baltimore. Davis' book *Rural Residences* (1837) promoted the style, and his friend Andrew Jackson Downing spread the style further with two very popular books of his own, *Cottage Residences* (1842) and *The Architecture of Country Houses* (1850). The style remained popular for houses in the United States through about 1865, and then declined.

In San Francisco during the 1850s, it is not easy to point to a predominant domestic style. Most houses were inexpensive and were squeezed onto narrow lots and did not exhibit prominent style details. Many of these had front-gabled roofs with proportions roughly equivalent to those on Greek Revival houses, and some historians label these houses as Greek Revival for this reason. A small number had genuine Greek Revival details such as pediment returns in the gable, shallow-pitched pediments over the windows, or Doric capitols at the tops of porch posts, and these were more truly deserving of the style name.

Gothic Revival houses were perhaps not more common in San Francisco but were certainly more conspicuous. A few very dramatic examples were built on Rincon Hill in the 1850s, along with some lesser ones, and a few notable Gothic houses were built on Russian Hill. In every neighborhood many small houses could be found whose gables were decorated with band-sawn bargeboard, a signature of the "Carpenter Gothic" style.

Not many examples of either style remain in California. Weaverville, in Trinity County, has several (or more) houses with shallow-pitched pediments over the windows, and these are properly styled Greek Revival. A small number of others are in Nevada City. Gothic Revival houses, again, are more conspicuous. These include the Frisbie house in Benicia (ca. 1849); the Vallejo house, "Lacryma Montis," in Sonoma (ca. 1850); the Mary Aaron house in Marysville (1855); the Red Castle in Nevada City (1860); and the J. Mora Moss house, "Mosswood," in Oakland (1864). The Abner Phelps house in San Francisco (ca. 1851) is a blend of the two styles. It has a full-width porch that is Greek Revival in feeling plus Gothic Revival bargeboard in the front and side gables. The oldest house in Alameda, the Webster house on Versailles Avenue (1854) is Gothic Revival in style. There are others of both styles, but they are rare.

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Recorded by William Kostura

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Gothic Revival and Greek Revival houses in northern California and Santa Clara (continued)

In Santa Clara at least nine houses exhibit features that are associated with one or both of these styles. A list follows, with construction dates taken mainly from the city's website:

- * The Berryessa adobe at 373 Jefferson Street (1840s). This house has Greek Revival pediments over the windows and doorway, and Gothic bargeboard in the gable facing the street.
- * The subject house, 1184 Washington Street (1850s or early 1860s). As mentioned above, it has Gothic bargeboard in the front gable, a Gothic drip mold over the window beneath this gable, and a Greek Revival main entrance.
- * 1158 Main Street (estimated 1855-1889). This house has no style details. The proportions of the gabled roof and the full-width porch suggest the Greek Revival style, however.
- * 1206 Main Street (1865). This house is a blend of Greek Revival and Italianate styles. The pediment returns in the gable and the porch columns with simple Doric capitals are the Greek elements.
- * The Harris-Lass house, 1889 Market Street (1865). The square porch columns with molded caps and incised vertical strips are ever so slightly reminiscent of the Greek Revival style.
- * 1217 Santa Clara Street (dates variously given as 1867 and 1875). The pointed arch window and the squeezed gable are the Gothic elements. Triangular pediments over the windows could be considered either Greek or Italianate, while quoins at the corners are Italianate. The cross-bracing in the gable and the porch may indicate a later construction date.
- * 1404 Lincoln Street (dates given as "1880" and "ca. 1880s"). This house looks much older than the given dates. It has a plain gabled roof and a wrap-around porch with molded capitals. There are no strong style details, but it is closer to Greek Revival than anything else.
- * 1490 Santa Clara Street ("ca. 1880s"). Again, this house looks older than the estimated date. The very steeply-pitched squeezed gable is a strong Gothic element, while the rounded pediment over the second story window is a hint of Greek Revival.
- * 466 Madison Street (1885). The Gothic element is the steeply-pitched squeezed gable. A triangular pediment over the second story window, very shallow-pitched pediments over the first story windows, and a porch with square columns suggest the Greek Revival style.

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Gothic Revival and Greek Revival houses in northern California and Santa Clara (continued)

As one can see, most of these houses were designed as blends of styles. Their mostly anonymous builders obviously felt free to incorporate elements that they were familiar with in order to produce a pleasing effect. For the most part, ornament was restrained and was applied as accents to a design where fine proportions and a harmonious composition were the most important considerations.

The subject house is remarkable in a number of ways. The bargeboard in the gable is the best in Santa Clara and compares favorably with that in most Gothic houses elsewhere in the state. The drip mold over the window was a once-common feature among Gothic Revival houses, but is now very rare. The Greek Revival entrance is also now exceedingly rare; this may be the best surviving example in the state. Also important are the house's six-over-six windows. While such windows were not representative of any particular style, they were typical of the 1850s and early 1860s. It is now very rare to find so many windows of this type in a house that is this old.

Integrity

The seven factors of integrity are location, design, materials, workmanship, feeling, association, and setting. Regarding the subject house:

It has never been moved, so it retains integrity of location.

The one-story addition that fills most of the angle between the front block and the rear stem on the south side is the only alteration of note. The front of the house and the north side appear to be unchanged. Thus, the house retains integrity of design, materials, and workmanship. In particular, the survival of so many six-over-six windows is very remarkable for a house of this age and they represent the workmanship of this period in a way that very few other houses do.

The Gothic Revival bargeboard and drip mold and the Greek Revival entrance are strong style features. They, along with the beveled siding and the six-over-six windows are strongly representative of houses of the period. Thus, this house retains integrity of feeling.

Early occupants of this house would certainly recognize it as the house they had lived in, and so it retains integrity of association.

The front and back yards of this house have been changed with new landscaping and out-buildings, and so this property's internal integrity of setting has been lost. However, several 19th century and early 20th century houses still stand in the immediate neighborhood, so the external setting is largely intact.

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Evaluation to California Register criteria

The California Register of Historical Resources (California Register) is an inventory of significant architectural, archaeological, and historical resources in the State of California. Resources can be listed in the California Register through a number of methods. State Historical Landmarks and National Register-listed properties are automatically listed in the California Register. Properties can also be nominated to the California Register by local governments, private organizations, or citizens. The evaluative criteria used by the California Register for determining eligibility are closely based on those developed by the National Park Service for the National Register of Historic Places.

In order for a property to be eligible for listing in the California Register, it must be found significant under one or more of the following criteria:

- * Criterion 1 (Events): Resources that are associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.
- * Criterion 2 (Persons): Resources that are associated with the lives of persons important to local, California, or national history.
- * Criterion 3 (Architecture): Resources that embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of a master, or possess high artistic values.
- * Criterion 4 (Information Potential): Resources or sites that have yielded or have the potential to yield information important to the prehistory or history of the local area, California, or the nation. This criterion typically applies to archaeological remains, which are not being addressed in this report.

Criterion 1 (Events)

This house was built in the 1850s or early 1860s. Only two houses in Santa Clara — the current Santa Clara Women's Club (ca. 1790s) and the Berryessa adobe at 373 Jefferson Street (ca. 1840s) are definitely older, and only several other houses have estimated construction dates that are about as old. Because of its construction date and high integrity, this house represents, as very few are able to, the very early history of Santa Clara when the town was still largely rural. Accordingly, it appears to be eligible for the California Register at the local level under this criterion. The Period of Significance under this criterion is from the 1850s (the most likely construction date) through the 1910s, when much of the Old Quad area was still being developed.

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Evaluation to California Register criteria (continued)

Criterion 2 (Persons)

Calvin Russell was a carpenter and almost certainly built this house as his own residence; and it seems likely that he built other houses in Santa Clara, perhaps very many. If it could be shown that he did so, he would emerge as an important person in Santa Clara's architectural history, and this house would probably be eligible under this criterion. Such evidence is lacking at present, however, and so this house does not now appear to be eligible under this criterion.

Criterion 3 (Architecture)

This is an outstanding blend of Gothic Revival and Greek Revival styles. The carved bargeboard in the gable is crisp and distinctive, and the Gothic feeling imparted by that bargeboard is supported by a drip molding over the window below. The Greek Revival entrance consists of a small cornice, an incised frieze, incised pilasters with capitals, sidelights, and a transom, and is very fine. Other elements of the house, most notably the paneled door, six-over-six windows, beveled siding, and boxed eaves are typical of the 1850s and greatly add to the feeling of an 1850s house. The corner panels or battens are unusual; their incised lines relate to those in the main entrance and contribute to the stylistic feeling. The entrance on the north side is a simpler version of the main entrance and relates to it visually.

In sum, this is a carefully-designed house that effectively blends the two styles that were most prominent in Santa Clara in the 1850s and early 1860s and is easily one of the best houses of that period in Santa Clara. For these reasons this house appears to be eligible for the California Register at the local level under this criterion. Because so few houses of these styles still stand with high integrity in California, and because this is a good example of a blend of these styles, it also appears to be eligible at the state level. The Period of Significance is the 1850s-1860s, the likely date of construction.

Contributing features

The contributing features of this house are:

- * The T-shaped footprint
- * The cross-gabled roof with boxed eaves
- * The bevel siding
- * All six-over-six windows and the fixed window in the front gable, and their trim

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Evaluation to California Register criteria (continued)

Contributing features (continued)

- * The carved bargeboard in the front gable
- * The drip mold over the window below that gable
- * All parts of the Greek Revival front entrance and the more restrained entrance on the north side, including trim
- * The front door and its hardware
- * The narrow, incised panels (or battens) at the corners of the house.

Non-contributing features include:

- * The brick foundation.
- * The one-story addition that fills most of the angle on the south side of the house
- * Small second story windows on the south side, directly above that addition
- * The barn, the pool house, and the landscaping

The interior features mentioned on page 4 are fine, but are not listed here as either contributing or non-contributing.

The screen door in the rear of the house looks old, but it cannot be dated with any confidence and probably post-dates any possible Period of Significance. Thus, it should probably be counted as a non-contributing element, too.

Evaluation under City of Santa Clara criteria

The Criteria for Local Significance were adopted on April 20, 2004, by the City of Santa Clara City Council and are listed under Section 8.9.2 of the City of Santa Clara General Plan, Criteria for Local Significance. Under this section of the General Plan, any building, site, or property in the City that is 50 years old or older and meets certain criteria of architectural, cultural, historical, geographical or archeological significance is potentially eligible.

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Evaluation under City of Santa Clara criteria (continued)

The subject property appears to most clearly meet the following local criteria:

Criterion for Historical or Cultural Significance

1. The site, building or property has character, interest, integrity and reflects the heritage and cultural development of the city, region, state, or nation.

By virtue of its very early construction date and high integrity, and its ability to evoke early Santa Clara history, this house appears to meet this criterion.

5. A building's direct association with broad patterns of local area history, including development and settlement patterns, early or important transportation routes or social, political, or economic trends and activities. Included is the recognition of urban street pattern and infrastructure.

Similar to the above argument, this house is associated with Santa Clara's early development.

Criterion for Architectural Significance

1. The property characterizes an architectural style associated with a particular era and/or ethnic group.

This house is an outstanding example of a blend of the Gothic Revival and Greek Revival styles of the 1850s-1860s.

6. A building's unique or uncommon building materials, or its historically early or innovative method of construction or assembly.

Some of the house's materials, namely the bevel siding and six-over-six windows with thin muntins, were not unique or uncommon during the time it was built, but have become rare since then. These are very important features of the house.

7. A building's notable or special attributes of an aesthetic or functional nature. These may include massing, proportion, materials, details, fenestration, ornamentation, artwork or functional layout.

The cross-gabled roof, T-shaped footprint, Gothic and Greek style features, bevel siding, corner panels or battens, and six-over-six windows combine to evoke the massing, ornamental, and aesthetics and construction techniques of the 1850s-1860s.

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Evaluation under City of Santa Clara criteria (continued)

Criterion for Geographic Significance

1. A neighborhood, group or unique area directly associated with broad patterns of local area history.

Most of the houses in the immediate vicinity of the subject house date to the 19th and early 20th centuries. Together they form a concentration of houses that evoke Santa Clara's early history.

References

Censuses and city directories

U. S. censuses of 1860, 1870, and 1880 for Calvin and Eliza Russell, in Santa Clara.

U. S. censuses of 1900, 1910, 1920, 1930 and 1940 for John G. Robinson, Mary A. Robinson, and Louise E Reidy, in Santa Clara.

San Jose/Santa Clara city directories of 1896-1912 for John G. Robinson, in Santa Clara.

City of Santa Clara

Section 8.9 of the City of Santa Clara's General Plan, "Historic Preservation and Resource Inventory." Listing for this house.

City of Santa Clara website. "Historic Properties." Brief history of this house.

Marriage and death records

Ancestry.com. Marriage records. Mary A. Enright to John G. Robinson, in 1886.

Ancestry.com. Death records. Mary A. Robinson, in 1941.

Newspaper articles

"Died." *San Jose Mercury News*. June 12, 1873. Death notice for Joseph G. Russell.

"Petitions Filed Today." *San Jose Mercury News*. February 8, 1886.

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References (continued)

“Notice to Creditors.” *San Jose Mercury News*. March 17, 1886.

“J. Robinson, Once Colusa Druggist, Dies.” *Colusa Herald*. November 12, 1931.

“Mrs. Robinson Passes Away.” *Santa Cruz Sentinel*. November 22, 1941.

Other sources

Charlene Duval. Email to William Kostura, July 23, 2021, re: early presence of Calvin Russell in Santa Clara and possible construction dates of the house.

Virginia Savage McAlester. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 2015. This is the best guide to American domestic architecture. Greek and Gothic revivals are covered on pages 246-280. See page 249 for diagrams of Greek Revival entrances.

David Gebhard, et. al. *The Guide to Architecture in San Francisco and Northern California*. Salt Lake City: Gibbs Smith, 1985.

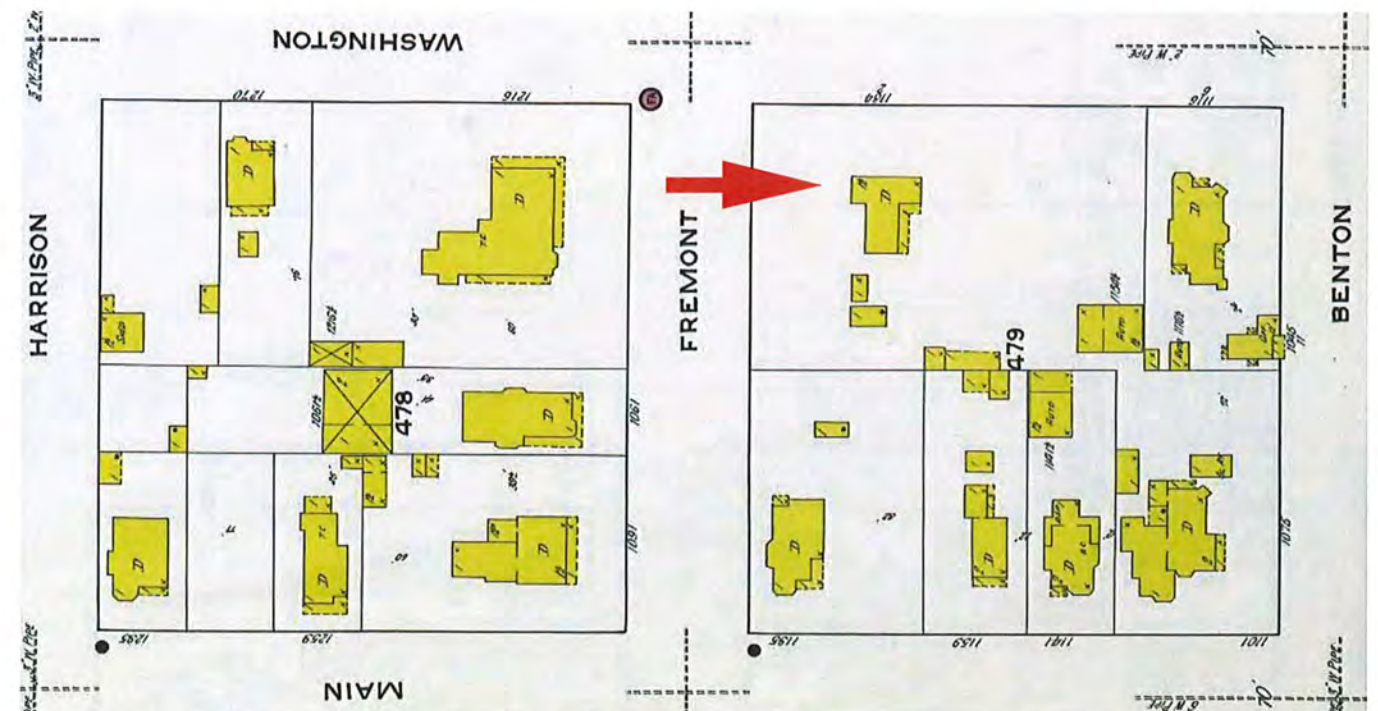
Susan Dinkelspiel Cerny. *An Architectural Guidebook to San Francisco and the Bay Area*. Salt Lake City: Gibbs Smith, 2007.

The above two books list some of the Gothic Revival houses outside of Santa Clara mentioned in this report.

Sanborn map diagrams



At left: 1891 Sanborn map, page 35.



Below: 1915 Sanborn map, page 214. Note the appearance of the addition filling the corner on the south side.

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Photographs of the subject house



The front of the house with a detail of the bargeboard and the drip mold over the second story window.

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Photographs of the subject house (continued)



Front entrance with details of the trim, door, and hardware.



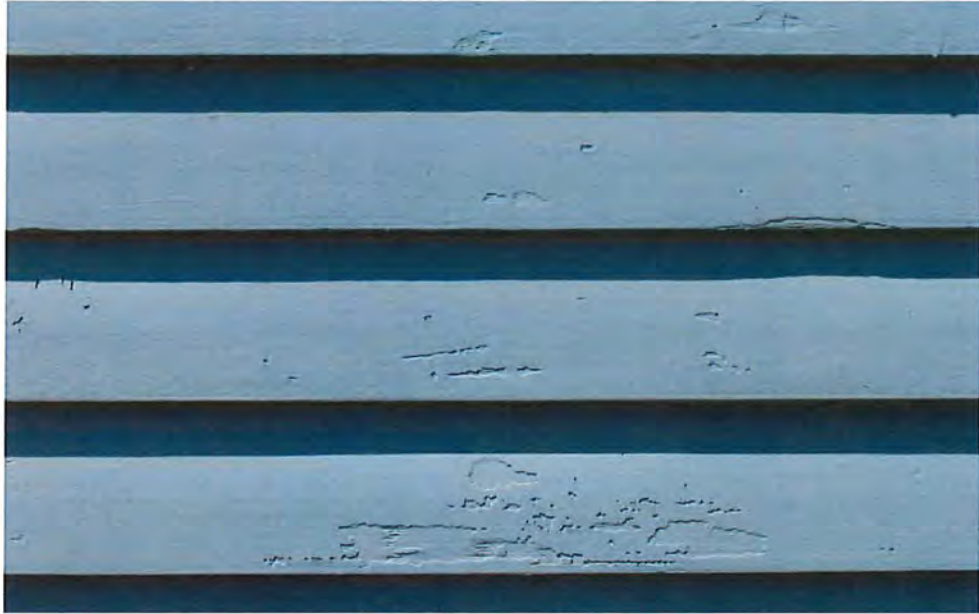
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Photographs of the subject house (continued)



Above: The bevel siding that clads the house.

Middle. Detail of window muntins.



Below: The brick foundation.



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Photographs of the subject house (continued)



At left: The north side of the front block (on the right side of the house as you face it)

Below: View looking SE at the rear side of the front block and the north side of the rear stem.



Bottom row: The north side of the rear stem and a detail of the entrance on this side.



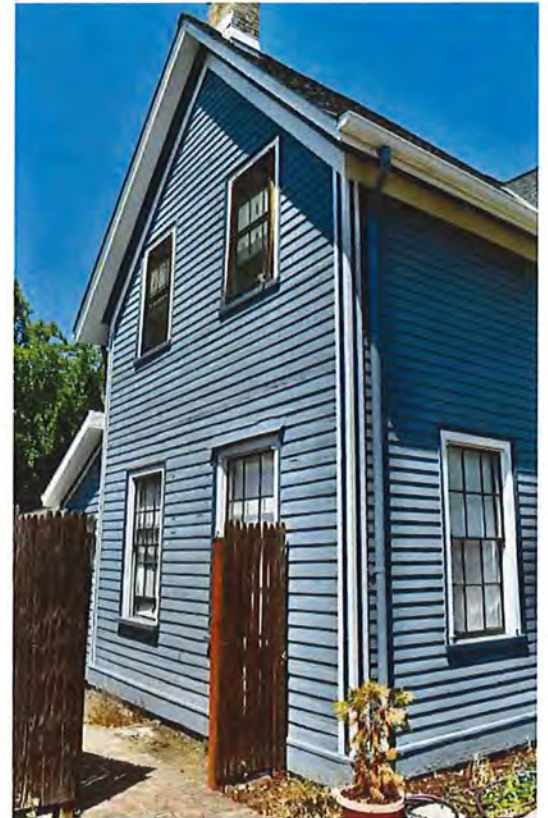
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Photographs of the subject house (continued)



Above: Perspective view of the house from the left. At right: the south side of the front block.

At right: the south side of the house. Sanborn maps suggest that the low addition that fills the angle between the front block and the rear stem began as an open porch that was later enclosed.



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Photographs of the subject house (continued)



Above left: A typical six-over-six window. These are found on all sides of the house except for the south side of the rear stem (i.e., where the addition is).

Above right: The rear wall of the house, i.e. the west side of the rear stem.

At right: The screen door on the rear side.

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Photographs of the subject house (continued)



Top left: View looking east at the garage on the south side of the lot.

Top right: The barn, directly behind the garage. It looks old, but isn't.

Bottom left: The pool house, with siding and doors similar to those on the barn.

Bottom right: The brick-paved back yard, with pool.

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Photographs of houses in Santa Clara with Greek Revival and Gothic Revival features

These are shown in order to put the subject house in historical context. Only one of these houses, the Berryessa adobe, is definitely older than the subject house. A few other houses from the 1850s-1860s stand in Santa Clara, but not very many, and as far as is known to this writer none have Greek Revival or Gothic Revival features.



The Berryessa adobe, 373 Jefferson Street. It has been dated to the 1840s. Shallow-pitched pediments over the door and windows evoke the Greek Revival, while carved bargeboards in the gable are Gothic Revival.

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Photographs of houses in Santa Clara with Greek Revival and Gothic Revival features (continued)



Top left: 1158 Main Street. This house lacks style details, but its proportions suggest Greek Revival.

Top right: 1206 Main Street (1865). The pediment returns in the gable are Greek Revival.

Bottom left: The Harris-Lass house, 1889 Market Street (1865). The incised porch columns are similar to those on the subject house and could be considered Greek Revival.

Bottom right: 1217 Santa Clara Street. Gothic Revival second story windows blend with Greek pediments over the first story windows and Italianate quoins.

Photographs of houses in Santa Clara with Greek Revival and Gothic Revival features (continued)



Top left: 1404 Lincoln Street. The gabled roof and the porch with square Doric posts suggest Greek Revival.

Top right: 1490 Santa Clara Street. The steeply-pitched squeezed gable suggests Gothic Revival, while the rounded pediment just below it is Greek.

466 Madison Street. Another steeply-pitched squeezed gable with a pedimented first and second story windows.

May 9th, 2022

Shea & Julie Salinas
1184 Washington Street
Santa Clara, CA 95050

10-Year Restoration Maintenance Plan
Russell Robinson House
1184 Washington Street

Dear Planning Staff and Historic and Landmark Commissioners,

The following is our proposed 10-year plan for the restorations and maintenance of our historic home at 1184 Washington Street.

All items to meet the Secretary of Interiors standards for Treatment of Historic Properties:

Years 1-2 (2022-2023)

Deferred Maintenance: These first two years will include doing much of the deferred maintenance to bring the historic home back to life. This includes repairing interior plaster cracks, repairing banister railing cracks, painting, refinishing front door, updating plumbing fixtures to be more water efficient and water tight, replacing broken window panels, installing an efficient HVAC system, clearing out dead landscaping, repairing & painting front picket fence, and replacing any rotted perimeter fencing and gates.

Years 3-4 (2024-2025):

Foundation: Redo deteriorating and compromised brick foundation and utility basement.

Years 5-7 (2026-2028):

Addition & Renovation: Add onto the house to accommodate a master suite and guest suite. Enlarge kitchen and update bathrooms to adapt the home to better suit our growing family's needs (adaptive reuse).

Year 8 (2029):

Window Restoration: Restore / Repair existing historic wood window sashes. Any minor dry rot areas on the window sashes shall be repaired with epoxy filler and repainted to match. Where elements of the existing window sashes have excessive rot (stiles or rails) they shall be replaced with salvaged or custom milled wood to match. Glazing putty, where cracked, shall be replaced and the window sash shall be painted to match existing.

Year 9-10 (2030-2031):

Painting & Shutters: Repaint entire exterior of residence, including all exterior wood siding, eaves, gutters, downspouts, windows, doors and associated trim. Any minor dry rot or pest/rodent damaged areas found shall be repaired with epoxy filler and repainted to match. Repair and repaint existing shutters and put them back on the house.

We are passionate about restoring and rehabilitating our wonderful historic home so that it can be preserved and enjoyed for many years to come.

Sincerely,

Shea & Julie Salinas

May 9, 2022

Shea and Julie Salinas
1184 Washington St.
Santa Clara, CA 95050

Planning Department
City of Santa Clara
Santa Clara, CA

Variance Request: 1) We are requesting a variance to convert the 2nd story of an existing 2-story barn into a 2nd story accessory dwelling unit.

Project Location: 1184 Washington St. Santa Clara, CA 95050
APN: 269-15-043

Dear Planning Staff & Commissioners:

This application includes plans to transform a 2-story detached barn that has been primarily used for storage and a workshop into a 2nd story accessory dwelling unit, a 1st floor entertaining space/"pool house", and a garage. The existing 1,700 square foot 2-story barn structure is in the rear of 1184 Washington Street. The property is a 10,062 square foot lot located in the Historic "Old Quad", zoned R1-6L and contains a 2-story residence that is on the City's historic registry. We are requesting a variance to create a 2nd story ADU in the existing detached barn.

We are proposing to transform the existing 2-story, 1,700 square foot, barn into a usable space that will add to the utility of the structure, not affect the surrounding neighbors, and allow for a more sustainable and efficient use of the property for our family.

We understand that the Planning Commission must make the following four findings in order to grant the variances (Sec 18.108.040). Our justification for the variance is as follows:

(A) That there are unusual conditions applying to the land or building which do not apply generally in the same district:

(1) Unusual Land due to the existing permitted structure location and size.

In 1979 plans were approved to build the back half of the current barn and a height variance was granted for the 2nd story. In 1995, the addition of the front half of the barn was built. The purpose at the time was to have a wood working shop and antiques storage. The functionality and usability of the barn in it's current state is not practical as 1,700 square feet of storage. Our hope is to turn this space into something that is functional and beneficial to us and the community. By allowing this variance you would allow us to add to the value and usability of the unusual 2 story barn.

(B) That the granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner:

(1) Preserving the Historical Integrity of the House

Converting the existing 2nd floor storage area into an ADU would help support our growing family's needs as well as help us, financially and logistically, to do the necessary renovations and preservation of the historically significant main house. We plan to complete this ADU first so that we could live in it while restoration work is being done on the main residence. Once the main house is

completed, renting the ADU would help pay for the costs of the extensive and ongoing preservation of the main house.

2) *Provide a separate space for a helper for our family of 6.*

We have 4 children - ages 7, 5, 3, and 3 months. Our immediate families live in South Carolina and Texas. Thankfully we have been surrounded by people in our church who love our family and help us juggle the many tasks that come along with having a big family while being involved in the community. We would love to offer a more affordable living location to friends who can continue to help support and be a part of our extended family. This ADU would allow us to have help literally in the back yard.

(C) That the granting of such variance shall not, under the circumstances for the particular case, materially affect adversely the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood of the applicant's property, and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood:

(1) Designed Sensitively to Neighbors

Since the building already exists it will not change or harm the health, safety, peace, morals, comfort, or general welfare of the neighborhood. The proposed accessory structure is located at the rear of the property similar to other accessory buildings on neighboring properties and preserves neighbors' privacy.

In an effort to continue to preserve our neighbors' privacy, all of the 2nd story windows face onto our property (towards our house, driveway or rear yard).

In addition, part of the original request to build the 2nd story of the barn in 1979 was to add privacy from and for a neighboring second story balcony in a multi-family development along the property line. Our design maintains this privacy.

(2). Ample Off-Street Parking

The lot has a long driveway where several cars can park (even side by side) as well as an additional covered carport. Washington Street is also unusually wide and void of many street parked cars in the case that there would ever need to be a car parked on the street.

(3) Community Need for Housing

By converting this storage space into housing, the community benefits in the way of desperately needed additional housing. Given that this lot is over 10k SF, which is unusually large for the neighborhood, it can absolutely support an ADU.

(4) Neighboring Multi-family housing

The neighboring property consists of multi-family housing. The addition of an accessory dwelling unit on the side of the multi-family apartments would not adversely affect the neighborhood considering the multitude of rental apartments in the neighborhood and next door.

(D) That the granting of the variance is in keeping with the purpose and intent of this title:

Granting this variance does not allow the property owner to by-pass the developmental requirements for all future buildings proposed, it merely allows for the conversion of an existing

2nd story space to be more functional, assist in an extensive future historical preservation project, and provide a more affordable living space for a supportive community member.

We appreciate you taking the time to consider our project and hope that you agree that it is a good project worth supporting due to the potential better use of the existing structure, the financial and familial support it would bring to our family, the much-needed housing it would add to our community, and the assistance it provides in the historic preservation project and ongoing maintenance of the main structure.

Regards,

Shea and Julie Salinas
Homeowners



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
@SantaClaraCity

Agenda Report

22-1040

Agenda Date: 10/6/2022

REPORT TO HISTORICAL AND LANDMARKS COMMISSION

SUBJECT

Consideration of Historic Preservation Agreement (Mills Act Contract), Significant Property Alteration (SPA) Permit, and a Variance request to convert an existing detached two-story structure into an Accessory Dwelling Unit (ADU) and garage at 1184 Washington Street

BACKGROUND

The subject property is listed as a historic resource on the City's Historic Resource Inventory (HRI). The project is before the Historical and Landmarks Commission (HLC) for a recommendation to the Planning Commission for the Significant Property Alteration Permit, and for a recommendation to the City Council for approval of the Mills Act Contract, including the adoption of a 10-Year Rehabilitation and Maintenance Plan.

The project includes converting an existing detached two-story structure ("barn") with a two-car garage located to the rear of the property to an Accessory Dwelling Unit (ADU) over a one-car garage and storage on the first floor. The project also includes a Variance request for an increased building height of 22 feet and 6 inches for the detached accessory structure. The Variance request will be considered by the Planning Commission along with the Significant Property Alteration and Architectural Review.

DISCUSSION

The subject property contains a three-bedroom and two-bathroom, two-story house of a blend of Gothic Revival and Greek Revival styles of architecture built circa 1861. An updated historical survey (DPR form 523A) was prepared by William Kostura in September 2021.

Mills Act Contract

The property owners, Robert and Julie Salinas, are requesting approval of a Historic Preservation Agreement (Mills Act Contract) for the property including the adoption of a 10-Year Rehabilitation and Maintenance Plan associated with this historic preservation agreement.

The owner's proposed 10-Year Rehabilitation and Maintenance Plan is attached to this report. Some of the notable work that would be performed under this Plan include repairing banister railing, refinishing the exterior door, replacing broken window panels, replacement of the deteriorating house foundation and utility basement, repair and restoration of the existing historic wood window sashes, adding a master suite and enlarging the kitchen (adaptive reuse), and repainting the entire exterior of the residence.

Significant Property Alteration Permit and Variance

The proposal also includes the rehabilitation of the existing 1,804 square-foot two-story structure located to the rear of the property to create a 958 square foot second story ADU, retaining the one-

car garage and storage on the first floor. There would be no new square footage added to the structure. The detached structure is located five feet from the rear and three feet from the south side property line. The applicant is seeking a variance for the proposed height of 22 feet and 6 inches for the detached second story ADU, exceeding the maximum allowed height of 16 feet. Variance requests require approval by the Planning Commission. The applicant's Variance justification letter is available as Attachment 7 and the proposed development plans are available as Attachment 8 to this report for reference.

Changes proposed to the existing barn structures are primarily exterior modifications and include the addition of windows, skylights, and doors. The DPR states that the barn was constructed after 1961 and is not a contributing feature to the historic significance of the property. The historic main house and its immediate setting will remain untouched and preserved. No changes to the main dwelling unit are proposed.

Variations are limited to those situations where the peculiar physical characteristics of a site make it difficult to develop under standard regulations. The staff has determined that there are specific physical or unique circumstances for the owners to comply with the City's zoning standards as they propose to rehabilitate the existing two-story detached structure. To maintain the existing footprint and the original use of the structure, the design proposes a two-bedroom, one-bathroom second story ADU. The first floor will be occupied by a one-car garage, a new half-bathroom, and storage. A variance for the increased height of 23 feet and 6 inches would be necessary to rehabilitate the existing two-story structure as an accessory dwelling unit.

The applicant commissioned a Secretary of the Interior's Standards (SIS) evaluation, prepared by Leslie A. G. Dill of Archives & Architecture LLC, dated July 11, 2022. The SIS evaluation concludes that the proposed project meets the Secretary of the Interior's Standards for the Treatment of Historic Properties - Rehabilitation Standards. The evaluation found that the proposed project preserves the historic integrity of the property and continues to convey an authentic mid-nineteenth-century building, with methods and materials of construction.

Conclusion

There is no effective change of use for this residential property. The proposed alterations are only proposed to the existing two-story structure and the integrity of the main house as a historic resource is preserved. In addition, staff finds that the work proposed under the 10-Year Restoration and Maintenance Plan adheres to the Secretary of the Interior's Standards for Rehabilitation and incorporated into the Preservation Treatment plan as necessary. Given the age, historic integrity, and the proposed 10-Year Restoration and Maintenance Plan, staff supports a Mills Act Preservation Agreement for the property. A copy of the draft contract is also attached to this report as Attachment 2.

ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303 - New Construction or Conversion of Small Structures, in that the project is limited to the rehabilitation of the existing detached two story structure to a second-story

ADU, one-car garage and storage.

PUBLIC CONTACT

On September 22, 2022, a notice of public hearing of this item was posted in three conspicuous locations within 300 feet of the project site and mailed to property owners within 300 feet of the project site. No public comments have been received at the time of preparation of this report.

RECOMMENDATION

Staff recommends the Historical and Landmarks Commission find that the house will retain sufficient integrity as a significant example of an outstanding blend of Gothic Revival and Greek Revival styles of architecture and the impact of the proposed conversion of the existing detached structure to an Accessory Dwelling Unit is not significant, and recommend approval of the following:

- 1) That, based upon the analysis and findings of the historical evaluation, the Commission forward a recommendation to the City Council for approval of the Mills Act Contract application, including the adoption of a 10-Year Rehabilitation and Maintenance Plan associated with this historic preservation agreement; and,
- 2) That, based upon the analysis and findings of the historical evaluation, the Commission forward a recommendation of approval for issuance of a Significant Property Alteration (SPA) Permit and Variance to the Planning Commission, subject to the conditions of approval.

Prepared by: Nimisha Agrawal, Associate Planner

Approved by: Lesley Xavier, Planning Manager

ATTACHMENTS

1. Historical Survey (DPR 523A)
2. Draft Historic Preservation Agreement (Mills Act Contract)
3. Secretary of the Interior's Standards for Rehabilitation
4. 10-Year Restoration and Maintenance Plan
5. Secretary of the Interior's Standards Evaluation
6. Conditions of Approval
7. Variance Justification Letter
8. Legal Description
9. Development Plans

State of California — The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
 HRI # _____
 Trinomial _____
 NRHP Status Code _____

Other Listings _____
 Review Code _____ Reviewer _____ Date _____

Page 1 of 29 *Resource Name or #: (Assigned by recorder) 1184 Washington Street

P1. Other Identifier: _____

P2. Location: Not for Publication Unrestricted *a: County Santa Clara
 and (P2c, P2e, and P2b or P2d. Attach Location Map as necessary.)

*b. USGS 7.5' Quad _____ Date _____ T _____; R _____; _____ 1/4 of _____ 1/4 of Sec _____; _____ B.M.

c. Address 1184 Washington Street City Santa Clara Zip 95050

d. UTM: (Give more than one for large and/or linear resources) Zone _____; _____ mE/ _____ mN

*e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

Old Quad

This property falls within the Old Quad area of Santa Clara, which contains hundreds of houses dating from the 19th century through the 1930s, along with many newer buildings. It encompasses the area bordered by Scott Boulevard to the west, Newhall Street to the south and east, and the railroad tracks to the north and east.

(See Continuation Sheet, page 2.)



*P3b Resource Attributes: (List attributes and codes) _____

*P4. Resources Present:
 Building Structure Object
 Site District Element of District Other (isolates, etc.)

P5b. Description of Photo:
 (View, date)
 View looking west _____

*P6. Date Constructed/Age and Source:
 Historic
 Prehistoric Both
1850s or early 1860s

*P7. Owner and Address:
Julie and Shea Salinas
1184 Washington Street
Santa Clara, CA, 95050

*P8. Recorded by: (Name, affiliation, and address)
William Kostura
P. O. Box 60211
Palo Alto, CA 94306

*P9. Date Recorded: September 2021

*P10. Survey Type: intensive

P11. Report Citation*: (Cite survey report and other sources, or enter "none".) none

*Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List)

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Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021

Continuation Update

Description (continued)

The area immediately surrounding the subject house is a mix of older and newer houses. Older houses include 1091 Fremont, which has been dated 1868; very fine Queen Anne houses, perhaps the best of this style in the city, at 1116 Washington and 981 Fremont (both 1892); a large Classical/Colonial Revival house at 1179 Washington (1905); and a large Craftsman bungalow at 1061 Fremont (ca. 1918). Three houses from about the 1930s can be found at 908, 925, and 936 Fremont. More modern houses include 1010, 1011-1025, and 1155 Fremont, and a pair of houses plus apartments at 1124 Washington. The older houses are more numerous and more conspicuous than the newer ones, and as a result the immediate neighborhood has a historic feel to it.

The subject property

Grounds and outbuildings

The subject property consists of a house, a barn, a garage, and a pool house on a suburban lot measuring 66 feet in width by 152'-6" in depth. The garage is a small, inexpensively-built wooden building that shows on a 1961 Sanborn map and thus most likely dates to the mid-20th century. The barn is a two-story gabled building clad in board-and-batten siding; its sliding doors are filled diagonal boards. It does not show on the 1961 Sanborn map, and therefore must post-date that year, although it looks older. The pool house resembles the barn in its materials — board and batten siding, and doors with diagonal boards. Given their similarities, it was probably built at about the same time as the barn. The landscaping is also recent. This consists of a picket fence on a low brick wall in front, brick pathways in the front and back yards, and a swimming pool in the back.

The house

The house is two stories in height, sits on a brick foundation, is wood-framed in construction, has a cross-gabled roof with boxed eaves, and is clad in beveled siding. In plan it is T-shaped, with a broad block in front that contains the living room and bedrooms; and a narrow stem centered in the rear containing the kitchen. The front block measures roughly forty feet in width by sixteen feet in depth, while the stem to the rear is approximately fifteen feet wide by 25 feet deep.

One of the angles between these two blocks, at rear-left as one faces the house (at the southwest corner), is mostly filled by a one-story addition that has a shed roof. A 1915 Sanborn map shows this addition with a dotted line, indicating a porch with open sides; but now the walls are filled with bevel siding, which must have been added at a later date.

(See Continuation Sheet, page 3.)

Page 3 of 29

Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021

Continuation Update

Description (continued)

The composition of the front block is symmetrical on all three of its sides. In the front wall, a squeezed gable in the center of the roofline is directly over a second story window and the main entrance. Four windows can be found in the first story, two to either side of the entrance. On the north and south sides of the front block the composition is again symmetrical, with two evenly-spaced windows in each story. Brick chimneys rise from the ridgeline of the roof, each just a foot or two from the north and south sides.

This symmetry is broken up in the rear stem of the house. On the north side of the stem, one small window is in the second story, while the first story has (from left to right) an entrance and two windows, all evenly spaced. The rear wall of this stem has two evenly-spaced windows in the second story, and an entrance and a window in the first. As mentioned above, the south side of this rear stem is largely filled by the early addition. However, two small windows are visible in the second story, above this addition.

The style of the house is predominantly Gothic Revival, though there is a notable Greek Revival element as well. The Gothic elements include carved bargeboard in the squeezed front gable and a drip mold over the second story window, just below the gable. The steep pitch of the gables enhances the Gothic feeling.

The primary Greek Revival element is the front entrance. Here, a shallow, cornice with a curved soffit and a frieze are supported by pilasters with restrained Doric capitals and blocky bases. Incised stripes add detailing to the frieze and pilasters. Within this framing are a paneled door with a transom window, transom bar, and sidelights. The door has four panels, those at the top being taller, with arched heads. Sidelights are narrow, with five lights each. Although the classical details of this entrance composition are restrained, they are a clear expression of the Greek Revival style. Hardware on this door include a ceramic knob, circular brass knob plate, and an ornamental iron ringer with ceramic handle. All of these elements appear to be original or very early.

A simpler version of this entrance is found on the north side of the rear stem. Here, a paneled door with glazing is flanked by sidelights with four lights each. These are trimmed by flat boards within a thin surrounding molding.

With one important exception, nearly all of the windows in this house have six-over-six sash with what appear to be original muntins. The main exception is the second story window under the front gable. It is a paired casement with four lights per casement. Smaller windows in the upper story of the rear stem and in the addition on the south side also depart from the six-over-six pattern.

(See Continuation Sheet, page 4.)

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Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021 Continuation Update

Description (continued)

The corners of this house are lined or enclosed with extremely narrow panels (or battens) that are incised with vertical lines. These incised lines relate to the incised pilasters and frieze in the main entrance.

A screen door in the west wall of the rear stem most likely dates to the early 20th century. It has wooden spindles and a metal pull and strap hinge.

To summarize, all elements of the exterior appear to be original, or very early, except for the one-story addition on the south side that fills the angle between the front block and rear stem, and the screen door in the rear. A few windows in the second story of the rear were not closely observed, and so their dates are uncertain.

The interior has a number of important early or original features. These include a staircase with a tapering newel post, turned balusters, and wooden railing; an ornamental metal gas light fixture with a glass globe (now electric); fireplaces with carved wooden mantels; a metal vent grille with an ornamental pattern; and a fir floor.

BUILDING, STRUCTURE, AND OBJECT RECORD

Page 5 of 29

*NRHP Status Code _____

*Resource Name or # (Assigned by recorder) 1184 Washington Street

B1. Historic Name: Calvin Russell house

B2. Common Name: _____

B3. Original Use: residence B4. Present Use: residence

*B5. Architectural Style: Gothic Revival

*B6. Construction History: (Construction date, alterations, and date of alterations)
Built in the 1850s or early 1860s.

*B7. Moved? No Yes Unknown Date: _____ Original Location: _____

*B8. Related Features:
none

B9a. Architect: unknown b. Builder: probably Calvin Russell

*B10. Significance: Theme _____ Area Santa Clara

Period of Significance _____ Property Type residence Applicable Criteria _____

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

History

This section will cover the history of the Old Quad neighborhood of Santa Clara; the history of the subject house; and a list of Greek Revival and Gothic Revival houses in Santa Clara that puts the architectural history of this house in context.

Old Quad history

The Old Quad covers the quadrangle shown in an 1866 survey by J.J. Bowen. It encompasses the area bordered by Scott Boulevard to the west, Newhall Street to the south and east, and the railroad tracks to the north and east. The area includes Santa Clara University, which was once the site of Mission Santa Clara. Generally speaking, the Old Quad is the oldest part of Santa Clara. The overwhelming majority of its historic buildings are located here.

(See Continuation Sheet, page 6.)

B11. Additional Resource Attributes: (List attributes and codes) _____

*B12. References:

See Continuation Sheet, pages 17-18.

B13. Remarks:

*B14. Evaluator: William Kostura

Date of Evaluation: September 2021

(Sketch map with north arrow required)

(This space reserved for official comments.)

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Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021 Continuation Update

Old Quad history (continued)

Major factors in Santa Clara's growth and economy include:

1777. Founding of Mission Santa Clara de Asis by the Franciscan order of Spain. This mission was secularized by Mexico in 1833 but the mission chapel continued to function as a church afterward. It was enlarged and rebuilt several times over the next century.

1851-present. After the takeover of California by the United States, Jesuits acquired the mission and established Santa Clara College in 1851. It became known as the University of Santa Clara in 1912 and as Santa Clara University in 1985. The older buildings on this campus date to the period 1911-1930 and were designed by architects Will D. Shea, John J. Donovan, and Henry A. Minton. The chapel of 1928 was designed by Minton to replicate the old adobe mission building of ca. 1824.

1852. The City of Santa Clara incorporates.

1863. The railroad connecting San Francisco and San Jose reaches Santa Clara. The railroad depot still stands, now at 1005 Railroad Avenue.

1885-1990s. Agnew's State Hospital. The Victorian building of 1885 collapsed in the earthquake of 1906, with great loss of life. New buildings were built from 1908 through the 1910s to designs by the State Architect George C. Sellon. After the campus was sold to Sun Microsystems in the late 1990s, only the best four of the Agnew's buildings were retained, and the rest were demolished.

1890s-1950s. Santa Clara Tannery. This long-lasting business occupied many wooden buildings at the northeast corner of Lexington and Grant streets.

1890s-1960s. The Pacific Manufacturing Company was a huge business occupying many buildings in the block of Alviso, Bellomy, Grant, and Locust streets, plus warehouses and sprawling lumber yards in adjacent blocks. It made coffins, window sash, doors, blinds, cabinets, and windmills.

1910s-1960s. Fruit canning. There were several canneries in Santa Clara during these decades, and of these three were the largest and longest lasting: Rosenberg Brothers and Company; the Pratt-Low Preserving Company; and Libby, McNeill and Libby. Pratt-Low's complex included a huge one-story cannery building plus 25 seasonal workers' cabins in 1915, and by 1950 it had expanded to include over 100 workers' cabins. By 1950 Rosenberg Brothers had absorbed Libby, McNeill and Libby, and by 1961 Rosenberg Brothers had been taken over by the Mayfair Packing Company. Collectively, these canneries must have been the largest employers in the City of Santa Clara during most of the 20th century.

(See Continuation Sheet, page 7.)

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Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021 Continuation Update

Old Quad history (continued)

1960s-present. The semiconductor industry becomes important in Santa Clara.

1963. The city's old downtown is razed in order to receive funding from the federal government for urban renewal.

To the above list should be added Santa Clara's close proximity to the city of San Jose, where some Santa Clara residents worked.

The demolition of the city's old downtown was a major loss, and as far as is known none of the tannery, fruit canning, or Pacific Manufacturing buildings still stand. The built environment in Santa Clara is nevertheless able to represent, or evoke, most of the other important themes in Santa Clara's early history. An adobe house at 3260 The Alameda (now the Santa Clara Women's Club) is a ca. 1790s building that was part of the Spanish-era mission complex. The Berryessa adobe at 373 Jefferson Street (late 1840s) represents the Mexican or very early American period. Two properties evoke Santa Clara's early agricultural economy. The older is the James Lick flour mill complex, at 4101 Lick Mill Boulevard, at Mansion Park Drive. Its four buildings were built in 1857, the 1860s, and the 1880s and include a granary, a house, an office, and a hall. The Harris-Lass house at 1889 Market Street (1865) includes a farmhouse, a barn, a water tank, and farming implements. As mentioned above, four early twentieth century buildings survive at Agnew's State Hospital, and about eight buildings from 1911-1930 survive at Santa Clara University.

Most prolifically, the Old Quad area is filled with hundreds of 19th and early 20th century houses that retain good to high integrity. A few houses date to the 1850s, a moderate number date to each decade of the 1860s, 1870s, and 1880s, and very many date to the 1890s-1930s. While it is beyond the scope of this report to describe these houses in any detail, it can be said that they range from modest, vernacular working-class houses to large houses built for the well-to-do. Houses in the latter group are often elaborately decorated, but smaller houses, especially those built before the 1920s, often possess fine details as well.

Because the subject house is a blend of Gothic and Greek revivals in style and dates from the 1850s or slightly later, a number of similar houses are illustrated below for purposes of historic context.

(See Continuation Sheet, page 8.)

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Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021 Continuation Update

History of the subject house

Section 8.9 of the City of Santa Clara's General Plan is entitled "Historic Preservation and Resource Inventory." In this document, which is on the internet, the subject house is called the Russell-Robinson house and is dated 1861. Another page of the city's website, "Historic Properties," states that the front block was built in about 1860 and was added to an older house already standing. The first, or first known, owner was a carpenter named Calvin Russell, who purchased the property in 1856. After his death, his widow continued to live here through 1887, and she sold the house in 1891 to druggist John G. Robinson and his wife Mary. For this report, primary research was performed to support or question the above information.

It seems unlikely that the rear part of the house was built first and that the front part was added to it in 1860 or 1861. Because it was common to build a kitchen wing at the rear of a house, and because the bevel siding and six-over-six windows are the same in both the front and rear parts, it seems much more likely that the entire house was built at once. (This does not count the low addition that fills the angle at the southwest corner, which was added after 1891.) Another similarity between the front and rear parts is the use of similar sidelights in the front entrance and in the entrance on the north side of the rear stem; this also argues that the front and rear parts were built at the same time.

From the style of the house, a construction date of the 1850s or 1860s is all but certain. The Greek Revival style was most common in northern California during the 1850s, and Gothic Revival was common in the 1850s and 1860s. The latter was only rarely built during the 1870s. On balance, an 1850s construction date for this house is most likely. Please see a further discussion of the occurrence of these styles in Santa Clara below.

The first owner and builder was probably Calvin Russell. He was born in Pennsylvania in 1807 or 1808, and his wife Eliza was born in the same state in about 1816. They arrived in Santa Clara at an early date, some time during the 1850s. Charlene Duval, a Santa Clara County historian, states that he does not show up in the 1850 or 1852 tax assessment rolls for the county, but he is listed here in the 1852 state census. The next three U. S. censuses, of 1860, 1870, and 1880, all show the Russells living in the city of Santa Clara and owning real estate (\$1,050 in 1860 and \$5,000 in 1870). In all three censuses his occupation is listed as that of a carpenter. When Calvin Russell died in 1886, a brief newspaper notice stated his estate consisted of \$3,800 worth of real estate.

None of these censuses list addresses. Two sources, however, tie the Russells to the subject site. One is the city's website, which states that Russell purchased this property in 1856. Shortly after Calvin's death, a newspaper notice announced that any creditors of his should see the administratrix of his estate,

(See Continuation Sheet, page 9.)

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Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021 Continuation Update

History of the subject house (continued)

Eliza A. Russell, at her residence at the southwest corner of Washington and Fremont streets (site of the subject property). While more documentation would be desirable, the above sources strongly suggest that Calvin Russell built this house as his and Eliza's residence soon after 1856 and that they lived here until his death in 1886. He worked as a carpenter at least through 1880 and must have built many houses in Santa Clara, though none of these other houses are known of.

The next known owners were John G. and Mary A. Robinson. They were each born in about 1854, he in Oregon and she in California. The city's website states that they bought the house in 1891. They were listed as living here in city directories beginning in 1896 and in censuses through 1940.

Mary Ann Robinson was born in 1852 on her family's ranch in Lawrence, Santa Clara County. Her parents were James Enright and Margaret (Duncan) Enright. A relative of her mother is said to have been Isadora Duncan, who was a native of San Francisco. Although Isadora Duncan lived in Europe and New York after becoming a dancer, according to the city's website she once performed at this house.

John G. Robinson was born in 1850 in Oregon Territory. In 1870 he was living in the town of Santa Clara and working as a druggist. In 1880, still single, he worked as a druggist in Colusa, which he continued to do for "many years," according to his obituary. At an unknown date he returned to Santa Clara, married Mary Enright, opened his pharmacy at 1072 Franklin Street, and (by 1896) purchased and moved into 1184 Washington Street. He retired some time between 1910 and 1920 and lived in this house until his death in 1931. His wife's widowed sister, Mrs. Louise Reidy, moved in with her, and they continued to live in this house until Mary's death in 1941.

Gothic Revival and Greek Revival houses in northern California and Santa Clara

Ancient Greek architecture was rediscovered by western European architects in the mid-18th century and influenced American architecture by the early 19th century. In the United States, the War of 1812 aroused renewed antagonism against England, and by extension, against English models for architecture, leaving the way clear for new styles in this country. One of the first American examples of the Greek Revival was the Bank of the United States, in Philadelphia (1818). Further interest in this style was generated by American sympathy for Greece in their war of independence during 1821-1832. Published carpenter guides and pattern books by Asher Benjamin and Minard Lefever disseminated Greek Revival details nationwide. In her book *A Field Guide to American Houses* (2015), Virginia Savage McAlester estimates that, among domestic examples, the Greek Revival style was common in the United States from about 1830 into the early 1860s. It began in east coast cities, where it faded during the 1840s, but persisted in rural and midwestern areas where newer styles were slower to take hold.

(See Continuation Sheet, page 10.)

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Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021 Continuation Update

Gothic Revival and Greek Revival houses in northern California and Santa Clara (continued)

Greek Revival became so popular in the United States, and so ubiquitous in some places, that a reaction naturally arose against it and during the 1840s it was replaced by more picturesque styles, principally the Gothic Revival. This style had debuted in England in 1749 but did not make its first notable appearance in the United States until 1832, when the architect Alexander Jackson Davis designed a Gothic house in Baltimore. Davis' book *Rural Residences* (1837) promoted the style, and his friend Andrew Jackson Downing spread the style further with two very popular books of his own, *Cottage Residences* (1842) and *The Architecture of Country Houses* (1850). The style remained popular for houses in the United States through about 1865, and then declined.

In San Francisco during the 1850s, it is not easy to point to a predominant domestic style. Most houses were inexpensive and were squeezed onto narrow lots and did not exhibit prominent style details. Many of these had front-gabled roofs with proportions roughly equivalent to those on Greek Revival houses, and some historians label these houses as Greek Revival for this reason. A small number had genuine Greek Revival details such as pediment returns in the gable, shallow-pitched pediments over the windows, or Doric capitols at the tops of porch posts, and these were more truly deserving of the style name.

Gothic Revival houses were perhaps not more common in San Francisco but were certainly more conspicuous. A few very dramatic examples were built on Rincon Hill in the 1850s, along with some lesser ones, and a few notable Gothic houses were built on Russian Hill. In every neighborhood many small houses could be found whose gables were decorated with band-sawn bargeboard, a signature of the "Carpenter Gothic" style.

Not many examples of either style remain in California. Weaverville, in Trinity County, has several (or more) houses with shallow-pitched pediments over the windows, and these are properly styled Greek Revival. A small number of others are in Nevada City. Gothic Revival houses, again, are more conspicuous. These include the Frisbie house in Benicia (ca. 1849); the Vallejo house, "Lacryma Montis," in Sonoma (ca. 1850); the Mary Aaron house in Marysville (1855); the Red Castle in Nevada City (1860); and the J. Mora Moss house, "Mosswood," in Oakland (1864). The Abner Phelps house in San Francisco (ca. 1851) is a blend of the two styles. It has a full-width porch that is Greek Revival in feeling plus Gothic Revival bargeboard in the front and side gables. The oldest house in Alameda, the Webster house on Versailles Avenue (1854) is Gothic Revival in style. There are others of both styles, but they are rare.

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Resource Identifier: 1184 Washington Street

Recorded by William Kostura

*Date September 2021 ■ Continuation □ Update

Gothic Revival and Greek Revival houses in northern California and Santa Clara (continued)

In Santa Clara at least nine houses exhibit features that are associated with one or both of these styles. A list follows, with construction dates taken mainly from the city's website:

- * The Berryessa adobe at 373 Jefferson Street (1840s). This house has Greek Revival pediments over the windows and doorway, and Gothic bargeboard in the gable facing the street.
- * The subject house, 1184 Washington Street (1850s or early 1860s). As mentioned above, it has Gothic bargeboard in the front gable, a Gothic drip mold over the window beneath this gable, and a Greek Revival main entrance.
- * 1158 Main Street (estimated 1855-1889). This house has no style details. The proportions of the gabled roof and the full-width porch suggest the Greek Revival style, however.
- * 1206 Main Street (1865). This house is a blend of Greek Revival and Italianate styles. The pediment returns in the gable and the porch columns with simple Doric capitals are the Greek elements.
- * The Harris-Lass house, 1889 Market Street (1865). The square porch columns with molded caps and incised vertical strips are ever so slightly reminiscent of the Greek Revival style.
- * 1217 Santa Clara Street (dates variously given as 1867 and 1875). The pointed arch window and the squeezed gable are the Gothic elements. Triangular pediments over the windows could be considered either Greek or Italianate, while quoins at the corners are Italianate. The cross-bracing in the gable and the porch may indicate a later construction date.
- * 1404 Lincoln Street (dates given as "1880" and "ca. 1880s"). This house looks much older than the given dates. It has a plain gabled roof and a wrap-around porch with molded capitals. There are no strong style details, but it is closer to Greek Revival than anything else.
- * 1490 Santa Clara Street ("ca. 1880s"). Again, this house looks older than the estimated date. The very steeply-pitched squeezed gable is a strong Gothic element, while the rounded pediment over the second story window is a hint of Greek Revival.
- * 466 Madison Street (1885). The Gothic element is the steeply-pitched squeezed gable. A triangular pediment over the second story window, very shallow-pitched pediments over the first story windows, and a porch with square columns suggest the Greek Revival style.

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Recorded by William Kostura

*Date September 2021 Continuation Update

Gothic Revival and Greek Revival houses in northern California and Santa Clara (continued)

As one can see, most of these houses were designed as blends of styles. Their mostly anonymous builders obviously felt free to incorporate elements that they were familiar with in order to produce a pleasing effect. For the most part, ornament was restrained and was applied as accents to a design where fine proportions and a harmonious composition were the most important considerations.

The subject house is remarkable in a number of ways. The bargeboard in the gable is the best in Santa Clara and compares favorably with that in most Gothic houses elsewhere in the state. The drip mold over the window was a once-common feature among Gothic Revival houses, but is now very rare. The Greek Revival entrance is also now exceedingly rare; this may be the best surviving example in the state. Also important are the house's six-over-six windows. While such windows were not representative of any particular style, they were typical of the 1850s and early 1860s. It is now very rare to find so many windows of this type in a house that is this old.

Integrity

The seven factors of integrity are location, design, materials, workmanship, feeling, association, and setting. Regarding the subject house:

It has never been moved, so it retains integrity of location.

The one-story addition that fills most of the angle between the front block and the rear stem on the south side is the only alteration of note. The front of the house and the north side appear to be unchanged. Thus, the house retains integrity of design, materials, and workmanship. In particular, the survival of so many six-over-six windows is very remarkable for a house of this age and they represent the workmanship of this period in a way that very few other houses do.

The Gothic Revival bargeboard and drip mold and the Greek Revival entrance are strong style features. They, along with the beveled siding and the six-over-six windows are strongly representative of houses of the period. Thus, this house retains integrity of feeling.

Early occupants of this house would certainly recognize it as the house they had lived in, and so it retains integrity of association.

The front and back yards of this house have been changed with new landscaping and out-buildings, and so this property's internal integrity of setting has been lost. However, several 19th century and early 20th century houses still stand in the immediate neighborhood, so the external setting is largely intact.

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Evaluation to California Register criteria

The California Register of Historical Resources (California Register) is an inventory of significant architectural, archaeological, and historical resources in the State of California. Resources can be listed in the California Register through a number of methods. State Historical Landmarks and National Register-listed properties are automatically listed in the California Register. Properties can also be nominated to the California Register by local governments, private organizations, or citizens. The evaluative criteria used by the California Register for determining eligibility are closely based on those developed by the National Park Service for the National Register of Historic Places.

In order for a property to be eligible for listing in the California Register, it must be found significant under one or more of the following criteria:

- * Criterion 1 (Events): Resources that are associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.
- * Criterion 2 (Persons): Resources that are associated with the lives of persons important to local, California, or national history.
- * Criterion 3 (Architecture): Resources that embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of a master, or possess high artistic values.
- * Criterion 4 (Information Potential): Resources or sites that have yielded or have the potential to yield information important to the prehistory or history of the local area, California, or the nation. This criterion typically applies to archaeological remains, which are not being addressed in this report.

Criterion 1 (Events)

This house was built in the 1850s or early 1860s. Only two houses in Santa Clara — the current Santa Clara Women's Club (ca. 1790s) and the Berryessa adobe at 373 Jefferson Street (ca. 1840s) are definitely older, and only several other houses have estimated construction dates that are about as old. Because of its construction date and high integrity, this house represents, as very few are able to, the very early history of Santa Clara when the town was still largely rural. Accordingly, it appears to be eligible for the California Register at the local level under this criterion. The Period of Significance under this criterion is from the 1850s (the most likely construction date) through the 1910s, when much of the Old Quad area was still being developed.

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Resource Identifier: 1184 Washington Street

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Evaluation to California Register criteria (continued)

Criterion 2 (Persons)

Calvin Russell was a carpenter and almost certainly built this house as his own residence; and it seems likely that he built other houses in Santa Clara, perhaps very many. If it could be shown that he did so, he would emerge as an important person in Santa Clara's architectural history, and this house would probably be eligible under this criterion. Such evidence is lacking at present, however, and so this house does not now appear to be eligible under this criterion.

Criterion 3 (Architecture)

This is an outstanding blend of Gothic Revival and Greek Revival styles. The carved bargeboard in the gable is crisp and distinctive, and the Gothic feeling imparted by that bargeboard is supported by a drip molding over the window below. The Greek Revival entrance consists of a small cornice, an incised frieze, incised pilasters with capitals, sidelights, and a transom, and is very fine. Other elements of the house, most notably the paneled door, six-over-six windows, beveled siding, and boxed eaves are typical of the 1850s and greatly add to the feeling of an 1850s house. The corner panels or battens are unusual; their incised lines relate to those in the main entrance and contribute to the stylistic feeling. The entrance on the north side is a simpler version of the main entrance and relates to it visually.

In sum, this is a carefully-designed house that effectively blends the two styles that were most prominent in Santa Clara in the 1850s and early 1860s and is easily one of the best houses of that period in Santa Clara. For these reasons this house appears to be eligible for the California Register at the local level under this criterion. Because so few houses of these styles still stand with high integrity in California, and because this is a good example of a blend of these styles, it also appears to be eligible at the state level. The Period of Significance is the 1850s-1860s, the likely date of construction.

Contributing features

The contributing features of this house are:

- * The T-shaped footprint
- * The cross-gabled roof with boxed eaves
- * The bevel siding
- * All six-over-six windows and the fixed window in the front gable, and their trim

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Evaluation to California Register criteria (continued)

Contributing features (continued)

- * The carved bargeboard in the front gable
- * The drip mold over the window below that gable
- * All parts of the Greek Revival front entrance and the more restrained entrance on the north side, including trim
- * The front door and its hardware
- * The narrow, incised panels (or battens) at the corners of the house.

Non-contributing features include:

- * The brick foundation.
- * The one-story addition that fills most of the angle on the south side of the house
- * Small second story windows on the south side, directly above that addition
- * The barn, the pool house, and the landscaping

The interior features mentioned on page 4 are fine, but are not listed here as either contributing or non-contributing.

The screen door in the rear of the house looks old, but it cannot be dated with any confidence and probably post-dates any possible Period of Significance. Thus, it should probably be counted as a non-contributing element, too.

Evaluation under City of Santa Clara criteria

The Criteria for Local Significance were adopted on April 20, 2004, by the City of Santa Clara City Council and are listed under Section 8.9.2 of the City of Santa Clara General Plan, Criteria for Local Significance. Under this section of the General Plan, any building, site, or property in the City that is 50 years old or older and meets certain criteria of architectural, cultural, historical, geographical or archeological significance is potentially eligible.

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Evaluation under City of Santa Clara criteria (continued)

The subject property appears to most clearly meet the following local criteria:

Criterion for Historical or Cultural Significance

1. The site, building or property has character, interest, integrity and reflects the heritage and cultural development of the city, region, state, or nation.

By virtue of its very early construction date and high integrity, and its ability to evoke early Santa Clara history, this house appears to meet this criterion.

5. A building's direct association with broad patterns of local area history, including development and settlement patterns, early or important transportation routes or social, political, or economic trends and activities. Included is the recognition of urban street pattern and infrastructure.

Similar to the above argument, this house is associated with Santa Clara's early development.

Criterion for Architectural Significance

1. The property characterizes an architectural style associated with a particular era and/or ethnic group.

This house is an outstanding example of a blend of the Gothic Revival and Greek Revival styles of the 1850s-1860s.

6. A building's unique or uncommon building materials, or its historically early or innovative method of construction or assembly.

Some of the house's materials, namely the bevel siding and six-over-six windows with thin muntins, were not unique or uncommon during the time it was built, but have become rare since then. These are very important features of the house.

7. A building's notable or special attributes of an aesthetic or functional nature. These may include massing, proportion, materials, details, fenestration, ornamentation, artwork or functional layout.

The cross-gabled roof, T-shaped footprint, Gothic and Greek style features, bevel siding, corner panels or battens, and six-over-six windows combine to evoke the massing, ornamental, and aesthetics and construction techniques of the 1850s-1860s.

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Evaluation under City of Santa Clara criteria (continued)

Criterion for Geographic Significance

1. A neighborhood, group or unique area directly associated with broad patterns of local area history.

Most of the houses in the immediate vicinity of the subject house date to the 19th and early 20th centuries. Together they form a concentration of houses that evoke Santa Clara's early history.

References

Censuses and city directories

U. S. censuses of 1860, 1870, and 1880 for Calvin and Eliza Russell, in Santa Clara.

U. S. censuses of 1900, 1910, 1920, 1930 and 1940 for John G. Robinson, Mary A. Robinson, and Louise E Reidy, in Santa Clara.

San Jose/Santa Clara city directories of 1896-1912 for John G. Robinson, in Santa Clara.

City of Santa Clara

Section 8.9 of the City of Santa Clara's General Plan, "Historic Preservation and Resource Inventory." Listing for this house.

City of Santa Clara website. "Historic Properties." Brief history of this house.

Marriage and death records

Ancestry.com. Marriage records. Mary A. Enright to John G. Robinson, in 1886.

Ancestry.com. Death records. Mary A. Robinson, in 1941.

Newspaper articles

"Died." *San Jose Mercury News*. June 12, 1873. Death notice for Joseph G. Russell.

"Petitions Filed Today." *San Jose Mercury News*. February 8, 1886.

(See Continuation Sheet, page 18.)

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References (continued)

“Notice to Creditors.” *San Jose Mercury News*. March 17, 1886.

“J. Robinson, Once Colusa Druggist, Dies.” *Colusa Herald*. November 12, 1931.

“Mrs. Robinson Passes Away.” *Santa Cruz Sentinel*. November 22, 1941.

Other sources

Charlene Duval. Email to William Kostura, July 23, 2021, re: early presence of Calvin Russell in Santa Clara and possible construction dates of the house.

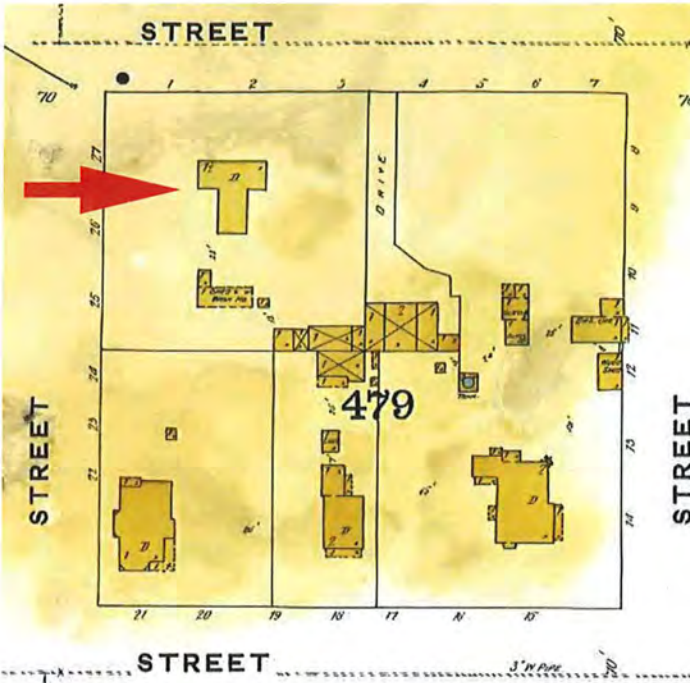
Virginia Savage McAlester. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 2015. This is the best guide to American domestic architecture. Greek and Gothic revivals are covered on pages 246-280. See page 249 for diagrams of Greek Revival entrances.

David Gebhard, et. al. *The Guide to Architecture in San Francisco and Northern California*. Salt Lake City: Gibbs Smith, 1985.

Susan Dinkelspiel Cerny. *An Architectural Guidebook to San Francisco and the Bay Area*. Salt Lake City: Gibbs Smith, 2007.

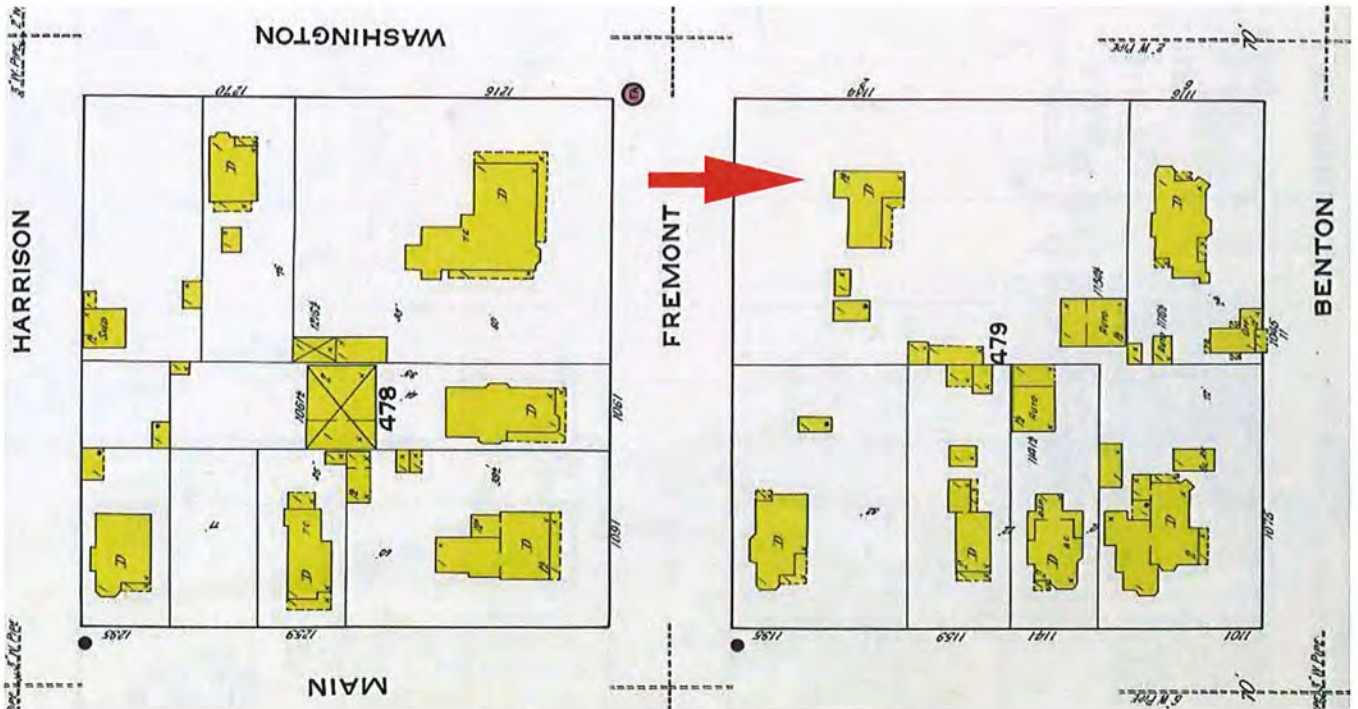
The above two books list some of the Gothic Revival houses outside of Santa Clara mentioned in this report.

Sanborn map diagrams



At left: 1891 Sanborn map, page 35.

Below: 1915 Sanborn map, page 214. Note the appearance of the addition filling the corner on the south side.



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Photographs of the subject house



The front of the house with a detail of the bargeboard and the drip mold over the second story window.

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Photographs of the subject house (continued)



Front entrance with details of the trim, door, and hardware.



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Photographs of the subject house (continued)



Above: The bevel siding that clads the house.

Middle. Detail of window muntins.



Below: The brick foundation.



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Photographs of the subject house (continued)



At left: The north side of the front block (on the right side of the house as you face it)

Below: View looking SE at the rear side of the front block and the north side of the rear stem.



Bottom row: The north side of the rear stem and a detail of the entrance on this side.



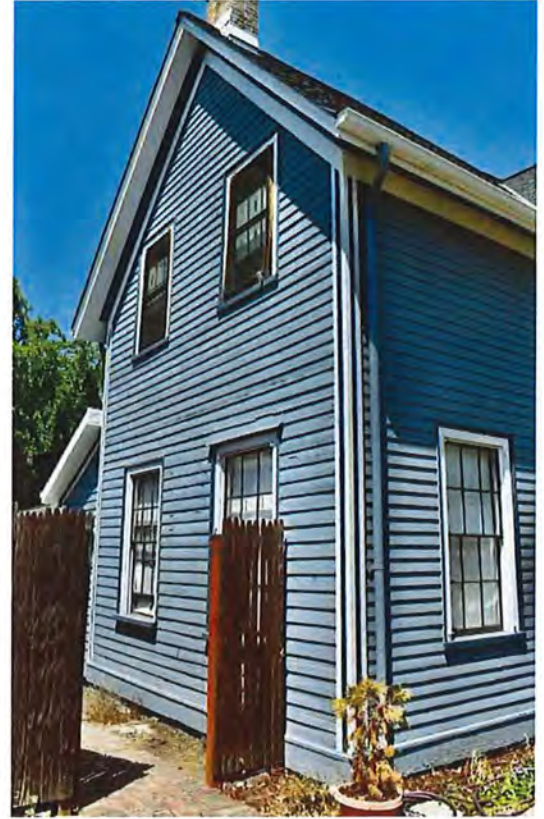
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Photographs of the subject house (continued)



Above: Perspective view of the house from the left. At right: the south side of the front block.

At right: the south side of the house. Sanborn maps suggest that the low addition that fills the angle between the front block and the rear stem began as an open porch that was later enclosed.



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Photographs of the subject house (continued)



Above left: A typical six-over-six window. These are found on all sides of the house except for the south side of the rear stem (i.e., where the addition is).

Above right: The rear wall of the house, i.e. the west side of the rear stem.

At right: The screen door on the rear side.



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Photographs of the subject house (continued)



Top left: View looking east at the garage on the south side of the lot.

Top right: The barn, directly behind the garage. It looks old, but isn't.

Bottom left: The pool house, with siding and doors similar to those on the barn.

Bottom right: The brick-paved back yard, with pool.

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Photographs of houses in Santa Clara with Greek Revival and Gothic Revival features

These are shown in order to put the subject house in historical context. Only one of these houses, the Berryessa adobe, is definitely older than the subject house. A few other houses from the 1850s-1860s stand in Santa Clara, but not very many, and as far as is known to this writer none have Greek Revival or Gothic Revival features.



The Berryessa adobe, 373 Jefferson Street. It has been dated to the 1840s. Shallow-pitched pediments over the door and windows evoke the Greek Revival, while carved bargeboards in the gable are Gothic Revival.

Photographs of houses in Santa Clara with Greek Revival and Gothic Revival features (continued)



Top left: 1158 Main Street. This house lacks style details, but its proportions suggest Greek Revival.

Top right: 1206 Main Street (1865). The pediment returns in the gable are Greek Revival.

Bottom left: The Harris-Lass house, 1889 Market Street (1865). The incised porch columns are similar to those on the subject house and could be considered Greek Revival.

Bottom right: 1217 Santa Clara Street. Gothic Revival second story windows blend with Greek pediments over the first story windows and Italianate quoins.

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Photographs of houses in Santa Clara with Greek Revival and Gothic Revival features (continued)



Top left: 1404 Lincoln Street. The gabled roof and the porch with square Doric posts suggest Greek Revival.

Top right: 1490 Santa Clara Street. The steeply-pitched squeezed gable suggests Gothic Revival, while the rounded pediment just below it is Greek.

466 Madison Street. Another steeply-pitched squeezed gable with a pedimented first and second story windows.

**RECORD WITHOUT FEE
PURSUANT TO GOV'T CODE SECTION 6103**

Recording Requested by:
Office of the City Attorney
City of Santa Clara, California

When Recorded, Mail to:
Office of the City Clerk
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Form per Gov't Code Section 27361.6

[SPACE ABOVE THIS LINE FOR RECORDER'S USE]

HISTORIC PROPERTY PRESERVATION AGREEMENT

This Agreement, (herein, "Agreement"), is made and entered into this ____ day of _____, 2022, ("Effective Date"), by and between Robert and Julie Salinas, owners of certain real property located at 1184 Washington Street, Santa Clara, CA 95050 ("OWNERS") and the City of Santa Clara, California, a chartered California municipal corporation with its primary business address at 1500 Warburton Avenue, Santa Clara, California 95050("CITY"). CITY and OWNERS may be referred to herein individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

A. **Recitals.**

(1) California Government Code Section 50280, et seq. authorizes the CITY to enter into a contract with the OWNERS of qualified Historical Property to provide for the use, maintenance, and restoration of such Historical Property so as to retain its characteristics as property of historical significance.

(2) OWNERS possesses fee title in and to that certain real property, together with associated structures and improvements thereon, shown on the 2021 Santa Clara County Property Tax Rolls as Assessors' Parcel Number 269-15-043, and generally located at the street address 1184 Washington Street, in the City of Santa Clara ("Historic Property"). A legal description of the Historic Property is attached hereto as "Legal Description," marked as "Exhibit "A," and incorporated herein by reference.

(3) The Historic Property is on the City of Santa Clara Architecturally or Historically Significant Properties list. OWNERS submitted a Mills Act Proposal to City on June 4, 2022. The Proposal included a Primary Record from the State of California's Department of Parks and Recreation. A true and correct copy of the Proposal is attached to this Agreement as "Exhibit B".

(4) CITY and OWNERS, for their mutual benefit, now desire to enter into this Agreement both to protect and preserve the characteristics of historical significance of the Historic Property and to qualify the Historic Property for an assessment of valuation pursuant to Section 439.2 of the California Revenue and Taxation Code.

B. **Agreement.**

NOW, THEREFORE, CITY and OWNERS, in consideration of the mutual covenants and conditions set forth herein, do hereby agree as follows:

(1) **Effective Date and Term of Agreement.** The term of this Agreement shall commence on the effective date of this Agreement and shall remain in effect for a term of ten (10) years thereafter. Each year upon the anniversary of the effective date, such term will automatically be extended as provided in paragraph 2, below.

(2) **Renewal.**

(a) Each year on the anniversary of the effective date of this Agreement, ("renewal date"), one (1) year shall automatically be added to the term of this Agreement unless notice of nonrenewal is mailed as provided herein.

(b) If either the OWNERS or CITY desires in any year not to renew the Agreement, OWNERS or CITY shall serve written notice of nonrenewal of the Agreement. Unless such notice is served by OWNERS to CITY at least ninety (90) days prior to the annual renewal date, or served by CITY to OWNERS at least sixty (60) days prior to the annual renewal date, one (1) year shall automatically be added to the balance of the remaining term of the Agreement as provided herein.

(c) OWNERS may make a written protest of a nonrenewal notice issued by CITY. CITY may, at any time prior to the annual renewal date of the Agreement, withdraw its notice to OWNERS of nonrenewal. If either CITY or OWNERS serves notice to the other of nonrenewal in any year, the Agreement shall remain in effect for the balance of the term then remaining, from either original execution date or the last renewal date of the Agreement, whichever is applicable.

(3) **Standards for Historical Property.** During the term of this Agreement, the Historic Property shall be subject to the following conditions, requirements, and restrictions:

(a) OWNERS shall preserve and maintain the characteristics of historical significance of the Historic Property. "The Secretary of the Interior's Standards for Rehabilitation," marked as "Exhibit C" to this agreement, and incorporated herein by this reference, contains a list of those minimum standards and conditions for maintenance, use, and preservation of the Historic Property, which shall apply to such property throughout the term of this Agreement.

(b) OWNERS shall, when necessary or as determined by the Director of Planning and Inspection, restore and rehabilitate the property to conform to the rules and regulations of the Office of Historic Preservation of the State Department of Parks and Recreation, the United States Secretary of the Interior Standards for Rehabilitation and the California Historical Building Code and in accordance with the attached schedule of potential home improvements, drafted by the OWNERS and approved by the City Council, attached hereto as "The Description of the Preservation and Restoration Efforts," marked as "Exhibit D" to this agreement, and incorporated herein by this reference.

(c) OWNERS shall allow, and CITY requires, that after five (5) years, and every five (5) years thereafter, an inspection of the property's interior and exterior shall be conducted by a party appointed by CITY, to determine OWNERS' continued compliance with the terms of this Agreement. OWNERS acknowledge that the required inspections of the interior and exterior of the property were conducted prior to the effective date of this Agreement.

(4) Provision for Information.

(a) OWNERS hereby agree to furnish CITY with any and all information requested by the CITY to determine compliance with the terms and provisions of this Agreement.

(b) It shall be the duty of the OWNERS to keep and preserve, for the term of the Agreement, all records as may be necessary to determine the eligibility of the property involved, and the OWNERS compliance with the terms and provisions of this Agreement, including, but not limited to blueprints, permits, historical and/or architectural review approvals, and schedules of potential home improvements drafted by the OWNERS and approved by the City Council.

(5) Cancellation.

(a) CITY, following a duly noticed public hearing as set forth in California Government Code Section 50280, et seq., shall cancel this Agreement or bring an action in court to enforce this Agreement if it determines any one of the following:

- (i) the OWNERS breached any of the terms or conditions of this Agreement; or
 - (ii) the OWNERS have allowed the property to deteriorate to the point that it no longer meets standards for a qualified historic property.
- (b) CITY may also cancel this Agreement if it determines that:
- (i) the OWNERS have allowed the property to deteriorate to the point that it no longer meets building standards of the City Code and the codes it incorporates by reference, including, but not limited to, the Uniform Housing Code, the California Historical Building Code, the California Fire Code, and the Uniform Code for the Abatement of Dangerous Buildings or;
 - (ii) the OWNERS have not complied with any other local, State, or federal laws and regulations.
 - (iii) the OWNERS have failed to restore or rehabilitate the property in the manner specified in subparagraph 3(b) of this Agreement.

(c) In the event of cancellation, OWNERS shall pay those cancellation fees set forth in California Government Code Section 50280, et seq. As an alternative to cancellation, OWNERS may bring an action in court to enforce the Agreement.

(6) No Waiver of Breach.

(a) No waiver by CITY of any breach under this Agreement shall be deemed to be a waiver of any other subsequent breach. CITY does not waive any claim of breach by OWNERS if CITY does not enforce or cancel this Agreement. All other remedies at law or in equity which are not otherwise provided for under the terms of this Agreement or in the City's laws and regulations are available to the City.

(7) Mediation.

(a) Any controversies between OWNERS and CITY regarding the construction or application of this Agreement, and claim arising out of this contract or its breach, shall be submitted to mediation upon the written request of one party after the service of that request on the other party.

(b) If a dispute arises under this contract, either party may demand mediation by filing a written demand with the other party.

(c) The parties may agree on one mediator. If they cannot agree on one mediator, there shall be three: one named in writing by each of the parties within five days after demand for mediation is given, and a third chosen by the two appointed. Should either party refuse or neglect to join in the appointment of the mediator(s) or to furnish the mediator(s) with any papers or information demanded, the mediator(s) may proceed ex parte.

(d) A hearing on the matter to be arbitrated shall take place before the mediator(s) in the city of Santa Clara, County of Santa Clara, State of California, at the time and place selected by the mediator(s). The mediator(s) shall select the time and place promptly and shall give party written notice of the time and place at least fifteen (15) days before the date selected. At the hearing, any relevant evidence may be presented by either party, and the formal rules of evidence applicable to judicial proceedings shall not govern. Evidence may be admitted or excluded in the sole discretion of the mediator(s). The mediator(s) shall hear and determine the matter and shall execute and acknowledge the award in writing and cause a copy of the writing to be delivered to each of the parties.

(e) The submission of a dispute to the mediator(s) and the rendering of a decision by the mediator(s) shall be a condition precedent to any right of legal action on the dispute. A judgment confirming the award may be given by any Superior Court having jurisdiction, or that Court may vacate, modify, or correct the award in accordance with the prevailing provisions of the California Mediation Act.

(f) Each party shall bear their own cost(s) of mediation.

(8) Binding Effect of Agreement.

(a) The OWNERS hereby subjects the Historic Property described in Exhibit "A" hereto to the covenants, reservations, and restrictions as set forth in this Agreement. CITY and OWNERS hereby declare their specific intent that the covenants, reservations, and restrictions as set forth herein shall be deemed covenants running with the land and shall pass to and be binding upon the OWNERS successors and assigns in title or interest to the Historic Property. Each and every contract, deed, or other instrument hereinafter executed, covering, encumbering, or conveying the Historic Property, or any portion thereof, shall conclusively be held to have been executed, delivered, and accepted subject to the covenants, reservations, and restrictions expressed in this Agreement,

regardless of whether such covenants, reservations, and restrictions are set forth in such contract, deed, or other instrument.

(b) CITY and OWNERS hereby declare their understanding and intent that the burden of the covenants, reservations, and restrictions set forth herein touch and concern the land in that OWNERS' legal interest in the Historic Property.

(c) CITY and OWNERS hereby further declare their understanding and intent that the benefit of such covenants, reservations, and restrictions touch and concern the land by enhancing and maintaining the historic characteristics and significance of the Historic Property for the benefit of the CITY, public (which includes, but is not limited to the benefit to the public street generally located at 1184 Washington Street), and OWNERS.

(9) **Notice.**

(a) Any notice required to be given by the terms of this Agreement shall be provided at the address of the respective parties as specified below or at any other address as may be later specified by the parties hereto.

CITY: City of Santa Clara
Attn: City Clerk
1500 Warburton Avenue
Santa Clara, CA 95050

OWNERS: Robert and Julie Salinas
1184 Washington Street
Santa Clara, CA 95050

(b) Prior to entering a contract for sale of the Historic Property, OWNERS shall give thirty (30) days notice to the CITY and it shall be provided at the address of the respective parties as specified above or at any other address as may be later specified by the parties hereto.

(10) **No Partnership or Joint Enterprise Created.** None of the terms, provisions, or conditions of this Agreement shall be deemed to create a partnership between the parties hereto and any of their heirs, successors, or assigns; nor shall such terms, provisions, or conditions cause them to be considered joint ventures or members of any joint enterprise.

(11) **Hold Harmless and Indemnification.** To the extent permitted by law, OWNERS agree to protect, defend, hold harmless and indemnify CITY, its City Council, commissions, officers, agents, and employees from and against any claim, injury, liability, loss, cost, and/or expense or damage, however same may be caused, including all costs and reasonable attorney's fees in providing a defense to any claim arising there from for which OWNERS shall become legally liable arising from OWNERS' acts, errors, or omissions with respect to or in any way connected with this Agreement.

(12) **Attorneys' Fees.** In the event legal proceedings are brought by any party or parties to enforce or restrain a violation of any of the covenants, reservations, or restrictions contained herein, or to determine the rights and duties of any party hereunder, the prevailing party in such proceeding

may recover all reasonable attorney's fees to be fixed by the court, in addition to costs and other relief ordered by the court.

(13) **Restrictive Covenants Binding.** All of the agreements, rights, covenants, reservations, and restrictions contained in this Agreement shall be binding upon and shall inure to the benefit of the parties herein, their heirs, successors, legal representatives, assigns and all persons acquiring any part or portion of the Historic Property, whether by operation of law or in any manner pursuant to this Agreement.

(14) **Mills Act Historic Property Contract Application Requirements.** An application for a Mills Act Historic Property Contract shall be made through the Planning Division and shall include the following:

- a. a Historic Resources Inventory form;
- b. the description of the preservation or restoration efforts to be undertaken as referenced in paragraph 3 (b) as Exhibit "D";
- c. a statement of justification for the Mills Act Historic Property designation and reassessment; and,
- d. the Mills Act Historic Property Contract filing fee pursuant to paragraph 17.

(15) **Mills Act Historic Property Contract Approval.** Based upon the Historical and Landmarks Commission's ("Commission") review of the Mills Act Historic Property Contract criteria and recommendation to Council, and based upon the recommendation and approval by Council, a Mills Act Historic Property Contract may be entered into with OWNERS. The decision of the City Council shall be final and conclusive in the matter.

(16) **Recordation and Notice.** No later than twenty (20) days after the parties execute and enter into this Agreement, the CITY shall cause this Agreement to be recorded in the office of the County Recorder of the County of Santa Clara.

(17) **Fees.** The Planning Department may collect such Mills Act Historic Property Contract application fee of \$8,078.70 (eight thousand, and seventy-eight dollars and seventy cents), or other fees for the administration of this contract as are authorized from time to time by the City Council. Such fees do not exceed the reasonable cost of providing the service for which these fees are charged. OWNERS shall pay the County Recorder's Office recordation fees for recordation of this Mills Act Historic Property Contract and the recordation of the OWNERS updated Historic Resources Inventory form.

(18) **Ordinary Maintenance.** Nothing in this contract shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in or on any Historic Property covered by this contract that does not involve a change in design, material, or external appearance thereof, nor does this contract prevent the construction, reconstruction, alteration, restoration, demolition, or removal of any such external architectural feature when the Director of Planning and Inspection determines that such action is required for the public safety due to an unsafe or dangerous

condition which cannot be rectified through the use of the California Historical Building Code and when such architectural feature can be replaced according to the Secretary of Interior's Standards.

(19) **California Historical Building Code.** The California Historical Building Code ("CHBC") provides alternative building regulations for the rehabilitation, preservation, restoration, or relocation of structures designated as Historic Properties. The CITY's building permit procedure shall be utilized for any Historic Property which is subject to the provisions of this Agreement, except as otherwise provided in this Agreement or the CHBC. Nothing in this Agreement shall be deemed to prevent any fire, building, health, or safety official from enforcing laws, ordinances, rules, regulations, and standards to protect the health, safety, welfare, and property of the OWNERS or occupants of the Historic Property or the public.

(20) **Conservation Easements.**

(a) Conservation easements on the facades of the Historical Property may be acquired by the CITY, or on the CITY's behalf, by a nonprofit group designated by the CITY through purchase, donation, or condemnation pursuant to California Civil Code Section 815.

(b) The OWNERS, occupant, or other person in actual charge of the Historical Property shall keep in good repair all of the exterior portions of the Historic Property, and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior architectural feature.

(c) It shall be the duty of the Director of Planning and Building Inspection to enforce this section.

(21) **Severability.** If any section, sentence, clause, or phrase of this Agreement is, for any reason, held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, or by subsequent preemptive legislation, such decision shall not affect the validity and enforceability of the remaining provisions or portions of this Agreement. CITY and OWNERS hereby declare that they would have adopted this Agreement, and each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared invalid or unconstitutional.

(22) **Integrated Agreement - Totality of Agreement.** This Agreement embodies the agreement between CITY and OWNERS and its terms and conditions. No other understanding, agreements, or conversations, or otherwise, with any officer, agent, or employee of CITY prior to execution of this Agreement shall affect or modify any of the terms or obligations contained in any documents comprising this Agreement. Any such verbal agreement shall be considered as unofficial information and in no way binding upon CITY.

(23) **Captions.** The captions of the various sections, paragraphs and subparagraphs are for convenience only and shall not be considered or referred to in resolving questions of interpretation.

(24) **Statutes and Law Governing Contract.** This Agreement shall be governed and construed in accordance with the statutes and laws of the State of California.

(25) **Amendments.** This Agreement may be amended, in whole or in part, only by a written recorded instrument executed by the parties hereto.

IN WITNESS WHEREOF, CITY and OWNERS have executed this Agreement on the day and year first written above.

**CITY OF SANTA CLARA, CALIFORNIA,
a chartered California municipal corporation**

APPROVED AS TO FORM:

Office of the City Attorney
City of Santa Clara

Rajeev Batra
City Manager

ATTEST:

1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax Number: (408) 241-6771

“CITY”

**Robert and Julie Salinas,
Owners of 1184 Washington Street**

By: _____
Robert Salinas
1184 Washington Street
Santa Clara, CA 95050

By: _____
Julie Salinas
1184 Washington Street
Santa Clara, CA 95050

“OWNERS”

Exhibits:

- A – Property Description
- B – Primary Record
- C – Standards for Rehabilitation
- D – Restoration Schedule

I:\PLANNING\2022\Project Files Active\PLN22-00244 1184 Washington Street (Mills Act, Variance)\10.06.22 HLC\Mills Act Contract.doc

Secretary of Interior's Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

May 9th, 2022

Shea & Julie Salinas
1184 Washington Street
Santa Clara, CA 95050

10-Year Restoration Maintenance Plan
Russell Robinson House
1184 Washington Street

Dear Planning Staff and Historic and Landmark Commissioners,

The following is our proposed 10-year plan for the restorations and maintenance of our historic home at 1184 Washington Street.

All items to meet the Secretary of Interiors standards for Treatment of Historic Properties:

Years 1-2 (2022-2023)

Deferred Maintenance: These first two years will include doing much of the deferred maintenance to bring the historic home back to life. This includes repairing interior plaster cracks, repairing banister railing cracks, painting, refinishing front door, updating plumbing fixtures to be more water efficient and water tight, replacing broken window panels, installing an efficient HVAC system, clearing out dead landscaping, repairing & painting front picket fence, and replacing any rotted perimeter fencing and gates.

Years 3-4 (2024-2025):

Foundation: Redo deteriorating and compromised brick foundation and utility basement.

Years 5-7 (2026-2028):

Addition & Renovation: Add onto the house to accommodate a master suite and guest suite. Enlarge kitchen and update bathrooms to adapt the home to better suit our growing family's needs (adaptive reuse).

Year 8 (2029):

Window Restoration: Restore / Repair existing historic wood window sashes. Any minor dry rot areas on the window sashes shall be repaired with epoxy filler and repainted to match. Where elements of the existing window sashes have excessive rot (stiles or rails) they shall be replaced with salvaged or custom milled wood to match. Glazing putty, where cracked, shall be replaced and the window sash shall be painted to match existing.

Year 9-10 (2030-2031):

Painting & Shutters: Repaint entire exterior of residence, including all exterior wood siding, eaves, gutters, downspouts, windows, doors and associated trim. Any minor dry rot or pest/rodent damaged areas found shall be repaired with epoxy filler and repainted to match. Repair and repaint existing shutters and put them back on the house.

We are passionate about restoring and rehabilitating our wonderful historic home so that it can be preserved and enjoyed for many years to come.

Sincerely,

Shea & Julie Salinas



ARCHIVES
ARCHITECTURE



SECRETARY OF THE INTERIOR'S STANDARDS REVIEW

REHABILITATION OF HISTORIC PROPERTY

that includes

PROJECT TO ALTER AN EXISTING DETACHED GARAGE/BARN to include a
NEW ACCESSORY DWELLING UNIT

1184 Washington Street
(Parcel Number 269-15-043)
Santa Clara, Santa Clara County, California

For:

Shea and Julie Salinas
1184 Washington St.
Santa Clara, CA 95050

Prepared by:

ARCHIVES & ARCHITECTURE LLC
PO Box 1332
San Jose, CA 95109
408.369.5683
www.archivesandarchitecture.com

Leslie A. G. Dill, Partner and Historic Architect

July 11, 2022

INTRODUCTION

Executive Summary

The proposed residential rehabilitation project at 1184 Washington St. in Santa Clara, California, can be found to be substantially compatible with the *Secretary of the Interior's Standards for the Treatment of Historic Properties – Rehabilitation Standards* (Standards); the project, therefore, can be found to be mitigated to a less-than-significant impact under the California Environmental Quality Act (CEQA) and within the parameters of Mills Act Contracts.

The proposed rehabilitation project would substantially preserve the integrity of the historic property in terms of location, design, materials, artisanship, feeling, and association. The proposed project would maintain the current level of integrity of the setting. The authenticity of the property would be adequately preserved.

The analysis is described more fully in the report that follows.

Report Intent

The homeowners, Shea and Julie Salinas retained Archives & Architecture LLC, to conduct a Secretary of the Interior's Standards Review and Integrity Analysis of the proposed project.

Archives & Architecture was asked to review the exterior elevations, plans, and site plan of the project to determine if the proposed design is compatible with the *Secretary of the Interior's Standards for Rehabilitation* (Standards). The Standards are understood to be a common set of guidelines for the review of historic buildings and are used by many communities during the environmental review process to determine the potential impact of a project on an identified resource. Finding the project to be compatible with the Standards could serve to demonstrate how the project would have a "less than significant impact" on the environment under CEQA and meet Mills Act rehabilitation criteria.

Historic integrity analysis is also useful as a summary component of the design review process. It relates to the criteria for National Register and California Register eligibility. A project that might impact the integrity of a historic resource could impact the significance of that resource. According to the California Office of Historic Preservation Technical Assistance Series #6:

*Integrity is the **authenticity** of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Historical resources eligible for listing in the California Register must meet one of the criteria of significance described above and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. Historical resources that have been rehabilitated or restored may be evaluated for listing. Integrity is evaluated with regard to the retention of **location, design, setting, materials, workmanship, feeling, and association**. It must also be judged with reference to the particular criteria under which a resource is proposed for eligibility. Alterations over time to a resource or historic changes in its use may themselves have historical, cultural, or architectural significance. [Emphasis added]*

Qualifications

Leslie A. G. Dill, Partner of Archives & Architecture LLC, has a Master of Architecture with a certificate in Historic Preservation from the University of Virginia and a Bachelor of Arts in Architecture from Princeton University. She is licensed in California as an architect. Ms. Dill is listed with the California Office of Historic Preservation as meeting the requirements to perform identification, evaluation, registration, and treatment activities within the professions of Historic

Architect and Architectural Historian in compliance with state and federal environmental laws. The state utilizes the criteria of the National Park Service as outlined in 36 CFR Part 61.

Review Chronology and Methodology

In May 2022, Archives & Architecture LLC was retained by the homeowners to provide historic design-review services. In June 2022, a site visit to the property was undertaken by Leslie Dill of Archives & Architecture LLC, where she met with the owners and observed the existing buildings and setting.

For this review, Leslie Dill received and referred to the intensive survey documentation and evaluation contained in the State of California Department of Parks and Recreation Form 523 (DPR523), written by William Kostura and dated September 2021. The design review refers to this document for compatibility of the proposed work, and the integrity statement in this review is based on the integrity statement in the DPR523 documentation and analysis.

An electronic copy of the proposed design set, dated 04/29/22, was forwarded to Leslie Dill by Robert Mayer, Architect. The drawing set reviewed consists of six sheets (A1.0, A2.0, A3.0, A4.0 and A4.1, and A5.0). An initial review was provided by Archives & Architecture, and no initial comments or recommendations were conveyed to the architect or owners, and no revisions were prepared. The final review was based on this same drawing set. The analysis and conclusions of the design review are presented in this report.

Disclaimers

This report addresses the project plans in terms of historically compatible design of the exterior of the residence and its setting. The consultant has not undertaken and will not undertake an evaluation or report on the structural conditions or other related safety hazards that might or might not exist at the site and building and will not review the proposed project for structural soundness or other safety concerns. The Consultant has not undertaken analysis of the site to evaluate the potential for subsurface resources.

PROJECT DESCRIPTION

Historic Status

Per the William Kostura historic documentation (DPR523) forms, in... "Section 8.9 of the City of Santa Clara's General Plan... the Historic Preservation and Resource Inventory... the subject house is called the Russell-Robinson house and is dated 1861." The DPR523 form evaluated the property for historic integrity, and the house and property were found to have integrity that provide authentic associations.

The property was evaluated using the criteria of the California Register of Historic Resources. It was determined eligible for the California Register under Criterion 1 (patterns or events in history)

This house was built in the 1850s or early 1860s... Because of its [mid-nineteenth-century] construction date and high integrity, this house represents, as very few are able to, the very early history of Santa Clara when the town was still largely rural. Accordingly, it appears to be eligible for the California Register at the local level under this criterion. The Period of Significance under this criterion is from the 1850s (the most likely construction date) through the 1910s, when much of the Old Quad area was still being developed.

Kostura determined that the property does not currently appear eligible for the California Register under Criterion 2 (associations with significant personages). The significance of the carpenter who owned and likely built the house has not been established in the larger context of the City's history.

The property was also evaluated as being eligible for the California Register under Criterion 3, "Resources that embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of a master, or possess high artistic values," as follows:

This is an outstanding blend of Gothic Revival and Greek Revival styles. The carved bargeboard in the gable is crisp and distinctive, and the Gothic feeling imparted by that bargeboard is supported by a drip molding over the window below. The Greek Revival entrance consists of a small cornice, an incised frieze, incised pilasters with capitals, sidelights, and a transom, and is very fine. Other elements of the house, most notably the paneled door, six-over-six windows, beveled siding, and boxed eaves are typical of the 1850s and greatly add to the feeling of an 1850s house. The corner panels or battens are unusual; their incised lines relate to those in the main entrance and contribute to the stylistic feeling. The entrance on the north side is a simpler version of the main entrance and relates to it visually.

In sum, this is a carefully designed house that effectively blends the two styles that were most prominent in Santa Clara in the 1850s and early 1860s and is easily one of the best houses of that period in Santa Clara. For these reasons this house appears to be eligible for the California Register at the local level under this criterion. Because so few houses of these styles still stand with high integrity in California, and because this is a good example of a blend of these styles, it also appears to be eligible at the state level. The Period of Significance is the 1850s-1860s, the likely date of construction.

The property was also evaluated in the DPR forms using the Criteria for Local Significance of the City of Santa Clara. It was found to meet Criteria 1 and 5 for Historical or Cultural Significance; Criteria 1, 6, and 7 for Architectural Significance; and Criterion 1 for Geographic Significance. Of note is the contribution of the property within the significant historic area of Santa Clara known as the Old Quad.

Character of the Existing Resource

The main house on the property is described by William Kostura in the DPR523 form. The character-defining ("contributing") features of this house are:

- * The T-shaped footprint
- * The cross-gabled roof with boxed eaves
- * The bevel siding
- * All six-over-six windows and the fixed window in the front gable, and their trim
- * The carved bargeboard in the front gable
- * The drip mold over the window below that gable
- * All parts of the Greek Revival front entrance and the more restrained entrance on the north side, including trim
- * The front door and its hardware
- * The narrow, incised panels (or battens) at the corners of the house

Non-contributing features listed in the DPR523 form include:

- * The brick foundation.
- * The one-story addition that fills most of the angle on the south side of the house
- * Small second story windows on the south side, directly above that addition
- * The **barn** [emphasis added], the pool house, and the landscaping

Summary of the Proposed Project

The proposed scope of work includes alterations to the existing detached outbuilding identified on the drawing set as the "garage" and "proposed ADU" and in the DPR523 documentation as the "barn." This report will use "garage/barn" to be clear. The garage/barn building is identified as being constructed after 1961, and it is not considered a contributing feature of the historic

significance of the property. In this project, no physical changes are proposed to the historically significant house itself.

The project scope includes primarily interior alterations of the existing detached two-story garage/barn building; these changes will result in alterations to the exterior that include the addition of windows, skylights, and the alteration of doors and windows. The interior changes include the remodeling of the first-floor garage and living space, as well as the construction of a new accessory dwelling unit in the second story of the garage.

SECRETARY'S STANDARD'S REVIEW:

The *Secretary of the Interior's Standards for Rehabilitation* (Standards), originally published in 1977 and revised in 1990, include ten standards that present a recommended approach to repair, while preserving those portions or features that convey a resource's historical, cultural, or architectural values. Accordingly, Standards states that, "Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values." Following is a summary of the review with a list of the Standards and associated analysis for this project:

- 1. "A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment."**

Analysis: There is no effective change of use proposed for this residential property, although there is some potential intensification of use with the inclusion of a secondary unit within the proposed detached building.

As a rule of thumb for this reviewer, a project that meets the subsequent nine Standards can be considered to meet this Standard as well. A proposed project that preserves significant historic fabric, provides a compatible new design, and is potentially reversible in the future can be considered to have a compatible use. In this case, the project does meet those Standards, so the use can be considered compatible.

- 2. "The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided."**

Analysis: No character-defining portion of the historic main house massing is proposed for removal; the forms and footprint of the historic residence will be substantially preserved.

Regarding open space/spatial relationships, the proposed garage/barn will not be altered in its footprint or massing. The existing building is relatively large for the neighborhood, but it is set away from the historic main house, preserving an open area around the house's perimeter and not changing the spatial relationship of the house to its immediate setting within the property.

From aerial maps, it can be observed that the historic neighborhood includes many house additions and accessory buildings in their rear yards; this proposed garage/barn is consistent with that pattern and will continue to be substantially compatible with the overall spatial characteristics of the area.

3. **"Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken."**

Analysis: There are no proposed changes that might be mistaken for original features; the massing, siding, and trim have adequate differentiation (See Standard 9). The existing second-story front "hay" doors, which appear vintage and are likely salvage that were added to this modern building, will be removed; the new windows will clarify the more-recent garage/barn construction date. Although the front door to the ADU and the proposed new garage door include diagonal v-groove paneling that recalls historic barn detailing; the modern operation of the garage door and the modern location and use of the door will not convey a false sense of history. These traditional features provide compatible scale and design (See also Standard 9).

4. **"Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved."**

Analysis: It is understood that no elements of the property affected by the project (i.e., no parts of the garage/barn) have acquired historic significance in their own right. The project is compatible with this Standard.

5. **"Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved."**

Analysis: Distinctive features and finishes that identify the property are shown as preserved on the proposed drawings. Specifically, this means that the historic main house and its immediate setting will be untouched and preserved in this project, including: "the T-shaped footprint; the cross-gabled roof with boxed eaves; the bevel siding; all six-over-six windows and the fixed window in the front gable, and their trim; the carved bargeboard in the front gable; the drip mold over the window below that gable; all parts of the Greek Revival front entrance and the more restrained entrance on the north side, including trim; the front door and its hardware, and the narrow, incised panels (or battens) at the corners of the house."

6. **"Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence."**

Analysis: No deteriorated historic features are proposed to be replaced or repaired in this project. The project physically only impacts the garage/barn outbuilding

7. **"Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible."**

Analysis: No chemical or physical treatments of historic elements or materials are shown as proposed in this project.

8. **“Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.”**

Analysis: Archeological resources are not evaluated in this report.

9. **“New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.”**

Analysis: The proposed garage/barn alteration would remain compatible with the historic character of the main house and would be differentiated by its detailing, materials, and form. The existing garage/barn building is set away from, and to the rear of, the historic main house, allowing the house to remain predominant in the composition. As for other detached buildings on significant properties, the garage/barn can be understood as clearly separate new construction. The alterations do not interrupt that understanding.

The alteration of the garage/barn requires the removal and installation of new garage doors, the addition of a new second-unit front door, and the removal and alteration of the second-story windows facing the street (northeast). Four new first-floor windows are proposed facing the immediate neighbor to the left (southeast). The sole alteration to the rear (southwest) of the building will be the addition of a new first-floor window. Facing the interior of the property (right, northwest), alterations include the removal of four existing windows (two upstairs and two downstairs), the relocation of the entrance door, the addition of a wide door opening, the installation of three new windows (one downstairs and two upstairs), and the addition of two new skylights.

The proposed alterations are designed to be in keeping with this Standard. The existing roof is proposed to remain; its slope differentiates the garage/barn design from the distinctive steep roof of the historic house, while its gabled form remains compatible. The existing vertical board-and-batten siding will continue to differentiate this recent outbuilding from the historic house, which features mid-nineteenth-century horizontal wood siding. The repetitive siding elements provide similar scale of materials. The small single-lite proposed garage/barn windows are differentiated from the distinctively historic 6/6 wood windows at the main house in size and scale. The size of the window glazing is larger than the main house, providing differentiation, while the scale and proportion of the window sizes with respect to the expanses of siding are compatible with the historic house and neighborhood. The window trim at the garage/barn will be compatible flat-board trim, differentiated from the house trim by its simplicity.

10. **“New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”**

Analysis: The proposed design would preserve the character-defining form and integrity of the historic property. The essential historic features, form, materials, and character of the main house would be untouched/unimpaired in this project, and the proposed detached accessory building (garage/barn) could be removed in the future without impact to the property.

HISTORIC INTEGRITY ANALYSIS

The following analysis is intended to address how the proposed residential rehabilitation and addition project might potentially preserve or impact the historic integrity of the subject property. The analysis utilizes the seven aspects of historic integrity indicated by the National Register and State of California's definition of authenticity of a resource.

Location: Per the integrity analysis in the Kostura DPR523 form: "[The house] has never been moved, so it retains integrity of location." The project does not propose a relocation or alteration of the address or position of the house or changes to the footprint of the more-recent garage/barn or other outbuildings. The location of the contributing historic resource has been and would be preserved in this project.

Setting: The integrity of setting would not be additionally impacted by the proposed project. Per the Kostura integrity analysis: "The front and back yards of this house have been changed with new landscaping and out-buildings, and so this property's internal integrity of setting has been lost. However, several 19th century and early 20th century houses still stand in the immediate neighborhood, so the external setting is largely intact."

The current project would maintain the existing immediate setbacks for the historic house to be used, viewed, and understood, apart from the other buildings on the property. The larger neighborhood setting would also be maintained as-is, per the existing size, massing, and scales of the historic and associated buildings in the larger landscape.

Design, Materials, Artisanhip: The project does not propose to alter the historic house that characterizes the property. The Kostura integrity analysis notes, "The one-story addition that fills most of the angle between the front block and the rear stem on the south side is the only alteration of note. The front of the house and the north side appear to be unchanged. Thus, the house retains integrity of design, materials, and workmanship. In particular, the survival of so many six-over-six windows is very remarkable for a house of this age and they represent the workmanship of this period in a way that very few other houses do." The proposed project does not include house alterations; its existing integrity will be preserved. All identified character-defining forms, materials, and elements would be preserved.

Feelings: The historic residence and altered property, with the proposed new garage/barn alterations, would continue to convey the 1850s-60s feelings conveyed by the "Gothic Revival bargeboard and drip mold and the Greek Revival entrance of the main house," per the DPR523 form. The house's age and significance would be preserved.

Associations: With this project, "Early occupants of this house would certainly recognize it as the house they had lived in, and so it retains integrity of association." The property would continue to provide continuity of associations with the period of significance and architectural styles within the Old Quad neighborhood.

CONCLUSIONS

The proposed project can be found compatible with the *Secretary of the Interior's Standards for the Treatment of Historic Properties – Rehabilitation Standards*. A project that meets the Secretary of the Interior's Standards can be found to be mitigated to a "less than significant impact" under the California Environmental Quality Act.

The proposed project can also be found to preserve the historic integrity of the significance of the property. With the proposed garage/barn alteration project, the property can be found to continue to convey its historic associations, including the continued prominence of an authentic mid-

nineteenth-century building, with integrity of location and larger setting, with methods and materials of construction, feelings, and associations. The existing loss of immediate setting would not be exacerbated by these modifications.

CONDITIONS OF APPROVAL

GENERAL

- A. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
- B. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

- A. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

BUILDING DIVISION

- BD1. Informational: Prior to overall construction permit application, submit to the Santa Clara Building Division, 2 copies of an addressing diagram request, to be prepared by a licensed architect or engineer. The addressing diagram(s) shall include all proposed streets and all building floor plans. The addressing diagram(s) shall conform to Santa Clara City Manager Directive #5; Street Name and Building Number Changes, and Santa Clara Building Division Address Policy For Residential and Commercial Developments. The addressing diagram(s) shall indicate all unit numbers to be based off established streets, not alleys nor access-ways to garages. Allow a minimum of 10 working days for initial staff review. Please note city staff policy that existing site addresses typically are retired. Provide digital pdf printed from design software, not scanned from printed paper sheet.
- BD2. Informational: The construction permit application drawings submitted to the Santa Clara Building Division shall include a copy of the latest Federal Emergency Management Agency (FEMA) Flood Zone Map: <https://msc.fema.gov/portal/home>. The project drawings shall indicate how the project complies with the Santa Clara Flood Damage Prevention Code.
- BD3. Informational: The construction permit application drawings submitted to the Santa Clara Building Division shall include Santa Clara Valley Urban Runoff Pollution Prevention Program Low Impact Development (LID) practices http://www.scvurppp-w2k.com/nd_wp.shtml. All projects that disturb more than one acre, or projects that are part of a larger development that in total disturbs more than one acre, shall comply with the Santa Clara Valley Urban Runoff Pollution Prevention Program Best Management Practices (BMP): http://www.scvurppp-w2k.com/construction_bmp.shtml, and shall provide a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD). All site drainage and grading permit applications submitted to the Santa Clara Building Division shall include a city of Santa Clara "C3" data form, available on this web page: <https://www.santaclaraca.gov/our-city/departments-g-z/public-works/environmental-programs/stormwater-pollution-prevention> and will be routed to a contract consultant for review.
- BD4. Informational: no California construction code review is being done at this time. The construction permit application drawings submitted to the Santa Clara Building Division shall include an overall California Building Code analysis, including; proposed use and occupancy of all spaces (19' CBC Ch. 3), all building heights and areas (19' CBC Ch. 5), all proposed types of construction (19' CBC Ch. 6), all proposed fire and smoke protection features, including all types of all fire rated penetrations proposed (19' CBC Ch. 7), all proposed interior finishes fire resistance (19' CBC Ch. 8), all fire protection systems proposed (19' CBC Ch. 9), and all means of egress proposed (19' CBC Ch. 10). -Noncombustible exterior wall, floor, and roof finishes are strongly encouraged.
 - During construction retaining a single company to install all fire rated penetrations is highly recommended.
 - The grade level lobbies shall be min.1 hour rated all sides and above.
 - All stair shafts shall be min. 1 hour rated.

- All elevator shafts shall be min. 1 hour rated.
 - All trash chute shafts shall be min. 1 hour rated.
 - Recommendation: provide a minimum of two trash chutes; one for recyclables, one for trash, each trash chute to be routed down to a grade level trash collection room.
 - Any trash rooms shall be min. 1 hour rated all sides and above.
- BD5. Informational: The overall project construction permit application shall include the geotechnical, architectural, structural, energy, electrical, mechanical, and plumbing drawings and calculations. Prior to the issuance of the overall project construction permit, a conditions of approval review meeting must be held in city hall, which meeting must be attended by the on-site field superintendent(s). The meeting will not be held without the attendance of the on-site field superintendent(s). The on-site grading permit shall be a separate permit application to the Building Division.
- BD6. Informational: Temporary Certificates of Occupancy will not be routinely issued, and will be considered on a very limited basis only when there is a clear and compelling reason for city staff to consider a TCO. A TCO will be approved only after all applicable City staff have approved in writing; Planning, P.W./ Engineering, Fire Prev., Santa Clara Water, Silicon Valley Power, and any other applicable agencies such as the Santa Clara County Health Dept., with the Building Division being the final approval of all TCO.'s.

PLANNING DIVISION

- P.1 Obtain Building permit for all work subject to Building Permit per City Administrative code Chapter 15.05. A detailed review will be done at the time of submittal for building and Building Inspection Division related permits such as Electrical, Mechanical and Plumbing.
- P.2 Applicant agrees to defend and indemnify and hold City, its officers, agents, employees, officials, and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed against the City by reason of its approval of developer's project.
- P.3 The project proposals shall not have a significant adverse effect on the integrity of the HRI property.
- P.4 Landscaping installation shall meet City water conservation criteria in a manner acceptable to the Director of Planning and Inspection.
- P.5 Applicant is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- P.6 Construction activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. Saturdays for projects within 300 feet of residential use and shall not be allowed on recognized State and Federal holidays.

PUBLIC WORKS

ENGINEERING

- E1. Obtain site clearance through Public Works Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Public Works Department at (408) 615-3000 for further information.
- E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be submitted within a Single Encroachment Permit to be reviewed and issued by the City Public Works Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. Submit public improvement/encroachment permit plans prepared in accordance with City Public Works Department procedures which provide for the installation of public improvements directly to the Public Works Department. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of final map and/or issuance of building permits.

WATER & SEWER

- W1. Encroachment Permit: Prior to issuance of Building Permits, the applicant shall submit an encroachment permit application and design plans for construction of water utilities that comply with the latest edition of the Water & Sewer Utilities Water Service and Use Rules and Regulations, Water System Notes, and Water Standard Details and Specifications. In addition, prior to the City's issuance of Occupancy, the applicant shall construct all public water utilities per the approved plans. The Water & Sewer Utilities will inspect all public water utility installations and all other improvements encroaching public water utilities.
- W2. Utility Design Plans: Utility Design Plans shall indicate the pipe material and the size of existing water, recycled water and sewer main(s). The plans shall show the nearest existing fire hydrant and the two nearest existing water main line gate valves near the project area. The plans shall show meter and backflow configurations to scale and per City of Santa Clara Water & Sewer Utilities Standard Details. Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area. Fire hydrants should be located two feet behind monolithic sidewalk if sidewalk is present; two feet behind face of curb if no sidewalk is present, per City Std Detail 18. The plans shall provide the profile section details for utilities crossing water, sewer, or recycled water mains to ensure a 12" minimum vertical clearance is maintained.
- W3. Utility Separations: Applicant shall adhere to and provide a note indicating that all horizontal and vertical clearances comply with State and local regulations. The applicant shall maintain a minimum 12" of vertical clearance at water service crossing with other utilities, and all required minimum horizontal clearances from water services: 10' from sanitary sewer utilities, 10' from recycled water utilities, 8' from storm drain utilities, 5' from fire and other water utilities, 3' from abandoned water services, 5' from gas and electric utilities, and 5' from the edge of the propose or existing driveway. For sanitary sewer, water, and recycled water utilities, the applicant shall maintain a minimum horizontal clearance of 10' from existing and proposed trees. If applicant installs tree root barriers, clearance from tree reduces to 5' (clearance must be from the edge of tree root barrier to edge of water facilities). No structures (fencing, foundation, biofiltration swales, etc.) allowed over sanitary sewer, potable water and/or recycled water utilities and easements.
- W4. City Standard Meters and Backflows: All proposed meters and backflows for all water services shall meet the current City of Santa Clara Water & Sewer Utilities Standard Details. Plans shall show meter and backflow configurations to scale.
- W5. Easements: Prior to City's issuance of Building or Grading Permits, the applicant shall provide a dedicated water utility easement around the backflow prevention device onsite. The water utility easement for the water services and all other public water appurtenances shall be a minimum 15 feet wide and be adjacent to the public right-of-way without overlapping any public utility easement. Additionally, the applicant shall submit plans defining existing easements so Water Division can verify if there are any conflicts with proposed easements and water utilities.
- W6. Underground Fire Permit: Prior to issuance of Building Permits, applicant shall submit an underground fire permit unless otherwise waived by the Fire Department. If fire flow information is needed, applicant shall coordinate with Water and Sewer Utilities Department, for fire flow information at (408)615-2000. A dedicated fire service line, with an approved backflow prevention device, shall be used for on-site fire hydrants. Fire service lines required for commercial and industrial use shall be sized appropriately per fire flow demand and code requirements.
- W7. Record Drawings: Upon completion of construction and prior to the City's issuance of a Certificate of Occupancy, the applicant shall provide "as-built" drawings of the public water

utility infrastructure prepared by a registered civil engineer to the satisfaction of the Director of Water & Sewer Utilities Department.

May 9, 2022

Shea and Julie Salinas
1184 Washington St.
Santa Clara, CA 95050

Planning Department
City of Santa Clara
Santa Clara, CA

Variance Request: 1) We are requesting a variance to convert the 2nd story of an existing 2-story barn into a 2nd story accessory dwelling unit.

Project Location: 1184 Washington St. Santa Clara, CA 95050
APN: 269-15-043

Dear Planning Staff & Commissioners:

This application includes plans to transform a 2-story detached barn that has been primarily used for storage and a workshop into a 2nd story accessory dwelling unit, a 1st floor entertaining space/"pool house", and a garage. The existing 1,700 square foot 2-story barn structure is in the rear of 1184 Washington Street. The property is a 10,062 square foot lot located in the Historic "Old Quad", zoned R1-6L and contains a 2-story residence that is on the City's historic registry. We are requesting a variance to create a 2nd story ADU in the existing detached barn.

We are proposing to transform the existing 2-story, 1,700 square foot, barn into a usable space that will add to the utility of the structure, not affect the surrounding neighbors, and allow for a more sustainable and efficient use of the property for our family.

We understand that the Planning Commission must make the following four findings in order to grant the variances (Sec 18.108.040). Our justification for the variance is as follows:

(A) That there are unusual conditions applying to the land or building which do not apply generally in the same district:

(1) Unusual Land due to the existing permitted structure location and size.

In 1979 plans were approved to build the back half of the current barn and a height variance was granted for the 2nd story. In 1995, the addition of the front half of the barn was built. The purpose at the time was to have a wood working shop and antiques storage. The functionality and usability of the barn in it's current state is not practical as 1,700 square feet of storage. Our hope is to turn this space into something that is functional and beneficial to us and the community. By allowing this variance you would allow us to add to the value and usability of the unusual 2 story barn.

(B) That the granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner:

(1) Preserving the Historical Integrity of the House

Converting the existing 2nd floor storage area into an ADU would help support our growing family's needs as well as help us, financially and logistically, to do the necessary renovations and preservation of the historically significant main house. We plan to complete this ADU first so that we could live in it while restoration work is being done on the main residence. Once the main house is

completed, renting the ADU would help pay for the costs of the extensive and ongoing preservation of the main house.

2) *Provide a separate space for a helper for our family of 6.*

We have 4 children - ages 7, 5, 3, and 3 months. Our immediate families live in South Carolina and Texas. Thankfully we have been surrounded by people in our church who love our family and help us juggle the many tasks that come along with having a big family while being involved in the community. We would love to offer a more affordable living location to friends who can continue to help support and be a part of our extended family. This ADU would allow us to have help literally in the back yard.

(C) That the granting of such variance shall not, under the circumstances for the particular case, materially affect adversely the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood of the applicant's property, and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood:

(1) Designed Sensitively to Neighbors

Since the building already exists it will not change or harm the health, safety, peace, morals, comfort, or general welfare of the neighborhood. The proposed accessory structure is located at the rear of the property similar to other accessory buildings on neighboring properties and preserves neighbors' privacy.

In an effort to continue to preserve our neighbors' privacy, all of the 2nd story windows face onto our property (towards our house, driveway or rear yard).

In addition, part of the original request to build the 2nd story of the barn in 1979 was to add privacy from and for a neighboring second story balcony in a multi-family development along the property line. Our design maintains this privacy.

(2). Ample Off-Street Parking

The lot has a long driveway where several cars can park (even side by side) as well as an additional covered carport. Washington Street is also unusually wide and void of many street parked cars in the case that there would ever need to be a car parked on the street.

(3) Community Need for Housing

By converting this storage space into housing, the community benefits in the way of desperately needed additional housing. Given that this lot is over 10k SF, which is unusually large for the neighborhood, it can absolutely support an ADU.

(4) Neighboring Multi-family housing

The neighboring property consists of multi-family housing. The addition of an accessory dwelling unit on the side of the multi-family apartments would not adversely affect the neighborhood considering the multitude of rental apartments in the neighborhood and next door.

(D) That the granting of the variance is in keeping with the purpose and intent of this title:

Granting this variance does not allow the property owner to by-pass the developmental requirements for all future buildings proposed, it merely allows for the conversion of an existing

2nd story space to be more functional, assist in an extensive future historical preservation project, and provide a more affordable living space for a supportive community member.

We appreciate you taking the time to consider our project and hope that you agree that it is a good project worth supporting due to the potential better use of the existing structure, the financial and familial support it would bring to our family, the much-needed housing it would add to our community, and the assistance it provides in the historic preservation project and ongoing maintenance of the main structure.

Regards,

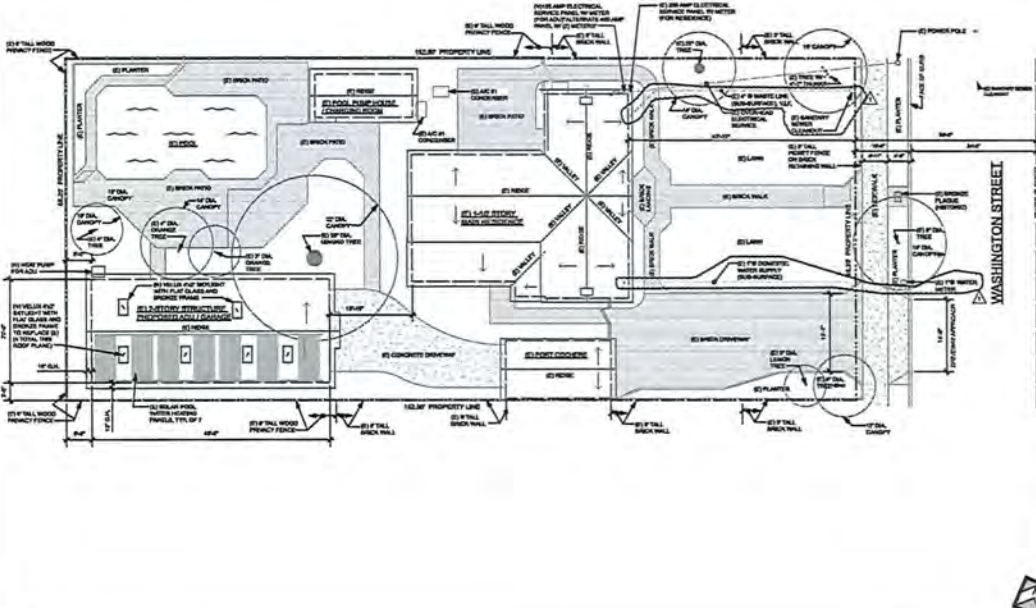
Shea and Julie Salinas
Homeowners

LEGAL DESCRIPTION

Real property in the City of Santa Clara, County of Santa Clara, State of California, described as follows:

BEGINNING AT A POINT ON THE WESTERLY LINE OF WASHINGTON STREET, DISTANT THEREON 50 FEET SOUTHERLY FROM THE POINT OF THE INTERSECTION OF THE WESTERLY LINE OF WASHINGTON STREET WITH THE SOUTHERLY LINE OF FREMONT STREET; THENCE RUNNING SOUTHERLY AND ALONG THE WESTERLY LINE OF WASHINGTON STREET, 66.20 FEET; THENCE RUNNING WESTERLY AND PARALLEL WITH THE SOUTHERLY LINE OF FREMONT STREET, 152.50 FEET; THENCE RUNNING NORTHERLY AND PARALLEL WITH THE WESTERLY LINE OF WASHINGTON STREET, 66.20 FEET; THENCE RUNNING EASTERLY AND PARALLEL WITH THE SOUTHERLY LINE OF FREMONT STREET, 152.20 FEET TO THE POINT OF BEGINNING AND BEING A PORTION OF LOT 1 IN BLOCK 2 NORTH RANGE 1 WEST OF THE CITY OF SANTA CLARA, AS SHOWN UPON THE OFFICIAL MAP THEREOF OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA IN [BOOK "B" OF MAPS, PAGE 103](#).

APN: 269-15-043



SITE PLAN

General Notes

1. ALL WORK, MATERIALS AND METHODS SHALL BE IN CONFORMANCE WITH THE FOLLOWING CODES:
 - 2018 CALIFORNIA RESIDENTIAL CODE AND AMENDMENTS
 - 2018 CALIFORNIA ELECTRICAL CODE
 - 2018 CALIFORNIA MECHANICAL CODE
 - 2018 CALIFORNIA PLUMBING CODE
 - 2018 CALIFORNIA GREEN BUILDING CODE
 - 2018 CALIFORNIA LANDMARK CODE
2. AND ALL OTHER APPLICABLE CODES, ORDINANCES AND REGULATIONS OF ALL GOVERNMENTAL AGENCIES HAVING JURISDICTION AT THIS PROJECT LOCATION.
3. ANY DISCREPANCIES BETWEEN THESE DOCUMENTS AND ACTUAL FIELD CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING WITH ANY WORK.
4. THE CONTRACTOR SHALL REVIEW ALL DOCUMENTS AND VERIFY ALL DIMENSIONS SPECIFIC TO THIS PROJECT AND SHALL CONFIRM THAT WORK IS BUILDABLE AS SHOWN. ANY CONFLICTS, OMISSIONS, ETC. SHALL BE IMMEDIATELY REPORTED TO THE ARCHITECT FOR CLARIFICATION PRIOR TO PERFORMANCE OF ANY WORK BY CONTRACTOR.
5. WHEN CONTRACTOR ACCEPTS DELIVERY OF ALL ITEMS NOTED ON PLANS WHETHER IN CONTRACT OR NOT BY CONTRACT, HE/SHE SHALL BE RESPONSIBLE FOR LOSS AND OR DAMAGE TO THESE ITEMS.
6. DO NOT SCALE DIMENSIONS. DIMENSIONS NOT GIVEN ARE TO BE CALCULATED BY THE FIELD FROM AVAILABLE SCALE ELEMENTS IN THESE SET OF PLANS. USE SPECIFICATIONS (IF APPLICABLE) AND/OR MANUFACTURER'S SPECIFICATIONS. BE WARNED AND SHALL ALLOW FOR TOLERANCES OF ALL FINISHES.
7. THE "SHALL" MEAN CONVEYABLE CHARACTERISTICS FOR THE CONDITIONS NOTED. VERIFY DIMENSIONS AND ORIENTATION ON PLANS AND ELEVATIONS.
8. "TYP" SHALL MEAN THAT THE CONDITION IS REPRESENTATIVE FOR THE SIMILAR CONDITION THROUGHOUT.
9. ALL DIMENSIONS ARE TO FACE OF ITEM, UNLESS OTHERWISE NOTED.
10. THESE DIMENSIONS ARE THE SOLE PROPERTY OF THE ARCHITECT. ANY REPRODUCTION, COPYING, ALTERATION, OR USE OF THESE DIMENSIONS WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT IS PROHIBITED AND PUNISHABLE BY LAW.

GENERAL NOTES 7

ABBREVIATIONS 8

SHEET INDEX 1



LOCAL MAP NOT SCALED 5

APR: 305-15-043
 ZONE: RL-2L
 OCCUPANCY: R-2, U
 CONSTRUCTION TYPE: SM (NO FIBER OPTICALS)
 FLOOD ZONE: X

NET LOT AREA 10,268 SQ FT

HABITABLE FLOOR AREA	EXISTING	CHANGE IN	TOTAL
MAIN RESIDENCE			
1ST FLOOR	1,288 SF	NONE	1,288 SF
2ND FLOOR	1,887 SF	NONE	1,887 SF
TOTAL			3,175 SF

ACCESSORY DWELLING UNIT	EXISTING	CHANGE IN	TOTAL
1ST FLOOR	0 SF	+ 34 SF	34 SF
2ND FLOOR	0 SF	+ 855 SF	855 SF
TOTAL			889 SF

NONHABITABLE FLOOR AREA	EXISTING	CHANGE IN	TOTAL
GARAGE (1/200)	488 SF	-41 SF	328 SF
1ST FLOOR (CLOSET/STORAGE)	912 SF	0 SF	912 SF
2ND FLOOR	887 SF	-887 SF	0 SF
POOR DECKHOUSE	227 SF	+ 0 SF	227 SF
POOL/PUMP HOUSE	150 SF	+ 0 SF	150 SF

PROJECT INFO 4

PROJECT TEAM 3

SCOPE OF WORK 2

ADDITIONAL

A.1.1 PROJECT INFO, SITE PLAN
 A.1.2 GARAGE - 1ST FLOOR DEMOLITION PLAN
 A.1.3 GARAGE - 2ND FLOOR DEMOLITION PLAN
 A.1.4 POOL/PUMP HOUSE FLOOR PLAN
 A.1.5 GROUNDWORK - 1ST FLOOR PLAN
 A.1.6 1ST AND 2ND FLOOR PLAN
 A.1.7 ELEVATIONS, SECTIONS
 A.1.8 ELEVATIONS
 A.1.9 ROOF PLAN

Architect
ROBERT MAYER
 1454 Santa Clara Street
 Santa Clara, CA 95050
 Phone: (408) 298-1454
 Fax: (408) 298-1454
 www.robertmayer.com

CONTRACT NO. 2024-03-PL-0001

DATE: 03/20/24

PROJECT NO. 2024-03-PL-0001

PROJECT TITLE: PROJECT INFORMATION SITE PLAN

DRAWING NO. **A1.0**

2024-03-PL-0001-REV-1-0001-0002-0000

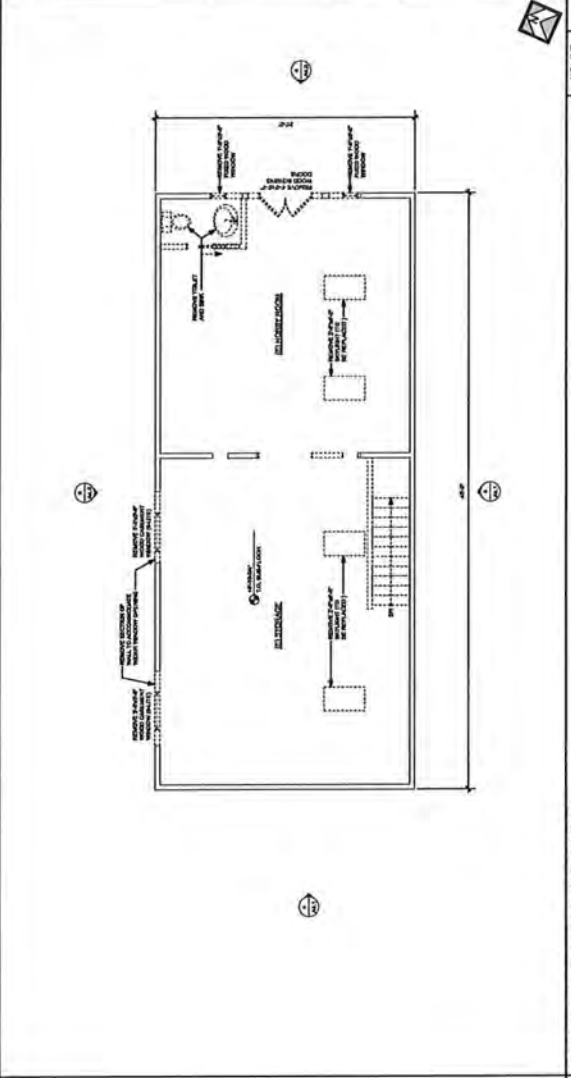
Architect
ROBERT MAYER
 1525 Park Drive South
 Suite 100
 San Diego, CA 92108
 Phone: (619) 551-1111
 Fax: (619) 551-1112
 www.rma.com



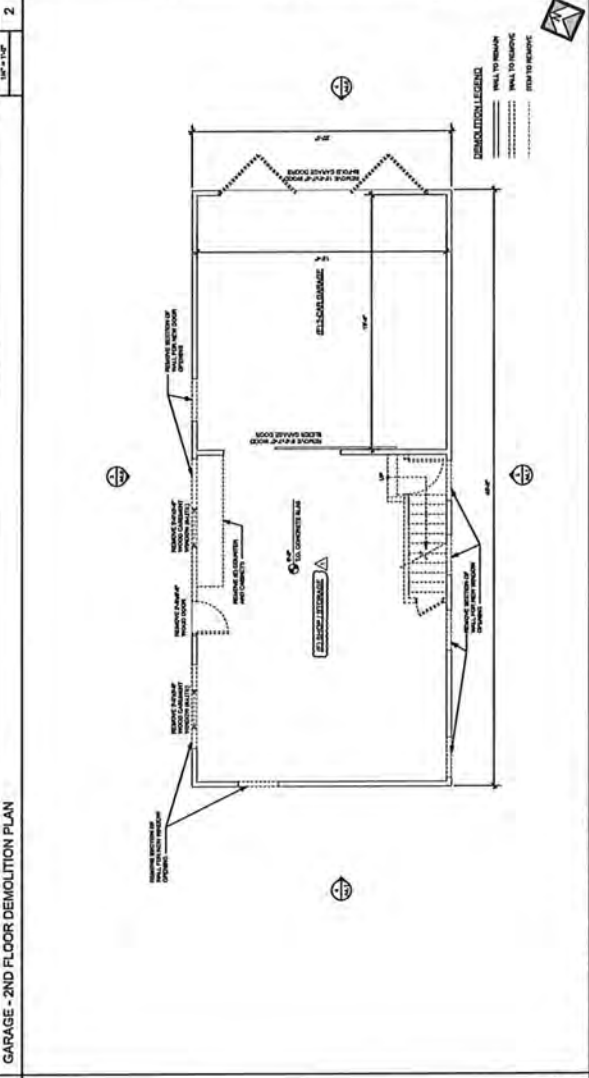
CONVERT GARAGE TO ACCESSORY DWELLING UNIT
 1184 WASHINGTON STREET
 SAN DIEGO, CA 92103
 APR 28, 2014

NO.	DATE	DESCRIPTION
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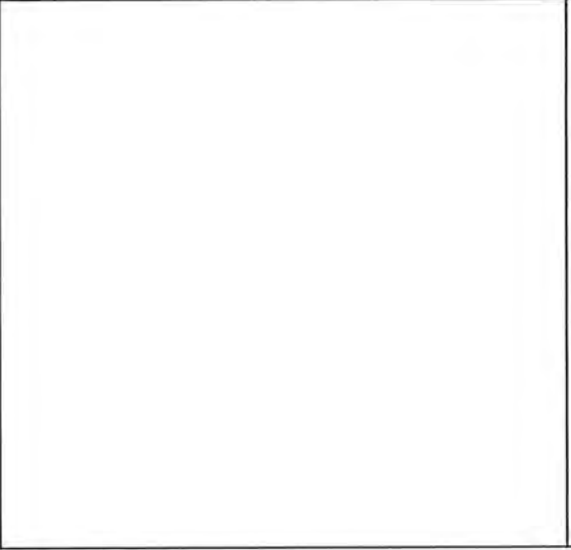
PROJECT NO. 14-0001
 SHEET NO. A2.0
 OF 4



GARAGE - 2ND FLOOR DEMOLITION PLAN



GARAGE - 1ST FLOOR DEMOLITION PLAN



(E) POOL PUMP HOUSE FLOOR PLAN

GARAGE - 1ST FLOOR DEMOLITION PLAN

GARAGE - 2ND FLOOR DEMOLITION PLAN

(E) POOL PUMP HOUSE FLOOR PLAN

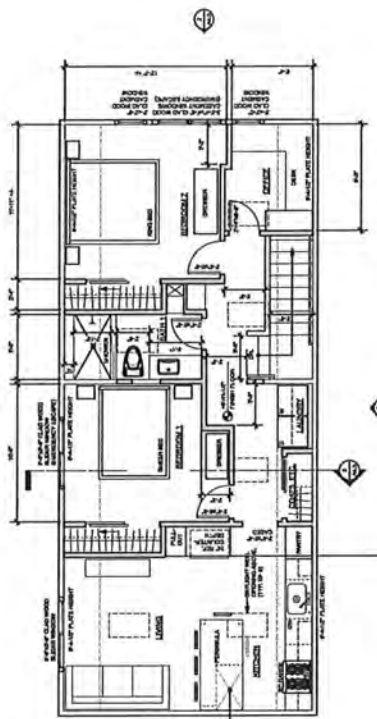
1184 WASHINGTON STREET
 SAN JOSE, CA 95128
 APR 29, 2014



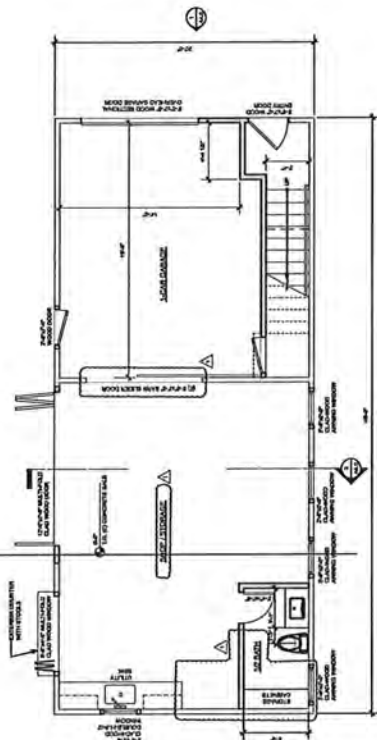
CONVERT GARAGE TO ACCESSORY DWELLING UNIT;
 1184 WASHINGTON STREET
 SAN JOSE, CA 95128
 APR 29, 2014

DATE	DESCRIPTION
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04/29/14	CONVERT GARAGE TO ACCESSORY DWELLING UNIT
04/29/14	CONVERT GARAGE TO ACCESSORY DWELLING UNIT

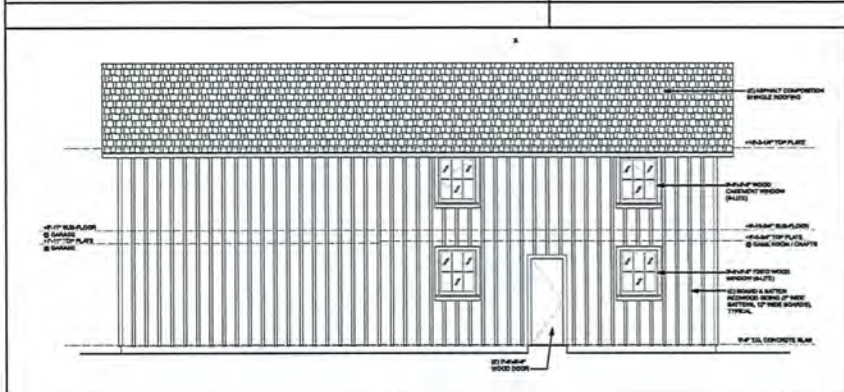
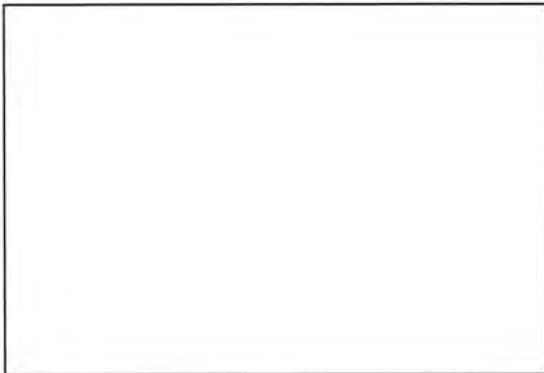
PROJECT NO. A3.0
 SHEET NO. 1



ADU - PROPOSED 2ND FLOOR PLAN

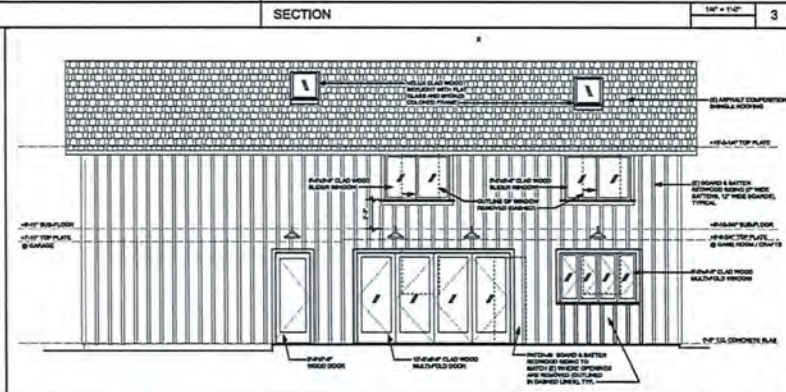


ADU GARAGE - PROPOSED 1ST FLOOR PLAN



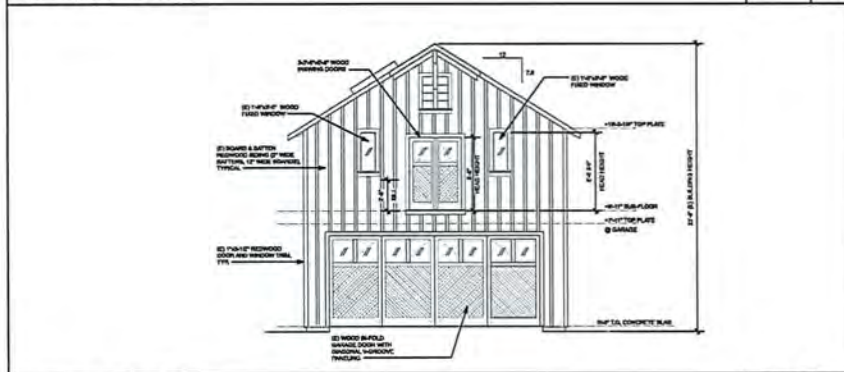
EXISTING RIGHT ELEVATION

1/4" = 1/8" 5



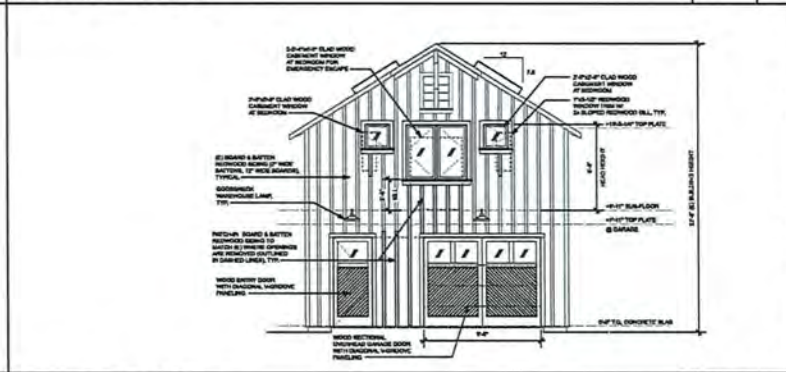
PROPOSED RIGHT ELEVATION

1/4" = 1/8" 2



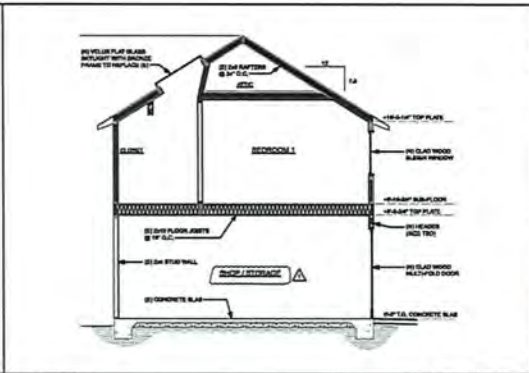
EXISTING FRONT ELEVATION

1/4" = 1/8" 4



PROPOSED FRONT ELEVATION

1/4" = 1/8" 1



SECTION

1/4" = 1/8" 3

Architect
ROBERT MATER
 1488 Lake View Blvd
 Santa Ana, CA 92704
 Phone: 714.241.1444
 Fax: 714.241.1445
 www.robertmater.com

CONSULTANT

CONVERT GARAGE TO ACCESSORY DWELLING UNIT:
 1184 WASHINGTON STREET
 SANTA ANA, CA 92704
 APR 18, 2023

OWNER
 CITY PLANNING & FIRE DEPARTMENT

DATE: 4/18/23

SCALE: 1/8" = 1"

REVISIONS

NO.	DESCRIPTION
1	ISSUED FOR PERMITS

PROJECT # 2023-04
 DRAWN BY: RMA
 CHECKED BY: RMA
 SCALE DATE: 04/18/23

SHEET TITLE
ELEVATIONS, SECTIONS

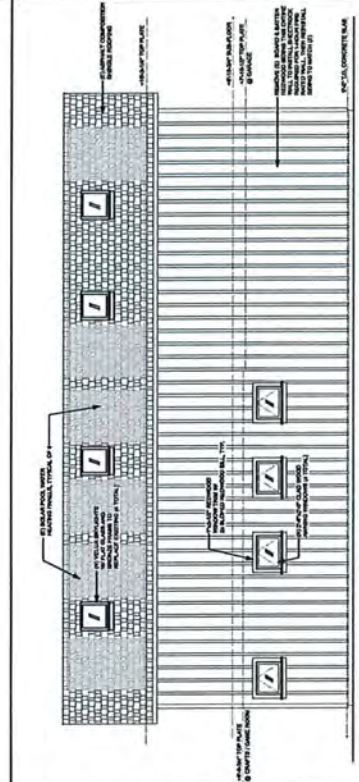
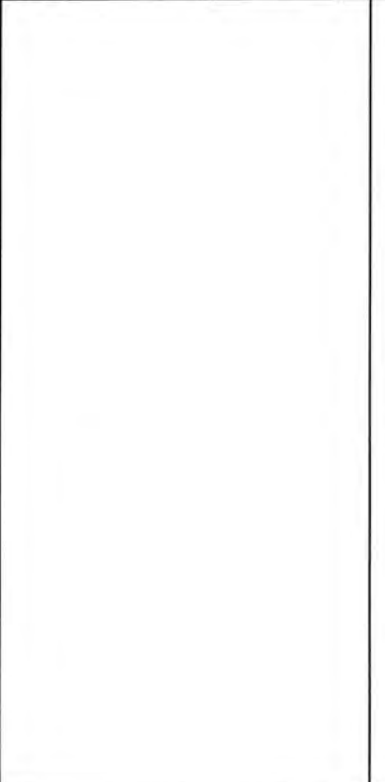
DRAWING NO.
A4.0

1535 EAST 15TH STREET
 DENVER, CO 80202
 PH: 303.733.8400
 WWW.COMPELLARCH.COM
ROBERT MAYER

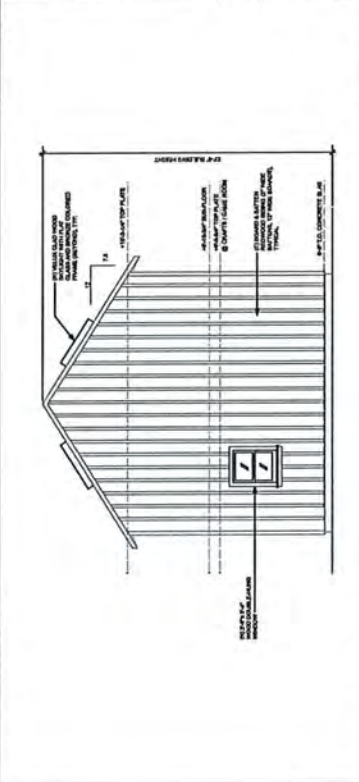


CONTRACTOR

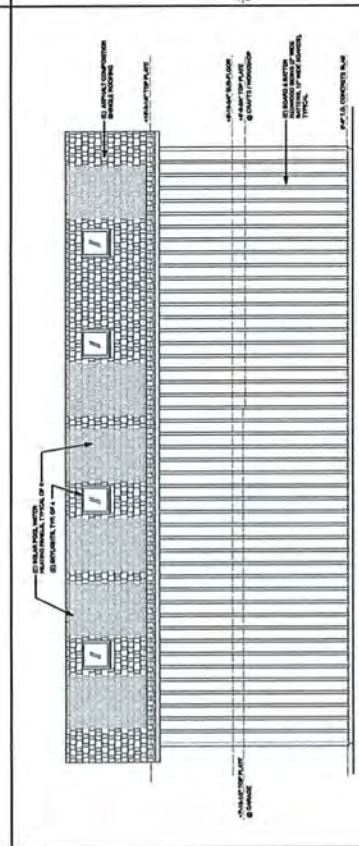
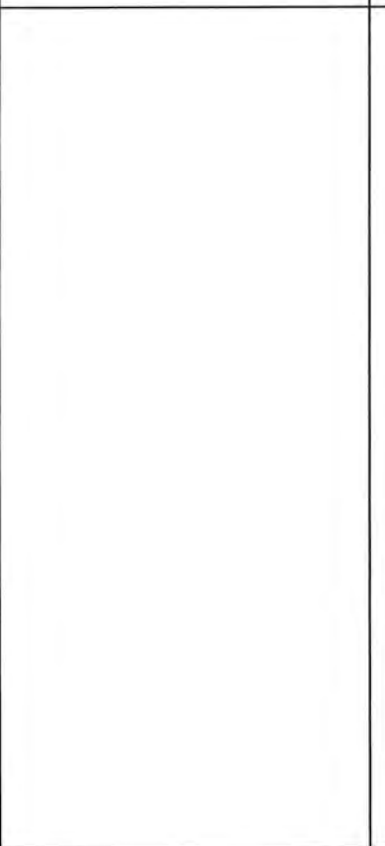
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 DENVER, CO 80202
 PH: 303.733.8400



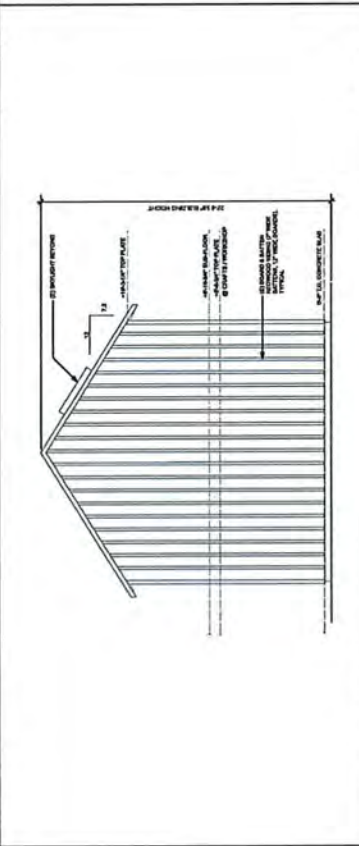
PROPOSED LEFT ELEVATION



PROPOSED REAR ELEVATION



EXISTING LEFT ELEVATION



EXISTING REAR ELEVATION

REVISION	DATE	DESCRIPTION

DATE	DATE	DESCRIPTION


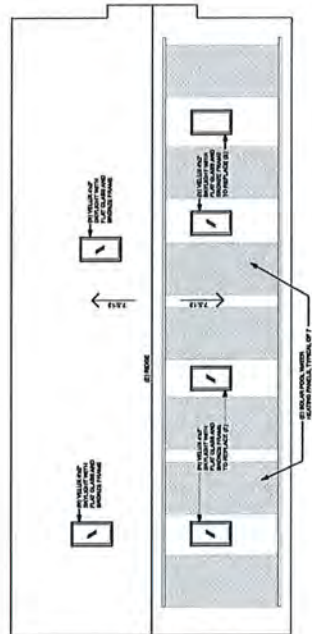
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SECTION: PLAN, SECTION, ELEVATION, GROUND, FINISH, MARKING

NOTES:
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 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF LOS ANGELES BUILDING DEPARTMENT REGULATIONS AND ORDINANCES.
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1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF LOS ANGELES BUILDING DEPARTMENT REGULATIONS AND ORDINANCES.

<p>ARCHITECT ROBERT MAYER 1525 1/2th Street Los Angeles, CA 90015 Phone: 213.475.1234 Fax: 213.475.1235 Email: r@mayer.com</p>		<p>CONVERT GARAGE TO ACCESSORY DWELLING UNIT: 1184 WASHINGTON STREET SANTA CLAY, CA 90270 APR 2018 15413</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	DESCRIPTION									
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<p>ROOF PLAN</p>															

ROOF PLAN (WITH ATTIC VENT CALCULATIONS)



Agenda Report

22-1378

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action authorizing the City Manager to Negotiate and Execute an Amendment to the City's Loan Agreement with Monroe Street Housing Partners, L.P by an Increased Amount Not to Exceed \$3.0 Million to Upgrade Approximately 1,860 Lineal Feet of Water Main to Support the Construction of a Residential Affordable Housing Project at 2330 Monroe Street and Related Budget Amendment (Deferred from November 1, 2022)

COUNCIL PILLAR

Promote and Enhance Economic and Housing Development

BACKGROUND

The City issued a Request for Proposals (RFP) in 2018 for the development of an affordable housing project on the City-owned property located at the southeast corner of Monroe Street and San Tomas Expressway (2330 Monroe Street). Monroe Street Housing Partners L.P (Freebird) was selected as the Developer for the site through an RFP process and the Council approved an Exclusive Negotiation Agreement (ENA) with Freebird in December 2018 to allow the project to proceed. On January 28, 2020, Council approved land use entitlements and a Disposition and Development Agreement for the project. On September 2, 2020, the City amended its Development Agreement with Freebird to increase the City loan by \$1,500,000.

Under the Development Agreement, the developer will construct a 65-unit affordable housing project located at 2330 Monroe Street. The project includes 16 units at 25% Area Median Income (AMI) for Santa Clara's growing population of adults with developmental and/or intellectual disabilities, 48 units ranging from 50-80% AMI, and 1 manager's unit.

In February 2020, the City began using a hydraulic modeling service provided by HydroScience to evaluate the impacts of new development on the City's water distribution system. The hydraulic modeling evaluates the system water pressures and provides a report for any needed improvements to meet the development's water and fire demand needs while maintaining the system's minimum operating pressures.

On March 16, 2022, during the permit review process, based on the water and fire services requested for this development, the City determined that evaluation is needed to ensure that the integrity of the system is maintained and that adequate flows of water and pressure are provided during a fire event. The City then requested a Development Impact Analysis (DIA) to be performed using the hydraulic model.

On April 12, 2022, Freebird closed their construction financing and began construction.

On May 23, 2022, City staff returned results from the DIA on residential and development fire flow for the 2330 Monroe Street development. The model determined that the City's existing water main would not support the fire suppression demand for the project if a fire were to occur during peak water usage times. Based on the model results, the consultant recommended that a water main upsize would be required for health and safety purposes and would need to be completed before the new housing could be occupied in Fall 2023. The water main upsize would not be needed without the development.

DISCUSSION

Staff is recommending that the City increase its contribution to this 100% affordable housing project to cover unanticipated additional infrastructure costs so that the project may proceed. Additional funding from the City's affordable housing funds will be used to pay for the construction of necessary infrastructure upgrades as described in the following discussion.

Scope of Work:

City staff have determined that the most cost-efficient scope of work requires replacing the existing 8-inch water main with a new 12-inch water main extending approximately 1,860 linear feet on Monroe Street from San Tomas Expressway to Scott Boulevard. See Attachment 1 for a map of the proposed project.

The scope of work includes trenching, hauling of materials, traffic control, filling the abandoned water main for long term stability, connecting existing properties to the new main, grading, paving, and striping. The water main improvement project will not be required to use prevailing wage.

Freebird requested a preliminary cost estimate from CORE (general contractor) and Sanco Pipelines Inc. (subcontractor). On July 19, 2022, the developer's contractor provided a preliminary cost estimate for \$2,946,022. City staff from the Departments of Water and Sewer and Public Works reviewed the estimate and suggested several ways to lower the cost including competitive bidding after the design is completed, removing the replacement of existing water services from the scope as those will simply be reconnected, and limiting the proposed water main alignment as close to the existing main as possible.

Funding Challenges:

Since this requirement was created after Freebird received its building permit and after it closed on tax credit and bond financing, Freebird does not have a source to pay for the water main upgrade required for the project. It should be noted that Freebird proceeded with closing on the financing for the project prior to its full understanding of the water main requirements that would be necessary to serve the project. Staff has worked extensively with Freebird to explore potential funding sources and concluded that the proposed City funding is necessary in order to continue the project. In the interim, Freebird is progressing with the project at their own risk in order to maintain their current contracts and meet financing deadlines.

Timing:

The housing project is expected to complete construction by October 2023. To ensure the building can be occupied once completed, the water main project would need to begin very soon due to the size of the scope of work and supply chain limitations. The water main project needs to move forward now so that the final occupancy can be achieved in the fall of 2023.

Term Sheet:

The City can increase its existing housing loan to fund this improvement. City staff have negotiated a term sheet with Freebird to amend the City's loan. The City's additional funds will not be disbursed until the borrower has utilized all other available sources of construction financing first. See Attachment 2 for the full-term sheet.

Next Steps

Freebird has signed a term sheet for the increase to the City loan for the water main upgrade. Freebird is currently preparing engineering drawings for the water main upgrade project. If the City Council approves the staff recommendation, staff will work with Freebird to execute an amendment to the existing city loan. Once the amendment to the loan agreement is executed and encroachment permits are issued, Freebird will begin work on the water main upgrade project.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

On January 28, 2020, the City Council approved a Mitigated Negative Declaration (MND) and the Mitigation Monitoring and Reporting Program (MMRP) for the proposed affordable housing project. While the upsized water main was not described in the MND, water main upsizing improvements are exempt from CEQA review pursuant to the CEQA Guidelines section 15303 (d) New Construction or Conversion of Small Structures.

FISCAL IMPACT

The City's loan amendment would enable Freebird to construct the required water main which would allow the affordable housing development at 2330 Monroe Street to be occupied in fall 2023.

If approved, the City's loan amendment of up to \$3.0 million would be drawn from the City's Affordable Housing Fund. The City's Affordable Housing Fund has an unrestricted fund balance of approximately \$3.3 million that can be utilized to fund this loan.

The approved loan amendment is reflected in the Budget Amendment below. It is anticipated that the loan amendment will be drawn in FY 2022/2023 and an appropriate carryover will be included in the upcoming Biennial Budget. As further defined in the attached Term Sheet, the City Loan [including unpaid accrued interest] shall be repaid by the Maturity Date, and by the payment of any project cost savings.

Budget Amendment
FY 2022/23

	Current	Increase/ (Decrease)	Revised
<u>City Affordable Housing Fund Expenditures</u>			
Monroe Water Main Upgrade	\$0	\$3,000,000	\$3,000,000
Unrestricted Ending Fund Balance	\$3,303,060	(\$3,000,000)	\$303,060

COORDINATION

This report was coordinated with the City Manager's Office, City Attorney's Office, Finance Department, and Water & Sewer Utilities Department.

PUBLIC CONTACT

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>>.

RECOMMENDATION

1. Adopt a resolution, Attachment 3, authorizing the City Manager to negotiate and execute an amendment to the City's loan agreement with Monroe Street Housing Partners, L.P by an increased amount not to exceed \$3.0 million to support the construction of a Residential Affordable Housing Project at 2330 Monroe Street; to make modifications to the Loan Agreement and attachments consistent with the Term Sheet and as reviewed by the City Attorney for form and consistency; to execute all documents necessary to implement the Loan Agreement and close escrow; and
2. Approve the FY 2022/23 budget amendment in the City Affordable Housing Fund to appropriate \$3.0 million to the Monroe Water Main Upgrade and reduce the unrestricted ending fund balance (**five affirmative Council votes required for the use of unused balances**).

Reviewed by: Reena Brilliot, Assistant Director of Community Development

Reviewed by: Gary Welling, Director of Water & Sewer Utilities

Approved by: Rajeev Batra, City Manager


ATTACHMENTS

1. Map of Water Main Upgrade Project
2. DRAFT Term Sheet for the Amended City Loan
3. Resolution for Amendment #1 to Monroe Loan Agreement

(N) Water Main Alignment

2330 Monroe

Legend

 2330 Monroe (N) Water Main



MONROE STREET APARTMENTS
TERM SHEET FOR THE INCREASE TO THE CITY LOAN AMOUNT FOR THE WATER MAIN
UPGRADE

Date: _____, 2022

REQUEST: The owner, Monroe Street Housing Partners, L.P., a California limited partnership, has requested that the City of Santa Clara (“City”) increase its existing loan amount by up to \$3,000,000 (the “Additional Funds”), from \$6,500,000 to an amount not to exceed \$9,500,000 (“Transaction”) for the Monroe Street Apartments project located at 2330 Monroe Street Santa Clara identified as Assessor’s Parcel Number 224-37-068 (“Project”). The loan increase shall be used towards the cost to upgrade the water main serving the Project (“Water Main Upgrade”). Approval of the Transaction is subject to City Council approval.

PROJECT DESCRIPTION & FINANCING OVERVIEW

1. **PROJECT DESCRIPTION:** At completion, the Project will rent 16 units to 30% AMI households, 32 units to 50% AMI households, 8 units to 60% AMI households, 8 units to 80% AMI households and one (1) unrestricted manager’s unit. The 64 units are restricted by the City’s existing 55-year Affordable Housing Covenants and Restriction recorded against the Project.
2. **BORROWER:** The owner/borrower of the Project is Monroe Street Housing Partners, L.P., a California limited partnership (“Borrower”). The managing general partner of the Borrower is AHA Norcal MGP, LLC and the administrative general partner is Freebird Monroe LLC, an affiliate of the Sponsor. The current limited partner and tax credit investor is an affiliate formed by Raymond James Financial.
3. **EXISTING CITY LOAN:** On April 1, 2022, the City made a \$6,500,000 construction and permanent loan to the Borrower to construct and develop the Project (“City Loan”). The City Loan is evidenced by a promissory note dated April 1, 2022 secured by a leasehold deed of trust, a loan agreement, and other documents related to the City Loan (“City Loan Documents”). The promissory note bears no interest during construction and 3% simple interest commencing at Completion for a term of 55 years from Conversion (“Maturity Date”). The City will receive Net Cash Flow payments commencing on the Conversion Date.
4. **SELLER LOAN.** On April 1, 2022, the City made a \$5,200,000 loan to the Borrower as evidenced by a promissory note, secured by a deed of trust and a loan agreement (“Seller Loan”), the proceeds of which were used to prepay in advance the City’s lease payments pursuant to a 65-year ground lease between the City as the landlord and the Borrower as the lessee. The Seller Loan bears no interest during construction and 0.5% simple interest commencing at Completion for a term of 55 years from Conversion. The City will receive Net Cash Flow payments commencing on the Conversion Date.
5. **SPONSOR:** Freebird Development Company, LLC, a California limited liability company.
6. **BOND FINANCING AND CONSTRUCTION AND PERMANENT FINANCING:** The City Loan and the Seller Loan form a part of the financial structure used to acquire and develop the

Project. The construction and permanent financing for the development of the Project includes the syndication of the Property utilizing tax-exempt bond permanent financing, 4% Low Income Housing Tax Credits (“LIHTC”) tax credit equity, a loan from the County of Santa Clara and a loan from California Housing Finance Agency Mixed-Income Program (“CalHFA MIP”).

7. AMENDED AND RESTATED CITY LOAN: The revised City Loan terms are set forth in Exhibit A “Amendments to the Terms and Conditions of the Existing City Loan,” attached hereto. The City Loan Documents shall be amended and restated as set forth in Exhibit A.
8. DOCUMENTATION.
 - a. This Term Sheet is not intended to set all of the terms, conditions and documents required by the City for the Transaction, which shall include customary provisions and documents to be approved by City (including, but not limited to, all such documents mentioned in this Term Sheet and all City documents evidencing, securing or related to City documents related to this Project, shall in all respects be satisfactory to City.
 - b. Borrower shall promptly deliver to City any further documentation which may be required by City.
 - c. Expiration: The subject Term Sheet expires ___ days from the date written above. Please return a fully executed copy to the City by _____ 2022.

ACCEPTED BY:

Monroe Street Housing Partners, L.P., a California limited partnership

By: AHA Norcal MGP LLC,
a California limited liability company
its managing general partner

By: Affordable Housing Access, Inc.,
a California nonprofit public benefit
corporation
its manager

By: _____

Name _____

Title: _____

By: Freebird Monroe LLC,
a California limited liability company
its administrative general partner

By: Freebird Development Company LLC
a California limited liability company
its sole member manager

By: _____

Name: _____

Title: _____

[Signatures Continue on Following Page]

ACKNOWLEDGED BY:

The City of Santa Clara, a California municipal corporation

By: _____

Name: _____

Title: _____

Date: _____

DRAFT

EXHIBIT A
AMENDED TERMS AND CONDITIONS TO THE EXISTING CITY LOAN

1. LOAN AMOUNT: Up to \$9,500,000 (“Amended City Loan”).
2. SOURCE: The Loan increase is funded by the City Affordable Housing Fund is not an obligation of City’s General Fund.
3. LOAN MATURITY DATE: No change.
4. INTEREST RATE: No change.
5. PROPERTY OWNERSHIP: No change.
6. ASSIGNMENTS OF CONTRACTS AND AGREEMENTS: The Borrower will also enter into an Assignment of the Plans and Specifications and Civil Engineer Agreement and Assignment of the Construction Contract. The Assignment of the Construction Contract, Assignment of the Civil Engineer Agreement and Assignment of the Plans and Specifications, once acceptable to the City, will be subordinated to the senior construction and permanent loans.
7. RESIDUAL RECEIPT SHARE: City’s proportionate share of residual receipts shall be adjusted based on the Amended City Loan amount.
8. PROJECT PRO FORMA: Prior to the close of the Transaction, Borrower shall submit to City, and City will approve, an updated pro forma budget reflecting Borrower’s projections of the construction/permanent budget, sources and uses of funds and income and operating expense cash flow for the Project.
9. ORGANIZATIONAL AGREEMENTS: Borrower shall submit to City borrowing resolutions and such related documentation as City may request.
10. CONSTRUCTION COMPLETION: No change.
11. PLANS AND SPECIFICATIONS: Final plans and specifications for the Water Main Upgrade shall be subject to City’s approval prior to close of the Transaction. Any changes to the plans and specifications that are approved shall be governed by the City Loan Documents.
12. CIVIL ENGINEER’S AGREEMENT: The civil engineer’s agreement for the preparation of the plans and specifications and other services shall be subject to City’s approval. There shall be no material changes in the plans and specifications, nor any material deviation in construction of the Water Main Upgrade without City’s prior written consent. City may require an assignment of Borrower’s interest in and to the agreement as security for the Loan.
13. PREVAILING WAGE REQUIREMENTS. No change.
14. CONSTRUCTION CONTINGENCY: Borrower’s hard cost construction contingency related to the Water Main Upgrade shall not be less than 7%, excluding the contractor’s overhead, profit and general conditions and including insurance. The construction contingency related to the Water

Main Upgrade shall only be used for the Water Main Upgrade and shall be accounted for separately from any other contingency with respect to the Project.

15. CONSTRUCTION CONSULTANT: The City will engage a construction inspector (“Construction Inspector”) for the purposes of reviewing construction documents, monitoring construction draws, reporting on construction progress and inspecting Water Main Upgrade. Prior to closing on the Transaction, City will provide Borrower with the Construction Inspector budget. The cost of the Construction Inspector shall be invoiced to and paid by the Project. The City shall approve all construction draws.
16. CONSTRUCTION CONTRACT: The construction contract ("Contract") and the general contractor ("Contractor"), to be retained by Borrower to construct the Water Main Upgrade, shall all be subject to City's approval. City shall require an assignment of Borrower's interest in and to the Contract as security for the City Loan subject to any subordinations of that assignment approved by City. Change Orders will require City approval as provided for in the City Loan Documents. Borrower shall obtain at least 3 bids for the Contract and provide copies thereof to the City.
17. FORM OF CONSTRUCTION CONTRACT: The contract type used should be Cost Plus a Fee with a Guaranteed Maximum Price. Contract must be in the most recent form provided by the American Institute of Architects (“AIA”), as may be modified by the Borrower but subject to approval by the City. The savings clause in the contract must indicate that 100% of the construction cost savings associated with the Water Main Upgrade will be returned to the Borrower. Construction cost savings calculation shall be received and reviewed by the City prior to the permanent loan closing. If the contractor for the Water Main Upgrade is the same contractor for the Project, then the Contract may be in the form of a change order to the existing contract for the Project, subject to the same conditions and approvals herein and the City Loan Documents.
18. CONSTRUCTION COMPLETION BOND: Performance and payment bonds for the construction contract naming the City as co-obligee shall be required for the contractor, acceptable to the City. Any surety for purposes of bonding, including, but not limited to, performance or completion bonds, must be a corporation duly authorized and admitted to transact business and issue surety bonds in the State of California. If the contractor for the Water Main Upgrade is the same contractor for the Project, and if the Contract is in the form of a change order to the existing contract for the Project, then City acknowledges that the form of the existing payment and performance bond that was already approved for the Project satisfies this condition, provided that the amount thereof shall be adjusted to reflect the Contract.
19. PROJECT COST SAVINGS: 100% of the cost savings attributable to the Water Main Upgrade, if any, shall be paid to the City on the same schedule as the Project Cost Savings under the City Loan Documents.
20. DISBURSEMENT: The Additional Funds shall be disbursed after Borrower has utilized all other sources of construction financing shown in the updated project pro forma (including, without limitation, any equity and funds from Senior Loans), and shall be available on a monthly draw down basis pursuant to commercially standard construction loan terms. City’s written approval is required for all existing construction disbursements including disbursements incurred towards the Water Main Upgrade. City shall require Borrower to provide documentation supporting the request for each disbursement. City reserves the right to conduct inspections of the Water Main Upgrade prior to approving disbursements. The Additional Funds shall be used only for the Water Main Upgrade, and shall not be used to otherwise finance the Project.

21. TITLE INSURANCE: Borrower shall procure and deliver to the City an endorsement to its ALTA Extended Policy of Title Insurance (or reissuance thereof if such endorsement is not available), together with such other endorsements as City may require, in an amount equal to the amended principal amount of the City Loan, insuring that City Loan's Deed of Trust constitutes a junior lien or charge upon the Project subject only to such items as shall have been approved by City. There shall be no exceptions permitted for mechanics' liens. Such policy shall be issued by Old Republic Title Company, or another title insurer approved by the City.
22. CITY EXPENSES: Borrower shall make prompt payment of all expenses of City and other parties' incidentals to the Transaction including, without limitation, expenses incurred for third-party expenses, architectural and engineering review, appraisal or appraisal review, toxic review, inspections, and legal services. Borrower shall also pay closing expenses including, without limitation, escrow fees, title insurance, liability and other insurance and architect's and engineer's fees, as well as charges for such items as surveys, recordation, filing and documentary or stamp taxes. If this Transaction does not close, Borrower shall pay City's reasonable expenses incurred. The City shall provide a summary of such costs and expenses prior to closing on the Transaction.
23. INDEMNIFICATION: The Borrower shall indemnify, hold harmless the City from and against any and all loss, costs, damage, actions and liabilities directly or indirectly resulting from this Transaction, including negative impacts that may arise from prevailing wage, tax credits and bond financing.
24. COMPLIANCE/NO DEFAULT: Prior to closing, the Borrower must be in compliance with the ongoing construction of the Project with the City, the senior lender, the County, CalHFA and the tax investor (collectively, "Stakeholders") and that the Borrower is not in default under any of the Stakeholders' documents.
25. OTHER REQUIREMENTS: Borrower shall procure and deliver to City evidence satisfactory to City that Borrower has obtained all the necessary consents and approvals from the Stakeholders. City shall have the right to impose any additional requirements that are commercially reasonable or required by applicable law of City policy.
26. All other terms and conditions under the existing City Loan Documents shall remain unchanged.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
APPROVING AN AMENDMENT TO THE LOAN AGREEMENT
BETWEEN THE CITY OF SANTA CLARA AND MONROE STREET
HOUSING PARTNERS, L.P. FOR THE MONROE APARTMENTS
PROJECT LOCATED AT 2330 MONROE STREET, SANTA
CLARA**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the Applicant applied for Architectural Review of a 65-unit affordable residential project for low or very-low income residences (“Project”);

WHEREAS, on January 28, 2020, the City Council approved a General Plan Amendment, Rezoning, and Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) for the proposed project at 2330 Monroe Street (“Project Site”);

WHEREAS, on February 5, 2020, the Architectural Committee approved the project’s application;

WHEREAS, on April 1, 2022, the parties entered into a Loan Agreement in the amount of \$6.5 million to provide financial assistance for the development of the project;

WHEREAS, the Loan Agreement contemplates that implementation of the Project will require a myriad of permits, approvals, entitlements, agreements, permits to enter, utility services, subdivision maps, building permits, and other authorizations in order to implement the Project, including but not limited to an amendment to the Loan Agreement, Deed of Trust, Promissory Note, Affordable Housing Agreement and Regulatory Agreement (together, the “Project Documents”);

WHEREAS, City staff have determined that the City’s existing infrastructure would not support the fire suppression demand if a fire were to occur during peak water usage times once the affordable housing development is placed in service, and that a water main upsize for health and safety purposes is required;

WHEREAS, the parties desire to amend the original loan agreement to increase the loan

amount by up to \$3.0 million to support funding the upgrade of approximately 1,860 lineal feet of water main to support the construction of a residential affordable housing project at 2330 Monroe Street;

WHEREAS, the Project Documents, including the amendment to the Loan Agreement, will help address the City's housing needs at a broad range of income levels by providing the City with 65 housing units, of which 100% will be affordable to households with Area Median Income (AMI) levels ranging from 25% to 80% AMI; and,

WHEREAS, on November 1, 2022, the City Council conducted a duly noticed public hearing, at which time all interested persons were invited to provide testimony and evidence, both in support of and in opposition to the proposed amendment to the Loan Agreement.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the City Council hereby approves and authorizes the City Manager to execute the amendment to the Loan Agreement, substantially in the form attached hereto as Exhibit "Term Sheet for Amendment #1 to Loan Agreement," subject to such minor and clarifying changes consistent with the terms thereof as may be approved by the City Attorney prior to execution thereof.
3. That this Resolution, including Amendment #1 to the Loan Agreement approval described in Section 2 above, is based on the findings set forth above.
4. That the City Manager and/or designee is hereby authorized and directed to perform all acts to be performed by the City in the administration of Amendment #1 to the Loan Agreement pursuant to the terms of the negotiated Term-sheet. The City Manager is further authorized and directed to perform all other acts, negotiate and execute all documents (including deeds of trust, promissory notes, and affordable housing agreement) necessary or convenient to close escrow

and carry out the purposes of this Resolution and the Amendment to the Loan Agreement.

5. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF _____, 2022, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Term Sheet for Amendment #1 to Loan Agreement



Agenda Report

22-167

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action on a Resolution Authorizing the Use of City Electric Forces at Various Locations

COUNCIL PILLAR

Deliver and Enhance High Quality Efficient Services and Infrastructure

BACKGROUND

Charter Section 1310 titled Contracts on Public Works states, in part, “that every contract involving an expenditure of more than one thousand dollars (\$1,000) for the construction or improvement (excluding maintenance and repair) of public buildings, works, streets, drains, sewers, utilities, parks and playgrounds shall be let to the lowest responsible bidder.” The section further states that “the City Council may declare and determine that, in its opinion, the work in question may be performed better or more economically by the City with its own employees, and after the adoption of a resolution to this effect by at least four affirmative votes, it may proceed to have said work done in the manner stated, without further observance of the provisions of this section.”

DISCUSSION

Staff believes that the work described below is best and most efficiently performed with City forces based upon the following factors: (1) the work is limited in size and scope; (2) City forces have knowledge and training in operating and maintaining the electric system that can be leveraged to more economically perform this work; and (3) bidding out the work and contracting with a private entity would not likely result in a lower overall cost or time savings. Therefore, staff recommends that the City Council make a finding that City forces can better perform the installation of the following electric facilities and approve the use of City forces.

Estimate Number: 38259
Location: 902 Lexington Street
Type of Service: Load Increase
Description of Work: Remove existing overhead and underground service cables, install overhead transformers, and upgrade new service cables.
Estimated Cost: \$12,743
Appropriation: Electric Utility Capital Fund (591) Project 2005 - New Business Estimate Work
Source of Revenue: Customer/Developer Contribution

Estimate Number: 38305
Location: 3131 Homestead Road
Type of Service: New Business

Description of Work: Install (1) 750 kva padmount transformer, +-50' high voltage underground wire, (6) underground splices, (6) termination elbows, (1) 1600A service meter.

Estimated Cost: \$36,272

Appropriation: Electric Utility Capital Fund (591) Project 2005 - New Business Estimate Work

Source of Revenue: Customer/Developer Contribution

ENVIRONMENTAL REVIEW

Staff recommends that the City Council determine that the actions being considered are exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections (1) 15302 (c) (Class 2 - Replacement or Reconstruction) as the proposed work involves the replacement or reconstruction of existing utility systems and/or facilities involving negligible expansion of capacity, and (2) 15303(Class 3 - New Construction or Conversion of Small Structures) as the proposed work involves the construction of a limited number of small electric utility facilities.

FISCAL IMPACT

The funds to support the staff time for work performed by SVP and related construction materials for the work detailed in this report, totaling \$49,015 are included in the Fiscal Year 2022/23 Capital Budget, New Business Estimate Work project in the Electric Utility Capital Fund. All referenced work will be performed with City Electric Forces (SVP staff). Some work associated with encroachment permits may be performed by the Department of Public Works (DPW). DPW costs are recovered through payment of permit fees.

COORDINATION

This report has been coordinated with the Finance Department and City Attorney's Office.

PUBLIC CONTACT

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 or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Determine the proposed actions are exempt from CEQA and adopt a Resolution authorizing the use of City Electric Forces for work detailed in this report located at 902 Lexington Street and 3131 Homestead Road.

Reviewed by: Manuel Pineda, Chief Electric Utility Officer

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Resolution - Use of City Electric Forces

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
AUTHORIZING THE USE OF CITY ELECTRIC FORCES
PURSUANT TO CHARTER SECTION 1310**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City of Santa Clara's Charter section 1310 requires all contracts involving an expenditure of over \$1,000 for the construction or improvement (excluding maintenance and repair) of a public works project to be let to the lowest responsible bidder;

WHEREAS, Charter section 1310 permits the City to use its own employees if the City Council, by motion passed by at least four affirmative votes, determines that the public works may be done better or more economically by the City's own employees, and, upon such determination, the City may proceed to have the public works project completed without further observance of Charter section 1310; and,

WHEREAS, the City's Electric Department desires to perform certain public works, as set forth in the Report to Council, dated November 15, 2022, by its own employees; and,

WHEREAS, the City's Electric Department has presented facts supporting that the work in question may be performed better or more economically by the City with its own employees.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. The City Council of the City of Santa Clara does hereby declare and determine that the public works set forth in the 22-167 Report to Council, attached hereto and incorporated by this reference, may be performed better or more economically by the City with its own employees.

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2. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF _____, 2022, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: November 15, 2022, Report to Council #22-167.



Agenda Report

22-169

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action on a Resolution Authorizing the Use of City Electric Forces for New Dark Fiber Installations at Various Locations

COUNCIL PILLAR

Deliver and Enhance High Quality Efficient Services and Infrastructure

BACKGROUND

Charter Section 1310 titled Contracts on Public Works states, in part, “that every contract involving an expenditure of more than one thousand dollars (\$1,000) for the construction or improvement (excluding maintenance and repair) of public buildings, works, streets, drains, sewers, utilities, parks and playgrounds shall be let to the lowest responsible bidder.” The section further states that “the City Council may declare and determine that, in its opinion, the work in question may be performed better or more economically by the City with its own employees, and after the adoption of a resolution to this effect by at least four affirmative votes, it may proceed to have said work done in the manner stated, without further observance of the provisions of this section.”

In 2014, the Electric Department developed a position called Fiber Splicing Technician as an in-house position to primarily perform maintenance and repairs to meet the fiber performance standards of then existing fiber customers that includes both City departments as well as commercial lease customers. Fiber Splicing Technician activities include basic splicing and distribution changes to fiber optic cables. The technician can also perform duties such as pulling, laying, aligning and positioning fiber optic equipment to prepare for a new connection to the fiber network. Fiber Splicing Technicians perform fusion splicing at building entrances and in maintenance space. At this time, SVP employs two Fiber Splicing Technicians.

DISCUSSION

Currently, the SVP Fiber Enterprise serves SVP, other City department functions, and various commercial lease customers. As the work is specialized, the position of Fiber Splicer Technician performs a variety of activities from maintenance and repair to new or re-spliced interconnections to the SVP Fiber Enterprise. Each interconnection can be unique involving different hours of labor depending on the number of fibers required to be spliced and the particular location within the network. Technician time is tracked hourly and not on a per fiber basis.

Large or extensive projects involving extending fiber cable being laid along new paths or great distances or adding conduit or related infrastructure are done using a previously bid unit price Public Works contract with a private construction contractor. SVP spends up to \$1 million per year on this public works contract for new Fiber network construction and certain maintenance and repair activities.

Staff believes that the Fiber Splicer Technician work that may be required in new construction projects is best and most efficiently performed with City forces based upon the following factors: (1) the work is limited in size and scope; (2) City forces have knowledge and training in operating and maintaining and repairing the fiber optic system that can be leveraged to more economically perform this work; and (3) bidding out the work and contracting with a private entity would not likely result in a lower overall cost or time savings. Therefore, staff recommends that the City Council make a finding that City forces can better perform the Fiber Splicing and related equipment installation, splicing and connections to the existing SVP Fiber infrastructure and approve the use of City forces.

Estimate Number: FWM#1519
 Location: City Hall to SCPD Dispatch Datacenter
 Type of Service: Electric Utility Infrastructure
 Description of Work: Splice, terminate, and test fibers from City Hall to SCPD Dispatch Center.
 Estimated Cost: \$4,573
 Appropriation: Electric Utility Capital Fund (591) Project 2004 - Fiber Development Design & Expansion
 Source of Revenue: Developer Contribution

Estimate Number: FWM#1510
 Location: Primavera Sewer Lift Station (W&S SCADA)
 Type of Service: Electric Utility Infrastructure
 Description of Work: Splice, terminate, and test fibers at Primavera Sewer Lift Station.
 Estimated Cost: \$5,082
 Appropriation: Electric Utility Capital Fund (591) Project 2004 - Fiber Development Design & Expansion
 Source of Revenue: Developer Contribution

Estimate Number: FWM#0290
 Location: Lafayette Subway - 1890 Lafayette Street
 Type of Service: Electric Utility Infrastructure
 Description of Work: Splice, terminate, and test fibers at Lafayette Subway.
 Estimated Cost: \$5,082
 Appropriation: Electric Utility Capital Fund (591) Project 2004 - Fiber Development Design & Expansion
 Source of Revenue: Developer Contribution

Estimate Number: FWM#1057
 Location: Well 17-02 - 3460 Brookdale Dr (W&S SCADA)
 Type of Service: Electric Utility Infrastructure
 Description of Work: Splice, terminate, and test fibers at Well 17-02.
 Estimated Cost: \$5,082
 Appropriation: Electric Utility Capital Fund (591) Project 2004 - Fiber Development Design & Expansion
 Source of Revenue: Developer Contribution

Estimate Number: FWM#1063
 Location: Well 25 - 2600 Benton St (W&S SCADA)
 Type of Service: Electric Utility Infrastructure
 Description of Work: Splice, terminate, and test fibers at Well 25.
 Estimated Cost: \$3,557
 Appropriation: Electric Utility Capital Fund (591) Project 2004 - Fiber Development Design & Expansion
 Source of Revenue: Developer Contribution

Estimate Number: FWM#0200
 Location: Serra Tanks & SCVWD Import (W&S SCADA)
 Type of Service: Electric Utility Infrastructure
 Description of Work: Splice, terminate, and test fibers at Serra Tank & Santa Clara Valley Water District Import.
 Estimated Cost: \$5,082
 Appropriation: Electric Utility Capital Fund (591) Project 2004 - Fiber Development Design & Expansion
 Source of Revenue: Developer Contribution

Estimate Number: FWM#0286
 Location: 2800 Mead (Storm SCADA)
 Type of Service: Electric Utility Infrastructure
 Description of Work: Splice, terminate, and test fibers at 2800 Mead Avenue.
 Estimated Cost: \$7,114
 Appropriation: Electric Utility Capital Fund (591) Project 2004 - Fiber Development Design & Expansion
 Source of Revenue: Developer Contribution

Estimate Number: FWM#01516
 Location: 3080 Raymond Street, 1700 Richard Avenue, 1525 Comstock Street, 2151 Mission College Blvd
 Type of Service: New Business
 Description of Work: Splice, terminate, and test fibers for new ring.
 Estimated Cost: \$15,957
 Appropriation: Electric Utility Capital Fund (591) Project 2004 - Fiber Development Design & Expansion
 Source of Revenue: Developer Contribution

ENVIRONMENTAL REVIEW

Staff recommends that the City Council determine that the actions being considered are exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections (1) 15302 (c) (Class 2 - Replacement or Reconstruction) as the proposed work involves the replacement or reconstruction of existing utility systems and/or facilities involving negligible expansion of capacity, and (2) 15303 (Class 3 - New Construction or Conversion of Small Structures) as the proposed work involves the construction of a limited number of small utility facilities.

FISCAL IMPACT

The estimated costs of staff time for work performed by SVP and related construction materials for the work detailed in this report total \$51,529. There is sufficient funding included in the FY 2022/23 Fiber Development, Design, and Expansion project budget to cover these costs. All referenced work will be performed with City Electric Forces (SVP staff). Some work associated with encroachment permits may be performed by the Department of Public Works (DPW). DPW costs are recovered through payment of permit fees.

COORDINATION

This report has been coordinated with the Finance Department and City Attorney's Office.

PUBLIC CONTACT

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 or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Determine the proposed actions are exempt from CEQA and adopt a Resolution authorizing the use of City Electric Forces for work detailed in this report at Santa Clara City Hall to Santa Clara Police Department Dispatch Datacenter, Primavera Sewer Lift Station, 1890 Lafayette Street, 3460 Brookdale Drive (Well 17-02), 2600 Benton Street (Well 25), Serra Tanks & Santa Clara Valley Water District Import, 2800 Mead Avenue, 3080 Raymond Street, 1700 Richard Avenue, 1525 Comstock Street, and 2151 Mission College Boulevard.

Reviewed by: Manuel Pineda, Chief Electric Utility Officer

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Resolution - Use of City Electric Forces

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
AUTHORIZING THE USE OF CITY ELECTRIC FORCES
PURSUANT TO CHARTER SECTION 1310**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City of Santa Clara’s Charter section 1310 requires all contracts involving an expenditure of over \$1,000 for the construction or improvement (excluding maintenance and repair) of a public works project to be let to the lowest responsible bidder;

WHEREAS, Charter section 1310 permits the City to use its own employees if the City Council, by motion passed by at least four affirmative votes, determines that the public works may be done better or more economically by the City’s own employees, and, upon such determination, the City may proceed to have the public works project completed without further observance of Charter section 1310;

WHEREAS, the City’s Electric Department desires to perform certain public works, as set forth in the Report to Council, dated November 15, 2022, by its own employees.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. The City Council of the City of Santa Clara does hereby declare and determine that the public works set forth in the 22-169 Report to Council, attached hereto and incorporated by this reference, may be performed better or more economically by the City with its own employees.

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2. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF _____, 2022, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: November 15, 2022, Report to Council #22-169.



Agenda Report

22-1172

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action on Silicon Valley Power System Expansion Plan for California Independent System Operators Transmission Planning Process FY2023/024 Agreement with Power System Professionals, Inc. Doing Business as Power Pros (Power Pros), Related Budget Amendments (Five Affirmative Votes Required), and Addition of New Positions

COUNCIL PILLAR

Deliver and Enhance High Quality Efficient Services

BACKGROUND

The City of Santa Clara's Electric Utility, Silicon Valley Power (SVP), has provided dependable electric service for over 125 years. SVP's 2021 actual recorded peak load was 598 MW and energy delivery nearly 4,110 Gigawatt-hours (GWh) a year to SVP's customers. Thus far for calendar year 2022, SVP has experienced significant load growth and recorded a system peak of 702 MW during the September 2022 heat wave. SVP is projecting that energy delivery in 2022 will reach 4,550 GWh a 10.5% increase from calendar year 2021. Based on SVP's experience with how new load develops SVP is preparing for its system peak load to double over the next 10 years and an increase the number of substations from twenty-three (23) to up-to thirty-one (31) by 2032.

At the September 28, 2021, City Council meeting, Council accepted SVP's Three-Year System Growth Strategy Plan, prepared by Electrical Consultants Inc. (ECI). The Three-Year System Growth Strategy Plan presents an analysis of SVP's transmission system. The Three-Year System Growth Strategy Plan identified \$300 million in proposed projects to install new facilities and to replace aged infrastructure with higher capacity infrastructure when needed. An amendment to the agreement with AECOM Technical Services, Inc. (AECOM) was authorized and executed, and AECOM has been onboarded to provide program management and project management support to assist with this effort. Staff recently provided an update to Council on the key projects on November 1, 2022, as part of the SVP quarterly report.

DISCUSSION

Pursuant to the California Independent System Operators (CAISO) Transmission Planning Process (TPP), and the California Energy Commission's (CEC's) Integrated Energy Policy Report (IEPR) processes; Load Forecasting is an annual process coordinated internally by SVP's Transmission & Distribution Planning and Resource Divisions. The purpose of this process is to project SVP's load growth over the next ten years and apply it to an electric system model to simulate load growth impacts on SVP's electric system. SVP submits calendar year 2021 existing peak load and projections in its 2022 IEPR forecast to the CEC for inclusion in the California Independent System Operators (CAISO) TPP for FY2023/24 where the load growth is included in CAISO's electric system

model to evaluate the impact of SVP's load growth on Pacific Gas & Electric's (PG&E) System Grid. Based on these projections, SVP anticipates a peak system load of 819 MW in 2025 and a peak system load of 1,306 MW in 2032.

The attached SVP System Expansion Plan TPP FY2023/24, prepared by Electrical Consultants Inc. (ECI), presents an analysis of SVP's transmission system. The purpose of the study is to identify Near-Term and Long-Term system improvements for SVP to consider to maintain electric service reliability with consideration of the load growth. This report provides additional information, details and technical basis for the analysis that was completed, including proposed infrastructure projects in addition to those previously presented to Council. The Summary of Proposed Projects for SVP System Growth Strategy (Proposed Projects) attached includes the comprehensive project list from this study with conceptual cost estimates for the projects. These estimates will change in the future as designs are developed. As described in the attached Proposed Projects, there are over \$200 million of proposed projects for this study period.

In summary, the identified work includes replacement of aged infrastructure and installation of new facilities which will allow higher internal SVP system capacity. These projects would add two additional internal 60kV loops totaling 13 miles of new transmission loops along with a number of reliability upgrades including 6.5 miles of reconducted transmission lines required to serve the additional projected internal load (1,306 MW by 2032). It is important to note that the first step in the process for the new internal 60Kv loops is to determine feasibility (design). Additional CAISO transmission capacity would also be required to fully take advantage of the internal capacity.

If both loops are constructed, the internal 60kV loop capacity will be increased from 1,270 MW's by approximately an additional 50%. Funding for the design to reconductor existing transmission lines and New Transmission Loop 1 are available in the FY2022/23 Capital Budget. Additional appropriations will be required for the New Transmission Loop 2 Project which will serve customer load growth and is expected to be recovered through developer contributions. The costs and timelines will be updated as the overall program and projects are developed.

The SVP Multi-Year System Expansion Plan is intended to be a living document which will be updated for the TPP process and will be reviewed and changed annually in the future to adapt for several factors including load ramp, project feasibility, delivery capacity, shifting needs, priorities, and finances. Through the TPP and IEPR process, the CAISO will determine what, if any, projects are required outside of SVP's electric grid to support the load growth.

Agreement with Power System Professionals, Inc. Doing Business As Power Pros

As a part of this analysis, staff and ECI evaluated the costs of testing and commissioning services associated with new and rebuilt substations, and transformer and breaker upgrade projects associated with SVP's System Expansion Plan.

In May 2021, the City issued an SOQ for as-needed electric equipment repair, maintenance, and testing services, using the City's e-procurement system. An agreement with Power Pros resulting from this SOQ was authorized by City Council in September 2021 for maintenance and repair services. The approved agreement included only ongoing maintenance and repair services at existing substations and did not include costs for commissioning of new substations. Now that this analysis is complete, significant additional work will be required. Staff recommends that the City

Council authorize the City Manager to negotiate and execute a separate agreement with Power Pros associated with commissioning the following:

- 10 new or upgraded substations
- Three receiving stations
- 60kV breaker upgrades
- Other activities associated with SVP's System Expansion Plan.

As defined in the agreement, all services are provided at time and materials rates with each project authorized in advance using a Purchase Order. The maximum compensation under this separate agreement is anticipated not to exceed \$17.5 million and the work would occur over a 5+ year period. Staff recommends a separate agreement to best separate costs associated with maintenance and repair from costs associated with the System Expansion Plan.

New Positions

Staff also recommends adding new positions to account for the additional workload to support management, design, and implementation of the new projects with SVP's System Expansion Plan including the additional \$200 million in proposed projects.

In order to support the increase of Capital Project Engineering and Management of CIP activities, staff recommends the addition of the following staff (all funded by Electric Utility Funds): one (1) Electric Program Manager, one (1) Senior Electric Utility Engineer, one (1) Senior Electric Water System Operator, one (1) Electric Utility Network Administrator, and one (1) Service Coordinator. The Electric Program Manager and Senior Electric Utility Engineer positions will lead the design development and oversight for over \$150 million overhead 60kV transmission loops and reconductoring of existing 60k transmission loops to serve increased loads. They will also be embedded on the System Expansion Program Management team overseeing the consultant design engineer and supporting the completion of developer funded projects. Staff believes this combination of new staff with the AECOM consultant team providing program and project management support provides the best approach for successfully completing the significant capital program associated with SVP's System Expansion Plan.

The Senior Electric and Water System Operator and Service Coordinator positions will focus on Operations Coordination and Inspection of existing infrastructure slated to be upgraded along with coordination of construction activities on an energized electrical System. The Electric Network Administrator will focus on network and communication requirements for the new customer junction substations and operational technology needs associated with the System Expansion Plan.

ENVIRONMENTAL REVIEW

The actions being considered do not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to the following sections of Title 14 of the California Code of Regulations: (1) Section 15060(c)(2) in that the proposed actions are planning activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment; and (2) section 15378(b)(5) in that the proposed actions are administrative fiscal activities that will not result in direct or indirect physical changes in the environment. The three-year system growth strategy is an informational document that address system growth resulting from private development that has completed CEQA and has already received City approvals. When and if the capital projects included in the growth strategy move forward appropriate CEQA will be completed as required prior

to construction.

FISCAL IMPACT

The costs of these services provided by Power Pros, additional staff, and the additional projects will be funded by the Electric Utility Capital and Operating Funds with developer contributions supporting new Capital Improvement Projects (CIPs) and customer service revenue supporting ongoing operations and maintenance. There will be no impact to the City General Fund.

Projects associated with the SVP System Expansion Plan for TPP for FY2023/24 are anticipated to be funded primarily through the Load Development Fees with a smaller percentage from Customer Service Fees when projects are associated with maintenance or upgrade of the existing system. The Load Development Fee recovers the portion of the bulk electric system reinforcement work that SVP will need to do as a result of the additional load required by that customer. Staff will recommend adjustments to those fees, as needed, through subsequent action.

In FY2022/23, staff recommends adding funding of \$2.0 million in the Electric Utility Capital Fund for the New Transmission Loop 2 Project to fund the design, supported by Developer Contributions as shown below. Budget adjustments are not required for the existing CIP 2459 Reconfigure Northwest and Center Loops, and the project description will be adjusted to describe the new Transmission Loop 1 Project.

Staffing

The annual cost to add one (1) Electric Program Manager, one (1) Senior Electric Utility Engineer, one (1) Senior Electric and Water System Operator, one (1) Electric Utility Network Administrator, and one (1) Service Coordinator totals \$1,381,000. The recommended action for FY2022/23 funds half of the annual cost to account for the remainder of the year in the amount of \$690,500.

The following FY2022/23 budget adjustments are required to appropriate funds for new positions from the Electric Utility Operating Fund and to establish the New Transmission Loop 2 project in the Electric Utility Capital Fund:

	Budget Amendment FY2022/2023		
	Current	Increase/ (Decrease)	Revised
Electric Utility Operating Fund (091)			
<u>Expenditures</u>			
Electric Department (for Salaries and Benefits)	\$565,663,949	\$690,500	\$566,354,449
Unrestricted Ending Fund Balance	\$30,638,804	\$(690,500)	\$29,948,304
Electric Utility Capital Fund (591)			
<u>Revenues</u>			

Developer Contributions (New \$0 Transmission Loop 2 Project) <u>Expenditures</u>	\$2,000,000	\$2,000,000
New Transmission Loop 2 Project	\$0	\$2,000,000

Expenses associated with the Agreement with Power Pros are included in the budget for each capital project. Appropriations needed in future years will be requested as part of the regular biannual budget process.

COORDINATION

This report has been coordinated with the Finance Department, Human Resources, and City Attorney's Office.

PUBLIC CONTACT

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>>.

RECOMMENDATION

1. Accept a report on the SVP System Expansion Plan for California Independent System Operators Transmission Planning Process FY2023/24;
2. Authorize the City Manager to negotiate and execute an Agreement for Services Between the City of Santa Clara, California and Power System Professionals, Inc. doing business as Power Pros for a maximum compensation not to exceed \$17,500,000, subject to appropriation of funds;
3. Authorize the City Manager to execute amendments to increase maximum compensation in the event that additional services are required, subject to the appropriation of funds and take such additional actions as needed or required in furtherance of the agreement;
4. Approve the addition of one Electric Program Manager, one Senior Electric Utility Engineer, one Senior Electric and Water System Operator, one Electric Utility Network Administrator, and one Service Coordinator positions in the Electric Utility Department; and
5. Approve the following FY2022/23 budget amendments:
 - a. In the Electric Utility Fund, increase the Electric Department appropriation by \$690,500 and reduce the unrestricted ending fund balance by \$690,500 (five affirmative Council votes required for the use of unused balances);
 - b. In the Electric Utility Capital Fund, increase the revenue estimate for developer contributions in the amount of \$2,000,000, and establish the New Transmission Loop 2 project appropriation in the amount of \$2,000,000 (five affirmative Council votes required to appropriate additional revenue).

Reviewed by: Manuel Pineda, Chief Electric Utility Officer

Approved by: Rajeev Batra, City Manager

ATTACHMENT

1. Silicon Valley Power - System Expansion Plan for TPP 2023/2024
2. Summary of Proposed Projects for SVP System Growth Strategy

SVP System Expansion Plan for TPP 23/24 (Draft)

Prepared for:



**Prepared By:
Electrical Consultants, Inc.**

October 25, 2022



Disclaimer

This report has been prepared by ECI solely for the purpose of creating an SVP System Expansion Plan for TPP 23/24 for Silicon Valley Power (SVP), and the responsibility of ECI is limited to the scope of work as given herein. This report is for exclusive use by SVP and must not be used for any other purpose or modified without the prior written authorization of ECI and SVP.

QA/QC Review and Sign-Off:

<i>Task</i>	<i>Responsible Individual</i>		<i>Date</i>
<i>Prepared</i>	<i>Quincy Stormer, E.E.</i>	<i>Design Engineer</i>	<i>8/30/22</i>
<i>Reviewed</i>	<i>Jim Smith, PhD, P.E.</i>	<i>Senior Engineer</i>	<i>8/31/22</i>
<i>Reviewed</i>	<i>Dave Maehl, P.E.</i>	<i>Principal Engineer</i>	<i>10/19/22</i>
<i>Issued (Draft Report)</i>	<i>Quincy Stormer, E.E.</i>	<i>Design Engineer</i>	<i>8/31/22</i>
<i>Issued (Draft Report2)</i>	<i>Quincy Stormer, E.E.</i>	<i>Design Engineer</i>	<i>10/20/22</i>
<i>Issued (Draft Report2)</i>	<i>Quincy Stormer, E.E.</i>	<i>Design Engineer</i>	<i>10/25/22</i>

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Appendix A – Sensitivity Cases Transmission Routing

Appendix B – Detailed Cost Estimates

1.0 **Executive Summary**

The SVP System Expansion Plan for TPP 23/24, prepared by Electrical Consultants, Inc. (ECI) for Silicon Valley Power (SVP) presents an analysis of SVP's transmission system for a set of network configurations and network loading levels. This study has multiple purposes. One goal is to identify improvements for each of the Sensitivity cases for SVP to implement to maintain electric service reliability with consideration of replacements of end-of-life infrastructure and significant load growth as a result of proposed data center additions, residential, and commercial growth. The second goal is to analyze the network under normal operating conditions and determine the minimum reactive power needed to meet the PG&E power factor requirements for supplying power to SVP. The third goal is to analyze the SVP network for a specified set of contingencies or outages and determine the reactive power requirements needed to meet reliability standards for voltage performance of the SVP system. A Sensitivity case is a variation of load growth projections, network configurations, and new loads.

The load growth projections were provided by SVP which are identified in the *2022STEP Study Scope_rev8-3* spreadsheet. These projections assume different load growth profiles and include the following load levels:

- 739 MW peak system load projected in Sensitivity I 2024
- 954 MW peak system load projected in Sensitivity I 2027
- 1194 MW peak system load projected in Sensitivity I 2032
- 814 MW peak system load projected in Sensitivity I-1 2024
- 1067 MW peak system load projected in Sensitivity I-1 2027
- 1358 MW peak system load projected in Sensitivity I-1 2032
- 1306 MW peak system load projected in Sensitivity II 2032
- 1503 MW peak system load projected in Sensitivity II-1 2032

Steady state load flow analysis was performed for each sensitivity case with consideration of peak loading levels correlating with each of the respective years. All improvement projects mentioned in *Section 5* serve as either maintenance/replacement of end-of-life equipment or to create additional capacity.

1.1 **Performance Criteria**

Power system reliability performance is evaluated using performance criteria established by national, regional, and local standards. These include:

- NERC Standard TPL-001-4
- NERC Standard TPL-001-5
- WECC Criterion TPL-001-WECC-CRT-3.1
- SVP local standards - Criteria and Guideline 2022 DRAFT ver1.docx

The standards focus on two main parameters of the power system that define its performance. One is the voltage performance which is described by the allowable variation of the voltage at a bus around its nominal operating point. This voltage is allowed to vary between 95% and 105% of the nominal value during normal operations with all equipment

operational (no equipment outages). For example, a 60 kV bus is allowed to vary from 57.0 kV to 63.0 kV during normal operation as loads change from daytime maximum to nighttime lows. If an outage occurs, say a transformer or a line has a fault and is switched out of service, then the system voltage is allowed to operate between 93% and 107.5% of its nominal value. If the system is unable to operate within these limits, then there is a voltage violation, and some mitigation must be done to correct it.

The second performance metric is the level of current allowed on electrical equipment. All electrical power components that supply power to loads have current limits which could cause thermal damage (Thermal Overload) if they are exceeded. Since current causes heating, this is often referred to as the thermal limits of the electrical components and it is expressed either in terms of current level (Amperes) or MVA (Mega-Volt-Amps which is a measure of power in the circuit). Thermal limits cannot be violated at any time under normal operating conditions with all equipment in service. An outage or contingency that removes an element from service is also not allowed to cause any thermal (or current) limits to be violated although some equipment may allow some short-term overloads. If a violation occurs, then the standards require that steps be taken to remedy the situation. In the case of a thermal overload of a line, the line may need to be rebuilt with a larger conductor. In the case of an overloaded transformer, the transformer may have to be replaced with one having a higher thermal or MVA rating.

In addition, SVP specific performance criteria was also considered as part of the evaluation of the transmission system. SVP specific criteria includes consideration that the loading on each 60 kV loop between receiving stations should not exceed 280 MVA with a target around 250 MVA and the lines can be loaded up to 80% of thermal rating. Each loop is designed for 310 MVA of loading.

1.2 Sensitivity II Improvements

A summary of recommended improvements and corresponding costs, and duration for upgrades to meet established criteria with projected peak loads is provided in *Table 1-1*. These timeframes are only conceptual and will change as the projects are developed and the actual load occurs in the system. In addition, there are PG&E 115 kV line upgrades that are identified as a result of not meeting planning criteria; however, costs for these items are not included in the summary and will need to be coordinated directly with PG&E. The contingencies as well as the loading levels that trigger the upgrades can be found in *Section 5* of this report.

Item	Description	Indicative Cost (\$M)	Estimated Duration (Design & Construction)
1	Re-conductor 0.2 miles, 115 kV transmission line connecting Duane and Scott Receiving Station (SRS) substations.	\$1.62	30 months
2	Install two additional 115/60 kV 300 MVA auto transformers at NRS (TA, TD). Upgrade NRS 115 kV and 60 kV bus to mitigate various P2 contingencies identified due to main/transfer bus design. Options include DBDB (Double-Bus-Double-Breaker), BAAH (Breaker-and-A-Half), or RB (Ring Bus) bus configurations. Budget to be added CIP 2454.	\$39.28	36 months
3	Addition of a third NRS 230/115 kV 500 MVA autotransformer and balance of plant for interconnection of new CAISO 500 MVA 230 kV AC line interconnection at NRS. Budget to be added to CIP 2430.	\$7.27	36 months
4	Approved CIP 2431 "Homestead Substation Rebuild" will upgrade breakers and disconnects to 3000 amp rating in Q4, 2027	N/A	
5	Re-conductor 3.54 miles of 60 kV transmission line connecting the Homestead Substation and Scott Receiving Station (SRS).	\$11.97	22 months
6	Re-conductor 0.62 miles of 60 kV transmission line connecting the Laurelwood Substation and Kifer Receiving Station (KRS) Substations	\$3.05	22 months
7	Build 5.89 miles or 60 kV transmission line to build New Loop 1 (overhead).	\$76.27	30 months
8	Build 6.98 miles or 60 kV transmission line to build New Loop 2 (overhead).	\$97.07	30 months
9	Study VAR and Voltage mitigation technologies and develop implementation plan.	\$1.5	10 months
10	Study PST overloading mitigations identified in Table 5-37 Contingency Analysis Thermal Violation; PG&E for short term Operation Procedures and long term mitigation solution that can include but not limited to installing a 2 PST at SSS, in addition to Transmission Access Charge (TAC) impacts	\$0.25	10 months
<i>Table 1-1 Recommended Improvements</i>			

The total estimated budgetary level cost for Sensitivity II improvements is \$238.28M. The transmission line cost estimates do not include easement acquisitions or SVP internal costs.

2.0 Introduction

This report presents a detailed System Expansion Plan for TPP 23/24 for Silicon Valley Power's (SVP's) electric system expansion to service the projected load increases for the years 2024, 2027, and 2032.

2.1 Local Transmission System

SVP provides electrical service generally within the geographical limits of the City of Santa Clara. The transmission system presently includes almost 60 miles of transmission line, operating at voltages of 230 kV, 115 kV, and 60 kV. The 230 kV and 115 kV systems deliver power to three receiving stations where the voltage is transformed to 60 kV and power is delivered to loads through five geographic loops. SVP 2021 peak load was 595 MW confined to a 19 square mile service territory.

Santa Clara has become a major attraction for large data centers due to its location in Silicon Valley, competitive energy cost and available redundant communication networks. The load requests currently under discussion could add as many as twelve (12) substations each with loads raging from 25 to 100 MW which will exceed interconnection capacity of SVP ties to PG&E, the transformer capacity at SVP's receiving substations and 60 kV transmission facilities.

2.2 Study Objectives

The objective of this report is to meet the SVP Sensitivity forecasts for the TPP year 2023/2024 which provides a forecast out 10 years to 2032. This is a yearly process managed by the CAISO and which SVP participates as a Transmission Planner. The improvements are intended to upgrade the existing SVP transmission system to allow the network to serve up to 1503 MW of load capacity while keeping system performance secure. The system performance is secure in the sense that none of the outages included in the SVP contingency list will lead to excessive low voltage levels at any SVP bus, or cascading power outages or equipment failures on the network.

3.0 Study Methodology

3.1 Software Details

PowerWorld Simulator version 22 with a revision date of August 2022 is used for this analysis. PowerWorld Simulator is an interactive power system software package designed to simulate high voltage power system operation. The following simulation parameters were changed from their defaults for this analysis:

- 1) Generation lost during contingency analysis is balanced by all responsive generation in WECC.
- 2) The analysis utilizes PowerWorld's steady state load flow solutions for the analysis with automatic switched shunts and tap changer adjustments.
- 3) Performance violations in the Base Case are not re-reported during contingency analysis.
- 4) Generator MW limits are enforced.
- 5) Generator VAR limits are checked before each power flow solution.

3.2 Analysis Performed

Steady state power flow contingency analysis was performed for each Sensitivity case scenario analyzed in this report. If switching reactive devices are recommended for a Corrective Action Plan, step changes to voltage was also analyzed. No short circuit or transient stability analysis are presented in this report. PG&E lines and buses were not considered in this study except for the PG&E lines and buses directly connected or adjacent to SVP buses.

An aggregate power factor calculation is performed for each base case by adding up MW and MVAR line flows from the PG&E system to the SVP system under normal (P0) system conditions.

Contingency analysis is run for each case using the SVP contingency definitions (P1 – P7). In cases where substations upgrades have approved projects that would eliminate certain contingencies from occurring then those contingencies have been removed from the analysis. In particular the KRS and SRS P2 bus section faults have been removed from the contingency list since those substations are planning to go to breaker and half bus configurations which will eliminate the bus section faults from occurring.

An N-1-1 analysis is run for voltage performance for each case where P1 contingencies (single element outages) are applied to the system while DVR generation and load are off lines.

3.3 Performance Criteria

System performance is measured against the requirements of NERC Standard TPL-001-4, NERC Standard TPL-001-5, WECC Criterion TPL-001-WECC-CRT-3.1 and the 2022 SVP Criteria and Guideline (Draft). In general, applicable facility continuous thermal ratings cannot be violated at any time, and bus voltages must remain between 0.95 to 1.05 pu of nominal with all lines in service and 0.93 to 1.075 pu post-contingency.

SVP has some additional system performance criteria requirements for this study. For all Bulk Electric System (BES) elements (generally defined by NERC as 100 kV and above) TPL-001-5 also applies. For the 60 kV elements, a post-contingency load bus voltage cannot change by more than 8% compared to its pre-contingency value. Existing 60 kV loops are designed for 186 MVA to 310 MVA with an eventual goal of 310 MVA.

4.0 **System Modeling**

4.1 **Study Case Used**

SVP supplied the GBA-2023-SP_M, GBA-2026-SP-SCRD-fix, and GBA-2031-SP-SCRD models used for the analysis. SVP also supplied M files which contain model updates and system configuration changes. These M files were used to help create parts of the Sensitivity cases.

4.2 **Study Case Assumptions**

The following assumptions were considered throughout the analysis:

- 1) Line and equipment ratings were based on values in the existing system model provided by SVP and 2021 SVP system diagram.
- 2) Fault currents on 60 kV system limited to 80% of 40 kA (32 kA).
- 3) System upgrades from the 3-Year Development Plan (2021) are completed by the end of the calendar year as identified within that report. The list of upgrades from the 3-Year report is as follows: Upgraded KRS breakers to 3000 Amp breakers in 2024, Upgraded Fiberglass breakers to 3000 Amp breakers in 2024, Rebuild SRS and KRS in 2027, Building the new NRS to KRS 115 kV line in 2024, Reconductor Walsh to Uranium in 2024, Upgrade NRS 115/60 kV transformers with 300 MVA transformers, and add two 230/115 kV transformers at NRS.

4.3 **Generation Dispatch and Load Growth**

The SVP system has generation at Gianera Generating Station and at Duane Substation. Generation dispatch for these two locations is based on the SVP supplied models. The loads for SVP are dispatched for each case from the 2022STEP Study Scope_rev8-3 spreadsheet. This load forecast does not include distributed load growth or residential load growth.

4.4 **Case Scenarios**

Eight (8) study scenarios were created by adding spot loads, changing load growth rates, and network configuration changes to the supplied SVP base case. The tables in *Sections 4.4.1 – 4.4.10* show the loading levels for the 60 kV loops, receiving stations, and the generation facilities for each case.

Throughout the cases, some line capacity MVA flow ratings are limited by station breaker ratings and in some instances, line ratings were changed to match the 2021 SVP system diagram. The line from Bowers to Uranium is limited by a 2000 amp breaker at Uranium substation. There are two line ratings that were changed to match the SVP Transmission Map; the underground line from NRS 500 to Mission and the underground line from Mission to Juliette. These changes are only for the underground portions of the lines.

The following subsections are descriptions of how the cases were set up. This includes changes in load, configuration, and ratings that occur in each case. In all cases the upgrades from the 3-Year Development Plan are applied. Additionally, all cases include a series reactor between Nortech and Los Esteros. A configuration change is when a substation

moves to a different loop. The load for each case comes from the 2022STEP Study Scope_rev8-3 spreadsheet.

4.4.1 Sensitivity I 2024 Case

There are no configuration changes, new substations, or rating changes in the Sensitivity I 2024 case. *Table 4-1: Sensitivity I 2024 Case Loading Levels* shows load in each loop as well as total projected load used in the Sensitivity I 2024 case.

Location	Load Levels (MVA)	Percent Loading (%)
Center Loop	231.04	74.41
East Loop	140.34	45.20
Northeast Loop	77.79	44.94
Northwest Loop	136.69	78.97
South Loop	91.22	52.70
KRS / LAF	36.98	
SRS	26.76	
Generation Loads	5.87	
Total	746.69	

Table 4-1
Sensitivity I 2024 Case Loading Levels

4.4.2 Sensitivity I 2027 Case

There are no configuration changes, new substations, or rating changes in the Sensitivity I 2027 case. *Table 4-2: Sensitivity I 2027 Case Loading Levels* shows load in each loop as well as total projected load used in the Sensitivity I 2027 case.

Location	Load Levels (MVA)	Percent Loading (%)
Center Loop	271.26	87.36
East Loop	219.57	70.71
Northeast Loop	98.36	56.82
Northwest Loop	169.68	98.02
South Loop	126.09	72.84
KRS / LAF	33.46	
NRS	13.31	
SRS	27.27	
Generation Loads	5.87	
Total	946.87	

Table 4-2
Sensitivity I 2027 Case Loading Levels

4.4.3 Sensitivity I 2032 Case

The Sensitivity I 2032 case has many configuration changes; San Thomas substation was moved from the Northwest Loop to New Loop 1, Fairview substation was moved from the Center Loop to New Loop 1, Oak JCT and Pacific substations were moved from East Loop to New Loop 1, and Stender Way substation was moved from Center Loop to Northwest Loop. New Loop 1 requires new lines to be built to the following substations from NRS to SRS; San Thomas, Fairview, Oak JCT, and Pacific. Moving Stender Way requires new line to be built to Stender Way. The new lines for New Loop will be built to the substations in the order that they are listed. These new lines will be built with bundled 715 KCM

ACCR conductor. Configuration changes included two new 230/115 kV transformers at NRS substation to accommodate approved HVDC projects in CAISO's TPP2021-022 process. The HVDC line is 500 MW at 0.90 power factor with a dedicated 230 kV line to NRS. There are no rating changes in the Sensitivity I 2032 case. *Table 4-3: Sensitivity I 2032 Case Loading Levels* shows load in each loop as well as total projected load used in the Sensitivity I 2032 case.

Location	Load Levels (MVA)	Percent Loading (%)
Center Loop	216.87	69.85
East Loop	217.87	70.17
New Loop 1	175.31	56.46
Northeast Loop	117.86	68.09
Northwest Loop	188.05	108.64
South Loop	199.19	115.07
KRS / LAF	33.25	
NRS	21.37	
SRS	27.08	
Generation Loads	5.87	
Total	1202.72	

Table 4-3
Sensitivity I 2032 Case Loading Levels

4.4.4 Sensitivity I-1 2024 Case

There are no configuration changes, new substations, or rating changes in the Sensitivity I-1 2024 case. *Table 4-4: Sensitivity I-1 2024 Case Loading Levels* shows load in each loop as well as total projected load used in the Sensitivity I-1 2024 case.

Location	Load Levels (MVA)	Percent Loading (%)
Center Loop	251.02	80.84
East Loop	178.46	57.48
Northeast Loop	80.99	46.79
Northwest Loop	155.24	89.68
South Loop	96.65	55.83
KRS / LAF	36.92	
NRS	2.99	
SRS	26.77	
Generation Loads	5.87	
Total	834.91	

Table 4-4
Sensitivity I-1 2024 Case Loading Levels

4.4.5 Sensitivity I-1 2027 Case

There are no configuration changes, new substations, or rating changes in the Sensitivity I-1 2027 case. *Table 4-5: Sensitivity I-1 2027 Case Loading Levels* shows load in each loop as well as total projected load used in the Sensitivity I-1 2027 case.

Location	Load Levels (MVA)	Percent Loading (%)
Center Loop	286.59	92.30
East Loop	278.58	89.72
Northeast Loop	103.45	59.76
Northwest Loop	194.78	112.52
South Loop	137.48	79.42
KRS / LAF	33.46	
NRS	13.57	
SRS	27.27	
Generation Loads	5.87	
Total	1080.99	

Table 4-5
Sensitivity I-1 2027 Case Loading Levels

4.4.6 **Sensitivity I-1 2032 Case**

The Sensitivity I-1 2032 case has many configuration changes; San Thomas substation was moved from the Northwest Loop to New Loop 1, Fairview substation was moved from the Center Loop to New Loop 1, Oak JCT and Pacific substations were moved from East Loop to New Loop 1, Stender_W substations were moved from the Center Loop to the New Loop 2, and DCJ substation was moved from East Loop to New Loop 2. New Loop 1 requires new line to be built to the following substations from NRS to SRS; San Thomas, Fairview, Oak JCT, and Pacific. New Loop 2 requires new lines to be built to the following substations from SRS and NRS; Stender Way and DCJ. The new lines for New Loop 1 and New Loop 2 will be built to the substations in the order that they are listed. These new lines will be built with bundled 715 KCM ACCR conductor. Configuration changes included two new 230/115 kV transformers at NRS substation to accommodate approved HVDC projects in CAISO's TPP2021-22 process. The HVDC line is 500 MW at 0.90 power factor with a dedicated 230 kV line to NRS. There are no rating changes in the Sensitivity I-1 2032 case. *Table 4-6: Sensitivity I-1 2032 Case Loading Levels* shows load in each loop as well as total projected load used in the Sensitivity I-1 2032 case.

Location	Load Levels (MVA)	Percent Loading (%)
Center Loop	225.29	72.56
East Loop	213.47	68.75
New Loop 1	204.99	66.02
New Loop 2	92.44	29.77
Northeast Loop	126.44	73.04
Northwest Loop	185.11	106.94
South Loop	229.73	132.72
KRS / LAF	33.25	
NRS	21.37	
SRS	27.08	
Generation Loads	5.87	
Total	1365.04	

Table 4-6
Sensitivity I-1 2032 Case Loading Levels

4.4.7 Sensitivity II 2032 Case

The Sensitivity II 2032 case has many configuration changes; San Thomas substation was moved from the Northwest Loop to New Loop 1, Fairview substation was moved from the Center Loop to New Loop 1, Oak CJT and Pacific were moved from East Loop to New Loop 1, Stender Way substation was moved from Center Loop to New Loop 2, and DCJ and Memorex substations was moved from East Loop to New Loop 2. New Loop 1 requires new line to be built to the following substations from NRS to SRS; San Thomas, Fairview, DC16, DC27, Oak JCT, and Pacific. New Loop 2 requires new lines to be built to the following substations from SRS and NRS; Stender Way, DC15, Memorex, and DCJ. The new lines for New Loop 1 and New Loop 2 will be built to the substations in the order that they are listed. These new lines will be built with bundled 715 KCM ACCR conductor. Configuration changes included two new 230/115 kV transformers at NRS substation to accommodate approved HVDC projects in CAISO's TPP2021-22 process. The HVDC line is 500 MW at 0.90 power factor with a dedicated 230 kV line to NRS. There are no rating changes in the Sensitivity II 2032 case. *Table 4-7: Sensitivity II 2032 Case Loading Levels* shows load in each loop as well as total projected load used in the Sensitivity II 2032 case.

Location	Load Levels (MVA)	Percent Loading (%)
Center Loop	217.81	70.15
East Loop	189.59	61.06
New Loop 1	210.35	67.75
New Loop 2	140.32	45.19
Northeast Loop	118.39	68.39
Northwest Loop	165.47	95.59
South Loop	199.76	115.40
KRS / LAF	33.46	
NRS	21.37	
SRS	27.08	
Generation Loads	5.87	
Total	1329.47	
<i>Table 4-7</i> <i>Sensitivity II 2032 Case Loading Levels</i>		

4.4.8 Sensitivity II-1 2032 Case

The Sensitivity II-1 2032 case has many configuration changes; San Thomas substation was moved from the Northwest Loop to New Loop 1, Fairview substation was moved from the Center Loop to New Loop 1, Oak CJT and Pacific were moved from East Loop to New Loop 1, Stender Way substation was moved from Center Loop to New Loop 2, and DCJ and Memorex substations was moved from East Loop to New Loop 2. New Loop 1 requires new line to be built to the following substations from NRS to SRS; San Thomas, Fairview, DC16, DC27, Oak JCT, and Pacific. New Loop 2 requires new lines to be built to the following substations from SRS and NRS; Stender Way, DC15, Memorex, and DCJ. The new lines for New Loop 1 and New Loop 2 will be built to the substations in the order that they are listed. These new lines will be built with bundled 715 KCM ACCR conductor. Configuration changes included two new 230/115 kV transformers at

NRS substation to accommodate approved HVDC projects in CAISO's TPP2021-22 process. The HVDC line is 500 MW at 0.90 power factor with a dedicated 230 kV line to NRS. There are no rating changes in the Sensitivity II-1 2032 case. *Table 4-8: Sensitivity II-1 2032 Case Loading Levels* shows load in each loop as well as total projected load used in the Sensitivity II-1 2032 case.

Location	Load Levels (MVA)	Percent Loading (%)
Center Loop	226.23	72.86
East Loop	238.86	76.9.
New Loop 1	238.38	76.77
New Loop 2	181.42	58.43
Northeast Loop	126.97	73.35
Northwest Loop	185.86	107.37
South Loop	230.31	133.05
KRS / LAF	33.46	
NRS	21.37	
SRS	27.08	
Generation Loads	5.87	
Total	1515.81	
<i>Table 4-8</i> <i>Sensitivity II-1 2032 Case Loading Levels</i>		

5.0 Analysis

Through coordination with SVP, NERC TPL-001-4 P1 and select P2-P7 contingencies were evaluated for the SVP System Expansion Plan for TPP 23/24. The contingency definitions are edited and/or added to reflect changes to the system brought by configuration changes, new substations, and new lines. For each of the sensitivity case tables only the worst three performing contingencies are shown for each circuit element.

5.1 Sensitivity I 2024 Case (Peak Load 739 MW)

5.1.1 Contingency Analysis

Contingency analysis of the SVP transmission system with projected Sensitivity I 2024 peak loads shows thermal violations on the MisNRS11 to NRS 500 and the NRS 600 to Agnew transmission lines. MisNRS11 is a fictitious bus used to model the change from overhead to underground transmission line. MisNRS11 to NRS 500 is the overhead portion of the NRS to Mission transmission line.

Row Labels	MVA	% Limit
KRS (36850) -> KRS 60 (36878)		
P2 – Bus Section – SRS 60 kV	227.79	122.47
P2 – Bus Section – SRS 115 kV	206.77	111.17
KRS (36850) -> KRS 60 (36878)		
P2 – Bus Section – SRS 60 kV	227.79	122.47
P2 – Bus Section – SRS 115 kV	206.77	111.17
SRS (36852) -> SRS 60 (36886)		
P2 – Bus Section – KRS 60 kV	241.46	129.81
P2 – Bus Section – KRS 115 kV	214.52	115.33
P1 – Transformer – SRS 115/60 kV #1	191.60	103.01
SRS (36852) -> SRS 60 (36886)		
P2 – Bus Section – KRS 60 kV	241.46	129.81
P2 – Bus Section – KRS 115 kV	214.52	115.33
P1 – Transformer – SRS 115/60 kV #2	191.60	103.01
Table 5-1		
Contingency Analysis Thermal Violation; 115 kV System		

Row Labels	MVA	% Limit
MisNRS11 (36884) -> NRS 500 (36862)		
P2 – Bus Section – SRS 115 kV	197.73	114.23
Table 5-2		
Contingency Analysis Thermal Violation; Sensitivity I 2024 Case		

Row Labels	MVA	% Limit
LSESTRSRCTR (65665) -> Nortech (35659)		
P6 – Multiple Contingency – NRS -NRS 400 & Newark D – NRS 400	332.97	118.92
P6 – Multiple Contingency – NRS -NRS 400 & Newark F – NRS 300	325.61	116.29
P2 – Bus Section – NRS 400	323.70	115.61
Newark D (35120) -> NRS 400 (36851)		
P5 – Bus Section – Los Esteros 230 kV BAAH Bus #1&2	189.38	113.33
P7 – Adjacent Circuits – Newark – Los Esteros & Los Esteros – Metcalf 230 kV Lines	170.43	101.99
Newark F (35120) -> NRS 300 (36853)		
P5 – Bus Section – Los Esteros 230 kV BAAH Bus #1&2	171.60	102.69
NRS 400 (36851) -> SRS (36852)		
P2 – Bus Section – NRS 300	313.13	110.66
<i>Table 5-3</i> <i>Contingency Analysis Thermal Violation; PG&E</i>		

A voltage change (Delta V) violation is based on the SVP performance criteria where voltage can not change by more than 8% from pre-contingency to post contingency conditions. A low voltage violation is based on the SVP performance criteria where voltage can not drop below 0.93 pu in post contingency conditions. No violations occur in this case.

5.1.2 Corrective Action Plans

This section covers corrective actions needed to mitigate performance violations created by the Sensitivity I load with projected 2024 load levels.

Upgrade KRS Transformers

Upgrade both KRS transformers with transformers capable of at least 228 MVA mitigates all thermal performance issues found

Upgrade SRS Transformer

Upgrade both SRS transformers with transformers capable of at least 242 MVA mitigates all thermal performance issues found

Re-conductor MisNRS11 – NRS 500 60 kV Line (CIP #2444)

Re-conductor the MisNRS11 – NRS 500 60 kV transmission line, which is approximately 0.79 miles of (2) bundled 954 KCM AAC, with conductor capable of at least 211 MVA mitigates all thermal performance issues found.

5.2 Sensitivity I 2027 Case (Peak Load 954 MW)

5.2.1 Contingency Analysis

Contingency analysis of the SVP transmission system with projected Sensitivity I 2027 peak loads show additional thermal violations from the 2024 case. The violations are on the Duane to SRS transmission line.

Row Labels	MVA	% Limit
Duane (36861) -> SRS (36852)		
P7 – Adjacent Circuits – NRS – SRS #1 & #2 115 kV Lines	340.44	102.60
Table 5-4 Contingency Analysis Thermal Violation; Sensitivity I 2027 Case		

Row Labels	MVA	% Limit
LSESTRSRCTR (65665) -> Nortech (35659)		
P6 – Multiple Contingency – NRS -NRS 400 & Newark D – NRS 400	422.70	150.96
P6 – Multiple Contingency – NRS -NRS 400 & Newark F – NRS 300	416.13	148.62
P2 – Bus Section – NRS 400	410.91	146.75
Newark D (35120) -> NRS 400 (36851)		
P5 – Bus Section – Los Esteros 230 kV BAAH Bus #1&2	240.92	144.18
P7 – Adjacent Circuits – Newark – Los Esteros & Los Esteros – Metcalf 230 kV Lines	222.75	133.30
P5 – Bus Section – Palo Alto SW. STA> 115 kV DBDB Bus #1	191.57	114.64
Newark F (35120) -> NRS 300 (36853)		
P5 – Bus Section – Los Esteros 230 kV BAAH Bus #1&2	225.25	134.80
P7 – Adjacent Circuits – Newark – Los Esteros & Los Esteros – Metcalf 230 kV Lines	204.89	122.62
P5 – Bus Section – Palo Alto SW. STA> 115 kV DBDB Bus #1	171.60	102.69
NRS 400 (36851) -> SRS (36852)		
P2 – Bus Section – NRS 300	367.34	129.80
Nortech (35659) -> NRS 300 (36853)		
P6 – Multiple Contingency – NRS -NRS 400 & Newark D – NRS 400	374.52	121.99
P6 – Multiple Contingency – NRS -NRS 400 & Newark F – NRS 300	368.18	119.93
P2 – Bus Section – NRS 400	362.97	118.23
ZNKER J2 (35602) -> KRS (36850)		
P5 – Bus Section – Los Esteros 230 kV BAAH Bus #1&2	194.78	116.57
P7 – Adjacent Circuits – Newark – Los Esteros & Los Esteros – Metcalf 230 kV Lines	181.67	108.72
P2 – Bus Section – NRS 300	177.99	106.52
Table 5-5 Contingency Analysis Thermal Violation; PG&E		

A voltage change (Delta V) violation is based on the SVP performance criteria where voltage can not change by more than 8% from pre-contingency to post contingency conditions. This case has low voltage violations based on the SVP performance criteria where voltage can not drop below 0.93 pu in post contingency conditions. The low voltage violations occur on the DVRbLoad bus with a minimum value of 0.91 pu.

5.2.2 Corrective Action Plans

This section covers corrective actions needed to mitigate performance violations created by the Sensitivity I load with projected 2027 load levels.

Re-conductor Duane – SRS 115 kV Line

Re-conductor the Duane – SRS 115 kV transmission line (0.20 miles) with a conductor capable of at least 341 MVA mitigates all thermal performance issues found.

5.3 Sensitivity I 2032 Case (Peak Load 1194 MW)

5.3.1 Thermal Analysis

Contingency analysis of the SVP transmission system with projected Sensitivity I 2032 peak loads show many thermal violations as defined in *Section 1.1*. These violations have been divided into separate tables based on location. SVP transmission lines and receiving stations experience thermal overloads because of the large increase in load. HomSRS11 is an old transition point between overhead to underground transmission lines.

Row Labels	MVA	% Limit
Duane (36861) -> SRS (36852)		
P7 – Adjacent Circuits – NRS – SRS #1 & #2 115 kV Lines	393.29	118.53
<i>Table 5-6</i> <i>Contingency Analysis Thermal Violation; 115 kV System</i>		

Row Labels	MVA	% Limit
NRS (38900) -> NRS 400 (36851)		
P2 – Bus Section – NRS 300	668.94	159.27
<i>Table 5-7</i> <i>Contingency Analysis Thermal Violation; NRS</i>		

Row Labels	MVA	% Limit
HomSRS11 (36897) -> SRS 60 (36886)		
P1 – Transmission Circuit – Laurelwood - KRS	216.36	124.99
Homstea (36876) -> HomSRS11 (36897)		
P1 – Transmission Circuit – Laurelwood - KRS	211.12	121.97
Serra (36887) -> Homstea (36876)		
P1 – Transmission Circuit – Laurelwood - KRS	174.45	100.78
KRS 60 (36878) -> Laurelwood (38912)		
P1 – Transmission Circuit – SRS – Homestead	200.70	115.94
<i>Table 5-8</i> <i>Contingency Analysis Thermal Violation; South Loop</i>		

Row Labels	MVA	% Limit
LS ESTRS (30731) -> SSS (38901)		
P1 – Transmission Circuit – NRS injectio - NRS	443.49	105.59
P2 – Bus Section – NRS injeccio	443.49	105.59
Nortech 35659(36851) -> NRS 300 (36853)		
P2 – Bus Section – NRS 230 kV	396.32	129.09
KRS (36850) -> FMC JCT (35617)		
P2 – Bus Section – NRS 230 kV	242.52	145.22
P2 – Bus Section – NRS 300	233.23	139.66
P5 – Bus Section – Los Esteros 239 kV BAAH Bus #1&2	189.88	113.70
LSESTRSRCTR (35665) -> Nortech (35659)		
P2 – Bus Section – NRS 230 kV	452.70	161.68
NRS 300 (36853) -> SRS (36852)		
P2 – Bus Section – NRS 400	350.34	123.79
P1 – Transmission Circuit – NRS 400 – SRS 115 kV	285.08	100.73
NRS 400 (36851) -> SRS (36852)		
P2 – Bus Section – NRS 300	475.81	168.13
P1 – Transmission Circuit – NRS 300 – SRS 115 kV CKT #2	284.18	100.42
Table 5-9 Contingency Analysis Thermal Violation; PG&E		

5.3.2 Voltage Analysis

The minimum additional capacitance needed in the Sensitivity I 2032 case under N-0 conditions to get to 0.97 pu aggregate power factor is 16.0 MVARs. The overall N-0 power factor, before adding caps, is 0.966. The overall imports from the PG&E tie-lines are:

Total MW	Total MVAR	Overall PF
1016.26	270.67	0.9663

Fr_BNum	Fr_BNam	Nom_kV	To_BNum	To_BNam	MW	MVAR	MVA
36850	KRS	115.0	35602	ZNKER J2	-24.74	-27.26	36.8
36850	KRS	115.0	35617	FMC JCT	-128.51	22.74	130.5
36851	NRS 400	115.0	35120	NEWARK D	-2.82	-18.59	18.8
36853	NRS 300	115.0	35122	NEWARK F	15.67	-16.16	22.5
36853	NRS 300	115.0	35659	NORTECH	-86.42	-28.34	90.9
38900	NRS	230.0	389000	NRS injec	-499.57	-180.32	531.1
38901	SSS	230.0	30731	LS ESTRS	-289.87	-22.74	290.8
Table 5-10 N-0 Monitored Line Flows							

After capacitors are added to mitigate contingency voltage issues, the aggregate power factor seen by PG&E supply lines is 0.98. This represents an excess of 75 MVAR of capacitance over what is needed to meet the 0.97 power factor requirement with PG&E.

A contingency analysis (P1 contingencies only) was also run with the DVR generation off-line representing an N-1-1 condition. No additional voltage violations were encountered in this analysis.

A voltage change (Delta V) violation is based on the SVP performance criteria where voltage can not change by more than 8% from pre-contingency to post contingency conditions. A low voltage violation is based on the SVP performance criteria where voltage can not drop below 0.93 pu in post contingency conditions. This case contains 21 buses with low voltage violations prior to adding capacitors shown in *Table 5-11*.

Some of the buses in *Table 5-11* below are fictitious buses. MisNRS11 and JulMis11 are fictitious buses used to indicate the change from overhead to underground transmission line. DVRPP 1M and DVRPP 2M are fictitious bus used to create a three-winding transformer in PowerWorld.

Bus Number	Bus Name	Nom V	V Low	Contingency
36857	Mission	60.0	0.925	P2 – Bus Section – NRS 300
36862	NRS 500	60.0	0.927	P2 – Bus Section – NRS 300
36863	DVRaGT1	13.8	0.922	P1 – Generator – DVTaGT1
36864	DVRbGt2	13.8	0.921	P1 – Generator DVRbGt2
36865	DVRaST3	13.8	0.922	P1 – Generator DVRaST3
36866	DVRbLoad	13.8	0.884	P2 – Bus Section – NRS 230 kV
36867	DVRPP 1M	13.8	0.889	P2 – Bus Section – NRS 230 kV
36868	DVRPP 2M	13.8	0.886	P2 – Bus Section – NRS 230 kV
36871	Brokaw	60.0	0.878	P1 – Transmission Circuit – Laurelwood - KRS
36872	Martin JCT	60.0	0.877	P1 – Transmission Circuit – Laurelwood - KRS
36873	Central	60.0	0.928	P2 – Bus Section – NRS 300
36875	Gial2	60.0	0.927	P2 – Bus Section – NRS 300
36877	Juliette	60.0	0.925	P2 – Bus Section – NRS 300
36884	MisNRS11	60.0	0.926	P2 – Bus Section – NRS 300
36885	JulMis11	60.0	0.925	P2 – Bus Section – NRS 300
36887	Serra	60.0	0.917	P1 – Transmission Circuit – Laurelwood - KRS
36889	Uranium	60.0	0.927	P2 – Bus Section – NRS 230 kV
36891	Zeno	60.0	0.928	P2 – Bus Section – NRS 230 kV
36898	BroSer11	60.0	0.889	P1 – Transmission Circuit – Laurelwood - KRS
38912	Laurelwood	60.0	0.877	P1 – Transmission Circuit – Laurelwood - KRS
38915	Bowers	60.0	0.927	P2 – Bus Section – NRS 230 kV
<i>Table 5-11</i>				
<i>Contingency Analysis Voltage Violation</i>				

The following capacitors were added to mitigate Sensitivity I 2032 case voltage violations:

SRS: 20 MVARs
 KRS: 20 MVARs
 DVRbLoad: 20 MVARs
 Martin JCT: 28 MVARs
 Laurelwood: 12 MVARs

Total Added = 100 MVARs

The N-1-1 analysis consisting of DVR generation and load offline and P1 contingencies yields the following results:

5.3.3 Corrective Action Plans

This section covers corrective actions needed to mitigate performance violations created by the Sensitivity I load with projected 2032 load levels.

Re-conductor Duane – SRS 115 kV Line

Re-conductor the Duane – SRS 115 kV transmission line (0.20 miles) with a conductor capable of at least 394 MVA mitigates all thermal performance issues found.

Upgrade NRS 115 kV and 60 kV Bus Configurations

Reconfigure NRS 115 kV and 60 kV buses to mitigate various P2 (NERC TPL bus outage) contingencies. Options include DBDB (double-bus-double-breaker), BAAH (breaker-and-a-half), or RB (ring bus) bus arrangements. Budget to be added into CIP 2454.

Addition of the third NRS 230/115 kV 500 MVA Transformer

Add a third 230/115 kV autotransformer (500 MVA rating) at NRS to accommodate CAISO's 500 MVA 230 kV HVDC/AC project interconnecting at NRS. Budget to be added to CIP 2430.

Homestead Substation Rebuild (CIP #2431)

This project will upgrade all substation breakers and disconnects to 3000 amps capability in Q4 of 2027.

Re-conductor Homestead – SRS 60 kV Line

Re-conductor the Homestead – HomSRS11 60 kV and HomSRS11 – SRS 60 kV transmission lines, which is approximately 3.54 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 217 MVA mitigates all thermal performance issues found.

Re-conductor Serra – Homestead 60 kV Line

Re-conductor the Serra – Homestead 60 kV transmission lines, which is approximately 1.80 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 175 MVA mitigates all thermal performance issues found.

Re-conductor KRS – Laurelwood 60 kV Line

Re-conductor the KRS – Laurelwood 60 kV transmission line, which is approximately 0.62 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 201 MVA mitigates all thermal performance issues found.

5.4 Sensitivity I-1 2024 Case (Peak Load 814 MW)

5.4.1 Contingency Analysis

Contingency analysis of the SVP transmission system with shows thermal violations on the NRS 600 to Agnew, the MisNRS11 to NRS 500, Mission to MisNRS11, and the Juliette to JulMis11 transmission lines. MisNRS11 and JulMis11 are fictitious buses used to indicate the change from overhead to underground transmission line. MisNRS11 to NRS 500 is the overhead portion and Mission to MisNRS11 is the underground portion of the NRS to Mission transmission line. Juliette to JulMis11 is the overhead portion of the Mission to Juliette transmission line.

Row Labels	MVA	% Limit
KRS (36850) -> Duane (36861)		
P2 – Bus Section – SRS 60 kV	333.27	100.44
KRS (36850) -> KRS 60 (36878)		
P2 – Bus Section – SRS 60 kV	259.61	139.58
P2 – Bus Section – SRS 115 kV	234.74	126.21
P1 – Transformer – KRS 115/60 kV #1	201.12	108.13
KRS (36850) -> KRS 60 (36878)		
P2 – Bus Section – SRS 60 kV	259.61	139.58
P2 – Bus Section – SRS 115 kV	234.74	126.21
P1 – Transformer – KRS 115/60 kV #2	201.12	108.13
SRS (36852) -> SRS 60 (36886)		
P2 – Bus Section – KRS 60 kV	278.78	149.88
P2 – Bus Section – KRS 115 kV	242.78	130.53
P1 – Transformer – SRS 115/60 kV #1	217.32	116.84
SRS (36852) -> SRS 60 (36886)		
P2 – Bus Section – KRS 60 kV	278.78	149.88
P2 – Bus Section – KRS 115 kV	242.78	130.53
P1 – Transformer – SRS 115/60 kV #2	217.32	116.84
<i>Table 5-12</i>		
<i>Contingency Analysis Thermal Violation; 115 kV System</i>		

Row Labels	MVA	% Limit
MisNRS11 (36884) -> NRS 500 (36862)		
P2 – Bus Section – SRS 115 kV	221.54	127.98
P2 – Bus Section – KRS 60 kV	180.82	104.46
NRS 600 (36892) -> Agnew (36870)		
P2 – Bus Section – KRS 115 kV	187.77	108.47
Uranium (36889) -> Zeno (36891)		
P2 – Bus Section – SRS 60 kV	175.33	101.29
P1 – Transmission Circuit – SRS – Stender W	175.24	101.23
Table 5-13 Contingency Analysis Thermal Violation; Sensitivity I-1 2024 Case		

Row Labels	MVA	% Limit
LSESTRSRCTR (65665) -> Nortech (35659)		
P6 – Multiple Contingency – NRS -NRS 400 & Newark D – NRS 400	364.80	130.28
P6 – Multiple Contingency – NRS -NRS 400 & Newark F – NRS 300	358.22	127.94
P2 – Bus Section – NRS 400	354.57	126.63
Newark D (35120) -> NRS 400 (36851)		
P5 – Bus Section – Los Esteros 230 kV BAAH Bus #1&2	207.07	123.92
P7 – Adjacent Circuits – Newark – Los Esteros & Los Esteros – Metcalf 230 kV Lines	188.53	112.83
Newark F (35120) -> NRS 300 (36853)		
P5 – Bus Section – Los Esteros 230 kV BAAH Bus #1&2	191.11	114.37
P7 – Adjacent Circuits – Newark – Los Esteros & Los Esteros – Metcalf 230 kV Lines	170.96	102.31
Nortech (35659) -> NRS 300 (36853)		
P6 – Multiple Contingency – NRS -NRS 400 & Newark D – NRS 400	317.47	103.41
P6 – Multiple Contingency – NRS -NRS 400 & Newark F – NRS 300	311.17	101.36
P2 – Bus Section – NRS 400	307.41	100.13
NRS 400 (36851) -> SRS (36852)		
P2 – Bus Section – NRS 300	328.52	116.08
Table 5-14 Contingency Analysis Thermal Violation; PG&E		

A voltage change (Delta V) violation is based on the SVP performance criteria where voltage can not change by more than 8% from pre-contingency to post contingency conditions. This case has low voltage violations based on the SVP performance criteria where voltage can not drop below 0.93 pu in post contingency conditions. The low voltage violation occurs across some of the SVP transmission system.

5.4.2 Corrective Action Plans

This section covers corrective actions needed to mitigate performance violations created by the Sensitivity I-1 load with projected 2024 load levels.

Re-conductor KRS – Duane 115 kV Line

Re-conductor the KRS – Duane 115 kV transmission line (0.02 miles) with a conductor capable of at least 334 MVA mitigates all thermal performance issues found.

Upgrade KRS Transformers

Upgrade both KRS transformers with transformers capable of at least 228 MVA mitigates all thermal performance issues found

Upgrade SRS Transformer

Upgrade both SRS transformers with transformers capable of at least 242 MVA mitigates all thermal performance issues found

Re-conductor MisNRS11 – NRS 500 60 kV Line (CIP #2444)

Re-conductor the MisNRS11 – NRS 500 60 kV transmission line, which is approximately 0.79 miles of (2) bundled 954 KCM AAC, with conductor capable of at least 222 MVA mitigates all thermal performance issues found.

Re-conductor NRS 600 – Agnew 60 kV Line

Re-conductor the NRS 600 – Agnew 60 kV transmission line, which is approximately 1.00 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 188 MVA mitigates all thermal performance issues found.

Re-conductor Uranium – Zeno 60 kV Line

Re-conductor the Uranium – Zeno 60 kV transmission line, which is approximately 1.53 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 176 MVA mitigates all thermal performance issues found.

5.5 Sensitivity I-1 2027 Case (Peak Load 1067 MW)**5.5.1 Contingency Analysis**

Contingency analysis of the SVP transmission system with projected Sensitivity I-1 2027 peak loads show many thermal violations as defined in *Section 1.1*. These violations have been divided into separate tables based on location. SVP transmission lines and NRS receiving station experience thermal overloads because of the large increase in load.

Row Labels	MVA	% Limit
Duane (36861) -> SRS (36852)		
P7 – Adjacent Circuits – NRS – SRS #1 & #2 115 kV Lines	387.68	116.84
<i>Table 5-15</i>		
<i>Contingency Analysis Thermal Violation; 115 kV System</i>		

Row Labels	MVA	% Limit
Central (36873) -> SRS 60 (36886)		
P2 – Bus Section – NRS 500	197.42	114.05
P1 – Transmission Circuit – NRS 500 – Mission	197.41	114.04
P2 – Bus Section – NRS 300	188.47	108.88
<i>Table 5-16</i> <i>Contingency Analysis Thermal Violation; Northwest Loop</i>		

Row Labels	MVA	% Limit
Parker (38906) -> Mathew (36882)		
P1 – Transmission Circuit – SRS - Kenneth	174.85	101.01
Mathew (36882) -> DCJ (38904)		
P1 – Transmission Circuit – SRS - Kenneth	201.91	116.66
P2 – Bus Section – Kenneth	179.86	103.90
<i>Table 5-17</i> <i>Contingency Analysis Thermal Violation; East Loop</i>		

Row Labels	MVA	% Limit
Uranium (36889) -> Zeno (36891)		
P1 – Transmission Circuit – SRS – Srender W	182.54	105.45
Bowers (38915) -> Uranium (36889)		
P1 – Transmission Circuit – SRS – Srender W	215.91	103.90
<i>Table 5-18</i> <i>Contingency Analysis Thermal Violation; Center Loop</i>		

Row Labels	MVA	% Limit
LSESTRSRCTR (65665) -> Nortech (35659)		
P6 – Multiple Contingency – NRS -NRS 400 & Newark D – NRS 400	474.33	169.40
P6 – Multiple Contingency – NRS -NRS 400 & Newark F – NRS 300	468.20	167.21
P2 – Bus Section – NRS 400	461.75	164.91
Newark D (35120) -> NRS 400 (36851)		
P5 – Bus Section – Los Esteros 230 kV BAAH Bus #1&2	269.19	161.09
P7 – Adjacent Circuits – Newark – Los Esteros & Los Esteros – Metcalf 230 kV Lines	251.44	150.47
P5 – Bus Section – Palo Alto SW. STA. 115 kV DBDB Bus #1	220.22	131.79
Newark F (35120) -> NRS 300 (36851)		
P5 – Bus Section – Los Esteros 230 kV BAAH Bus #1&2	254.28	152.17
P7 – Adjacent Circuits – Newark – Los Esteros & Los Esteros – Metcalf 230 kV Lines	235.36	140.85
P5 – Bus Section – Palo Alto SW. STA> 115 kV DBDB Bus #1	202.17	120.99
Nortech (35659) -> NRS 300 (36853)		
P6 – Multiple Contingency – NRS -NRS 400 & Newark D – NRS 400	425.16	138.49
P6 – Multiple Contingency – NRS -NRS 400 & Newark F – NRS 300	419.28	136.57
P2 – Bus Section – NRS 400	412.93	134.51
ZNKER J2 (35602) -> KRS (36850)		
P2 – Bus Section – NRS 300	220.39	131.89
P5 – Bus Section – Los Esteros 230 kV BAAH Bus #1&2	219.63	131.44
P7 – Adjacent Circuits – Newark – Los Esteros & Los Esteros – Metcalf 230 kV Lines	207.70	124.30
KRS (36850) -> FMC JCT (35617)		
P2 – Bus Section – NRS 300	183.42	109.83
NRS 400 (36851) -> SRS (36852)		
P2 – Bus Section – NRS 300	393.53	139.06
Table 5-19		
Contingency Analysis Thermal Violation; PG&E		

A voltage change (Delta V) violation is based on the SVP performance criteria where voltage can not change by more than 8% from pre-contingency to post contingency conditions. This case has low voltage violations based on the SVP performance criteria where voltage can not drop below 0.93 pu in post contingency conditions. The low voltage violation occurs across some of the SVP transmission system.

5.5.2 Corrective Action Plans

This section covers corrective actions needed to mitigate performance violations created by the Sensitivity I-1 load with projected 2027 load levels.

Re-conductor Duane – SRS 115 kV Line

Re-conductor the Duane – SRS 115 kV transmission line (0.20 miles) with a conductor capable of at least 388 MVA mitigates all thermal performance issues found.

Re-conductor Central – SRS 60 kV Line

Re-conductor the Central – SRS 60 kV transmission line, which is approximately 1.43 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 198 MVA mitigates all thermal performance issues found.

Re-conductor Parker – Mathew 60 kV Line

Re-conductor the Parker – Mathew 60 kV transmission line, which is approximately 0.13 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 175 MVA mitigates all thermal performance issues found.

Re-conductor Mathew – DCJ 60 kV Line

Re-conductor the Mathew – DCJ 60 kV transmission line, which is approximately 0.11 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 202 MVA mitigates all thermal performance issues found.

Re-conductor Uranium – Zeno 60 kV Line

Re-conductor the Uranium – Zeno 60 kV transmission line, which is approximately 1.53 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 183 MVA mitigates all thermal performance issues found.

Replace Uranium Breakers

Replacing the 2000 Amp Uranium breakers with 3000 Amp breakers is needed to mitigate the thermal overload on the Bowers - Uranium 60 kV transmission line.

Re-conductor Bowers – Uranium 60 kV Line

Re-conductor the Bowers – Zeno 60 kV transmission line, which is approximately 0.02 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 216 MVA mitigates all thermal performance issues found.

5.6 Sensitivity I-1 2032 Case (Peak Load 1358 MW)**5.6.1 Contingency Analysis**

Contingency analysis of the SVP transmission system with projected Sensitivity I-1 2032 peak loads shows many thermal violations as defined in *Section 1.1*. These violations have been divided into separate tables based on location. SVP transmission lines and receiving stations experience thermal overloads because of the large increase in load. BroSer11 is a transition point between the bundled 954 KCM AAC and the 715 KCM ACCR conductors. HomSRS11 is an old transition point between overhead to underground transmission lines.

Row Labels	MVA	% Limit
Duane (36861) -> SRS (36852)		
P7 – Adjacent Circuits – NRS – SRS #1 & #2 115 kV Lines	443.59	133.69
<u>Table 5-20</u> Contingency Analysis Thermal Violation; 115 kV System		

Row Labels	MVA	% Limit
NRS (38900) -> NRS 400 (36851)		
P2 – Bus Section – NRS 300	719.64	171.34
<u>Table 5-21</u> Contingency Analysis Thermal Violation; NRS		

Row Labels	MVA	% Limit
Central (36873) -> SRS 60 (36886)		
P2 – Bus Section – NRS 500	187.39	108.26
P1 – Transmission Circuit – NRS 500 - Mission	187.39	108.25
P2 – Bus Section – NRS 300	187.26	108.18
<u>Table 5-22</u> Contingency Analysis Thermal Violation; Northwest Loop		

Row Labels	MVA	% Limit
KRS 60 (36878) -> Mathew (36882)		
P1 – Transmission Circuit – SRS – Kenneth	214.83	103.38
<u>Table 5-23</u> Contingency Analysis Thermal Violation; East Loop		

Row Labels	MVA	% Limit
HomSRS11 (36897) -> SRS 60 (36886)		
P1 – Transmission Circuit – Laurelwood - KRS	256.77	148.34
P1 – Transmission Circuit – Martin JCT - Laurelwood	189.57	109.52
P2 – Bus Section – Laurelwood	189.43	109.43
Homstea (36876) -> HomSRS11 (36897)		
P1 – Transmission Circuit – Laurelwood - KRS	248.60	143.62
P1 – Transmission Circuit – Martin JCT - Laurelwood	185.95	107.42
P2 – Bus Section – Laurelwood	185.86	107.37
Serra (36887) -> Homstea (36876)		
P1 – Transmission Circuit – Laurelwood - KRS	210.54	121.63
Laurelwood (38912) -> Martin JCT (36872)		
P1 – Transmission Circuit – SRS - Homestead	179.08	103.46
KRS 60 (36878) -> Laurelwood (38912)		
P1 – Transmission Circuit – SRS - Homestead	231.42	133.69
P2 – Bus Section – Homestead	196.34	113.42
P1 – Transmission Circuit – Homestead - Serra	196.31	113.41
<u>Table 5-24</u> Contingency Analysis Thermal Violation; South Loop		

Row Labels	MVA	% Limit
LS ESTRS (30731) -> SSS (38901)		
P1 – Transmission Circuit – NRS injectio - NRS	464.92	110.70
P2 – Bus Section – NRS injectio	464.92	110.70
P5 – Bus Section – Palo Alto SW. STA. 115 kV DBDB Bus #1	420.98	100.23
LSESTRSRCTR (35665) -> Nortech (35659)		
P2 – Bus Section – SSS	318.35	113.70
P1 – Transmission Circuit – SSS – NRS Riser	318.35	113.70
P2 – Bus Section – NRS injectio	306.63	109.51
ZNKER J2 (35602) -> KRS (36850)		
P2 – Bus Section – NRS 300	175.23	104.87
NRS 300 (36853) -> SRS (36852)		
P2 – Bus Section – NRS 400	397.46	140.46
P1 – Transmission Circuit – NRS 400 – SRS 115 kV	324.19	114.55
P1 – Transmission Circuit – NRS 300 – KRS 115 kV	309.35	109.31
NRS 400 (36851) -> SRS (36852)		
P2 – Bus Section – NRS 300	527.49	186.39
P1 – Transmission Circuit – NRS 300 – SRS 115 kV CKT #2	323.13	114.18
P1 – Transmission Circuit – NRS 300 – KRS 115 kV	307.20	108.55
KRS (36850) -> FMC JCT (35617)		
P2 – Bus Section – NRS 300	283.19	169.58
P2 – Bus Section – Los Esteros 230 kV BAAH Bus #1&2	22.21	132.46
P1 – Transmission Circuit – NRS injectio - NRS	216.56	129.67
Table 5-25 Contingency Analysis Thermal Violation; PG&E		

A voltage change (Delta V) violation is based on the SVP performance criteria where voltage can not change by more than 8% from pre-contingency to post contingency conditions. This case has low voltage violations based on the SVP performance criteria where voltage can not drop below 0.93 pu in post contingency conditions. The low voltage violation occurs across most of the SVP transmission system.

5.6.2 Corrective Action Plans

This section covers corrective actions needed to mitigate performance violations created by the Sensitivity I-1 load with projected 2032 load levels.

Re-conductor Duane – SRS 115 kV Line

Re-conductor the Duane – SRS 115 kV transmission line (0.20 miles) with a conductor capable of at least 444 MVA mitigates all thermal performance issues found.

Upgrade NRS 115 kV and 60 kV Bus Configurations

Reconfigure NRS 115 kV and 60 kV buses to mitigate various P2 (NERC TPL bus outage) contingencies. Options include DBDB (double-bus-double-breaker),

BAAH (breaker-and-a-half), or RB (ring bus) bus arrangements. Budget to be added into CIP 2454.

Addition of the third NRS 230/115 kV 500 MVA Transformer

Add a third 230/115 kV autotransformer (500 MVA rating) at NRS to accommodate CAISO's 500 MVA 230 kV HVDC/AC project interconnecting at NRS. Budget to be added to CIP 2430.

Re-conductor Central – SRS 60 kV Line

Re-conductor the Central – SRS 60 kV transmission line, which is approximately 1.43 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 188 MVA mitigates all thermal performance issues found.

Replace Mathew Breakers

Replacing the 2000 Amp Mathew breakers with 3000 Amp breakers is needed to mitigate the thermal overload on the Mathew - KRS 60 kV transmission lines.

Re-conductor KRS – Mathew 60 kV Line

Re-conductor the KRS – Mathew 60 kV transmission line, which is approximately 1.14 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 215 MVA mitigates all thermal performance issues found.

Homestead Substation Rebuild (CIP #2431)

This project will upgrade all substation breakers and disconnects to 3000 amps capability in Q4 of 2027.

Re-conductor Homestead – SRS 60 kV Line

Re-conductor the Homestead – HomSRS11 60 kV and HomSRS11 – SRS 60 kV transmission lines, which is approximately 3.54 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 257 MVA mitigates all thermal performance issues found.

Re-conductor Serra – Homestead 60 kV Line

Re-conductor the Serra – Homestead 60 kV transmission lines, which is approximately 1.80 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 211 MVA mitigates all thermal performance issues found.

Re-conductor Laurelwood – Martin JCT 60 kV Line

Re-conductor the Laurelwood – Martin JCT 60 kV transmission line, which is approximately 0.24 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 180 MVA mitigates all thermal performance issues found.

Re-conductor KRS – Laurelwood 60 kV Line

Re-conductor the KRS – Laurelwood 60 kV transmission line, which is approximately 0.62 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 232 MVA mitigates all thermal performance issues found.

5.7 Sensitivity II 2032 Case (Peak Load 1306 MW)

5.7.1 Contingency Analysis

Contingency analysis of the SVP transmission system with projected Sensitivity II 2032 peak loads shows many thermal violations as defined in *Section 1.1*. These violations have been divided into separate tables based on location. SVP transmission lines and receiving stations experience thermal overloads because of the large increase in load. HomSRS11 is an old transition point between overhead to underground transmission lines.

Row Labels	MVA	% Limit
Duane (36861) -> SRS (36852)		
P7 – Adjacent Circuits – NRS – SRS #1 & #2 115 kV Lines	439.45	132.44
<i>Table 5-26</i> <i>Contingency Analysis Thermal Violation; 115 kV System</i>		

Row Labels	MVA	% Limit
NRS (38900) -> NRS 400 (36851)		
P2 – Bus Section – NRS 300	638.66	152.06
<i>Table 5-27</i> <i>Contingency Analysis Thermal Violation; NRS</i>		

Row Labels	MVA	% Limit
HomSRS11 (36897) -> SRS 60 (36886)		
P1 – Transmission Circuit – Laurelwood - KRS	218.38	126.16
Homstea (36876) -> HomSRS11 (36897)		
P1 – Transmission Circuit – Laurelwood - KRS	212.66	122.85
Serra (36887) -> Homstea (36876)		
P1 – Transmission Circuit – Laurelwood - KRS	175.50	101.39
KRS 60 (36878) -> Laurelwood (38912)		
P1 – Transmission Circuit – SRS - Homestead	201.35	116.32
<i>Table 5-28</i> <i>Contingency Analysis Thermal Violation; South Loop</i>		

Row Labels	MVA	% Limit
LS ESTRS (30731) -> SSS (38901)		
P1 – Transmission Circuit – NRS injectio - NRS	458.46	109.16
P2 – Bus Section – NRS injectio	458.46	109.16
P5 – Bus Section – Palo Alto SW. STA. 115 kV DVDV Bus #1	440.67	104.92
<i>Table 5-29</i> <i>Contingency Analysis Thermal Violation; PG&E</i>		

5.7.2 Voltage Analysis

The minimum additional capacitance needed for the Sensitivity II 2032 case under N-0 conditions to get to 0.97 pu aggregate power factor is 16.0 MARs. The overall N-0 power factor, before adding caps, is 0.9664 pu. The overall imports from the PG&E tie-lines are:

Total MW	Total MVAR	Overall PF
1133.08	301.08	0.96646

Fr_BNum	Fr_BNam	Nom_kV	To_BNum	To_BNam	MW	MVAR	MVA
36850	KRS	115.0	35602	ZNKER J2	-53.06	-30.93	61.4
36850	KRS	115.0	35617	FMC JCT	-160.07	-6.49	160.2
36851	NRS 400	115.0	35120	NEWARK D	-35.07	-24.57	42.8
36853	NRS 300	115.0	35122	NEWARK F	-17.13	-22.56	28.3
36853	NRS 300	115.0	35659	NORTECH	-138.08	-55.55	148.8
38900	NRS	230.0	389000	NRS injec	-399.73	-118.62	417.0
38901	SSS	230.0	30731	LS ESTRS	-329.94	-42.36	332.6
Table 5-30							
N-0 Monitored Line Flows							

After capacitors are added to mitigate contingency voltage issues, the aggregate power factor seen by PG&E supply lines is 0.986. This represents an excess of 98.0 MVARs of capacitance over what is needed to meet the PG&E requirement for a 0.97 power factor.

A voltage change (Delta V) violation is based on the SVP performance criteria where voltage can not change by more than 8% from pre-contingency to post contingency conditions. A low voltage violation is based on the SVP performance criteria where voltage can not drop below 0.93 pu in post contingency conditions. This case contains 54 buses with low voltage violations prior to adding capacitors shown in *Table 5-31*.

Some of the buses in *Table 5-31* below are fictitious buses. BroSer11 is a transition point between the bundled 954 KCM AAC and the 715 KCM ACCR conductors. KRSPal11 is a transition point between the bundled 954 KCM AAC and the bundled 715 KCM ACCR conductors. HomSRS11 is an old transition point between overhead to underground transmission lines. MisNRS11 and JulMis11 are fictitious buses used to indicate the change from overhead to underground transmission line. DVRPP 1M and DVRPP 2M are fictitious bus used to create a three-winding transformer in PowerWorld.

Bus Number	Bus Name	Nom_V	V_Low	Contingency
36850	KRS	115.0	0.929	P2 – Bus Section – NRS 300
36852	SRS	115.0	0.928	P2 – Bus Section – NRS 300
36857	Mission	60.0	0.893	P2 – Bus Section – NRS 300

36858	Gia100	13.8	0.922	P2 – Bus Section – NRS 300
36860	Palm	60.0	0.902	P2 – Bus Section – NRS 300
36861	Duane	115.0	0.929	P2 – Bus Section – NRS 300
36862	NRS 500	60.0	0.895	P2 – Bus Section – NRS 300
36863	DVRaGT1	13.8	0.905	P1 – Generator – DVTaGT1
36864	DVRbGt2	13.8	0.904	P1 – Generator – DVRaGt2
36865	DVRaST3	13.8	0.905	P1 – Generator – DVRaST3
36866	DVRbLoad	13.8	0.859	P2 – Bus Section – NRS 300
36867	DVRPP 1M	13.8	0.865	P2 – Bus Section – NRS 300
36868	DVRPP 2M	13.8	0.862	P2 – Bus Section – NRS 300
36869	Northwes	60.0	0.898	P2 – Bus Section – NRS 300
36870	Agnew	60.0	0.907	P2 – Bus Section – NRS 300
36871	Brokaw	60.0	0.850	P1 – Transmission Circuit – Laurelwood - KRS
36872	Martin JCT	60.0	0.849	P1 – Transmission Circuit – Laurelwood - KRS
36873	Central	60.0	0.896	P2 – Bus Section – NRS 300
36874	Fibergla	60.0	0.901	P2 – Bus Section – NRS 300
36875	Gia12	60.0	0.895	P2 – Bus Section – NRS 300
36876	Homestea	60.0	0.896	P2 – Bus Section – NRS 300
36877	Juliette	60.0	0.893	P2 – Bus Section – NRS 300
36878	KRS 60	60.0	0.902	P2 – Bus Section – NRS 300
36879	Laf T1	60.0	0.902	P2 – Bus Section – NRS 300
36880	Laf T2	60.0	0.902	P2 – Bus Section – NRS 300
36881	Laf T3	60.0	0.902	P2 – Bus Section – NRS 300
36882	Mathew	60.0	0.899	P2 – Bus Section – NRS 300
36883	NAJ	60.0	0.904	P2 – Bus Section – NRS 300
36884	MisNRS11	60.0	0.894	P2 – Bus Section – NRS 300
36885	JulMis11	60.0	0.893	P2 – Bus Section – NRS 300
36886	SRS 60	60.0	0.901	P2 – Bus Section – NRS 300
36887	Serra	60.0	0.891	P1 – Transmission Circuit – Laurelwood - KRS
36888	KRSPal11	60.0	0.902	P2 – Bus Section – NRS 300
36889	Uranium	60.0	0.895	P2 – Bus Section – NRS 300
36890	Walsh	60.0	0.8989	P2 – Bus Section – NRS 300
36891	Zeno	60.0	0.896	P2 – Bus Section – NRS 300
36892	NRS 600	60.0	0.910	P2 – Bus Section – NRS 300
36894	Gia32	60.0	0.911	P2 – Bus Section – NRS 300
36895	Gia200	13.8	0.914	P1 – Generator – Gia200
36896	FairView	60.0	0.901	P2 – Bus Section – NRS 300
36897	HomSRS11	60.0	0.898	P2 – Bus Section – NRS 300
36898	BroSer11	60.0	0.861	P1 – Transmission Circuit – Laurelwood - KRS
38904	DCJ	60.0	0.897	P2 – Bus Section – NRS 300
38905	Kenneth	60.0	0.900	P2 – Bus Section – NRS 300
389051	BESS	60.0	0.900	P2 – Bus Section – NRS 300
38906	Parker	60.0	0.899	P2 – Bus Section – NRS 300
38907	Freedom JC	60.0	0.906	P2 – Bus Section – NRS 300
38908	Oak JCT	60.0	0.899	P2 – Bus Section – NRS 300
38909	San Thomas	60.0	0.903	P2 – Bus Section – NRS 300
38911	Memorex	60.0	0.896	P2 – Bus Section – NRS 300
38912	Laurelwood	60.0	0.848	P1 – Transmission Circuit – Laurelwood - KRS
38913	Stender_W	60.0	0.899	P2 – Bus Section – NRS 300
38914	Pacific	60.0	0.900	P2 – Bus Section – NRS 300
38915	Bowers	60.0	0.895	P2 – Bus Section – NRS 300

Table 5-31
Contingency Analysis Voltage Violation

The following capacitors were added to mitigate Sensitivity II 2032 case voltage violations:

SRS:	30 MVARs
KRS:	30 MVARs
DVRbLoad:	24 MVARs
Martin JCT:	28 MVARs
Laurelwood:	28 MVARs

Total Added = 140 MVARs

The N-1-1 analysis consisting of DVR generation and load offline and P1 contingencies shows that an additional 12 MVAR of capacitance is needed at Laurelwood to mitigate a low voltage condition. This is already included in the summary shown above.

5.7.3 **Corrective Action Plans**

This section covers corrective actions needed to mitigate performance violations created by the Sensitivity II load with projected 2032 load levels.

Re-conductor Duane – SRS 115 kV Line

Re-conductor the Duane – SRS 115 kV transmission line (0.20 miles) with a conductor capable of at least 440 MVA mitigates all thermal performance issues found.

Upgrade NRS 115 kV and 60 kV Bus Configurations

Reconfigure NRS 115 kV and 60 kV buses to mitigate various P2 (NERC TPL bus outage) contingencies. Options include DBDB (double-bus-double-breaker), BAAH (breaker-and-a-half), or RB (ring bus) bus arrangements. Budget to be added into CIP 2454.

Addition of the third NRS 230/115 kV 500 MVA Transformer

Add a third 230/115 kV autotransformer (500 MVA rating) at NRS to accommodate CAISO's 500 MVA 230 kV HVDC/AC project interconnecting at NRS. Budget to be added to CIP 2430.

Homestead Substation Rebuild (CIP #2431)

This project will upgrade all substation breakers and disconnects to 3000 amps capability in Q4 of 2027.

Re-conductor Homestead – SRS 60 kV Line

Re-conductor the Homestead – HomSRS11 60 kV and HomSRS11 – SRS 60 kV transmission lines, which is approximately 3.54 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 219 MVA mitigates all thermal performance issues found.

Re-conductor BroSer11 – Serra 60 kV Line

Re-conductor the BroSer11 – Serra 60 kV transmission line with conductor capable of at least 156 MVA mitigates all thermal performance issues found. This is the 715 KCM ACCR portion of the Brokaw to Serra line.

Re-conductor KRS – Laurelwood 60 kV Line

Re-conductor the KRS – Laurelwood 60 kV transmission line, which is approximately 0.62 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 202 MVA mitigates all thermal performance issues found.

Build New 60 kV Loop 1

Build 5.89 miles of 60 kV transmission lines (New Loop 1) starting at NRS and terminating at SRS. This loop will connect existing and future substations (data centers).

Build New 60 kV Loop 2

Build 6.98 miles of 60 kV transmission lines (New Loop 2) starting at SRS and terminating at NRS. This loop will connect existing and future substations (data centers).

Analyze Reactive Power Compensation Technologies

Initial power flow study has identified up to 200 MVAR reactive power needs in SVP's transmission system to meet power factor requirements with PG&E and to maintain voltage at acceptable level. Further detailed studies are needed to investigate various technologies for reactive power compensation.

Analyze Mitigations for PST Overloading

In 2032, PST is overloaded at 109% when the Newark – NRS 230 kV HVDC source is out of service. Further study is needed to examine near-term operating procedure (with PG&E) and long-term mitigations that can include but not limited to: installing a 2nd PST at SSS, in addition to Transmission Access Charge (TAC) impacts.

5.8 Sensitivity II-1 2032 Case (Peak Load 1503 MW)**5.8.1 Contingency Analysis**

Contingency analysis of the SVP transmission system with projected Sensitivity II-1 2032 peak loads shows many thermal violations as defined in *Section 1.1*. These violations have been divided into separate tables based on location. SVP transmission lines and receiving stations experience thermal overloads because of the large increase in load. BroSer11 is a transition point between the bundled 954 KCM AAC and the 715 KCM ACCR conductors. HomSRS11 is an old transition point between overhead to underground transmission lines

Row Labels	MVA	% Limit
Duane (36861) -> SRS (36852)		
P7 – Adjacent Circuits – NRS – SRS #1 & #2 115 kV Lines	512.50	154.46
KRS (36850) -> Duane (36861)		
P7 – Adjacent Circuits – NRS – SRS #1 & #2 115 kV Lines	363.75	109.63
<i>Table 5-32</i> <i>Contingency Analysis Thermal Violation; 115 kV System</i>		

Row Labels	MVA	% Limit
NRS (38900) -> NRS 400 (36851)		
P2 – Bus Section – NRS 300	680.03	161.91
<i>Table 5-33</i> <i>Contingency Analysis Thermal Violation; NRS</i>		

Row Labels	MVA	% Limit
Central (36873) -> SRS_60 (36886)		
P2 – Bus Section – NRS 300	188.22	108.74
P2 – Bus Section – NRS 500	187.97	108.59
P1 – Transmission Circuit – NRS 500 - Mission	187.96	108.59
<i>Table 5-34</i> <i>Contingency Analysis Thermal Violation; Northwest Loop</i>		

Row Labels	MVA	% Limit
Parker (38906) -> Mathew (36882)		
P1 – Transmission Circuit – SRS - Kenneth	191.65	110.72
Mathew (36882) -> KRS_60 (36878)		
P1 – Transmission Circuit – SRS - Kenneth	241.14	116.04
P1 – Transmission Circuit – BESS – Fiber (Amazon)	218.69	105.24
P1 – Transmission Circuit – Kennth - BESS	218.69	105.24
<i>Table 5-35</i> <i>Contingency Analysis Thermal Violation; East Loop</i>		

Row Labels	MVA	% Limit
HomSRS11 (36897) -> SRS 60 (36886)		
P1 – Transmission Circuit – Laurelwood - KRS	261.70	151.19
P1 – Transmission Circuit – Martin JCT - Laurelwood	191.43	110.59
P2 – Bus Section – Laurelwood	191.12	110.41
Homstea (36876) -> HomSRS11 (36897)		
P1 – Transmission Circuit – Laurelwood - KRS	252.09	145.63
P1 – Transmission Circuit – Martin JCT - Laurelwood	187.36	108.24
P2 – Bus Section – Laurelwood	187.16	108.12
Serra (36887) -> Homstea (36876)		
P1 – Transmission Circuit – Laurelwood - KRS	213.16	123.14
Laurelwood (38912) -> Martin JCT (36872)		
P1 – Transmission Circuit – SRS - Homestead	179.75	103.84
KRS 60 (36878) -> Laurelwood (38912)		
P1 – Transmission Circuit – SRS - Homestead	232.13	134.10
P1 – Transmission Circuit – Mathew - KRS	198.69	114.79
P1 – Transmission Circuit – Fiberglass - KRS	198.11	114.45
Table 5-36 Contingency Analysis Thermal Violation; South Loop		

Row Labels	MVA	% Limit
LS ESTRS (30731) -> SSS (38901)		
P5 – Bus Section – Palo Alto SW. STA 115 kV DBDB Bus #1	479.37	114.13
P5 – Bus Section – Los Esteros 115 kV BAAH Bus #2	452.44	107.72
P1 – Transmission Circuit – Los Esteros – Nortech 115 kV	442.80	105.43
Table 5-37 Contingency Analysis Thermal Violation; PG&E		

A voltage change (Delta V) violation is based on the SVP performance criteria where voltage can not change by more than 8% from pre-contingency to post contingency conditions. This case has low voltage violations based on the SVP performance criteria where voltage can not drop below 0.93 pu in post contingency conditions. The low voltage violation occurs across most of the SVP transmission system.

5.8.2 Corrective Action Plans

This section covers corrective actions needed to mitigate performance violations created by the Sensitivity II-1 load with projected 2032 load levels.

Re-conductor Duane – SRS 115 kV Line

Re-conductor the Duane – SRS 115 kV transmission line (0.20 miles) with a conductor capable of at least 513 MVA mitigates all thermal performance issues found.

Re-conductor KRS – Duane 115 kV Line

Re-conductor the KRS – Duane 115 kV transmission line (0.02 miles) with a conductor capable of at least 364 MVA mitigates all thermal performance issues found.

Upgrade NRS 115 kV and 60 kV Bus Configurations

Reconfigure NRS 115 kV and 60 kV buses to mitigate various P2 (NERC TPL bus outage) contingencies. Options include DBDB (double-bus-double-breaker), BAAH (breaker-and-a-half), or RB (ring bus) bus arrangements. Budget to be added into CIP 2454.

Addition of the third NRS 230/115 kV 500 MVA Transformer

Add a third 230/115 kV autotransformer (500 MVA rating) at NRS to accommodate CAISO's 500 MVA 230 kV HVDC/AC project interconnecting at NRS. Budget to be added to CIP 2430.

Homestead Substation Rebuild (CIP #2431)

This project will upgrade all substation breakers and disconnects to 3000 amps capability in Q4 of 2027.

Re-conductor Central – SRS 60 kV Line

Re-conductor the Central – SRS 60 kV transmission line, which is approximately 1.43 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 189 MVA mitigates all thermal performance issues found.

Re-conductor Parker – Mathew 60 kV Line

Re-conductor the Parker – Mathew 60 kV transmission line, which is approximately 0.13 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 192 MVA mitigates all thermal performance issues found.

Replace Mathew Breakers

Replacing the 2000 Amp Mathew breakers with 3000 Amp breakers is needed to mitigate the thermal overload on the Mathew – KRS 60 kV transmission lines.

Re-conductor KRS – Mathew 60 kV Line

Re-conductor the KRS – Mathew 60 kV transmission line, which is approximately 1.14 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 242 MVA mitigates all thermal performance issues found.

Re-conductor Homestead – SRS 60 kV Line

Re-conductor the Homestead – HomSRS11 60 kV and HomSRS11 – SRS 60 kV transmission lines, which is approximately 3.54 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 262 MVA mitigates all thermal performance issues found.

Re-conductor Serra – Homestead 60 kV Line

Re-conductor the Serra – Homestead 60 kV transmission lines, which is approximately 1.80 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 262 MVA mitigates all thermal performance issues found.

Re-conductor Laurelwood – Martin JCT 60 kV Line

Re-conductor the Laurelwood – Martin JCT 60 kV transmission line, which is approximately 0.24 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 180 MVA mitigates all thermal performance issues found.

Re-conductor KRS – Laurelwood 60 kV Line

Re-conductor the KRS – Laurelwood 60 kV transmission line, which is approximately 0.62 mile of (2) bundled 954 KCM AAC, with conductor capable of at least 233 MVA mitigates all thermal performance issues found.

6.0 Conclusions and Estimates

This section discusses conclusions from the voltage and power factor analysis as well as recommended improvements for the Sensitivity II 2032 case. Details pertaining to cost estimates are included in *Appendix A*. The recommended projects are based specifically on their ability to mitigate thermal violations and improve voltage issues. In addition, all improvement projects mentioned serve as maintenance/replacement of obsolete equipment or to create additional capacity.

6.1 Voltage/Power Factor Analysis Conclusion

Table 6-1 summarizes the capacitors added to the SVP network for the Sensitivity I 2032, Sensitivity II 2032, and Sensitivity III 2032 cases. The Sensitivity II case needs an additional 12 MVAR of capacitance for the N-1-1 voltage mitigation beyond what was already in place for mitigation for the base Sensitivity II case. *Table 6-1* includes the additional capacitance needed for the Sensitivity II N-1-1 voltage mitigation.

Sensitivity I 2032			Sensitivity II 2032		
Bus Number	Name	MVAR	Bus Number	Name	MVAR
36878	KRS	20.0	36878	KRS	30.0
36886	SRS	20.0	36886	SRS	30.0
36866	DVRbLoad	20.0	36866	DVRbLoad	24.0
36872	Martin JCT	28.0	36872	Martin JCT	28.0
38912	Laurelwood	12.0	38912	Laurelwood	28.0
	Total	100.0		Total	140.0

Table 6-1
Capacitor Summary

6.2 Duane to SRS 115 kV Re-conductor

Re-conductor the 0.2-mile Duane to SRS 115 kV transmission line.

Estimated Cost: \$1,620,000

6.3 Upgrade NRS 115 kV and 60 kV Bus Configurations

Reconfigure NRS 115 kV and 60 kV buses to mitigate various P2 (NERC TPL bus outage) contingencies. Options include DBDB (double-bus-double-breaker), BAAH (breaker-and-a-half), or RB (ring bus) bus arrangements. Budget to be added into CIP 2354.

Estimated Cost: \$39,280,000

6.4 Addition of the third NRS 230/115 kV 500 MVA Transformer

Add a third 230/115 kV autotransformer (500 MVA rating) at NRS to accommodate CAISO's 500 MVA 230 kV HVDC/AC project interconnecting at NRS. Budget to be added to CIP 2430.

Estimated Cost: \$7,270,000

6.5 Homestead Substation Rebuild (CIP #2431)

This project will upgrade all substation breakers and disconnects to 3000 amps capability in Q4 of 2027.

Estimated Cost: N/A

6.6 Homestead to SRS 60 kV Re-conductor

Re-conductor the 3.54-mile Homestead – SRS 60 kV line from (2) 954 KCM AAC to (2) 715 KCM ACCR.

Estimated Cost: \$11,970,000

6.7 Laurelwood to KRS 60 kV Re-conductor

Re-conductor the 0.62-mile Laurelwood – KRS 60 kV line from (2) 954 KCM AAC to (2) 715 KCM ACCR.

Estimated Cost: \$3,050,000

6.8 Build New Loop 1

Build 5.89 miles of 60 kV transmission line with (2) 715 KCM ACCR. The routing for this loop is shown in *Appendix A*.

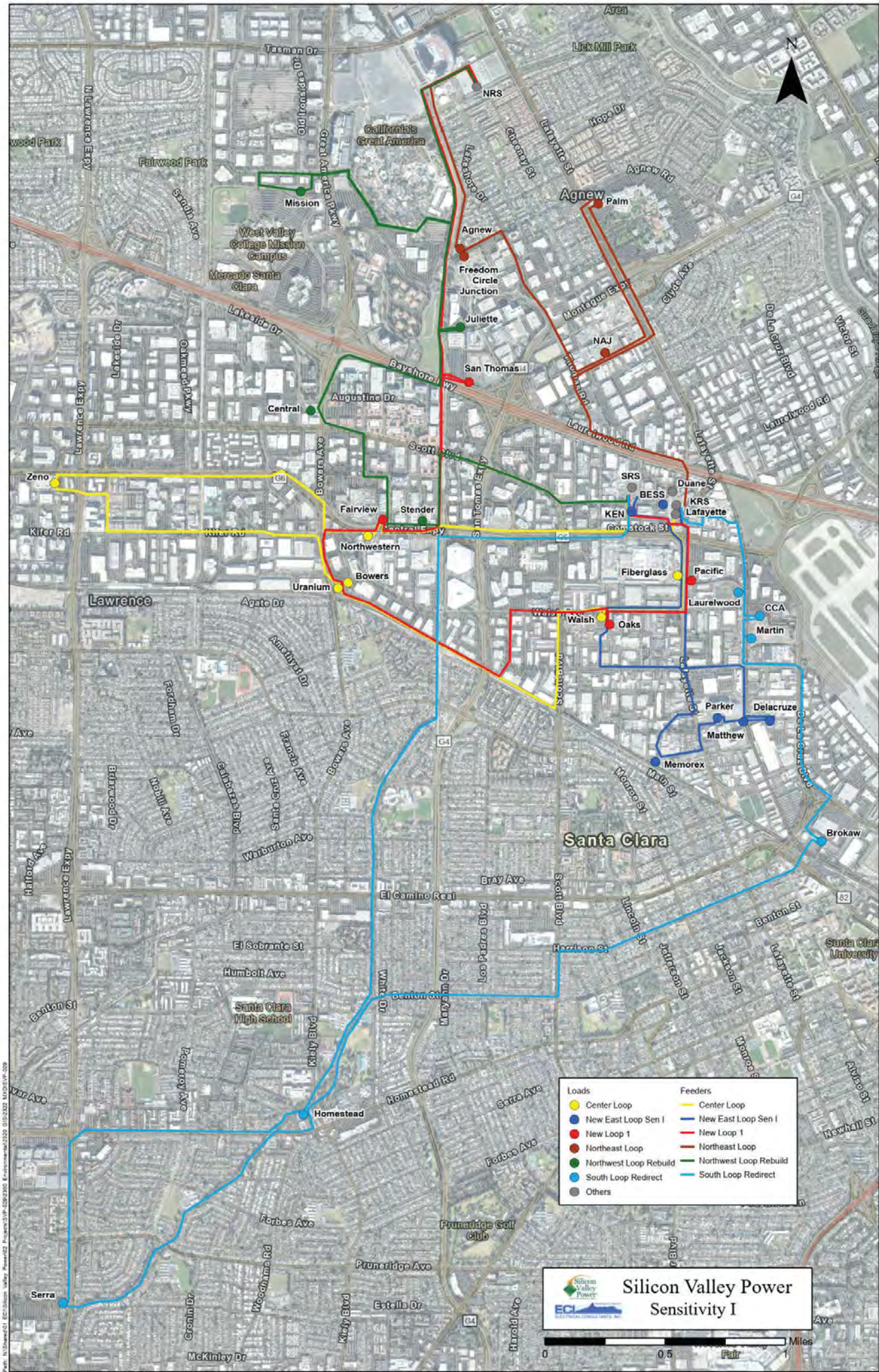
Estimated Cost: \$76,270,000

6.9 Build New Loop 2


Build 6.98 miles of 60 kV transmission line with (2) 715 KCM ACCR. The routing for this loop is shown in *Appendix A*.

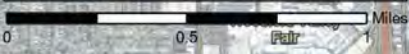
Estimated Cost: \$97,070,000

Appendix A
Sensitivity Cases Transmission Routing

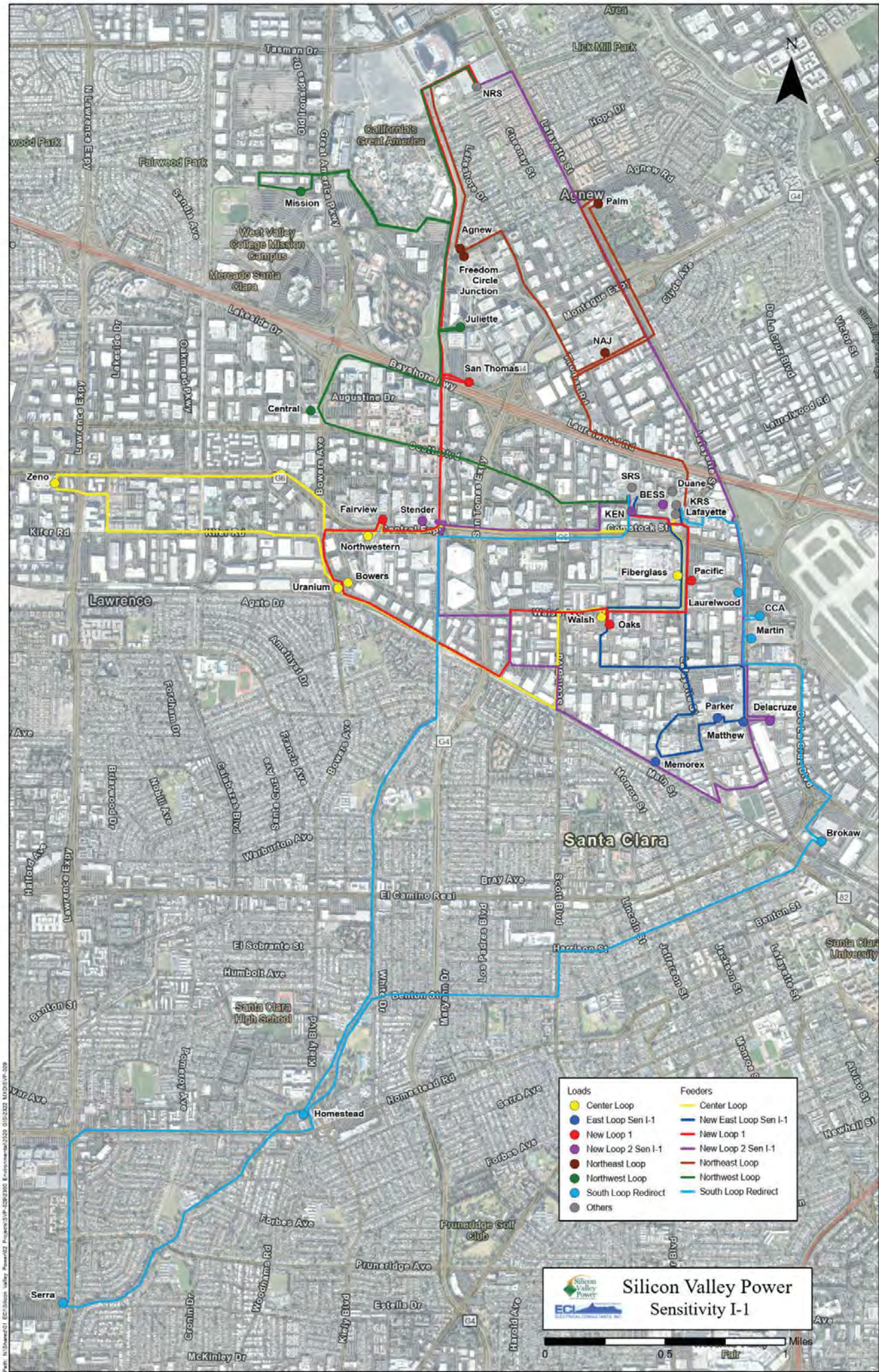


Loads	Feeders
Center Loop	Center Loop
New East Loop Sen I	New East Loop Sen I
New Loop 1	New Loop 1
Northeast Loop	Northeast Loop
Northwest Loop Rebuild	Northwest Loop Rebuild
South Loop Redirect	South Loop Redirect
Others	



Silicon Valley Power
 Sensitivity I

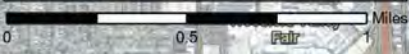


Santa Clara County, Maxar, County of Santa Clara, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NSA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

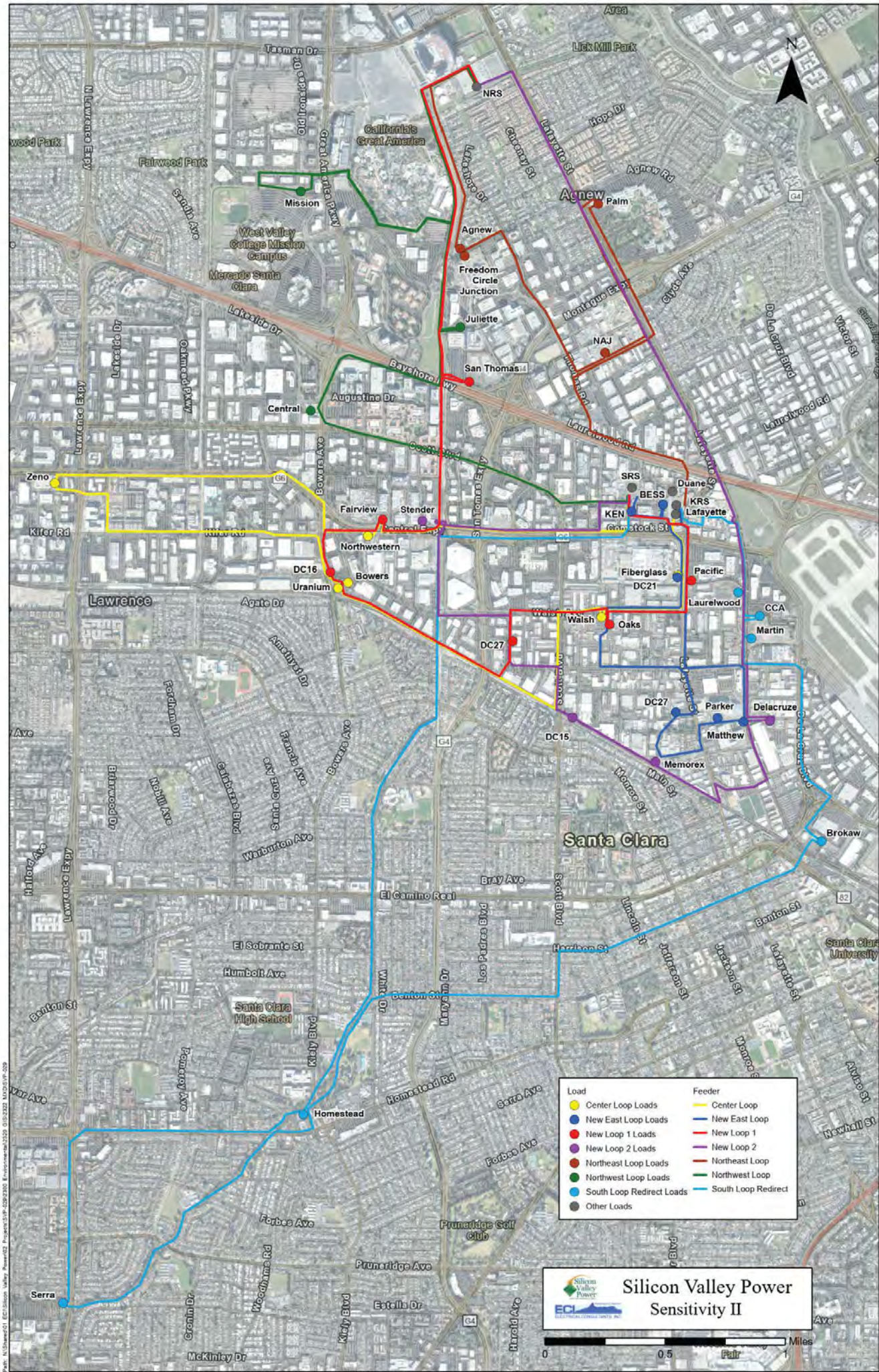


Loads	Feeders
Center Loop	Center Loop
East Loop Sen I-1	New East Loop Sen I-1
New Loop 1	New Loop 1
New Loop 2 Sen I-1	New Loop 2 Sen I-1
Northeast Loop	Northeast Loop
Northwest Loop	Northwest Loop
South Loop Redirect	South Loop Redirect
Others	



Silicon Valley Power
 Sensitivity I-1

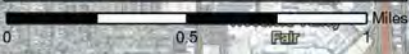


Santa Clara County, Maxar, County of Santa Clara, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA



Load	Feeder
Center Loop Loads	Center Loop
New East Loop Loads	New East Loop
New Loop 1 Loads	New Loop 1
New Loop 2 Loads	New Loop 2
Northeast Loop Loads	Northeast Loop
Northwest Loop Loads	Northwest Loop
South Loop Redirect Loads	South Loop Redirect
Other Loads	


Silicon Valley Power
 Sensitivity II



Santa Clara County, Maxar, County of Santa Clara, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, IRI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

Appendix B
Detailed Cost Estimates

Silicon Valley Power

COST SUMMARY BREAKDOWN

Item #1, Re-conductor 0.2 Miles of 60 kV from Duane Substation to SRS
Oct. 2022

<u>DESCRIPTION</u>	<u>ITEM COST</u>	<u>SUBTOTAL</u>
1 MATERIALS		
Materials procured by SVP - poles, conductor, and minor materials	<u>\$104,558</u>	<u>\$104,558</u>
2 CONSTRUCTION COSTS		
T-Line Contractor (Total Value of Public Works Bid)	<u>\$539,124</u>	<u>\$539,124</u>
3 ENGINEERING AND CONSTRUCTION MANAGEMENT		
Engineering, LIDAR Survey, Geotech, Potholing, Permitting, R.O.W	<u>\$337,500</u>	<u>\$337,500</u>
4 COST OF EASEMENTS		
New easements should not be needed for existing Lines	<u>\$0</u>	<u>\$0</u>
GRAND TOTAL		<u><u>\$1,619,909</u></u>

NRS Cost Estimates; CIP 2454 for TPP 23/24

Description:

Install two additional 115/60kV 300MVA autotransformers at NRS (TA, TD). Upgrade NRS 115kV and 60kV bus to mitigate various P2 contingencies identified due to main/transfer bus design. Options include DBDB (Double-Bus-Double-Breaker), BAAH (Breaker-and-A-Half), or RB (Ring Bus) bus configurations. Budget to be added CIP 2454

115/60 kV Transformer estimates;

Based on 2 x 115/60 kV, 300 MVA transformers
\$/MVA for 115/60 kV Transformer = \$4,139

unit cost (\$/MVA)	number of units	number of 115/60 kV units	cost for MPT Cost	(2) MPTs
\$ 4,139		300	\$1.2417M	\$2.4834M

115 kV estimates;

Based on 10 position Breaker and a half bus configuration
Cost adder for 2 positions in BAAH configuration at 115 kV = \$3.3M

115 kV		
unit cost	number of units	number of Upgrade Cost
\$3.3M		5 \$16.5M

60 kV estimates;

Based on 14 position Breaker and a half bus configuration
Cost adder for 2 positions in BAAH configuration at 69 kV = \$2.9M

60 kV		
unit cost	number of units	number of Upgrade Cost
\$2.9M		7 \$20.3M

Total Exploratory Cost estimate for (2) 115/60 kV Transformers & Upgrade of NRS 115 kV, 60 kV
\$39.2834M

NRS Cost Estimates; CIP 2430 for TPP 23/24

Description:

Addition of third NRS 230/115 kV 500 MVA autotransformer and balance of plant for interconnection of new CAISO 500 MVA 230kV AC line interconnection at NRS. Budget to be added to CIP 2430.

230/115 kV Transformer estimates;

Based on 1 x 230/115 kV, 500 MVA transformer
\$/MVA for 230/115 kV Transformer = \$5,348

230/115		
unit cost	number of	kV MPT
(\$/MVA)	units	Cost
\$ 5,348	500	\$2.674M

230 kV estimates;

Based on 1 position Breaker and a half bus configuration
Cost adder for 1 position in BAAH configuration at 230 kV = \$2.8M

230 kV		
unit cost	number of	Upgrade
	units	Cost
\$2.8M	1	\$2.8M

115 kV estimates;

Based on 1 position Breaker and a half bus configuration
Cost adder for 1 position in BAAH configuration at 115 kV = \$1.8M

115 kV		
unit cost	number of	Upgrade
	units	Cost
\$1.8M	1	\$1.8M

Total Exploratory Cost estimate for (1) 230/115 kV Transformers & Upgrade of NRS 230 kV, 115 kV
\$7.274M

Silicon Valley Power

COST SUMMARY BREAKDOWN

Item #5, Re-conductor 3.54 miles of 60 kV from Homestead Sub to SRS
Oct. 2022

<u>DESCRIPTION</u>	<u>ITEM COST</u>	<u>SUBTOTAL</u>
1 MATERIALS		
Materials procured by SVP - poles, conductor, and minor materials	<u>\$1,764,438</u>	<u>\$1,764,438</u>
2 CONSTRUCTION COSTS		
T-Line Contractor (Total Value of Public Works Bid)	<u>\$8,782,478</u>	<u>\$8,782,478</u>
3 ENGINEERING AND CONSTRUCTION MANAGEMENT		
Engineering, LIDAR Survey, Geotech, Potholing, Permitting, R.O.W	<u>\$784,375</u>	<u>\$784,375</u>
4 COST OF EASEMENTS		
New easements should not be needed for existing Lines	<u>\$0</u>	<u>\$0</u>
GRAND TOTAL		<u><u>\$11,970,019</u></u>

Silicon Valley Power

COST SUMMARY BREAKDOWN

Item #6, Re-conductor 0.62 miles of 60 kV from Laurelwood Sub to KRS

Oct. 2022

<u>DESCRIPTION</u>	<u>ITEM COST</u>	<u>SUBTOTAL</u>
1 MATERIALS		
Materials procured by SVP - poles, conductor, and minor materials	<u>\$388,039</u>	<u>\$388,039</u>
2 CONSTRUCTION COSTS		
T-Line Contractor (Total Value of Public Works Bid)	<u>\$1,638,174</u>	<u>\$1,638,174</u>
3 ENGINEERING AND CONSTRUCTION MANAGEMENT		
Engineering, LIDAR Survey, Geotech, Potholing, Permitting, R.O.W	<u>\$387,500</u>	<u>\$387,500</u>
4 COST OF EASEMENTS		
New easements should not be needed for existing Lines	<u>\$0</u>	<u>\$0</u>
GRAND TOTAL		<u><u>\$3,052,441</u></u>

Silicon Valley Power

COST SUMMARY BREAKDOWN

Item #7, Build 5.89 miles of new 60 kV Transmission Line, Loop #1

Oct. 2022

<u>DESCRIPTION</u>	<u>ITEM COST</u>	<u>SUBTOTAL</u>
1 MATERIALS		
Materials procured by SVP - poles, conductor, and minor materials	<u>\$6,265,053</u>	<u>\$6,265,053</u>
2 CONSTRUCTION COSTS		
T-Line Contractor (Total Value of Public Works Bid)	<u>\$25,117,010</u>	<u>\$25,117,010</u>
3 ENGINEERING AND CONSTRUCTION MANAGEMENT		
Engineering, LIDAR Survey, Geotech, Potholing, Permitting, R.O.W	<u>\$4,006,250</u>	<u>\$4,006,250</u>
4 COST OF EASEMENTS		
Cost is based on square foot price seen on recent SVP projects	<u>\$40,241,963</u>	<u>\$40,241,963</u>
GRAND TOTAL		<u>\$76,269,004</u>

Silicon Valley Power

COST SUMMARY BREAKDOWN

Item #8, Build 6.98 miles of new 60 kV Transmission Line, Loop #2

Oct. 2022

<u>DESCRIPTION</u>	<u>ITEM COST</u>	<u>SUBTOTAL</u>
1 MATERIALS		
Materials procured by SVP - poles, conductor, and minor materials	<u>\$6,651,826</u>	<u>\$6,651,826</u>
2 CONSTRUCTION COSTS		
T-Line Contractor (Total Value of Public Works Bid)	<u>\$29,765,149</u>	<u>\$29,765,149</u>
3 ENGINEERING AND CONSTRUCTION MANAGEMENT		
Engineering, LIDAR Survey, Geotech, Potholing, Permitting, R.O.W	<u>\$4,687,500</u>	<u>\$4,687,500</u>
4 COST OF EASEMENTS		
Cost is based on square foot price seen on recent SVP projects	<u>\$55,326,640</u>	<u>\$55,326,640</u>
GRAND TOTAL		<u><u>\$97,069,843</u></u>

Summary of Proposed Projects for SVP System Growth Strategy

	Description	Indicative Cost (\$M)	Estimated Duration (Design & Construction)
1	Re-conductor 0.2 miles, 115 kV transmission line connecting Duane and Scott Receiving Station (SRS) substations.	\$0.940-\$1.62	30 months
2	Install two additional 115/60 kV 300 MVA auto transformers at NRS (TA, TD). Upgrade NRS 115 kV and 60 kV bus to mitigate various P2 contingencies identified due to main/transfer bus design. Options include Double-Bus-Double-Breaker (DBDB), Breaker-and-A-Half (BAAH), or Ring Bus (RB) configurations. Budget to be added to existing CIP 2454.	\$39.28	36 months
3	Addition of third NRS 230/115 kV 500 MVA autotransformer and balance of plant for interconnection of new CAISO 500 MVA 230kV AC line interconnection at NRS. Budget to be added to CIP 2430.	\$7.27	-
4	Approved CIP 2431 "Homestead Substation Rebuild" will upgrade breakers and disconnects to 3000 amp rating in Q4, 2027	-	36 months
5	Re-conductor 3.54 miles of 60 kV transmission line connecting the Homestead Substation and Scott Receiving Station (SRS).	\$8.05-\$11.97	22 months
6	Re-conductor 0.62 miles of 60 kV transmission line connecting the Laurelwood Substation and Kifer Receiving Station (KRS) Substations	\$1.4-\$3.05	22 months
7	Build 5.89 miles of 60 kV transmission line to build New Loop 1 (overhead).	\$56.4-\$76.27 ¹	48 months
8	Build 6.98 miles of 60 kV transmission line to build New Loop 2 (overhead).	\$66.8-\$97.07	48 months
9	Study Var and Voltage mitigation technologies and develop implementation plan.	\$1.5	10 months
10	Study PST overloading mitigations identified in <u>Table 5-37 Contingency Analysis Thermal Violation</u> ; PG&E for short term Operation Procedures and long term mitigation solution that can include but not limited to installing a 2 PST at SSS, in addition to Transmission Access Charge (TAC) impacts.	\$0.250	10 months
Total (Range)		\$152,140,000 - \$238,280,000	

¹Approved budget for project CIP-2459 will be absorbed into newly-proposed project (Items 7)



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
@SantaClaraCity

Agenda Report

22-1300

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Adopt the Side Letter Agreement that Updates the Procedures for Intermittent Bonding Leave Between the City of Santa Clara and Santa Clara Firefighters, International Association of Firefighters, Local 1171 (Unit 1)

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

The City of Santa Clara and the Santa Clara Firefighters, International Association of Firefighters, Local 1171 (Unit 1) reached a side letter agreement that updates the procedures for requesting intermittent bonding leave beginning in September 2022 for employees represented by Unit 1. The side letter does not impact consecutive leave requests or other types of intermittent protected leave, and is not meant to impinge upon employees' rights under the Family and Medical Leave Act (FMLA) or the California Family Rights Act (CFRA).

DISCUSSION

The recommended action authorizes the Side Letter Agreement to take effect.

The Side Letter Agreement is intended to provide consistency and clarity for employees and the City.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

There is no fiscal impact to implement this side letter agreement.

COORDINATION

This report has been coordinated with the Fire Department.

PUBLIC CONTACT

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.

RECOMMENDATION

Adopt the Side Letter Agreement that updates the procedures for intermittent bonding leave between the City of Santa Clara and Santa Clara Firefighters, International Association of Firefighters, Local 1171 (Unit 1).

Reviewed by: Aracely Azevedo, Director of Human Resources

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Side Letter Agreement Between City and Unit 1

SIDE LETTER AGREEMENT

BETWEEN

THE CITY OF SANTA CLARA

AND

IAFF LOCAL 1171 SANTA CLARA
(UNIT 1)

REGARDING

INTERMITTENT BONDING LEAVE

The City and IAFF LOCAL 1171 (Unit 1) agree to establish the following procedure for Unit 1 employees in the Santa Clara Fire Department who request intermittent bonding leave pursuant to the Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA).

For employees who request intermittent bonding leave as defined by the FMLA and CFRA on or after the effective date of this Side Letter Agreement:

1. Advance Notice – Employees who opt to take protected intermittent bonding leave shall make the written request for such leave to the Fire Department with as much notice as possible, with a minimum of (1) week in advance of the start of the leave. Any requests for intermittent leave with less than one (1) week notice will be reviewed on a case-by-case basis and may not be approved.
2. Minimum Intermittent Leave – Intermittent leave must be requested and taken in increments of a minimum of 48-hours for 24-hour shift employees. In practice, this would be two (2) consecutive, back-to-back shifts as the 24-hour shift employees currently work a 48-96 schedule. Employees on an 8-hour, 40-hour work week schedule, must request and take intermittent leave in full day (8 hour) increments.
3. These terms do not apply to requests for consecutive leave which shall remain status quo.

The above terms are not meant to impinge upon employees' rights under the Family and Medical Leave Act (FMLA) or the California Family Rights Act (CFRA).

The parties agree that this Side Letter Agreement shall not serve as precedent for future agreements regarding FMLA and/or CFRA leaves nor shall it be construed or implied to obligate the parties to enter into any similar agreements in the future.



Agenda Report

22-1302

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action to Adopt Resolutions to Set the Regular Meeting Schedules and Dates for the Cultural Commission, Youth Commission, Parks & Recreation Commission, and Senior Advisory Commission for Calendar Year 2023

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

The City Code states that each board or commission shall hold regular meetings at the times and on the days indicated by resolution of the City Council and are subject to amendment from time to time by Council resolution. Resolution No. 5195 adopted by the City Council in 1987 provided the original schedule for meeting dates and times for the Cultural Commission, Parks and the Recreation Commission, and Senior Advisory Commission. Resolution No. 6047 established the Youth Commission regular meeting day, month, and time. By subsequent resolutions of the City Council, the Commissions have had their schedule of meeting dates and times updated to meet the specific needs of each commission and the public.

DISCUSSION

The City publishes an annual calendar of meetings for Council, Boards and Commissions. The Parks & Recreation Department supports four commissions. The purpose of this item is to set the Calendar of Regular Meetings for 2023 for each of these Commissions. To streamline the process, there is one Council report with four separate resolutions for review and approval by Council.

Commissions currently meet by approved resolution on the following schedules as indicated below:

- According to Council Resolution No. 19-8667, the Cultural Commission meets ten times per year on the first Monday of each month at 7:00 p.m., except when such day falls on a City holiday. On October 3, 2022, the Cultural Commission recommended (RTC # 22-1129) that Council approve the proposed resolution (Attachment 1) and its calendar of meetings for 2023 (Attachment 2).
- According to Council Resolution 19-8771, the Youth Commission meets on the second Tuesday of each month from January to May and September to December at 6 p.m. On October 11, 2022, the Youth Commission recommended (RTC # 22-1262) that Council approve the proposed resolution (Attachment 3) and its calendar of meetings for 2023 (Attachment 4).
- According to Council Resolution No. 20-8918, the Parks & Recreation Commission meets

eleven times per year on the third Tuesday of the month at 7:00 p.m. On September 20, 2022, the Parks & Recreation Commission recommended (RTC # 22-1179) that Council adopt a resolution (Attachment 5) to set the calendar of meetings for 2023 (Attachment 6).

- According to Council Resolution No. 19-8690, the Senior Advisory Commission meets eleven times per year on the fourth Monday of each month at 10:00 a.m., January through November. On September 26, 2022, the Senior Advisory Commission recommended (RTC # 22-1156) that Council adopt a resolution (Attachment 7) to set the calendar of meetings for 2023 (Attachment 8).

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

There are no additional costs to the City other than staff time and expense.

PUBLIC CONTACT

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>>.

RECOMMENDATION

Adopt the proposed resolutions to set each of the 2023 Calendar of Regular Meetings for the Cultural Commission, Youth Commission, Parks & Recreation Commission, and Senior Advisory Commission.

Reviewed by: James Teixeira, Director of Parks & Recreation

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Proposed Resolution - Cultural Commission - 2023 Meetings
2. Cultural Commission - Calendar of Meetings 2023
3. Proposed Resolution - Youth Commission - 2023 Meetings
4. Youth Commission - Calendar of Meetings 2023
5. Proposed Resolution - Parks & Recreation Commission - 2023 Meetings
6. Parks & Recreation Commission - Calendar of Meetings 2023
7. Proposed Resolution - Senior Advisory Commission - 2023 Meetings
8. Senior Advisory Commission - Calendar of Meetings 2023

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
APPROVING THE CULTURAL COMMISSION CALENDAR OF
MEETINGS FOR 2023, SETTING THE NUMBER AND START TIME
OF REGULAR CULTURAL COMMISSION MEETINGS, AND
DELEGATING TO THE CULTURAL COMMISSION THE AUTHORITY
TO ADOPT FUTURE ANNUAL MEETING CALENDARS**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, Section 2.120.030 of the Santa Clara City Code (“SCCC”) requires City boards and commissions to hold regular meetings at the times and on the days indicated by resolution of the Council;

WHEREAS, the City Council in 1987 adopted Resolution No. 5195 to set the original dates and times of the Cultural Commission, and on December 17, 2019 the Council adopted Resolution No. 19-8667 setting the first Monday of the month at 7:00 p.m. as the regular meeting date and time; and

WHEREAS, on October 3, 2022, the Cultural Commission recommended to the City Council its meeting schedule for 2023, which proposes ten (10) meetings per year (January through December), and a start time of 7:00 p.m.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. The City Council hereby approves the Cultural Commission

Schedule of Meetings for 2023, attached hereto.

- 3. Subject to the foregoing, the City Council hereby delegates to the Cultural Commission the authority set forth in SCCC Section 2.120.030 to establish the days and times of regular meetings. In accordance with these parameters, the Cultural Commission shall adopt a Calendar of Meetings annually.
- 4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ____ DAY OF _____, 2022, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:
 NOES: COUNCILORS:
 ABSENT: COUNCILORS:
 ABSTAINED: COUNCILORS:

ATTEST: _____

NORA PIMENTEL, MMC
 ASSISTANT CITY CLERK
 CITY OF SANTA CLARA

Attachments incorporated by reference:

- 1. Proposed Cultural Commission Meeting Schedule 2023



**City of
Santa Clara**
The Center of What's Possible

Cultural Commission
Santa Clara Senior Center
1303 Fremont Street
Santa Clara, CA 95050

Regular meetings are typically held on the first Monday of the month, beginning at 7:00 p.m., at the Santa Clara Senior Center. However, per County of Santa Clara Public Health Order, meetings will be held remotely until further notice.

January 9, 2023
Special Meeting

February 6, 2023

March 6, 2023

April 3, 2023

May 1, 2023

June 5, 2023

August 7, 2023

October 2, 2023

November 6, 2023

December 4, 2023

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
APPROVING THE YOUTH COMMISSION CALENDAR OF
MEETINGS FOR 2023, SETTING THE NUMBER AND START
TIME OF REGULAR YOUTH COMMISSION MEETINGS, AND
DELEGATING TO THE YOUTH COMMISSION THE AUTHORITY
TO ADOPT FUTURE ANNUAL MEETING CALENDARS**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, Section 2.120.030 of the Santa Clara City Code (“SCCC”) requires City boards and commissions to hold regular meetings at the times and on the days indicated by resolution of the Council;

WHEREAS, the City Council in 1995 adopted Resolution 6047 to set the original dates and times of the Youth Commission, and on December 7, 2021 the Council adopted Resolution No. 21-9028 setting the second Tuesday of the month at 6:00 p.m. as the regular meeting date and time; and

WHEREAS, on October 11, 2022, the Youth Commission recommended to the City Council its meeting schedule for 2023, which proposes nine (9) meetings per year (January-May and September-December) and a start time of 6:00 p.m..

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. The City Council hereby approves the Youth Commission Schedule of Meetings, 2022 attached hereto.

3. Subject to the foregoing, the City Council hereby delegates to the Youth Commission the Resolution/Youth Commission Calendar of Meetings 2023

authority set forth in SCCC Section 2.120.030 to establish the days and time of regular meetings. In accordance with these parameters, the Youth Commission shall adopt a Calendar of Meetings annually.

4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF _____, 2022, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:
NOES:	COUNCILORS:
ABSENT:	COUNCILORS:
ABSTAINED:	COUNCILORS:

ATTEST: _____

NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Proposed Youth Commission Meeting Schedule for 2023



2023 Youth Commission Schedule of Meetings

Regular meetings are typically held on the second Tuesday of the month, beginning at 6:00 p.m., in accordance with the following schedule:

Meeting Dates

January 10, 2023

(2446 Cabrillo Avenue, Santa Clara, CA 95051)

February 14, 2023

(2446 Cabrillo Avenue, Santa Clara, CA 95051)

March 14, 2023

(2446 Cabrillo Avenue, Santa Clara, CA 95051)

April 11, 2023

(2446 Cabrillo Avenue, Santa Clara, CA 95051)

May 9, 2023

(2446 Cabrillo Avenue, Santa Clara, CA 95051)

September 12, 2023

(2446 Cabrillo Avenue, Santa Clara, CA 95051)

October 10, 2023

(2446 Cabrillo Avenue, Santa Clara, CA 95051)

November 14, 2023

(2446 Cabrillo Avenue, Santa Clara, CA 95051)

December 12, 2023

(2446 Cabrillo Avenue, Santa Clara, CA 95051)

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA APPROVING THE PARKS & RECREATION
COMMISSION CALENDAR OF MEETINGS FOR 2023, SETTING
THE NUMBER AND START TIME OF REGULAR PARKS &
RECREATION COMMISSION MEETINGS, AND DELEGATING
TO THE PARKS & RECREATION COMMISSION THE
AUTHORITY TO ADOPT FUTURE ANNUAL MEETING
CALENDARS**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, Section 2.120.030 of the Santa Clara City Code (“SCCC”) requires City boards and commissions to hold regular meetings at the times and on the days indicated by resolution of the Council;

WHEREAS, the City Council in 1987 adopted Resolution 5195 to set the original dates and times of the Parks & Recreation Commission, and on December 7, 2021 the Council adopted Resolution No. 21-9029 setting the third Tuesday of the month at 7:00 p.m. as the regular meeting date and time; and

WHEREAS, on September 20, 2022, the Parks & Recreation Commission recommended to the City Council its meeting schedule for 2023, which proposes eleven (11) meetings per year (January - November) and a start time of 7:00 p.m.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. The City Council hereby approves the Parks & Recreation Commission Schedule of Meetings, 2023 attached hereto.

3. Subject to the foregoing, the City Council hereby delegates to the Parks & Recreation Commission the authority set forth in SCCC Section 2.120.030 to establish the days and time of regular meetings. In accordance with these parameters, the Parks & Recreation Commission shall adopt a Calendar of Meetings annually.

4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF _____, 2022, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:
NOES:	COUNCILORS:
ABSENT:	COUNCILORS:
ABSTAINED:	COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Proposed Parks & Recreation Commission Meeting Schedule for 2023



Schedule of Meetings 2023

Regular meetings are typically held on the third Tuesday of the month, beginning at 7:00 p.m., in the City Hall – East Wing Cafeteria. However, per County of Santa Clara Public Health Order, meetings may be held remotely upon notice, in accordance with the following schedule:

Meeting Dates

- January 17, 2023
- February 21, 2023
- March 21, 2023
- April 18, 2023
- May 16, 2023
- June 20, 2023
- July 18, 2023
- August 15, 2023
- September 19, 2023
- October 17, 2023
- November 21, 2023

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA APPROVING THE SENIOR ADVISORY
COMMISSION CALENDAR OF MEETINGS FOR 2023, SETTING
THE NUMBER AND START TIME OF REGULAR SENIOR
ADVISORY COMMISSION MEETINGS, AND DELEGATING TO
THE SENIOR ADVISORY COMMISSION THE AUTHORITY TO
ADOPT FUTURE ANNUAL MEETING CALENDARS**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, Section 2.120.030 of the Santa Clara City Code (“SCCC”) requires City boards and commissions to hold regular meetings at the times and on the days indicated by resolution of the Council;

WHEREAS, the City Council in 1987 adopted Resolution 5195 to set the original dates and times of the Senior Advisory Commission, and on December 7, 2021 the Council adopted Resolution No. 21-9030 setting the fourth Monday of the month at 10:00 a.m. as the regular meeting date and time; and

WHEREAS, on September 26, 2022, the Senior Advisory Commission recommended to the City Council its meeting schedule for 2023, which proposes eleven (11) meetings per year (January-November) and a start time of 10:00 a.m..

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. The City Council hereby approves the Senior Advisory Commission Schedule of Meetings, 2022 attached hereto.

3. Subject to the foregoing, the City Council hereby delegates to the Senior Advisory Commission the authority set forth in SCCC Section 2.120.030 to establish the days and time of regular meetings. In accordance with these parameters, the Senior Advisory Commission shall adopt a Calendar of Meetings annually.

4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF _____, 2019, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:
NOES:	COUNCILORS:
ABSENT:	COUNCILORS:
ABSTAINED:	COUNCILORS:

ATTEST: _____

NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Proposed Senior Advisory Commission Meeting Schedule for 2022



Schedule of Meetings 2023

Regular meetings are typically held on the fourth Monday of the month, beginning at 10:00 a.m., in accordance with the following schedule.

Meeting Dates

January 23, 2023

(Senior Center - 1303 Fremont St., Santa Clara, CA 95050)

February 27, 2023

(Senior Center - 1303 Fremont St., Santa Clara, CA 95050)

March 27, 2023

(Senior Center - 1303 Fremont St., Santa Clara, CA 95050)

April 24, 2023

(Senior Center - 1303 Fremont St., Santa Clara, CA 95050)

May 22, 2023

(Senior Center - 1303 Fremont St., Santa Clara, CA 95050)

June 26, 2023

(Senior Center - 1303 Fremont St., Santa Clara, CA 95050)

July 24, 2023

(Senior Center - 1303 Fremont St., Santa Clara, CA 95050)

August 28, 2023

(Senior Center - 1303 Fremont St., Santa Clara, CA 95050)

September 25, 2023

(Senior Center - 1303 Fremont St., Santa Clara, CA 95050)

October 23, 2023

(Senior Center - 1303 Fremont St., Santa Clara, CA 95050)

November 27, 2023

(Senior Center - 1303 Fremont St., Santa Clara, CA 95050)



Agenda Report

22-1299

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Update on Request for Proposals Related to Janitorial Work at Various City Facilities

COUNCIL PILLAR

Deliver and Enhance High Quality Efficient Services and Infrastructure

BACKGROUND

The City contracts out janitorial services at multiple City facilities including City Hall buildings, Senior Center, Silicon Valley Power offices, Police Station, Libraries, Emergency Operations Center, several Fire Stations, and the Corp yard. Services provided by the vendor include various items such as vacuuming, mopping, restroom cleaning, window cleaning, wiping down counters, deep cleaning, and other related work efforts. Current contracts are set to expire on June 30, 2023. Staff from the Department of Public Works (DPW) and Finance Department have been working on developing a new Request for Proposals (RFP) to procure janitorial services for an initial five-year term.

The Service Employees International Union (SEIU) has reached out to staff and Council on several occasions requesting that the City include additional provisions in the upcoming Janitorial Services RFP. Specifically, SEIU has asked the City to consider including the following criteria in the RFP:

- Wage Theft Liability Waiver
- Prevailing Wage
- Collective Bargaining Agreement
- Labor Peace Agreement

Staff from Finance, DPW, City Attorney's Office (CAO) and City Manager's Office participated in several meetings with representatives from the SEIU Board to discuss these requests along with opportunities to address them. Staff has also provided updates to City Council about these discussions.

DISCUSSION

In order for staff to have a new Janitorial Services contractor under contract by July 1, 2023, it is necessary to publish the RFP in the next several months. Staff has started preparing a draft RFP that incorporates changes to address the concerns raised by SEIU; the purpose of this report is to update Council so staff can move forward with publishing the RFP.

Staff appreciates SEIU's concerns about the issues and opportunities to improve the RFP process. Staff is proposing updated RFP requirements that will address better pay and benefits, improved working conditions, a dispute resolution process, workplace harassment, and Labor Peace. Each

issue, and staff's proposed resolution is addressed below.

Wage Theft

SEIU requested that the City incorporate provisions into the Janitorial Services RFP that per California Labor Code 238.5(c) (d), require contractors to sign a Wage Theft Liability Waiver assuring that the City will not be subject to any wage claims. To address the wage theft concerns and identify companies with a history of wage theft issues, the RFP will require all companies submitting proposals be registered with the Department of Industrial Relations (DIR). This registration will include disclosing any wage claims so that type of company information will be available as part of the RFP process.

Additionally, the CAO reviewed the City's current standard contract provisions and practices. The CAO confirmed that there are already robust contractual provisions and insurance requirements in all City contracts that protect the City from being subjected to wage claims. These provisions will protect the City in lieu of a waiver. The CAO also researched the referenced Labor Code provision and noted that this section does not apply to local governments.

Prevailing Wage

The Public Works Manual published by the DIR's Office of the Labor Commissioner specifically excludes prevailing wage requirements for janitorial services. As such, the payment of prevailing wages is not required by the DIR for this contract. SEIU requested that contractors pay a prevailing wage pursuant to California Public Utilities Code (CPUC) Section 465-466. Although the CPUC Code does not apply to local governments, Staff is recommending to follow SEIU's wage request which is very close to labor rates required by other local agencies (City of San Jose, County of Santa Clara, Valley Water) under their living wage programs. Staff initially discussed following living wage provisions similar to the City of San Jose, however, SEIU was not in favor of this and preferred the CPUC prevailing wage. Staff further reviewed the request and determined that there were no additional significant costs when compared to similar living wage policies. In addition, it provided the benefit of following a CPUC approved approach instead of a different City or County living wage policy. It is estimated that this modification (or the initial living wage staff proposal) could increase costs by approximately 20 percent when compared with wages under the City's current janitorial contracts.

Collective Bargaining

SEIU requested that the City require firms to be signatory to a collective bargaining agreement with preference given to those having a dispute resolution process that covers a variety of issues including wages, benefits, working conditions and discipline. Staff will require that proposals include the firm's employee handbook or policy(s) that addresses these criteria. Information provided will be included in the proposal evaluation process.

The City's RFP will not restrict competition only to firms that are signatory to a collective bargaining agreement as this will unnecessarily restrict competition. Solicitations for City projects are open to both union and non-union firms. Furthermore, the CAO and the City's outside labor consultant concurs that the City should continue with this practice.

Labor Peace

SEIU requested that contractors have a Labor Peace Agreement with a labor organization that includes employee participation in addressing grievances, labor disputes, and working conditions.

Staff recommends addressing labor peace through the RFP process by requiring proposers to provide assurances that an environment of labor peace exists. This includes the necessary policy(s) to cover a variety of issues such as wages, benefits, working conditions and discipline. In addition, the RFP will require that all proposing firms be registered with the DIR where the disclosure of information related to wage claims, harassment, and workplace violence is required.

The City's RFP will not restrict competition only to firms that have a Labor Peace Agreement with a labor organization as this will unnecessarily restrict competition. As referenced above, solicitations for City projects are open to both union and non-union firms.

Lastly, the City's Labor Retention Ordinance will apply to this RFP, which provides for existing employees under the current agreement the opportunity to continue their employment under the new agreement even if a new vendor is selected. Staff will incorporate the submittal requirements into the RFP. The target date to issue the RFP is December 2022, allowing sufficient time for Staff to review proposals, recommend a vendor, and return to Council with a contract(s) for approval.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15378(b)(5) in that it is a governmental organization or administrative activity that will not result in direct or indirect changes in the environment.

Describe the CEQA review. If you have questions about whether CEQA applies, call CAO or reference the Style Guide.]

FISCAL IMPACT

Staff estimates that the proposed changes to the RFP could increase City costs for janitorial services by approximately 20 percent when reviewing current janitorial contracts. There are no other impacts other than staff time, or consultant time, to monitor compliance with labor requirements. Actual cost impacts will be determined through the RFP process. Once determined, actual costs will be factored into upcoming budget processes; however, because of the existing General Fund budget deficit, additional resources or expenditure/service reductions and deferments may result to offset the potential cost of the new contract.

COORDINATION

This report has been coordinated with the Finance Department, City Attorney's Office, and the City Manager's Office

PUBLIC CONTACT

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.

RECOMMENDATION

Note and file the report incorporating changes discussed in this memorandum allowing Staff to move forward with issuing the RFP.

Reviewed by: Craig Mobeck, Director of Public Works
Approved by: Rajeev Batra, City Manager



Agenda Report

22-1291

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action on a Request for a Special Permit to allow the Santa Clara First Baptist Church, located at 3111 Benton Street, to conduct an outdoor Christmas Pageant from December 8, 2022 through December 11, 2022, and December 7, 2023 through December 11, 2023.

COUNCIL PILLAR

Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND

The applicant, Jerry Cintas on behalf of Santa Clara First Baptist Church, is requesting a Special Permit for two years pursuant to Zoning Code Section 18.60.030 to allow for an outdoor Christmas Pageant in the western parking lot of the church located at 3111 Benton Street. Zoning Code Section 18.60.030 requires issuance of a Special Permit by the City Council in non-industrial zones for any use not otherwise regulated within the Zoning Code.

The property is currently zoned B - Public, Quasi-Public consistent with the current use of the subject site as the Santa Clara First Baptist Church. The surrounding area is comprised of properties designated with public, quasi-public and residential zoning districts, including the Santa Clara High School (Santa Clara Unified School District) to the south, and multi-family and single-family residential to the north, east, and west.

DISCUSSION

The Santa Clara First Baptist Church is requesting a Special Permit for two years to allow it to host its 24th annual Christmas Pageant (Bethlehem a Living History) as a free event open to the community. The event is proposed to take place from December 8, 2022 to December 11, 2022 and from December 7, 2023 to December 11, 2023. The proposed Permit findings of consistency with the Zoning Code and conditions of operation are listed below. The draft permit conditions address allowable hours of operation, additional permit requirements, cleaning of the lot, and nuisance avoidance:

1. Set-up of the 2022 event shall be on Saturdays through November 5, 2022 to December 3, 2022 from 9:00 a.m. to 3:00 p.m., and breakdown/clean-up shall be from December 12, 2022 through January 7, 2023;
2. Event dates for 2022 shall be from December 8, 2022 to December 11, 2022
3. Event dates for 2023 shall be from December 7, 2023 to December 11, 2023
4. Pageant activities are restricted to 5:30 p.m. to 9:30 p.m. daily from December 8, 2022 through December 11, 2022 and from December 7, 2023 to December 11, 2023;
5. Applicant shall submit the proposed set-up and clean-up dates for the 2023 pageant to the Planning Division for review and approval prior to commencement of the event;

6. The applicant shall obtain Building Official approval and permits for all electrical and utility hook-ups, as well as any other required building permits, prior to the event;
7. The applicant shall comply with all Zoning Ordinance regulations regarding temporary structures;
8. The applicant shall obtain Fire Marshal approval and Fire Department permits prior to the event and comply with Fire Department requirements for the "open burning" permit;
9. The applicant shall obtain an amplified music permit and shall comply with City Code Section 9.10.040, noise and sound regulation, if applicable;
10. The applicant shall comply with the attached project description for provision of parking, street crossing attendants, and parking lot monitoring;
11. The applicant shall provide on-site security personnel and provide trained first aid personnel for the First Aid Station;
12. There shall be no "searchlight" beams, streamers, or roof-mounted balloons during the term of this Special Permit;
13. The applicant shall obtain temporary sign permits for all temporary signs advertising the event; and
14. At the conclusion of the event, the parking lot and landscaped areas shall be cleaned and returned to their prior condition.

The proposed temporary use, along with its limited duration, is not anticipated to adversely affect the aforementioned surrounding land uses in that the event will occur for a maximum of five nights each year, and is subject to conditions which will mitigate potential negative impacts. Conditions of approval will require that the use be conducted in a manner that will not create a private or public nuisance. Additionally, this Special Permit is subject to revocation should problems arise.

ENVIRONMENTAL REVIEW

The action being considered is categorically exempt from formal environmental review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15304(e) (Class 4 - "Minor Alterations to Land") as it consists of "[m]inor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc."

FISCAL IMPACT

There is no cost to the City other than administrative staff time and expense.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

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.

RECOMMENDATION

Approve the request of a Special Permit to allow the Santa Clara First Baptist Church, located at 3111 Benton Street, to conduct an outdoor Christmas Pageant from December 8, 2022 through December 11, 2022, and December 7, 2023 through December 11, 2023, subject to conditions.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Cover Letter and Site Plan



Bethlehem

Experience the Birth

“Special Permit” application for Santa Clara First Baptist Church

Event site: Church property - 3111 Benton Street, Santa Clara, 95051

APN: 290-27-006

Event name: Bethlehem

Dates of Event: December 8-11, 2022 (4 nights)

December 7-11, 2023 (5 nights)

Hours of event:

Preparation 5:30 PM - 6:30 PM

Event: 6:30 PM - 9:00 PM

Clean up: 9:00 PM - 9:30 PM

Setup Days: Saturdays 9am - 3pm, Nov 5, 12, 19, 26, Dec 3

Cleanup Days: Dec 12-17, 24, 31, Jan 7

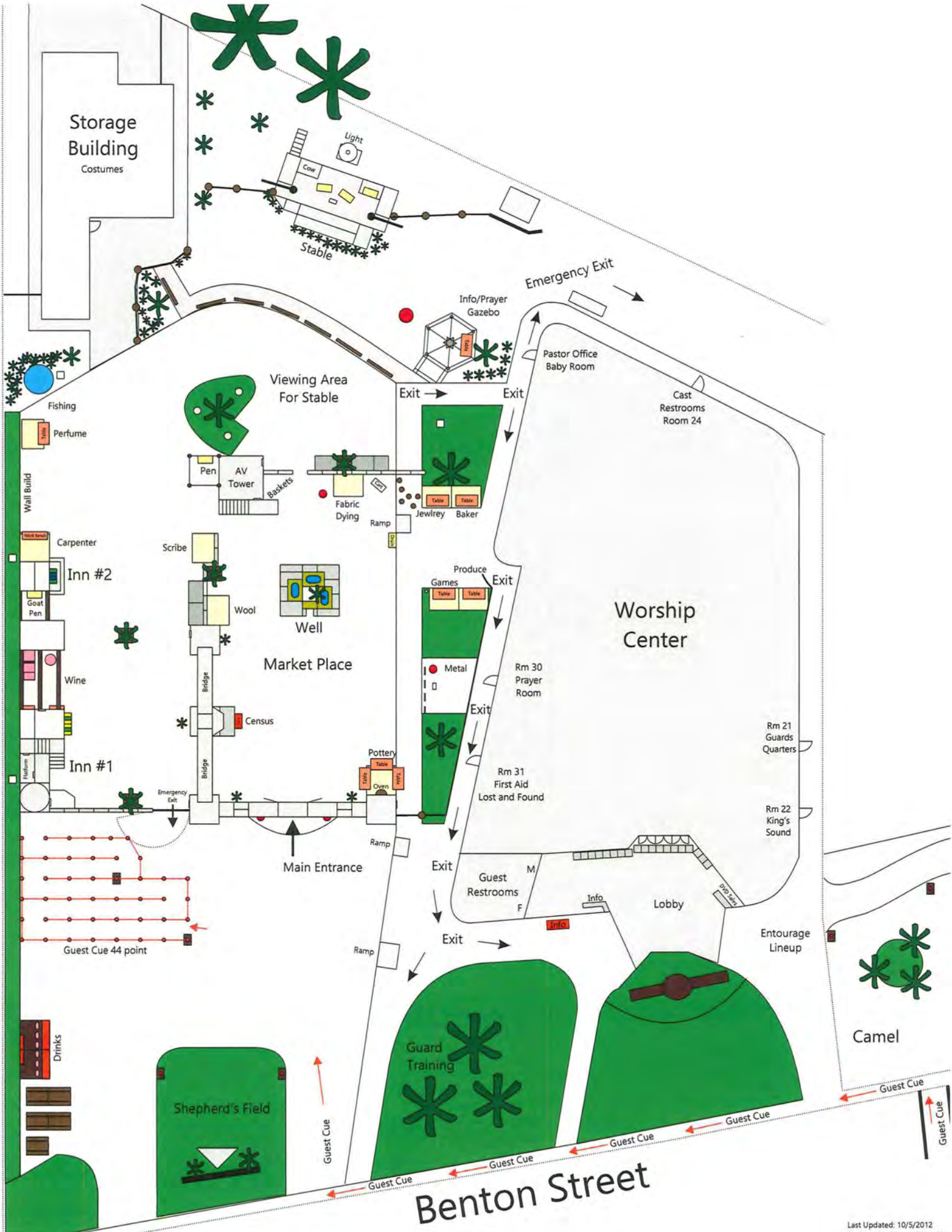
Event description: This will be our 24th year providing this FREE community outreach program sponsored by Santa Clara First Baptist Church. The purpose of this event is to provide a “living history” environment of the town of Bethlehem during the period just preceding the Birth of Jesus Christ. The purpose of the event is to provide a free Christmas experience for families in the community.

A portion of the west parking lot of the church will be transformed into the city of Bethlehem, by the use of wood frame sets, commercial theatrical lighting, costumed actors, rented animals with handlers, and sound equipment. Provisions will be made to ensure public safety in the form of trained first aid providers, security and parking attendants, and permit placed fire extinguishers and exit routes. Liability insurance is through Church Mutual. An average of 2500 guests a night is expected to come and go during the hours of operation.

Event Contact: Jerry Cintas 408-390-4696cell
Church Office, 408-241-7635

Bethlehem

Santa Clara First Baptist Church - 3111 Benton Street, Santa Clara, CA 95051
408-241-7635 www.BethlehemSC.com



Benton Street



Agenda Report

22-1362

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Accept the resignation of James Hohenshelt from the Senior Advisory Commission, Declare a Vacancy on the Senior Advisory Commission, and Action on the appointment of Rick Andrews to the Senior Advisory Commission to serve a partial term ending June 30, 2023

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

Commissioner James Hohenshelt was appointed on October 5, 2021 to serve a partial term ending on June 30, 2023. On August 22, 2022 staff was informed that Commissioner Hohenshelt was employed by the City of Santa Clara as a Crossing Guard. On September 26, 2022, staff informed Commissioner Hohenshelt that he is not able to both serve on a City commission and be employed by the City pursuant to Santa Clara City Code Section 2.120.110 "...members shall not hold any paid office or employment in the City Government." On October 10, 2022 Commissioner Hohenshelt submitted an email of resignation to Jennifer Herb, staff Liaison to the Senior Advisory Commission.

DISCUSSION

Due to Commissioner Hohenshelt's resignation, this has created a vacancy on the Senior Advisory Commission. On May 16, 2022, the City Council interviewed four (4) Senior Advisory Commission applicants, following the appointment, Council placed Veena Sterling and Rick Andrews on the eligibility list due to expire on November 16, 2022 in the event a resignation should occur. Ms. Sterling was appointed to fill a vacancy on June 21, 2022, Mr. Andrews remains on the list, staff reached out to inquire if there is still an interest to serve. Mr. Andrews expressed that he continues to have an interest in serving on the commission.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

There is no additional cost to the City other than administrative staff time and expense.

PUBLIC CONTACT

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>>.

RECOMMENDATION

Accept the resignation of James Hohenshelt from the Senior Advisory Commission, Declare a vacancy on the Senior Advisory Commission and appoint Rick Andrews from the established eligibility list to serve a partial term ending June 30, 2023.

Reviewed by: Nora Pimentel, Assistant City Clerk

Approved by: Rajeev Batra, City Manager

ATTACHMENT

1. Senior Advisory Application - Rick Andrews



Position

Board/Commission/Committee Applying for*

Senior Advisory Commission

Personal Information

Name*

Rick Andrews

Email*

[Redacted]

Address*

Street Address

[Redacted]

Address Line 2

City

Santa clara

State / Province / Region

Ca

Postal / Zip Code

95054

Country

Usa

Primary Phone #*

[Redacted]

Secondary Phone #

[Redacted]

Additional Information

Are you eligible to vote in Santa Clara?*

Yes

Are you a registered voter of Santa Clara?*

Yes

Have you attended a meeting of this Board/ Commission/ Committee?*

Yes

Present Employer

Valley Medical Center

Job Title

Facilities Manager

Work Experience

Previous Government Bodies/ Elective Offices Applicant has served

	Government Bodies/ Elective Offices	Position/ Office Held	From Date	To Date
1				

Civic or Charitable Organizations to which Applicant has belonged

	Civic or Charitable Organization	Position Held	From Date	To Date
1				

Special Interests, Hobbies or Talents

High School, College, Professional, Vocational Schools attended

High School, College, Professional, Vocational School Major Subject

Degree Dates / Anticipated Graduation

San Jose state

Business Administration

5/23/1981

Special awards or recognition received

Reasons

Please state reasons why you want to become a member of this Board/Commission/Committee, including what specific objectives you would be working toward as a member of this advisory board:

Additional Information

Any other information which you feel would be useful to the City Council in reviewing your application:

Conflict of Interests

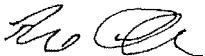
Are you associated with any Organization/Employment that might be deemed a conflict of interest in performing your duties if appointed to this position?

Abstaining from Votes

City policy directs all advisory body members not to vote on matters where there exists a potential conflict of interest. Would you be willing to abstain from voting if such a conflict arises?

Signature and Acknowledgement

Signature*



By clicking submit you are confirming that you are the person listed in this application, and that all information provided is truthful and correct. All information provided will be public information.



Agenda Report

22-1252

Agenda Date: 11/15/2022

INFORMATIONAL REPORT TO COUNCIL

SUBJECT

Informational Report Regarding Bi-Annual Project Status Report of the GIS Services Program

COUNCIL PILLAR

Deliver and Enhance High Quality Efficient Services and Infrastructure

BACKGROUND

The City has made significant progress in establishing an enterprise GIS program. On October 29, 2019, Arini Geographics was awarded a contract for Enterprise GIS Consulting Services. The contract was awarded as a three-year professional services agreement for the initial term of the contract, with an additional two-year term. We are now starting year one of the two-year term. Council has requested a bi-annual project status report of GIS services. This is the sixth report.

DISCUSSION

With location a common attribute across numerous city services and assets, the City’s Enterprise GIS Program is a framework of people, process and technology enabling geospatial and asset information across departments managed in a single system. Integrating this information and making it available to staff and the public enables operational effectiveness, data driven decision making, cross departmental and regional coordination, citizen engagement and transparency.

Efforts are focused on (1) projects and (2) day-to-day operations as below.

Projects - Accomplishments during this reporting timeframe are:

Project	Current Reporting Period	Next Reporting Period
Streets and Intersections Inventory	✓ Completed	
City-owned Parking Lots Inventory	✓ Completed	
Citywide Desktop GIS Upgrade	✓ Completed	
Parks & Recreation Assets Update	✓ Completed	
DPW EAM Integrations: Traffic signs, city trees, storm drain	✓ Completed	
Stadium Common Operational Picture Upgrade	In Progress*	Completion Planned
Sewer Video Inspection Integration	In Progress*	Completion Planned
Parcel Document Access via infoMap	Initiate	
GIS-Based Pipeline Map Books	Initiate	

Enterprise GIS Governance & Stakeholder Engagement	Initiate	
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*Continued from the last period

- **Streets and Intersections Inventory:** Completed GIS Inventory of City Streets and Intersections, providing the Department of Public Works with comprehensive representation of the actual surface of 846 City streets and 1519 intersections, including specific attributes such as speed limit, surface, classification, and number of lanes. As part of a separate effort, this dataset will be integrated with the City’s enterprise asset management (EAM) enabling the tracking of work orders to the actual assets. The accumulation of such geographically enabled data over time constitutes the basis for data-driven decision-making on preventative maintenance and proactive service. (Refer to Figure 1)
- **City-owned Parking Lots Inventory:** Completed an inventory of 92 active City-owned Parking Lots offering 7,607 parking spaces, totaling 3,456,416 square feet, including specific attributes such as the parking lot name, status, and the number of ADA parking spaces. When integrated into the City EAM, this dataset will constitute the basis of more effective maintenance through work order tracking and analysis. (Refer to Figure 1)



Figure 1: Intersections (Pink), Streets (Green), Parking Lots (Yellow)

- **Citywide Desktop GIS Upgrade:** Completed the upgrade of the desktop GIS applications, ensuring better GIS software and data usage accountability. This allows City staff to design and run location-based queries and analyses, as well as create and share their own maps and visualizations. In addition, we have expanded utilization of infoMap citywide. The infoMap web application provides easy access to GIS capabilities that saves staff time. The upgrades, along with continuous GIS training uplifts the skill level of city staff, who use modern tools to make data-

driven decisions.

- **Parks & Recreation Assets Update:** Completed the mapping of Parks & Recreation facilities added to the city since the initial inventory of City parks and recreation assets (Kitchell Report, 2018). As a subsequent effort, this dataset is ready to be integrated with the City's enterprise asset management (EAM) system based on department resources and budget. Digital models of city parks, down to each bench and trash constitute the basis of preventative maintenance and helping inform capital investment decisions.
- **DPW EAM Integrations:** As reported previously, integration with the EAM for DPW assets such as traffic signs, city trees, storm drain has successfully completed. Based on the successful completion of above-mentioned assets, additional assets such as City streets, intersections and parking lots are cataloged and completed by GIS and await to be integrated with EAM as budgets and resources are prioritized.

Planned activities over the next six months:

- **Complete the upgrade to the Common Operational Picture** providing live situational awareness to public safety activities related to events at the Levi's Stadium. This effort started in August 2021 to align with enterprise GIS technology upgrades completed last year and will continue to completion through the 2022 - 2023 NFL Season.
- **Sewer Video Inspection System Integration (itPipes)** to identify and locate areas of improvement and help plan and execute informed preventative maintenance. By adding maps and data to the mobile pipeline inspection management system, the Department of Water and Sewer can track progress of the inspections and proactively locate areas of improvement, helping to plan and execute informed preventative maintenance. Staff is currently upgrading the itPipes application and enhancing the GIS integration.
- **Parcel Document access via infoMap** to enable quick location-based access to documents related to City current and historical parcels through infoMap leading to significant City staff productivity gains and better customer service.
- **GIS-Based Pipeline Map Books** to improve the timeliness, quality and upkeep of GIS data and pipeline utility network models and asset inventories, managed by the Department of Public Works (DPW) and Water & Sewer Department (WSD). Currently the map books are updated manually. This effort would establish an improved GIS-based production of printed map books used by field crews to maintain assets or construct new ones.
- **Enterprise GIS Governance & Stakeholder Engagement**, comprising meetings with key stakeholders aimed at advancing the location-based organization of departmental and citywide information and processes, for increasing business effectiveness, and the quality of service to residents and visitors.


Day-to-Day Operations

The City's Enterprise Geospatial Repository (EGR) serves as the system of record supporting

numerous City activities by supplying high-confidence location-based information in many areas of the City business: public safety, utilities operations, community development, parks maintenance, capital investments, and public outreach. For example, whether in the Fire Department, the Police Department, the Water and Sewer Department, or the Streets and Automotive Division of the Public Works Department, first responders and field workers arrive quicker and with proper equipment at the correct address. City services run smoother, and significantly more productive, when they can quickly and confidently access the information, they need daily in its geographic context. From the permits counter to the 911 dispatch center, the city operates faster and smarter, and the citizens are better served.

Statistics and information related to Enterprise GIS activities can be found in the infographic (Attachment 1), indicating City Basemap updates since October 16, 2021, records count in the Enterprise Geospatial Repository (EGR) by department, as well as infoMap usage statistics by functionality.

City Enterprise GIS Basemap - specialized mapping system keeping track of the City’s foundational map layers (addresses, streets, parcels, ownership, general plan and zoning designations, multiyear aerial imagery - see illustration below) and key-related attributes. From May 16,2022 through October 31, 2022, there have been 264 site address updates, 623 land parcel updates and 63 new land parcels created, and 306 air parcel updates. An near real-time Operations Dashboard <<https://egis.santaclaraca.gov/portal/apps/opsdashboard/index.html>>, which offers a visualization of edits done to the City Enterprise Basemap, is available internally to City staff. Currently, the Enterprise GIS manages 275 - and growing! - diverse layers of geospatial and attribute information, covering the City (with some extending beyond the City borders) and serving most of the City's business functions, on a daily basis, from smart community development to preventative asset maintenance, from effective public safety to environmental compliance and sustainability.



City of Santa Clara
The Center of What's Possible

Item	Dataset/Category	Dept	Layers
1	Addresses and Sub Addresses	Citywide	3
2	Administrative Areas	Citywide	5
3	CAD and RMS	PD	14
4	Demography	Citywide	6
5	Development Projects	CDD	2
6	District Election	CCO	1
7	Common Operational Picture	SCSA	37
8	Councilmember Interests	CCO	2
9	Underground Electric Easements	SVP	1
10	Streets Centerlines	Citywide	1
11	FEMA	CDD	16
12	Fire and Fire Structure Preplan	FD	33
13	Historic Properties	CDD	1
14	Land Use Planning	CDD	5
15	Land and Air Parcels	CDD	2
16	Property Ownership	CDD	1
17	Parks and Recreation Assets	PRD	43
18	City Parks	PRD	1
19	Police Operational Layers	PD	4
20	Poatable Water Distribution	WSD	29
21	Recycled Water	WSD	19
22	Reference Geographic Features	Citywide	12
23	Sanitary Sewer	WSD	14
24	Sidewalks and Ramps	DPW	2
25	Storm Drain	DPW	10
26	Street Trees	DPW	1
27	Traffic Control	PD	8
28	Traffic Signs	DPW	2
Total Core GIS Layers			275

Core GIS Layers

- **Serving Most City Functions with Excellence**
 - Land Management and Community Development
 - Firefighting, Law Enforcement, Disaster Preparedness
 - Local Elections, Census, Public Health, Sustainability
 - Utilities Operations, Capital Investments, Maintenance
 - Roadway Maintenance, Traffic and Refuse Management
 - Parks and Recreation, Urban Forest Management
 - Municipal Administration and Civic Engagement
 - Multi-agency Coordination and Information Exchange
 - Heritage Preservation and Visitors Services
 - Award-winning Public City Image Contribution

Quality assurance and critical data updates are continually being performed in several areas:

- MapSantaClara: A web-based application providing tailored access and reporting functionality to the public (<https://map.santaclaraca.gov>). The app received over 20,000 visits over the current reporting period.
- Open Data Geospatial Portal: A web-based repository providing access to GIS data without the need to request such information, saving City staff time -(<https://map.santaclaraca.gov/data>).
- Story Maps: Specialized web-based GIS interactive maps that facilitate information dissemination and increase the level of service to the public, including Development Projects (<http://santaclaraca.gov/devprojects>) and Live Traffic Cameras ((<http://santaclaraca.gov/trafficcams>)).
- Public Safety: Various GIS integrations and dedicated datasets are in place supporting the Police and Fire Departments, and are being maintained with regularity, including maps for the Computer Aided Dispatch (CAD) system and police mobile data computers (MDCs).
- Enterprise Permitting: Supporting the new Enterprise Permit Management System, providing GIS live location validation for new and over 500,000 existing permit records. Functionality includes various ways of searching and mapping sites of interest, optimal routing for inspections, and an easy way to review historical records for properties and addresses through infoMap 3.1.
- Enterprise Asset Management (EAM): This is a key focus area enabling more effective management of City's assets to improve their utilization and performance, reduce capital and operational costs, and improve quality of service. GIS is an integral part of the EAM Program as the system of record for all assets tracked.
- Regional GIS Collaboration and Coordination: Collaboration with neighboring cities, the County of Santa Clara, and other government agencies to ensure regional timely and quality data acquisition and sharing. Through an ongoing agreement, the City receives fresh annual high-resolution aerial imagery, which is the foundational GIS layer for the City Basemap. A separate effort seeks standardization of GIS data layers for emergency response, including NextGen 911 implementation.
- Steady State GIS: Fulfilled numerous requests from departments, including the Council Districts boundary update; printable wall maps of Police Beats to aid new officers during their training, orientation, operations, and reporting; analysis and map of available undeveloped City-owned properties North of US 101; map of citywide permitted accessory dwelling units; geospatial and property ownership data request to aid the Housing Element Update program; and General Plan Amendment updates.

ENVIRONMENTAL REVIEW

This is an informational report only and no action is being taken by the City Council and no environmental review under the California Environmental Quality Act ("CEQA") is required.

FISCAL IMPACT

There is no cost to the City associated with this report other than administrative time and expense.

PUBLIC CONTACT

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.

RECOMMENDATION

Note and file the Informational Report regarding the Bi-annual Project Status Report of the GIS Services Program.

Reviewed by: Gaurav Garg, Director of Information Technology/CIO

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Infographic - Enterprise Geospatial Program Activity

Enterprise Geospatial Program Activity

May 16, 2022 - October 31, 2022

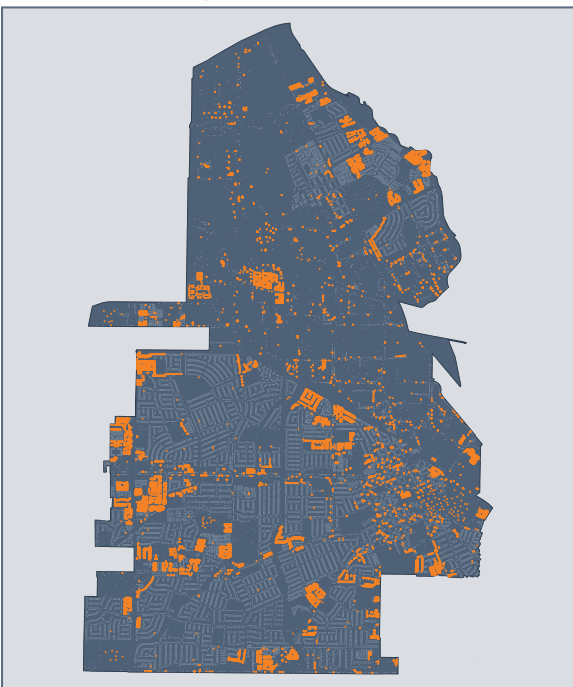
Enterprise Geospatial Repository

InfoMap (<http://infomap.santaclaraca.gov/>) provides City Staff easy access to up-to-date and accurate GIS data, and printable maps and reports. These services and their supporting data facilitate operations in land records, public works, fire services, emergency management, law enforcement, planning and development, elections, health and human services, and many others.

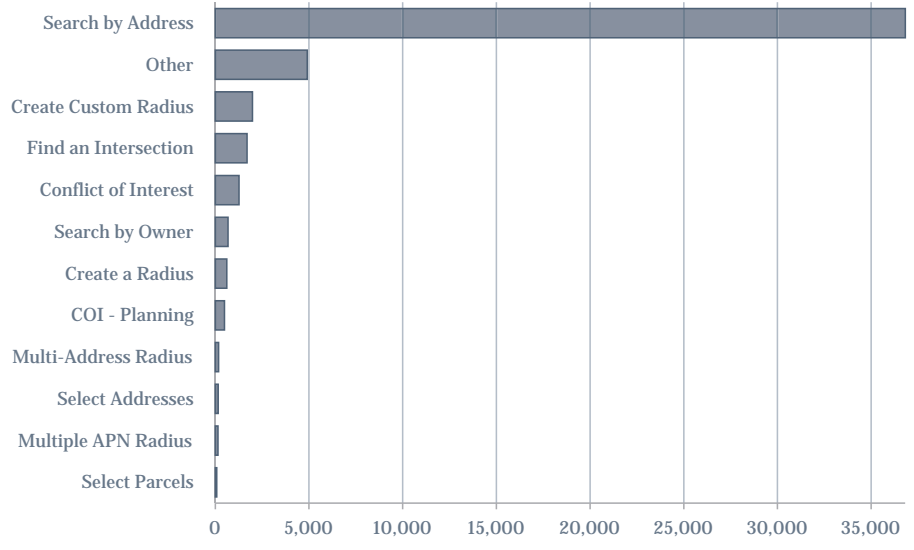
MapSantaClara (<https://map.santaclaraca.gov/>), an interactive city map, provides the City's residents, businesses, and developers with quick access to information about Santa Clara.

Addresses Updated

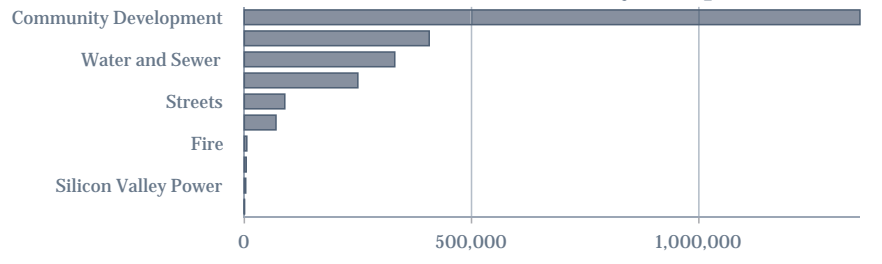
35,083 Address Updates



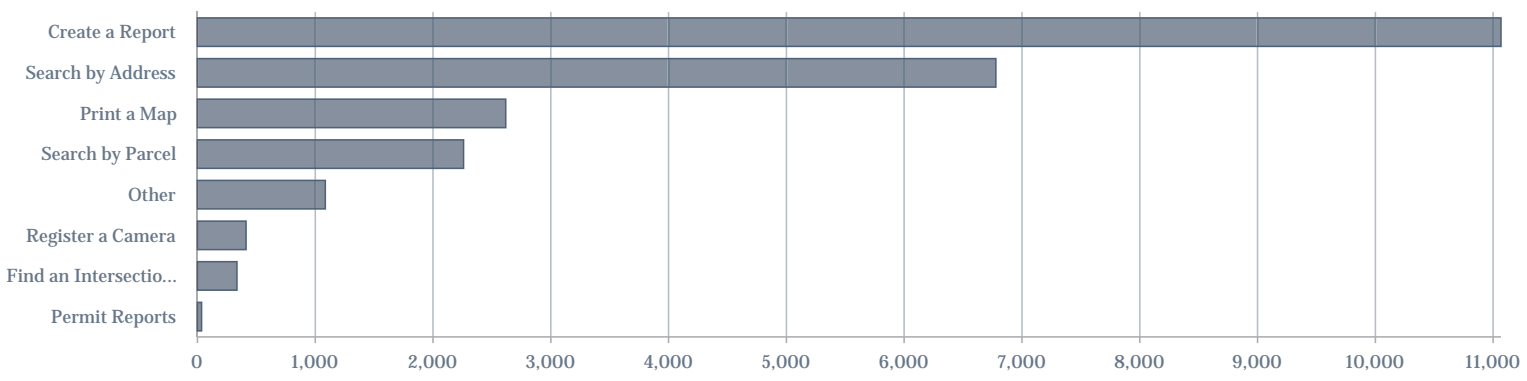
InfoMap Usage by Functionality



EGR Record Count by Department



MapSantaClara Usage by Functionality





Agenda Report

22-1188

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Informational Report Regarding the City's Shared Mobility Permit Program

COUNCIL PILLAR

Deliver and Enhance High Quality Efficient Services and Infrastructure

BACKGROUND

At the September 13, 2022 City Council meeting during Public Presentations, a resident provided feedback on the recent addition of electric scooters in Santa Clara. Staff was then directed to provide an informational report on the bicycle and scooter share program in Santa Clara at a future City Council meeting. The information presented below provides the history and current status of the City's Shared Mobility Permit Program (i.e. shared bicycle and scooters).

In early 2019, the City Council adopted a temporary moratorium on the operation of shared mobility devices in Santa Clara. At that time, the City Council directed staff to return with a proposed permanent Shared Mobility Permit Program (Permit Program) to formally regulate the use of shared mobility devices within the City. Staff developed and implemented a workplan for the establishment of a Permit Program and provided a detailed progress update on its development at the June 4, 2019 City Council meeting. Additionally, at the June 24, 2019 Bicycle and Pedestrian Advisory Committee (BPAC) meeting, staff presented the proposed Permit Program and BPAC approved a recommendation that the City Council approve the Permit Program.

In July 2019, the City paused the development of the Permit Program based on pending Americans with Disabilities Act (ADA) litigation that had the potential to impact the proposed Permit Program. At the time staff was also tracking two items of pending legislation (Assembly Bill 1112 and Assembly Bill 1286) that could potentially affect the Permit Program.

On November 17, 2020, staff provided an informational report to the City Council with an update on the proposed Permit Program and highlighted recent changes to state law. Staff informed City Council of a plan to return with a proposed Permit Program and Administrative Regulations for review and consideration by the end of 2021.

In early 2021, staff restarted the development of the Permit Program as the related ADA litigation was resolved and Assembly Bill 1286 was approved by the Governor. Staff spent considerable time reengaging with shared mobility operators and updating the Permit Program based on the following items:

1. Address feedback from the June 4, 2019 City Council discussion and the June 24, 2019 BPAC discussion on the proposed Permit Program.

2. Incorporate required changes based on recent State Law and the above-mentioned ADA litigation
3. Include any recent developments within the shared mobility operator industry (e.g., parking detection technology, etc.)
4. Ensure regulations are comparable with other cities that have similar programs. (San Jose, Oakland, San Francisco, and Sacramento)

On December 7, 2021, City Council approved the Permit Program by introducing an Ordinance instituting Shared Mobility Administrative Regulations and adopting a Resolution establishing the Shared Mobility Permit and Impound Fees. The goal of the Permit Program is to provide an additional active transportation option for the public to travel throughout the City. In addition, the Program aims to provide a transportation option for short trips throughout the City as well as provide first and last mile connections to transit stops.

DISCUSSION

Shared mobility operators must apply for an operating permit to deploy shared mobility devices in accordance with the City's Shared Mobility Permit Administrative Regulations (Attachment 1). Below is a summary of the notable requirements:

- One Year Operating Permits: Permits may be given to up to three operators for a one-year period beginning on July 1 and ending the following year on June 30.
- Maximum Number of Citywide Devices: The total number of devices citywide shall not exceed 3,000 (or up to 2,000 scooters and 1,000 bicycles).
- Device Parking:
 - All devices parked in a low-density residential zone must be relocated out of the zone within 72 hours.
 - Devices shall be parked upright and shall not block pedestrian pathways
 - Any improperly parked device shall be re-parked by the operator within two hours of notification.
- Customer Service and Outreach:
 - Operators are required to maintain a 24-hour customer service contact line.
 - Operators must conduct public outreach including safety education for members of the public.
- Fines and Permit Revocation: Operators can be cited for failure to comply with the regulations which can lead to the revocation of the operating permit.

On February 1, 2022, the City began accepting Shared Mobility Permit applications for Fiscal Year 2022/23. The City received two applications from Bird Rides, Inc. (Bird) and VeoRide, Inc. (Veo). Bird's application includes the deployment of 1,000 devices (800 e-scooters and 200 e-bicycles) and Veo's application includes deployment of up to 300 e-scooters. In total, the City has received applications for up to 1,300 devices. Attachment 2 includes images of the devices that Bird and Veo intend to deploy in Santa Clara.

After review of Bird's application, the City determined that they demonstrated compliance with the City's regulations and on August 8, 2022, the City issued a shared mobility operating permit to Bird. In preparation for device deployment, staff coordinated with Bird to review proposed locations for deploying devices, updated the City's MySantaClara app so that residents could provide feedback to

the City, and updated the City's Permit Program webpage ([SantaClaraCA.gov/SharedMobility](https://www.santaclaraca.gov/SharedMobility) <<https://www.santaclaraca.gov/our-city/departments-g-z/public-works/engineering/traffic-engineering/bicycle-and-scooter-share>>).

Additionally, after review of Veo's application, the City determined that they also demonstrated compliance with the City's regulations and on October 27, 2022, the City issued a shared mobility operating permit to Veo.

Staff also completed several public outreach activities to notify the public of the Permit Program, including:

- Inside Santa Clara (Summer 2022)
- City Hall News (July and September 2022)
- Santa Clara Police News Release on Device Operating Rules (August 2022)
- City News Release - Bird Device Launch (August 2022)
- Facebook, Instagram, Twitter, NextDoor and Gov Delivery (August 2022)
- Art and Wine Festival (September 2022)
- City News Release - Veo Device Launch (October 2022)

Operators will be providing user and operation data on the program and this information will be included on future program status updates.

ENVIRONMENTAL REVIEW

This report does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is an administrative activity that will not result in direct or indirect physical changes to the environment.

FISCAL IMPACT

There is no fiscal impact associated with this report.

COORDINATION

This report has been coordinated with the Police Department and City Attorney's Office.

PUBLIC CONTACT

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.

RECOMMENDATION

Note and file Informational Report Regarding the City's Shared Mobility Permit Program

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Shared Mobility Permit Administrative Regulations
2. Images of Bird and Veo devices

City of Santa Clara

Shared Mobility Device Permit Administrative Regulations

February 2, 2022

Dated: 3/14/2022


Office of the City Manager
City of Santa Clara

APPROVED AS TO FORM
SANTA CLARA CITY ATTORNEY'S OFFICE

Luis M. Haro Digitally signed by Luis M. Haro
Date: 2022.03.11 16:14:34 -08'00'

Purpose and Authority

Chapter 10.35 of the Santa Clara City Code sets forth the requirements and procedures for permits issued for the operation of Shared Mobility Devices in the City of Santa Clara. These regulations implement the provisions of Chapter 10.35 and are issued by the City Manager or Designee under the authorization granted by Section 10.35.030 of the Code. These regulations are not intended to be exhaustive and may be amended at any time by the City Manager.

These regulations shall be referred to as the "Shared Mobility Device Permit Administrative Regulations."

Definitions

The definitions set for in Chapter 10.35, and herein, shall govern the application and interpretation of these regulations.

Permit Requirements

The following requirements shall be incorporated into the Terms and Conditions of all Shared Mobility Device permits issued. By submitting an application, Operator agrees to comply with all requirements, unless a specific modification is noted in the application and approved by the City Manager in writing prior to issuance of permit.

Permit Issuance

1. Permit application period will be from February 1 to March 31 each year.
2. Permit will be valid for a one-year period, from July 1 to June 30.
3. The City Manager to review permit applications and issue permits by June 1.
4. Based on the content of the Permit Application, the City Manager may select up to three operators to grant permits based on criteria described in "Permit Application Contents" section.

Shared Mobility Device Requirements

1. All Shared Mobility Devices shall have, and clearly display, a unique, permanent identification number.
2. All Shared Mobility Devices shall be equipped with global positioning system (GPS) tracking or other similar means of continuously tracking locations of such Shared Mobility Devices.
3. All Shared Mobility Devices shall clearly display the operator's business name, customer service phone number, and email address. Information shall also be provided in Braille on each Shared Mobility Device.
4. All Shared Mobility Devices shall include headlights, tail lights, reflectors, and comply with applicable California State Law, including the California Vehicle Code, and industry standards.

5. Operator shall provide a description of Mobility Device capabilities that will assist user in complying with state law, including the California Vehicle Code, regarding maximum scooter operating speeds and prohibited operation on sidewalks. Each Operator will be required to deploy "Geofencing" or other technology capable of preventing the use of Shared Mobility Devices or to limit the maximum speed of Shared Mobility Devices in designated areas of the City as specified by the City Manager. The City reserves the right to require that modifications to required geofencing areas be made during the duration of the Operator's permit. Operator shall provide geofencing implementation plan and timeline within three business days of City Manager request.

Parking

1. Operators will ensure that users of the Shared Mobility Devices including the Operator's agents responsible for fleet management and rebalancing are informed of all applicable laws and regulations, and the following parking rules and limitations, and ensure that users comply with these limitations.
2. All Shared Mobility Devices shall be upright when parked.
3. All Shared Mobility Devices shall not be parked in such a manner as to block or obstruct access to public facilities including but not limited to the following:
 - Pedestrian Clear Zone area of the sidewalk (The "Pedestrian Clear Zone" area of the sidewalk or pedestrian path of travel is defined as the area within the 48 inches of clear space on the sidewalk or pedestrian path for pedestrian travel).
 - Any fire hydrant, call box, or other emergency facility (minimum 36-inch clearance).
 - Rail platforms, bus benches, bus stops, bus shelters, and passenger waiting areas, except at existing bicycle racks or designated parking areas for Shared Mobility Devices (minimum 36-inch clearance).
 - Utility poles or boxes (minimum 36-inch clearance).
 - All on- or off-street vehicle parking spaces (minimum 36-inch clearance to curb face), including but not limited to:
 - i. Disabled parking zones
 - ii. Loading zones
 - iii. Time Limited Parking zones
 - Street furniture that requires pedestrian access, for example benches, receptacles, etc. (minimum 36-inch clearance).
 - Areas within 15 feet of Curb ramps.
 - Areas within 10 feet of entryways, exits, and driveways.
 - Vehicular traffic lanes including bicycle lanes and associated buffers.
4. When a sidewalk includes a "furniture zone", Shared Mobility Devices shall be parked within the furniture zone. When a sidewalk lacks a "furniture zone", Shared Mobility Devices must not be parked in a way to deny meaningful access to City sidewalks and paths of travel for persons with disabilities. Towards this end, each Operator must give notice and training to the User and ensure that Shared Mobility Devices are parked so that (a) 48-inch clear spaces are provided on pedestrian rights-of-way, and (b) curb

ramps, entryways, exits, and other accessible paths of travel are never blocked or obstructed. "Furniture zone" shall refer to that section of the sidewalk between the curb and the pedestrian through zone in which street furniture and public amenities, such as lighting, benches, newspaper kiosks, utility poles, tree wells and bicycle racks are provided.

5. Any Shared Mobility Device that is parked incorrectly shall be reparked in a correct manner or shall be removed within two hours after Operator's customer service team receives notice of the report. The operator will be notified about parking violations directly through customer service communication via contact information provided on each Shared Mobility Device. In addition, City staff will forward notifications to operators during staffing hours that are received from the public, including but not limited to, through the City's My Santa Clara mobile application.
6. Operator must provide a feature within its mobile application that requires a user of a Shared Mobility Device to upload a photograph, or utilize other technology, to ensure the Shared Mobility Device is not obstructing the pedestrian pathway at the end of each ride.
7. Operator shall not place or attach any personal property, fixtures or structures to City property without the prior written consent of City including applicable permits.
8. Operator shall coordinate with, and obtain written approval from, the City Manager for all marked designated parking areas throughout the City.
9. Operator shall not deploy Shared Mobility Devices or install parking on private property without the consent of the property owner.
10. Designated on-street parking areas may be established at selected locations after review and approval by the City Manager.
11. Operator shall obtain an encroachment permit for any installation of infrastructure, signing or striping in the public right-of-way.
12. Operator shall be responsible for installation and removal of all approved infrastructure, signing and striping.
13. The City Manager reserves the right to designate "priority parking areas" in coordination with property owners. The purpose of these priority parking areas is to provide parking at designated locations within or adjacent to commercial centers and other destinations.
 - Operators shall be responsible for the cost of installation and maintenance of any necessary infrastructure, including construction of the new designated shared parking areas. These costs shall be shared equally among the Operators.
 - For any priority parking area, all operators that are issued a Shared Mobility Device permit shall have a plan for deployment of Shared Mobility Devices at the designated shared parking areas. The designated shared parking areas may be located at any of the following locations:
 1. Related Project (future)
 2. AMC Mercado
 3. Santa Clara Square
 4. Rivermark
 5. Santa Clara Convention Center
 6. Lawrence Station Area
 7. Great America Theme Park

8. Levi's Stadium
9. Central Park Library
10. City Hall
11. Great America Train Station
12. Santa Clara Station (Caltrain)
13. Santa Clara University
14. Mission College

Fleet Management and Balancing

1. Each Operator must provide a minimum of 60 shared mobility devices, whichever is applicable, to ensure service availability. The minimum number of Shared Mobility Devices may be amended by the City Manager.
2. The total size of the citywide fleet shall not exceed 3,000 Shared Mobility Devices with up to 1,000 bicycles (including electric bicycles) and 2,000 motorized scooters. Following the review of shared mobility permit applications, the number of Shared Mobility Devices will be allocated equally among the Operators based on the number of Operators that are permitted to operate Shared Mobility Devices and the number of Shared Mobility Devices desired for deployment by each permitted Operator. The City Manager has the discretion to periodically adjust the City-wide maximum number of Shared Mobility Devices.
3. Approximately 5% of the total number of allocated Shared Mobility Devices must be deployed in an area designated as an Equity Priority Community (formerly referred to as Community of Concern) as defined by the Metropolitan Transportation Commission. The number of Shared Mobility Devices allocated within an Equity Priority Community will be split equally among the Operators.
4. All Shared Mobility Devices parked in a low-density residential zone shall be moved by the Operator out of the residential zone within 72 hours.
5. Any improperly parked Shared Mobility Devices that are not removed within 2 hours of Operator notification may be impounded and taken to a City facility for storage at the Operator's expense. Operator shall be required to pay the impounding fee.
6. Operator shall be responsible for retrieving the impounded Shared Mobility Devices from the city facility. Failure to retrieve Shared Mobility Devices from the city facility within two working days of notification of impoundment shall constitute abandonment of the property and the City may, after written notice is provided, dispose of the property in accordance with the surplus property provisions of the City Code. Furthermore, failure to retrieve the Shared Mobility Device(s) may lead to permit suspension or revocation.
7. Shared Mobility Devices must be re-parked/re-distributed daily to ensure compliance with the regulations and the Operator's plan of operation.
8. Operators shall ensure that users do not operate Shared Mobility Devices in City parks. Operators shall use geofencing or equivalent technology to prevent Shared Mobility Devices from being operated in City parks excluding the San Tomas Aquino/Saratoga Creek Trail. A complete list of City parks is available on the City's website at:

<http://missioncity.maps.arcgis.com/apps/MapTour/index.html?appid=4c84d4f8913541ceb8a8ef3fc31a326&>

Customer Service

1. Operator shall maintain a 24-hour customer service telephone number with live operators for customers and members of the public to report safety concerns, complaints, or to ask questions. The customer service number shall be clearly displayed on all Shared Mobility Devices in service.
2. Operator shall provide options for customer service inquiries to be submitted via email and text message.
3. Operators shall provide email, text message or phone confirmation of any issues reported to originator if requested and follow up with the originator with status updates as appropriate.
4. Any Shared Mobility Device that is parked improperly (as described in "Parking" section above) shall be re-parked in a correct manner or shall be removed within two hours after notice has been provided to Operator.
5. Operator shall maintain a multilingual (English, Spanish and Chinese) website, call center and mobile app customer interface that are available 24 hours a day, seven days a week.
6. Mobile apps and other customer service interface technology must be fully accessible to persons with disabilities and must comply with Section 508 of the United States Workforce Rehabilitation Act of 1973.

Maintenance

1. Operator must ensure that all Shared Mobility Devices are in good working order, are clean, free of graffiti, and are safe to operate.
2. Any Shared Mobility Device that is reported by the City or any third party to be damaged, deficient, or otherwise unsafe to operate shall be immediately assessed and/or remotely disabled, as appropriate.
3. Any Shared Mobility Device that is reported to be damaged, deficient, or otherwise unsafe to operate shall be checked in person and removed within two hours after notice has been provided to Operator.
4. Operator must maintain a record of all maintenance performed for each Shared Mobility Device and make such record available to the City upon request.

Education and Outreach

1. Operator agrees to provide notice to users regarding federal, state and local laws applicable to riding, operating and parking a Shared Mobility Devices in the City, and to require users to acknowledge and comply with all of these applicable laws, including laws relating to accessibility, helmets, age, parking, driver's license requirements,

- sidewalk riding, speed limits, use of bike lanes and streets where Shared Mobility Devices can operate with and without bike lanes, and other rules of the road.
2. Operator shall provide multiple public outreach/safety education events throughout the area of operation within the City including a kickoff event prior to deployment of the Shared Mobility Devices. City permit approval and costs associated with public outreach/safety education events shall be the responsibility of the operator.
 3. Operator agrees to notify users by means of signage or visible language on Shared Mobility Devices as well as through its website and mobile applications that:
 - a) All State of California laws shall be obeyed while riding a Shared Mobility Device, including laws related to age, driver's license requirements, and speed.
 - b) Shared Mobility Devices may not be used on sidewalks, and generally shall be operated as close as practicable to the right curb of any street except as otherwise specified in state law.
 - c) At no time may a parked Shared Mobility Device obstruct a sidewalk, other pedestrian path of travel, or an accessibility feature designed for persons with disabilities.

Data Sharing

1. Operator agrees to provide the City with access to an Application Programming Interface (API) offering data about its fleet and all trip activity within the City, meeting the current requirements of the Mobility Data Specification (MDS) format developed by the Los Angeles Department of Transportation. This specification is detailed at: <https://github.com/CityOfLosAngeles/mobility-data-specification>
2. Operator agrees to provide and maintain a public dashboard portal providing comprehensive anonymized data about the origins, destinations, distances, vehicle miles traveled (VMT), and times of all trip activity related to Shared Mobility Devices deployed in the City, as well as aggregate data and heat maps categorized by vehicle type and allowing analysis by day, week, or month, at no cost to the city.
3. Operator agrees to make real-time open data on system status and usage available in General Bike Share Feed Specification (GBFS) format.
4. In addition to the data required by the GBFS and MDS specifications, Operator shall provide a report of the following data on a monthly basis (or more frequently, if requested by the City Manager):
 - a) Timestamped records of maintenance activities including device ID and maintenance performed.
 - b) Timestamped records of customer service inquiry including nature of issue, time reported, and time resolved.
 - c) Collision data received from users.
 - d) Data related to age of members, low-income program membership, and the number of members divided by residents, surrounding area residents, and visitors from out of the area.
 - e) Operators shall survey users every 6 months subsequently to provide information to the City for future planning, including asking questions about what mode of

transportation was replaced for the use of a Shared Mobility Device. Survey questions shall be consistent among Operators and determined in coordination with the City Manager.

5. Operator agrees to not sell or share confidential user data or personally identifiable information.

Membership and Enrollment

1. Operator agrees to comply with all relevant state and local regulations regarding age limits for use of Shared Mobility Devices.
2. Operator agrees to conduct outreach and to implement technology-based measures to verify ages of members during enrollment via mobile app and/or website.
3. Operator shall establish a low-income discount program that offers discounted memberships to individuals. Membership in public assistance programs such as Supplemental Nutrition Assistance Program (SNAP), CalFresh, PG&E California Alternate Rates for Energy (CARE), or Silicon Valley Power Rate Assistance Program (SVP RAP) may be used for discount eligibility, or some other metric consistent with this requirement and approved by the City Manager.

Levi's Stadium and Special Events

1. The maximum number of Shared Mobility Devices permitted in the City at any one time may not apply on Levi's Stadium and other large special event days at the Great America Theme Park. The City Manager may adopt a maximum cap for event days after review of Shared Mobility Device data.
2. The City Manager may implement operating procedures or prohibit use of devices specific to Levi's Stadium and Special Events.
3. Special event days will be identified on the City's Shared Mobility webpage. Operator shall comply with the number of permitted units by midnight of the second day following the event.
4. Operators shall comply with current and future requirements of the Levi's Stadium Transportation Management and Operations Plan (TMOP).

Performance Bond

1. Operator shall maintain in effect at all times a valid performance bond in the amount of \$20,000 during the term of the annual permit starting with permit issuance.
2. The performance bond may be used for any public property repair and maintenance costs that may be incurred as a result of operator's Shared Mobility Devices, as well as removal and storage of Shared Mobility Devices that are not addressed within specified timeframes. The performance bond may be used to cover staff time associated with performing or facilitating these activities.
3. The performance bond may be used for any unpaid fines for violations issued to the Operator.

4. The performance bond may be used for any future costs incurred by the City related to the Shared Mobility permits.

Enforcement

Enforcement is designed to promote and achieve compliance with local law and the program guidelines. The Operators shall be required to pay fines per the schedule below related to improperly parked devices and failure to comply with the regulations.

1. Any improperly parked Shared Mobility Devices that are not removed or remedied within two (2) hours of providing notice to Operator may be impounded and taken to a City facility for storage at the Operator's expense. The Operator shall be required to pay the impounding fee.
2. In addition to the impounding fee, the Operator shall be cited for failure to remove the Shared Mobility Devices within two (2) hours of providing notice. The citation amount is listed in City Code 10.35.050.
3. Operator shall be responsible for retrieving the impounded devices from the City facility. Failure to retrieve Shared Mobility Devices from the City facility within two (2) working days of notification of impoundment may lead to disposal of the equipment and permit suspension or revocation.

Denial, Suspension, or Revocation of Operating Permit

1. An Operator's permit may be denied, suspended or revoked at the discretion of the City Manager based on any of the following grounds:
 - a) Consistent failure to address parking violations.
 - b) Failure to retrieve Shared Mobility Devices from the city facility within two (2) working days of notification of impoundment.
 - c) Transfer of an Operator permit to another party, including company mergers, without written approval by the City Manager.
 - d) The operator sells or shares confidential user data.
 - e) An applicant or Operator including its employees, managers, officers, principals, directors, owners, contractors, representatives, or agents has:
 - One or more false or misleading statements or material omissions on the permit application, during the application process.
 - Failed to provide information requested or required by the City.
 - Operated or has proposed to operate in a manner that endangers public health or safety.
 - Failed to comply with any requirement imposed by the provisions of these regulations or the City Code, including any rule, regulation, conditions or standard adopted pursuant to the Ordinance, or any term or condition imposed on the permit for the operation of Shared Mobility Devices, or any provision of California law.
 - Conviction of the Operator, to include any of its officer, owners or principals, of a criminal offense that is substantially related to the qualifications, functions

or duties of the shared business or profession, including, but not limited to, any criminal conviction involving a violent or serious felony, fraud, deceit, or embezzlement.

2. If an Operator's permit is suspended or revoked during the annual permit period, the Operator shall be required to remove all devices deployed in the City at the Operator's cost. If Operator does not remove the devices within five (5) working days of notification of permit suspension or revocation, the City shall have the authority to remove the Shared Mobility Devices at Operator's cost and use the Performance Bond to cover the cost of removal of the Operator's devices.
3. If an Operator's permit is suspended, the minimum permit suspension period will be two (2) weeks. The Operator shall be required to provide a plan for corrective actions to demonstrate ability to comply with the regulations for resumption of the Operating permit. Any time spent by City staff on meeting with Operators to facilitate permit resumption will be reimbursed by the Operator on a time and materials basis.

Permit Costs

1. Application Fee: The applicant must pay the "Shared Mobility Device Permit, Application Fee" as identified in the latest City of Santa Clara Adopted Municipal Fee Schedule. The fee is non-refundable. Any application submitted without this fee shall be considered incomplete. The City will not accept or review any application that is submitted without payment of this fee.
2. Permit Fee: If the City approves the permit application, the applicant must pay a "Shared Mobility Device Permit, Annual Fee" as identified in the latest City of Santa Clara Adopted Municipal Fee Schedule. The City will not issue the permit until this fee is paid.
3. Device Fee: The applicant must pay a "Shared Mobility Device Permit, Device Fee" as identified in the latest City of Santa Clara Adopted Municipal Fee Schedule. The first 60 Shared Mobility Devices deployed per Operator will not be subject to this per-device fee. The City will not issue the permit until this fee is paid. If capacity exists, the applicant may apply to increase the number of allocated devices deployed in the City after December 1 of the permit operating period. The applicant must then pay a "Shared Mobility Device Permit, Additional Device Fee" as identified in the latest City of Santa Clara Adopted Municipal Fee Schedule.
4. Impoundment Fee: The applicant must pay a "Shared Mobility Device Permit, Impoundment Fee" as identified in the latest City of Santa Clara Adopted Municipal Fee Schedule to release a device from impoundment.
5. Operator shall also obtain a business license to operate in the City of Santa Clara.
6. All fees are non-refundable.

Permit Application Contents

1. A description of the proposed plan of operation, including, at a minimum, the applicant's plan to comply with the Administrative Regulations including Shared Mobility Device

requirements, parking compliance, planned parking locations, fleet management and balancing, customer service, maintenance, data sharing, Levi's Stadium and other special events.

2. A detailed plan for the number and description of outreach and safety education events. Plan shall specify if events will be virtual or in-person. In-person events shall include proposed locations and if events will be stand-alone events or part of other community events/festivals. Operator shall include plan to advertise events.
3. Description of the number and mix of Shared Mobility Device that will be deployed: motorized scooters, bicycles, electric bicycles.
4. Shared Mobility Device capabilities including geofencing and other technology to comply with parking, speeding, and path of travel regulations.
5. A map of the proposed deployment area and parking locations.
6. The applicant's experience and demonstrated ability to comply with regulations in other jurisdictions.
7. The applicant's regulatory compliance program.
8. The applicant's history of and ability to comply with state and local law.
9. Any other requirements set forth by the Administrative Regulations.

Attachment 1: Indemnification and Insurance

Indemnification and Insurance

Indemnification

Operator shall indemnify, defend, reimburse and hold harmless City, its officers, agents, employees and contractors; the parties who have furnished Priority Parking Areas and their affiliates, as listed in the Annual Shared Mobility Device Permit; and each of them (collectively, "Indemnitees"), from and against any and all demands, claims, legal or administrative proceedings, losses, costs, penalties, fines, liens, judgments, damages and liabilities of any kind ("Claims"), arising or alleged to arise, in any manner out of (a) any injury to or death of any person or damage to or destruction of any property, or any part thereof, whether it be the person or property of Operator, its officers, directors, members, employees, agents, consultants, contractors or subcontractors (collectively, "Agents"), its invitees, guests or business visitors (collectively, "Invitees"), or third persons, relating to any use or activity under this Permit, (b) the use of Operator's equipment/products within the City by any person or entity, (c) any activities conducted in the City by Operator, (d) any failure by Operator to faithfully observe or perform any of the terms or conditions of this Permit, or (e) any activities conducted in the City by Operator, its Agents or Invitees, except for Claims adjudicated to result directly from the sole and active negligence or willful misconduct of Indemnitees or Indemnitees' authorized representatives. In addition to Operator's obligation to indemnify Indemnitees, Operator specifically acknowledges and agrees that it has an immediate and independent obligation to defend Indemnitees from any claim that falls within this indemnity provision even if such allegation is or may be groundless, fraudulent or false, which obligation arises at the time such claim is tendered to Operator by Indemnitees and continues at all times thereafter. The foregoing indemnity shall include, without limitation, reasonable attorneys', experts' and consultants' fees and costs, investigation and remediation costs and all other reasonable costs and expenses incurred by the Indemnitees. Permittee's obligations under this Section shall survive the expiration or other termination of this Permit.

Insurance

Without limiting the Operator's indemnification of Indemnitees, and at all times while the Permit remains in effect, the Operator shall provide and maintain in full force and effect, at its sole cost and expense, the following insurance policies with at least the indicated coverages, provisions and endorsements:

A. COMMERCIAL GENERAL LIABILITY INSURANCE

1. Commercial General Liability Insurance policy which provides coverage at least as broad as Insurance Services Office ("ISO") form CG 00 01. Policy limits are subject to review, but shall in no event be less than, the following:

\$2,000,000 Each occurrence

\$5,000,000 General Aggregate
2. Exact structure and layering of the coverage shall be left to the discretion of Operator; however, any excess or umbrella policies used to meet the required limits shall be at least as broad as the underlying coverage and shall otherwise follow form.

3. The following provisions shall apply to the Commercial Liability policy as well as any umbrella policy maintained by the Operator to comply with the insurance requirements of this Permit:
 - a. Coverage shall be on a “pay on behalf” basis with defense costs payable in addition to policy limits;
 - b. There shall be no cross-liability exclusion which precludes coverage for claims or suits by one insured against another; and
 - c. Coverage shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of liability.

B. BUSINESS AUTOMOBILE LIABILITY INSURANCE

Business automobile liability insurance policy which provides coverage at least as broad as ISO form CA 00 01 with a minimum limit of not less than one million dollars (\$1,000,000) each accident. Liability coverage shall apply to all owned, non-owned and hired autos.

C. WORKERS' COMPENSATION

1. Workers' Compensation Insurance Policy as required by statute and employer's liability with limits of at least one million dollars (\$1,000,000) policy limit Bodily Injury by disease, one million dollars (\$1,000,000) each accident/Bodily Injury and one million dollars (\$1,000,000) each employee Bodily Injury by disease.
2. The indemnification and hold harmless obligations of Operator included in this Permit shall not be limited in any way by any limitation on the amount or type of damage, compensation or benefit payable by or for Operator under any Workers' Compensation Act(s), Disability Benefits Act(s) or other employee benefits act(s).
3. This policy must include a Waiver of Subrogation in favor of the City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents.

D. UMBRELLA LIABILITY

\$5,000,000 per occurrence following form, with the Commercial General Liability, Commercial Automobile Liability, and Worker's Compensation all listed on the policy as scheduled underliers.

E. COMPLIANCE WITH REQUIREMENTS

All of the following clauses and/or endorsements, or similar provisions, must be part of each commercial general liability policy, and each umbrella or excess policy.

1. Additional Insureds. City of Santa Clara, its City Council, commissions, officers, employees, volunteers and agents; the parties who have furnished Priority Parking Zones and their affiliates, as listed in the Annual Shared Mobility Permit, are hereby added as additional insureds in respect to liability arising out of or related to this Permit, using ISO Endorsement CG 20 10 11 85 or the combination of CG 20 10 03 97 and CG 20 37 10 01, or its equivalent.
2. Primary and non-contributing. Each insurance policy provided by Operator shall contain language or be endorsed to contain wording making it primary insurance as respects to, and not requiring contribution from, any other insurance which the Indemnitees may possess, including any self-insurance or self-insured retention they may have. Any other insurance Indemnitees may possess shall be considered excess insurance only and shall not be called upon to contribute with Operator's insurance.
3. Cancellation.
 - a. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided due to non-payment of premiums shall be effective until written notice has been given to City at least ten (10) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least ten (10) days prior to the effective date of non-renewal.
 - b. Each insurance policy shall contain language or be endorsed to reflect that no cancellation or modification of the coverage provided for any cause save and except non-payment of premiums shall be effective until written notice has been given to City at least thirty (30) days prior to the effective date of such modification or cancellation. In the event of non-renewal, written notice shall be given at least thirty (30) days prior to the effective date of non-renewal.
4. Other Endorsements. Other endorsements may be required for policies other than the commercial general liability policy if specified in the description of required insurance set forth herein.

F. QUALIFYING INSURERS

All of the insurance companies providing insurance for Operator shall have, and provide written proof of, an A. M. Best rating of at least A minus 6 (A- VI) or shall be an insurance company of equal financial stability that is approved by the City or its insurance compliance representatives.

G. ADDITIONAL INSURANCE RELATED PROVISIONS

1. Requirements of specific insurance coverage features described in this Permit shall not be construed to be a limitation of liability on the part of Operator, nor to relieve any of them of any liability or responsibility under this Permit, as a matter of law or otherwise. All insurance coverage provided pursuant to this Permit in any way relating to Indemnitees is intended to apply to the full extent of the policies involved.
2. Operator shall maintain all required insurance policies in full force and effect during the entire period of this Permit..
3. City reserves the right, at any time during the term of this Permit to change the amounts and types of insurance required by giving the Operator ninety (90) days advance written notice of such change.
4. No liability insurance coverage provided by Operator to comply with the terms of this Permit shall prohibit Operator, or Operator's employees, or agents, from waiving the right of subrogation prior to a loss. Operator waives its right of subrogation against Indemnitees. Operator hereby waives any right of recovery against the Indemnitees.
5. Operator agrees to ensure that its contractors provide the same minimum insurance coverage required of Operator, except as with respect to limits, and Operator agrees to monitor and review the same. Operator agrees that upon request by City, all agreements with, and insurance compliance documents provided by, such contractors will be submitted to City for review.
6. All coverage types and limits required under this Permit are subject to approval, modification and additional requirements by the City, as the need arises. Operator shall not make any reductions in scope of coverage which may affect Indemnitees' protection without City's prior written consent.
7. Operator acknowledges and agrees that any actual or alleged failure on the part of City to inform Operator of non-compliance with any of the insurance requirements set forth in this Permit in no way imposes any additional obligations on City nor does it waive any of the City's rights under this Permit or any other regard.
8. The City acknowledges that some insurance requirements contained in this Permit may be fulfilled by self-insurance on the part of the Operator. The Operator's insurance obligations under this Permit may be satisfied in whole or in part by adequately funded self-insurance retention, but only after approval from the City's Risk Manager upon satisfactory evidence of financial capacity.

- 9. The City reserves the right to suspend or revoke this Permit in the event of material noncompliance with the insurance requirements set forth in this Permit.

H. EVIDENCE OF COVERAGE

Prior to this Permit taking effect, Operator, and each and every contractor shall, at its sole cost and expense, provide and maintain not less than the minimum insurance coverage with the endorsements and deductibles indicated in this Permit. Such insurance coverage shall be maintained with insurers, and under forms of policies, satisfactory to City and as described in this Permit. Operator shall file with the City all certificates and endorsements for the required insurance policies for City’s approval as to the adequacy of the insurance protection.

I. EVIDENCE OF COMPLIANCE

Operator or its insurance broker shall provide the required proof of insurance compliance, consisting of ISO endorsement forms or their equivalent and the ACORD form 25-S certificate of insurance (or its equivalent), to City, or its representative as set forth below, prior to this Permit taking effect. Upon City’s request, Operator shall submit to City copies of the actual insurance policies or renewals or replacements. Unless otherwise required by the terms of this Permit, all certificates, endorsements, coverage verifications and other items required to be delivered to City pursuant to this Permit shall be mailed to:

EBIX Inc.

City of Santa Clara Public Works

P.O. Box 100085 – S2

or 1 Ebix Way

Duluth, GA 30096

John’s Creek, GA 30097

Telephone number: 951-766-2280

Fax number: 770-325-0409

Email address: ctsantaclara@ebix.com

Attachment 2
Shared Mobility Device Types

Bird Devices



Veo Devices





Agenda Report

22-1404

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

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

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

On March 17, 2020, Governor Gavin Newsom issued Executive Order N-29-20 which suspended the Brown Act teleconferencing requirements so that legislative bodies could hold public meetings solely by teleconference, or otherwise electronically, without listing the teleconference locations and without any physical location, as long legislative bodies followed a set of requirements for noticing the meeting agenda and public participation, among other things. Subsequently on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which sunset the Brown Act provisions of Executive Order N-29-20 on September 30, 2021.

On September 16, Governor Newsom signed AB 361 into law which allows local agencies to use teleconferencing without complying with specific Brown Act restrictions in certain state emergencies until January 1, 2024, at which point they are to be repealed, and the standard Brown Act teleconference requirements become effective again. The bill was an urgency measure, and it went into effect immediately.

On October 19, 2021, November 16, 2021, December 14, 2021, January 11, 2022, February 8, 2022, March 8, 2022, April 5, 2022, May 10, 2022, June 7, 2022, July 5, 2022, July 12, 2022, August 16, 2022, September 13, 2022, October 4, 2022, and November 1, 2022 the City Council approved Resolution Nos. 21-9013, 21-9023, 21-9038, 22-9042, 22-9051, 22-9058, 22-9067, 22-9087, 22-9096, 22-9115, 22-9124, 22-9135, 22-9142, 22-9145, and 22-9150 respectively, to allow City Legislative bodies to hold public meetings solely by teleconference or otherwise electronically pursuant to AB 361.

DISCUSSION

AB 361 amended Government Code Section 54943 to allow a local agency to use teleconferencing for public meetings without requiring the teleconference location to be accessible to the public or a quorum of the members of the legislative body of the agency to participate from locations within the boundaries of the agency's jurisdiction during a Governor-proclaimed state of emergency in certain circumstances.

In order for a local agency to utilize AB 361's exemption to the Brown Act, there must be certain

emergency conditions present. These include:

- There being a state-proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- The Council is meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, that meeting in person would present imminent risks to the health and safety of attendees; or
- The Council is meeting during a proclaimed state of emergency and has determined, by majority vote, that in-person meetings would pose health and safety risks to attendees.

In order for the City's legislative bodies to continue meeting remotely with the exemptions to the Brown Act provided for under AB 361, the Council is required to take certain actions, most of which the City is already implementing:

- The City must continue providing notice of meetings and continue to post agendas as the Brown Act requires to the agency's website,
- The City must continue allowing for public access to the meeting, while allowing for a public comment period to directly address the legislative body pursuant to Brown Act's other teleconferencing provisions,
- The City must continue giving notice for how the public can access the meeting and provide public comment, including a call-in or internet-based service option (no physical location required),
- The City must continue providing the public with the opportunity to comment in real time (with the option of additionally allowing comments to be submitted in advance, if the agency desires),
- The City must stop the meeting until public access is restored in the event of a service disruption, and
- No later than 30 days after the first teleconferencing meeting and every 30 days thereafter, the Council will have to reconsider the circumstances of the state of emergency to determine if remote meeting procedures need to remain in place.

The legislative body must make certain findings by majority vote every 30 days to continue using the AB 361 Brown Act teleconferencing requirements. Because the City Council approved Resolution No. 22-9150 will expire on December 1, 2022. The City Council must adopt a new resolution in order to allow for its other legislative bodies to continue meeting remotely through December 15, 2022. Failure to approve this resolution would result in City Council, boards, and commissions meetings being unable to meet fully virtual without exposing the locations of each member's location on the posted agendas.

Beginning on March 11, 2020 and continuing every 60 days thereafter, the City Council has continued its proclamation of local emergency based on substantial evidence that the public interest and necessity require the continuance of the proclamation of local emergency related to COVID-19. On September 21, 2021, the Santa Clara County Public Health Officer recommended that public bodies continue to meet remotely to the extent possible due to the continued threat of COVID-19 to the community, the unique characteristics of public governmental meetings, and the continued increased safety protection that social distancing provides as one means by which to reduce the risk of COVID-19 transmission. On November 2, 2021, emergency use of the Pfizer COVID vaccine was authorized for children ages 5-11. On that same day, Santa Clara county moved back into the

substantial (orange) COVID-19 transmission tier. On November 22, 2021, Santa Clara county moved to the moderate (yellow) COVID-19 transmission tier. On November 25, 2021, scientists identified the latest COVID-19 variant, Omicron, which has prompted concern among scientists and public health officials because of an unusually high number of mutations that have the potential to make the virus more transmissible and less susceptible to existing vaccines. On December 13, 2021, the California Department of Public Health reinstated its statewide mask mandate, requiring all individuals, regardless of their vaccination status, to wear face coverings in indoor public settings from December 15, 2021 through January 15, 2022 due to a 47% increase in the statewide seven-day average case rate and 14% increase in hospitalizations since Thanksgiving. In light of the rapid surge in cases due to the Omicron variant, on December 28, 2021, the County of Santa Clara Health Officer issued a health order requiring up-to-date COVID-19 vaccination for workers in certain higher-risk settings. The new order builds on recent changes in the State Health Officer's vaccination requirements by mandating up-to-date vaccination by workers in certain healthcare and long-term care settings. As of February 3, 2021, new daily Covid-19 cases are on the decline since the surge from the Omicron variant. However, California Covid-19 deaths continue to rise and hospitalizations remain elevated. On February 27, 2022, the Santa Clara County Public Health Officer rescinded the health order requiring the use of face covering indoors effective March 2, 2022. However, the Santa Clara County Public Health Officer continues to recommend that all persons continue to wear face coverings when indoors. The California Department of Public Health continues to require masking in higher-risk settings such as public transit, healthcare facilities, shelters, jails, and long-term care facilities. As of March 26, 2022, the Omicron subvariant BA.2 is now the dominant variant in the US accounting for nearly 55% of new COVID-19 cases in the U.S. On March 29, 2022, the FDA authorized a second booster dose of the COVID-19 vaccines for people 50 years of age and older and some immunocompromised people. As of April 27, COVID-19 levels in wastewater concentrations in the greater Bay Area from Sacramento to Yolo, San Francisco and Santa Clara County and San Mateo County, were similar to what they were during the Delta surge in the summer of 2021, indicating another wave of the pandemic, although not resulting in an increase in hospitalizations. On April 28, Bay Area Rapid Transit reinstated its mask mandate effective immediately through July 18, which impacts the system's 50 stations in five Bay Area counties. On May 10, 2022, Santa Clara County's Health Officer Dr. Sara Cody warned that COVID case counts and hospitalizations are on the increase, with a weekly average of 552 cases and 80 to 100 people currently hospitalized, and urged everyone to consider wearing masks in high-risk settings, keep a stockpile of tests, and exercise caution when socializing indoors. On May 13, 2022, Bay Area health officers from the counties of Alameda, Contra Costa, Marin, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Sonoma and the City of Berkeley urged residents to wear face masks in indoor public settings as COVID-19 infections driven by highly contagious virus variants multiply throughout the region. As of May 31, 2022, new coronavirus cases in California increased 13.2% from the prior week and California ranked 10th among the states where coronavirus was spreading the fastest on a per person basis. As of June 13, 2022, new COVID-19 cases in California rose 32.3% from the prior week with 128,893 new cases, with California ranking fourth among the states where COVID-19 was spreading the fastest on a per-person basis, and Santa Clara County with the highest worst weekly outbreaks on a per-person basis. On June 15, 2022, an advisory panel to the FDA voted unanimously to recommend the Pfizer and Moderna COVID-19 vaccines for children ages five and younger. On June 18, 2022, the CDC and federal regulators authorized the Pfizer-BioNTech vaccine for children ages six months through four years old and the Moderna vaccine for children ages six months through five years old starting June 21, 2022. As of July 5, 2022, the new omicron subvariant known as BA.5 now comprises a majority of U.S. COVID-19 cases, according to data released from the Centers for Disease Control and Prevention (CDC).

The BA.5, along with a related subvariant known as BA.4, has mutations that have shown an increased ability to evade the protection from vaccines and previous infection. As July 6, 2022, all nine local counties are back in the CDC's high-risk category for COVID-19 community levels, and the highly-transmissible BA.5 subvariant of the virus that causes COVID-19 is quickly taking over. On July 28, 2022, Bay Area Rapid Transit reinstated its mask mandate effective immediately through October 1, 2022, which impacts the system's 50 stations in five Bay Area counties. On August 4, 2022, the CDC continued to classify Santa Clara County in the high community level for coronavirus, in its weekly update. On August 11, 2022, the Centers for Disease Control and Prevention streamlined its guidance for COVID exposure to recommending that everyone, regardless of vaccination or past infection, wear a high-quality mask for 10 days and get tested on day five after exposure to the virus. As of August 24, 2022, as California schools reopen for the fall semester with loosened COVID-19 protocols and low student vaccination rates among younger children, health experts are watching to see how schools do in the coming weeks as some experts expect another rise in cases when winter arrives. As of September 20, 2022, a new more transmissible COVID strain, BF.7, short for BA.5.2.1.7, is outpacing nearly all other variants of interest that scientists are tracking in the U.S. this fall. As of September 22, 2022, although daily death rates from COVID-19 have ticked down slightly from August, updated federal data shows that the U.S. is still losing on average 350 Americans to COVID-19 every day, and 225,000 people in the U.S. have been lost to the virus since the start of 2022. On October 4, 2022, the County Health Officer provided that while COVID-19 cases in Santa Clara County have trended down over the summer, that the level of virus circulating locally is likely higher than the county's case count. As of October 17, 2022, in Santa Clara County, only 12% of eligible people have received the updated booster since it was first offered in early September to fight the highly transmissible omicron variants leading to public health official fears of a winter surge with lagging booster vaccination rates. As of November 8, 2022, the U.S. daily average has increased 6% from two weeks ago, as 33 states and Washington D.C., have seen cases rise over the same time. These associated emergency conditions are on-going and there is a need to continue teleconferencing for public meetings without posting the teleconferencing locations on the agenda and without requiring the teleconference locations to be accessible to the public during the current Governor-proclaimed COVID-19 state of emergency. The state of emergency continues to directly impact the ability of the City's legislative bodies to meet safely in person, and City officials continue to impose or recommend public health safety measures.

It is recommended that the Council adopt a resolution to make requisite findings to allow the City's legislative bodies to hold public meetings solely by teleconference or otherwise electronically so long as the state of emergency and social distancing measures continue. The Council will have to take action on a monthly basis to reassess and reaffirm such findings to continue meeting remotely.

The proposed Resolution is attached.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

There is no fiscal impact other than administrative time and expense.

COORDINATION

This report has been coordinated with the City Manager's Office, City Attorney's Office, and City Clerk's Office.

PUBLIC CONTACT

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.

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.

Reviewed by: Nadine Nader, Assistant City Manager

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
FINDING THE EXISTENCE OF THE NEED TO EXTEND AB 361
IMPLEMENTATION TO ALLOW CITY LEGISLATIVE BODIES TO
HOLD PUBLIC MEETINGS SOLELY BY TELECONFERENCE OR
OTHERWISE ELECTRONICALLY PURSUANT TO AB 361**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City of Santa Clara is committed to preserving and nurturing public access and participation in meetings of the City's City Council, Council Committees, City Decision-Making Bodies (including Santa Clara Stadium Authority Board, Sports and Open Space Authority, Housing Authority, Successor Agency to the City of Santa Clara Redevelopment Agency, Bayshore North Project Enhancement Authority, and Public Facilities Financing Corporation), City Boards, Committees and Commissions, Taskforces, and Other City Advisory Entities;

WHEREAS, all meetings of City of Santa Clara's legislative bodies are open and public, as required by the Ralph M. Brown Act (California Government Code Sections 54950, et seq., hereinafter referred to as the "Brown Act"), so that any member of the public may attend, participate, and watch the City's legislative bodies conduct their business;

WHEREAS, the Brown Act allows a local legislative body to hold public meetings by teleconference and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body, as long as the following requirements are met: (1) each teleconference location from which a member is participating is noticed on the agenda; (2) each teleconference location is accessible to the public; (3) members of the public must be able to address the body at each teleconference location; (4) at least one member of the legislative body must be physically present at the location specified in the meeting agenda; and (5) during teleconference meetings, at least a quorum of the members of the local body must participate from locations within the local body's territorial jurisdiction;

WHEREAS, on March 17, 2020, Governor Gavin Newsom issued Executive Order N-29-20

which suspended the Brown Act teleconferencing requirements so that legislative bodies can hold public meetings solely by teleconference, or otherwise electronically, without listing the teleconference locations and without any physical location, as long as the agenda that is posted 72 hours in advance indicates that the members of the legislative body will be participating by teleconference, provides the teleconference or webinar access information by which the public may participate electronically, and lists the procedure for individuals with disabilities to request reasonable accommodations;

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which sunsets the Brown Act provisions of Executive Order N-29-20 on September 30, 2021;

WHEREAS, on September 16, 2021, Governor Newsom signed urgency ordinance AB 361 which allows a local agency to use teleconferencing for public meetings without posting the teleconferencing locations on the agenda and without requiring the teleconference locations to be accessible to the public during a Governor-proclaimed state of emergency pursuant to California Government Code Section 8625 et seq, if the state of emergency continues to directly impact the ability of the members of its legislative bodies to meet safely in person or state or local officials continue to impose or recommend measures to promote social distancing;

WHEREAS, in light of the continued state of emergency related to COVID-19, the Santa Clara County Public Health Officer continues to recommend that public bodies meet remotely to the extent possible, specifically including use of newly enacted AB 361 to maintain remote meetings under the Ralph M. Brown Act and similar laws, as outlined in their “Recommendation Regarding Continued Remote Public Meetings of Governmental Entities” issued on September 21, 2021;

WHEREAS, on October 19, 2021, November 16, 2021, December 14, 2021, January 11, 2022, February 8, 2022, March 8, 2022, April 5, 2022, May 10, 2022, June 7, 2022, July 5, 2022, July 12, 2022, August 16, 2022, September 13, 2022, October 4, 2022, and November 1, 2022 the City Council approved Resolutions Nos. 21-9013, 21-9023, 21-9038, 22-9042, 22-9051, 22-

9058, 22-9067, 22-9087, 22-9096, 22-9115, 22-9124, 22-9135, 22-9142, 22-9145, and 22-9150 respectively, to allow City Legislative bodies to hold public meetings solely by teleconference or otherwise electronically pursuant to AB 361;

WHEREAS, on November 2, 2021, federal, state and local health officials authorized emergency use of the Pfizer COVID vaccine for children ages 5-11, and may consider emergency authorization of the COVID vaccine for children under age 5 within the next few months;

WHEREAS, on November 22, 2021, Santa Clara County moved into the moderate (orange) COVID-19 transmission tier;

WHEREAS, on November 25, 2021, scientists identified the latest COVID-19 variant, Omicron, which has prompted concern among scientists and public health officials because of an unusually high number of mutations that have the potential to make the virus more transmissible and less susceptible to existing vaccines;

WHEREAS, on December 13, 2021, the California Department of Public Health reinstated its statewide mask mandate, requiring all individuals, regardless of their vaccination status, to wear face coverings in indoor public settings from December 15, 2021 through January 15, 2022 due to a 47% increase in the statewide seven-day average case rate and 14% increase in hospitalizations since Thanksgiving;

WHEREAS, in light of the rapid surge in cases due to the Omicron variant, on December 28, 2021, the County of Santa Clara Health Officer issued a health order requiring up-to-date COVID-19 vaccination for workers in certain higher-risk settings. The new order builds on recent changes in the State Health Officer's vaccination requirements by mandating up-to-date vaccination by workers in certain healthcare and long-term care settings;

WHEREAS, as of February 3, 2021, new daily Covid-19 cases are on the decline since the surge from the Omicron variant. However, California Covid-19 deaths continue to rise and hospitalizations remain elevated;

WHEREAS, on February 27, 2022, the Santa Clara County Public Health Officer rescinded the health order requiring the use of face covering indoors effective March 2, 2022. However, the Santa Clara County Public Health Officer continues to recommend that all persons continue to wear face coverings when indoors. The California Department of Public Health continues to require masking in higher-risk settings such as public transit, healthcare facilities, shelters, jails, and long-term care facilities. While Santa Clara County has met the required masking metrics (80% of the population vaccinated, COVID-19 hospitalizations in the jurisdiction are low and stable, seven consecutive days with the seven-day rolling average of new cases at 550 or below) to transition to a strong recommendation for indoor masking, the county remains in the “medium” level of the Centers for Disease Control and Prevention’s new COVID-19 community level framework;

WHEREAS, as of March 26, 2022, the Omicron subvariant BA.2 is now the dominant variant in the US accounting for nearly 55% of new COVID-19 cases in the U.S.;

WHEREAS, on March 29, 2022, the FDA authorized a second booster dose of the COVID-19 vaccines for people 50 years of age and older and some immunocompromised people;

WHEREAS, as of April 27, COVID-19 levels in wastewater concentrations in the greater Bay Area from Sacramento to Yolo, San Francisco and Santa Clara County and San Mateo County, were similar to what they were during the Delta surge in the summer of 2021, indicating another wave of the pandemic, although not resulting in an increase in hospitalizations;

WHEREAS, on April 28, Bay Area Rapid Transit reinstated its mask mandate effective immediately through July 18, which impacts the system’s 50 stations in five Bay Area counties;

WHEREAS, on May 10, 2022, Santa Clara County’s Health Officer Dr. Sara Cody warned that COVID case counts and hospitalizations are on the increase, with a weekly average of 552 cases and 80 to 100 people currently hospitalized, and urged everyone to consider wearing masks in high-risk settings, keep a stockpile of tests, and exercise caution when socializing indoors;

WHEREAS, on May 13, 2022, Bay Area health officers from the counties of Alameda, Contra Costa, Marin, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Sonoma and the City of Berkeley urged residents to wear face masks in indoor public settings as COVID-19 infections driven by highly contagious virus variants multiply throughout the region;

WHEREAS, as of May 31, 2022, new coronavirus cases in California increased 13.2% from the prior week and California ranked 10th among the states where coronavirus was spreading the fastest on a per person basis; **WHEREAS**, on June 3, 2022, due to the continued increase in positive COVID-19 cases in the City employee workforce and local community, the City extended the mandatory mask mandate for all City employees, regardless of vaccination status, through July 1, 2022;

WHEREAS, as of June 13, 2022, new COVID-19 cases in California rose 32.3% from the prior week with 128,893 new cases, with California ranking fourth among the states where COVID-19 was spreading the fastest on a per-person basis, and Santa Clara County with the highest worst weekly outbreaks on a per-person basis;

WHEREAS, on June 15, 2022, an advisory panel to the FDA voted unanimously to recommend the Pfizer and Moderna COVID-19 vaccines for children ages five and younger;

WHEREAS, on June 18, 2022, the CDC and federal regulators authorized the Pfizer-BioNTech vaccine for children ages six months through four years old and the Moderna vaccine for children ages six months through five years old starting June 21, 2022;

WHEREAS, as of July 5, 2022, the new omicron subvariant known as BA.5 now comprises a majority of U.S. COVID-19 cases, according to data released from the Centers for Disease Control and Prevention (CDC). The BA.5, along with a related subvariant known as BA.4, has mutations that have shown an increased ability to evade the protection from vaccines and previous infection;

WHEREAS, as of July 6, 2022, all nine local counties are back in the CDC's high-risk category

for COVID-19 community levels, and the highly-transmissible BA.5 subvariant of the virus that causes COVID-19 is quickly taking over;

WHEREAS, on July 28, 2022, Bay Area Rapid Transit reinstated its mask mandate effective immediately through October 1, 2022, which impacts the system's 50 stations in five Bay Area counties;

WHEREAS, on August 4, 2022, the CDC continued to classify Santa Clara County in the high community level for coronavirus, in its weekly update;

WHEREAS, on August 11, 2022, the Centers for Disease Control and Prevention streamlined its guidance for COVID exposure to recommending that everyone, regardless of vaccination or past infection, wear a high-quality mask for 10 days and get tested on day five after exposure to the virus;

WHEREAS, as of August 24, 2022, as California schools reopen for the fall semester with loosened COVID-19 protocols and low student vaccination rates among younger children, health experts are watching to see how schools do in the coming weeks as some experts expect another rise in cases when winter arrives;

WHEREAS, as of September 20, 2022, a new more transmissible COVID strain, BF.7, short for BA.5.2.1.7, is outpacing nearly all other variants of interest that scientists are tracking in the U.S. this fall;

WHEREAS, as of September 22, 2022, although daily death rates from COVID-19 have ticked down slightly from August, updated federal data shows that the U.S. is still losing on average 350 Americans to COVID-19 every day, and 225,000 people in the U.S. have been lost to the virus since the start of 2022;

WHEREAS, on October 4, 2022, the County Health Officer provided that while COVID-19 cases in Santa Clara County have trended down over the summer, that the level of virus circulating locally is likely higher than the county's case count;

WHEREAS, as of October 17, 2022, in Santa Clara County, only 12% of eligible people have received the updated booster since it was first offered in early September to fight the highly transmissible omicron variants leading to public health official fears of a winter surge with lagging booster vaccination rates;

WHEREAS, as of November 8, 2022, the U.S. daily average has increased 6% from two weeks ago, as 33 states and Washington D.C., have seen cases rise over the same time;

WHEREAS, Government Code Section 54953(e)(3) requires that the City Council review the need and make findings for continuing the teleconferencing without complying with the agenda posting and public comment requirements at least once every thirty (30) days until Governor terminates the state of emergency; and,

WHEREAS, the associated emergency conditions are on-going and there is a need to teleconference for public meetings without posting the teleconferencing locations on the agenda and without requiring the teleconference locations to be accessible to the public during the current Governor-proclaimed COVID-19 state of emergency and if approved, will be in effect for 30 days and will expire on December 15, 2022 unless staff returns to City Council on or before December 15, 2022 to request to continue the need for teleconferencing.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby finds that the state of emergency conditions related to COVID-19, as set forth in Resolution No. 22-9150 adopted on November 1, 2022 and incorporated herein by reference, are on-going.
2. That the City Council finds that there is a need to teleconference for public meetings without posting the teleconferencing locations on the agenda and without requiring the teleconference locations to be accessible to the public during the current Governor-proclaimed COVID-19 state of emergency.
3. That the City Council finds that the state of emergency continues to directly impact the

ability of members of the City's City Council, Council Committees, City Decision-Making Bodies (including Santa Clara Stadium Authority, Sports and Open Space Authority, Housing Authority, Successor Agency to the City of Santa Clara Redevelopment Agency, Bayshore North Project Enhancement Authority, and Public Facilities Financing Corporation), City Boards, Committees and Commissions, Taskforces, and Other City Advisory Entities to meet safely in person.

4. That City officials continue to impose or recommend measures to promote social distancing in City facilities.

5. That members of the City Council, Council Committees, City Decision-Making Bodies, City Boards (including Santa Clara Stadium Authority Board, Sports and Open Space Authority, Housing Authority, Successor Agency to the City of Santa Clara Redevelopment Agency, Bayshore North Project Enhancement Authority, and Public Facilities Financing Corporation), Committees and Commissions, Taskforces, and Other City Advisory Entities are authorized to use teleconferencing, or other electronic means, to hold its public meetings without noticing the teleconferenced locations on the agenda, without making teleconferenced or physical locations accessible to the public, without posting agendas at teleconferenced locations, without requiring members of the legislative bodies to be physically present at the meeting, and without requiring a quorum of the members of the legislative body to participate from locations with the City's jurisdiction, as long as the agenda that is posted at least 72 hours in advance indicates that members of the legislative body may be participating electronically, provides the teleconference or webinar access information by which the public may participate electronically, and lists the procedure for individuals with disabilities to request reasonable accommodations, in compliance with AB 361, Government Code Section 54953(e).

6. That the Assistant City Clerk is hereby directed to report to the City Council within thirty (30) days on the need to further continue teleconferencing for public meetings without posting the teleconferencing locations on the agenda and without requiring the teleconference locations to be accessible to the public during the current Governor-proclaimed COVID-19 state of

emergency.

7. Effective Date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF _____, 2022, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None



Agenda Report

22-1205

Agenda Date: 11/15/2022

REPORT TO STADIUM AUTHORITY BOARD

SUBJECT

Action on Stadium Authority Bills and Claims for the Month of August 2022

BOARD PILLARS

Enhance Community Engagement and Transparency
Ensure Compliance with Measure J and Manage Levi's Stadium

BACKGROUND

Disbursements made by the Stadium Authority are based on invoices submitted for payment. Prior to payment, staff reviews all disbursement documents to ensure that they are in compliance with the goods or services provided.

The Bills and Claims listing represents the cash disbursements required of normal and usual operations during the period. Budget control is set by the Stadium Authority Board through the budget adoption process.

DISCUSSION

On March 27, 2019, the Stadium Authority Board directed staff to stop payment of any Stadium Authority invoices for services unless there is substantial documentation of services rendered, which must also be in compliance with State law and City Code. Since March 27, 2019, staff received direction to pay Stadium Authority invoices related to SBL sales and services, insurance, and utilities.

At the March 15, 2022 Stadium Authority Board meeting, the Board delegated authority to the Office of the Executive Director and Treasurer to approve budget amendments that move funds from the Legal Contingency to Shared Expenses after the review of adequate documentations for costs. Subsequent to that direction, Stadium Authority staff met with Stadium Manager on April 12, 2022 to review documentation for shared expenses. Following meetings with the Stadium Manager, payments related to compensation that were reviewed and approved are included in the August monthly payment.

Effective August 31, 2022, the Stadium Authority and Stadium Manager agreed to the timely payment of Shared Stadium Expenses and other budgeted expenses in accordance with the Annual Stadium Authority Budget-except for buffet expenses invoiced pursuant to Section 4.6.1 of the Stadium Lease. The Stadium Authority maintains the right to confirm and dispute submitted charges from the 2021-22 fiscal year and onward during a fiscal-year-end reconciliation/true-up, because of any concerns regarding improper allocation, calculation, lack of support, or failure to comply with the Parties' contracts or California law, among other reasons. The Stadium Authority may raise such questions with respect to any charge at any time before a fiscal year-end reconciliation/true-up and the Stadium Manager must assess and respond to such questions in good faith.

Expenses paid in August 2022 include:

- Payments totaling \$203,546.16 to the City of Santa Clara for the following:
 - \$175,910.18 for reimbursement of General and Administrative (G&A) City payroll costs (e.g.: Executive Director's Office (City Manager's Office), Counsel's Office (City Attorney's Office), and Treasurer's Office (Finance Department))
 - \$4,274.53 for Special Liability Claims for Q1 ending 6/30/2022
 - \$23,361.45 for the Senior and Youth Fees collected (\$0.35 per ticket) for one National Football League (NFL) game.
- Payment totaling \$712.50 to Contractor Compliance and Monitoring, Inc. for July 2022 Labor Compliance Services
- Payment totaling \$751,797.37 to Forty Niners Stadium Management Co, LLC for the following:
 - \$32,497.00 for September 2022 Stadium Manager Expenses - Compensation for Security
 - \$208,053.00 for September 2022 Stadium Manager Expenses - Compensation for Stadium Ops
 - \$143,482.00 for September 2022 Stadium Manager Expenses - Compensation for Engineering
 - \$31,302.00 for September 2022 Stadium Manager Expenses - Compensation for Guest Services
 - \$7,662.00 for September 2022 Stadium Manager Expenses - Compensation for Grounds
 - \$174,077.00 for September 2022 Stadium Manager Expenses - SBL Sales & Service
 - \$81,710.00 for September 2022 Stadium Manager Expenses - Insurance
 - \$12,794.37 for September 2022 Stadium Manager Expenses - Use of StadCo Tenant Improvements
 - \$51,886.00 for September 2022 Stadium Manager Expenses - Other G&A
 - \$8,334.00 for September 2022 Stadium Manager Expenses - Lender Fees
- Payment to Hanson Bridgett LLP for July 2022 Legal Services
- Payment to Jeffer Mangels Butler & Mitchell, LLP for June 2022 Legal Services
- Payments totaling \$18,684.16 to Wilson Ihrig for the following:
 - \$12,284.16 for April - May 2022 Noise Monitoring Services
 - \$6,400.00 for June - July 2022 Noise Monitoring Services

The Supreme Court of California in Los Angeles County Board of Supervisors v. Superior Court, (2016) 2 Cal.5th 282, held that invoices specifying the amounts billed by a law firm to a client fall within the scope of attorney-client privilege while the matters are active. In accordance with the Supreme Court's ruling, information that would compromise legal strategy, and would otherwise be privileged, is redacted consistent with the Public Records Act.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

FISCAL IMPACT

The fiscal impact to the Stadium Authority is itemized above.

COORDINATION

This report has been coordinated with the Stadium Authority Counsel's Office.

PUBLIC CONTACT

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.

RECOMMENDATION

Approve the list of Stadium Authority Bills and Claims for August 2022.

Reviewed by: Kenn Lee, Treasurer

Approved by: Rajeev Batra, Executive Director

ATTACHMENTS

1. August 2022 SCSA Bills and Claims

Santa Clara Stadium Authority

Bills and Claims Expenses Paid by Wire Transfer For the Month of August 2022

Payment Date	Vendor	Invoice No.	Description	Fund	Amount
8/15/2022	Bank of America	N/A	July 2022 Bank Fees (Account 0444)	CapEx	1,474.66
8/15/2022	Bank of America	N/A	July 2022 Bank Fees (Account 0425)	Operating	230.42
8/15/2022	Bank of America	N/A	July 2022 Bank Fees (Account 6280)	Operating	54.33
					1,759.41
8/16/2022	City of Santa Clara	N/A	B2213 SCSA Admin Payroll Costs	Operating	57,664.71
8/17/2022	City of Santa Clara	N/A	B2214 SCSA Admin Payroll Costs	Operating	60,986.11
8/23/2022	City of Santa Clara	N/A	B2215 SCSA Admin Payroll Costs	Operating	57,259.36
8/15/2022	City of Santa Clara	93211	Special Liability Claims FY2022-23 Q1	Operating	4,274.53
8/31/2022	City of Santa Clara	N/A	Senior/Youth Fees for NFL Game 1	Operating	23,361.45
					203,546.16
8/15/2022	Contractor Compliance and Monitoring, Inc	16815	July 2022 Labor Compliance Services	Operating	712.50
8/31/2022	Forty Niners Stadium Management Co, LLC	SLS-23610	September 2022 Std Mgr - Compensation for Security	Operating	32,497.00
8/31/2022	Forty Niners Stadium Management Co, LLC	SLS-23610	September 2022 Std Mgr - Compensation for Stadium Ops	Operating	208,053.00
8/31/2022	Forty Niners Stadium Management Co, LLC	SLS-23610	September 2022 Std Mgr - Compensation for Engineering	Operating	143,482.00
8/31/2022	Forty Niners Stadium Management Co, LLC	SLS-23610	September 2022 Std Mgr - Compensation for Guest Services	Operating	31,302.00
8/31/2022	Forty Niners Stadium Management Co, LLC	SLS-23610	September 2022 Std Mgr - Compensation for Grounds	Operating	7,662.00
8/31/2022	Forty Niners Stadium Management Co, LLC	SLS-23610	September 2022 Std Mgr - SBL Sales & Service	Operating	174,077.00
8/31/2022	Forty Niners Stadium Management Co, LLC	SLS-23610	September 2022 Std Mgr - Insurance	Operating	81,710.00
8/31/2022	Forty Niners Stadium Management Co, LLC	SLS-23610	September 2022 Std Mgr - Use of StadCo Tenant Improvements	Operating	12,794.37
8/31/2022	Forty Niners Stadium Management Co, LLC	SLS-23610	September 2022 Std Mgr - Other G&A	Operating	51,886.00
8/31/2022	Forty Niners Stadium Management Co, LLC	SLS-23610	September 2022 Std Mgr - Lender Fees	Operating	8,334.00
					751,797.37
8/31/2022	Hanson Bridgett LLP	Various	July 2022 Legal Services	Operating	██████████
8/31/2022	Jeffer Mangels Butler & Mitchell, LLP	1858509	June 2022 Legal Services	Operating	██████████
8/12/2022	Wilson Ihrig	16125N45	April - May 2022 Noise Monitoring Services	Operating	12,284.16
8/31/2022	Wilson Ihrig	16125N46	June - July 2022 Noise Monitoring Services	Operating	6,400.00
					18,684.16
			August 2022 Total		\$ 1,022,679.10



Agenda Report

22-1332

Agenda Date: 11/15/2022

REPORT TO STADIUM AUTHORITY BOARD

SUBJECT

Action on Stadium Authority Bills and Claims for the Month of September 2022

BOARD PILLARS

Enhance Community Engagement and Transparency
Ensure Compliance with Measure J and Manage Levi's Stadium

BACKGROUND

Disbursements made by the Stadium Authority are based on invoices submitted for payment. Prior to payment, staff reviews all disbursement documents to ensure that they are in compliance with the goods or services provided.

The Bills and Claims listing represents the cash disbursements required of normal and usual operations during the period. Budget control is set by the Stadium Authority Board through the budget adoption process.

DISCUSSION

On March 27, 2019, the Stadium Authority Board directed staff to stop payment of any Stadium Authority invoices for services unless there is substantial documentation of services rendered, which must also be in compliance with State law and City Code. Since March 27, 2019, staff received direction to pay Stadium Authority invoices related to SBL sales and services, insurance, and utilities.

At the March 15, 2022 Stadium Authority Board meeting, the Board delegated authority to the Office of the Executive Director and Treasurer to approve budget amendments that move funds from the Legal Contingency to Shared Expenses after the review of adequate documentations for costs. Subsequent to that direction, Stadium Authority staff met with Stadium Manager on April 12, 2022 to review documentation for shared expenses. Following meetings with the Stadium Manager, payments related to compensation that were reviewed and approved were included in the September monthly payment.

Effective August 31, 2022, the Stadium Authority and Stadium Manager agreed to the timely payment of Shared Stadium Expenses and other budgeted expenses in accordance with the Annual Stadium Authority Budget-except for buffet expenses invoiced pursuant to Section 4.6.1 of the Stadium Lease. The Stadium Authority maintains the right to confirm and dispute submitted charges from the 2021-22 fiscal year and onward during a fiscal-year-end reconciliation/true-up, because of any concerns regarding improper allocation, calculation, lack of support, or failure to comply with the Parties' contracts or California law, among other reasons. The Stadium Authority may raise such questions with respect to any charge at any time before a fiscal year-end reconciliation/true-up and the Stadium Manager must assess and respond to such questions in good faith.

Expenses paid in September 2022 include:

- Payments totaling \$132,963.23 to the City of Santa Clara for the following:
 - \$108,327.30 for reimbursement of General and Administrative (G&A) City payroll costs (e.g.: Executive Director's Office (City Manager's Office), Counsel's Office (City Attorney's Office), and Treasurer's Office (Finance Department))
 - \$24,415.65 for the Senior and Youth Fees collected (\$0.35 per ticket) for one National Football League (NFL) game.
 - \$220.28 for reimbursement of SCSA G&A Costs (Supplies/Equipment)
- Payment totaling \$651,863.00 to Forty Niners SC Stadium Co, LLC for CFD Advance Payment - Principal & Interest
- Payment totaling \$225.00 to Contractor Compliance and Monitoring, Inc. for August 2022 Labor Compliance Services
- Payment totaling \$128,359.68 to HKS Architects, Inc. for the following:
 - \$2,740.00 for CapEx Project - Stationary Electric Pressure Washers
 - \$3,900.00 for CapEx Project - Stadium Event Power Upgrades & Switchgear Electrical
 - \$3,900.00 for CapEx Project - Automatic Logic Control Building Engineering System
 - \$6,337.50 for CapEx Project - North East Lobby Security Desk Enhancements
 - \$6,337.50 for CapEx Project - Security Screening Locations
 - \$11,880.00 for CapEx Project - Plumbing (PRVs)
 - \$17,532.00 for CapEx Project - Broadcast Booth Power
 - \$3,260.00 for CapEx Project - Creston Control & Building Operating System Upgrades
 - \$6,450.00 for CapEx Project - Cooling Towers
 - \$7,020.00 for CapEx Project - CO2 Monitoring & Sensors for Code Compliance
 - \$11,332.68 for CapEx Project - Radio Booth Cabling
 - \$19,552.00 for CapEx Project - VFDs
 - \$28,128.00 for CapEx Project - Kitchen Exhaust Fans
- Payment totaling \$141,592.57 to Pumpman Norcal for CapEx Project - Lift Station

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a administrative activity that will not result in direct or indirect physical changes in the environment.

FISCAL IMPACT

There is a \$1,056,711.96 fiscal impact to the Stadium Authority.

COORDINATION

This report has been coordinated with the Stadium Authority Counsel's Office.

PUBLIC CONTACT

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.

RECOMMENDATION

Approve the list of Stadium Authority Bills and Claims for September 2022.

Reviewed by: Kenn Lee, Treasurer

Approved by: Rajeev Batra, Executive Director

ATTACHMENTS

1. September 2022 SCSA Bills and Claims

Santa Clara Stadium Authority
Bills and Claims
Expenses Paid by Wire or ACH Transfer
For the Month of September 2022

Payment Date	Vendor	Invoice No.	Description	Fund	Amount	
9/15/2022	Bank of America	N/A	August 2022 Bank Fees (Account 0444)	CapEx	1,478.01	
9/15/2022	Bank of America	N/A	August 2022 Bank Fees (Account 0425)	Operating	230.47	
						1,708.48
9/14/2022	City of Santa Clara	N/A	B2216 SCSA Admin Payroll Costs	Operating	51,522.44	
9/21/2022	City of Santa Clara	N/A	B2217 SCSA Admin Payroll Costs	Operating	56,804.86	
9/30/2022	City of Santa Clara	N/A	Senior/Youth Fees for NFL Game 2	Operating	24,415.65	
9/30/2022	City of Santa Clara	N/A	Reimburse CSC for SCSA G&A Expenses (Supplies/Equipment)	Operating	220.28	
						132,963.23
9/30/2022	Forty Niners SC Stadium Co, LLC	N/A	CFD Advance Payment - Principal & Interest	Debt Service		651,863.00
9/14/2022	Contractor Compliance and Monitoring, Inc	17023	August 2022 Labor Compliance Services	Operating		225.00
9/6/2022	HKS Architects, Inc.	25326.001	CapEx Proj - Stationary Electric Pressure Washers	CapEx	2,740.00	
9/6/2022	HKS Architects, Inc.	25326.001	CapEx Proj - Stadium Event Power Upgrades & Switchgear Electrical	CapEx	3,900.00	
9/6/2022	HKS Architects, Inc.	25326.001	CapEx Proj - Automatic Logic Control Building Engineering System	CapEx	3,900.00	
9/6/2022	HKS Architects, Inc.	25326.003	CapEx Proj - North East Lobby Security Desk Enhancements	CapEx	6,337.50	
9/6/2022	HKS Architects, Inc.	25326.003	CapEx Proj - Security Screening Locations	CapEx	6,337.50	
9/6/2022	HKS Architects, Inc.	25326.001	CapEx Proj - Plumbing (PRVs)	CapEx	11,880.00	
9/6/2022	HKS Architects, Inc.	25326.001	CapEx Proj - Broadcast Booth Power	CapEx	17,532.00	
9/6/2022	HKS Architects, Inc.	25326.001	CapEx Proj - Creston Control & Building Operating System Upgrades	CapEx	3,260.00	
9/6/2022	HKS Architects, Inc.	25326.001	CapEx Proj - Cooling Towers	CapEx	6,450.00	
9/6/2022	HKS Architects, Inc.	25326.001	CapEx Proj - CO2 Monitoring & Sensors for Code Compliance	CapEx	7,020.00	
9/6/2022	HKS Architects, Inc.	25326.001	CapEx Proj - Radio Booth Cabling	CapEx	11,322.68	
9/6/2022	HKS Architects, Inc.	25326.001	CapEx Proj - VFDs	CapEx	19,552.00	
9/6/2022	HKS Architects, Inc.	25326.001	CapEx Proj - Kitchen Exhaust Fans	CapEx	28,128.00	
						128,359.68
9/21/2022	Pumpman Norcal	65432A	CapEx Proj - Lift Station	CapEx		141,592.57
			September 2022 Total			\$ 1,056,711.96



Agenda Report

22-2219

Agenda Date: 11/15/2022

REPORT TO STADIUM AUTHORITY BOARD

SUBJECT

Action on the Santa Clara Stadium Authority Financial Status Report for Quarter Ending June 30, 2022

BOARD PILLARS

Ensure Compliance with Measure J and Manage Levi's® Stadium
Enhance Community Engagement and Transparency

BACKGROUND

In Fiscal Year 2014/15 the Stadium Authority Board ("Board") requested that staff prepare quarterly Santa Clara Stadium Authority ("Stadium Authority") Financial Status Reports. These reports provide an update on the events held at Levi's® Stadium, Stadium Authority finances, and the impact of Stadium Authority activity on the City of Santa Clara's ("City").

This report provides information covering the Stadium Authority's first (April 1, 2022 - June 30, 2022) quarter of the 2022/23 (FY) fiscal year.

The Adopted Stadium Authority Budget incorporates the estimated revenues and expenses for all Stadium Authority funds. The attached Financial Status Reports provide the budget to actual revenue and expense summaries for the operating, debt service, and capital funds. Analysis of the financial activity through the fiscal year measures the adherence to the budget and allows the Stadium Authority to monitor and project revenues and expenses. Any significant variances are explained in the reports.

Certain operating expense payments were withheld based on Board direction for the partial suspension of payments at the March 27, 2019 Stadium Authority Board meeting, based on the concern that public funds would be used to pay for expenses that were not legally procured, or compliant with prevailing wage law or self-dealing/ conflict of interest laws. At that meeting, the Board directed the Executive Director to only release public funds to Forty Niners Stadium Management Company, LLC ("Stadium Manager") when supporting documents have been submitted to show the expenses adhere to applicable agreements and laws.

At the March 15, 2022 Stadium Authority Board meeting, the Executive Director was delegated authority to approve budget amendments of \$5.1 million to move funds from the Legal Contingency line item to Shared Expenses after the review of adequate documentations for costs based on Board direction. Subsequent to that direction, Stadium Authority staff met with Stadium Manager on April 12, 2022 to review documentation for shared expenses. After follow-up meetings with the Stadium Manager, payments related to compensation were reviewed and approved for monthly payment; totaling \$5.1 million for the fiscal year.

On August 31, 2022, Stadium Authority, Forty Niners SC Stadium Company and Stadium Manager settled disputes regarding the partially suspended Shared Expenses and Operating and Management Expenses. As part of the settlement, the Stadium Authority agreed to pay for the budgeted expense for its share of Shared Stadium Manager Expenses and other expenses for the current fiscal year. As such, the payments were released in the third quarter.

At the November 1, 2022 Board meeting, during discussion of the fourth quarter FY 2021/22 Report, the Board inquired about the financial performance of the first and second quarter in FY 2022/23. Information for the first quarter is included in this report. Staff is still collecting information from the Stadium Manager for the second quarter and anticipates bringing forward the second quarter report at the December 6, 2022 Board meeting.

DISCUSSION

The attached financial status reports provide information covering the Stadium Authority's first quarter (April 1, 2022 - June 30, 2022) of FY 2022/23. The reports summarize National Football League ("NFL") and Non-NFL event activity at Levi's® Stadium and describes the financial impact of these events on the Stadium Authority and City since FY 2014/15. The report also provides the budget to actual revenue and expense summaries for the operating, debt service, and capital funds. Analysis of the financial activity through the fiscal year measures the adherence to the budget and allows the Stadium Authority to monitor and project revenues and expenses. Any significant variances are explained in the report.

NFL Event Revenue and Expenses

There were no NFL games held in the first quarter of the FY 2022/23. Levi's® Stadium hosted the first 49ers pre-season game of the 2022 season on August 12, 2022, which will be included in the report for the second quarter.

Non-NFL Event Revenue and Expenses

There were 1 ticketed Non-NFL event and 19 special events which are detailed in the report. The Non-NFL event ticket sales generated \$202,000 in ticket surcharge revenue, half of which funded the discretionary fund. Public safety costs for these events totaled \$406,000 all of which will be fully reimbursed to the City.

When combining ticketed and non-ticketed Non-NFL revenues to date, the table below shows approximately \$644,000 in net revenue (excluding surcharge revenue) through the end of the first quarter. It should be noted the financial information provided are a draft and subject to change as additional revenues and/or expenditures are recorded.

Levi's [®] Stadium
 Net Revenue for Non-NFL Events
 by Event Type
 FY 2022/23 Quarter 1

Event Type	No. of Events	Net Revenue
Ticketed Events		
Concerts	1	\$ 320,231
Sporting events:		
Football (Non-NFL)	0	-
Soccer	0	-
Miscellaneous Events	0	-
Subtotal Ticketed Events	1	\$ 320,231
Subtotal Remaining Non-NFL Events (weddings, corporate events, etc.)	19	\$ 557,805
Subtotal Other Operating Expenses ⁽²⁾		\$ (234,313)
Total Non-NFL Net Revenue	20	\$ 643,723
Total Performance Rent paid to the General Fund ⁽¹⁾		\$ -

⁽¹⁾ Performance Rent is calculated as 50% of the net revenue from Non-NFL events less performance-based credit of 50% of fixed ground rent

⁽²⁾ Other Operating Expenses are expenses not attributable to a specific event

Stadium Builder Licenses (“SBLs”)

SBLs account for 35% of the Stadium Authority’s annual budgeted revenue in FY 2022/23. There is a total of 61,845 currently active SBLs which is 94% of the 66,066 total sellable SBL seats. The value of the active SBLs amount to \$539.6 million of which \$503.0 million has already been collected.

Stadium Authority Budgets

The detailed analysis of Stadium Authority budget to actual financials is provided in the attached Financial Status Reports. In summary, total operating revenues were \$9.7 million representing 14% of the overall budget for revenues and total operating expenses were \$7.1 million or 10% of the budget. The debt service fund was able to pay down \$15.6 million in debt, bringing total Stadium Authority debt down to \$264.7 million. Capital expenses were \$150,000 representing 0.7% of the overall CIP budget.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a administrative activity that will not result in direct or indirect physical changes in the environment.

FISCAL IMPACT

There is no fiscal impact to this report.

COORDINATION

This report was coordinated with the Stadium Manager per section 4.6 of the Management Agreement as well as the Stadium Authority Counsel’s Office.

PUBLIC CONTACT

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.

RECOMMENDATION

Note and file the Santa Clara Stadium Authority Financial Status Report for the Quarter Ending June 30, 2022.

Reviewed by: Kenn Lee, Treasurer

Approved by: Rajeev Batra, Executive Director

ATTACHMENTS

1. SCSA Financial Status Report for the Quarter Ending June 30, 2022

SCSA

Santa Clara Stadium Authority

SANTA CLARA STADIUM AUTHORITY FINANCIAL STATUS REPORT

Quarter Ending June 30, 2022



November 15, 2022

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Introduction

This Santa Clara Stadium Authority (“Stadium Authority”) Financial Status Report provides information covering the first quarter of the Stadium Authority’s 2022/23 fiscal year (“FY”) which ended on June 30, 2022. Comparative data from prior fiscal years is also included.

In addition to these quarterly reports, the Stadium Authority produces annual financial statements. The FY 2021/22 financial statements were audited by an external audit firm and presented to the Stadium Authority’s Audit Committee on September 30, 2022 and approved by the Stadium Authority Board (“Board”) on November 1, 2022. The financial statements are published on the Stadium Authority’s website.

The Stadium Authority also prepares a detailed budget prior to the beginning of each fiscal year. The FY 2022/23 budget was adopted by the Board on March 15, 2022.

Stadium Authority finances are structured so that the City of Santa Clara (“City”) is not liable for the debts or obligations of the Stadium Authority. All services provided by the City, including administrative and public safety, to the Forty Niners Stadium Management Company, LLC (“Stadium Manager”) or the Stadium Authority are fully reimbursed with Stadium Authority funds.

Methodology

Information provided in this report was based in part on documentation submitted by Stadium Manager. Specifically, NFL and Non-NFL event statistics and financial information relating to Stadium Manager expenses are provided by Stadium Manager. Stadium Authority staff is limited to a review of selected financial information submitted by Stadium Manager, including some source documentation for Non-NFL events with attendance greater than 25,000, submitted 45 days after each event. More detailed documents are received within 90 days after the close of the quarter. For all other financial information, a full detailed review and/or audit of source documentation has not been completed by the Stadium Authority for this report.

The Stadium Authority has contracted with JS Held (formerly Hagen, Streiff, Newton, & Oshiro), a forensic accounting firm, to review and evaluate Non-NFL event financial information from prior years, including source documentation. This report was discussed with the Board at the December 1, 2020 Stadium Authority Board meeting. The Stadium Authority is working with JS Held for the review of additional historical years.

The information provided reflects the best known and available at the time of the writing of this report and is subject to further revision when the full body of records becomes available and review is complete. Consequently, the Board’s notation and filing of this report should not be considered an approval of the accuracy of the information in the report.

NFL Events

This section provides fiscal year to date and comparative data for NFL games categorized as pre-season and regular season games. There were no NFL games held during the first quarter of FY 2022/23. Levi's® Stadium hosted the first 49ers pre-season game of the 2022 season on August 12, 2022, which will be included in the report for the second quarter.

Non-NFL Events

This section provides year to date and comparative data for Non-NFL events categorized as events ranging from high school and college football games, international soccer matches, concerts, wedding fairs, and special events. During the current reporting period, there were a total of 50,478 tickets sold for the one ticketed Non-NFL event that was held, resulting in \$202,000 Non-NFL event ticket surcharge revenue (from the \$4 per ticket Non-NFL event surcharge). The ticketed Non-NFL event in the current reporting period was a large-scale event resulting in a large increase in the ticket surcharge revenue over the same period in the prior year as there were no ticketed events held during FY 2021/22 which was impacted from restrictions due to the COVID-19 pandemic.

Stadium Manager reports that there were also 19 smaller special events held at Levi's® Stadium with 9,996 attendees during the current reporting period. Due to the pandemic, there were only 12 smaller special events held with 3,698 attendees during the entire FY 2021/22. Examples of these special events include corporate events of various sizes, weddings, holiday parties, high school dances, etc.

In correlation with increase in Non-NFL events held during the current reporting period, there were 5,666 cars parked at these offsite lots and the City has received \$6,000 of a total of \$33,000 in related offsite parking fees.

Total Non-NFL event public safety costs were \$406,000, an increase of \$404,000 from the prior year. As noted previously, this increase in cost is due to more events being held in the current year when compared to the prior year. Of these costs, \$33,000 was covered by the offsite parking fee. The remaining \$373,000 has been invoiced to the Stadium Manager of which \$4,000 has been reimbursed.

Statistics for FY 2022/23 events are shown in Table 1 and comparative data from all nine years of operations are shown in Table 2.

Table 1

Levi's® Stadium
FY2022/23 Non-NFL Event Statistics
As of June 30, 2022

	Coldplay 05/15/22	2022/23 Q1 Special Events	2022/23 YTD Total
No. of Scanned Attendees	50,308	-	50,308
No. of Tickets Sold	50,478	-	50,478
Non-NFL Ticket Surcharge	\$ 201,912	\$ -	\$ 201,912
No. of Non-NFL Special Events		19	19
Non-NFL Special Event Attendees		9,996	9,996
Cars Parked at Offsite Lots	5,666		5,666
City Offsite Parking Fee	\$ 33,486		\$ 33,486
Stadium Public Safety Costs	\$ 399,716	\$ 6,416	\$ 406,132
Less: Offsite Parking Fee Credit	\$ (33,486)	\$ -	\$ (33,486)
Reimbursable Public Safety Costs	\$ 366,230	\$ 6,416	\$ 372,646
Amount Reimbursed	\$ -	\$ 4,309	\$ 4,309

Table 2

Levi's® Stadium
Historical Non-NFL Event Statistics⁽¹⁾

	2014/15 Q1 Total ⁽²⁾	2015/16 Q1 Total	2016/17 Q1 Total	2017/18 Q1 Total	2018/19 Q1 Total	2019/20 Q1 Total	2020/21 Q1 Total	2021/22 Q1 Total	2022/23 Q1 Total
No. of non-NFL Ticketed Events	-	6	8	4	4	3	-	-	1
No. of Tickets Sold	-	284,352	351,837	90,456	115,661	57,344	-	-	50,478
Non-NFL Ticket Surcharge	\$ -	\$ 1,137,408	\$ 1,407,348	\$ 361,824	\$ 462,444	\$ 229,376	\$ -	\$ -	\$ 201,912
No. of Non-NFL Special Events	-	62	31	25	24	20	-	-	19
Non-NFL Special Event Attendees	-	19,345	13,709	8,438	13,683	5,737	-	-	9,996
Cars Parked at Offsite Lots	-	27,215	34,376	7,939	10,495	5,251	-	-	5,666
City Offsite Parking Fee	\$ -	\$ 133,898	\$ 174,632	\$ 41,600	\$ 56,883	\$ 29,563	\$ -	\$ -	\$ 33,486
Cars Parked on Golf Course	-	9,465	9,562	-	-	-	-	-	-
City Golf Course Parking Fee	\$ -	\$ 47,325	\$ 47,810	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Stadium Public Safety Costs	\$ -	\$ 1,425,075	\$ 1,721,055	\$ 475,003	\$ 707,108	\$ 337,972	\$ -	\$ -	\$ 406,132
Golf Course Public Safety Costs	\$ -	\$ 73,951	\$ 39,905	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Subtotal Event Public Safety Costs	\$ -	\$ 1,499,026	\$ 1,760,960	\$ 475,003	\$ 707,108	\$ 337,972	\$ -	\$ 1,827	\$ 406,132
Less: Offsite Parking Fee Credit	\$ -	\$ (133,898)	\$ (174,632)	\$ (41,600)	\$ (56,883)	\$ (29,563)	\$ -	\$ -	\$ (33,486)
Reimbursable Public Safety Costs	\$ -	\$ 1,365,128	\$ 1,586,328	\$ 433,403	\$ 650,225	\$ 308,409	\$ -	\$ 1,827	\$ 372,646
Amount Reimbursed	\$ -	\$ 1,365,128	\$ 1,586,328	\$ 433,403	\$ 650,225	\$ 308,409	\$ -	\$ 1,827	\$ 4,309

⁽¹⁾ Includes non-NFL special events.

⁽²⁾ The first event at Levi's Stadium was in August 2014 (the second quarter of the 2014/15 Fiscal Year).

Table 3 and 4 show Non-NFL net revenue by event type and event revenue and expenses by category. The inclusion of this information is to provide a greater level of transparency and provide the overall financial results of the Non-NFL events.

For FY 2022/23, the Stadium Manager anticipates FY 2022/23 Non-NFL events to result in net profits to range from \$250,000 to \$1,750,000, as cited in the FY 2022/23 Adopted Stadium Authority Budget. In the first quarter of FY 2022/23, ticketed events and non-ticketed special events contributed \$320,000 and \$558,000 in net profits, respectively. Offset by \$234,000 of non-event specific other operating expenses, Stadium Manager reported a net profit of \$644,000 for the current reporting period.

Table 3

Levi's® Stadium
Net Revenue for Non-NFL Events
by Event Type
FY 2022/23 Quarter 1

Event Type	No. of Events	Net Revenue
Ticketed Events		
Concerts	1	\$ 320,231
Sporting events:		
Football (Non-NFL)	0	-
Soccer	0	-
Miscellaneous Events	0	-
Subtotal Ticketed Events	1	\$ 320,231
Subtotal Remaining Non-NFL Events (weddings, corporate events, etc.)	19	\$ 557,805
Subtotal Other Operating Expenses ⁽²⁾		\$ (234,313)
Total Non-NFL Net Revenue	20	\$ 643,723
Total Performance Rent paid to the General Fund ⁽¹⁾		\$ -

⁽¹⁾ Performance Rent is calculated as 50% of the net revenue from Non-NFL events less performance-based credit of 50% of fixed ground rent

⁽²⁾ Other Operating Expenses are expenses not attributable to a specific event

Table 4

Levi's® Stadium
Non-NFL Event Results by Category
FY 2022/23 Quarter 1

	2022/23 YTD Total
REVENUE:	
Seating Bowl	\$ 5,785,644
Ticketmaster Fees	485,404
Suites	87,000
Food & Beverage	345,823
Parking	107,920
Facility Fee	148,194
Miscellaneous ⁽¹⁾	1,967,022
Total Revenue	\$ 8,927,007
EXPENSE:	
Public Safety/Security	\$ 624,604
Parking	173,422
Food & Beverage - Ticketed Events	66,873
Food & Beverage - Special Events	792,016
Operations/Janitorial/Maintenance	1,377,424
Miscellaneous ⁽²⁾	5,248,945
Total Expense	\$ 8,283,284
Total Non-NFL Net Revenue	\$ 643,723

⁽¹⁾ Includes special events revenue such as corporate events, weddings, holiday parties, etc.

⁽²⁾ Includes rentals, fees & commissions, transportation, marketing, and other expenses

Discretionary Fund

The Discretionary Fund is funded by revenue equal to 50% of the Non-NFL event ticket surcharge of \$4 per ticket. The one ticketed Non-NFL Event contributed \$101,000 to the Discretionary Fund in the reporting period, which was received and deposited in August 2022. Table 5 shows the revenues and expenses in the Discretionary Fund since FY2014/15. The balance at the end of this reporting period was \$2.4 million.

Table 5

Discretionary Fund - Accrual Basis				
Fiscal Year	Beginning Balance	Revenue	Expenses	Ending Balance
2014/15	\$ -	\$ 715,770	\$ 714,028	\$ 1,742
2015/16	1,742	1,238,542	699,129	541,155
2016/17	541,155	1,164,698	1,209,342	496,511
2017/18	496,511	768,564	-	1,265,075
2018/19	1,265,075	796,294	101,267	1,960,102
2019/20	1,960,102	367,748	-	2,327,850
2020/21	2,327,850	-	18	2,327,832
2021/22	2,327,832	-	(18)	2,327,850
2022/23	2,327,850	100,956	1	2,428,805

Stadium Builder Licenses

The total principal value of currently active Stadium Builder Licenses (“SBLs”) is \$539.6 million and, as of June 30, 2022, 93% of the total principal value of all SBLs sold (i.e., \$503.0 million) had been collected.

SBL holders that finance their purchase pay an annual interest rate of 8.5% and payments are due by March 1st each year. The majority of SBL holders make their payments on time. For those that do not pay on time, SBL service staff, working for Stadium Manager on the Stadium Authority’s behalf, contact the SBL holders and attempt to collect the full amounts owed. Ultimately, an SBL can be defaulted for non-payment. Once an SBL is defaulted, the SBL holder in default loses their right to buy season tickets as well as their priority rights to tickets to Non-NFL events, and forfeits any money they had invested in the SBL. Defaulted SBLs are then available for resale.

There is a total of 61,845 currently active SBLs, or 94% of the 66,066 total sellable SBL seats. This is a decrease of 110 from the total active SBLs at the end of the prior fiscal year (March 31, 2022). The main reason for the reduction is due to defaulted SBLs. The defaulted SBLs were offset by (1) the sale of new SBLs and (2) the net increase related to the customer seat relocation program. The customer seat relocation program allows customers to trade in their SBLs in return for others in a different location as long as the total face value of the new seats is equal to or greater than the original seats.

During the current reporting period, 286 SBLs were sold for a total face value of \$2.2 million. The customer seat relocation program resulted in an increase of \$1.2 million to

the SBL face value, while netting 157 more SBLs. There were also 553 SBL defaulted during the quarter with a face value of \$3.2 million.

Additional details regarding currently active SBLs are noted in Table 6.

Table 6
Santa Clara Stadium Authority
Currently Active Stadium Builder License (SBL) Summary⁽¹⁾

Through June 30, 2022											
Seat Value	SBL Seats Available	SBL Seats Sold as of 3/31/22	New SBL Sales	Net SBL Relocations	SBL Defaults	Other	SBL Seats Sold	SBL Value	SBL Collected	% SBL Principal Collected	
141,392	100	100	-	-	-	-	100	\$ 14,082,625	\$ 13,079,310	92.9%	
80,000	942	928	2	8	-	-	938	\$ 75,040,000	\$ 72,151,621	96.2%	
40,000	2	2	-	-	-	-	2	\$ 80,000	\$ 74,257	92.8%	
30,000	4,945	4,549	18	10	(21)	-	4,556	\$ 136,680,000	\$ 129,138,376	94.5%	
20,000	3,475	2,894	20	-	(12)	-	2,902	\$ 58,040,000	\$ 54,131,038	93.3%	
15,000	7	7	-	-	-	-	7	\$ 105,000	\$ 96,939	92.3%	
12,000	2,163	2,199	6	-	(7)	-	2,198	\$ 26,376,000	\$ 24,175,245	91.7%	
10,000	7	7	-	-	-	-	7	\$ 70,000	\$ 68,871	98.4%	
6,000	20,651	20,850	36	22	(178)	-	20,730	\$ 124,380,000	\$ 114,682,604	92.2%	
5,000	14,307	14,037	140	(21)	(158)	-	13,998	\$ 69,990,000	\$ 62,889,021	89.9%	
4,000	916	919	3	1	-	-	923	\$ 3,692,000	\$ 3,618,812	98.0%	
3,000	91	91	-	-	-	-	91	\$ 273,000	\$ 257,424	94.3%	
2,500	40	44	-	-	-	-	44	\$ 110,000	\$ 105,630	96.0%	
2,000	18,392	15,296	61	137	(177)	-	15,317	\$ 30,634,000	\$ 28,543,314	93.2%	
1,000	28	32	-	-	-	-	32	\$ 32,000	\$ 30,409	95.0%	
Total	66,066	61,955	286	157	(553)	-	61,845	\$ 539,584,625	\$ 503,042,871	93.2%	
									Plus: Interest on financed SBLs	66,133,956	
									Total Principal & Interest	569,176,827	

⁽¹⁾ This table does not include \$29.1 million that has been collected life-to-date from defaulted SBL holders.

Santa Clara Stadium Authority Budget Status Reports

Operating Budget

With 25% of the fiscal year complete, total operating revenues for the first quarter of the 2022/23 Fiscal Year were \$9.7 million representing 14% of the overall budget for revenues. The primary reasons that revenue is below 25% (par level through three months) is because non-NFL event revenue is recorded at the end of the fiscal year in accordance with Article 5 of the Stadium Management Agreement, and the NFL ticket surcharge revenue is recorded in second quarter when the NFL season starts. In addition, the first SBL proceeds in the amount of \$12.4 million was received in the second quarter instead of in June 2022 this year. During the current reporting period, the Stadium Authority collected \$3.6 million in Naming Rights and \$5.6 million in rent from StadCo. The Naming Rights revenue is collected twice a year in October and February. The Stadium Authority also collected \$202,000 or 35% of the budget for non-NFL event ticket surcharge revenue.

Total operating expenses were \$7.1 million, or 10% of the annual budget. The primary reason that total expenses are below 25% is due to timing of the debt service transfer that takes place in the second quarter.

For the current fiscal year, the Stadium Authority's FY2022/23 budget was adopted on March 15, 2022 and included the Stadium Manager's recommended Shared Expense budget of \$10.5 million in a Legal Contingency line item. The expenses that were included in the Legal Contingency line are Stadium Operations, Engineering, Guest Services, Groundskeeping, Security and the Stadium Management Fee. However, the Executive Director was delegated authority to approve budget amendments of \$5.1 million to move funds from the Legal Contingency line item to Shared Expenses after the review of adequate documentations for costs based on Board direction. Subsequent to that direction, Stadium Authority staff met with the Stadium Manager on April 12, 2022 to review documentation for shared expenses. After follow-up meetings with the Stadium Manager, payments related to compensation were reviewed and approved for monthly payment, totaling \$5.1 million for the fiscal year.

Shared Stadium Manager expenses were at 56% of the budget, or \$4.6 million of the \$8.3 million budgeted amount. This is due to timing of when insurance premiums are due. The Stadium Authority paid \$2.3 million of the \$3.2 million budgeted insurance expense paid during the first quarter. SBL Sales & Service expenses were 33% of the budget, or \$696,000. The Stadium Authority pays for all utility costs from February 1st through July 31st and the tenant (StadCo) pays for utility costs from August 1st through January 31st (Tenant Season). Therefore, utility costs are 67% of the budget for the year, or \$962,000. The current period covers 50% (three out of the six months) that the Stadium Authority is responsible for utility costs. Lastly, Stadium Authority G&A costs were tracking below budgeted levels at \$516,000 or 12% of the budget.

On August 31, 2022, the Stadium Authority entered into a settlement agreement with StadCo and Stadium Manager over disputes regarding the Operating and Management

Expenses, Shared Expenses, and Capital Expenditures that were previously withheld. As part of the settlement, the Stadium Authority agreed to pay for the budgeted expense for its share of Shared Stadium Manager Expenses and other expenses for the current fiscal year. The Stadium Authority released all of the previously withheld expenses in the first quarter to the Stadium Manager on October 3, 2022. As such, the payment will be included in the third quarter report.

Overall, the Stadium Authority operating fund ended the first quarter with a fund balance of \$41.5 million, an increase of \$2.6 million or 6.6%. Included in that amount is a \$12.3 million operating reserve and a \$2.4 million discretionary fund.

Additional details are shown in Table 7.

Table 7
Santa Clara Stadium Authority
Operating Budget Status Report
For the Period Ending June 30, 2022 and 2021

	Period Ending June 30, 2022							Period Ending June 30, 2021			
	Adopted Budget	Amended Budget	Q1 Actuals	YTD Actuals	Budget to Actual Difference	% Received		Amended Budget	YTD Actuals	Budget to Actual Difference	% Received
Resources											
Revenues											
NFL Ticket Surcharge	\$ 10,822,000	\$ 10,822,000	\$ -	\$ -	\$ 10,822,000	0%		\$ 8,665,000	\$ -	\$ 8,665,000	0%
SBL Proceeds	24,398,000	24,398,000	-	-	24,398,000	0%		23,682,000	-	23,682,000	0%
Interest	15,000	15,000	60,600	60,600	(45,600)	404%		56,000	4,659	51,341	8%
Non-NFL Event Revenue	250,000	250,000	-	-	250,000	0%		-	-	-	NA
Net Revenues from Non-NFL Events	-	-	-	-	-	NA		-	-	-	NA
Naming Rights	7,380,000	7,380,000	3,635,630	3,635,630	3,744,370	49%		7,165,000	-	7,165,000	0%
Sponsorship Revenue (STR)	405,000	405,000	148,143	148,143	256,857	37%		325,000	81,250	243,750	25%
Rent	24,762,000	24,762,000	5,640,899	5,640,899	19,121,101	23%		24,762,000	6,741,100	18,020,900	27%
Senior & Youth Program Fees	237,000	237,000	-	-	237,000	0%		232,000	-	232,000	0%
Non-NFL Event Ticket Surcharge	574,000	574,000	201,912	201,912	372,088	35%		150,000	-	150,000	0%
Other Revenue	-	-	-	-	-	NA		-	-	-	NA
Revenues Subtotal	\$ 68,843,000	\$ 68,843,000	\$ 9,687,184	\$ 9,687,184	\$ 59,155,816	14%		\$ 65,037,000	\$ 6,827,009	\$ 58,209,991	10%
Total Resources	\$ 68,843,000	\$ 68,843,000	\$ 9,687,184	\$ 9,687,184	\$ 59,155,816	14%		\$ 65,037,000	\$ 6,827,009	\$ 58,209,991	10%
Expenses											
Shared Stadium Manager Expenses											
Stadium Operations	\$ -	\$ 2,496,635	\$ 832,211	\$ 832,211	\$ 1,664,424	33%		\$ 1,586,393	\$ 386,890	\$ 1,199,503	24%
Engineering	-	1,721,783	573,927	573,927	1,147,856	33%		1,543,240	314,610	1,228,630	20%
Guest Services	-	375,622	125,206	125,206	250,416	33%		242,553	49,445	193,108	20%
Groundskeeping	-	91,938	30,642	30,642	61,296	33%		93,809	19,125	74,684	20%
Security	-	389,965	129,989	129,989	259,976	33%		378,652	77,190	301,462	20%
Procurement	-	-	-	-	-	NA		311,412	-	311,412	0%
Insurance	3,230,000	3,230,000	2,935,718	2,935,718	294,282	91%		3,136,000	784,045	2,351,955	25%
Stadium Management Fee	-	-	-	-	-	NA		-	-	-	NA
Shared Stadium Mngr Exps Subtotal	\$ 3,230,000	\$ 8,305,943	\$ 4,627,693	\$ 4,627,693	\$ 3,678,250	56%		\$ 7,292,059	\$ 1,631,305	\$ 5,660,754	22%
Other Expenses											
SBL Sales and Service	\$ 2,089,000	\$ 2,089,000	\$ 696,308	\$ 696,308	\$ 1,392,692	33%		\$ 3,448,000	\$ 540,000	\$ 2,908,000	16%
Senior & Youth Fees (paid to City)	237,000	237,000	-	-	237,000	0%		232,000	-	232,000	0%
Non-NFL Event Expense	-	-	-	-	-	NA		600,000	-	600,000	0%
Ground Rent (paid to City)	460,000	460,000	-	-	460,000	0%		425,000	-	425,000	0%
Performance Rent (paid to City)	-	-	-	-	-	NA		-	-	-	NA
Discretionary Fund Expense	250,000	250,000	-	-	250,000	0%		250,000	-	250,000	0%
Utilities	1,444,000	1,444,000	962,496	962,496	481,504	67%		1,586,000	370,500	1,215,500	23%
Use of StadCo Tenant Improvements	48,000	48,000	11,602	11,602	36,398	24%		26,000	-	26,000	0%
Stadium Authority G&A	4,205,000	4,205,000	515,590	515,590	3,689,410	12%		5,115,000	580,570	4,534,430	11%
Naming Rights Commission	91,000	91,000	45,445	45,445	45,555	50%		88,000	44,122	43,878	50%
Legal Contingency	10,542,420	5,466,477	-	-	5,466,477	0%		3,966,941	-	3,966,941	0%
Other Expenses	723,000	723,000	240,879	240,879	482,121	33%		388,000	-	388,000	0%
Transfers Out	44,785,580	44,785,580	-	-	44,785,580	0%		41,262,000	-	41,262,000	0%
Other Expenses Subtotal	\$ 64,875,000	\$ 59,799,057	\$ 2,472,321	\$ 2,472,321	\$ 57,326,736	4%		\$ 57,386,941	\$ 1,535,192	\$ 55,851,749	3%
Total Expenses	\$ 68,105,000	\$ 68,105,000	\$ 7,100,014	\$ 7,100,014	\$ 61,004,986	10%		\$ 64,679,000	\$ 3,166,497	\$ 61,512,503	5%
Operating Reserve	\$ 12,329,870	\$ 12,329,870		\$ 12,301,488				\$ 9,693,657	\$ 11,940,523		
Discretionary Fund	\$ 2,364,850	\$ 2,364,850		\$ 2,428,806				\$ 2,327,832	\$ 2,327,850		

Debt Service Budget

The Stadium Authority's FY 2022/23 debt service revenue budget of \$2.1 million represents anticipated contributions from the Community Facilities District (CFD). The CFD levies and collects a special hotel tax on hotel rooms within the CFD. All collections from the special CFD hotel taxes are contributed to Stadium Authority to pay down the CFD Advance. The CFD Advance is payable solely from amounts received by the Stadium Authority from the CFD. During the first quarter, \$611,000 was contributed by the CFD, or 29% of the annual budget.

Total Stadium Authority debt service expenses for the current reporting period were \$19.0 million, or 44% of the budgeted amount. The debt service expenses for the CFD Advance, the Term A Loan, and the StadCo Subordinated Loan were \$434,000, \$17.4 million, and \$1.1 million, respectively.

As of June 30, 2022, the total outstanding amount of Stadium Authority debt had declined to \$264.7 million. This is a reduction in principal of \$15.6 million from the March 31, 2022 outstanding debt amount of \$280.3 million.

Additional details are shown in Tables 8 and 9 and Chart 1.

Table 8

Santa Clara Stadium Authority

Debt Service Budget Status Report

For the Period Ending June 30, 2022 and 2021

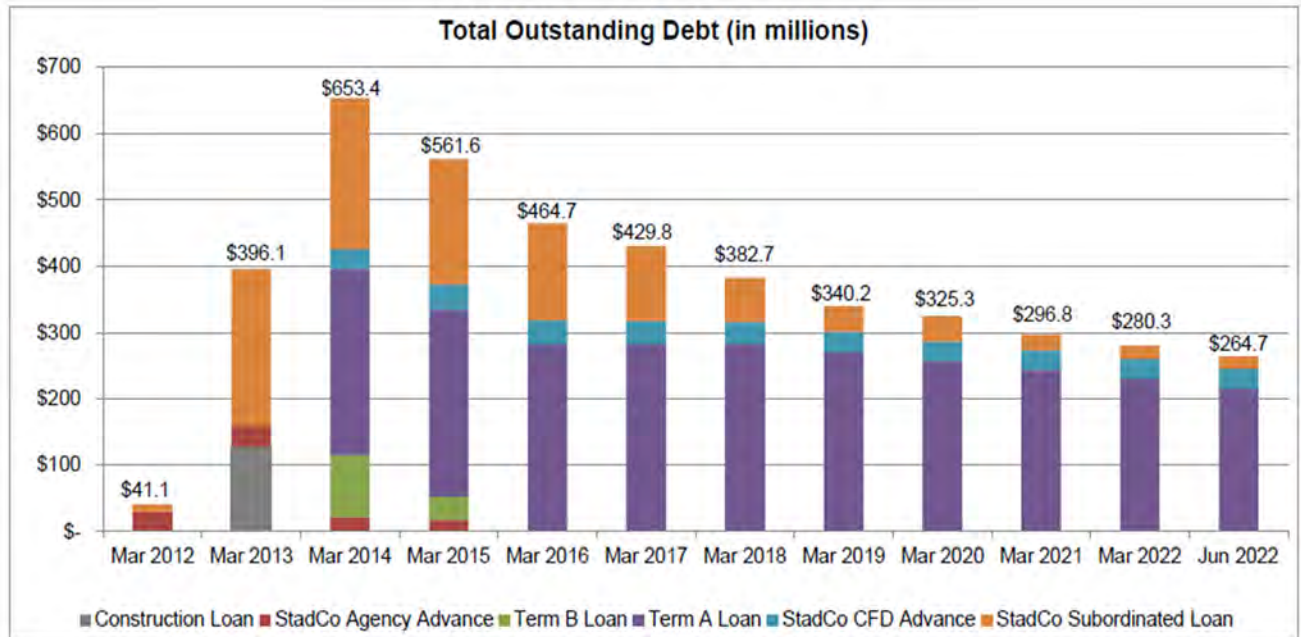
	Period Ending June 30, 2022						Period Ending June 30, 2021			
	Adopted Budget	Amended Budget	Q1 Actuals	YTD Actuals	Budget to Actual Difference	% Received	Amended Budget	YTD Actuals	Budget to Actual Difference	% Received
Resources										
Revenues										
Contribution from CFD	\$ 2,124,000	\$ 2,124,000	\$ 611,227	\$ 611,227	\$ 1,512,773	29%	\$ 483,000	\$ 158,418	\$ 324,582	33%
Revenues Subtotal	\$ 2,124,000	\$ 2,124,000	\$ 611,227	\$ 611,227	\$ 1,512,773	29%	\$ 483,000	\$ 158,418	\$ 324,582	33%
Net Transfers In from Operating	40,984,580	40,984,580	-	-	40,984,580	0%	37,572,000	-	37,572,000	0%
Contribution from Fund Balance	-	-	18,371,442	18,371,442	(18,371,442)	NA	-	17,479,851	(17,479,851)	NA
Total Resources	\$ 43,108,580	\$ 43,108,580	\$ 18,982,669	\$ 18,982,669	\$ 24,125,911	44%	\$ 38,055,000	\$ 17,638,270	\$ 20,416,730	46%
Expenses										
CFD Advance	\$ 2,042,000	\$ 2,042,000	\$ 433,923	\$ 433,923	\$ 1,608,077	21%	\$ 483,000	\$ 421,471	\$ 61,529	87%
Term A Loan	25,494,000	25,494,000	17,415,690	17,415,690	8,078,310	68%	25,529,000	16,898,728	8,630,272	66%
StadCo Subordinated Loan	15,490,580	15,490,580	1,133,056	1,133,056	14,357,524	7%	12,043,000	318,071	11,724,929	3%
Total Expenses	\$ 43,026,580	\$ 43,026,580	\$ 18,982,669	\$ 18,982,669	\$ 24,043,911	44%	\$ 38,055,000	\$ 17,638,270	\$ 20,416,730	46%
Debt Service Reserve	\$ 11,536,235	\$ 11,536,235		\$ 11,536,235			\$ 11,536,235	\$ 11,536,235		

Table 9

Santa Clara Stadium Authority
Debt Summary Report
 Period Ending June 30, 2022

Type of Indebtedness	Interest Rates	Outstanding as of March 31, 2022	Net Change	Outstanding as of June 30, 2022
Stadium Funding Trust Loan:				
Term A Loan	5.00%	\$ 230,138,240	\$ (14,723,000)	\$ 215,415,240
StadCo CFD Advance	5.73%	30,374,502	-	30,374,502
StadCo Subordinated Loan	5.50%	19,800,950	(867,953)	18,932,997
Total		\$ 280,313,692	\$ (15,590,953)	\$ 264,722,739

Chart 1



Capital Improvement Project (CIP) Budget

As part of the Capital Expense (“CapEx”) Plan, the following projects have been completed as of the current reporting period:

- Financial Management Information System Project
- Emergency Recycled Water Line Repair Project

The following CapEx projects are currently in progress and expected to be completed by the end of the fiscal year:

- Stadium Insulation
- Command Post Window Treatment
- Non-Slip Floor Matting
- Lift Station
- Mechanical and Electrical Closet Lighting
- Rust Prevention Mitigation
- Loading Dock Lighting

The CIP Budget increased from \$21.7 million to \$23.0 million in the first quarter. This is due to an additional \$1.2 million in budget amendment that the Board during the first quarter. A total of \$150,000 has been spent in FY 2022/23, which amounts to 0.7% of the budget. The main reasons that this is below budget are (1) there has been little activity on warranty work which makes up 7% of the CIP Budget, (2) delays in projects due to staffing shortage from the contractors as a result of COVID-19, and (3) a number of projects are under compliance reviews of State procurement and prevailing wage laws.

On August 31, 2022, the Stadium Authority entered into a settlement agreement with StadCo and Stadium Manager over disputes regarding the Operating and Management Expenses, Shared Expenses, and Capital Expenditures that were previously withheld. As part of the settlement, in regards to Capital Expenditures, the Stadium Authority agreed to discontinue the current practice of withholding payment for Capital Expenditures subject to the review and approval of the prevailing wage documentation by Stadium Authority’s labor law compliance consultant. Under the Settlement Agreement, Stadium Manager further confirmed its obligation to comply with applicable laws, including Prevailing Wage Laws, and Stadium Manager also implemented its new internal Prevailing Wage Laws compliance policy and procedures. Accordingly, the Stadium Authority will process the invoice payments as they come in.

Additional details are shown below in Table 10.

Table 10

Santa Clara Stadium Authority

CIP Budget Status Report

For the Period Ending June 30, 2022 and 2021

	Period Ending June 30, 2022						Period Ending June 30, 2021			
	Adopted Budget	Amended Budget	Q1 Actuals	YTD Actuals	Budget to Actual Difference	% Received	Amended Budget	YTD Actuals	Budget to Actual Difference	% Received
Beginning Balances	\$ 22,103,296	\$22,103,296	\$ 23,001,058	\$ 23,001,058	\$ (897,762)		\$ 19,438,420	\$ 20,805,741	\$ (1,367,321)	
Resources										
Transfers In from Operating Budget	3,800,310	3,800,310	-	-	3,800,310	0%	3,690,000	-	3,690,000	0%
Transfers In from Stadium Manager	-	-	-	-	-	NA	-	-	-	NA
Total Resources	\$ 25,903,606	\$25,903,606	\$ 23,001,058	\$ 23,001,058	\$ 2,902,548	89%	\$ 23,128,420	\$ 20,805,741	\$ 2,322,679	90%
	Final Budget	Amended Budget	Q1 Actuals	YTD Actuals	Budget to Actual Difference	% Used	Amended Budget	YTD Actuals	Budget to Actual Difference	% Used
Expenses										
Construction	12,699,189	13,905,231	52,627	52,627	13,852,604	0%	6,743,911	-	6,743,911	0%
Equipment	6,555,678	6,555,678	97,584	97,584	6,458,094	1.5%	5,734,770	26,229	5,708,541	0%
Contingency	962,743	962,743	-	-	962,743	0%	623,935	-	623,935	0%
Stadium Warranty Related Construction	1,528,202	1,528,202	-	-	1,528,202	0%	1,528,202	-	1,528,202	0%
Total Expenses	\$ 21,745,812	\$22,951,854	\$ 150,211	\$ 150,211	\$ 22,801,643	0.7%	\$ 14,630,818	\$ 26,229	\$ 14,604,589	0%
Ending Balances	\$ 4,157,794	\$ 2,951,752	\$ 22,850,846	\$ 22,850,846			\$ 8,497,602	\$ 20,779,512		

City of Santa Clara Net General Fund Impact

During the current reporting period there was a total of \$41,766 that was contributed to the General Fund as shown in Table 11. This is due to the timing of when the ground rent is paid and the performance rent is calculated. Additionally, the Senior and Youth Fee and the Tasman Lot Parking Fee are both related to NFL games of which there were none in the first quarter. This section of the report also provides information on General Fund revenue and expenditure impacts resulting from the stadium.

Table 11

City of Santa Clara Net General Fund Impact

For Stadium Authority Fiscal Year to Date Ending June 30, 2022

Ground Rent	\$	-
Performance Rent		-
Senior and Youth Fee		-
Tasman Lots Parking Fee		-
Sales Tax		41,766
Total Net General Fund Impact	\$	41,766

Public Safety and Administrative Cost Reimbursement

As described in earlier sections of this report, costs incurred by the City on NFL and Non-NFL events are tracked and billed to the Stadium Manager. Reimbursement is monitored and included in this report. A total of \$406,000 in public safety costs were incurred in support of Non-NFL events that were held at Levi's® Stadium in the current reporting period, all of which have been reimbursed to the City. These reimbursements came from a combination of payments from the Stadium Manager and the offsite parking fees that were collected.

In addition to public safety costs, administrative costs are also tracked and billed to the Stadium Authority. These include the cost of providing overall stadium management, financial, human resource, legal, and other services to the Stadium Authority. In the first quarter of FY 2022/23, a total of \$353,000 of administrative costs were incurred by the General Fund, which have been reimbursed to the City.

Rents and Senior and Youth Fee

As noted above, the City's General Fund did not collect any rents or Senior and Youth fees in the current reporting period. See the Glossary for more information on these revenues and how they are calculated.

Other Revenue Impacts

General Fund sales tax, property tax, and transient occupancy tax (TOT) collections have benefited from the direct and indirect economic activity related to stadium events.

Food and beverage concession sales and merchandise sales at Levi's® Stadium are taxable, resulting in sales tax revenue for the City. The last quarter of sales tax collections from Levi's® Stadium transactions generated \$42,000 for the City's General Fund. In addition to the direct sellers at the Stadium, other businesses in Santa Clara are benefiting from the influx of people coming to attend one or more events at Levi's® Stadium, resulting in potentially more sales tax collections for the General Fund.

In accordance with State Law, StadCo must pay possessory interest property tax based on their lease of Levi's® Stadium from the Stadium Authority. This revenue is collected by the county and placed into the Redevelopment Property Tax Trust Fund (RPTTF). Amounts remaining in the RPTTF after paying any enforceable obligations of the Successor Agency are distributed to taxing entities in the same proportion as secured property taxes. The City's proportion is approximately 10%.

Many stadium events bring travelers to the region, resulting in hotel stays which generate TOT collections for the City's General Fund. Although it is impossible to say exactly what portion of the City's TOT collections is due to the stadium, it is clear that hotels both inside and outside the City have benefited, resulting in increases in TOT collections in Santa Clara and our neighboring cities.

Glossary

This section of the report provides details behind key terms that are used in the body of this report.

Discretionary Fund – The Amended and Restated Stadium Lease Agreement describes the Non-NFL event ticket surcharge which is imposed by the Stadium Authority. All promoters or sponsors of ticketed Non-NFL events are required to collect a Non-NFL event ticket surcharge of \$4 per ticket on behalf of the Stadium Authority. One-half of these proceeds are used to cover Stadium Authority operating and maintenance costs. The other one-half of the proceeds are deposited in the Stadium Authority’s discretionary fund. If at any time the discretionary fund balance exceeds \$1 million, then in consultation with the Stadium Manager, the Stadium Authority will determine if provision has been made for replacement and improvement of capital improvements contemplated under the public safety plan. If not, then funds will be reserved in the discretionary fund for such purposes. If adequate provision has been made for these items and the balance of the discretionary fund still exceeds \$1 million, then up to half of the amount over \$1 million can be transferred to the General Fund, in which event an equal amount will also be transferred from the discretionary fund to the Stadium Authority operating fund and will be included as revenue available to pay Stadium Authority expenses.

Ground Lease – The Ground Lease Agreement has an initial term of 40 years commencing on the date of substantial completion which was July 31, 2014. The amount of annual base ground rent that is payable by the Stadium Authority to the City is noted in the chart 2 below.

Chart 2

Lease Year	Fiscal Year	Annual Fixed Ground Rent
1	2014/15	\$ 180,000
2	2015/16	\$ 215,000
3	2016/17	\$ 250,000
4	2017/18	\$ 285,000
5	2018/19	\$ 320,000
6	2019/20	\$ 355,000
7	2020/21	\$ 390,000
8	2021/22	\$ 425,000
9	2022/23	\$ 460,000
10	2023/24	\$ 495,000
11-15	2024/25 - 2028/29	\$ 1,000,000
16-20	2029/30 - 2033/34	\$ 1,100,000
21-25	2034/35 - 2038/39	\$ 1,200,000
26-30	2039/40 - 2043/44	\$ 1,300,000
31-35	2044/45 - 2048/49	\$ 1,400,000
36-40	2049/50 - 2053/54	\$ 1,500,000

Net Non-NFL Event Revenue – Net Non-NFL event revenue is remitted by Stadium Manager to the Stadium Authority on a yearly basis. This is done annually because the final reconciliation of the Non-NFL event revenues and expenses does not occur until after the conclusion of each fiscal year.

NFL Ticket Surcharge – The Amended and Restated Non-Relocation Agreement states that the Team will collect a 10% NFL ticket surcharge on the price of admission to all NFL games on behalf of Stadium Authority.

Non-NFL Event Ticket Surcharge – The Stadium Lease Agreement requires that the promoter or sponsor of any Non-NFL event collect a Non-NFL event ticket surcharge of \$4 per ticket. The Lease Agreement sets aside one-half of the Non-NFL event ticket surcharge for stadium operating and maintenance costs and one-half for discretionary expenses of the Stadium Authority.

Offsite Parking Fees – Parking lot operators who wish to operate a parking lot for sports or entertainment venues are required to go through the City's permitting process. If approved, per the City's Municipal Fee Schedule, these operators remit an offsite parking fee for each car that is parked for sports or entertainment events. This fee is designed to recover the public safety costs associated with these permitted offsite parking lots. Therefore, when invoicing for NFL or Non-NFL public safety costs for a particular event held at Levi's® Stadium, the offsite parking fee that is collected for said event partly offsets the total public safety costs owed for that event. In the City's FY 2022/23 (July 1, 2022 through June 30, 2023) the offsite parking fee is \$6.13.

Performance-Based Rent – The Amended and Restated Stadium Lease Agreement and the Ground Lease Agreement both describe the performance-based rent that is due to the City. (It is calculated as 50% of the net income from Non-NFL events less performance-based rent credits. The performance-based rent credits include 50% of the fixed ground rent for the current lease year.)

Public Safety Costs – For each NFL and Non-NFL event held at Levi's® Stadium, a public safety plan is developed and implemented. Multiple City departments provide staffing, materials, and supplies to support the public safety plan. Services are provided through a combination of City staff, contracts with other agencies (California Highway Patrol, County Sheriff's Office, and City of Sunnyvale) and some vendor provided services.

The Amended and Restated Stadium Lease Agreement section 7.5 states that the tenant is responsible for reimbursing the City for the public safety costs attributed to NFL events at Levi's® Stadium. Additionally, Article 5 of the Stadium Management Agreement notes that the Stadium Manager is responsible for paying Non-NFL event expenses on behalf of the Stadium Authority. Therefore, the cost of providing public safety services are tracked through the City's financial system and invoices are sent to the Stadium Manager. All of these costs are reimbursed to the City of Santa Clara.

Senior and Youth Program Fees – The Amended and Restated Stadium Lease Agreement requires that StadCo collect a Senior and Youth Program Fee of \$0.35 per NFL ticket sold on behalf of the Stadium Authority. Per section 8.2 of the Ground Lease Agreement between the City and the Stadium Authority, the Stadium Authority remits this fee to the City as additional rent to support senior and youth programs in the City.

Stadium Management Fee – The Stadium Manager receives an annual base management fee to manage Levi’s® Stadium. The fee was \$400,000 in the first lease year and increases by 3% annually as detailed in the table below. This annual base management fee is split 50/50 between StadCo and the Stadium Authority since the Stadium Manager manages the stadium year-round for both entities. In addition to the base management fee, the Stadium Manager also receives a stadium marketing and booking fee (incentive fee) which is based on a percentage of the amount that the net income from Non-NFL events exceeds the marketing and booking fee benchmark. The marketing and booking fee benchmark was \$5 million in the first lease year and also increases by 3% annually as detailed in the table below. The annual stadium management fee for each of the first ten lease years are noted in the chart 3 below.

Chart 3

Fiscal Year	Lease Year	Annual Base Stadium Management Fee (SCSA Share)	Stadium Marketing and Booking Fee Benchmark	Net Income from Non-NFL Events	Additional Stadium Marketing and Booking Fee	Total Stadium Management Fee
2014/15	1	\$ 200,000	\$ 5,000,000	\$ 5,207,553	\$ 10,378	\$ 210,378
2015/16	2	206,000	5,150,000	6,079,016	46,451	252,451
2016/17	3	212,180	5,304,500	5,316,894	620	212,800
2017/18	4	218,545	5,463,635	5,163,329	-	218,545
2018/19	5	225,102	5,627,544	18,591	-	225,102
2019/20	6	231,855	5,796,370	(2,741,014)	-	231,855
2020/21	7	238,810	5,970,261	(476,960)	-	238,810
2021/22	8	245,975	6,149,369	(288,741)	-	245,975
2022/23	9	253,354	6,333,850			
2023/24	10	260,955	6,523,866			

Tasman Lots Parking Fees – The City collects a fee of \$5 per space for all cars that are parked on the Tasman surface lots during NFL events.



Agenda Report

22-1374

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action to Waive Second Reading and Adopt Ordinance No. 2055, Adding Section 2.05.100 to the City Code, Amending the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City Council of the City of Santa Clara to Eliminate a Clause Relating to Temporary Employees

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND

At the October 18, 2022 Council meeting, proposed Ordinance No. 2055 was passed for the purpose of publication. Pursuant to City Charter Sections 808 and 812, a summary of proposed Ordinance No. 2055 was published to the Santa Clara Weekly on October 26, 2022, and copies were posted in three public places.

The City of Santa Clara Municipal Code Section 2.05.090 authorizes the City Council of the City and the Board of Administration, Public Employees' Retirement System to provide retirement benefits for its employees. The City Council of the City of Santa Clara and the Board of Administration of the California Public Employees' Retirement System (CalPERS) entered into a contract effective September 1, 1943, which was last amended on December 27, 2006, and provides for participation of the City of Santa Clara in CalPERS.

In April 2022, CalPERS reviewed the City of Santa Clara's application of the California Public Employees' Retirement System ("CalPERS") Retirement Contract exclusion that became effective April 1, 1959 which excluded certain classes of employment from CalPERS coverage ("Exclusion"). CalPERS determined that the Exclusion is superseded by Gov. Code section 20305(b) because temporary employment is already excluded from membership by Gov. Code section 20305 (until membership requirements) are met and therefore does not need to be specifically excluded in the Agreement.

CalPERS informed the City that this provision is no longer in compliance and that the contract between the City and CalPERS must be amended to remove this provision. CalPERS provided the required steps to remove the exclusion from the City's contract and an amendment to the CalPERS contract to remove the above exclusion. CalPERS requires that the City adopt a Resolution and Ordinance memorializing the Amendment, and that the City use the particular forms provided by CalPERS. The adoption of the final ordinance cannot be earlier than 20 days after the adoption of the Resolution of Intention, which was approved by the City Council in conjunction with the first reading of the proposed ordinance on October 18, 2022.

DISCUSSION

The proposed Ordinance authorizes an amendment to the contract between the City Council of the City of Santa Clara and the Board of Administration of CalPERS, as required by CalPERS. The Amendment will remove the following exclusion, which was effective April 1, 1959 and is no longer valid:

CROSSING GUARDS AND EMPLOYEES OF THE RECREATION DEPT. AND CITY LIBRARY WHO NORMALLY ARE EMPLOYED ON A LESS THAN ONE-HALF TIME BASIS NOT WITHSTANDING THE FACT THAT THEY MAY AT TIMES BE EMPLOYED TEMPORARILY ON A GREATER THAN ONE-HALF TIME BASIS.

To effectuate this amendment, the City Council must first adopt a Resolution of Intention (which it did on October 18, 2022) and, second, adopt an Ordinance approving the Amendment.

In addition to the elimination of the Exclusion, which is the primary reason for CalPERS requiring the Amendment, some additional modifications are also being made because the City's contract has not had any updates since 2006 (which predated the changes to the retirement system rules under PEPR). The retirement ages have been increased by seven years for new members; the City agrees to defend and indemnify CalPERS against liability arising from the City's decisions regarding its own retirement benefits; the benefit calculation formulas have been updated to include the formulas applicable to new employees.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

There is no fiscal impact to amend the City's CalPERS agreement.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

A summary of proposed Ordinance No. 2055 was published to the Santa Clara Weekly on October 26, 2022, and copies were posted in three public places and made available for public inspection at the City Clerk's Office.

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.

RECOMMENDATION

Waive Second Reading and Adopt Ordinance No. 2055, Adding Section 2.05.100 to the City Code, Amending the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City Council of the City of Santa Clara to Eliminate a Clause Relating to Temporary Employees

Reviewed by: Aracely Azevedo, Director of Human Resources

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Ordinance No. 2055 (Intro), with CalPERS Contract Amendment

ORDINANCE NO. 2055

AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, ADDING SECTION 2.05.100 TO "THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA" TO AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF SANTA CLARA AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City of Santa Clara Municipal Code Section 2.05.090 authorizes the City Council of the City of Santa Clara to contract with the Board of Administration, Public Employees' Retirement System to provide retirement benefits for its employees;

WHEREAS, in April 1, 1959, a contract provision was approved that excludes Crossing Guards and employees of the Recreation Department and City Library employees who normally are employed on a less than one-half time basis notwithstanding the fact that they may at time be employed temporarily on a greater than one-half time basis;

WHEREAS, CalPERS has informed the City that this provision is no longer valid because temporary employment is excluded from membership by Government Code section 20305 until membership requirements are met;

WHEREAS, some additional modifications are required in the Amendment to reflect changes arising from the passage of PEPRA; and

WHEREAS, CalPERS requires that the City amend its contract with CalPERS to make these modifications and the City Council agrees.

NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

//

SECTION 1: That a new Section 2.05.100 is added to Chapter 2.05 (entitled “General Provisions”) of Title 2 (entitled “Administration and Personnel”) of “The Code of the City of Santa Clara, California” to read as follows:

“2.05.100 Amendment to Agreement with Board of Administration for the California Public Employees Retirement System.

That an amendment to the contract between the City of Santa Clara and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached to this Ordinance, and by such reference made a part hereof as though herein set out in full.”

SECTION 2: Ordinances Repealed. With exception of the provisions protected by the savings clause, all ordinances (or parts of ordinances) in conflict with or inconsistent with this ordinance are hereby repealed.

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SECTION 3: Savings clause. The changes provided for in this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any right established or accruing before the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this ordinance. All fee schedules shall remain in force until superseded by the fee schedules adopted by the City Council.

SECTION 4: Effective date. This ordinance shall take effect thirty (30) days after its final adoption; however, prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of "The Charter of the City of Santa Clara, California."

PASSED FOR THE PURPOSE OF PUBLICATION this 18th day of October, 2022, by the following vote:

AYES:	COUNCILORS:	Becker, Chahal, Hardy, Jain, Park, Watanabe and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST:



NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Amendment to Contract between the Board of Administration of the Public Employees' Retirement System and the City Council of the City of Santa Clara




EXHIBIT

California
Public Employees' Retirement System



AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Santa Clara



The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective September 1, 1943, and witnessed September 1, 1943, and as amended effective September 1, 1947, July 1, 1950, May 1, 1956, October 1, 1958, April 1, 1959, July 1, 1959, April 1, 1963, July 1, 1964, October 1, 1964, August 1, 1969, January 27, 1974, June 26, 1975, March 19, 1978, January 3, 1982, August 8, 1990, May 23, 1993, January 9, 2000, June 15, 2000, October 15, 2000, May 26, 2002, December 17, 2006, and December 27, 2006, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 13 are hereby stricken from said contract as executed effective December 27, 2006, and hereby replaced by the following paragraphs numbered 1 through 16 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for classic local miscellaneous members, age 62 for new local miscellaneous members, age 50 for classic local safety members, and age 57 for new local safety members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after September 1, 1943, making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorney fees that may arise as a result of any of the following:
 - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
 - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas.
 - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).
5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

NO ADDITIONAL EXCLUSIONS

6. Removal of the exclusion of "All Hourly Rated Or Hourly Basis Employees," pursuant to Section 20503, is declarative of agency's previous interpretation and does not mandate any new classes of employees into membership.
7. The percentage of final compensation to be provided for each year of credited prior and current service for classic local miscellaneous members in employment before and not on or after December 17, 2006, shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1956, the effective date of Social Security coverage, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).
8. The percentage of final compensation to be provided for each year of credited prior and current service for classic local miscellaneous members in employment on or after December 17, 2006, shall be determined in accordance with Section 21354.5 of said Retirement Law, subject to the reduction provided therein for service on and after January 1, 1956, the effective date of Social Security coverage, for members whose service has been included in Federal Social Security (2.7% at age 55 Full and Modified).
9. The percentage of final compensation to be provided for each year of credited prior and current service as a new local miscellaneous member shall be determined in accordance with Section 7522.20 of said Retirement Law (2% at age 62 Supplemental to Federal Social Security).
10. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local safety member shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).
11. The percentage of final compensation to be provided for each year of credited prior and current service as a new local safety member shall be determined in accordance with Section 7522.25(d) of said Retirement Law (2.7% at age 57 Full).
12. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Section 21571 (Basic Level of 1959 Survivor Benefits) for local miscellaneous members only.
 - b. Sections 21624 and 21626 (Post-Retirement Survivor Allowance) for local safety members only.
 - c. Section 21222.1 (One-Time 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
 - d. Section 21222.2 (One-Time 5% Increase - 1971). Legislation repealed said Section effective January 1, 1980.

e. Section 20042 (One-Year Final Compensation) for classic local police members and classic local miscellaneous members only.

f. Section 20516 (Employees Sharing Cost of Additional Benefits):

Section 20042 (One-Year Final Compensation) for classic local police members.

From and after January 3, 1982, the classic local police employees of Public Agency shall be assessed an additional 2.250% of their compensation for a total contribution rate of 11.250% pursuant to Government Code Section 20516.

g. Section 21024 (Military Service Credit as Public Service).

h. Section 21574 (Fourth Level of 1959 Survivor Benefits) for local safety members only.

i. Section 20503 (To Remove the Exclusion of "All Hourly Rated Or Hourly Basis Employees," prospectively from June 15, 2000).

j. Section 21548 (Pre-Retirement Option 2W Death Benefit).

k. Section 21547.7 (Alternate Death Benefit for Local Fire Members Credited with 20 or More Years of Service).

l. Section 20503 (To Remove the Exclusion of "Crossing Guards And Employees Of The Recreation Department And City Library Who Normally Are Employed On A Less Than Half-Time Basis Not Withstanding The Fact That They May At Times Be Employed Temporarily On A Greater Than Half-Time Basis And Who Are Employed April 1, 1959, Or Thereafter," prospectively from the effective date of this amendment to contract).

13. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.

14. Public Agency shall also contribute to said Retirement System as follows:

a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local safety members.

- b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
15. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
16. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, _____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF SANTA CLARA

BY _____
MELODY BENAVIDES, CHIEF
PENSION CONTRACTS AND PREFUNDING
PROGRAMS DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
PRESIDING OFFICER

Witness Date

Attest:

Clerk



Agenda Report

22-1317

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Action on Resolution for an Exception to the 180 Day Waiting Period To Appoint a Retired Annuitant To Serve as Temporary Extra Help (Government Code Sections 7522.56 and 21224)

COUNCIL PILLAR

Manage Strategically Our Workforce Capacity and Resources

BACKGROUND

Generally, the Public Employment Retirement Law (PERL) requires that retired annuitants serve a 180-day wait period before working in a retired annuitant position. However, the PERL also provides for exceptions to this waiting period if certain criteria are met and the governing body of the public agency adopts a non-consent calendar resolution at a public meeting approving the appointment as a critically needed position before the 180 days has passed. The adoption of the resolution allows the employer to hire a retired annuitant to perform work of a limited duration, such as specialized work and limited term complex projects.

There are two types of post-retirement appointments possible under Govt. Code Section 7522.56: 1) Extra help retired annuitants hired to perform work of limited duration such as special projects (Govt. Code Section 21224); and 2) Appointment to a vacant position on an interim basis while a permanent replacement is being recruited (an active recruitment must be in place for this type of appointment, and the appointment must end when the replacement is hired, Govt. Code Section 21221(h)).

DISCUSSION

Greg Bych was a Risk Manager (Job Code 700) in the Human Resources Department. He retired on October 21, 2022. During his tenure, he led and managed a full array of risk management activities including general liability, EBIX, insurance and Workers Compensation. He provided guidance to departments throughout the City and advised management on matters related to risk and liability and implemented best practices.

Mr. Bych's extensive experience with risk management activities, will greatly assist City staff while it conducts a recruitment to fill the vacant position. Mr. Bych will be available to cross train staff.

Mr. Bych will be appointed to a limited term as-needed temporary employee position as a retired annuitant. This position will perform duties comparable to the Risk Manager (Job Code 700) classification. This position will provide guidance on risk management activities as the City recruits to fill the Risk Manager position. He will not participate in day-to-day administrative oversight of his former position. This employment arrangement would fall under the type 2 appointment (Govt. Code Section 21224) as Mr. Bych will be providing technical assistance while the City conducts a Risk

Manager recruitment.

The recommended action would certify that the appointment of Mr. Bych meet the requirements as defined in Govt. Code Sections 7522.56 and 21224, specifically:

1. Appointment is necessary to perform critically needed duties prior to the expiration of the 180-day wait period;
2. Mr. Bych have not received a Golden Handshake or any other form of retirement-related incentive;
3. Adoption of resolution was not placed on consent calendar;
4. Employment will be limited to 960 hours/fiscal year; and
5. Compensation will be within the posted salary range in the publicly available salary schedule.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

The Public Employees’ Pension Reform Act (PEPRA) sets forth limitations for compensating retired annuitants. All retirees must be paid hourly, at no less than the minimum, nor more than the maximum, paid to employees doing similar work. Based on the CalPERS formula for setting retired annuitant pay rates, Mr. Bych will be paid at the hourly rate for as-needed consultant position of \$96.69. Retirees also do not receive any benefits. Sufficient appropriations are available in the Human Resources Department to fund this interim position. This temporary extra help assignment will not exceed 960 hours per fiscal year, for a total maximum amount of approximately \$93,000 for Mr. Bych.

COORDINATION

This report has been coordinated with the City Attorney’s Office and the Finance Department.

PUBLIC CONTACT

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.

ALTERNATIVES

1. Adopt the attached Resolutions to permit the Risk Manager to provide valuable service to the City post-retirement but within the first 180 days of his retirement; or
2. Direct Staff to return with other options.

RECOMMENDATION

Alternative 1: Adopt the attached Resolutions for an Exception to the 180 Day Waiting Period To Appoint One Retired Annuitant To Serve as Temporary Extra Help (Government Code Sections 7522.56 and 21224).

Reviewed by: Aracely Azevedo, Director of Human Resources

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Resolution for an Exception to the 180 Day Waiting Period To Appoint A Retired Annuitant To Serve as Temporary Extra Help (G. Bych)
2. Greg Bych Offer Letter



November 1, 2022

Greg Bych
[REDACTED]

Dear Greg,

Congratulations! This is to confirm our offer of employment for the As-Needed position of Temporary Employee (Risk Manager) in the Human Resources Department with the City of Santa Clara.


Below are a few key provisions for your offer of employment:

- **Effective Date:** Wednesday, November 16, 2022
- **Salary:** Your hourly pay rate is \$96.69 per hour.
- **Employment Status:** As-Needed employment is not to be considered permanent. This is an “at-will” position and hours in any given week is not guaranteed. Under CalPERS regulations and the City of Santa Clara practices, As-Needed retired annuitants are not permitted to work more than 960 hours per fiscal year (July 1 through June 30). If you reach 960 hours during the fiscal year, your assignment will end. As-Needed employees will be enrolled in PARS retirement system in lieu of participation in CalPERS and Social Security. However, if you have been previously employed by a CalPERS employer and have funds on deposit with CalPERS, you will be enrolled in CalPERS and Social Security upon your first date of As-Needed employment with the City of Santa Clara.
- **New Employee Orientation (NEO):** You are required to attend virtual NEO with the Human Resources Department to continue your employment. You have been scheduled to attend on:
 - Wednesday, November 16, 2022 at 3:30PM
 - Zoom Meeting: <https://santaclaraca.zoom.us/j/87194537542>
 - Meeting ID: 871 9453 7542
- **Form I-9 Employment Eligibility Verification:** All new employees are required to show documentation which proves their identity and their eligibility to work in the United States. A list of acceptable documentation can be found at <http://uscis.gov/i-9-central/acceptable-documents>. **Please bring I-9 employment verification identification with you on your first day of employment; original documents are required.** This verification must be completed in person at the Human Resources Department within the first 3 days of your employment start date. If this

is not completed within the deadline, you will be ineligible to work until you have completed your I-9 verification.

Please sign and date this offer letter and return it to me by Wednesday, November 9, 2022. If you have questions, please contact the Human Resources Department at (408) 615-2080.

Sincerely,


Aracely Azevedo
Director of Human Resources

I accept the terms and conditions of my employment with the City of Santa Clara.

Greg Bych

Date: _____

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA
FOR EXCEPTION TO THE 180-DAY WAITING PERIOD TO HIRE A
RETIRED ANNUITANT AS A TEMPORARY EXTRA HELP
EMPLOYEE (GOVERNMENT CODE SECTIONS 7522.56 AND
21224)**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, in compliance with Government Code section 7522.56 the City of Santa Clara must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date;

WHEREAS, Greg Bych (CalPERS ID 1504097678) resigned from the City of Santa Clara in the position of Risk Manager in the Human Resources Department, effective October 14, 2022 and subsequently retired from the CALPERS system;

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is April 20, 2023, without this certification resolution;

WHEREAS, section 7522.56 provides that this exception to the 180 day wait period shall not apply if the retiree accepts any retirement-related incentive;

WHEREAS, the City of Santa Clara and Greg Bych certify that Greg Bych has not and will not receive a Golden Handshake or any other retirement-related incentive;

WHEREAS, the City of Santa Clara hereby appoints Greg Bych as an extra help retired annuitant to perform the critically needed duties of Temporary Employee for the City of Santa Clara under Government Code section 21224, effective November 16, 2022;

WHEREAS, the entire employment agreement, contract or appointment document between the City of Santa Clara and Greg Bych has been reviewed by this body and is attached herein;

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar;

WHEREAS, the employment shall be limited to 960 hours per fiscal year;

WHEREAS, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties;

WHEREAS, effective May 1, 2022, the maximum hourly salary rate for the Temporary Employee position is \$214.06, and the minimum hourly equivalent is \$16.40;

WHEREAS, the hourly rate paid to Greg Bych will be \$96.69; and

WHEREAS, Greg Bych has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. The City of Santa Clara hereby certifies the appointment of Greg Bych and that this appointment is necessary to fill the critically needed position of Temporary Employee for the City of Santa Clara by November 16, 2022. The retired annuitant was the Risk Manager for the City of Santa Clara and will be rehired performing the comparable duties of the Risk Manager classification. The City would like to rehire Greg Bych as an extra to provide guidance on risk management activities.

2. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF _____, 2022, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Greg Bych Offer Letter



Agenda Report

22-1268

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Hold a Public Hearing under the Tax and Equity Fiscal Responsibility Act (TEFRA) and Action on the Adoption of a Resolution Approving the California Municipal Finance Authority (CMFA) Reissuance of Tax-Exempt Bonds Relating to the Financing of 145-unit Affordable Housing Project for Low-income Households, Located in the City of Santa Clara, California at 3311 Kifer Road

COUNCIL PILLAR

Promote and Enhance Economic, Housing and Transportation Development

BACKGROUND

Allied Housing, Inc. (the "Sponsor"), on behalf of Allied 2904 Corvin, L.P. or another entity to be created by the Sponsor or an affiliate of the Sponsor (collectively the "Borrower"), has requested that the CMFA reissue and sell revenue bonds in the maximum principal amount of \$35,000,000 including but not limited to revenue bonds reissued as part of a plan to refinance the Project described herein for the purpose of making a loan to the Borrower, to enable the Borrower to refinance the costs of the acquisition, construction and improvement of a 145-unit rental housing facility for low-income tenants, including persons experiencing homelessness, located at 3311 Kifer Road (formerly 2904 Corvin Drive) within the City. This development is also known as Calabazas Apartments.

In order for all or a portion of the Bonds to qualify as tax-exempt bonds, the City of Santa Clara must conduct a public hearing (the "TEFRA Hearing") providing for the members of the community an opportunity to speak in favor of or against the use of tax-exempt bonds for the financing of the Project. Prior to hosting a TEFRA Hearing, reasonable notice must be provided to the members of the community. Following the close of the TEFRA Hearing, an "applicable elected representative" of the governmental unit hosting the Project must provide its approval of the issuance of the Bonds for the financing of the Project.

A TEFRA hearing was held, and a resolution unanimously approved by the City Council on April 9, 2019 for the original financing. The original financing has now closed, and the project has been constructed. However, the borrower has asked to extend the maturity date of the bonds. This has triggered a technical reissuance of the bonds which requires another TEFRA hearing.

California Municipal Finance Authority

The CMFA was created on January 1, 2004 pursuant to a joint exercise of powers agreement to promote economic, cultural and community development, through the financing of economic development and charitable activities throughout California. To date, over 300 municipalities have become members of CMFA.

The CMFA was formed to assist local governments, non-profit organizations and businesses with the issuance of taxable and tax-exempt bonds aimed at improving the standard of living in California. The

CMFA's representatives and its Board of Directors have considerable experience in bond financings.

DISCUSSION

The Bonds to be reissued by the CMFA for the Project will be the sole responsibility of the Borrower, and the City will have no financial, legal, moral obligation, liability or responsibility for the Project or the repayment of the Bonds for the refinancing of the Project. All financing documents with respect to the issuance of the Bonds will contain clear disclaimers that the Bonds are not obligations of the City or the State of California but are to be paid for solely from funds provided by the Borrower.

The Board of Directors of the California Foundation for Stronger Communities, a California non-profit public benefit corporation (the "Foundation"), acts as the Board of Directors for the CMFA. Through its conduit issuance activities, the CMFA shares a portion of the issuance fees it receives with its member communities and donates a portion of these issuance fees to the Foundation for the support of local charities. With respect to the City of Santa Clara, the CMFA shared a portion of the issuance received at closing of the original financing in an amount of \$15,000 that was granted by the CMFA to the General Fund of the City.

The City of Santa Clara is already a member of CMFA. There are no costs associated with membership in the CMFA, and the City will in no way become exposed to any financial liability by reason of its membership in the CMFA. Outside of holding the TEFRA hearing and adopting the required resolution, no other participation or activity of the City or the City Council with respect to the issuance of the bonds will be required.

Conducting the TEFRA hearing is a procedural action the City is required to take that will allow implementation of the Project, advancing the City's goals and objectives related to the production of affordable housing and consistent with the City's General Plan and the Lawrence Station Area Plan.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

There is no cost to the City other than administrative staff time and expense.

COORDINATION

This report has been coordinated with the Finance Department and City Attorney's Office.

PUBLIC CONTACT

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.

ALTERNATIVES

1. Conduct the public hearing under the requirements of TEFRA and the Internal Revenue Code of 1986, as amended (the "Code").
2. Adopt the resolution approving the reissuance of the Bonds by the CMFA for the benefit of Allied 2904 Corvin, L.P., to provide for the refinancing of the Project, such adoption is solely for the purposes of satisfying the requirements of TEFRA, the Code and the California Government Code Section 6500 (and following).
3. No action by City Council.

RECOMMENDATION

1. Conduct the public hearing under the requirements of TEFRA and the Internal Revenue Code of 1986, as amended (the "Code").
2. Adopt the resolution approving the reissuance of the Bonds by the CMFA for the benefit of Allied 2904 Corvin, L.P., to provide for the refinancing of the Project, such adoption is solely for the purposes of satisfying the requirements of TEFRA, the Code and the California Government Code Section 6500 (and following).

Reviewed by: Andrew Crabtree, Director, Community Development Department

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. CMFA Joint Powers Agreement
2. TEFRA Resolution for 2904 Corvin Road

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA APPROVING THE REISSUANCE OF REVENUE BONDS BY THE AUTHORITY TO REFINANCE A MULTIFAMILY RENTAL HOUSING FACILITY FOR THE BENEFIT OF ALLIED 2904 CORVIN, L.P. (OR AN AFFILIATE), AND CERTAIN OTHER MATTERS RELATING THERETO

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, pursuant to Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (the "Act"), certain public agencies (the "Members") have entered into a Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority, dated as of January 1, 2004 (the "Agreement") in order to form the California Municipal Finance Authority (the "Authority"), for the purpose of promoting economic, cultural and community development, and in order to exercise any powers common to the Members, including the issuance and reissuance of bonds, notes or other evidences of indebtedness;

WHEREAS, the Authority is authorized to issue or reissue and sell revenue bonds for the purpose, among others, of financing or refinancing the construction of capital projects;

WHEREAS, Allied Housing, Inc. (the "Sponsor"), on behalf of Allied 2904 Corvin, L.P. or another entity to be created by the Sponsor or an affiliate of the Sponsor (collectively the "Borrower"), has requested that the Authority reissue and sell revenue bonds in the maximum principal amount of \$35,000,000 including but not limited to revenue bonds reissued as part of a plan to refinance the Project described herein (the "Bonds") for the purpose of making a loan to the Borrower, to enable the Borrower to refinance the costs of the acquisition, construction and improvement of a 145-unit rental housing facility for low-income tenants, including persons experiencing homelessness, located at 3311 Kifer Road (formerly 2904 Corvin Drive) within the City (the "Project");

WHEREAS, in order for the interest on the Bonds to be tax-exempt, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that an "applicable elected representative" of the governmental unit, the geographic jurisdiction of which contains the site of

facilities to be refinanced with the proceeds of the Bonds, hold a public hearing on the reissuance of the Bonds and approve the reissuance of the Bonds following such hearing;

WHEREAS, the Authority has determined that the City Council is an “applicable elected representative” for purposes of holding such hearing;

WHEREAS, the Authority has requested that the City Council approve the reissuance of the Bonds by the Authority in order to satisfy the public approval requirement of Section 147(f) of the Code;

WHEREAS, notice of such public hearing has been duly given as required by the Code, and this City Council has heretofore held such public hearing at which all interested persons were given an opportunity to be heard on all matters relative to the financing or refinancing of the Project and the Authority’s reissuance of the Bonds therefore; and

WHEREAS, it is in the public interest and for the public benefit that the City Council approve the reissuance of the Bonds by the Authority for the aforesaid purposes.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The City Council hereby approves the reissuance of the Bonds by the Authority. It is the purpose and intent of the City Council that this resolution constitute approval of the reissuance of the Bonds by the “applicable elected representative” of the governmental unit having jurisdiction over the area in which the Project is to be located in accordance with Section 147(f) of the Code.
3. The reissuance of the Bonds shall be subject to the approval of the Authority of all financing and refinancing documents relating thereto to which the Authority is a party. The City shall have no responsibility or liability whatsoever with respect to the Bonds.
4. The adoption of this Resolution shall not obligate the City or any department thereof to (i) provide any financing or refinancing to acquire or construct the Project or any refinancing of the Project; (ii) approve any application or request for or take any other action in connection with any

planning approval, permit or other action necessary for the acquisition, construction, rehabilitation or operation of the Project; (iii) make any contribution or advance any funds whatsoever to the Authority; or (iv) take any further action with respect to the Authority or its membership therein.

5. The Mayor, the City Manager, the City Clerk and all other proper officers and officials of the City are hereby authorized and directed to execute such other agreements, documents and certificates, and to perform such other acts and deeds, as may be necessary or convenient to effect the purposes of this Resolution and the transactions herein authorized.

6. The Clerk shall forward a certified copy of this Resolution and an originally executed Agreement to the Authority in care of its counsel:

Ronald E. Lee, Esq.
Jones Hall, APLC
475 Sansome Street, Suite 1700
San Francisco, CA 94111

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7. Effective Date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE _____ day of _____, 2022, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSTAIN: COUNCILORS:

ABSENT: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None

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Agenda Report

22-1257

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Public Hearing: Actions on the Mitigated Negative Declaration (MND) and the Mitigation Monitoring and Reporting Program (MMRP), General Plan Amendment from Community Commercial to High Density Residential, Rezone from General Office (OG) to Planned Development (PD), and density bonus agreement to allow a multifamily affordable housing development with 108 rental units at 1601 Civic Center Drive

(Continued from September 27, 2022)

COUNCIL PILLAR

Promote and Enhance Economic, Housing and Transportation Development.

EXECUTIVE SUMMARY

Charities Housing, property owner, is proposing to construct a five-story 100% affordable housing development consisting of 108 apartments, 82 parking spaces, landscaping, and private and public amenities on a 1.4-acre parcel, along with public right-of-way improvements at 1601 Civic Center Drive. The site is developed with a 28,950 square foot two-story office building, that has been vacant since 2019, surface parking lot and site landscaping. The project involves demolition of the existing structure and site improvements with project development.

The proposed project includes a Mitigated Negative Declaration (MND) (SCH#2022060217) and Mitigation Monitoring and Reporting Program (MMRP); a General Plan Amendment from Community Commercial to High Density Residential, a Density Bonus, and a Rezone from General Office (OG) to Planned Development (PD) (PLN21-15206). These entitlements together would allow construction of 108 rental units at 76.6 dwelling units per acre (du/ac) with studio, one- two- and three- bedroom units, common and private open space, resident services and amenities, shared parking and associated on- and off-site improvements. The affordable housing units, with rents set to be affordable at 30 to 50 percent Annual Median Income (AMI) levels, would be secured with an Affordable Housing Agreement between Charities Housing and the City.

BACKGROUND

The project site is located adjacent to the El Camino Real Corridor. While it is not located in the El Camino Real Focus Area, it was included in the Draft El Camino Real Specific Plan initiated by the City Council in 2017. The Council initiated preparation of the Specific Plan to provide a more detailed level of policy and design guidance to support the successful transformation of the El Camino Real corridor and to refine the allowed land uses and density levels along the corridor. A Citizen Advisory Committee (CAC) was appointed to guide the Specific Plan planning process.

The Draft Specific Plan was presented to City Council for adoption at the June 15, 2021 City Council meeting. The Draft Specific Plan included three proposed land use designations, as recommended

by the CAC, supporting residential and mixed-use development at low (Corridor Residential), medium (Corridor Mixed Use) and higher (Regional Mixed Use) densities. As identified by the CAC, the project site was designated Corridor Mixed Use which would have allowed four- to five-story residential development at 45 to 65 du/ac in the Draft Specific Plan.

At the conclusion of the City Council's consideration of the Draft Specific Plan, the City Council directed staff to modify the proposed Specific Land Use designations to establish reduced height limits and densities as follows: no more than two-stories for Corridor Residential, no more than three stories for Corridor Mixed-Use, and no more than four stories for Regional Mixed-Use. On July 6, 2021, the City Council affirmed their direction for staff to prepare an alternative form of the Specific Plan that reduces densities from the prior draft. At their meeting of October 19, 2021, the City Council again directed staff to proceed with modification of the Specific Plan to include height limits; to continue consideration of the first Draft Specific Plan; and to prepare an analysis comparing the economic feasibility of the two different land use plans. At the time of this staff report, the additional Specific Plan work has been funded within the City's budget, and staff is now initiating a work program to modify the Plan per City Council's direction.

Charities Housing has moved forward with a land use entitlement request separate from the Specific Plan process by submitting their own General Plan Amendment and Rezoning applications. The City Council was scheduled to consider these requests at the September 27, 2022 City Council hearing, but deferred the item to the November 15, 2022 City Council hearing after hearing a request for deferral from Councilmember Chahal and testimony from members of the public. Councilmember Chahal noted that the City Council had never acted on a petition submitted by community members requesting that the City purchase the subject property for parkland and stated that the Council should first consider the petition before taking action on the project. Several community members spoke in support or opposition to the deferral. The City Council deferred the item by a 4-3 vote. The City Council discussed the petition at the November 1, 2022 City Council hearing and referred it to City Council closed session with direction to staff to continue negotiations with Charities Housing.

DISCUSSION

For analysis on the project's proposed General Plan Amendment, rezoning, and use of the State of California's Density Bonus Law, see the staff report prepared for the Planning Commission and provided here as Attachment 4.

The project was presented to the Planning Commission at a noticed public meeting on August 3, 2022. Joe Head and Hai Nguyen, representing Charities Housing were present at the meeting and 30 individuals that included community residents and interested organizations participated virtually by Zoom. All correspondence received prior to publication of the Planning Commission Staff Report was included as an attachment to the Staff Report; comments received after publication and before 5:00 p.m. the day of the Planning Commission meeting were distributed at the meeting to the Commissioners; and all e-comments received at the Planning Commission meeting were read into the record during public comment.

At this meeting, staff provided an overview of the proposal and the applicant, representatives of Charities Housing, gave a presentation of the proposed project. The representatives then responded to questions by the Planning Commissioners regarding site selection, changes made to the project, rents assigned to the affordability levels, tenancy, shade and shadow effects on neighboring properties, allocation of on-site parking, provision of transit passes, exploration of shared parking

opportunities, and on-site management and security. Public discussion followed with neighboring residents expressing their opposition to the project and management by Charities Housing. The issues raised throughout the planning process for the project include density, shade and shadow impacts, tenancy, site access, parking on- and off-site, construction impacts, noise, security, crime, and site management and are conveyed in Attachment 9. Individuals representing environmental organizations and housing advocacy groups expressed support of the project for site location, transit accessibility, provision of needed affordable housing, integration of the development into the community, provision of on-site resident services and amenities, and connectivity to neighborhood and commercial uses, services, schools and employment.

Following the close of public hearing, the Planning Commission discussed the project and expressed their concerns with the level of public opposition, displeasure with the initial management of the property, reduced parking count and critical need for affordable housing. The Commissioners proposed additional measures to the Charities Housing representatives to address parking, site management and security, and post construction engagement with the neighbors. The representatives were receptive to the measures proposed by the Commission and agreed to the added conditions iterated below.

The Planning Commission then concluded their deliberation with the following motions:

1. Adopt a resolution recommending that Council adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Civic Center Family Housing Project (5-0-2-0).
2. Adopt a resolution recommending Council approve a General Plan Amendment from Community Commercial to High Density Residential (5-0-2-0).
3. Adopt a resolution to approve a Rezone from General Office (OG) to Planned Development (PD) to allow a five-story affordable housing development with 108 rental units, on-site parking and amenities, landscaping, and off-site improvements, with the following recommended added conditions (4-1-2-0):
 - Charities Housing to provide a transit pass upon request for each tenant.
 - Continue community outreach with neighbors through an oversight program provided by the Applicant to the satisfaction of Director of Community Development.
 - Designate a ride share area within the project site to the satisfaction of Director of Community Development.
 - Include a venue for the display of public art with consideration towards Native American artists.
 - Give serious consideration to establishing a shared parking arrangement with commercial and City buildings in area.
 - Failure by the developer or any contractor to comply with mitigation measures or other conditions (including, but not limited to, emissions, noise, street cleaning, and dust control) will subject the developer to code enforcement under the City Code.
 - Charities shall install a security system approved by the Director of Community Development, with security to be recorded and monitored with approximately 50 cameras. At the Director's discretion, monitoring may be required to be conducted in real-time by security personnel.

An excerpt of the Planning Commission meeting minutes is provided as Attachment 3 for review. The

added conditions of approval recommended by the Planning Commission are incorporated as Conditions P13 through P19 in Attachment 8.

California Assembly Bill AB 2011 and Senate Bill SB 6

The 2022 California legislative session included the approval of two new laws, AB 2011 and SB 6, which provide for streamlined approvals of residential projects. Unlike prior State efforts to streamline new residential development, these bills allow residential projects to be developed on sites with commercial General Plan designations. Under these new provisions it may be possible for Charities Housing to develop a residential project on the subject property without the City's approval of a General Plan amendment. While Charities Housing has indicated a preference to work with the City through the City's land use entitlement process, it may be possible for them to utilize these new laws to bypass a discretionary City approval process. However, neither bill goes into effect until July 1, 2023, and so the developer would not be able to utilize them in the short term.

Conclusion

The Project would redevelop an underutilized and currently unoccupied parcel to construct 108 affordable housing units and provide housing opportunities for individuals and families with income levels between 30 to 50 percent AMI; which support the City's Housing Goals and assist the City in achieving RHNA targets for production of affordable housing units as mandated by the State. The General Plan Amendment to allow residential development along with a density bonus would facilitate affordable housing development on the Project Site through an increase in residential density and building height to make the Project economically feasible to construct. As required by Santa Clara City Code Section 18.78.060, a Density Bonus Housing Agreement must be approved prior to the issuance of building permits. The building footprint and height allow the project to maximize open space and private use by the residents, while providing housing at a higher density, and includes common space that is available to the community.

A detailed discussion of the projects' conformance with the City's 2010 - 2035 General Plan policies, site design and architecture, circulation and parking, and landscaping and open space is provided for review in Attachment 4 - Planning Commission Staff Report and Attachment 10 - Development Plans.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) was prepared for the project by the environmental consultant firm David J. Powers & Associate, Inc., in accordance with the California Environmental Quality Act (CEQA). The MND and Notice of Availability were posted on the City's website at <https://www.santaclaraca.gov/our-city/departments-a-f/community-development/planning-division/environmental-review-ceqa> and circulated for 30-day review on June 13, 2022 and ending on July 13, 2022, in accordance with CEQA requirements. The Planning Department received agency comments on the MND from Valley Water, Santa Clara Valley Transportation Authority, Department of Toxic Substances Control and public comments from Jamie Lau, Keyhan Sinai, Jean Song, and David Bayto which are provided as Attachment 3 to this report, along with responses to comments for review.

The MND examined potential environmental impacts associated with project development and identified air quality biological, cultural resources, geology and soils, hazards and hazardous materials, and noise impacts that with incorporation of mitigation measures into the project would

reduce all potential impacts to less than significant. A detailed discussion of the potential impacts and mitigation measures to be applied to the project are specified in the MND and would be implemented through the MMRP (available on the above web link) and project conditions of approval (Attachment 8).

FISCAL IMPACT

There is no fiscal impact to the City for processing the requested application other than administrative time and expense typically covered by processing fees paid by the applicant.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

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.

On November 3, 2022, the notice of public hearing for this item was posted in three conspicuous places within 300 feet of the project site and was mailed to property owners within 1,000 feet of the project site boundaries. A notice of public hearing was also published in the San Jose Mercury News, a newspaper of general circulation, on November 4, 2022. The Planning Department has received comments on the project and are provided in Attachment 9 to this report for review.

Virtual public outreach meetings were conducted by Charities Housing on November 10, 2021, June 29, 2022, and July 27, 2022 to engage the neighborhood community in the planning process. Notices of the meeting were mailed by the applicant to property owners within 500 feet of the project boundaries and interested parties and was also posted on the City's website. These meetings provided the community the opportunity to convey their concerns to Charities Housing regarding their property management (both past and future); the type and density of housing proposed for the site; five-story building height and shade/shadow effects on neighboring residential properties; driveway access on Civic Center Drive; impacts of reduced parking and off-site parking on Civic Center Drive; construction related impacts and enforcement of mitigation measures to reduce potential impacts; noise from construction; and type of tenants, crime and security with occupancy.

ALTERNATIVES

1. Adopt a resolution to adopt the Mitigated Negative Declaration (MND) and the Mitigation Monitoring and Reporting Program (MMRP) for the Civic Center Family Housing Project.
2. Adopt a resolution to approve a General Plan Amendment from Community Commercial to High Density Residential.
3. Adopt a resolution to approve a Rezone from General Office (OG) to Planned Development (PD) to allow a five-story affordable housing development with 108 rental units, on-site parking and amenities, landscaping, and off-site improvements.
4. Authorize the City Manager to negotiate and execute a density bonus agreement in a form approved by the City Attorney.

5. Deny a General Plan Amendment from Community Commercial to High Density Residential.
6. Deny a rezone from General Office (OG) to Planned Development (PD) to allow a five-story affordable housing development with 108 rental units, on-site parking and amenities, landscaping, and off-site improvements.

RECOMMENDATION

Alternative: 1, 2, 3 and 4:

1. Adopt a resolution to adopt the Mitigated Negative Declaration (MND) and the Mitigation Monitoring and Reporting Program (MMRP) for the Civic Center Family Housing Project.
2. Adopt a resolution to approve a General Plan Amendment from Community Commercial to High Density Residential.
3. Adopt a resolution to approve a Rezone from General Office (OG) to Planned Development (PD) to allow a five-story affordable housing development with 108 rental units, on-site parking and amenities, landscaping, and off-site improvements.
4. Authorize the City Manager to negotiate and execute a density bonus agreement in a form approved by the City Attorney.

Reviewed by: Andrew Crabtree, Community Development Director

Approved by: Rajeev Batra, City Manager

ATTACHMENTS

1. Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Web Link)
2. Responses to Comments received on the Mitigated Negative Declaration
3. Excerpt Planning Commission meeting minutes of August 3, 2022
4. Planning Commission Staff Report of August 3, 2022.
5. Resolution Recommending Council Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
6. Resolution Recommending Council Approve the General Plan Amendment
7. Resolution Recommending the Council Approve the Rezone
8. Conditions of Rezoning Approval
9. Correspondence
10. Petition
11. Development Plans

Civic Center Family Housing Project
Mitigated Negative Declaration
and
Mitigation Monitoring and Reporting Program

<https://www.santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/451/3649?alpha=C>

CIVIC CENTER FAMILY HOUSING PROJECT
RESPONSE TO COMMENTS

The Civic Center Family Housing Project Initial Study/Mitigated Negative Declaration (MND) was prepared and evaluated in compliance with the requirements of the California Environmental Quality Act (CEQA) and the City of Santa Clara. The Initial Study/MND was circulated for 30 days from June 13 to July 12, 2022. The City received eight comment letters during the public comment period:

Comment Letters Received by the City from State, County, or Local agencies:

A.	Department of Toxic Substances Control	July 8, 2022
B.	Valley Water	July 8, 2022
C.	Santa Clara Valley Transportation Authority	July 12, 2022
C.	Sneha Shah	July 6, 2022
D.	Keyhan Sinai	July 6, 2022
F.	Jamie Lau	July 11, 2022
G	Jean Song	July 12, 2022
H.	David Bayto	July 12, 2022

This memo responses to public comments on the Initial Study/MND as they relate to the potential environmental impacts of the project under CEQA. Numbered responses correspond to comments in each comment letter. Copies of all comment letters are attached.

Comment Letter A: Department of Toxic Substances Control – July 8, 2022

Comment A-1: The Department of Toxic Substances Control (DTSC) received a Notice of Availability of a Mitigated Negative Declaration (MND) for the Civic Center Drive Family Housing Project (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

DTSC recommends that the following issues be evaluated in the Hazards and Hazardous Materials section of the MND:

1. The MND should acknowledge the potential for historic or future activities on or near the Project site to result in the release of hazardous wastes/substances on the Project site. In instances where releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. Section 4.9 *Hazards and Hazardous Materials* of the Draft Initial Study prepared by the City of Santa Clara dated June 2022 makes reference to a Phase II Subsurface Investigation prepared by Professional Service Industries, Inc. in February 2022, but the data presented therein is not available for review as this document does not appear to be included in the Draft Initial Study. The MND should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

Response A-1: DTSC is correct that the Phase II was not included in the distributed materials. The document has been provided to DTSC for review and posted to the State Clearinghouse. The findings of the Phase II are, however, summarized on page 81 of the Initial Study. As stated in the Initial Study:

“A total of 10 soil borings were taken on the project site with soil samples taken at one and four feet bgs. Groundwater was not encountered in any soil borings. The samples were tested for chlorinated pesticides and one sample was found to have a measurable concentration of DDE at 0.054 milligrams per kilogram (mg/kg). The RWQCB Environmental Screening Levels (ESLs) for residential land uses have a threshold of 0.65 mg/kg. The level of contamination documented on-site is below the ESL residential threshold.”

Furthermore, as explained on page 82 of the Initial Study, no off-site releases have impacted the project site. The analysis concluded that construction and operation of the proposed project would have a less than significant hazards and hazardous materials impact. Furthermore, the project was found to be consistent with all applicable City policies pertaining to potential safety risks for future site residents and hazardous materials. Therefore, no mitigation or oversight is required.

Comment A-2: 2. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and alongside roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found under some existing road surfaces due to

past construction activities. Due to the potential for ADL-contaminated soil, DTSC recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the Project described in the MND.

Response A-2: As a Condition of Approval, the City will require soil sampling for lead prior to issuance of a grading permit.

Comment A-3: 3. If buildings or other structures are to be demolished on any project sites including in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers*.

Response A-3: Page 81 of the Initial Study addresses the potential for lead-based paint and asbestos containing materials to be on-site due to the age of the existing building. Page 86 of the Initial Study outlines the Conditions of Project Approval required by the project to address these contaminants consistent with Cal/OSHA and Bay Area Air Quality Management District regulations. The Phase I did not identify polychlorinated biphenyls or mercury as an environmental condition.

Comment A-4: 4. If any projects initiated as part of the proposed Project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to *DTSC's 201 Information Advisory Clean Imported Fill Material*.

Response A-4: The commenters recommendation to require sampling of imported fill (if any is required) consistent with *DTSC's 201 Information Advisory Clean Imported Fill Material* will be provided to the decision-makers during consideration of the proposed project.

Comment A-5: 5. If any sites included as part of the proposed Project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the MND. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)*.

Response A-5: As discussed in Response A-1, 10 soil borings were taken on the project site and tested for chlorinated pesticides. Only one sample was found to have a measurable concentration of DDE at 0.054 mg/kg, which is below the ESL residential threshold.

Comment A-6: DTSC appreciates the opportunity to comment on the MND. Should you need any assistance with an environmental investigation, please visit DTSC's Site Mitigation and Restoration Program page to apply for lead agency oversight. Additional information regarding voluntary agreements with DTSC can be found at DTSC's Brownfield website.

Response A-6: This comment is noted.

Comment Letter B: Valley Water – July 8, 2022

Comment B-1: Valley Water has reviewed the Initial Study and Mitigated Negative Declaration (IS/MND) for the Civic Center Drive Family Housing Project, received on June 10, 2022. Valley Water has the following comments on the subject IS/MND document:

1. Section 4.10.1.1- Municipal Regional Permit Provision C.3 should note that the Regional Water Quality Control Board (RWQCB) has renewed the Municipal Regional Stormwater NPDES Permit on May 11, 2022 (Order No. R2-2022-0018, NPDES Permit No. CAS612008).

Response B-1: This edit is incorporated into the Initial Study/MND by reference. See the attached errata sheet.

Comment B-2: 2. Section 4.10.1.1- Water Resources Protection Ordinance and Well Ordinance, the text should also include: “Valley Water also provides stream stewardship and is the wholesale water supplier throughout the county, which includes the groundwater recharge program.”

Response B-2: This edit is incorporated into the Initial Study/MND by reference. See the attached errata sheet.

Comment B-3: 3. Section 4.10.1.1- Water Resources Protection Ordinance and Well Ordinance, the language under this section should be revised to clarify that well construction and deconstruction permits, including borings 45 feet or deeper, are required under Valley Water’s Well Ordinance 90-1. Under Valley Water’s Water Resources Protection Ordinance, projects within Valley Water property or easements are required to obtain encroachment permits.

Response B-3: This edit is incorporated into the Initial Study/MND by reference. See the attached errata sheet.

Comment B-4: 4. Section 4.10.1.1- 2016 Groundwater Management Plan, this section includes a subsection on Valley Water’s 2016 Groundwater Management Plan. The subsection should be updated to reference Valley Water’s updated 2021 Groundwater Management Plan which was adopted by the Board of Directors on November 21, 2021. The updated plan can be found at https://s3.uswest2.amazonaws.com/assets.valleywater.org/2021_GWMP_web_version.pdf.

Response B-4: This edit is incorporated into the Initial Study/MND by reference. See the attached errata sheet.

Comment B-5: 5. Section 4.10.1.2- Storm Drain System, states that the project site drains to a vegetated channel based on Valley Water’s Storm Drain Catchment Map. Valley Water’s catchment map notes the site drains to the Guadalupe River; however, it is not clear from the discussions in the MND if the drainage from the site is directed to storm drains that discharge to the Guadalupe River or San Tomas Creek. Please revise the document for consistency and accuracy.

Response B-5: The Initial Study/MND will be edited to correct the reference to Guadalupe River. See the attached errata sheet.

Comment B-6: 6. Section 4.10.1.2- Stormwater Drainage, states that “all stormwater enters Guadalupe River through the existing stormwater discharge system” which conflicts with Section 4.10.1.2 on page 93 which states that “all stormwater enters the San Tomas Aquino Creek through the existing stormwater drainage system”. The discussion about drainage at the site should be consistent throughout the document.

Response B-6: Refer to Response B-5.

Comment B-7: 7. Section 4.10.1.2- Dam Failure and Section 4.10.2- Impact HYF-4, describes the project as within both the Lexington Dam and Anderson Dam failure inundation zones; however, the project site is only located within the James J. Lenihan Dam on Lexington Reservoir failure inundation zone. Anderson Dam should be removed from the discussion.

Response B-7: The Initial Study/MND is correct as written. Page 94 and 99 of the Initial Study/MND specifically state that the site is outside the Anderson Dame inundation zone.

Comment B-8: 8. Section 4.21- Cumulative Hydrology Impacts, states “the geographic area for the cumulative hydrology and water quality impacts is the San Tomas Aquino Creek Watershed”. This should be corrected to the Guadalupe River Watershed.

Response B-8: This edit is incorporated into the Initial Study/MND by reference. See the attached errata sheet.

Comment B-9: 9. The buildout of the project will increase water use by an estimated 36 acre-feet per year. Although the MND concludes that the project can be accommodated by existing and planned water sources, given regional and state-wide challenges with water supply, water use should still be reduced to the greatest extent possible. Potential opportunities to minimize water and associated energy use include requiring water conservation measures from the Model Water Efficient New Development Ordinance, which include:

- Hot water recirculation systems.
- Require installation of separate submeters to each unit in multi-family developments and individual spaces within commercial buildings to encourage efficient water use - studies have shown that adding submeters can reduce water use by 15 to 30 percent.
- Graywater dual distribution plumbing.
- Encourage non-potable reuse of water like recycled water, graywater, and rainwater/stormwater in new development and remodels through the installation of dual plumbing for irrigation, toilet flushing, cooling towers, and other non-potable water uses.
- Require dedicated landscape meters where applicable.
- Weather- or soil-based irrigation controllers.

If you have any questions, you may reach me at (408) 630-2479, or by e-mail at LBrancatelli@valleywater.org. Please reference District File No. 34738 on future correspondence regarding this project.

Response B-9: The commenter’s recommendations for reducing water usage on-site will be provided to the decision-makers. This comment does not speak to the adequacy of the Initial Study/MND, and no text edits are required.

Comment Letter C: Santa Clara Valley Transportation Authority – July 12, 2022

Comment C-1: VTA appreciates the opportunity to comment on the IS/MND for the Civic Center Drive Family Housing Project at 1601 Civic Center Drive. VTA has reviewed the document and has the following comments:

Pedestrian Improvements

This project is located one block from El Camino Real, VTA's highest ridership roadway. VTA recommends this project install or upgrade existing crosswalks at the Civic Center Drive/Lincoln Street intersection to high visibility to facilitate more comfortable crossings at this intersection. As this intersection is also skewed, VTA suggests the long crossings be shortened through curb extensions with to help tighten the turning radii and slow drivers down in the area. Installing a curb extension at the northwest corner of the intersection would provide room for new ADA-compliant directional curb ramps that would serve both crosswalks. This should enhance the proposed improvements in the city's Pedestrian Master Plan for the intersection of Lincoln Street/El Camino Real, one block south.

Response C-1: The commenter's recommendations for pedestrian improvements will be provided to the decision-makers. This comment does not speak to the adequacy of the Initial Study/MND, and no text edits are required.

Comment C-2: Bicycle Improvements

VTA appreciates the project including a bicycle storage room for residents. VTA recommends the project increase the number of available spaces to at least match 1 space per unit (108 spaces) to meet VTA's recommended bicycle parking guidance in Chapter 10 of our Bicycle Technical Guidelines. This can be accessed at https://www.vta.org/sites/default/files/2022-03/vta_bicycle_technical_guidelines_complete_1.pdf.

The Revised Development Plans from May 2022 show that the bicycle room is located on the east side of the building. VTA recommends the access from the room directly out to Lincoln Street be removed to reduce the risk of theft. Doing so will allow for more wall space to fit more bicycle spaces. VTA also recommends that the door into the room from the garage have ADA-compliant kick plates to automatically open. Industrial strength sliding doors are recommended over swinging doors as the closing of the door can be timed for ADA compliance while also helping to prevent unwanted people from tailgating behind users. The path of travel should be well lit. Any elevators for the project should accommodate multiple large bicycles.

Response C-2: The commenter's recommendations for bicycle improvements will be provided to the decision-makers. This comment does not speak to the adequacy of the Initial Study/MND, and no text edits are required.

Comment C-3: AHSC Grant Potential

VTA believes this project would be highly competitive for the Affordable Housing and Sustainable Communities (AHSC) Grant administered by the California Department of Housing and Community Development. The AHSC Grant funds land-use, housing, transportation, and land preservation projects to support infill and compact development that reduce greenhouse gas emissions. VTA would like to begin working with the City and the developer to strategize for an AHSC application because this project proposes a high number of affordable housing units near Route 22 and Rapid 522 routes that are major bus corridors and frequent (15 minute) routes. Close collaboration between

developer, City of Santa Clara and VTA can make for a highly competitive application. VTA has had two calls to date with the developer and their technical assistance provider Enterprise Community Partners. VTA has experience working on five AHSC applications to date, include two awards in 2019 in partnership with the City of San Jose and one award in 2021 for a VTA project in San Jose at Tamien Station.

Potential El Camino Real Qualifiable AHSC Improvements

- Transit signal priority upgrades
- Bus stop enhancements
- ADA improvements near bus stops
- Protected bikeway enhancements
- Intersection safety enhancements
- Sidewalk improvements

Santa Clara Station Qualifiable AHSC Improvements

Recent discussions and briefings have occurred between the BART Silicon Valley II program team and VTA planning about future coordination of bicycle and pedestrian station amenity improvements at the Santa Clara Station. Qualifiable AHSC improvements could be included in a 1601 Civic Center Drive AHSC grant at this location because Route 22 and Rapid 522 both serve the station.

Potential improvements could include the following:

- Bicycle ramps
- Escalator installation or improvements
- Bus stop enhancements
- Real-time information signs
- Marketing or advertising signs
- Gateway, signage or customer wayfinding enhancements

Response C-1: If the project is approved and the grant opportunities are sought, the City will coordinate with the VTA. This comment does not speak to the adequacy of the Initial Study/MND, and no text edits are required.

Comment Letter D: Sneha Shah – July 6, 2022

Comment D-1: I am greatly concerned and absolutely condemn the new construction proposed by Charities Housing at 1601 Civic Center Dr, Santa Clara. They are not ethical and have provided no due diligence to the property and are an absolute nuisance as a neighbor.

Their environmental study of the project is an example of their bad ethics and lack of diligence. Our neighbors have the following concerns that should be addressed, otherwise we feel the city and council have failed us.

- Transportation Study recommends the project to have only one driveway entrance to reduce pedestrian and traffic safety risk. The project currently plans to have two driveways – one on Civic Center Drive adjacent to Triton Court, another one on Lincoln Street. Our community requests to have the driveway on Lincoln Street only and away from existing homes on Civic Center Drive. The developer was unable to accommodate it.

Response D-1: While the traffic study recommends one driveway, the City has concluded that two driveways are necessary due to site constraints and for distribution of traffic and to reduce noise.

Comment D-2: The security risks of the open parking lot adjacent to Triton Court are not considered in the environmental study. The open parking lot is currently not designed with any security gate and is out of sight from the main street. This can become a hidden alley for dumping, car break-ins and other criminal activities. Even if it is designed with a secured gate, according to posted tenant comments from other CH properties, broken security gates are not fixed promptly.

Response D-2: All proposed projects in the City undergo review by the Santa Clara Police Department (SCPD). The SCPD did not identify any issues with the proposed design. The driveway and parking lot would be visible at all times by the residents of the project site. Furthermore, the proposed driveway and associated parking lot on Civic Center Drive has better visibility from publicly accessible viewpoints than the adjacent driveway and parking lot located between the church and Triton Court.

The commenter provided no documentation regarding the purported comments from other CH properties. As such, no evaluation of these comments can be made by the City and no response is possible.

Comment D-3: Transportation Study did not consider the sight distance for drivers coming out of Triton Court with the new driveway at Civic Center Drive from the project. Both driveways are very close together and may be a safety risk if the drivers from both driveways are coming out simultaneously.

Response D-3: The transportation study did address the potential conflicts from the proposed location of the driveways on-site. As discussed on Page 4 of the transportation study, drivers must be able to see 200 feet in both directions to be able to safely enter/exit the proposed driveways. The project would meet this criterion. The project drive on Civic Center Drive would also be approximately 100 feet from cars exiting Triton Court. Given the site distances and the distance between exiting cars at both driveways, the proposed project would not create a safety risk for persons exiting Triton Court.

Comment D-4: Parking study was not considered as part of the environmental study. Project's less than 1:1 parking space to unit ratio will burden the existing street parking situation. Also, the project may eliminate many street parking along its frontage at Civic Center Drive as it could be red-zoned for sight clearance, while some for white-zoned for loading as recommended by the Transportation Study.

Response D-4: Parking or lack thereof is not considered a physical effect under the California Environmental Quality Act (CEQA) and is, therefore, not addressed. A project need only meet the City's parking requirements. The potential loss of street parking is also not a physical effect under CEQA. Per the Santa Clara Fire Department and Public Works, the City will allow a loading zone and will require the red curbs as recommended by the traffic report.

Comment D-5: Shadow study was not considered at all, though there is a negative impact to the adjacent family homes.

Response D-5: The City of Santa Clara does not have a threshold by which to address increased shading by any project. Therefore, shading was not addressed in the Initial Study.

Comment D-6: Noise Study uses a noise threshold (90 dBA) from a 2018 Federal Transit Administration (FTA) assessment as a criteria to determine construction noise impact to residential homes. The FTA assessment noted its criteria is not meant as construction standards for all, but CH's noise study decided to use that on a residential project study. FTA projects are mostly construction for transportation projects like train stations and rail lines in populated areas, the guidelines are therefore likely to have a higher noise threshold. This standard may not be suitable for the 1601 Civic Center site. The noise study should have used residential construction guidelines from similar projects in kind, and considered the delta to existing ambient noise instead. The study has used 90 dBA as a threshold and that's equivalent to a lawn mower.

Response D-6: The noise study was commissioned by the environmental consultant under direction by City staff. The project applicant has no authority over the analysis in the Initial Study/MND or the methodologies used in the analysis.

The commenter mischaracterized the language in the FTA manual. Chapter 7, page 172 of the PDF document (https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf) specifically states:

“Generally, local noise ordinances are not very useful for evaluating construction noise impact. They usually relate to nuisance and hours of allowed activity, and sometimes specify limits in terms of maximum levels, but are generally not practical for assessing the impact of a construction project. Project construction noise criteria should take into account the existing noise environment, the absolute noise levels during construction activities, the duration of the construction, and the adjacent land uses. While it is not the purpose of this manual to specify standardized criteria for construction noise impact, the following guidelines can be considered reasonable criteria for assessment. If these criteria are exceeded, there may be adverse community reaction.”

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The City of Santa Clara does not have adopted construction noise thresholds. As such, the City and the noise consultant concluded that the FTA thresholds represent reasonable criteria to quantify construction noise impacts, consistent with other local jurisdictions. This is an accepted industry standard, in the absence of local criteria. Therefore, the thresholds and methodology used to assess construction noise impacts from the proposed project are appropriate.

Comment D-7: The permanent noise impact study did not consider the scenario when a car with loud exhaust and building fire alarms can affect permanent noise level of adjacent homes. Also, delivery trucks and moving trucks coming in and out frequently on the Civic Center Driveway were not considered.

Response D-7: Both car exhaust and building fire alarms are temporary noise events. In order for either of these events to result in a permanent increase in ambient noise levels, these events would have to occur non-stop over an extended time period (multiple hours) every day. This is not an accurate or reasonable representation of a residential project. CEQA does not allow for speculative analysis (Section 15145).

It is not clear what the commenter considers frequent with regard to delivery trucks and moving trucks, but it would be speculative to assume that the proposed project would have any greater frequency of these types of events than other types of housing as this is not temporary housing.

Comment D-8: The environmental study did not consider the project's architectural aesthetic to the surrounding due to being an affordable high-density housing. In some neighbor's opinions, The 5-story building does not fit in with the adjacent 2-story homes, or surrounding homes.

Response D-8: As discussed on page 19 of the Initial Study, the project site is located in a transit priority area as designated by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG). Consistent with state law, residential in-fill projects in transit priority areas shall not be considered to have a significant aesthetic impact on the environment. Furthermore, while the houses immediately adjacent to the project site are two-story, there are three-story townhouses and a seven-story apartment complex in the immediate vicinity (Civic Center Drive and Warburton). As a result, a five-story building would be consistent with the mix of residential densities in this area.

Comment D-9: The project is not close to a transit hub like a BART or Caltrain station. There's only bus stops nearby with infrequent services unless it's peak hours. Public transportation is not a reliable option for daily commute for work or school at this site. There is no bus route going to Buchser Middle School and Santa Clara High School.

Response D-9: The project site is within 1,000 feet of two bus stops which are served by Bus 22, the most active bus line in the County which runs from Palo Alto to East San José. Also, within 2,000 feet (standard transit access walking distance) are Routes 32, 59, and Rapid 522 (see page 142-143 of Initial Study). Bike lanes are also planned on El Camino Real. As such, the site is well suited for the proposed project as it is also within walking or biking distance to shopping and services on El Camino Real.

Comment D-10: The schools' existing capacity in the Initial Study was sourced from a 2017 data, which is about 5 years old. The Santa Clara High School enrollment is already operating over capacity according to the study with the old data. Also, to a neighbor's knowledge, Busher Middle School has no more space for newcomers as it does not accept a second round of enrollment for 2022, indicating operating at capacity. The school impact study may not be accurate due to old data being used. The mitigation for school impact is for the project to pay fees to the school district to offset the impact, but will the schools be able to implement changes to provide adequate spaces to neighborhood students?

Response D-10: Existing capacity is the number of students that can be reasonably accommodated by a school. None of the schools analyzed have been expanded or modified since 2017, so the existing capacity numbers provided by the school district are valid. Current enrollment numbers were provided by the California Department of Education and represent the best available data at the time the analysis was completed. As the commenter noted, the mitigation for additional students is to pay the school impact fee. School impact fees are discussed on Pages 129 and 134 of the Initial Study/MND. As noted on Page 129, "Government Code Sections 65995 through 65998 set forth provisions for the payment of school impact fees by new development by "mitigating impacts on school facilities that occur (as a result of the planning, use, or development of real property" (Section 65996[a]). The legislation states that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA (Section 65996[b])."

Each school utilizes the monies as necessary to accommodate any additional students. As this is deemed appropriate and adequate mitigation by the state, no further mitigation is required.

Comment D-11: The project does not have underground parking as encouraged by City's General Plan guidelines.

Response D-11: General Plan Policy 5.3.2-P3 encourages but does not require below-grade or structured parking, so the proposed parking is not inconsistent with this policy.

Comment D-12: The general plan amendment and rezone from commercial to residential for 1601 Civic Center will permanently remove the commercial land use that was designated to serve the planned residential areas surrounding the location, as City Hall, church and medical building lots' planned use until 2035 is residential. The amendment and rezone of site in question does not align with City's General Plan and is shortsighted.

Response D-12: Changing a land use from commercial to residential in a mixed-use area with adjacent residential is not inconsistent with the existing development in the area. Furthermore, the City has a jobs/housing imbalance (Page 126 of the Initial Study/MND) and must continue to build housing to meet state mandated housing requirements. Currently, the City must build 11,632 new housing units by 2031 under the Association of Bay Area Governments Regional Housing Needs Allocation (RHNA). The RNHA is mandated by state law.

Comment Letter E: Keyhan Sinai – July 6, 2022

Comment E-1: I hereby strongly and formally object to the "mitigated negative declaration " or MND prepared pursuant to CEQA, for the proposed 1601 Civic Center Drive project.

I believe there is not adequate mitigation for the problems below.

My home at 1691 Triton Ct. is identified as RED on page 36 of the MND report, and is wall-to-wall with 1601 Civic Center Drive. As I understand my home will be exposed to dangerously high cancer-causing agents from the construction site equipment for an extended period of time. We do not believe the mitigation measures proposed will reduce the risk of exposure to cancer and other toxic agents adequately or mitigate the risk of accidents and malfunctions. We do not feel safe breathing the air in our home if/when this project starts.

Response E-1: This comment is noted. Please see responses to specific comments below.

Comment E-2: Please note the following points:

1. Charities Housings Credit History of mitigation efforts is terrible. Their mitigation measures (a \$2000 perimeter fence) came too late and exposed our homes for 13 months to petty crime and blight a few yards from our property line culminating in dumping of a toilet tank full of human feces within a few yards of our home which took them 4 days to clean. We suffered 4 days of intolerable odors and exposure to airborne bacteria and viruses from the dumped human feces during the peak of the Covid-19 crisis. Charities Housing was nowhere to be seen during any part of our 13 month ordeal to take any mitigation steps. FYI The dumping of feces was reported by us not them. Stating that we "did not know" makes matters worse (how can you not know for 13 long months?) and is proof of negligence, lack of accountability and a cavalier attitude towards neighbors' safety and well being. We have no reason to believe Charities Housing will take responsibility for the hazards and nuisance it has imposed or will impose upon its neighbors in

the future. Hiding under the cover of a "mitigated negative declaration" does not absolve them of responsibility and does not address the true actual risks to us neighbors, with my home being one of the most impacted.

Response E-2: As stated on Page 1 of the Initial Study, the City of Santa Clara is the Lead Agency for this project and prepared the Initial Study/MND in accordance with CEQA, the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of Santa Clara, California. Project applicants are not involved in the preparation of the CEQA documents and are required through permitting processes and regulatory oversight to properly implement the mitigation measures and conditions of approval identified in the Initial Study/MND.

The intent and purpose of the Initial Study/MND is to provide the public and decisions-makers with an accounting of the physical environmental effects which may result from construction and implementation of the proposed project. The law does not allow for the CEQA analysis to address current operational issues of a property.

Comment E-3: 2. Absent 24/7 3rd-party monitoring of construction equipment we have no reason to believe we are safe from exposure to cancer causing agents. However, considering how cost sensitive (i.e. cheap) Charities Housing has been in the past, they will figure ways of making short cuts to the cost of preserving our safety and security. Even with a stringent monitoring regime the risks are too high as stated below:

3. Even with effective 24/7 3rd-party monitoring there is a high risk of industrial accidents, malfunctions, power loss or interruption in monitoring that will result in dangerously high exposure for finite periods of time with unpredictable and potentially horrendous long term effects.

Response E-3: It is assumed that the commenter is referring to the toxic air contaminants (TAC) analysis in the air quality report. As noted by the commenter in Comment E-1, Figure 1 of Appendix A shows the commenters house with a red circle on it. This denotes that this house would experience the highest concentration of emissions during construction on the project. As discussed on Pages 35-37 of the Initial Study/MND, the project will be required to implement mitigation measures to reduce emission impacts to this receptor and all other nearby receptors to a less than significant level. This means below the thresholds established by the Bay Area Air Quality Management District (BAAQMD).

While the air quality analysis did identify an impact which would exceed the BAAQMD thresholds, the BAAQMD thresholds are based on a 70-year exposure to the emissions, so the actual risk is far less than what is calculated for project construction. Construction is estimated to be 18 months. Also, the cancer risk impact is based on the respiratory rates of infants, which are different than children and adults. The analysis did not find an impact to children or adults.

The threshold established by BAAQMD for cancer risk is 10 cancer cases per one million people exposed. With mitigation the infant cancer risk is reduced to 5.99 cases per million people based on a 70-year exposure. For annual PM_{2.5} emissions, the BAAQMD threshold is 0.3 micrograms per cubic meter (µg/m³). With mitigation, the PM_{2.5} emissions would be reduced to 0.15 µg/m³. Therefore, with implementation of the identified mitigation measure on Page 36 of the Initial Study/MND, the proposed project would have a less than significant construction air quality impact on all adjacent and nearby sensitive receptors.

The mitigation would be enforced by the City. Furthermore, as noted on Page 33 of the Initial Study/MND (under Conditions of Approval), a publicly visible sign will be posted on-site

with the numbers for the on-site project superintendent and the Air District to ensure compliance with applicable regulations.

Comment E-4: 4. In addition, there will be 90db noise from the construction site a few yards away from our fence. The City code for maximum noise level in residential areas is 55db from 7am-10pm and 50db at night. Why are we being asked to put up with 90db noise a few yards from our home when the City noise code mandates significantly less noise levels by orders of magnitude? The Table below shows the difference in power (loudness) between 55db and 90db is more than 10000 times!

Response E-4: Refer to Response D-2.

Comment E-5: In addition the noise from fire trucks and fire drills, which are often conducted at mid night to emulate real-time conditions, will deprive us of sleep, with fire trucks running their engines right behind our homes. We have repeatedly asked not to place a fire lane or parking access behind our homes and to block access from Civic Center Drive to the 1601 site along the Triton Ct. property line. This is based on our actual experience during 13 months with problems associated with such access.

Response E-5: This is a housing project and like all other multi-family housing projects in Santa Clara, the Fire Department would not be conducting fire drills at this location. Any and all use of the fire lane by first responders would be for actual emergencies. It would be speculative to assume that emergency calls to this site would be substantially greater than for any other multi-family residential property in the City.

Comment E-6: Is our actual experience and observations over 13 months not more relevant than a hypothetical study based on potentially incomplete models? So far our request for blocking access from Civic Center Drive along Triton Ct.'s property line has been ignored. Noise from traffic and fire trucks are a major environmental nuisance. Suffering sleep deprivation due to noise for an extended period of time as we did during our 13 month ordeal has long term health and economic adverse consequences. Many of us still work from home and will not be able to do so because of noise levels.

dB	Power ratio	Amplitude ratio
100	10000000000	100000
90	1000000000	31623
80	100000000	10000
70	10000000	3162
60	1000000	1000
50	100000	316.2

40	10000	100
30	1000	31.62
20	100	10
10	10	3.162
6	$3.981 \approx 4$	$1.995 \approx 2$
3	$1.995 \approx 2$	$1.413 \approx \sqrt{2}$
1	1.259	1.122
0	1	1
-1	0.794	0.891
-3	$0.501 \approx \frac{1}{2}$	$0.708 \approx \sqrt{\frac{1}{2}}$
-6	$0.251 \approx \frac{1}{4}$	$0.501 \approx \frac{1}{2}$
-10	0.1	0.3162
-20	0.01	0.1
-30	0.001	0.03162
-40	0.0001	0.01
-50	0.00001	0.003162
-60	0.000001	0.001
-70	0.0000001	0.0003162

-80	0.00000001	0.0001
-90	0.000000001	0.00003162
-100	0.0000000001	0.00001

Response E-6: Based on the Community Crime Map for the City of Santa Clara (<https://communitycrimemap.com/>) there have been no calls for service to the project site between January 1, 2021 and July 12, 2022. Fire Department data is not available on-line. As noted in Response E-2, the intent and purpose of the Initial Study/MND is to provide the public and decisions-makers with an accounting of the physical environmental effects which may result from construction and implementation of the proposed project. The law does not allow for the CEQA analysis to address current operational issues of a property. The current commercial operation of the site is not equivalent to the proposed project and the current conditions on-site cannot be extrapolated into the analysis of future operations of a housing development.

As discussed on Pages 117-118 of the Initial Study/MND, operation of the proposed project would not result in a substantial permanent increase in ambient noise levels from either traffic or building operations and would have a less than significant impact. While construction noise would occur during allowable construction hours (Monday through Friday 7:00am to 6:00pm) for a period of 18 months, a noise control plan is required as a condition of approval.

Comment E-7: 5. As you are aware we have objected to the shadow study and statement in the FAQs posted on the City Project web site that " there is no additional shadow line impact on the neighboring properties when comparing the existing two-stories office building with a 10 ft setback ..."

The above statement is simply false: If you carefully examine Charities Housing's own shadow analysis it clearly shows there is no shadow from the existing building onto my home most of the year (Spring, Summer, Fall). I take issue with the only image showing some shadow during the Winter. I live in this home and currently have no building in my line of sight casting a shadow or blocking my view of the sky. How can a comparison of shadows cast onto my property with the existing building be correct?

I respectfully request a correction to the FAQ.

Response E-7: The shade and shadow study provided by the applicant shows the property at 1691 Triton Court as being cast in varying degrees of shadow from the proposed building in the morning hours throughout the year. The shade and shadow study shows the property at 1691 Triton Court to only be in shadow during the morning winter months under existing conditions. As a result of the applicant's shade and shadow study, an increase in shading on the commenter's property from the project is shown. No change to the diagram is necessary. This comment does not speak to the environmental analysis.

Comment E-9: Conclusion: The primary reason these risks are magnified and don't lend themselves to adequate mitigation is the density of the project and its proximity to our homes. The mitigation models are not incorporating the effect of actual risks. How are the risks of a malfunction or accident

modelled? How are the effects of long term ambient noise on our health, sleep, and sanity modelled? We therefore strongly object to the project which poses a long-term health hazard even after mitigations, and emphatically ask that Charities Housing relocate its project to a more suitable location with less adverse impact upon their neighbors, and do so before they cause more damage to their wall-to-wall neighbors than they already have.

Response E-9: Refer to Responses E-2 through E-7.

Comment Letter F: Jamie Lau – July 11, 2022

Comment F-1: Earlier on 6/24 I have submitted questions for the 1601 Civic Center Initial Study. Please don't take those as public comments. They are interim questions for the public outreach meeting and some of them have been answered, leading my final comments.

Please use below for my final public comments instead:

1. The 5-story high-density tall building does not fit in with the adjacent 2-story single family homes, this is a significant discount of aesthetics and property value to the adjacent family homes. This consideration should be included for the approval process.

Response F-1: While the houses immediately adjacent are two-story, there are three-story townhouses and a seven-story apartment complex in the immediate vicinity (Civic Center Drive and Warburton). So, a five-story building would be consistent with the mix of residential densities in this area. For additional reference, the proposed building would be setback 67 feet from the shared property line with the adjacent two-story residences and Civic Center Drive is 50 feet wide.

Comment F-2: City of Santa Clara has the opportunity to implement inclusive planning to mandate percentage of affordable housing units with any new regular market rate homes. There are also vacant lots elsewhere in the City more suitable for high-density affordable housing with less social and environmental impact to the surrounding. The site selection at 1601 Civic Center Drive is not suitable for the community in many ways.

Response F-2: This comment does not speak to the adequacy of the Initial Study/MND, and no text edits are required.

Comment F-3: 2. High-density of concentrated low income housing contradicts the City's planning policies that affordable housing units should be dispersed throughout the City to avoid a concentration in any neighborhood. This Project will bring over 100 units in a small parcel of land - it is concentrated in one neighborhood. I understand the need of building more housing to solve homelessness, but such high-density affordable housing should be planned on a busy street away from quiet residential neighborhood for lesser social and environmental impact, and closer to a transit hub, such as a CalTrain or BART station for mobility. This project is neither.

Response F-3: The intent of the City's policy is to avoid having all affordable units within one neighborhood or area of the City. Dispersal means throughout all neighborhoods. Relative to the number of affordable units the City has and still needs to build, having 106 units in this area is not inconsistent with the policy. For reference, the City needs to build 4,525 affordable units by 2031. This project represents two percent of the total new units

required Citywide. When added to the existing and approved affordable units, the project represents less than two percent of the total affordable units Citywide.

City policy also states “Encourage higher-density residential development in transit and mixed-use areas and in other locations throughout the City where appropriate. This site meets both criteria. The project site is within 1,000 feet of two bus stops which are served by Bus Route 22, the most active bus line in the County which runs from Palo Alto to East San José. Also, within 2,000 feet (standard transit access walking distance) are Routes 32, 59, and Rapid 522 (see page 142-143 of Initial Study). The Santa Clara Transit Station is easily accessible from the project site using Bus Route 22 which runs 24 hours per day with buses running every 15 minutes. Bike lanes are also planned on El Camino Real. As such, the site is well suited for the proposed project as it is also within walking or biking distance to shopping and services on El Camino Real.

Comment F-4: 3. The plan amendment and rezoning of 1601 Civic Center is shortsighted. It is the only designated neighborhood commercial planned use outside of El Camino Real for the Civic Center community in City’s General Plan. The planned commercial land use can be local services that neighbors can safely walk to. We do not want to lose the only land that can serve as a commercial use to Civic Center neighbors in the years to come, considering all surrounding parcels will be planned for residential use in City’s General Plan. Please use common sense and considerations for existing neighbors when determining the plan amendment approval.

Response F-4: This comment does not speak to the adequacy of the Initial Study/MND, and no text edits are required.

Comment F-5: 4. In the construction noise impact analysis, the study opted to use a guideline from FTA noise assessment, which is intended for transportation projects like trains stations/lines in populated areas. The assessment stated the guidelines are not meant as industry standards for all projects. The noise threshold of 90 dBA is especially high for a quiet residential neighborhood like Civic Center’s. Study should consider the delta from existing ambient noise and construction noise in determining impact level.

Response F-5: See Response D-6.

Comment F-6: 5. The project-generated permanent noise study did not consider scenario of cars with loud exhaust in the open parking lot.

Response F-6: See Response D-7.

Comment F-7: 6. The Project plans an open parking lot located adjacent to existing Triton Court single family homes. First, open at-grade parking lot design is not encouraged by City’s planning policies. Secondly, as the parking lot being situated discreetly away from a main street, it will attract crimes and dumping. As a consideration to the community’s safety and social impact, the Project should be designed with an underground parking lot and secured gate. The developer expressed no intent to build an underground parking structure due to cost.

Response F-7: See Responses D-2 and D-11.

Comment F-8: 7. Project’s planned 5-story building will have shadow impact to adjacent existing homes. It was evident in Developer’s initial project info. However, shadow impact was not discussed in the Initial Study. The shadow impact should be properly investigated.

Response F-8: See Response D-5.

Comment F-9: 8. The Transportation Study from Appendix F recommended only one entrance should be planned for the Project, but it currently plans two entrances - one on Civic Center Dr and another one on Lincoln Street. The recommendation is to reduce pedestrian and traffic safety incidents, as more entrances increases risks of collisions. The Project should follow the study's recommendation to keep only one entrance, and that entrance should be on Lincoln Street.

Response F-9: This comment does not speak to the adequacy of the Initial Study/MND, and no text edits are required.

Comment F-10: 9. The Transportation Study from Appendix F did not mention there is no bus route from Project site going to Buscher Middle School and possible transit modes to the school. Only Santa Clara High School and Scott Lane Elementary School are discussed for the topic.

Response F-10: The transportation analysis acknowledges all three schools that would serve the project site and their distance from the site. In addition, the analysis outlines the available pedestrian and bicycle routes. Because the analysis provides a description of all transit access currently available to the three schools, it can be inferred that there is no transit access readily available to the middle school. It is acknowledged that most students are expected to be driven or will drive to school.

Comment F-11: 10. The Transportation Study from Appendix F recommended the Project to have white-lined zone and red-lined zones along the Project's frontage on Civic Center Drive. This will remove street parking on Civic Center and burden the already tighten parking situation.

Response F-11: See Response D-4.

Comment F-12: 11. No where on the development plan indicating the Project's parking will be assigned or not. The plan should list that as a design commitment on the design plan.

Response F-12: This comment does not speak to the adequacy of the Initial Study/MND, and no text edits are required.

Comment F-13: 12. The Project Listing summary page should accurately reflect the total number of units as 108 instead of 106 without the two management units.

Response F-13: The total number of units proposed is 108, with 106 rental units and two manager units. For the purposes of CEQA and the environmental analysis, the composition of the 108 units is not relevant as each residential unit is treated the same with regard to traffic generation, utility usage, public services usage (including student generation), etc.

Comment F-14: 13. School enrollment impact study uses data from 2017, that's about 5 years old. The Santa Clara High School is already reaching capacity per the 2017 data. To my knowledge, Buscher Middle School is also reaching capacity as it does not accept second round of open enrollment; the study shows no impact to Buser Middle School, which is likely false. The mitigation for school enrollment impact is for the developer to pay a fee to the district. The study should involve the school district to provide current enrollment status and if the district is able to mitigate the problem with fees paid. The report does not show the school district was involved in the study.

Response F-14: See Response D-10.

Comment F-15: 14. Appendix D indicates Charities Housing did not return the User Questionnaire per EPA, therefore, environmental liens and activity and use limitations are not evaluated. Should these be evaluated for the study?

Response F-15: The lack of a user questionnaire does not invalidate the Phase I Environmental Site Assessment or the analysis in the Initial Study/MND. While these are helpful to gather information on a specific site, the analysis is reliant on a site reconnaissance completed by the hazardous materials consultant and a review of all available regulatory databases.

Comment F-16: 15. Sanitary Sewer Study from Appendix G indicates a sewer pipe will reach 82.2% capacity with the development. Did City of Santa Clara sanitary department review this finding and consider that's an acceptable number?

Response F-16: The Sanitary Sewer Study is commissioned by the City and reviewed for accuracy prior to being provided to the environmental consultant. Had the study identified any capacity issues resulting from the project, the project would be conditioned by the City to make the necessary improvements. The City did not identify any capacity issue which would require an upgrade to the current infrastructure by the project applicant. As discussed on Page 156 of the Initial Study/MND, City staff concluded that there is sufficient capacity to serve the proposed development.

Comment Letter G: Jean Song – July 12, 2022

Comment G-1: This is Jean, a resident of the Civic Center Drive neighborhood. I read the environmental report and read the reviews of existing Charities Housing (CH) in the bay area. The more I read and learned, the more I'm concerned about this project.

I'm afraid CH barely cares about the living conditions of their residents. Hardly does CH show respect to the neighbors. I'll write in the aspects of transportation, safety and security, amenities and construction impacts.

Response G-1: Responses to specific comments are provided below.

Comment G-2: 1) Transportation

They plan to build 108 units with only 82 parking spaces at most. Note that the average car ownership in Santa Clara county is 2 cars per household. That means, 134 cars of the residents of CH are expected to do street parking. But the current parking in the neighborhood is already overcrowded. You can find _zero_ parking spot after 4pm in Civic Center Dr. I can't imagine what the residents can do after they come back from work but can't find a parking spot.

Response G-2: See Response D-4. A project need only meet the applicable parking requirements. The City of Santa Clara parking ratios are not derived from average car ownership. Parking requirements are based on land use type and take into account mitigating factors such as mixed use, affordable housing, proximity to transit, and the Density Bonus law (when applicable) as noted by the commenter. Per Assembly Bill 2345, 100 percent affordable housing projects within one-half miles of a major transit stop are only required to provide 0.5 spaces per unit. By state law (Government Code Section 65915), the project is required to provide 54 parking spaces, but is proposing 82.

Comment G-3: According to the outreach meeting organized by CH, their focus of this project is the people who make 30-50% AMI. These are working people who need to commute every day. With the poor transportation nearby (no caltrain, no VTA light rail, only 2 bus routes to Palo Alto and Baypointe station), the residents have to commute mostly by cars.

I also learned that 25% of the residents would be those who have risks to become homeless. They either recently lost their jobs, or have some medical conditions. These people either have to look for jobs actively, or need to commute to hospitals frequently. In either case, they need cars to commute.

82 parking spaces are absolutely far from enough. However, CH refused to provide enough parking space to their residents. They rejected the suggestion to build underground parking. I don't understand why they can't accommodate, but they don't seem to care about their residents, let alone the burden that will be posed upon the neighborhood.

Response G-3: See Responses D-4 and D-9.

Comment G-4: 2) Safety and security

According to the reviews of other CH locations in the Bay Area, there're many car break-ins. This poses a big risk to the neighborhood. Is CH prone to attract crimes? Does CH do any security or background check to the future residents? As someone living within 2-min walk from the proposed location, I'm really worried about the change that would be brought by the project. Will it be safe to walk in the neighborhood any more? Will there be break-ins to cars and even houses? How could we protect our fences?

Response G-4: This comment does not speak to the environmental analysis. The intent and purpose of the Initial Study/MND is to provide the public and decisions-makers with an accounting of the physical environmental effects which may result from construction and implementation of the proposed project. The law does not allow for the CEQA analysis to address speculative future scenarios.

Comment G-5: The proposed project creates an entry driveway along the wall with Triton Ct, and their proposed parking lot just faces Triton Ct. How much impact would be on the existing residents?

Response G-5: It is unclear what potential impacts the commenter is referring to. With regard to parking lots, the primary issues under CEQA are noise and lighting. Both were addressed in the Initial Study/MND. Light and glare is discussed in Section 4.1.2 (Page 19) of the Initial Study/MND. Operational noise is discussed on Pages 117-118 of the Initial Study/MND.

Comment G-6: 3) Amenities

Lots of CH residents complain that the places are full of bed bugs and roaches. How CH manages the places is a big question. CH isn't willing to treat these bugs before the move-in of new residents. Again, this shows how little CH cares about their residents.

Response G-6: The intent and purpose of the Initial Study/MND is to provide the public and decisions-makers with an accounting of the physical environmental effects which may result from construction and implementation of the proposed project. The law does not allow for the CEQA analysis to address current operational issues of properties that are not part of the proposed project.

Comment G-7: One reason that CH selected this location is the Warburton medical plaza. However, that plaza only offers urgent care and treatment for sport injuries. If the residents have any other medical conditions, such as diabetes, COVID, or cancer, they have to drive to big hospitals to get treatment. CH's claim of walking distance to hospitals doesn't really hold.

Response G-7: This comment does not speak to the environmental analysis.

Comment G-8: Additionally, the schools in the neighborhood are almost full. With the high density that the proposed CH will bring, how the schools can accommodate more kids is another big question. If overflow happens, parents have to drive even farther to send and pick up their kids. As discussed above about the transportation, this would be very hard for both the CH residents and the neighbors.

Response G-8: See Response D-10.

Comment G-9: 4) Construction impacts

According to the environmental report, the noise from the construction will be up to 90 dB. This is absolutely inappropriate to a neighborhood with so many residents. 90 dB is mostly used to build airports and railways, absolutely not for houses. The construction will also bring lots of dusts, such as PM2.5 and PM10. The proposed location is just one wall against Triton Ct. This will bring great inconvenience and risks to the existing residents. I'm really pathetic about the situation.

Response G-9: A noise study was commissioned by the environmental consultant under direction by City staff. The Initial Study/MND concluded that with implementation of the identified measures, the temporary construction noise impacts would be less than significant (see Pages 116-117 of the Initial Study/MND).

An air quality analysis was also commissioned by the environmental consultant under direction by City staff which addressed dust and other air pollutants that would be generated during construction. The Initial Study/MND concluded that with implementation of the conditions of approval and mitigation measures identified, the temporary construction air quality impacts would be less than significant (Pages 31-33 and 34-37).

Comment G-10: In summary, this project will bring extremely negative impacts on both the future CH residents and the existing neighbors. I know the housing crisis in the bay area is urgent. But please, please do it good instead of evil. Please treat all the people, both low-income and high-income, with respect. Please protect the neighborhood with improved safety and security. Please provide the necessary amenities and healthy living environment to the residents.

There're other locations in Santa Clara that might tolerate 90 dB construction noise, such as those near commercial zones. These locations could be big enough to build more parking spaces. They can also have better transportation, be closer to hospitals, and have less crowded school enrollment than the proposed location. I hope you could consider my petition and cancel this project.

Response G-10: This comment does not speak to the environmental analysis. Please see previous responses.

Comment Letter H: David Bayto – July 12, 2022

Comment H-1: Below are my comments, opinions and recommendations related to Charities Housing (CH) environmental review documents (Mitigated Negative Declaration "MND").

I am opposed to the rezoning of the 1601 Civic Drive property from commercial to high density residential housing zoning as currently proposed. If the zoning change is approved, then the following recommendations should be adapted prior to approved zoning changes.

Comments, Opinions, and Recommendations related to Charities Housing (CH) environmental review documents.

Summary:

- **Issue:** At what point are the legal rights of the project developers to overshadow the rights and quality of life of the current residences of the Civic Center neighborhood?
- **Issue:** The financial impact of the proposed development has not been provided for public review and discussion.
 - What is the financial burden for the citizen of Santa Clara, City of Santa Clara, County of Santa Clara, and the State of California?
 - What is the financial interest of the project stakeholders such as the Limited Partnership(s) involved in the proposed development?

Response H-1: Section 15131 of the CEQA Guidelines states that “economic or social effects of a project shall not be treated as significant effects on the environment”. The Initial Study/MND can only address impacts as they relate to the checklist questions which are intended to address the physical environmental effects of the project. As a result, the Initial Study/MND did not address any economic or social effects of the project.

Comment H-2: Issue: The traffic study of Charities Housing (CH) environmental review documents does not address the current neighborhood parking issue. There is a significant lack of street parking to support the current neighborhood requirements.

- **Issue:** The proposed 1601 Civic Center Drive project would require an additional 134 street parking spaces to be available to service the 1601 Civic Center Drive residence causing an adverse effect on the current parking issues on Civic Center Drive.

Response H-2: See Response D-4.

Comment H-3: Issue: CH’s project design does not include the Transportation Study’s recommendations for 1.) Site Access, 2.) Passenger Loading and 3.) Sight Distance at Project Driveways.

Response H-4: See Responses D-1, D-3, and D-4.

Comment H-5: Issue: The project does not have underground parking as encouraged by City's General Plan guidelines.

Response H-5: See Response D-11.

Comment H-6: Issue: The proposed five (5) story structure architectural does not conform to the El Camino Corridor height limits and the adjacent 2-story homes, or surrounding homes.

Response H-6: See Response F-1. The proposed General Plan designation is intended for mid-rise buildings. Mid-rise buildings are typically defined as five to 12 stories.

Comment H-7: Recommendation: Provide a financial impact study for transparency and public review prior to change in rezoning.

Response H-7: See Response H-1.

Comment H-8: Recommendation: Provide no less than two parking space per unit or 216 parking spaces. (108 units x 2 cars)

- Based on the potential 480 occupancy rate and
- Based on [2 car per household is average number for California](#) would require 216 spaces (108 units x 2 cars). Thus, 82 space per unit would appear to be unreasonable.
- Based on the need to address the current lack of parking during peak hours and weekends.
- **Recommendation:** All parking should be under the proposed structure either in a garage and/or underground parking lot. Underground parking is both feasible and particle.
 - 1364 El Camino development has both under building structure parking and an underground parking lot Thus, it can be done.
 - 1690 Civic Center Drive has an underground parking lot. Thus, it can be done.
 - The marginal cost for an underground parking lot structure would be amortized over a 55-year period based. Thus, minimizing the issues that it is not cost effective to build underground parking.

Response H-8: The intent and purpose of the Initial Study/MND is to provide the public and decisions-makers with an accounting of the physical environmental effects which may result from construction and implementation of the proposed project. The law does not allow for the CEQA analysis to address current operational issues of a property or surrounding area. See Response D-4.

It should be noted that the excavation required for underground parking would result in a longer construction timeframe and, due to the extended use of heavy equipment, increase construction noise and air pollutant emissions compared to the current proposal.

Comment H-9: Recommendation: Eliminate all surface parking on the west side of the proposed project that impact the quality of life for the residence on Triton Court.

Response H-9: It is not clear what quality of life issues the commenter believes would occur as a result of the surface parking lot. See Responses D-2, D-7, and G-5 for responses to specific issues raised by other commenters regarding the proposed surface lot.

Comment H-10: Recommendation: The project should provide only one driveway to access the site on Lincoln Street per Transportation Study's recommendations

- **Recommendation:** The project should include a loading zone per the per Transportation Study's recommendations

Response H-10: See Response D-4.

Comment H-11: Analysis and Comments:
Parking

This development, as proposed will provide up to **82 parking spaces which may conform to the Density Bonus law but conflict with the car California ownership data indicating that the [average car ownership in California is 2 cars per household](#)**. The number of parking space should be 216 (108 units x 2 cars per household. Thus, the proposed 82 parking spaces will contribute to have an adverse effect on the existing the current parking issues on Civic Center Drive. Therefore, based on the California average rate of 2 car per household and CH's proposed 82 parking would require an additional 134 street parking spaces to be available to service 1601 Civic Center Drive residence

Response H-11: See Response G-2.

Comment H-12: Occupancy:

[How Many is too Many? Limits on Unit Occupancy Explained](#). The total number occupants for the proposed project could be as high as **480** based on Charities Housing’s (CH) occupancy data, and the “California’s Department of Fair Employment and Housing (DFEH) policy for regulating occupancy, which is known as the “two plus one” formula.

Based on

Unit Size	# Units	Max
Studio (1-2 occupants)	28	56
1BR (1-3 occupants)	24	72
2BR (2-4 occupants)	26	104
3BR (3-6 occupants)	26	156
3BR (3-6 occupants)	2	12
		400
	Total	480

Is it reasonable to assume that occupancy rate in combination with the 2 car average per household would requirement more parking than the 82 spaces assuming [2 car per household is average number for California](#). Thus, there should be 216 parking spaces (108 units x 2) instead of the 82 proposed parking spaces

Response H-12: See Response G-2.

Comment H-13: Transportation Study’s Recommendation

Site Access - Recommendation: The project should provide only one driveway to access the site. The project would increase the number of driveways accessing the site from one to two driveways. Because the project would generate a low number of project trips, it is not necessary to provide two access points to the site for access and circulation. Increasing the access points would increase the conflicts between pedestrians/bicycles and vehicles. Therefore, the project should maintain only one driveway to access the site.

Passenger Loading - Recommendation: The project should provide a passenger loading zone on Civic Center Drive near the entrance to the building lobby or within the surface parking lot or parking garage.

Sight Distance at Project Driveways - Recommendation: The curb segments next to the project driveways on Civic Center Drive should be painted red for 15 feet to prohibit parking and ensure adequate sight distance for outbound traffic.

Response H-13: See Responses D-1, D-3, and D-4.

CIVIC CENTER FAMILY HOUSING PROJECT
TEXT EDITS

This section contains revisions to the text of the Civic Center Family Housing project dated June 2022. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~. None of the text revisions shown below change the conclusion of the IS/MND and no recirculation is required.

Page 91 Section 4.10.1.1, the following footnote will be **ADDED** to the description of the Municipal Regional Permit Provisions C.3:

The RWQCB renewed the MRP on May 11, 2022 (Order No. R2-2022-0018, NPDES Permit No. CAS612008).

Page 91 Section 4.10.1.1, the Water Resources Protection Ordinance and District Well Ordinance description will be **REVISED** as follows:

Valley Water operates as the flood control agency and the wholesale water supplier for Santa Clara County. Their stewardship also includes creek restoration, pollution prevention efforts, and groundwater recharge. Permits for well construction and destruction work, most exploratory boring for groundwater exploration (including borings 45 feet or deeper), and projects within Valley Water property or easements are required under Valley Water's Water Resources Protection Ordinance and District Well Ordinance 90-1. Under Valley Water's Water Resources Protection Ordinance, projects within Valley Water property or easements are required to obtain encroachment permits.

Page 92 Section 4.10.1.1, the footnote reference for the 2016 Groundwater Management Plan will be **REVISED** as follows:

Valley Water. *2016 Groundwater Management Plan, Santa Clara and Llagas Subbasins*. November ~~2016~~2021.

Page 93 Section 4.10.1.2, the first paragraph under Storm Drainage System will be **REVISED** as follows:

The City of Santa Clara owns and maintains the storm drainage system which serves the project site. There is no overland release of stormwater directly into any creek from the project site; all stormwater enters the ~~San Tomas Aquino Creek~~ Guadalupe River through the existing stormwater drainage system.

Page 167 Section 4.21, the Cumulative Hydrology Impacts discussion will be **REVISED** as follows:

The geographic area for cumulative hydrology and water quality impacts is the ~~San Tomas Aquino Creek~~ Guadalupe River watershed. Cumulative developments within the watershed would have similar hydrological and urban runoff conditions. All projects occurring within Santa Clara would be required to implement the same standard measures/BMPs related to construction water quality as the proposed project (including preparation of a SWPPP if disturbance is greater than one-acre). In addition, all cumulative projects that would disturb more than one-acre of soil or replace/add more at least 10,000 square feet of impervious surfaces would be required to meet applicable San Francisco RWQCB requirements and the City's SWCP requirements on a project-specific basis. For these reasons, the cumulative projects, including the proposed project, would not result in significant cumulative hydrology or water quality impacts. **(Less than Significant Cumulative Impact)**

2. [22-930](#) Action on Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment and Rezone for the Property Located at 1601 Civic Center Drive

Recommendation: Alternatives: 1, 2 and 3

1. Adopt a resolution to recommend the City Council adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Civic Center Family Housing Project.
2. Adopt a resolution to recommend the City Council approve a General Plan Amendment from Community Commercial to High Density Residential.
3. Adopt a resolution to recommend City Council approve a Rezone from General Office (OG) to Planned Development (PD) to allow a five-story affordable housing development with 108 rental units, on-site parking and amenities, landscaping, and off-site improvements.

Associate Planner Debby Fernandez provided the staff presentation.

Commissioners asked clarifying questions as to whether or not other sites had been considered for the development, as well as what rent amounts would be, given Area Median Income (AMI) limits for the project.

Applicant Charities Housing, Joe Head and Hai Nguyen provided a presentation and clarified the property location was very important and also provided an overview of AMI limits.

Commissioners asked questions regarding the applicable state and federal laws for residents; whether or not there would be a right of refusal for residents; whether Section 8 housing be allowed; how rental amounts are set; whether there would be flexibility in the architectural design due to shadowing concerns; sufficiency of parking and methods for parking spot allocation; and methods for residents to communicate with the developer as problems arise, and how the developer will respond to such problems.

Vice Chair Herro expressed concerns that the original management of the site was lacking in response time and actions; other concerns included outreach provided to neighboring residents on the project to date.

Commissioners expressed the desire to have housing as well as acknowledged concerns presented to them by the public. **Vice Chair Herro** stated that oversight was needed by the Applicant for timely resolution to concerns brought up by nearby residents now, during the construction phase, and on an ongoing basis.

The Applicant agreed to having a meeting with nearby residents to

discuss concerns before the item is heard by Council.

Commissioner Biagini asked about ensuring that the developer comply with all mitigation measures, and more specifically that adequate dust control measures be in place. In response, **Environmental Consultant Shannon George/David J. Powers and Associates** introduced herself and explained that best management practices for dust control are included as a mitigation measure in the MMRP. She also explained that there would be a visible sign on the project site during all periods of construction with contact information for the on-site superintendent and the air district, in the event complaints arose concerning dust or other issues.

Public Speakers:

Ken Rosenbarg
Venee
Ssatpathi
Kalisha Webster
Maria
Corey Smith
Ingrid Granados
Brent Stryko
Jeff Houston
Kathryn Hedges
Lalo Mendez
Jean S.
Sunil B.
Ctalyze SV
Events SVH
Igor
Morteza Sahfiei
Pkliza
Keyhan Sinai
Anna
Jamie
Deepa
Braydon Qian
William Huang
Gregory Kepferle
Sytnti Stryko
Noah McDonald
Betsy Jegas
Suanya Tu
Congyao Tang

Meeting went into recess at 8:41 p.m. and reconvened at 8:51 p.m.

Staff read ecomments received between 5 p.m. and before the close of the public hearing. Ecomments received before 5 p.m. were sent to Commissioners before the meeting and are posted on the City's website as Post Meeting Material.

A motion was made by Commissioner Biagini, seconded by Commissioner Saleme to close public hearing.

Aye: 4 - Commissioner Biagini, Vice Chair Herro, Commissioner Huang, and Commissioner Saleme

Nay: 1 - Commissioner Patrick

Excused: 2 - Commissioner Bhatnagar, and Chair Cherukuru

A motion was made by Commissioner Biagini, seconded by Commissioner Huang to approve staff recommendation 1.

Aye: 5 - Commissioner Biagini, Vice Chair Herro, Commissioner Huang, Commissioner Saleme, and Commissioner Patrick

Excused: 2 - Commissioner Bhatnagar, and Chair Cherukuru

A motion was made by Commissioner Biagini, seconded by Commissioner Huang to approve staff recommendation 2.

Aye: 5 - Commissioner Biagini, Vice Chair Herro, Commissioner Huang, Commissioner Saleme, and Commissioner Patrick

Excused: 2 - Commissioner Bhatnagar, and Chair Cherukuru

A motion was made by Commissioner Biagini, seconded by Commissioner Huang to approve staff recommendation 3 with seven additional recommendations:

1. Charities Housing to include transit pass upon request for each tenant.
2. Continue community outreach with neighbors with oversight program provided by Applicant to the satisfaction of Director of Community Development.
3. Designate a ride share area within the Project Site to the satisfaction of Director of Community Development.
4. Include Venue for Display of Public Art with consideration towards Native American artists.
5. Give serious consideration to establishing a shared parking arrangement with commercial and City buildings in area.
6. Failure by developer or any contractor to comply with mitigation measures or other conditions (including, but not limited to, emissions, noise, street cleaning, and dust control) will subject the developer to code enforcement under the City Code.
7. Charities shall install a security system approved by the Director of Community Development, with security to be recorded and monitored with approximately 50 cameras. At the Director's discretion, monitoring may be required to be conducted in real-time by security personnel.

Aye: 4 - Commissioner Biagini, Vice Chair Herro, Commissioner Huang, and Commissioner Saleme

Nay: 1 - Commissioner Patrick

Excused: 2 - Commissioner Bhatnagar, and Chair Cherukuru



Agenda Report

22-930

Agenda Date: 8/3/2022

REPORT TO PLANNING COMMISSION

SUBJECT

Action on Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment and Rezone for the Property Located at 1601 Civic Center Drive

REPORT IN BRIEF

Applicant: Kathy Robinson, Charities Housing

Owner: Charities Housing

General Plan: Community Commercial

Zoning: General Office (OG)

Site Area: 1.4 acres (61,409 square feet)

Existing Site Conditions: The property is developed with a 28,950 square foot two-story office building, surface parking lot and site landscaping. The office building and site improvements were constructed in 1974. The existing site has a Floor Area Ratio (FAR) of 0.47.

Surrounding Land Uses:

- North: Church
- South: Civic Center Drive, hotel, and commercial development
- East: Lincoln Street and City Hall campus
- West: Townhome development

Issues: Consistency with the City's General Plan and Zoning Ordinance

Staff Recommendation: That Planning Commission approve resolutions recommending City Council adopt the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP), approve the General Plan Amendment, and approve the Rezone for the property located at 1601 Civic Center Drive.

BACKGROUND

On September 2, 2021, Charities Housing ("Owner") filed an application to redevelop the property located at 1601 Civic Center Drive from office use to residential with a 100 percent affordable housing project that includes private and public amenities and on- and off-site improvements. The proposal requires a General Plan Amendment and Rezone of the property to change the land use designation and zoning of the site, and environmental analysis of potential impacts associated with project development as required by the California Environmental Quality Act (CEQA). The requisite applications have been submitted and are the subject of this staff report.

The original submittal proposed a six-story structure with podium parking at-grade and five stories above consisting of 110 affordable rental units at a residential density of 78 dwelling units per acre (du/ac) with podium parking and a small surface parking area for a total of 96 on-site parking spaces.

Access to parking and trash pick-up was provided by a single driveway on Civic Center Drive.

Following community outreach by Charities Housing, and in response to comments and concerns expressed by neighboring residents regarding building height and parking, the proposal was revised to a five-story structure with surface and podium parking at-grade and four-apartment floors above with a total of 108 affordable units at 76.6 du/ac and 82 on-site parking spaces. A driveway was added on Lincoln Street to distribute parking, limit access on Civic Center Drive, and relocate the trash enclosures for trash pick-up. While all comments and concerns conveyed by the neighboring residents are not integrated into the project, the Development Plans presented in Attachment 8 to this report reflect the changes made up to the time this staff report was prepared and is the project under review.

The project site is located adjacent to the El Camino Real Corridor. While it is not located in the El Camino Real Focus Area, it was encompassed in the Draft El Camino Real Specific Plan (Draft Specific Plan) that was initiated by the City Council in 2017 to provide a more detailed level of policy and design guidance to support the successful transformation of the El Camino Real corridor. A Citizen Advisory Committee (CAC) was appointed to guide the Specific Plan planning process. The Draft Specific Plan included three proposed land use designations, as recommended by the CAC, supporting residential and mixed-use development at low (Corridor Residential), medium (Corridor Mixed Use) and higher (Regional Mixed Use) densities. As proposed by the CAC, the project site was recommended to be designated as Corridor Mixed Use, allowing four- to five-story residential development at 45 to 65 du/ac.

The Draft Specific Plan was presented to City Council for adoption at the June 15, 2021 City Council meeting. At the conclusion of the City Council's consideration of the item, the City Council directed staff to modify the proposed specific Land Use designations to establish reduced height limits and densities as follows: no more than two-stories for Corridor Residential, no more than three stories for Corridor Mixed-Use, and no more than four stories for Regional Mixed-Use. On July 6, 2021, the City Council affirmed their direction for staff to prepare an alternative form of the Specific Plan that reduces densities from the prior draft. At their October 19, 2021 meeting, the City Council again directed staff to proceed with modification of the Specific Plan to include height limits; to continue consideration of the first Draft Specific Plan; and to prepare an analysis comparing the economic feasibility of the two different land use plans. At the time of this staff report, the additional Specific Plan work has been funded within the City's budget, and staff is now initiating a work program to modify the Plan per City Council's direction.

DISCUSSION

The proposed project includes a MND and MMRP (SCH#2022060217); a General Plan Amendment from Community Commercial to High Density Residential, and a Rezone from General Office (OG) to Planned Development (PD) (File No. PLN21-15206). These entitlements together, along with a Density Bonus, would allow construction of a five-story multi-family housing development with 108 affordable rental units at 30 to 50 percent Annual Median Income (AMI) levels, public and resident amenities, 82 surface and garage parking spaces, landscaping, and public and private improvements. The following analysis considers how the proposed project would or would not be consistent with the applicable City policies.

General Plan Conformance

The site is currently designated Community Commercial and is intended for retail and commercial uses that meet local and neighborhood demands. Supported uses include shopping centers and supermarkets, professional offices, medical facilities, banks, restaurants, neighborhood services and gas stations. Development with this designation has a maximum FAR of 0.50 which would allow up to 30,705 square feet of community commercial uses with redevelopment of the project site and zoning consistency. The proposed project involves a General Plan Amendment to High Density Residential, which is intended for residential development from 37 to 50 du/ac adjacent to major transit corridors, transit or mixed-use. Development is foreseen as having an urban feel with mid-rise buildings, structured or below-grade parking, and shared open space.

Density Bonus

The project includes a “super density bonus” to allow higher residential density with development of 100 percent affordable housing pursuant to the State’s Density Bonus Law (Government Code Section 65915, the “DBL”). The intent of the DBL is to facilitate the development of affordable and senior housing; and to provide developers incentives and concessions, such as higher densities, setbacks, and building heights, that allow these housing types to be economically feasible to construct. For 100 percent affordable projects, the DBL provides for a bonus of 80 percent of the number of units for lower income households. For a project building 100% affordable units at the maximum density allowed by the High Density Residential designation, this would allow for a density of up to 90 du/ac. Per Santa Clara City Code Section 18.78.060, a Density Bonus Housing Agreement must be approved prior to the issuance of building permits for the parcel or units.

The proposed project is consistent with existing General Plan Policies as follows:

General Land Use Policies

- 5.3.1-P2: Encourage advance notification and neighborhood meetings to provide an opportunity for early community review of new development proposals.
- 5.3.1-P26: Support a community-initiated planning process so that existing neighborhoods can participate in developing more detailed plans for street, landscape and pedestrian facility improvements.

The applicant has conducted public outreach through meetings with Home Owner Association members residing in the surrounding neighborhood and three virtual community meetings to involve neighboring property owners and interested individuals in the design of the project; as well as to address specific design, environmental and property management concerns. Notices were mailed by the applicant to property owners within 500 feet of the project boundaries and interested parties.

- 5.3.1-P8: Work with property owners to improve or redevelop underutilized and vacant properties.
- 5.3.1-P9: Require that new development provide adequate public services and facilities, infrastructure, and amenities to serve the new employment or residential growth.

The project would redevelop an underutilized and currently unoccupied parcel to construct 108 affordable housing units and serve to the community. The project site is located in an urban environment surrounded by residential, commercial, and public uses, including recreation, and is served by existing public services, facilities, infrastructure, and amenities.

- 5.3.1-P10: Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees at a minimum 2:1 ratio on- or off-site replacement for trees removed as part of the project to help increase the urban forest and minimize the heat island effect.

The proposed development plan includes landscaping of the site and the project frontages with a variety of plant and tree species and would replace the 19 trees removed with redevelopment at greater than the minimum 2:1 ratio requirement with a total of 74 trees.

- 5.3.1-P12: Encourage convenient pedestrian connections within new and existing developments.

The project includes the replacement of the existing sidewalks along the street frontages of the site with a landscape park strip and sidewalk consistent with the Complete Streets design standards. Street trees are proposed within the park strips and incorporate drought tolerant plantings. The tree-lined separated sidewalk is designed to facilitate pedestrian access and link neighboring land uses.

Residential Land Use Policies

- 5.3.2-P1: Encourage the annual construction of the housing units necessary to meet the City's regional housing needs assessment (RHNA) by reducing constraints to housing finance and development.
- 5.3.2-P2: Encourage higher-density residential development in transit and mixed-use areas and in other locations throughout the City where appropriate.
- 5.3.2-P3: Encourage indoor and outdoor private and common spaces as part of all new residential developments, including clustering of units to maximize open space opportunities where appropriate.
- 5.3.2-P6: Provide adequate choices for housing tenure, type and location, including higher density, and affordability for low- and moderate-income and special needs households.
- 5.3.2-P7: Construct and preserve affordable housing for low- and moderate-income households through the use of public subsidies, regulatory incentives, and flexible development standards.
- 5.3.2-P9: Encourage senior, and group residential facilities, and affordable housing developments near neighborhood retail, support services and transit facilities.
- 5.3.2-P10: Create opportunities for affordable housing and housing to support special needs populations, including Extremely Low-Income households.

The project would contribute 108 multi-family residential units to the City's housing stock at 76.6 du/ac in proximity to public transportation and a mixed use corridor with ease of connection to local and regional transit facilities and access to neighborhood and community commercial uses, support services, and outdoor open space and recreation areas. The project would provide housing opportunities for individuals and families with income levels between 30 to 50 percent AMI and assist the City in achieving RHNA targets for production of affordable housing units as mandated by the State. The building footprint and height allow the project to maximize open space and private use by the residents, while providing housing at a higher density, and includes common space that is available to the community.

Transition Policies

- 5.5.2-P1: Require that new development incorporate building articulation and architectural features, including front door, windows, stoops, porches or bay windows along street frontages, to integrate new development into existing neighborhoods.
- 5.5.2-P3: Implement site design solutions, such as landscaping and increased building setbacks to provide a buffer between non-residential and residential uses.
- 5.5.2-P7: For buildings of three stories or greater, increase the setback of upper stories where they abut lower intensity residential uses.

The proposed building is 54'6" in height and is oriented toward the frontage of the property to provide a significant building setback of 67 feet from the neighboring residential property lines and incorporates patios, balconies, doors and windows in the design oriented to look-out onto the public streets and away from the adjoining residential neighborhood. The design also incorporates offsets along the building planes and a mixture of exterior materials and architectural features to create visual offsets and interest in the design to integrate into the surrounding neighborhood.

- 5.5.2-P9: Improve pedestrian amenities, including sidewalks and bicycle paths, to promote neighborhood compatibility.

The project includes pedestrian amenities such as complete street sections with separated tree lined park strips and landscape setbacks behind the sidewalk to link adjacent land uses. The landscape plan for the site also includes an outdoor courtyard at the front of the building (near the entry on Lincoln Street) as common space for resident and community gathering and seating.

- 5.5.2-P11: Restrict loading, trash and noise-generating activities to protect adjacent residential uses.
- 5.5.2-P12: Screen loading and trash areas to preclude visibility from off-site and public streets.

The trash enclosure serving the project is located at the northeast corner of the building inside the podium parking garage and is screened from public view. Pick-up of trash and recycling materials is to occur from Lincoln Street to protect the adjacent residences along the western property line of the project site from noise and disturbances.

Zoning Conformance

The project site is currently zoned for General Office (OG) uses. The OG zoning designation is intended to provide an environment exclusively for and conducive to the development and protection of administrative facilities and business office centers. It is a heavy employment zone bordering and contiguous to the central business area or community and regional commercial area. This zoning district allows a maximum building height of up to 100 feet and lot coverage based on the OG building setback standards (no less than 15 feet along the front and rear of the property and 10 feet along the side property lines) and parking requirements set forth in Chapter 18.74 of the City Code.

The proposed rezone to PD would allow residential development of a 100 percent affordable housing development consisting of 108 apartment units within a five-story structure, on-site parking, resident and public amenities, and site and public right-of-way improvements and landscaping. Chapter 18.54 establishes a process and the requirements for PD zoning districts. PD zoning districts are intended to allow for creative design solutions and land uses not otherwise allowed in standard zoning districts while maintaining compatibility with the existing community. The proposed PD zoning would establish

standards for the multi-family residential development which take into consideration existing and approved land uses and development surrounding the project site.

Site Design and Architecture

The project is a five-story structure designed with podium parking that is wrapped by residential units, tenant amenity services, common areas and building operations on the first floor, with four floors of residential above. The building is oriented toward Lincoln Street and Civic Center Drive and is setback from neighboring homes at a distance of 67 feet by a driveway aisle, perpendicular parking stalls and landscape buffers. An outdoor courtyard is located at the front of the building facing Lincoln Street for tenant and public use that is integrated into the landscaped setback.

The four floors of residential units are divided into two wings that are separated by a shared outdoor area on the second level and linked by bridged corridors. The unit mix includes studio, one-, two-, and three-bedroom apartments with private outdoor patios on the first level and balconies on levels 2 - 5. The average unit size ranges from 379 square feet to 1,139 square feet of living area. The outdoor patios and balconies range in size from 63 square feet to 190 square feet and face the public streets to the east and south and church property to the north; they do not face the residential properties to the west. Rooftop mechanical equipment is screened from view along the public right-of-way by a roof parapet. Maximum building height is 54'6" at the top of parapet.

The proposed building architecture has a modern design aesthetic that is clad with a stucco finish and integrates a mixture of stone veneer, cement board, wood siding into the exterior finish and decorative metal panels and railings to provide textural and visual interest. The use of divided light windows and alternating use of materials provides a rhythmic cohesion and symmetry in the design. Offsets in the building elevations, recessed windows, and varied roof planes provide breaks in mass and scale of the structure.

Circulation and Parking

The existing curb-cut on Civic Center Drive and sidewalks would be replaced with a new curb-cut, two-way drive aisles and separated sidewalks along both frontages that include a tree-lined landscape strip next to the curb and sidewalk behind. Sidewalks along the project frontages and interior to the site would provide pedestrian access to the site and link adjacent land uses.

The driveway on Civic Center Drive serves the surface lot with 32 parking spaces at the rear of the building. The driveway on Lincoln Street provides access to the podium parking garage with 50 vehicle spaces, bike room with 80 bicycle spaces, and access to the trash enclosure. Of the 82 parking spaces provided, eight are identified as electrical vehicle (EV) parking stalls. The number of parking spaces is appropriate for an affordable housing project located adjacent to a major transit stop. In discussions with neighboring residents, Charities Housing has agreed to install an electronic gate across the Civic Center Drive entrance for access to the site and to provide and manage assigned tenant parking.

Landscaping and Open Space

The project includes a landscape plan for the site that incorporates a mixture of plant species and trees for planting the common areas and setbacks, as well as the planter strips fronting the project site. There are 19 trees on-site and all are proposed for removal with project development; 13 of which are protected trees (11 olive trees and two trees greater than 11 inches in diameter as measured from 48-inches from grade). The project includes a tree replacement plan, as part of the

landscape plan, that exceeds the minimum 2:1 requirement with 24-inch box trees for mitigation with 60 trees on-site and 14 street trees along the project frontage, ranging in size from 15 gallon accent trees and 24-inch and 36-inch box specimen trees.

The project provides common open space that is shared specifically for the tenants and open space that is shared with the public. A 6,711 square foot common outdoor open space for active and passive uses is provided on the second level (above the podium) for use by the residents. This area is designed with landscaping, barbecues, break-out space with seating, and recreation area with a ping-pong table. This area is designed to be screened from view by adjacent land uses. A 1,377 square foot Community Room is available for shared use with the public on the first floor and an 8,479 square foot outdoor courtyard at the front of the building (near the entry on Lincoln Street) is a landscaped open space for community gathering and seating.

Conclusion

As discussed above, the proposed project would be consistent with City policies and help to achieve the City's goal of providing much needed affordable housing. Based upon this analysis, staff recommends that the Planning Commission recommend approval of the requested actions.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration was prepared for the project by the environmental consultant firm David J. Powers & Associates, Inc., in accordance with the California Environmental Quality Act (CEQA). The MND and Notice of Availability were posted on the City's website at <https://www.santaclaraca.gov/our-city/departments-a-f/community-development/planning-division/environmental-review-ceqa> and circulated for 30-day review on June 13, 2022 and ending on July 13, 2022, in accordance with CEQA requirements. The Planning Department received agency comments on the MND from Valley Water, Santa Clara Valley Transportation Authority, Department of Toxic Substances Control and public comments from Jamie Lau, Keyhan Sinai, Jean Song and David Bayto which are provided as Attachment 2 to this report, along with responses to comments for review.

The MND examined potential environmental impacts associated with project development and identified air quality, biological, cultural resources, geology and soils, hazards and hazardous materials, and noise impacts that with incorporation of mitigation measures into the project would reduce all potential impacts to less than significant. A detailed discussion of the potential impacts and mitigation measures to be applied to the project are specified in the MND and would be implemented through project conditions of approval and the Mitigation Monitoring and Reporting Program (MMRP) for the proposed project.

FISCAL IMPACT

There is no fiscal impact to the City for processing the requested application other than administrative time and expense typically covered by processing fees paid by the applicant.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

On July 21, 2022, the notice of public hearing for this item was posted in three conspicuous places within 300 feet of the project site and was mailed to property owners within 1,000 feet of the project

site boundaries. A notice of public hearing was also published in the Weekly, a newspaper of general circulation in the City, on July 20, 2022. The Planning Department has received comments on the project and are provided in Attachment 7 to this report for review.

Community Meetings

Virtual public outreach meetings were conducted by Charities Housing on November 10, 2021, June 29, 2022, and July 20, 2022 to engage the neighborhood community in the planning process. Notices of the meeting were mailed by the applicant to property owners within 1,000 feet of the project boundaries and interested parties and was also posted on the City's website. These meetings provided the community the opportunity to convey their concerns to Charities Housing regarding their property management (both past and future); the type and density of housing proposed for the site; five-story building height and shade/shadow effects on neighboring residential properties; driveway access on Civic Center Drive; impacts of reduced parking and off-site parking on Civic Center Drive; construction related impacts and enforcement of mitigation measures to reduce potential impacts; noise from construction and tenants following occupancy; and crime and security.

ALTERNATIVES

1. Adopt a resolution to recommend the City Council adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Civic Center Family Housing Project.
2. Adopt a resolution to recommend the City Council approve a General Plan Amendment from Community Commercial to High Density Residential.
3. Adopt a resolution to recommend City Council approve a Rezone from General Office (OG) to Planned Development (PD) to allow a five-story affordable housing development with 108 rental units, on-site parking and amenities, landscaping, and off-site improvements.
4. Recommend the City Council deny a General Plan Amendment from Community Commercial to High Density Residential.
5. Recommend City Council deny a rezone from General Office (OG) to Planned Development (PD) to allow a five-story affordable housing development with 108 rental units, on-site parking and amenities, landscaping, and off-site improvements.

RECOMMENDATION

Alternatives: 1, 2 and 3

1. Adopt a resolution to recommend the City Council adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Civic Center Family Housing Project.
2. Adopt a resolution to recommend the City Council approve a General Plan Amendment from Community Commercial to High Density Residential.
3. Adopt a resolution to recommend City Council approve a Rezone from General Office (OG) to Planned Development (PD) to allow a five-story affordable housing development with 108 rental units, on-site parking and amenities, landscaping, and off-site improvements.

Prepared by: Debby Fernandez, Associate Planner

Reviewed by: Alexander Abbe, Assistant City Attorney

Approved by: Lesley Xavier, Planning Manager

ATTACHMENTS

1. Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
2. Responses to Comments received on the Mitigated Negative Declaration
3. Resolution Recommending Council Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
4. Resolution Recommending Council Approve the General Plan Amendment
5. Resolution Recommending the Council Approve the Rezone
6. Conditions of Rezoning Approval
7. Public Correspondence
8. Development Plans

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, TO ADOPT THE MITIGATED NEGATIVE
DECLARATION AND THE MITIGATION MONITORING AND
REPORTING PROGRAM FOR THE CIVIC CENTER FAMILY
HOUSING PROJECT LOCATED AT 1601 CIVIC CENTER
DRIVE, SANTA CLARA**

PLN21-15206 (General Plan Amendment and Rezone)
SCH# 2022060217 (Mitigated Negative Declaration)

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on September 2, 2021, Charities Housing (“Owner”) filed a development application for the 1.4- acre site located at 1601 Civic Center Drive, currently developed with a 28,950 square foot two-story office building, surface parking lot and landscaping (“Project Site”);

WHEREAS, the Owner applied for a General Plan Amendment from Community Commercial to High Density Residential and Rezone of the Project Site from General Office (OG) to Planned Development (PD) to allow a 100 percent affordable housing development consisting of 108 multifamily units in a five-story structure with resident amenities, 82 surface and garage parking spaces, landscaping, and public and private improvements (“Project”) as shown on the Development Plans, attached hereto and incorporated herein by this reference;

WHEREAS, the Project approvals will include Resolution No. _____ (“City Council General Plan Amendment ”); Resolution No. _____ (“City Council Rezoning Resolution”); and this California Environmental Quality Act (“CEQA”) Resolution (collectively, the “Approvals”);

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), and the regulations implementing the Act, specifically 14 Cal. Code of Regs § 15070, this Project was determined after an Initial Study to identify potentially significant effects on the environment which could be avoided with the implementation of mitigation measures, resulting in the drafting of a Mitigated Negative Declaration (“MND”) and Mitigation Monitoring and Reporting Program (“MMRP”);

WHEREAS, in conformance with CEQA, the MND was noticed and circulated for a 30-day public review period to the State Office of Planning and Research, Santa Clara County Clerk’s

Office, interested parties, and property owners within 1,000 feet of the Project Site from June 13, 2022 to July 13, 2022, where during that period comment letters were received from the Department of Toxic Substances Control, Valley Water, Santa Clara Valley Transportation Authority and public comments from Jamie Lau, Keyhan Sinai, Jean Song and David Bayto; along with the attached Responses to Comments Received on the MND are made part of the record;

WHEREAS, on November 4, 2022, a newspaper notice for this item was published in *The San Jose Mercury News*, a newspaper of general circulation, for the City Council meeting of November 15, 2022;

WHEREAS, on November 3, 2022, notices of the public meeting for the City Council meeting of November 15, 2022 were posted in three conspicuous locations within 300 feet of the Project Site and mailed to all property owners within 1,000 feet of the Project Site boundaries; and

WHEREAS, on August 3, 2022, the Planning Commission considered the Project, MND, MMRP and all pertinent information in the record including public testimony, at the conclusion of which the Planning Commission voted to recommend that the City Council adopt the MND and MMRP, approve the General Plan Amendment and rezone to allow a 100 percent affordable housing development consisting of 108 multifamily units in a five-story structure with resident amenities, 82 surface and garage parking spaces, landscaping, and public and private improvements; and

WHEREAS, the City Council reviewed the MND prepared for the Project, City staff report pertaining to the MND and all evidence at a duly noticed public hearing on November 15, 2022.

All these documents and evidence are herein incorporated by reference into this Resolution.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. That the City Council hereby finds that all potentially significant environmental impacts that may directly or indirectly result from the Project would be reduced to a less than significant level by the mitigation measures specified in the MND and MMRP.

3. That the City Council hereby finds that the MND is complete, prepared in compliance with CEQA, and represents the independent judgment of the City Council.

4. That the City Council finds that the MND and MMRP completed for this Project has been completed in compliance with CEQA, and that approval of this Project as mitigated will have no significant negative impacts on the area's environmental resources, cumulative or otherwise, as the impacts as mitigated would fall within the environmental thresholds identified by CEQA.

5. That the City Council adopts the MND and MMRP for the Project as required by the CEQA Guidelines (14 Cal. Code of Regs. § 15074).

6. The City Council hereby designates the Planning Division of the Community Development Department as the location for the documents and other material that constitute the record of proceedings upon which this decision is based and designates the Director of Community Development as the custodian of records.

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7. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 15th DAY OF NOVEMBER, 2022, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST:

NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments Incorporated by Reference:

1. Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP)
2. Responses to Comments Received on the MND
3. Development Plans

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT TO
CHANGE THE LAND USE DESIGNATION OF A 1.4-ACRE
PROJECT SITE LOCATED AT 1601 CIVIC CENTER DRIVE,
SANTA CLARA, FROM COMMUNITY COMMERCIAL TO HIGH
DENSITY RESIDENTIAL**

PLN21-15206 (General Plan Amendment and Rezoning)
SCH# 2022060217 (Mitigated Negative Declaration)

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on September 2, 2021, Charities Housing (“Owner”) made an application for a General Plan Amendment in connection with development of a 1.4-acre site located at 1601 Civic Center Drive (APN: 224-49-006), which is currently developed with a 28,950 square foot two-story office building, surface parking lot and landscaping (“Project Site”), in order to change the General Plan Land Use Designation to allow a 100 percent affordable multifamily housing development;

WHEREAS, the General Plan Amendment proposes to change the existing land use designation for the Project Site from Community Commercial to High Density Residential (37 to 50 units per acre);

WHEREAS, Owner has simultaneously applied for a Rezone of the Project Site from General Office (OG) to Planned Development (PD) to allow redevelopment of the project Site with the construction of 106 affordable multifamily dwelling units and two caretaker units, for a total of 108 residential units, in a five-story structure with resident amenities, 82 surface and garage parking spaces, landscaping, and public and private improvements (“Project”);

WHEREAS, Santa Clara City Charter Section 1007 requires that the Planning Commission provide input to the City Council on any proposed General Plan Amendment;

WHEREAS, on August 3, 2022, the Planning Commission conducted a duly noticed public hearing to consider the Project, at the conclusion of which the Commission recommended to the City Council approval of the proposed General Plan Amendment;

WHEREAS, notice of the public hearing on the proposed General Plan Amendment was published in the *San Jose Mercury News*, a newspaper of general circulation, on November 4, 2022 for the City Council meeting of November 15, 2022;

WHEREAS, notices of the public hearing on the General Plan Amendment were mailed to all property owners within 1,000 feet of the property, according to the most recent assessor's roll, on November 3, 2022 for the City Council meeting of November 15, 2022;

WHEREAS, notice was mailed to each local agency expected to provide water, sewage streets, roads, schools, or other essential facilities or services to the project, including the Santa Clara Unified School District, on November 3, 2022;

WHEREAS, Government Code Section 65355 requires the City Council to hold a public hearing prior to adopting a General Plan Amendment;

WHEREAS, before considering the General Plan Amendment for the Project Site, the City Council reviewed and considered the information contained in the Mitigated Negative Declaration ("MND") for the Project (SCH# 2022060217);

WHEREAS, the City Council has reviewed the General Plan Amendment; and

WHEREAS, on November 15, 2022, the City Council has conducted a public hearing, at which time all interested persons were given an opportunity to give testimony and provide evidence in support of and in opposition to the proposed General Plan Amendment.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. General Plan Amendment Findings: That the City Council finds and determines that the General Plan Amendment is in the interest of the public good for the following reasons:
 - A. The proposed amendment is deemed to be in the public interest, in that:

The Project is located in an urbanized area served by existing infrastructure municipal services. The Project would contribute 108 multi-family dwelling units to the City's housing stock in proximity to a mixed use and transportation corridor with access to neighborhood and community commercial uses, support services, local and regional transit facilities, outdoor open space and recreation areas. The Project provides 106 affordable dwelling units to low income households and two market rate caretaker units for on-site management and security. The Project would contribute to the City's housing stock and lessen the jobs/housing imbalance in support of the City's General Plan Land Use and Housing goals and policies. The Project incorporates Transition Policies of the General Plan in site and building design to integrate into the community and would implement project conditions of approval to avoid and reduce impacts of development.

B. The proposed General Plan Amendment is consistent and compatible with the rest of the General Plan and any implementation programs that may be affected, in that:

The Project would redevelop an underutilized and currently unoccupied parcel to construct 108 housing units and provide housing opportunities for individuals and families with income levels between 30 to 50 percent AMI; which support the City's Housing Goals and assist the City in achieving RHNA targets for production of affordable housing units as mandated by the State. The General Plan Amendment to allow residential development along with a density bonus would facilitate affordable housing development on the Project Site through an increase in residential density and building height to make the Project economically feasible to construct. The building footprint and height allow the project to maximize open space and private use by the residents, while providing housing at a higher density, and includes common space that is available to the community.

C. The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA), in that:

A Mitigated Negative Declaration (“MND”) was prepared in accordance with CEQA and the City circulated the MND and Notice of Availability to the public agencies which have jurisdiction by law with respect to the Project, as well as property owners within 1,000 feet of the Project Site and interested persons and organizations; and the City sought the comments of such agencies, organizations and persons.

D. The potential impacts of the proposed General Plan Amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare, in that:

A Mitigation Monitoring and Reporting Program has been prepared for implementation with Project development to reduce potentially significant impacts identified in the MND to less than significant.

3. That the City Council, pursuant to Government Code § 65358, hereby amends the General Plan by changing the General Plan Land Use Designation for the Project Site to High Density Residential (37–50 du/ac) to allow high density residential development on the Project Site.

4. That the City Council hereby amends the General Plan by revising Figures 5.2-2 (“Land Use Diagram, Phase II”) and 5.2-3 (“Land Use Diagram, Phase III”) of Subsection 5.2.2 (“Land Use Classifications and Diagram”) of Section 5.2 (“Land Use Diagram”) of Chapter 5 (“Goals and Policies”) of the General Plan, to reflect the General Plan land use change.

5. That based on the findings set forth in this Resolution and the evidence in the City Staff Report and such other evidence as received at the public hearing on this matter the City Council approves the General Plan Amendment.

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6. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 15th DAY OF NOVEMBER, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, TO APPROVE A REZONING FROM GENERAL
OFFICE (OG) TO PLANNED DEVELOPMENT (PD) TO ALLOW
A RESIDENTIAL DEVELOPMENT CONSISTING OF 108
DWELLING UNITS LOCATED AT 1601 CIVIC CENTER DRIVE,
SANTA CLARA**

PLN21-15206 (General Plan Amendment and Rezone)
SCH# 2022060217 (Mitigated Negative Declaration)

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on September 2, 2021, Charities Housing (“Owner”) filed a development application for the 1.4 acre parcel located at 1601 Civic Center Drive (APN: 224-49-006), which is currently developed with a 28,950 square foot two-story office building, surface parking lot and landscaping (“Project Site”);

WHEREAS, the Owner simultaneously applied for a General Plan Amendment from Community Commercial to High Density Residential and Rezone of the Project Site from General Office (OG) to Planned Development (PD) to allow an affordable housing development consisting of 108 multifamily units in a five-story structure with resident amenities, 82 surface and garage parking spaces, landscaping, and public and private improvements (“Project”), as shown on the Development Plans, attached hereto and incorporated herein by this reference;

WHEREAS, a rezone of the property from OG to PD is required to allow creative development standards for site and building design, that are not otherwise allowed in standard zoning districts, to construct 106 affordable housing units at 30 to 50 percent AMI and two market rate caretaker units for on-site management and security;

WHEREAS, in conformance with CEQA, the Mitigated Negative Declaration (MND) prepared for the Project was noticed and circulated for a 30-day public review period from June 13, 2022 to July 13, 2022;

WHEREAS, the MND identified potential significant impacts of Project development that with implementation of the mitigation measures identified in the Mitigation Monitoring and Reporting Program (“MMRP”) will reduce potential mitigation measures to less than significant and will be incorporated into the Project;

WHEREAS, Santa Clara City Code (SCCC) Section 18.112.030 provides for the review and recommendation of the City’s Planning Commission of all rezoning requests before action is to be taken by the City Council;

WHEREAS, on August 3, 2022, the Planning Commission held a duly noticed public hearing to consider the Project, MND, MMRP and all pertinent information in the record, including public testimony, at the conclusion which the Planning Commission voted to recommend that the City Council adopt the MND and MMRP, approve the General Plan Amendment and rezoning to allow an affordable housing development consisting of 108 multifamily units in a five-story structure with resident amenities, 82 surface and garage parking spaces, landscaping, and public and private improvements;

WHEREAS, notices of the November 15, 2022 City Council hearing on the proposed rezoning were mailed to all property owners within 1,000 feet of the property, according to the most recent assessor’s roll, and posted in three conspicuous locations within 300 feet of the property, on November 3, 2022; and

WHEREAS, on November 15, 2022, the City Council held a duly noticed public hearing to consider the Rezoning application, at which time all interested persons were given an opportunity to give testimony and evidence offered in favor and in opposition to the Project.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. That the City Council hereby rezones the Project Site from OG to PD to allow development of the Project, as shown on the attached Development Plans and conditioned as specified in the attached Conditions of Rezoning Approval, incorporated herein by this reference.

3. Pursuant to SCCC Code Section 18.112.050, the City Council determines that the following findings exist in support of the rezoning:

A. The existing zoning is inappropriate or inequitable in that, the existing zoning for the Project Site does not allow for residential development and the creation of housing opportunities envisioned by the 2010-2035 General Plan. A PD zoning of the Project Site to allow residential development would implement the General Plan's Land Use and Housing goals and policies to provide affordable housing in proximity to existing residential, neighborhood and community commercial uses, support services, local and regional transit facilities, outdoor open space and recreation areas.

B. The proposed zone change will conserve property values, protect or improve the existing character and stability of the area in question, and will promote the orderly and beneficial development of such area, in that the proposal redevelops an underutilized commercial parcel for residential development that incorporates Transition Policies of the General Plan for site and building design, on- and -off-site improvements to integrate into the community, and would implement project conditions of approval to avoid and reduce impacts of development.

C. The proposed zone change is required by public necessity, public convenience, or the general welfare of the City in that the proposed zone change would allow for high density residential development within a five-story structure, managed on-site parking and security, tenant private and common open space, and community space for outdoor public gathering and indoor meeting space. Construction of the project would contribute to the City's housing

inventory and assist in production of affordable housing units to achieve RHNA targets as mandated by the State.

D. The proposed zone change would allow imaginative planning and design concepts to be utilized that would otherwise be restricted in other zoning districts in that the proposed zone change would allow flexibility in the development standards to minimize building footprint and increase building height to provide high density housing with tenant private and common open space that is significantly setback from neighboring residences, and that also provides common space that is available for public use.

4. That based on the findings set forth in this resolution and the evidence in the City Staff Report, MND and MMRP, the City Council rezones the Project Site to allow a 108 multifamily dwelling units consisting of 106 affordable units at 30 to 50 percent AMI and two market rate caretaker units in a five-story structure with resident amenities, 82 surface and garage parking spaces, landscaping, and public and private improvements, as shown on the attached Development Plans and conditioned as specified in the attached Conditions of Rezoning Approval.

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5. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 15th DAY OF NOVEMBER, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

Attachments Incorporated by Reference:

1. Rezone Conditions of Approval
2. Development Plans

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

CIVIC CENTER FAMILY HOUSING PROJECT

CONDITIONS OF REZONE APPROVAL

GENERAL

- G1. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
- G2. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

- A1. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

BUILDING DIVISION

- BD1. Informational: Prior to overall construction permit application, submit to the Santa Clara Building Division, 2 copies of an addressing diagram request, to be prepared by a licensed architect or engineer. The addressing diagram(s) shall include all proposed streets and all building floor plans. The addressing diagram(s) shall conform to Santa Clara City Manager Directive #5; Street Name and Building Number Changes, and Santa Clara Building Division Address Policy For Residential and Commercial Developments. The addressing diagram(s) shall indicate all unit numbers to be based off established streets, not alleys nor access-ways to garages. Allow a minimum of 10 working days for initial staff review. Please note city staff policy that existing site addresses typically are retired. Provide digital pdf printed from design software, not scanned from printed paper sheet.
 - o Any building or structure that is demolished shall have its address retired and a new address/s shall be issued for the project.
- BD2. Informational: The construction permit application drawings submitted to the Santa Clara Building Division shall include a copy of the latest Federal Emergency Management Agency (FEMA) Flood Zone Map: <https://msc.fema.gov/portal/home>. The project drawings shall indicate how the project complies with the Santa Clara Flood Damage Prevention Code.
 - FEMA Flood Zone map designations and requirements are based on the map in effect at date of Building Permit issuance.
- BD3. Informational: The construction permit application drawings submitted to the Santa Clara Building Division shall include Santa Clara Valley Urban Runoff Pollution Prevention Program Low Impact Development (LID) practices http://www.scvurppp-w2k.com/nd_wp.shtml. All projects that disturb more than one acre, or projects that are part of a larger development that in total disturbs more than one acre, shall comply with the Santa Clara Valley Urban Runoff Pollution Prevention Program Best Management Practices (BMP): http://www.scvurppp-w2k.com/construction_bmp.shtml, and shall provide a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD). All site drainage and grading permit applications submitted to the Santa Clara Building Division shall include a city of Santa Clara "C3" data form, available on this web page: <https://www.santaclaraca.gov/our-city/departments-g->

[z/public-works/environmental-programs/stormwater-pollution-prevention](#) and will be routed to a contract consultant for review.

- BD4. Informational: no California construction code review is being done at this time. The construction permit application drawings submitted to the Santa Clara Building Division shall include an overall California Building Code analysis, including; proposed use and occupancy of all spaces (19' CBC Ch. 3), all building heights and areas (19' CBC Ch. 5), all proposed types of construction (19' CBC Ch. 6), all proposed fire and smoke protection features, including all types of all fire rated penetrations proposed (19' CBC Ch. 7), all proposed interior finishes fire resistance (19' CBC Ch. 8), all fire protection systems proposed (19' CBC Ch. 9), and all means of egress proposed (19' CBC Ch. 10). -Noncombustible exterior wall, floor, and roof finishes are strongly encouraged.
- During construction retaining a single company to install all fire rated penetrations is highly recommended.
 - The grade level lobbies shall be min. 1 hour rated all sides and above.
 - All stair shafts shall be min. 1 hour rated.
 - All elevator shafts shall be min. 1 hour rated.
 - All trash chute shafts shall be min. 1 hour rated.
 - Recommendation: provide a minimum of two trash chutes; one for recyclables, one for trash, each trash chute to be routed down to a grade level trash collection room.
 - Any trash rooms shall be min. 1 hour rated all sides and above.
- BD5. Informational: The overall project construction permit application shall include the geotechnical, architectural, structural, energy, electrical, mechanical, and plumbing drawings and calculations. Prior to the issuance of the overall project construction permit, a conditions of approval review meeting must be held in city hall, which meeting must be attended by the on-site field superintendent(s). The meeting will not be held without the attendance of the on-site field superintendent(s). The on-site grading permit shall be a separate permit application to the Building Division.
- BD6. Informational: Temporary Certificates of Occupancy will not be routinely issued and will be considered on a very limited basis only when there is a clear and compelling reason for city staff to consider a TCO. A TCO will be approved only after all applicable City staff have approved in writing; Planning, P.W./ Engineering, Fire Prev., Santa Clara Water, Silicon Valley Power, and any other applicable agencies such as the Santa Clara County Health Dept., with the Building Division being the final approval of all TCO.'s.
- BD7. See Title 15 of the Santa Clara City Code for any amendments to the California Building Codes.
- BD8. This project is subject to the provisions of the City of Santa Clara 2022 Reach Code, effective January 2022 See Ordinance No. 2034 and/or Title 15 of the Santa Clara City Code.
- Chp. 15.36 – Energy Code for “all electric” provisions for new construction.
 - i. Subject to CA Energy Commission acceptance and approval and on this project’s entitlement date.
 - Chp. 15.38 – Green Building Code for additional Electric Vehicle Charging requirements for new construction.

HOUSING & COMMUNITY SERVICES DIVISION

- H1. The applicant’s current housing development proposal of 106 affordable units meets the City’s Affordable Housing Ordinance requirements. Prior to issuance of Building Permits, the Developer shall enter into an Affordable Housing Agreement (AHA) with the City that will determine the affordable rents and apply all terms and covenants guaranteeing the

prescribed affordability, to the satisfaction of the Director of Community Development. Satisfaction of the affordable housing obligation shall be memorialized in the AHA and subject to City Council approval. There will be a fee for the AHA preparation in the amount of \$5113 that will be due prior to execution of the AHA. Additionally, there is an annual monitoring fee per affordable unit in the amount \$119. Please note all fees are based on the current Municipal Fee Schedule in effect at the time the project is approved. The adopted fees for FY2022-23 are \$5,610 for the AHA preparation and \$122 for annual monitoring fee per affordable unit. The new fee will be effective July 1, 2022.

PLANNING DIVISION

- P1. It shall be the developer's responsibility through his engineer to provide written certification that the drainage design for the subject property will prevent flood water intrusion in the event of a storm of 100-year return period. The developer's engineer shall verify that the site will be protected from off-site water intrusion by designing the on-site grading and storm water collection system using the 100-year hydraulic grade line elevation provided by the City's Engineering Department or the Federal Flood Insurance Rate Map, whichever is more restrictive. Said certification shall be submitted to the City Building Inspection Division prior to issuance of building permits.
- P2. The project site is located in Seismic Hazard Zone as identified by the State Geologist for potential hazards associated with liquefaction, pursuant to the Seismic Hazard Mapping Act (Div.2 Ch7.8 PRC), and the developer shall prepare and submit a geotechnical hazards investigation report acceptable to the City of Santa Clara Building Official prior to issuance of permits.
- P3. Obtain required permits and inspections from the Building Official and comply with the conditions thereof. If this project involves land area of one acre or more, the developer shall file a Notice of Intent (NOI) with the State Water Resources Control Board prior to issuance of any building permit for grading, or construction; a copy of the NOI shall be sent to the City Building Inspection Division. A storm water pollution prevention plan is also required with the NOI.
- P4. Submit as-built on-site plans prepared by a registered civil engineer showing all utilities serving the subject property.
- P5. Submit plans for final architectural review to the Planning Division and obtain architectural approval prior to issuance of building permits. Said plans to include, but not be limited to: site plans, floor plans, elevations, landscaping, lighting and signage.
- P6. Submit complete landscape plans, including irrigation plan and composite utility and tree layout overlay plan, for Planning review and approval with installation of required landscaping prior to the issuance of occupancy and or final building permits. Landscape plan to include type and size of proposed trees. Type and size of tree replacement on project site shall be at the direction of the City Arborist and require Planning review and approval. Coordinate with the Street Department and City Arborist for the type, location, installation and maintenance of street trees fronting the project site along the public right-of-way. Installation of root barriers and super-soil may be required with the installation of trees where electric, water, and sewer utilities are in proximity.
- P7. The overlay plan is to show the location of all utilities, storm drains, catch basins, sewer mains, joint trenches, building footprints, driveways, walkways, and trees. Trees are required to be 10' from public water, storm and sewer facilities unless a City approved Tree Root Barrier (TRB) is used. If a City approved TRB is used the TRB must be a minimum of five feet from the public water, storm and sewer facility with the tree behind the TRB and specified on the plan. Landscaping installation shall meet City water conservation criteria in a manner acceptable to the Director of Planning and Inspection.

- P8. Developer is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- P9. Prior to issuance of a demolition permit, Developer/Owner shall have an asbestos survey of the proposed site performed by a certified individual. Survey results and notice of the proposed demolition are to be sent to the Bay Area Air Quality Management District (BAAQMD). No demolition shall be performed without a demolition permit and BAAQMD approval and, if necessary, proper asbestos removal.
- P10. The developer shall submit a truck hauling route for demolition, soil, debris and material removal, and construction to the Director of Planning and Inspection for review and approval prior to the issuance of demolition and building permits.
- P11. Construction activity not confined within a building shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and not permitted on Saturdays and Sundays for projects within 500 feet of a residential use. Construction activity confined within a building shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. Saturdays for projects within 500 feet of a residential use and prohibited on Sundays. Construction activity shall not be allowed on recognized State and Federal holidays.
- P12. The project shall comply with the mitigation measures identified in the Civic Center Family Housing Project Mitigated Negative Declaration and Mitigation Measures and Reporting Program.
- P13. Charities Housing to include transit pass upon request for each tenant.
- P14. Charities Housing to continue community outreach with neighbors with oversight program provided by Applicant to the satisfaction of Director of Community Development.
- P15. Designate a ride share area within the project site to the satisfaction of Director of Community Development.
- P16. Include venue for display of public art with consideration towards Native American artists.
- P17. Give serious consideration to establishing a shared parking arrangement with commercial and City buildings in area.
- P18. Failure by developer or any contractor to comply with mitigation measures or other conditions (including, but not limited to, emissions, noise, street cleaning, and dust control) will subject the developer to code enforcement under the City Code.
- P19. Charities shall install a security system approved by the Director of Community Development, with security to be recorded and monitored with approximately 50 cameras. At the Director's discretion, monitoring may be required to be conducted in real-time by security personnel.

FIRE

- F1. Fire apparatus access roadways shall be provided so that all portion of an exterior wall of the first story of the buildings are located more than 150 feet from fire apparatus access as measured by an approved route around the exterior of the building. Ariel access roadways shall be located a minimum of 15 feet and a maximum of 30 feet from the protected building, or the project team will be required to mitigate the lack of compliance. If these conditions cannot be met the project team will be required to complete an Alternative materials, design and methods of construction and equipment application. The required mitigation measure will be determined by the Fire Department.
- F2. At time of Building Permit application provide documentation to show the minimum required fire-flow for the building based on the construction type and square footage in accordance with the California Fire Code, Appendix B, Table B105.1 can be met. A 75%

reduction in fire-flow is allowed with the installation of a automatic fire sprinkler system designed in accordance with California Fire Code § B105.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (or 1,000 gallons per minute for NFPA 13 fire sprinkler systems) minute for the prescribed duration.

- F3. At time of Building Permit application, the required number, location and distribution of fire hydrants for the building based on the California Fire Code, Appendix C, Table C102.1 shall be incorporated into the construction documents. The required number of fire hydrants shall be based on the fire-flow before the reduction.
- F4. At time of Building Permit application, construction documents for proposed fire apparatus access, location of fire lanes and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the Fire Prevention and Hazardous Materials Division.
- F5. Prior to the start of construction, fire protection water supplies shall be installed and made serviceable prior to the time of construction or prior to combustible materials being moved onsite, unless an approved alternative method of protection is approved by the Fire Prevention and Hazardous Materials Division.
- F6. At time of Building Permit application, construction documents for the fire department apparatus access roads are required submitted to the Fire Prevention and Hazardous Materials Division. Access roadways shall be provided to comply with all of the following requirements:
 - a. Fire apparatus access roadways shall be provided for every facility, building, or portion of a building hereafter constructed or moved when any portion of an exterior wall of the first story of the building is located more than 150 feet from fire apparatus access as measured by an approved route around the exterior of the building.
 - b. Fire apparatus access roadways shall have a “minimum” width of a fire apparatus access roadway for Engines is 20 feet. The “minimum” width of roadways for aerial apparatus is 26 feet. Aerial access roadways shall be located a minimum of 15 feet and a maximum of 30 feet from the protected building and the sides of the building requiring access shall be approved by the Fire Department. Trees, overhead wiring, etc. shall not conflict with any means of fire department access.
 - c. Fire access roadways shall have a “minimum” unobstructed vertical clearance of not less than 13 feet 6 inches. Aerial apparatus access roads may require additional vertical clearance.
 - d. Fire access roadways shall All fire department access roadways shall be an all-weather surface designed to support the imposed load of fire apparatus with a gross vehicle weight of 75,000-pounds.
 - e. Fire apparatus access roadways shall have a “minimum” inside turning radius for fire department access roadways shall be 36 feet or greater.
 - f. Dead-end fire apparatus access roadways in excess of 150 feet in length shall be provided with approved provisions for turning around.
 - g. Traffic calming devices are not permitted on any designated fire access roadway, unless approved by the Fire Prevention & Hazardous Materials Division.
 - h. All Fire Department Access roadways shall be recorded as an Emergency Vehicle Access Easement (EVAE) on the final map. No other instruments will be considered as substitutions such as P.U.E, ingress/egress easements and/or City right-of-way.
 - i. All gates installed on designated fire department access roads are required to electrically automatic powered gates. Gates shall be provided with an emergency battery power supply, or shall be a fail-safe design, allowing the gate to be pushed open without the use of special knowledge or equipment. To control the

automatic gates a detector/strobe switch shall be installed to allow emergency vehicles (e.g., fire, police, ems) to flash a vehicle mounted strobe light towards the detector/strobe switch, which in turn overrides the system and opens the gate. The gates shall be equipped with a TOMAR Strobe Switch or 3M OPTICOM Detector to facilitate this override. Said device shall be mounted at a minimum height of seven feet (7') above the adjacent road surface and is subject to an acceptance test witnessed by the Fire Department prior to final approval of the project.

- F7. Provisions shall be made for Emergency Responder Radio Coverage System (ERRCS) equipment, including but not limited to pathway survivability in accordance with Santa Clara Emergency Responder Radio Coverage System Standard.
- F8. Prior to issuance of a Building Demo Permit, Steps 1 through 3 summarized below must be addressed during the planning phase of the project. Submit Phase II environmental documents:
- a. **Step 1** – Hazardous Materials Closure (HMCP): This is a permit issued by the Santa Clara Fire Department, Fire Prevention & Hazardous Materials Division. Hazardous materials closure plans are required for businesses that used, handled, or stored hazardous materials. While required prior to closing a business this is not always done by the business owner, and therefore should be part of the developer's due diligence. The hazardous materials closure plans demonstrate that hazardous materials which were stored, dispensed, handled, or used in the facility/business are safely transported, disposed of or reused in a manner that eliminates any threat to public health and environment.
 - b. **Step 2** – Site Mitigation: Site mitigation is the cleanup or management of chemical contaminants in soil, soil vapor or groundwater. The type and extent of contamination on site(s) governs which of the regulatory agencies noted below will supervise the cleanup.
 - Santa Clara Fire Department, Fire Prevention & Hazardous Materials Division (CUPA)
 - Department of Toxic Substances Control (DTSC)
 - State Water Resources Control Board
 - Santa Clara County, Department of Environmental Health.
 - c. **Step 3** – Community Development, Building Division Demolition Application: For the majority of projects within the City of Santa Clara, Steps 1 and/or 2 described above need to be completed prior to proceeding to demolition application in order to avoid permit approval delays. The purpose of a demolition permit is to ensure that the parcel is clear of debris and other health hazard material (lead, asbestos, etc.) and that the utility connections have been plugged and sealed."

If the project intends to contract with a State or County Agency for onsite/offsite environmental remediation activities the following documentation shall be provided to the Fire Prevention & Hazardous Materials Division prior to issuance of a Building Permit for demolition or grading:

- Oversight agency case number; and
- Oversight managers contact name, phone number.

PARKS & RECREATION

- PR1. This review assumes the Project is not a subdivision and the Mitigation Fee Act (MFA) provisions will apply. The project will generate an estimated 259 residents (2.4 persons/household x 108 units). Based on the MFA standard of 2.6 acres/1000 residents, the amount of public parkland required for this Project to mitigate the impact of the new resident demand is approximately .05728-acres with a 15% credit applied for

this 100% affordable project. The equivalent fee due in lieu of parkland dedication is therefore \$3,388,154 with a 15% credit applied for this 100% affordable project.

- PR2. In lieu fees imposed under Chapter 17.35 shall be due and payable to the City prior to issuance of a building permit for each dwelling unit.
- PR3. Calculations may change if the number of units change, if any areas do not conform to the Ordinance and City Code Chapter 17.35, and/or if the fee schedule for new residential development fees due in lieu of parkland dedication changes before this Project is deemed complete by Planning.
- PR4. Dwelling Unit Tax. A dwelling unit tax (DUT) is also due based on the number of units and additional bedrooms per City Code Chapter 3.15. The Project mix includes 25 studio units, 28 one-bedroom units, 26 two-bedroom units, and 29 three-bedroom units for a total DUT of \$2,040.

POLICE

- PD1. The property should be fenced off during demolition and construction as a safety barrier to the public and deterrent to theft and other crime. Consider not having any screening material on the fence so passing Police Patrol checks will be able to see into the site.
- PD2. Address numbers should be a minimum of twelve (12) inches in height for commercial or industrial buildings. Consider illuminated numbers during the hours of darkness, and in a color that is contrasting to the background material. They shall be clearly visible from the street. Where multiple units or buildings occupy the same property, each unit/building address shall be clearly visible. A monument sign, preferably at all entrances to the property, should be prominently displayed showing all unit/building numbers, addresses, etc. A map is recommended for large complexes with multiple streets or walkways.
- PD3. In a development where there is an alley, driveway, etc. providing a rear entrance or access, the address shall be displayed to both the front and rear of the individual buildings. Where an alley, driveway, etc. provided vehicular access, address numbers shall be clearly visible from that access.
- PD4. Residences with rear alley entrance doors shall be numbered with the same address numbers or suite numbers as the front doors. Numbers that are a minimum height of 4" are recommended.
- PD5. There shall be positioned near the entrance an illustrative diagram of the complex, which shows the location of the viewer and unit designations within the complex, including separate building designations. This diagram shall be illuminated and should be protected by vandal and weather resistant covers.
- PD6. Each distinct unit within the building shall have its address displayed on or directly above both front and rear doors.
- PD7. When there is an alley or driveway to the rear of the residential, business or commercial establishment that provides pedestrian or vehicle access, that area should be fenced and locked after hours. A 'Knox Box' or key coded system shall be used for police and fire emergency access.
- PD8. Landscaping should follow the National Institute of Crime Prevention standards. That standard describes bushes/shrubs not exceeding 2' in height at maturity, or maintained at that height, and the canopies of trees should not be lower than 6' in height. Crime deterrent vegetation is encouraged along the fence and property lines and under vulnerable windows.
- PD9. Lighting for the project to be at the IES (Illuminating Engineering Society of North America) standards and include the features listed below:
white light source, pedestrian scale, full cut-off or shoebox design, unbreakable exterior tamperproof housings, wall mounted lights/10' high. These features increase natural

- surveillance, support and/or enhance security camera capabilities, and increase Police Patrol effectiveness.
- PD10. Any required enclosure fencing (trash area, utility equipment, etc.) would preferably be see-thru. If for aesthetic reasons prohibit that, the fencing should have a six (6) inch opening along the bottom for clear visibility. Any gates or access doors to these enclosures should be locked.
- PD11. If the project includes any benches, these benches should not be longer than 5 feet in length and should have arm rests at both ends. If the benches are longer than 5 feet in length, there should be a divider (arm rest or similar) in the middle of the bench in addition to the arm rests on both ends. This helps prevent unlawful lodging and/or skateboarding. Another option to benches could be cubes, knee walls, or other creative types of seating possibilities.
- PD12. The developer should install skate stoppers on any low clearance wall of 36 inches in height or lower to prevent vandalism/damage to the wall from skateboarding or similar activities. If there is outdoor seating associated with a restaurant or similar business which is near vehicle parking stalls, the outdoor space will be designed to ensure the safety of the public from possible vehicular related incidents.
- PD13. All exterior doors should be adequately illuminated at all hours with their own light source.
- PD14. All construction of dwelling units shall conform to the requirements of the Uniform Building Security Code as adopted by the City of Santa Clara City Council.
- PD15. All elevators should be well lit and equipped with a security mirror to provide interior and exterior visibility prior to entry or exit.
- PD16. Consider convex mirrors for elevator cabs and at stairwell landings in order to enhance natural surveillance for the user of the elevator or stairs. It is highly desirable to design an elevator shaft and cab to be transparent, making occupants of the cab visible from the outside. All elevators should be well lit and equipped with a security mirror to provide interior & exterior visibility prior to entry or exit.
- PD17. Other line of sight obstructions (including recessed doorways, alcoves, etc.) should be avoided on building exterior walls and interior hallways.
- PD18. The installation and use of interior and exterior security cameras and recording devices is highly encouraged.
- PD19. The parking structure/site should be equipped with a centrally located emergency panic alarm system that reports to a central office. If more than one button/call station is installed, the emergency system should always be in visual distance from another emergency call station. There should not be more than 300 feet separating each call station, which is the current industry standard.
- PD 20. Exterior stairs shall be open style whenever structurally possible. The stairs should be well lit.
- PD21. "White" light meeting the IES standard should be considered. There should be no "dark" areas inside the structure.
- PD22. The interior of the parking structure should be painted a light, highly reflective color. This increases the natural lighting available and can help prevent dark areas that attract criminal activity.
- PD23. All entrances to the parking areas (structure, surface, subterranean, etc.) shall be posted with appropriate signage to discourage trespassing, unauthorized parking, etc. (See California Vehicle Code section 22658(a) for guidance)
- PD24. Alcoves and other visual obstructions that might constitute a hiding place should be eliminated whenever structurally possible. Pillars, columns, and other open construction should be considered over a solid wall design.

- PD25. Consider storage, maintenance, and trash rooms within the parking garage having doors which cannot be locked from the inside and that close and lock quickly and automatically upon exit.
- PD26. A Coded Entry System is required for police access to enclosed parking lots and gated communities. This can be accomplished with a coded keypad system or the Police Department Knox Box key system. We understand security is a prime concern for the tenants of the project, which necessitates some sort of secure building and admittance process. By having either of these secure access systems for law enforcement, it will allow us to better respond to emergency situations should they arise in the development. Examples of these systems can be reviewed at the following projects: 2585 El Camino Real (Coded keypad access) and 3555 Monroe Street (Knox box key access).
- PD 27. Public Safety Radio Systems Penetration Guidelines have been established by the City of Santa Clara Communications Department for radio signal penetration during emergencies. The developer is advised that the project may be required to install equipment for adequate radio coverage for the City of Santa Clara Radio communications System, including but not limited to Police & Fire emergency services. The developer should contact the director of communications at (408) 615-5591 (for high rises).
- PD 28. When in the opinion of the fire code official, a new structure obstructs the line of sight of emergency radio communications to existing buildings or to any other locations, the developer of the structure shall provide and install the radio retransmission equipment necessary to restore communications capabilities. The equipment shall be located in an approved space or area within the new structure.
- PD29. Applicant shall contact the Santa Clara Police Department "Permits" unit (408-615-4868) for regulated activity special licensing requirements.
- PD30. Applicant shall contact the Santa Clara Police Department "Intelligence" unit (408-615-4849) for entertainment permit requirements.
- PD 31. All business or commercial establishments, of whatever nature, should have a comprehensive internal security plan, tailored to the specific use. This should include, but not limited to, employee security during working hours, after hours security, disaster preparation, etc. For retail uses, especially where there is cash on hand, robbery and cash security protocols should be established. Applicants are encouraged to contact the Santa Clara Police Department's Community Services Unit (408-615-4859) for assistance.
- PD 32. A Coded Entry System is required for police access to enclosed parking lots and gated communities. This can be accomplished with a coded keypad system or the Police Department Knox Box key system. We understand security is a prime concern for the tenants of the project, which necessitates some sort of secure building and admittance process. By having either of these secure access systems for law enforcement, it will allow us to better respond to emergency situations should they arise in the development. Examples of these systems can be reviewed at the following projects: 2585 El Camino Real (Coded keypad access) and 3555 Monroe Street (Knox box key access) ****KNOX Box/Coded keypad per building, gated parking garages, pool area etc...
- PD33. The developer shall meet the City of Santa Clara's guidelines established for radio signal penetration, detailed in the Communications Department's Public Safety Radio System Building Penetration Guidelines. The intended use of telecommunications sites shall be clearly and accurately stated in the use permit. The signal, of whatever nature, of any communications facility or system, shall in no way whatsoever interfere with or affect any police communication or police communication system.
- PD34. Public Safety Radio Systems Penetration Guidelines have been established by the city of Santa Clara Communications Department for radio signal penetration during

emergencies. The developer is advised that the project may be required to install equipment for adequate radio coverage for the City of Santa Clara Radio communications System, including but not limited to Police & Fire emergency services. The developer should contact the director of communications at (408) 615-5571. (for high rises)

- PD35 Applicant shall install signage to prevent theft from vehicles in the parking lots. In addition, the use of quality lighting, installation of high-quality video cameras/recorders, and license plate readers are highly encouraged to prevent thefts from vehicles.

PUBLIC WORKS

ENGINEERING

- E1. Obtain site clearance through Public Works Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Public Works Department at (408) 615-3000 for further information.
- E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be submitted within a Single Encroachment Permit to be reviewed and issued by the City Public Works Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. Submit public improvement/encroachment permit plans prepared in accordance with City Public Works Department procedures which provide for the installation of public improvements directly to the Public Works Department. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of final map and/or issuance of building permits.
- E4. Existing non-standard or non-ADA compliant frontage improvements shall be replaced with current City standard frontage improvements as directed by the City Engineer or his designee.
- E5. Damaged curb, gutter, and sidewalk within the public right-of-way along property's frontage shall be repaired or replaced (to the nearest score mark) in a manner acceptable to the City Engineer or his designee. The extents of said repair or replacement within the property frontage shall be at the discretion of the City Engineer or his designee.
- E6. The sanitary sewer (SS) discharge information (i.e., building use, square footage, point of connection to the public system, and 24-hour average and peak SS flow graphs for the peak day, showing average daily and peak daily SS flows) submitted by the developer was analyzed and determined that there should be enough SS conveyance capacity to accommodate the proposed development without adding it to the City's Sanitary Sewer Hydraulic Model (SSHM).
- E7. The sanitary sewer mains serving the site not included in the Sanitary Sewer Hydraulic Model were monitored in the field by the developer at developer's expense to evaluate proposed development impact to said sanitary sewer mains. The Sanitary Sewer Monitoring Report determined there should be sufficient SS conveyance capacity to accommodate the proposed development.
- E8. Developer shall provide a complete storm drain study for the 10-year and 100-year storm events. The grading plans shall include the overland release for the 100-year storm event and any localized flooding areas. System improvements, if needed, will be at developer's expense.
- E9. All storm drain mains and laterals, sanitary sewer mains and laterals shall be outside the drip line of mature trees or 10' clear of the tree trunk whichever is greater.

- E10. Provide root barriers when the drip line of the mature trees covers the sidewalk. Root barriers for sidewalk protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 1.5' deep, and centered on trees. Root barriers for curb and gutter protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 2' deep, and centered on trees.
- E11. Dedicate required on-site easements for any new sidewalk, public utilities and/or emergency vehicle access by means of subdivision map or approved instrument at time of development.
- E12. Dedicate a sidewalk easement for the sidewalk and driveway portions within private property and pay the easement preparation fee. Sidewalk easement shall be 1' behind proposed back-of-walk if there is landscaping behind sidewalk and/or at the proposed back-of-walk with a cold joint if there is hardscape concrete behind sidewalk.
- E13. Entire width of Civic Center Drive and Lincoln Street shall be treated with minimum 2" overlay with dig-outs along the entire project frontage.
- E14. Developer shall locate the proposed CATV line shown on Civic Center adjacent and just to the north of the existing water line near the western driveway to the joint trench outside of the blacktop.
- E15. A transportation impact analysis is not required as the project is not expected to generate over 100 net new AM or PM peak hour trips.
- E16. A VMT analysis is not required as the project is 100% affordable housing.
- E17. Traffic improvements must comply with the City of Santa Clara Standard Specifications for Public Works Construction.
- E18. Residential bicycle parking shall be 36 Class I spaces and 7 Class II spaces per 2007 VTA Bicycle Technical Guidelines. Class I and Class II bicycle parking, as defined in SCMC 18.74.075, shall be conveniently accessible from the street, within 200 feet of a building entrance and/or highly visible area.
- E19. Design and construct a minimum 5-foot wide sidewalk along Lincoln Street and Civic Center project frontages.
- E20. Improvements within 10 feet of a driveway must be less than 3 feet or greater than 10 feet per City Standard Detail TR-9. Please show intersection and driveway triangle of safety on site plan as shown in City Standard Detail TR-9.
- E21. All proposed driveways shall be ADA compliant per City Standard ST- 8.
- E22. Design and construct two curb ramps at Lincoln Street/Civic Center Drive in accordance with Caltrans Std Plan A88A, Case A. Only one Case A is currently being shown on the site plan, please revise.
- E23. Unused driveways in the public right-of-way shall be replaced with City standard curb, gutter, and sidewalk per City Standard Detail ST-12.
- E24. Provide ADA walkway connecting the proposed buildings to public sidewalk.
- E25. On-street parking shall not be counted toward on-site parking requirements.
- E26. A bulb-out shall be installed at the NW corner of Lincoln Avenue and Civic Center Drive.

STREETS DIVISION

Landscape

- L1. Include City of Santa Clara Tree Preservation/City Arborist specifications on all improvement plans.
- L2. No cutting of any part of private trees, including roots, shall be done without securing prior approval of the City Arborist. Tree trimming/removal shall be done in accordance to the City of Santa Clara Tree Preservation/City Arborist specifications and with direct supervision of a certified arborist (Certification of International Society of Arboriculture).

- L3. Identified existing mature trees to be maintained. Prepare a tree protection plans for review and approval by the City of Santa Clara prior to any demolition, grading or other earthwork in the vicinity of existing trees on the site.

Solid Waste

- SW1. The applicant shall complete and provide the [Solid Waste Management Report](#), which includes the estimation of trash and recycling materials generated from the project. Use the City's [Solid Waste Guidelines for New and Redevelopment Projects](#) as specified by the development type. Contact the Public Works Department at Environment@santaclaraca.gov or (408) 615-3080 for more information.
- SW2. The applicant shall provide a site plan showing all proposed locations of solid waste containers, chutes, trash enclosures and trash staging areas. The site plan shall show the route or access for trash and recycling collectors (trucks) including vertical clearance, turning radius and street/alley widths. All plans shall comply with the City's Solid Waste Guidelines.
- SW3. For projects that involve construction, demolition or renovation of 5,000 square feet or more, the applicant shall comply with City Code Section 8.25.285 and recycle or divert at least sixty five percent (65%) of materials generated for discard by the project during demolition and construction activities. No building, demolition, or site development permit shall be issued unless and until applicant has submitted a construction and demolition debris materials check-off list. Applicant shall create a Waste Management Plan and submit, for approval, a Construction and Demolition Debris Recycling Report through the City's online tracking tool at <http://santaclara.wastetracking.com/>.
- SW4. This project is subject to the City's Accumulation, Transportation and Disposal of Solid Waste Ordinance (Chapter 8.25 of the Municipal Codes), which requires the handling and disposal of waste by authorized service haulers. Insert the [General Notes for the Construction & Demolition \(C&D\) Waste Management](#) into construction plans in accordance with the City's municipal codes prior to the issuance of a Building or Grading permit. Provide the Green Halo waste online tracking number to Building staff prior to the issuance of a demolition or building permit.
- SW5. This property falls within the City's exclusive franchise hauling area. The applicant is required to use the City's exclusive franchise hauler and rate structure for solid waste services. Prior to the issuance of a Public Works clearance, the project applicant shall complete and sign the Acknowledgement portion of the Solid Waste Management Plan for New Development and Redevelopment form noting the service haulers used for this project.
- SW6. Prior to obtaining a Temporary or Final Certificate of Occupancy, weight tickets for all materials generated for discard or reuse by the project during demolition and construction activities shall be uploaded to Green Halo and submitted for review and approval by Environmental Services. At a minimum two (2) weeks review time is required.
- SW7. All refuse from all residential properties within the city shall be collected at least once a week, unless otherwise approved in writing (SCCC 8.25.120). Garbage service level required for residential developments (single-family and multi-family) shall be no less than twenty (20) gallons per unit. All project shall submit to the Public Works Department the preliminary refuse service level assessment for approval.

Stormwater

- ST1. Stormwater treatment facilities shall be designed and installed to achieve the site design measures throughout their life in accordance to the SCVRUPPP C.3 Stormwater Handbook. Prior to City's issuance of Building or Grading Permits, the

- applicant shall develop a Final Stormwater Management Plan, update the [C.3 Data Form](#), and the Special Project narratives/worksheet (as appropriate).
- ST2. The Final Stormwater Management Plan and all associated calculations shall be reviewed and certified by a qualified 3rd party consultant from the [SCVURPPP List of Qualified Consultants](#), and a 3rd party review letter shall be submitted with the Plan.
- ST3. For projects that disturb a land area of one acre or more, the applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board for coverage under the State Construction General Permit (Order No. 2009-0009-DWQ) prior to issuance of any building permit for grading or construction. A copy of the NOI shall be submitted to the City Building Inspection Division, along with a stormwater pollution prevention plan (SWPPP). Active projects covered under the Construction General Permit will be inspected by the DPW Code Enforcement staff once per month during the wet season (October – April). The applicant shall prepare an Erosion and Sediment Control Plan.
- ST4. The applicant shall incorporate Best Management Practices (BMPs) into construction plans and incorporate post-construction water runoff measures into project plans in accordance with the City’s Urban Runoff Pollution Prevention Program standards prior to the issuance of Building or Grading Permits. Include the [SCVURPPP Countywide Construction BMPs Plan Sheet](#) with the plans.
- ST5. During the construction phase, all stormwater control measures shall be inspected for conformance to approved plans by a qualified 3rd party consultant from the [SCVURPPP List of Qualified Consultants](#), and a 3rd party concurrence letter on the C.3 facilities construction shall be submitted to the Public Works Department. As-Built drawing shall be submitted to the Public Works Department. Building occupancy will not be issued until all stormwater treatment measures have been adequately inspected and O&M Agreement is executed. For more information contact Rinta Perkins at (408) 615-3081 or RPerkins@santaclaraca.gov
- ST6. Porous Pavement, Vaults, Interceptor Trees and Trash Full Capture Devices shall be inspected by a third-party reviewer and/or manufacturer representative for conformance with the details and specifications. If necessary, percolation test shall be performed to ensure proper installation. The number, location and species of the interceptor trees shall be confirmed during the construction.
- ST7. Stormwater treatment facilities must be designed, installed, and maintained to achieve the site design measures throughout their life in accordance to the SCVRUPPP C.3 Stormwater Handbook (Chapter 6 and Appendix C). They shall be installed using biotreatment soil media that meet the minimum specifications as set forth in this Handbook. If percolation rate test of the biotreatment soil mix is not performed on-site, a certification letter from the supplier verifying that the soil meets the specified mix.
- ST8. The property owner shall enter into an Operation and Maintenance (O&M) Agreement with the City for all installed stormwater treatment measures in perpetuity. Applicants should contact Karin Hickey at (408) 615-3097 or KaHickey@santaclaraca.gov for assistance completing the Agreement. For more information and to download the most recent version of the O&M Agreement, visit the City’s stormwater resources website at <http://santaclaraca.gov/stormwater>. For porous pavement and underground vault, inspection of these facilities is to be done annually.
- ST9. Any site design measures used to reduce the size of stormwater treatment measures shall not be installed for the project without the written approval from the City, installing the corresponding resizing of other stormwater treatment measures and an amendment of the property’s O&M Agreement.
- ST10. Developer shall purchase and install full trash capture devices for all storm drain inlets downstream of a trash staging area, which must be maintained by the property owner

in perpetuity. Maintenance and inspection of full trash capture devices shall be addressed in the O&M Agreement.

- ST11. Developer shall install an appropriate stormwater pollution prevention message such as “No Dumping – Flows to Bay” on any storm drains located on private property.
- ST12. Floor drains within trash enclosures shall be plumbed to the sanitary sewer system and not connected to the City’s storm drain system.
- ST13. Decorative and recreational water features such as fountains, pools, and ponds shall be designed and constructed to drain to the sanitary sewer system only.

SILICON VALLEY POWER

SVP1. Clearances: (**Make sure job notes do not conflict with SVP clearance requirements**)

a. EQUIPMENT

- i. Ten (10) foot minimum clearance is required in front of equipment access doors. (UG1000 sheet 11)
- ii. Five (5) foot minimum clearance from pad is required on sides without equipment access doors. (UG1000 sheet 11)
- iii. Eighteen (18) foot minimum width, shall be provided and maintained on one side of the equipment pad to allow an electric dept. line truck to drive up next to the pad for installation and maintenance of equipment. (UG1000 Sheet 11).
- iv. Barrier pipes are required only on sides accessible to vehicles. (UG1000 Sheet 12).
 - 1. Thirty (30) inches from side of equipment sides.
 - 2. Forty Eight (48) inches in front of access doors.
 - a. Barrier Pipes in front of access doors shall be removable.

b. CONDUITS

- i. Five (5) foot minimum longitudinal clearance between new conduits or piping systems (open trench installation) and any existing or proposed SVP conduit system. This is for longitudinal. (UG1250 sheet 5)
- ii. Twelve (12) inch minimum vertical clearance between new conduit/pipes installed perpendicular to existing SVP conduits for open trench installations. (UG1000 sheet 36, UG1250 Sheet 6)
- iii. Three (3) foot six (6) inches clearance is required from poles for open trench installation. Exceptions are for riser conduit. (UG1250 Sheet 7)
- iv. Three (3) foot minimum clearance is required between sign posts, barrier pipes or bollards, fence posts, and other similar structures. (UG1250 sheet 10).
- v. Five (5) foot minimum from new splice boxes, pull boxes, manholes, vaults, or similar subsurface facilities. (UG1000 sheet 8)
- vi. Five (5) foot minimum clearance from walls, footings, retaining wall, landscape planter, tree root barrier or other subsurface wall or structure. (UG1250 sheet 9).
- vii. Five (5) foot minimum clearance is required between fire hydrant thrust block. The thrust block extends 5’ foot on either side of the fire hydrant in line with the radial water pipe connected to the hydrant.

c. VAULTS/MANHOLES

- i. Ten (10) foot minimum clearance is required between adjacent vaults or manholes.
- ii. Five (5) foot minimum clearance is required between adjacent conduits.
- iii. Minimum 36” from face of curb, or bollards required.

- d. Poles (Electrolier, Guy Stub poles, service clearance poles, self-supporting steel poles and lighting poles.)
 - i. Three (3) foot six (6) inches clearance is required from poles for open trench installation. Exceptions are for riser conduit. (UG1250 Sheet 7)
 - e. Guy Anchors
 - i. Five (5) foot minimum clearance is required between center of anchor line and any excavation area. (UG1250 sheet 15).
 - f. Trees
 - i. OH 1230 for Overhead Lines
 - ii. SD 1235 for Tree Planting Requirements near UG Electric Facilities
- SVP2. Reference listed SVP standards for clearances.
- a. Installation of Underground Substructures by Developers
 - b. UG1250 – Encroachment Permit Clearances from Electric Facilities
 - c. UG0339 – Remote Switch Pad
 - d. OH1230 – Tree Clearances From Overhead Electric Lines
 - e. SD1235 – Tree Planting Requirements Near Underground Electric Facilities
- SVP3. Prior to submitting any project for Electric Department review, applicant shall provide a site plan showing all existing utilities, structures, easements and trees. Applicant shall also include a “Load Survey” form showing all current and proposed electric loads. A new customer with a load of 500KVA or greater or 100 residential units will have to fill out a “Service Investigation Form” and submit this form to the Electric Planning Department for review by the Electric Planning Engineer. Silicon Valley Power will do exact design of required substructures after plans are submitted for building permits.
- SVP4. The Developer shall provide and install electric facilities per Santa Clara City Code chapter 17.15.210.
- SVP5. Electric service shall be underground. See Electric Department Rules and Regulations for available services.
- SVP6. Installation of underground facilities shall be in accordance with City of Santa Clara Electric Department standard UG-1000, latest version, and Santa Clara City Code chapter 17.15.050.
- SVP7. Underground service entrance conduits and conductors shall be “privately” owned, maintained, and installed per City Building Inspection Division Codes. Electric meters and main disconnects shall be installed per Silicon Valley Power Standard MS-G7, Rev. 2.
- SVP8. The developer shall grant to the City, without cost, all easements and/or right of way necessary for serving the property of the developer and for the installation of utilities (Santa Clara City Code chapter 17.15.110).
- SVP9. If the “legal description” (not “marketing description”) of the units is condominium or apartment, then all electric meters and services disconnects shall be grouped at one location, outside of the building or in a utility room accessible directly from the outside. If they are townhomes or single-family residences, then each unit shall have it’s own meter, located on the structure. A double hasp locking arrangement shall be provided on the main switchboard door(s). Utility room door(s) shall have a double hasp locking arrangement or a lock box shall be provided. Utility room door(s) shall not be alarmed.
- SVP10. If transformer pads are required, City Electric Department requires an area of 17’ x 16’-2”, which is clear of all utilities, trees, walls, etc. This area includes a 5’-0” area away from the actual transformer pad. This area in front of the transformer may be reduced from a 8’-0” apron to a 3’-0”, providing the apron is back of a 5’-0” min. wide sidewalk. Transformer pad must be a minimum of 10’-0 from all doors and windows, and shall be located next to a level, drivable area that will support a large crane or truck.

- SVP11. All trees, existing and proposed, shall be a minimum of five (5) feet from any existing or proposed Electric Department facilities. Existing trees in conflict will have to be removed. Trees shall not be planted in PUE's or electric easements
- SVP12. Any relocation of existing electric facilities shall be at Developer's expense.
- SVP13. Electric Load Increase fees may be applicable.
- SVP14. The developer shall provide the City, in accordance with current City standards and specifications, all trenching, backfill, resurfacing, landscaping, conduit, junction boxes, vaults, street light foundations, equipment pads and subsurface housings required for power distribution, street lighting, and signal communication systems, as required by the City in the development of frontage and on-site property. Upon completion of improvements satisfactory to the City, the City shall accept the work. Developer shall further install at his cost the service facilities, consisting of service wires, cables, conductors, and associated equipment necessary to connect a customer to the electrical supply system of and by the City. After completion of the facilities installed by developer, the City shall furnish and install all cable, switches, street lighting poles, luminaries, transformers, meters, and other equipment that it deems necessary for the betterment of the system (Santa Clara City Code chapter 17.15.210 (2)).
- SVP15. Electrical improvements (including underground electrical conduits along frontage of properties) may be required if any single non-residential private improvement valued at \$200,000 or more or any series of non-residential private improvements made within a three-year period valued at \$200,000 or more (Santa Clara City Code Title 17 Appendix A (Table III)).
- SVP16. Non-Utility Generator equipment shall not operate in parallel with the electric utility, unless approved and reviewed by the Electric Engineering Division. All switching operations shall be "Open-Transition-Mode", unless specifically authorized by SVP Electric Engineering Division. A Generating Facility Interconnection Application must be submitted with building permit plans. Review process may take several months depending on size and type of generator. No interconnection of a generation facility with SVP is allowed without written authorization from SVP Electric Engineering Division.
- SVP17. Encroachment permits will not be signed off by Silicon Valley Power until Developers Work substructure construction drawing has been completed.
- SVP18. All SVP-owned equipment is to be covered by an Underground Electric Easement (U.G.E.E.) This is different than a PUE. Only publically-owned dry utilities can be in a UGEE. Other facilities can be in a joint trench configuration with SVP, separated by a 1' clearance, providing that they are constructed simultaneously with SVP facilities. See UG 1000 for details.
- SVP19. Proper clearance must be maintained from all SVP facilities, including a 5' clearance from the outer wall of all conduits. This is in addition to any UGEE specified for the facilities. Contact SVP before making assumptions on any clearances for electric facilities.
- SVP20. Transformers and Switch devices can only be located outdoors. These devices MAY be placed 5' from an outside building wall, provided that the building wall in that area meets specific requirements. (See UG 1000 document for specifics) EXAMPLE: If there are any doors, windows, vents, overhangs or other wall openings within 5' of the transformer, on either side, then the transformer MUST be 10' or more away from the building. These clearances are to be assumed to be clear horizontally 5' in either direction and vertically to the sky.
- SVP21. All existing SVP facilities, onsite or offsite, are to remain unless specifically addressed by SVP personnel by separate document. It is the Developers responsibility to maintain all clearances from equipment and easements. Developer to contact SVP outside of the PCC process for clear definitions of these clearance requirements.

Developer should not assume that SVP will be removing any existing facilities without detailed design drawings from SVP indicating potential removals. *Simply indicating that SVP facilities are to be removed or relocated on conceptual plans does not imply that this action has been approved by SVP.*

- SVP22. SVP does not utilize any sub-surface (below grade) devices in its system. This includes transformers, switches, etc.
- SVP23. All interior meter rooms at ground level are to have direct, outside access through only ONE door. Interior electric rooms must be enclosed in a dedicated electric room and cannot be in an open warehouse or office space.
- SVP24. In the case of podium-style construction, all SVP facilities and conduit systems must be located on solid ground (aka "real dirt") and cannot be supported on parking garage ceilings or placed on top of structures.
- SVP25. Applicant is advised to contact SVP (CSC Electric Department) to obtain specific design and utility requirements that are required for building permit review/approval submittal. Please provide a site plan to Leonard Buttitta at 408-615-6620 to facilitate plan review.

WATER & SEWER

- W1. Development Impact Analysis: A Development Impact Analysis request has been submitted for the project and the impacts are currently being analyzed. If there is a deficiency in the existing potable water distribution or storage infrastructure, the developer will be required to upgrade the potable water system as determined and approved by the City. The required potable water system upgrades will be at developer's expense. The evaluation may change based on pending development applications and future projects. The potable water hydraulic analysis does not guarantee or in any way reserves or holds distribution capacity until developer has Final Approval for the project.
- W2. Recycled Water Ready: All onsite plumbing for non-domestic water uses (e.g. irrigation, industrial processes, cooling, etc.) shall be designed for recycled water use and shall comply with all Recycled Water regulations.
- W3. Recycled Water Connection and Use: The project shall connect to the City's Recycled Water System at the time that a recycled water point of connection is available along any portion of the project site's frontage.
- W4. Potable Water Main: The applicant shall replace all the existing water mains along the project frontages with new 12" DIP pipe water main. The water main upgrade shall extend the entire length of the property's frontages or as required by the Development Impact Analysis.
- W5. Encroachment Permit: Prior to issuance of Building Permits, the applicant shall submit an encroachment permit application and design plans for construction of water utilities that comply with the latest edition of the Water & Sewer Utilities Water Service and Use Rules and Regulations, Water System Notes, and Water Standard Details and Specifications. In addition, prior to the City's issuance of Occupancy, the applicant shall construct all public water utilities per the approved plans. The Water & Sewer Utilities will inspect all public water utility installations and all other improvements encroaching public water utilities.
- W6. Utility Design Plans: Utility Design Plans shall indicate the pipe material and the size of existing water, recycled water and sewer main(s). The plans shall show the nearest existing fire hydrant and the two nearest existing water main line gate valves near the project area. The plans shall show meter and backflow configurations to scale and per City of Santa Clara Water & Sewer Utilities Standard Details. Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area. Fire hydrants should be located two feet behind monolithic sidewalk if

sidewalk is present; two feet behind face of curb if no sidewalk is present, per City Std Detail 18. The plans shall provide the profile section details for utilities crossing water, sewer, or recycled water mains to ensure a 12" minimum vertical clearance is maintained.

- W7. Utility Separations: Applicant shall adhere to and provide a note indicating that all horizontal and vertical clearances comply with State and local regulations. The applicant shall maintain a minimum 12" of vertical clearance at water service crossing with other utilities, and all required minimum horizontal clearances from water services: 10' from sanitary sewer utilities, 10' from recycled water utilities, 8' from storm drain utilities, 5' from fire and other water utilities, 3' from abandoned water services, 5' from gas and electric utilities, and 5' from the edge of the propose or existing driveway. For sanitary sewer, water, and recycled water utilities, the applicant shall maintain a minimum horizontal clearance of 10' from existing and proposed trees. If applicant installs tree root barriers, clearance from tree reduces to 5' (clearance must be from the edge of tree root barrier to edge of water facilities). No structures (fencing, foundation, biofiltration swales, etc.) allowed over sanitary sewer, potable water and/or recycled water utilities and easements.
- W8. Separate Services: Applicant shall submit plans showing proposed water, recycled water, sanitary sewer, and fire services connected to a public main in the public right-of-way to the satisfaction of the Director of Water & Sewer Utilities. Different types of water and recycled water use (domestic, irrigation, fire) shall be served by separate water services, each separately tapped at the water main. Tapping on existing fire service line(s) is prohibited. Approved backflow prevention device(s) are required on all potable water services.
- W9. City Standard Meters and Backflows: All proposed meters and backflows for all water services shall meet the current City of Santa Clara Water & Sewer Utilities Standard Details. Plans shall show meter and backflow configurations to scale.
- W10. Existing Services: The applicant must indicate the disposition of all existing water and sewer services and mains on the plans. If the existing services will not be used, then the applicant shall properly abandon these services to the main per Water & Sewer Utilities standards and install a new service to accommodate the water needs of the project. The applicant shall bear the cost of any relocation or abandonment of existing Water Department facilities required for project construction to the satisfaction of the Director of Water and Sewer Utilities.
- W11. On-Site Storm Drain Treatment: Prior to issuance of Building Permit, the applicant shall submit plans showing any onsite storm water treatment system. The plan shall include a section detail of the treatment system. No water, sewer, or recycled water facilities shall be located within 5-feet of any storm water treatment system.
- W12. Water Usage: Prior to the issuance of Building Permits, the applicant shall provide documentation of water usage so the Water Division can verify the appropriate size of all proposed water meters. Please note that if the existing water services are incapable of supplying the water needs to the site, the existing services shall be abandoned, and new separate dedicated water services shall be provided for each use (domestic and irrigation).
- W13. Prior to issuance of Building Permits, the applicant shall submit plan details for all water features (including but not limited to fountains and ponds) designed to include provisions for operating the system without City potable water supply and capable of being physically disconnected from source of potable water supply during City declared water conservation periods, to the satisfaction of the Director of the Water & Sewer Utilities. Decorative water features may be permanently connected to the City's recycled water supply.

- W14. Easements: Prior to City's issuance of Building or Grading Permits, the applicant shall provide a dedicated water utility easement around the backflow prevention device onsite. The water utility easement for the water services and all other public water appurtenances shall be a minimum 15 feet wide and be adjacent to the public right-of-way without overlapping any public utility easement. Additionally, the applicant shall submit plans defining existing easements so Water Division can verify if there are any conflicts with proposed easements and water utilities.
- W15. Underground Fire Permit: Prior to issuance of Building Permits, applicant shall submit an underground fire permit unless otherwise waived by the Fire Department. If fire flow information is needed, applicant shall coordinate with Water and Sewer Utilities Department, for fire flow information at (408)615-2000. A dedicated fire service line, with an approved backflow prevention device, shall be used for on-site fire hydrants. Fire service lines required for commercial and industrial use shall be sized appropriately per fire flow demand and code requirements.
- W16. Record Drawings: Upon completion of construction and prior to the City's issuance of a Certificate of Occupancy, the applicant shall provide "as-built" drawings of the public water utility infrastructure prepared by a registered civil engineer to the satisfaction of the Director of Water & Sewer Utilities Department.
- W17. Water Shortage Response Actions: Pursuant to the City of Santa Clara's Urban Water Management Plan, during times of drought or water shortage, the City implements water shortage response actions in accordance with the level of water shortage declared. All construction activities and all new irrigation connections are subject to the Water Shortage Response Actions in effect at the time of construction and connection of the irrigation service.

Water Shortage Response Actions for Stage 2 and higher include water use restrictions that limit the use of potable water such as:

- a. prohibiting the installation of new potable water irrigation services. new irrigation connections, construction, and dust control.
- b. restrict the use of potable water used for construction and dust control if recycled water is available.

This project is subject to all the requirements and restrictions of the Water Shortage Response Actions in place or adopted during the duration of the project. For more information, visit the City of Santa Clara Water & Sewer Utilities website at www.santaclaraca.gov/waterconservation

Dear Mayor and Council,

We residents of the Civic Center Drive neighborhood are opposed to the proposed development by Charities Housing (abbreviated CH) on 1601 Civic Center Drive, up for your vote on September 27, 2022. We respectfully urge you to vote NO on this proposal. We have attached 400+ signed letters and annotated pictures in support of our position. The reasons are:

1. The developer is not trust-worthy.

We have attached pictures of the incidents that occurred in the 13 months between April 2020 and May 2021 on the site of 1601 Civic Center Drive and the recent denial of facts published on the City web site. The shadow study presented on August 3rd, 2022, to the Planning Commission is inaccurate, even after Charity Housing admitted on July 20, 2022, i.e. earlier, in our Community Meeting that it is inaccurate. The application for this project is potentially incomplete without an accurate shadow study. The shadow study presented to the Planning Commission claims that the shadow cast by the existing building over homes on Triton Ct. is about the same as the proposed building, which is not true.

Why are misleading and inaccurate statements allowed to be published on the City web site, and our demands for rebuttal and removal of misleading statements ignored? During the Planning Commission meeting paid advocates from 2-3 organizations locked out our community for a full hour from making live comments. We see the rules of engagement as stacked up against ordinary Citizens. Why should a single organization be allowed to voice multiple times when we are prohibited from both ecommenting (500 characters in about 30 seconds) and live commenting (2 minutes)?

The problems we experienced during the 13 months resulted from a lack of charity towards neighbors, lack of internal business self-controls and oversight, and lack of transparency. We are not alone. A report in the San Jose Spotlight details the problems at Renascent Place, a Charity Housing property. We see the now familiar denial and deflection pattern in the following quote by Charity Housing:

<https://sanjosespotlight.com/east-san-jose-housing-group-looks-to-hold-developers-accountable/>

Quote from Kathy Robinson:

"We decided to have John Stewart manage Renascent Place for us...because it was so large with 160 units, and because it's 100% permanent supportive housing," Robinson said.

Where is the "Gold Standard" in this? How about accountability?

Charities Housing uses "Charity" as a marketing tool, even though it is not a legal charity. What happened to the notion of "truth in advertising"? Does the end justify the means?

2. Our key 3 demands have not been met:

2A. Reduce density to at least 1/2, reduce height to a maximum of 3 levels, and provide a 30-degree viewing angle to two-story homes. There will be 470 new residents in a 1.4-acre lot with 108 units in an already congested neighborhood. **This is not sustainable development.**

2B. Remove the driveway and parking space proposed along our fence 12 feet from Triton Ct's living spaces. The driveway is a source of noise, fumes from cars (often older cars which fit the budget of low-income tenants), dumping, and illicit activities. We ask any access from Civic Center Drive to the new building be blocked. We do not trust CH will monitor and mitigate problems arising from the driveway so close to our homes. There are already three streets feeding traffic into CCD in a tight spot. A fourth by CH will increase the risk of traffic accidents.

2C. Increase parking ratios per unit from the current 0.75 to at least 1.50 or 1 per bedroom given the fact that household sizes and cars have increased post financial crisis, and as a result of the housing crisis. Parking in our neighborhood is already severely limited. It is not possible to clean the curbs and garbage has collected along the curbs. There is no parking space after 6pm. We do not want paid parking.

We wonder what happened to our petition to place on a future Council Agenda our desire to have a neighborhood park on the site of 1601?

There are far better sites throughout Santa Clara for dense housing. The new Housing Element does not rely on the 1601 site to fulfill RHNA. There should be a mandate for 25% affordable housing on all new projects in Santa Clara that results in integrated communities instead of pockets of low income. Since CH is a PD, the City has the authority to ask it to fulfill more stringent requirements than those contemplated under the El Camino Real Specific Plan. We thank you again for your consideration and support.

The Response to neighbor objections to MND , published on City web site claims:

"Response E-6: Based on the Community Crime Map for the City of Santa Clara (<https://communitycrimemap.com/>) **there have been no calls for service to the project site** between January 1, 2021 and July 12, 2022."

Please examine pictures rebutting the misleading statement above.

The residents on Triton Ct suffered for 13 months from April 2020 (a month after Covid lock down) thru April 2021) because the owner refused to mitigate the problems documented in these pictures of which they were notified and aware as early as April 2020.

The denial published on the City web site adds insult to injury. Where is the accountability for all that happened and how low are we setting the bar?

!!ATTENTION!!

A cleanup of illegal encampments
in this area will be conducted on the following date(s):

2-24-21 / 6AM
through
2-24-21 / 6PM

You are **TRESPASSING** and
will be subject to **CRIMINAL PROSECUTION** if you remain.

You **MUST** remove all of your property from this location by
7:00 a.m. on **2-24-21**

During the cleanup all personal property, shelters, and garbage
remaining in the area will be removed.

If you need help with housing or want to learn about resources available to you,
please contact the Encampment and Homeless Outreach Hotline at (408) 510-7600 or
211.

Additionally during the Covid-19 Pandemic you can reach the Covid-19 Housing hotline
by calling 408-278-6428

Removal of Encampment on 1601 Civic Center Drive



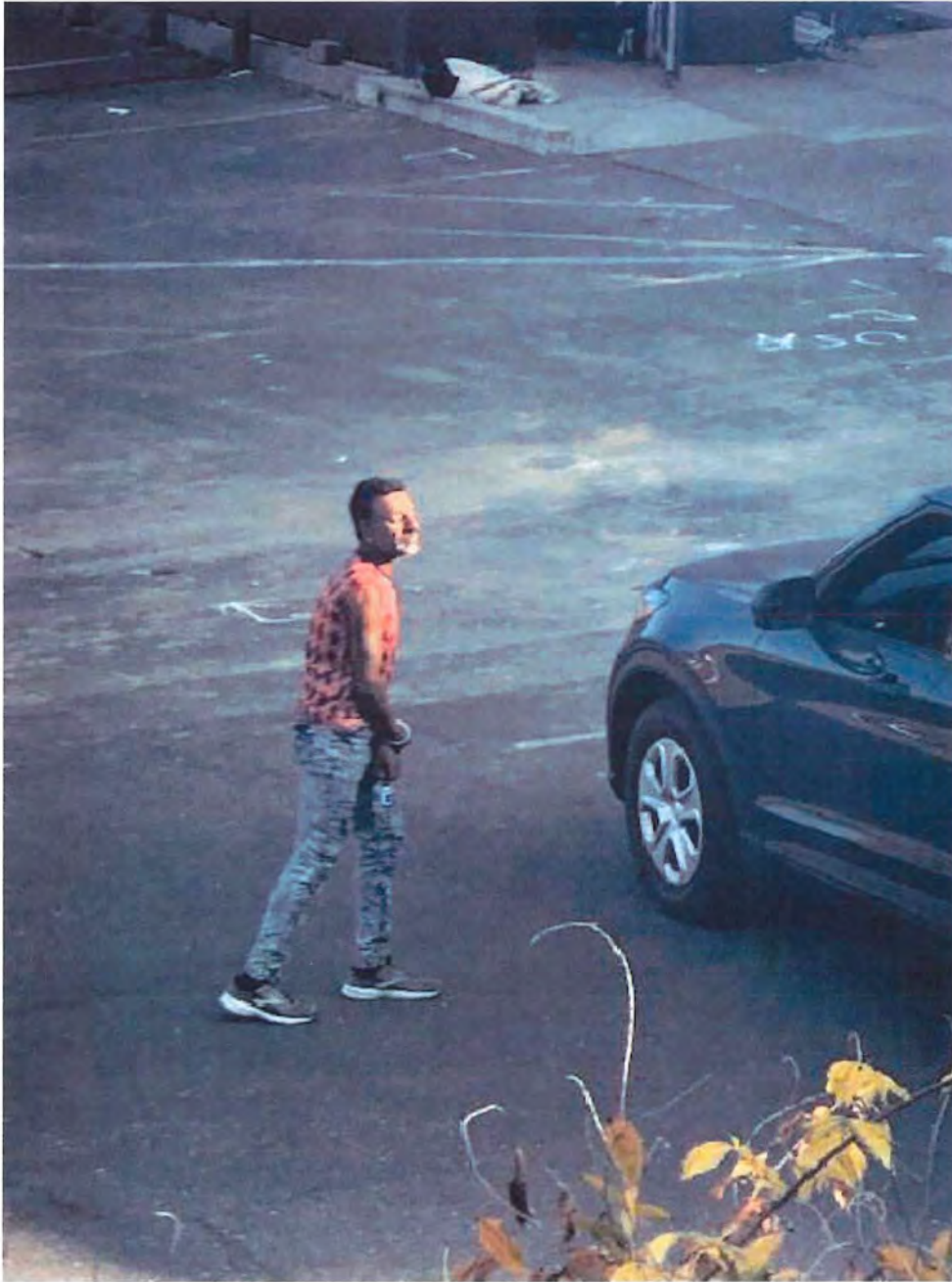
Tent inside the enclosure operated 24/7 – Brawls between occupants were common with multiple police dispatches. Bicycle thieves assembling/disassembling stolen bike parts operated next to the tent.



Trash from the encampment. The fence around the enclosure could have been removed in April 2020 not March of 2021.



Only one of several dumping incidents which could have been prevented if the owner of 1601 had placed a fence around the perimeter.



Homeless man arrested by SCPD.

Response to our objections to MND , published on City web site denies this.

"Response E-6: Based on the Community Crime Map for the City of Santa Clara (<https://communitycrimemap.com/>) **there have been no calls for service to the project site** between January 1, 2021, and July 12, 2022."



RV dumped toilet tank behind Triton Ct homes April 14, 2021. Police Report #21-041662,

Code enforcement Incident Report #9910975. It took Charities Housing four days to clean up exposing Triton Ct. residents to germs and viruses. This picture is taken after the clean-up, which left an unsightly

Residue and a staggering amount of debris scattered on the parking lot of 1601 Civic Center Drive. This could have been mitigated by putting a fence in April 2020 not 13 months later in May 2021. There is no accountability for this, and similar incidents and the denial published on the City web site is shocking.

Why is the City asking us to trust mitigation efforts on the proposed project?

Response to our objections to MND , published on City web site denies this.

"Response E-6: Based on the Community Crime Map for the City of Santa Clara (<https://communitycrimemap.com/>) **there have been no calls for service to the project site** between January 1, 2021, and July 12, 2022."



The area along the fence with Triton Ct, right behind Triton Ct homes, where a driveway is proposed, was used as bathroom on a regular basis. A mitigation fence would have reduced incidences like this.



August 2020: Homeless trespassers were again reported to SCPD which in turn notified the then-stealth owner to fortify the remaining un-boarded windows with more boards. The first set of boards on the doorways, visible in the picture, were placed in May 2020. Circa June 2020 SCPD started using the building for training. The owner boarded up the building but failed to place a fence around the property for 13 months until the RV dumping incident forced its hand. This was in spite of numerous calls and requests conveyed thru SCPD and the Planning Department (circa April 2020).

Response to our objections to MND , published on City web site below denies all of this.

"Response E-6: Based on the Community Crime Map for the City of Santa Clara (<https://communitycrimemap.com/>) **there have been no calls for service to the project site between January 1, 2021, and July 12, 2022.**"

Please note: There is no storm drain on the area where the septic tank was emptied. This would have not happened if there were a fence.



**City of
Santa Clara**
The Center of What's Possible

Police Department

April 23, 2021

Keyhan Sinai
1691 Triton Ct
Santa Clara, CA 95050
ksinai@prodigy.net

Dear Mr. Sinai:

The Santa Clara Police Department is in receipt of your request for information. This letter is being provided and the information provided is accordance with Section 6254(f) of the California Government Code.

Santa Clara PD Case #:	21-0416162
Date/Time of Occurrence:	04/16/2021 at 2310 hours
Date/Time of Report:	04/16/2021 at 2310 hours
Type of Call:	City Ordinance
Location:	1601 Civic Center Dr, Santa Clara, CA
Involved Parties:	Suspect: Unknown
Circumstances:	On 04/16/2021 at 2310 hours, Officers responded to the above address regarding a report for a municipal code violation. An RV entered the parking lot to the rear of the building and the occupant emptied the septic tank into the storm drain on the property. The RV fled the scene prior to police arrival.
Injuries:	None.
Property:	None.
Weapons:	None.

If you have any questions about the information in this letter, please contact the Santa Clara Police Department Records Unit.

PATRICK NIKOLAI
CHIEF OF POLICE

Sincerely,

Handwritten signature of Jennifer Cullen in cursive.

Jennifer Cullen
Police Records Supervisor

East San Jose housing group looks to hold developers accountable



Renascent Place, home to formerly unhoused people, is owned by Charities Housing and managed by the John Stewart Company. File photo.

As a prolific housing developer unveils plans in East San Jose, a new coalition is holding it accountable for maintaining acceptable living conditions.

Peter Ortiz, a community organizer and policy advisor for the Alum Rock Santa Clara Street Business Association, founded the [East San Jose Tenants Coalition](#) in early April after a [San José Spotlight article](#) revealed deplorable conditions at Renascent Place, a homeless housing site. The site was developed by Charities Housing and managed by the John Stewart Company. One resident called Renascent Place “nasty as hell” with broken windows, exposed wiring and an overwhelming smell of mildew.

Another San Jose homeless housing site, Second Street Studios, managed by the John Stewart Company, has been rocked by [similar allegations](#). The John Stewart Company also faced criticism in [San Francisco for tenant complaints](#) about mildew, mold, rusty pipes and rodents.

Ortiz grew concerned when he learned Charities Housing planned to construct one or two apartment complexes on Alum Rock Avenue in East San Jose.

Ortiz, who works to increase affordable housing and protections for renters against displacement, realized a coalition would provide strength in advocating for tenants' rights.

The coalition quickly formed to include [Latinos United for a New America](#), [SOMOS Mayfair](#), [Law Foundation of Silicon Valley](#), [Affordable Housing Network](#) of Santa Clara County, [Human Agenda](#) and [Movimiento Democratic Coalition](#).

"I wanted to unite these organizations under a coalition to strengthen our voice and focus it on protections for our East San Jose residents," Ortiz said. "A lot of us are affordable housing advocates. However, people forget once those developments are built about the conditions which residents live in. You hear stories, especially in East San Jose, of absentee landlords, illegal evictions and a lack of services."

Kathy Robinson, director of development for Charities Housing, said it typically develops, owns and manages all of its properties.

"We decided to have John Stewart manage Renascent Place for us...because it was so large with 160 units, and because it's 100% permanent supportive housing," Robinson said. "In many people's opinion, John Stewart is the gold standard for managing this extremely difficult population. We thought it was a good idea to hire a professional so it could be done well."

Robinson said Charities Housing will manage its new project on Alum Rock Avenue, which will be a mix of people with special needs and low-income residents who need affordable housing.



The East San Jose Tenants Coalition toured Renascent Place with developer Charities Housing and property manager John Stewart Company on April 12. Photo courtesy of Peter Ortiz.

Ortiz said he wanted to sit down with Charities Housing and the John Stewart Company to discuss their obligations to tenants, from being responsive to their concerns to not charging them for property updates.

“In our Latino undocumented community, we find a lot of predators,” Ortiz said. “When they update their apartments, they’ll try to charge our tenants.”

Ortiz said he’ll advocate for rents to be kept low to avoid displacement, prevent “bullying tactics” and illegal evictions.

Although [the number of evictions in San Jose decreased](#) following the adoption of an eviction moratorium, tenants face harassment from landlords and worry they won’t have the resources to pay back the rent they owe.

On Monday, coalition members met with Warren Reed, vice president of the John Stewart Company, and representatives of Charities Housing for a tour of Renascent Place. They also

spoke with staff from housing and social services provider Abode Services, which runs an office in the complex.

Ortiz said if the developers and property managers refused to meet with them, the East San Jose Tenants Coalition would run a community campaign against them.

“We’d rather meet and focus on solutions than organize against their future developments,” he said.

Gabriel Manrique, community organizer for Latinos United for a New America, said when the coalition toured Renascent Place, they didn’t have an opportunity to speak with residents.

“We definitely need to talk with the tenants and see what concerns they have,” Manrique said. “We have to find out what repairs and services tenants might need.”

Ortiz said the coalition will hold developers and property management firms of affordable housing in East San Jose accountable.

“We’re going to be watching them,” Ortiz said, “and as problems arise, we’re going to put heat on them to make sure they’re doing what they’re supposed to do.”

*Contact Lorraine Gabbert at
lorrainegabbertsjspotlight@gmail.com.*

Elizabeth Elliott

From: noreply@granicusideas.com
Sent: Wednesday, August 3, 2022 3:16 PM
To: Elizabeth Elliott; Kiran Singh; Lesley Xavier
Subject: New eComment for Planning Commission on 2022-08-03 6:00 PM



New eComment for Planning Commission on 2022-08-03 6:00 PM

Margarita Bliznikova submitted a new eComment.

Meeting: Planning Commission on 2022-08-03 6:00 PM

Item: 2. 22-930 Action on Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment and Rezone for the Property Located at 1601 Civic Center Drive

eComment: I live nearby and I'm extremely opposing development project on 1601 Civic Center Drive It will create disproportional traffic, make the existing problem with limited parking spaces here only worse. The infrastructure is not supposed for such high-density residential project. Also it will lead to higher risk for pedestrians Neighborhood is not suitable for high-density development. It will add more noise, traffic, make neighborhood more crowded and unsafe, put too high load on infrastructure

[View and Analyze eComments](#)

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Kiran Singh

From: noreply@granicusideas.com
Sent: Wednesday, August 3, 2022 3:08 PM
To: Elizabeth Elliott; Kiran Singh; Lesley Xavier
Subject: New eComment for Planning Commission on 2022-08-03 6:00 PM



New eComment for Planning Commission on 2022-08-03 6:00 PM

C F submitted a new eComment.

Meeting: Planning Commission on 2022-08-03 6:00 PM

Item: 2. 22-930 Action on Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment and Rezone for the Property Located at 1601 Civic Center Drive

eComment: STRONGLY OPPOSE! Community is waiting for answers from CH but no follow ups.

[View and Analyze eComments](#)

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Kiran Singh

From: noreply@granicusideas.com
Sent: Wednesday, August 3, 2022 2:23 PM
To: Elizabeth Elliott; Kiran Singh; Lesley Xavier
Subject: New eComment for Planning Commission on 2022-08-03 6:00 PM



New eComment for Planning Commission on 2022-08-03 6:00 PM

VENEE CRUZ submitted a new eComment.

Meeting: Planning Commission on 2022-08-03 6:00 PM

Item: 2. 22-930 Action on Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment and Rezone for the Property Located at 1601 Civic Center Drive

eComment: STRONG OPPOSE! This location is not suitable for high density 5 stories. Our neighborhood is already crowded and impacted by blight and petty crimes. Developer didn't listen to any of the community concerns. We will not accept the driveway on CCD, it will be prone to high risks of accidents. This development will have huge negative impact on existing communities and will impact our safety and security. I will no longer feel safe walking in my community. Please do your due diligence and save us.

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Kiran Singh

From: noreply@granicusideas.com
Sent: Wednesday, August 3, 2022 2:13 PM
To: Elizabeth Elliott; Kiran Singh; Lesley Xavier
Subject: New eComment for Planning Commission on 2022-08-03 6:00 PM



New eComment for Planning Commission on 2022-08-03 6:00 PM

John Galt submitted a new eComment.

Meeting: Planning Commission on 2022-08-03 6:00 PM

Item: 2. 22-930 Action on Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment and Rezone for the Property Located at 1601 Civic Center Drive

eComment: This is what happens when we have elected "leaders," namely Mayor Lisa Gillmor, who has special interests and works with/has ties with development companies. Sooner, rather than later, this is going to be the same case when Great America is gone; especially now since Gillmor has her hand-picked "officials" sitting in Planning Commission doing work for her. They choose development over our communities to enrich themselves. We need new leaders without special interests.

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Kiran Singh

From: noreply@granicusideas.com
Sent: Wednesday, August 3, 2022 1:47 PM
To: Elizabeth Elliott; Kiran Singh; Lesley Xavier
Subject: New eComment for Planning Commission on 2022-08-03 6:00 PM



New eComment for Planning Commission on 2022-08-03 6:00 PM

Deepa Hotchandani submitted a new eComment.

Meeting: Planning Commission on 2022-08-03 6:00 PM

Item: 2. 22-930 Action on Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment and Rezone for the Property Located at 1601 Civic Center Drive

eComment: STRONGLY OPPOSE! We already feel unsafe. Our neighborhood is experiencing blight, noise, petty crime, shortage of parking and a decline in the quality of life. City should consider other suitable sites for ultra-dense housing, and give our needs as Citizens priority over developers. The idea of creating affordable housing in one spot will create pockets of poverty, increased crime, drug dealing, etc. The best way to create affordable housing is to spread it out throughout the entire communities.

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Kiran Singh

From: noreply@granicusideas.com
Sent: Wednesday, August 3, 2022 1:30 PM
To: Elizabeth Elliott; Kiran Singh; Lesley Xavier
Subject: New eComment for Planning Commission on 2022-08-03 6:00 PM



New eComment for Planning Commission on 2022-08-03 6:00 PM

In Seok Hwang submitted a new eComment.

Meeting: Planning Commission on 2022-08-03 6:00 PM

Item: 2. 22-930 Action on Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment and Rezone for the Property Located at 1601 Civic Center Drive

eComment: PLEASE NO MORE HEARING !!! STRONG OPPOSE !!! I am also afraid of huge negative impact on existing communities. The planning area is already fully congested and no parking. There are new high density building construction across the El. Camino Real. Another monster 4-5 story building next to existing residential single family homes/townhouse community is not desirable. Our region is already crowded !!. Please consider other locations with old shopping mall with lesser population density.

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Kiran Singh

From: noreply@granicusideas.com
Sent: Wednesday, August 3, 2022 3:11 PM
To: Elizabeth Elliott; Kiran Singh; Lesley Xavier
Subject: New eComment for Planning Commission on 2022-08-03 6:00 PM



New eComment for Planning Commission on 2022-08-03 6:00 PM

Disha Shetty submitted a new eComment.

Meeting: Planning Commission on 2022-08-03 6:00 PM

Item: 2. 22-930 Action on Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment and Rezone for the Property Located at 1601 Civic Center Drive

eComment: I strongly oppose the proposed construction plan at 1601Civic Centre Dr. by CH. It's going to have devastating effects on this quite dense neighborhood. Adding such a high-density housing is going to create resource scarcity for the residents living here mainly with parking issues, school intake, crime/theft, noise etc. Please consider moving this to a more favorable area. We need more breathing space in this already congested area and would be very thankful if a park can be considered instead.

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Kiran Singh

From: STANFORD SHOOR [REDACTED]
Sent: Wednesday, August 3, 2022 2:41 PM
To: Priya Cherukuru; Ricci Herro; Yashraj Bhatnagar; Nancy Biagini; Lance Saleme; Qian Huang; Andrew Crabtree; Jonathan Veach; Reena Brilliot; PlanningCommission; Planning Public Comment; Debby Fernandez; hnguyen@charitieshousing.org; jhead@charitieshousing.org; projects@catalyzesv.org
Subject: Item 2: Approve Civic Center With Recommendations

Santa Clara Planning Commissioners,

Our local families desperately need affordable homes. At 108 units, this Civic Center Drive project from Charities Housing will be an essential housing option for many.

Let's not be discouraged by a handful of loud voices. Instead, let's build homes to tackle our current and future needs.

I urge you to vote yes to approve the Civic Center Drive Family Project, Item 2, for the following reasons:

- 108 affordable homes are desperately needed to meet the demand, to provide housing for people like our local teachers and service workers
- The parking count is appropriate for the site given access to VTAs buses and shopping along El Camino Real

Meanwhile, here are two things you could ask about in the hearing that could make the project better:

- To cut down on traffic, the developer could provide free bus passes for residents as other affordable developers do in our area
- Create a more active, vibrant ground floor to promote neighborhood interactions

I strongly urge you to support the Civic Center Drive project,

<Your Name>

Laurie Duckham-shoor

Sent from my iPhone

Kiran Singh

From: KEYHAN SINAI [REDACTED]
Sent: Wednesday, August 3, 2022 4:50 PM
To: Priya Cherukuru; Ricci Herro; Yashraj Bhatnagar; Nancy Biagini; Lance Saleme; Qian Huang; Planning Public Comment
Subject: Regarding 1601 Civic Center Drive Project proposed by Charities Housing
Attachments: Removing encampment in 2-2021 after 11 months.JPG; Trash from encampment after enclosure housing the homeless was demolished 2-21.JPG; Trash dumping truck.JPG; 1601-dump.jpg; Homeless Tent on 1601.jpg; 1601-poop.jpg; 1601-homeless man arrested.jpg; 1601_shit_path_2.jpg

Dear Planning Commissioners,

First, I want to thank you for volunteering your time in the service of the public.

In the case of Charities Housing 1601 Civic Center Drive, in addition to the numerous technical flaws and objections raised by our neighbors we urge you to also consider that "The End does not justify the means".

In the interest of brevity I urge you to read letters in the 100 page 'public correspondence' posted alongside the agenda, on pages 36, 38-48 (1-9-2022) and pages 90-100 (9-1-2021), written on behalf of myself and Civic Center Village HOA on Triton Ct., and the surrounding neighborhood HOAs, who overwhelmingly oppose this project.

As a wall-to-wall neighbor (1691 Trion Ct) of 1601 Civic Center Drive I strongly urge you to reject Charity Housing's (abbreviated CH henceforth) proposal to build "affordable" housing on '1601'. Longer term this publicly funded project is not affordable to the City, the tax payers, and our neighborhood. It will devastate our neighborhood. We suffered 13 months of hell from April 2020 through April 2021 as a result of the homeless encampment on the 1601 property within yards of our homes, while CH refused to identify itself and engage with us, and put a security fence around its property. SCPD and its Neighborhood Nuisance Suppression Unit acted as our liaison to inform the stealth owner (at the time) of the petty crime and blight within yards of our homes. SCPD stated that they "cannot force the owner" to put up a fence. There were homeless brawls, bicycle thieves, drug and alcohol consumption, broken glass and nails thrown into our homes and sleep time disturbances. CH engaged with us only after a criminal dumped the contents of their RV toilet tank at midnight on April 14 2021 right behind our home. Incident number 9910975 to code enforcement and **Police Report # 21-041662** are proof of this crime. It took CH four days to clean up and we suffered intolerable stench, and a harmful exposure to germs and viruses. After this incident and complaints to code enforcement CH had no choice but to put up a fence to guard against further liability. We want you to understand it was not out of the "Charity" in their hearts that they put up a \$2K fence. To make matters worse, we found out only in May 2021 that CH had submitted their proposal to the Planning Department in Dec. 2020 and had been contacting Council Members to gain positive mind space in order to preempt any meaningful dialog and feedback from us. We want you to know that **CH has treated us as disposable toilet paper**. It has used our presence in the community meetings to claim engagement and feedback, where in fact none of our key demands have

been met. In spite of all this, CH has the audacity to place the following in their Mitigated Negative Declaration MND response to our objections:

"Response E-6: Based on the Community Crime Map for the City of Santa Clara (<https://communitycrimemap.com/>) **there have been no calls for service to the project site between January 1, 0221 (typo is not mine) and July 12, 2022.**"

This is false. Why has CH left out the 9 months of 2020 when most of our complaints were made? Why did CH filter out visits by SCPD to complaining homes on Triton Ct. and only cites visits to 1601? Why does CH not mention that the Crime Report does not include cases where arrests are not made or when there is no suspect and may not include every complaint made to the SCPD dispatch? Most importantly: **Why did CH not ask for the evidence directly from the neighbors in the four long public meetings** when they deliberately stayed silent in response to our complaints? Is CH claiming that effectively, we the neighbors are liars? We have attached a few pictures to show the homeless encampment and are happy to provide further evidence for our claims. The brief history proves that CH is not transparent and evades accountability. CH has added insult to injury by claiming "nothing happened on our watch". CH distorts the evidence and ignores facts on the ground. We hope you take the time to question CH the hard questions we have repeatedly asked and conduct your own fact finding before approving this project. We are happy to invite you to our homes to prove the shadow "study" is incorrect and to share first hand witness reports, and how this project will impact us. Please understand CH will do anything, including resorting to 'general' parking studies to get its project approved. Please note that:

1. CH has refused to move all the entrances and lanes for their project to Lincoln Street. The situation on Civic Center Drive with 4 lanes in proximity to each other is hazardous.
2. CH has refused to reduce the height of the building to 2-3 as many other new developments in Santa Clara have.
3. The parking spaces are inadequate. Currently there are no parking spaces in our neighborhood past 6 or 7pm. The curbs cannot be cleaned because the parked cars have nowhere to go. The former Fuji florist's project site (on Warburton) will add to the congestion. There is blight, and car break-ins daily along the curbs. SCPD Community Relations has informed us that they do not have the bandwidth to address the volume of petty crime. The congestion added by CH will make it worse. CH has been and will be a burden on the enforcement budget of the City. Longer term such dense uneconomic projects can easily flop and the mess will become the tax payers and the City's burden.
4. The vast **majority of our neighborhood wants a park on the current site of 1601. Our petition to place this for consideration on a future Council Meeting Agenda was approved by the Council in September 2021. Why is our alternative proposal for this site not even being considered in a timely fashion on equal footing to CH's proposal?** As we understand this matter should have been placed on the City Council Agenda for a vote within a month of approval. Should the Citizens be paying the price for the process inefficiency and the fact that there was a City Manager change? We ask that our proposal be given fair consideration.

The MND section E lists our objections. The responses to our objections are flawed, evasive, and in some cases even not related to the objection.

CH's shadow study is still flawed after 4 public presentations. It claims there is no more shadow on my home 1691, 1701, and 1681 than the current two story building. Mr. Hood of CH admitted that the shadow study is inaccurate in the last public meeting on July 20 2022. I explained why the study is flawed to the planning department and again two times in public meetings. In spite of this the public record has not been corrected and decision makers will likely assume the shadow study is a "pass". My home and at least two other homes have no obstruction from the current two-story building to cause a shadow. If CH's project is approved, we will lose our view of the Civic Center Park, the sky and the shadows from the 5-story tall building will reduce the efficiency of any solar installation as well as ruins the view from our homes. My home is RED on the toxic fume section of the MND report. We objected that the mitigation of toxic fumes during construction is not adequate. There needs to be a 24/7 sensor that wirelessly transmits data (or checked 2-3 times a day) to code enforcement for prompt action. The MND response **places the burden of reporting on the affected neighbors.** This is not fair. We may be working at the office and even if staying at home **we have no effective way of monitoring toxic emissions.** The response does not allay our fears. The noise level of 90db during construction is unacceptable. The City's code is 55dB. The response E-4 to this objection refers back to D-2 which addresses a different problem! No one should be asked to be exposed to 90dB of noise within yards of their home, for an extended period of time and in such close proximity. Would you as Citizens tolerate such a noise level for yourselves and your families?

This project is not suited to or safe for our neighborhood because of the density, proximity, negative impact on the environment, traffic, parking, shadow, toxic fumes, long term impact on City infrastructure and finances, property values, etc. The quality of life has degraded in our neighborhood in the two years since the 1601 site became a homeless encampment.

Ultimately this project is a badly designed patch to an urgent social problem. The patch will make matters worse over time. In spite of the hype, it is not in the public best interest and will devastate our neighborhood over the next 50 years, ala the failed social and business model of NYC concentrated and dense Public Housing projects. In addition, CH has serious credibility and 'good faith' issues which must be considered.

Again, we urge you to consider that "The end does not justify the means. ". Let us not lower the bar to the minimum technical aspects of CEQA or other rules. Please consider the big picture and the voices of us Citizens and to reject CH's proposal for 1601 Civic Center Drive.

Sincerely

Keyhan Sinai

Cc:

Morteza Shafiei, President Civic Center Village HOA on Triton Ct. Santa Clara, CA















!!ATTENTION!!

A cleanup of illegal encampments
in this area will be conducted on the following date(s):

2-24-21 / 6AM
through
2-24-21 / 6PM

You are **TRESPASSING** and
will be subject to **CRIMINAL PROSECUTION** if you remain

You **MUST** remove all of your property from this location by
7:00 a.m. on 2-24-21

During the cleanup all personal property, shelters, and garbage
remaining in the area will be removed.

If you need help with housing or want to learn about resources available to you,
please contact the Encampment and Homeless Outreach Hotline at (408) 510-7600 or
211.

Additionally during the Covid-19 Pandemic you can reach the Covid-19 Housing hotline
by calling 408-278-6420

Elizabeth Elliott

From: noreply@granicusideas.com
Sent: Wednesday, August 3, 2022 4:40 PM
To: Elizabeth Elliott; Kiran Singh; Lesley Xavier
Subject: New eComment for Planning Commission on 2022-08-03 6:00 PM



New eComment for Planning Commission on 2022-08-03 6:00 PM

Eric Lau submitted a new eComment.

Meeting: Planning Commission on 2022-08-03 6:00 PM

Item: 2. 22-930 Action on Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment and Rezone for the Property Located at 1601 Civic Center Drive

eComment: I oppose this project not because I'm against development but because I'm against having a bad neighbor. Charities Housing had the opportunity to reach out to us early on to see how we can work together to properly integrate this project into the neighborhood. If CH was cooperative, we wouldn't be sitting here today opposing their designs. It's still not too late for CH to make changes to accommodate our requests unless they feel it's no longer charity when it hits their own pocket books.

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Elizabeth Elliott

From: noreply@granicusideas.com
Sent: Wednesday, August 3, 2022 4:19 PM
To: Elizabeth Elliott; Kiran Singh; Lesley Xavier
Subject: New eComment for Planning Commission on 2022-08-03 6:00 PM



New eComment for Planning Commission on 2022-08-03 6:00 PM

Eric Lee submitted a new eComment.

Meeting: Planning Commission on 2022-08-03 6:00 PM

Item: 2. 22-930 Action on Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, General Plan Amendment and Rezone for the Property Located at 1601 Civic Center Drive

eComment: This neighborhood already has some significant impacts to parking due to the existing high-density housing complexes that already exist, plus the new addition at 1900 Warburton nearby. With the addition of another 100+ housing units and insufficient on-site parking, this problem is only going to get worse for existing residents. I strongly oppose this proposal.

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Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA


We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Ben Knight

Signature: 

Address: 1722 Hillebrand Pl 95050

Date: 16 Sep 22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Heather Knight

Signature:



Address:

1722 Hillebrant Pl, Santa Clara, CA 95050 Date: 9/16/22

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Tom Weinstein

Signature: 

Address: 1723 Hillebrand Pl.

Date: 9/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Alan Lee

Signature: 

Address: 1727 Hillebrand Place Date: 9/12/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Thien A. Thai Signature: Thien A. Thai
Address: 1727 Hillebrant Pl Date: 9/12/22
Santa Clara, CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Chao cheng

Signature: Chao cheng

Address: 1729 Minebrant Pl, Santa Clara, CA 95050 Date: 09/10/2022

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Sincerely,

Printed Name: DUANYA TU Signature: Duanja Tu
Address: 1729 Hildebrand PL, Santa Clara, CA 95050 Date: 9/10/2022

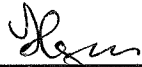
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Sincerely,

Printed Name: Vikolay Nediko Signature: 

Address: 1731 Hillebrand Pl, Santa Clara Date: 09/16/2022
CA 95050

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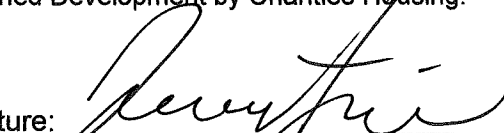
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Sincerely,

Printed Name:

Jessica Fischer

Signature:



Address:

1741 Hillebrand Pl.
Santa Clara CA, 95050

Date:

9/16/22

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: XAVIER OTERO

Signature: 

Address: 1745 HILLEBRANT PL SANTA CLARA CA Date: 9-16-23

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: ALIAKSANDRA OTERO

Signature: _____



Address: 1745 HILLBRANT PL SANTA CLARA

Date: 9-16-23

Petition to Oppose Charity Housing’s High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Siqi Bai

Signature: 

Address: 1754 Hillebrant PL

Date: _____

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Biyao Zhao

Signature: 

Address: 1754 Hillebrant Pl, Santa Clara, CA, 95050 Date: 09/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name:

James Smith

Signature:



Address:

1760 Hillebrand Pl.

Date:

11/10/2022

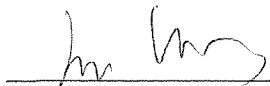
Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Jiah Wang Signature: 
Address: 1762 Hillebrand Pl, Santa Clara, 95050 Date: 9/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: _____

Signature: _____

Address: _____

Date: _____

Joseph Frye



1363 Hillerbrandt

9/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Ike Chang

Signature: 

Address: 1770 HILDEBRANT PL

Date: 9/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Janet Chao

Signature:



Address:

1770 HILLCRANT PL

Date:

9/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: VASILY IGISHEV Signature: 

Address: 1778 HALLEBRANT PL SANTA CLARA Date: 9/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: MARTIA SOLOVEVA

Signature: 

Address: 1778 HILLEBRANT PL, SANTA CLARA Date: 9/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Li Lu Signature: 
Address: 1785 Hillebrant Pl, Santa Clara, CA Date: 09/14/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: LINGCHAO

Signature: 

Address: 1785 Hillebrand Pl, Santa Clara

Date: 07/14/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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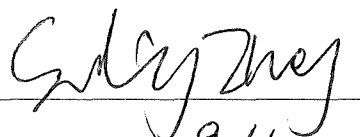
We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Suling Zheng

Signature:



Address:

1789 Hillebrant Pl, Santa Clara
95050

Date:

9/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Yang Xu Signature: Yang Xu
Address: 1789 Hillebrand Pl, Santa Clara, CA, 95050 Date: 9/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Jingqiu Lin Signature: 

Address: 1791 Hillebrand Pl, Santa Clara, CA Date: 9/5/20

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name:

In Seok Hwang

Signature:

(In Seok Hwang)

Address:

1797 Hillebrand PL Santa Clara

Date:

Sept. 12 / 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Vasimkhan Dange Signature: 

Address: 1797 Hill Hillebrand Place Santa Clara Date: 09/16/2022

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Sincerely,

Printed Name: Xi Yi

Signature: 

Address: 1799 Hillebrant Pl, Santa Clara, CA 95050

Date: 9/16/2022

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Sincerely,

Printed Name: Wenbin He

Signature: 

Address: 1799 Hillebrant Pl, Santa Clara, CA 95050

Date: 9/16/2022

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Sincerely,

Printed Name: Changfan Li

Signature: 

Address: 1801 Hillebrand Pl

Date: 9/16/22

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Sincerely,

Printed Name: Douglas Huang

Signature: 

Address: 1801 Hillebrand Pl, Santa Clara CA Date: 9/16/22
95050

Return 1867 Hillebrand

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: _____

Yuan Fang

Signature: _____



Address: _____

1810 Hillebrand PL

Date: _____

09/16/2022

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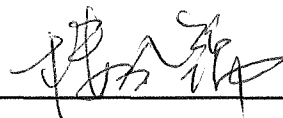
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Sincerely,

Printed Name:

Jinjin Lou

Signature:



Address:

1810 Hillebrand ~~Place~~

Date:

9-16-2022

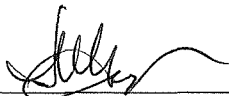
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Sincerely,

Printed Name: MARYNA SHEVELINA Signature: 

Address: 1822 Hillebrant Place Santa Clara Date: 09/16/2022

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: VITALII SHEVELIN

Signature: _____



Address: 1822 HILLEBRANT PL

Date: 9/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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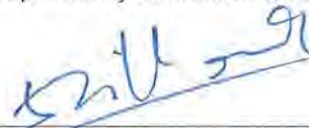
We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

JEAN-NOËL BILLARD

Signature:



Address:

1835 Hillcrest Place

Date:

09/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Christopher Lai

Signature:

Christopher Lai

Address:

1839 Hillebrant Pl, Santa Clara, CA

Date:

1/9/6/2022

95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Yen-Chu Yang Signature: 

Address: 1839 Hillebrand Place, Santa Clara Date: 9/6/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: INDRANIL SIRCAR

Signature: 

Address: 1847 HILLEBRANT PL

Date: 9/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Siwen Yu Signature: Siwen Yu
Address: 1848 Hillebrand Place Date: 07/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Quache Wang Signature: 

Address: 1848 Hillebrant Pl. Santa Clara, CA 95050 Date: 09/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Shanfeng Zheng

Signature: Shanfeng Zheng

Address: 1855 Hillebrand Pl

Date: 09/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Chen Hao Signature: Chen Hao

Address: # 1855 Hilkebrant Pl Date: 09/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Mara Katar

Signature: 

Address: 1859 Hillebrand pl

Date: 9/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name:

Josh Shen

Signature:

Josh Shen

Address:

1860 Hillebrant Pl
Santa Clara CA 95050

Date:

9.16.22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Arik Ahmed Signature: 

Address: 1862 Hillebrand Place, Santa Clara, CA Date: 9/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Abdullah Ahmed Signature: Abdullah A

Address: 1862 Killebault Place, Santa Clara, CA Date: 9/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Zainab Ahmed Signature: Zainab Ahmed

Address: 1862 Hillchaut Place, Santa Clara, CA Date: 9/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Farhat Sultana Signature: Farhat Sultana

Address: 1862 Hillebrand Pl, Santa Clara, CA Date: 9/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Rashmi Signature: Rashmi

Address: 1863, Hillebrand Pl, Santa Date: 09/13/2022

Clara

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: ANIL RAO Signature: Al Rao
Address: 1863 Hillebrand Pl, Date: 9/13/2022
Santa Clara

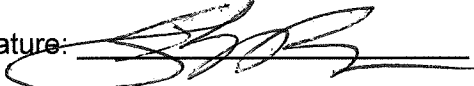
Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: SLAWY PARMER Signature: 
Address: 1807 HILLOBRANT PL Date: 7/7/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name:

Brenba Collins

Signature:

Bj Collins

Address:

1867 Hillebrand Place
Santa Clara, CA 95050

Date:

9/11/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name:

DISHA SHETTY

Signature:



Address:

1870 HILLEBRANT PL, SANTA CLARA,

Date:

9/13/22

CA-95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because

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Sincerely,

Printed Name: SUMIT RAO Signature: [Signature]

Address: 1870 HILLBRANT PL, SANTA CLARA Date: 03/15/2022
CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: ASIF HODA

Signature: 

Address: 1873 HILLEBRANT PL. Date: 09/16/2022
SANTA CLARA, CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: TASNEEM KAUSAR

Signature: Tasneem Kausar

Address: 1873, HILLEBRANT PL, SANTA CLARA Date: 09/16/22
55050

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Sincerely,

Printed Name: Xiaoling Lin Signature: Xiaoling Lin

Address: 1877 Hillebrand Pl, Santa Clara, CA 95050 Date: 9/16/22

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Sincerely,

Printed Name:

Ruoyu Zhang

Signature:

Ruoyu Zhang

Address:

1877 Hillebrand Pl. Santa Clara, CA,

Date:

09/16/2022

95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Guoli Yin Signature: 

Address: 1879 Hillebrand Pl, Santa Clara, CA, 95050 Date: 09/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: _____

Yamven Duan

Signature: _____

Duan

Address: _____

1879 Hillebrand Pl, Santa Clara, 95050 CA

Date: _____

9/16/2022

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: _____

Qiangqian Guo

Signature: _____



Address: _____

1885 Hillebrand Pl

Date: _____

09/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Meng Rui Zhan

Signature: 

Address: 1285 Hillbrand Pl

Date: 09/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: DAVID DAI Signature: 

Address: 1885 Hillebrand Pl, Santa Clara, Date: 09/16/22
CA, 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: TIANYI ZHANG

Signature: 

Address: 9112 HILLEBRANT PL, SANTA CLARA Date: 9/13/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: KEVIN LIM

Signature: 

Address: 1914 Hillebrand Place, Santa Clara
CA 95050

Date: 09/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Christina Bumbaca

Signature: 

Address: 1918 Hillebrand Pl

Date: 9/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Robert Gambone

Signature: 

Address: 1918 Hillerbrand Pl

Date: 9/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

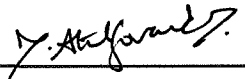
We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
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- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: ATUL MADHUSUDAN

Signature: 

Address: 1931 HILLEBRANT PL SANTA CLARA CA 95050 Date: 16 SEP 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: VEENA RAJASEKAR Signature: 

Address: 1931 HILLEBRANT PL Date: 09/13/2022
SANTA CLARA CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Sergiy Bilobrov Signature: 

Address: 1935 Hillebrand place, Santa Clara Date: Sep. 12, 2022

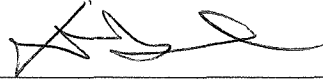
Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Bing Cai Signature: 
Address: 1937 Hillebrant Pl, Santa Clara, CA 95050 Date: 09/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: VINODHINI ARJUNAN

Signature: 

Address: 1940 HILLEBRANT PL, SANTA CLARA, CA Date: 09/16/22


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: SIVABALAN NARAYANAN Signature: 

Address: 1940 HILLEBRANT PL, SANTA CLARA, CA Date: 09/16/2022

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Sincerely,

Printed Name: ARANTIBALLY SUNDAR RAY Signature: 

Address: 1944 HILLEBRANT PL, SANTA CLARA Date: 9/12/22
CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: ANITHA SUNDERRAM Signature: Anitha Sunderram

Address: 1944 Hillebrant Pl. Santa Clara 95050 Date: 9/14/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Siman Zhu

Signature: 

Address: 1956 Hillebrand Pl, Santa Clara CA 95050 Date: 9/13/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Xiao Sun Signature: Xiao Sun

Address: 1950 Hillebrand Pl Santa Clara Date: 9/16/2022
CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

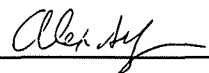
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Alexander Salzmann

Signature: 

Address: 1969 Hillebrant Pl., Santa Clara, CA 95050

Date: 09/09/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Mike Greco

Signature: 

Address: 1971 Hillebrant Pl Date: 9/13/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

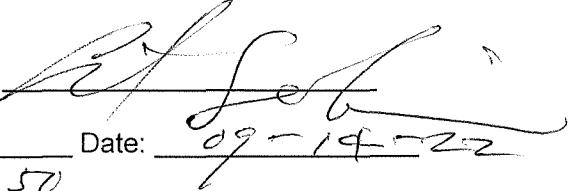
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Sincerely,

Printed Name: BIL KIM

Signature: 

Address: 1767 HILLEBRANT PLACE
SANTA CLARA, CA 95050

Date: 09-14-22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

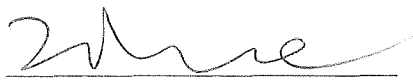
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Sincerely,

Printed Name: Ziwen Zhan

Signature: 

Address: 1340 Civic Center Unity, Date: 9/19/2022
Saved Clara, CA

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Ling Fang Signature: LF

Address: 1340 Civic Center Dr Union Date: 9/19/2022

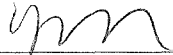
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Sincerely,

Printed Name: Lyu Pan Signature: 

Address: 1360 Civic Center Dr, Unit 4, Santa Clara, Date: 09/19/2022

CA.

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- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Janaki Signature: 

Address: 1360 Civic Center DR #4 Date: 9/1/19

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Duaa Alhawamdeh Signature: 

Address: #504 Civic Center Dr Date: Sept 12
1690

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Sean Akiyama

Signature:



Address:

1690 Civic Center Dr. #505

Date:

Sept. 11, 2022

Santa Clara, CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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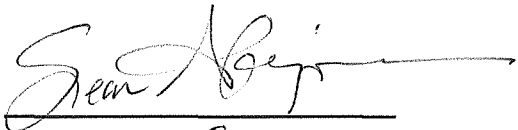
We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Aiga Ono

Signature:



Address:

1690 Civic Center Dr #505
Santa Clara, CA 95050

Date:

Sept 12 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Hector A. Espinoza Signature: _____

Address: 1601 Civic Center Dr #506

Date: 07/12/22

2

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Lizhen Dai Signature: 

Address: 1690 Civic Center Dr. APT 601, Santa Clara, CA, 95051 Date: 09/14/2022


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: ERIC LEE Signature: 
 Address: 1690 CIVIC CENTER DR #602 Date: 9/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: SCOTT MITCHELL

Signature: 

Address: 1690 Civic Center #604

Date: 9/15/22

SANTA CLARA, CA 95050

Petition to Oppose Charity Housing’s High-Density Development on 1601 Civic Center Drive, Santa Clara, CA


We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on ‘1601’. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of ‘1601’ and to block access along Triton Ct.’s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes’ living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: GoInaz Bakhshi

Signature:  DA06ED0DEACE40B...

Address: 1690 Civic Center Dr., Unit 605, Santa Clara, CA Date: 9/8/2022

Petition to Oppose Charity Housing’s High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

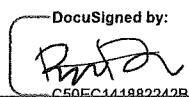
We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on ‘1601’. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of ‘1601’ and to block access along Triton Ct.’s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes’ living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the ‘Plan’. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
- **Financial Impact:** The ‘1601’ project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City’s structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children’s park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Babak Jamshidi

Signature:  C50EC441882242B

Address: 1690 civic center Drive, Unit 605, santa clara, CA Date: 9/6/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: MICHAEL DISCITALE Signature: 

Address: 1690 CIVIC CENTER DRIVE #606 Date: 9-6-2022
SANTA CLARA CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: VIVEZIU LI Signature: 

Address: 1690 Civic Center Dr Apt 607, Santa Clara, CA Date: 09/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Bingyu Zhang Signature: 

Address: 1690 Civic Center Dr, Apt 607 Date: 09/13/22
Santa Clara, CA, 95050

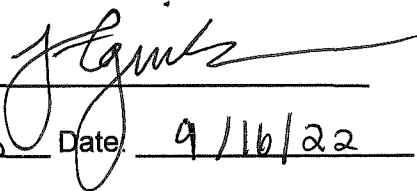
Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Juanana Aguilar Signature: 
Address: 1601 Civic Center Dr. Apt 608 Date: 9/16/22
Santa Clara, CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Emmanuel Crisostomo Signature: 

Address: 1690 Civic Center Dr Apt 608 Date: 9/16/22
Santa Clara, CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: YOW-CHUN CHEN Signature: YOW-CHUN CHEN

Address: 1670 Civic Center Dr. Apt 609, Date: 09/19/2022
Santa Clara, CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: NEHA KHATTRI Signature: 

Address: 1690 CIVIC CENTER DR. APT 610 Date: 09/11/22
SANTA CLARA CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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We believe in sustainable and balanced ECR development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: ANUSH CHOPRA

Signature: 

Address: 1690 CIVIC CENTER DR. APT 610, SANTA CLARA CA 95050 Date: 09/11/22


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: TAREK HUSSEIN Signature: 

Address: 1690 Civic Center Dr. #611 Date: SEP 15, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Ronald Jaravata

Signature: 

Address: 1690 Civic Center Dr #612

Date: 9/17/22

Santa Clara 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Chao Wang

Signature:

Chao Wang

Address:

6190 Civic Center Dr # 613

Date:

9/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Nan Ping Wang

Signature: Nan Ping Wang

Address: 1690 Civic Center Dr #613

Date: 9/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: _____

Signature: _____

Address: _____

Date: _____

Ping Li
1690 Civic Center Dr #613
9/15/2022

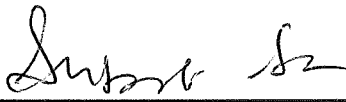
Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: SUBRATA GHOSH Signature: 

Address: 1650 Civic Center Dr #614 Date: 9/17/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Alex Gabriel

Signature:

Alex Gabriel

Address:

1690 Civic Center Dr. 615

Date:

09-18-2022


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: AISHA IRET Signature: 

Address: 1690 CIVIC CENTER DR 616 Date: 9/19/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Bob Katz

Signature: [Handwritten Signature]

Address: 1690 Civic Center Dr

Date: 9/19/2024

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: James Silolo

Signature: 

Address: 1690 Civic Center #705

Date: 9/15/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Cameron Hoover

Signature: 

Address: 1690 Civic Center Dr, #710

Date: 9-15-22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Jamie Vitale

Signature: 

Address: 1420 Civic Center Dr #8 Santa Clara Date: 9/12/2022
CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Sabina Sabatini

Signature: 

Address: 1420 Civic Center Drive Unit 6
Santa Clara, CA 95058

Date: 9/14/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Mario Vitale

Signature:



Address:

1420 Civic Center Dr. #8, Santa Clara, CA
95050

Date:

9/12/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: CHULAN GUAN

Signature: 

Address: 1400 Civic Center Dr Unit 5
Santa Clara, CA 95050

Date: 9/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Yan Zhu Signature: 

Address: 1420 Civic Center Dr unit 3 Date: 9/19/2022
Santa Clara, CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: _____

SHUO YANG

Signature: _____



Address: _____

1465 EL CAMINO REAL

Date: _____

09/19/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Lei Fu Signature: Lei Fu

Address: 465 El Camino Real Date: 07/19/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Guiping Wang Signature: Guiping Wang

Address: 1390 Civic Center dr Unit 8, Date: 09/19/2022

Santa Clara

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Xi Zao Yang Signature: X Z

Address: 1360 Civic Center Dr #5 Date: 9/19/2022
Santa Clara, CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Wei Zheng Signature: Wei Zheng

Address: 1360 Civic Center Dr #5 Date: 9/19/2022
Santa Clara, CA 95050

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Sincerely,

Printed Name: YIDING LIU Signature: 

Address: 1380 Civic Center Dr Unit 5 Date: 9/19/22
Santa Clara 95050


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Sincerely,

Printed Name: NAN LIANG Signature: 
Address: 1380 Civic Center Dr Unit 5 Date: 9/19/22
Santa Clara


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Sincerely,

Printed Name: Jeff Chiang Signature: 

Address: 1380 Civic Center Dr. #9 Date: 9-19-2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: iko Tony Wang Signature: 

Address: 1200 Civic Center # 9 Date: 9/19/2022

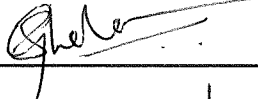
Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Shreyas Ghelani Signature: 
Address: 1420 CIVIC CENTER DRIVE UNIT 4 Date: 09/19/2022
SANTA CLARA CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Siddharth Shah Signature: 

Address: 1620 CIVIC CENTER DR, UNIT 4, SANTA CLARA Date: 09-19-2022
CA 95050


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Hann Wang Signature: 
Address: 1420 Civic Center Dr Unit #3 Date: 9/19/22
Santa Clara, CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: CHAOMIN ZHONG Signature: Chao Zhong
Address: 1360 Civic Center Dr Unit 7 Date: Sep. 19, 2022

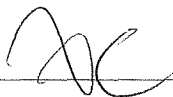
Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: XINYU CAO Signature: 
Address: 1360 Civic Center Dr Unit 7 Date: Sep 19, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

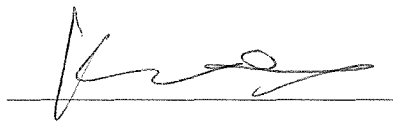
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Sincerely,

Printed Name: Rachana Huang

Signature: 

Address: 1400 Civic Center Dr, Unit 7, 95050 Date: 09/19/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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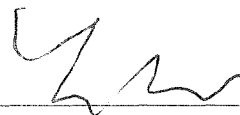
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Sincerely,

Printed Name:

YIXIN MA

Signature:



Address:

1400 Civic Center Dr Unit 8

Date:

9/19/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Yu Shi Signature: Yu Shi

Address: 1400 Civic Center Dr Unit 8 Date: 09/19/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Nehemiah Signature: Nehemiah
Address: Civic Center Dr Date: SEP 19, 19
APT 6 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Chengjin ZHANG Signature: 
Address: 1460 Civic Center Dr. Unit 2 Date: 09/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Weiting Wong

Signature: 

Address: 1460 civic center Dr. unit 2

Date: 09/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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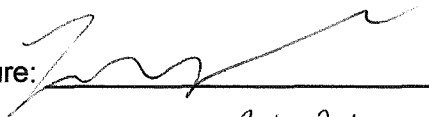
We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

J IACONGO HE

Signature:



Address:

1460 Civic Center Drive

Date:

9/18/2022

Unit 5, Santa Clara

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: ZHE SUN Signature: Zhe Sun

Address: 1460 Civic Center Dr. Unit 5 Date: 9/19/2021
Santa Clara, 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: JIEYI DENG Signature: Jieyi Deng
Address: 1460 Civic Center Dr. Unit 1, Santa Clara, CA 95050 Date: 09/19/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA


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Sincerely,

Printed Name: JIA YAO LI

Signature: 

Address: 1460 Civic Center Dr, Unit 1, Santa Clara CA 95050 Date: 09/19/2022


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Kyoung Ki Signature: 

Address: 1446 Civic Center Dr # 2 Date: 9-19-22
Santa Clara CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: LUYUE ZHANG Signature: 张露月

Address: 1340 Civic Center Drive Date: 9/19/2022


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Sincerely,

Printed Name: Mengdi Wu Signature: 
Address: 1365 El Camino Real Santa Clara, CA Date: 09/19/2022

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Sincerely,

Printed Name: Yiming chu Signature: Yiming Chu

Address: 1365 El Camino Real, Santa Clara, CA Date: 09/19/2022

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Sincerely,

Printed Name: Jianing Zhao Signature: 

Address: 1369 El Camino Real Date: 09/19/2022

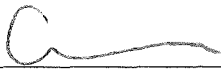
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Sincerely,

Printed Name: Chang Liu Signature: 

Address: 1369 El Camino Real Date: 09/19/2022

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Sincerely,

Printed Name: ZHENGY DING Signature: Zheng Ding
Address: 1427 El Camino Real, Santa Clara Date: 09/19/2022
CA 95050

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Sincerely,

Printed Name: Muri Li Signature: Muri Li

Address: 1429 El Camino Real. Date: 9/18/2022
Santa Clara, CA 95050

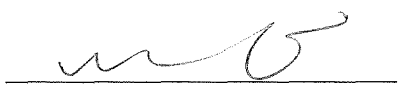
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Sincerely,

Printed Name: Xu Wang Li Signature: 
Address: 1429 El Camino, Santa, CA Date: 9/19/2022
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- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Hayoon Chung

Signature: 

Address: 1421 El Camino Real Santa Clara, CA 95050 Date: 09/19/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Danny Wong Signature: 

Address: 1690 Civic Center Drive, Santa Clara #101 Date: 9/12/22


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Diana Carr #101 Signature: 
Address: 1690 Civic Centre Drive, Santa Clara Date: Sept 12, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

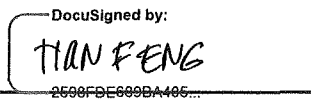
We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: TIAN FENG

Signature: 

Address: 1690 Civic Center Drive, Apt 102, Santa Clara, 95050

Date: 9/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Alexandra Williams Signature: Alexandra Williams

Address: 1690 Civic Center Dr. #103 Date: 9/16/22


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Jordan S Woldebisha Signature: 

Address: 1690 Civic Center Dr Apt 104 Date: 11/02/2022


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Bereket Sharaw Signature: 

Address: 1690 Civic Center Dr, Apt 104 Date: 11/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

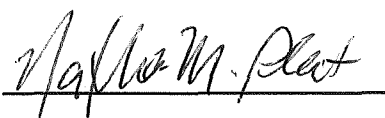
We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: NATHAN PLANT

Signature: 

Address: 1601 CIVIC CTR DR. #106

Date: 13 SEP 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: PENELOPE RAQUINO Signature: 

Address: 1690 CIVIC CNTR #106 Date: 13 SEPT 2022
SANTA CLARA, CA. 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

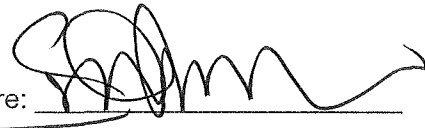
We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at 1601 Civic Center Drive, Santa Clara, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: STEPHANIE ALBW

Signature: 

Address: 1690 CIVIC CENTER DR #201

Date: 9/13/22

SANTA CLARA CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Jose Sotelo Signature: 

Address: 1690 Civic Center Dr, Santa Clara Date: 09/12/22
Apr 2022 CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Miriam

Signature: Miriam Veliz

Address: 1690 Civic Center Dr Santa Clara Date: 12-09-2022
Apt 202 CA

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Jose A. Sotelo-Diaz Signature: Jose Sotelo Diaz

Address: 1690 Civic Center Dr Santa Clara Date: 09/12/22
Appt 202 CA, 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Yihe Huang

Signature: 

Address: 1690 Civic Center Dr Apt 203, Santa Clara, CA 95050 Date: 09/06/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Raymond Chan

Signature: 

Address: 1690 Civic Center Dr. #204

Date: 9/7/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Yi Fang

Signature: 

Address: 1690 Civic Center Drive #204, Santa Clara Date: 9/7/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Orion Litzo Signature: ~~Orion Litzo~~ Orion Litzo
Address: 1690 Civic Center Dr. #205 Date: 9/10/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA


We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: ATIF TAHIR

Signature: 

Address: 1690 CIVIC CENTER DR APT 206 Date: 9/11/2022

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Sincerely,

Printed Name: Hiba Khurshid

Signature: Hiba Khurshid

Address: 1690 Civic Center Dr Apt 206
Santa Clara 95050

Date: 09/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA


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Sincerely,

Printed Name: Alex Mondal

Signature: 

Address: 1690 Civic Center Dr. Apt 301 Date: 09/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Jasmine Doshi Signature: Jasmine Doshi

Address: 1690 Civic Center Dr. Unit 301 Date: 09/12/22

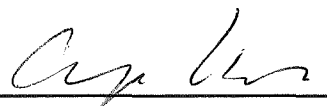
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Sincerely,

Printed Name: Ganyu Lian Signature: 
Address: 1690 Civic Center Dr. Apt 203 Date: 09/12/2022
Santa Clara, CA 95050

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Sincerely,

Printed Name: Ruiting He Signature: Re He

Address: 1690 Civic Center Dr., Apt 303, Santa Clara, CA 95050 Date: 09/12/2022


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Sincerely,

Printed Name: Carlin Frates Signature: 

Address: 1690 Civic Center Dr # 304 Date: 09/06/22
Santa Clara, CA 95050

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Sincerely,

Printed Name: John Heyer Signature: 

Address: 1690 Civic Center Dr #304 Date: 09/06/22
Santa Clara, CA 95050

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- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Eric Lau Signature: Eric Lau

Address: 1690 Civic Center Dr Apt. 305 Date: 9/10/22
Santa Clara CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Jamie Lau

Signature:



Address:

1690 Civic Center Dr. Apt 305

Date:

9/10/2022

Santa Clara CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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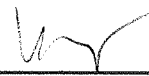
We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: _____

Yu Huang

Signature: _____



Address: _____

1690 Civic Center Dr. #306, Santa Clara, CA, 95050

Date: _____

9/6/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

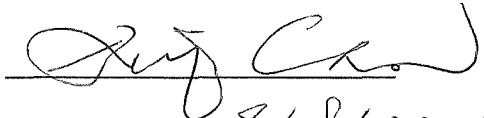
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: BETTY CHOW

Signature: 

Address: 1690 Civic Center Dr #401

Date: 9/8/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

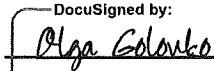
We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Olga Golovko

Signature: 

Address: 1690 Civic Center Dr #402 Santa Clara CA 95050 Date: 9/14/2022

DocuSigned by:

71FCD11286B44D2...

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Sean Su

Signature: 

Address: 1690 Civic Center Dr, #402, Date: 9/10/22
Santa Clara, CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Adina Kaliyeva Signature: 

Address: 1690 Civic Center Dr Apt 402, Santa Clara Date: 9/10/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: BALAJI VAIDYANATHAN Signature: V. Balaji

Address: 1690 CIVIC CENTER DR, #A04, SANTA CLARA, CA 95050 Date: 6th SEP 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: SUBIKSHA . K . Signature: Subiksha

Address: 1690 CIVIC CENTER DR, APT 404, SANTA CLARA, Date: ~~06/09/2022~~ 9th Sep, 2022
CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: DAYTON KALES

Signature: 

Address: 1690 CIVIC CTR DR # 501

Date: 9/12/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Michelle Knolas Signature: MKnolas
Address: 1690 Civic Center Dr #501 Date: 9-12-22
SANTA CLARA, CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name:

James Curran

Signature:

James Curran

Address:

1690 Civic Center Dr #502

Date:

9/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Inderpal Kaur

Signature: 

Address: 11090 Civic Center Dr #503 Santa Clara CA Date: 9/12/22

95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: NIRMAL SINGH SOORA Signature: Nirmal Singh Soora

Address: 1690 CIVIC CENTER DR # 503 Date: 9/12/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA


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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Rajinder Kaur

Signature: 

Address: 1601 Civic Center Dr #503 Santa Clara CA Date: 9-12-22
95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Jaspreet Kaur

Signature: _____



Address: 1690 Civic Center Dr #503 Santa Clara
CA 95050

Date: 9-12-22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Mohammad Ahmad Signature: 

Address: 1690, Civic Center Drive, 504 Date: Sept 12

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Jieming Bi Signature: Jieming

Address: 1380 Civic Center dr. Unit 8, CA 95050 Date: 9/19/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: The Kang Signature: The Kang

Address: 1380 Civic Center Dr. Unit 8, Date: 9/19/2022
Santa Clara, CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Yimei Yu Signature: Yimei Yu

Address: 1340 Civic Center Dr Union Date: 9/19/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Guk Hyeon Chai

Signature: *Guk Hyeon Chai*

Address: 1421 El Camino Real, Santa Clara, CA, 95050 Date: Sept 19th 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Zexuan Guo

Signature: 

Address: 1440 Civic Center Dr unit 4, Santa Clara, CA 95050 Date: 09/17/2022


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Bingxin Fu Signature: 
Address: 714 Valley Way Santa Clara Date: 9/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Atul Patel

Signature: 

Address: 2331 William Dr Apt 2, Santa Clara, CA 95050 Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Bharat Patel

Signature: BJP

Address: 2372 William Dr Apt 2, Santa Clara, CA 95050 Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA


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- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Bhumi Patel

Signature: 

Address: 2372 William Dr Apt 2, Santa Clara, CA 95050 Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Deep Patel

Signature: 

Address: 2331 William Dr Apt 2, Santa Clara, CA 95050

Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Hir Patel

Signature: 

Address: 2929 Corvin Dr Unit 213, Santa Clara, CA 95051 Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Jianhong Jiang

Signature: 

Address: 714 valley way santa clara Date: 9/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Jyotsna Patel

Signature: 

Address: 2929 Corvin Dr Unit 213, Santa Clara, CA 95051 Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Mahesh Patel

Signature: M. J. Patel

Address: 2331 William Dr Apt 4, Santa Clara, CA 95050

Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Manisha Patel

Signature: 

Address: 2372 William Dr Apt 2, Santa Clara, CA 95050

Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Nand Patel

Signature: 

Address: 2372 William Dr Apt 2, Santa Clara, CA 95050

Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Parul Patel

Signature: P. Patel

Address: 2331 William Dr Apt 2, Santa Clara, CA 95050 Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

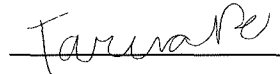
We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Taruna Patel

Signature: 

Address: 2331 William Dr Apt 4, Santa Clara, CA 95050 Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Vashnavi Patel

Signature: 

Address: 2331 William Dr Apt 2, Santa Clara, CA 95050

Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Vijay Patel

Signature: V.J.P.

Address: 2929 Corvin Dr Unit 213, Santa Clara, CA 95051 Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Robin Deng

Signature: 

Address: 1340 Civic Center Dr. Unit 8, Santa Clara, CA 95050

Date: 09 / 17 / 2022


Petition to Oppose Charly Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at 1601 Civic Center Drive, Santa Clara, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Cheryl Deng Signature: 
Address: 1340 Civic Center Drive unit 8 Date: 9/18/2022


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: DEVENDRA VORA Signature: 

Address: 1340 CIVIC CENTER DR # 2 Date: 9/17/22
SANTA CLARA CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: SWATI VORA

Signature: 

Address: 1340 Civic Center Dr #2, Santa Clara, CA 95050 Date: 16th September 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Richard Zheng

Signature: 

Address: 1360 Civic Center Dr #9

Date: 9/14/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Yifan Jiang

Signature:

Yifan Jiang

Address:

1380 Civic Center Dr, Unit 3, Santa Clara
95050, CA

Date:

13th Sep 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Kai Jiang

Signature: 

Address: 1380 Civic Center Drive Apt 6, Santa Clara, CA 95050

Date: 09/17/2022


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at 1601 Civic Center Drive, Santa Clara, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Yunchao Li Signature: 
Address: 1380 Civic Center Dr #3, Santa Clara, CA Date: 09/13/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Minying Deng

Signature: 

Address: 1380 Civic Center Drive Apt 6, Santa Clara, CA 95050

Date: 9/14/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

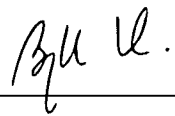
We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Brighton Vino Jegarajan

Signature: 

Address: 1400 Civic Center Drive, Unit 1, Santa Clara 95050

Date: 9/12/2022

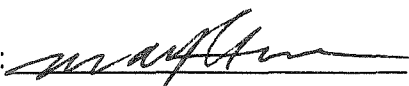
Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at 1601 Civic Center Drive, Santa Clara, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Xia Hua Signature: 
Address: 1400 Civic Center Dr. # 9 Date: 9/14/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at 1601 Civic Center Drive, Santa Clara, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Joseph Jing

Signature: 

Address: 1400 Civic Center Dr, #9

Date: 9/14/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Harshad Patel

Signature: _____

Address: 1400 Civic Center Dr Unit 2, Santa Clara, CA 95050 Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Hao Wu

Signature:

[Handwritten Signature]

Address:

1400 Civic Center Dr, unit 6,

Date:

09/18/2022

Santa Clara, CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Harshika Patel

Signature: _____

Address: 1400 Civic Center Dr Unit 2, Santa Clara, CA 95050 Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

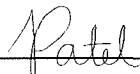
We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Janki Patel

Signature: 

Address: 1400 Civic Center Dr Unit 2 Santa Clara, CA 95050 Date: Sep. 14, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Jin Yan

Signature: 

Address: 1400 Civic Center Dr Unit 5, Santa Clara, CA 95050 Date: 09/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at 1601 Civic Center Drive, Santa Clara, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: KAIYUAN ZENG

Signature: Kaiyuan Zeng

Address: 1400 Civic Center Dr Unit 5, Santa Clara, CA 95050 Date: 09/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Dezhi He

Signature: 

Address: 1420 Civic Center Dr #2, Santa Clara 95050 Date: 9/10/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Xuehui Zhu

Signature: 

Address: 1420 Civic Center Dr #2, Santa Clara, 95050 Date: 9/10/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Jiaqing Ni

Signature: Jiaqing Ni

Address: 1420 Civic Center Dr, Unit 7, Santa Clara 95050 Date: 9.12.22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Danxue Huang

Signature: 

Address: 1440 Civic Center Dr, Unit 2, Santa Clara, CA 95050 Date: 9/11/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Liang Li

Signature: Liang Li

Address: 1440 Civic Center Dr, Unit 2, Santa Clara, CA 95050 Date: 09/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Xueyang Hu

Signature: _____



Address: 1440 Civic Center Dr Unit 1 Santa Clara CA 95050

Date: 09/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Dehua Cao

Signature: *Dehua Cao*

Address: 1440 Civic Center Unit 3, Santa Clara, CA 95050 Date: 9/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Chuang Qian

Signature: *Chuang Qian*

Address: 1440 Civic Center Unit 3, Santa Clara, CA 95050 Date: 09/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Jingjing Xu

Signature: 

Address: 1440 Civic Center Dr unit 4, Santa Clara, CA 95050 Date: 09/17/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Liping Huang

Signature: Liping Huang

Address: 1460 Civic Center Unit 7, Santa Clara, CA 95050 Date: 09/10/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at 1601 Civic Center Drive, Santa Clara, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Udit Jain

Signature: 

Address: 1440 Civic Center Dr. Unit 6,
Santa Clara, CA

Date: 9/19/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at 1601 Civic Center Drive, Santa Clara, because:

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Sincerely,

Printed Name: Rajlakshmi De

Signature: Rajlakshmi

Address: 1440 Civic Center Dr., Unit 6, Date: 9/19/2022

Santa Clara, CA, 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Pan Ji

Signature: 

Address: 1460 Civic Center Dr, Unit 7, Santa Clara, CA 95050 Date: 09/13/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Anton Frolov

Signature:  _____

Address: 1415 El Camino Real, Santa Clara, CA, 95050

Date: 9/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Mirna Maldonado

Signature: Mirna F. Maldonado

Address: 1367 El Camino Real, Santa Clara, CA 95050 Date: 15 SEP 22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Luis Giron-Yuja

Signature: Luis A Giron Yuja

Address: 1367 El Camino Real, Santa Clara, CA 95050 Date: 15 SEP 22

2

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: XIAOLIAN CHEN Signature: 

Address: 1373 El Camino Real Date: 9/17/2022


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: WENHUI JIA Signature: 

Address: 1373 El Camino Real Date: 9/17/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: BANI RAAGAR VJAS

Signature: Bani

Address: 1377 EL CAMINO REAL, SANTA CLARA Date: 9/11/2022

CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: ANSHUMAN VIJAS Signature: 

Address: 1377 EL CAMINO REAL, SANTA CLARA, CA 95050 Date: 9/11/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

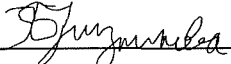
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Sincerely,

Printed Name: Margarita Bliznikova

Signature: 

Address: 1415 El Camino Real, Santa Clara, CA, 95050

Date: 9/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: ZHAOYU CUI

Signature: Zhaoyu Cui

Address: 1417 El Camino Real

Date: 09/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at 1601 Civic Center Drive, Santa Clara, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: XiaoJiao Liu

Signature: [Handwritten Signature]

Address: 1417 El Camino Road

Date: 9/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA


We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Sara Bermudez

Signature:  _____

Address: 1425 El Camino Real, Santa Clara CA. 95050 Date: 09/18/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Enrique Lopez

Signature:  _____

Address: 1425 El Camino Real, Santa Clara CA. 95050

Date: 09/18/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Charlize Kusuma

Signature: Charli

Address: 1431 El Camino Real

Date: 09/13/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Edric Kusuma

Signature: 

Address: 1431 El Camino Real

Date: 09/14/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Endah Kusuma Signature: Endah Kusuma

Address: 1431 El Camino Real, Santa Clara Date: 09/13/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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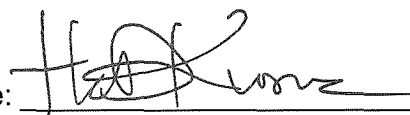
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Sincerely,

Printed Name:

Harry Kusuma

Signature:



Address:

431 El Camino Real,
Santa Clara, CA 95050

Date:

09/12/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Brent Styshko

Signature: Brent Styshko

Address: 1435 El Camino Real, Santa Clara CA, 95050 Date: 9/18/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Cynthia Stryko

Signature: 

Address: 1435 El Camino Real, Santa Clara, CA 95050

Date: 9/13/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Bryce Yao

Signature: *Bryce Yao*

Address: 1439 El Camino Real, Santa Clara, CA 95050 Date: 9/14/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Tyler Lym

Signature: 

Address: 1449 El Camino Real, Santa Clara 95050 Date: 9/18/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA


We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Tianjia Chen

Signature: 

Address: 1451 El Camino Real, Santa Clara Date: 9/12/2022
CA, 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Ying Yang

Signature: 

Address: 1451 El Camino Real, Santa Clara, CA
95050

Date: 09/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Wenchang Wu

Signature: 

Address: 1455 El Camino Real Date: 09/13/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Chris Wong

Signature: 

Address: 1455 El Camino Real

Date: 09/14/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Rie Inaba

Signature: 

Address: 1469 El Camino Real

Date: 9-16-22

Petition to Oppose Charly Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: JOHN DAO

Signature: 

Address: 1469 El Camino Real

Date: 9/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Chun-Liang Li

Signature: 

Address: 1471 El Camino Real, Santa Clara, CA 95050 Date: 9/13/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

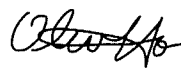
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Olive Ho

Signature: 

Address: 1471 El Camino Real Date: 9/13/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at 1601 Civic Center Drive, Santa Clara, because:

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Sincerely,

Printed Name: Helena Geda

Signature: 

Address: 1475 El Camino Real, Santa Clara Date: 09/16/22
CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name:

Robel Getu

Signature:



Address:

1475 El Camino Real, Santa Clara, 95050

Date:

9/16/22


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Getu Limenk Signature: 
Address: 1475 El Camino Real, Santa Clara Date: 09/16/2021
CA 95050

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Sincerely,

Printed Name: TONY MANCEBO

Signature: Tony Mancebo

Address: 1828 Park Vista Cir Santa Clara CA
95050

Date: 9/14/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

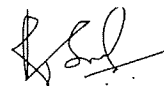
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Sincerely,

Printed Name: Sunil Ravipati

Signature: 

Address: 1830 Park Vista Cir, Santa Clara, CA 95050

Date: 09/15/2022


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Naama Bhatti Signature: 
Address: 1808 Parkvista Cir Date: 9/12/22
Santa Clara, CA

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Suzia Islam Signature: 

Address: 1812 Park Vista Circle, Santa Clara CA Date: 09/12/22


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Usman Bhatti Signature: 

Address: 1808 Park Vista Cir Date: 9/12/22
Santa Clara, CA

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Faisal Saifdar Signature: Faisal

Address: 1561 Warburton Avenue Date: 9/11/2022
Apartment #11

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Tuan Ho

Signature: 

Address: 1973 Monroe St. Santa Clara, CA Date: 9/15/22
95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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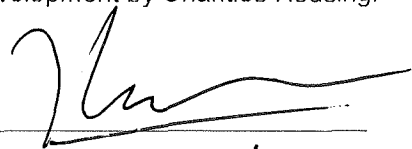
We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Amy Nguyen

Signature:



Address:

1973 Morse St
Santa Clara, CA 95050

Date:

1/6/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name:

DAN PAN

Signature:



Address:

1067 Silvertp Way

Date:

9/13/25



Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name:

Qi Xiao

Signature:

[Handwritten Signature]

Address:

1510 Briarwood Dr

Date:

9.11.2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: XIN G CHEN Signature: Xin Chen

Address: 3049 BARKLEY AVE, 95051 Date: 09/13/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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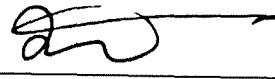
We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

ERTJL WANG

Signature:



Address:

928 Perreira Ln Santa Clara

Date:

Sept. 14, 2022

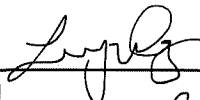
Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: LARRY WANG Signature: 
Address: 350/Eden Dr. Santa Clara, CA 95051 Date: 09/13/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

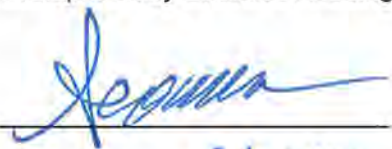
We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Seon-Mee Cho

Signature: 

Address: 4338 Marston Ln. Santa Clara
CA 95054

Date: 9/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: shuang xiao

Signature: 

Address: 1372 Mcpherson St, Santa Clara, 95051 Date: 09/14/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Kim Thompson

Signature:

K. Thompson

Address:

1675 Scott Blvd.

Date:

09-16-22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Vivian Wang

Signature: 

Address: 1855 Palm View Pl 95050 Date: 09/19/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: _____

Adria Siu

Signature: _____



Address: _____

1855 Palm View Pl #119

Date: _____

9-19-22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: RONALD BRUNTO

Signature: 

Address: Greenpoint Apts

Date: 09/19/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: ALIENA DAUT Signature: Aliena

Address: Greenpoint Date: 09/19/22

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Sincerely,

Printed Name: Paula Carlstad

Signature: _____

Address: 1322 Warburton Ave. Santa Clara CA 95050

Date: 9/21/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Ines Mancebo

Signature: Ines Mancebo

Address: 1347 Loyola dr. Santa Clara, CA 95051

Date: 9/21/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

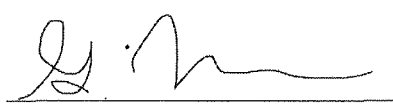
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Sincerely,

Printed Name: Gabriella MANCEBO

Signature: 

Address: 1347 Loyola dr. Santa Clara, ca 95051 Date: 9/21/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Sandor Fazekas Signature: Sandor
Address: 1700 Civic Ctr Dr, Apt 213 Date: 09/10/22


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Sincerely,

Printed Name: Todd Tippet Signature: 
Address: 1700 Civic Center Dr # 216 Date: 9/7/22
Santa Clara CA 95050

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Sincerely,

Printed Name: SUMISA LOPHONG

Signature: 

Address: 1700 CIVIC CENTER DR. APT 316
SANTA CLARA CA 95050

Date: 09/07/2022

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Sincerely,

Printed Name: SACHIN GUPTA

Signature: Sachin

Address: 1700 CIVIC CENTER DR., APT-307, SANTA CLARA, CA-95050, Date: 9/8/2022

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- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: ROLI RAJVANSHI Signature: Roli R.

Address: 1700 CIVIC CENTER DR., APT-307, SANTA CLARA, CA Date: 9/8/2022
-95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Nancy Coffey Signature: Nancy Coffey
Address: 1700 Civic Center Dr. # 701 Date: 9/8/22
Santa Clara, CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: James Chee

Signature: James Chee

Address: 1700 Civic Center Dr #107, Santa Clara, CA 95050 Date: 9/13/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

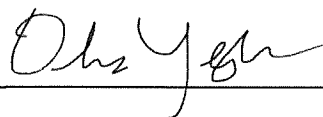
We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Olga Yeghyayan

Signature: 

Address: 1700 Civic Center Dr. #309

Date: 9-9-2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

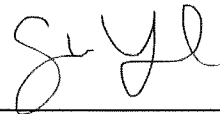
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Simon Yeghyayan

Signature: _____



Address: 1700 Civic Center dr. #309

Date: 9-9-2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: CLEM ESMAIL

Signature: 

Address: OWNER
1700 CIVIC CENTER
DRIVE, APT. 408

Date: 9-8-2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Orit Skorka

Signature: *Orit Skorka*

Address: 1700 Civic Center Drive #608

Date: 7 Sept 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Nicolas Fujita

Signature: 

Address: 1700 Civic Center Dr. 603, Santa Clara, CA 95050 Date: Sep. 8, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Rushinkumar Barot

Signature: 

Address: 1700 Civic Center , Unit 303, Santa Clara 95050 Date: 09/07/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: _____ Nehal Rao _____

Signature: _____  _____

Address: _____ 1700 Civic Center Dr , Unit 303, Santa Clara 95050 _____ Date: _____ 09/07/2022 _____


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Yujin Chu Signature: 
Address: 1700 Civic Center Dr Date: 1/15/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Maheshbabu S

Signature: 

Address: 301, 1700 Civic Center Dr, Santa Clara, 95050 Date: 09/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: FELIPE CARRILLO

Signature: Felipe Carrillo

Address: 1700 CIVIC CENTER DR APT 101 SANTA CLARA Date: 9/15/2022
CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Sonal

Signature: 

Address: 1700 Civic Center Drive Date: 09/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Haylie Costa Signature: Haylie Costa
Address: 1700 Civic Center Dr. Date: 9/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Julia Aravala

Signature: 

Address: 1700 Civic Center #416

Date: 9-17-22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Courtney Fone

Signature: 

Address: 1700 civic center drive #305

Date: 9.16.22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: ZHE CUI

Signature: 

Address: 1700 Civic Center Dr Apt #411, Santa Clara, CA Date: 09/08/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Xinyu Zou

Signature: Xinyu Zou

Address: 1700 Civic Center Drive #516

Date: 09/08/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Ross daSilva

Signature:  _____

Address: 1700 Civic Center Drive 701, Santa Clara, CA 95050 Date: 09/07/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Darryl Payne

Signature: 

Address: 1700 Civic Center Dr. #601

Date: 9/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Kevin Sloan Signature: 

Address: 1700 Civic Center Dr #110 Date: 9/15/22
Santa Clara CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: WASI ZAMAN Signature: Wasi Zaman

Address: 1601 Civic Center Dr Date: 9/15/2022
503 Santa Clara
CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Kurt Wilkinson

Signature: 

Address: 1600 Civic Center Drive #602
Santa Clara, CA 95051

Date: 9/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Debra Buske

Signature: 

Address: 1700 Civic Center Dr # 703 Date: 9-10-22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Financial Impact: The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.

Project burdens local private amenities: Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: NORMAN BURKE

Signature: Norman Burke

Address: 1700 Civic Center Dr # 703

Date: 9-10-22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Raquel Arellano Signature: R. Arellano
Address: 1700 Civic Center #508 Date: 9/15/22

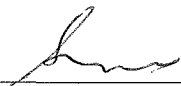
Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: VINDYAR Signature: 

Address: 1200 CIVIC CENTER DR 95053 Date: 9/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Sydney Preston

Signature: 

Address: 1100 Civic Center, 211

Date: 9/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Ryan Luciano Signature: 

Address: 1700 Civic Center Dr. #410 Date: 9/15/22


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Timothy C. Bass Signature: 
Address: 1700 Civic Center Drive Apt 704 Date: 9/15/32
Santa Clara

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Jacob Burcho

Signature: 

Address: 1700 Civic Center Dr APT 609 Date: 9/14/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Alayna Brooks

Signature: 

Address: 1700 Civic Center Dr Date: 9/14/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: AMANDA CLEM Signature: 

Address: 1700 Civic Center Dr. Date: 9/15/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: John Gueron

Signature: 

Address: 1700 Civic Ctr #106

Date: 9/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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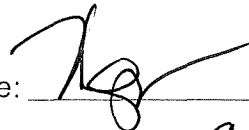
We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Michelle Nguyen

Signature:



Address:

1700 Civic Center #106

Date:

9/15/2020


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Sunil Bhagwan Signature: 

Address: 1650 Triton Ct, Santa Clara Date: 09/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: DEEPA HOTCHADANI Signature: 

Address: 1650 Triton Ct. Date: 09/09/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA


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Sincerely,

Printed Name: Henning Hausenstein

Signature: 

Address: 1670 Triton Ct., Santa Clara, CA 95050 Date: Sept. 15, 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

Maria Cobahus

Signature:

[Handwritten Signature]

Address:

1710 Triton Ct. Santa Clara

Date:

9/15/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: RESHMA KOTWAL

Signature: 

Address: 1700 TRITON CT, SANTA CLARA, CA 95050 Date: 09/13/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name:

Rajendra Kundapur

Signature:



Address:

1700 TRITON CT, SANTA CLARA, CA 95050

Date:

09/13/2022

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- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Aryan Kundapur Signature: Aryan Kundapur

Address: 1700 TRITON CT, SANTA CLARA, CA-95050 Date: 09/13/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Keyhan Sinai

Signature: Keyhan Sinai

Address: 1691 TRITON CT. SANTA CLARA CA Date: 9/12/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Sahar Sindi

Signature: 

Address: 1691 Triton Ct, Santa Clara Date: 9/12/2022
CA, 95050

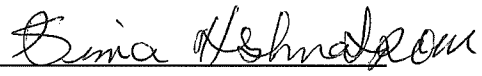
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Sima Heshmatpour Signature: 

Address: 1691 Triton Ct. Santa Clara Date: 09/12/2022
CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Faranik Sinai

Signature: 

Address: Unit 2-2H, 390 N. Winchester Blvd. Date: 9/12/2022
Santa Clara, CA

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name:

DANKAJ KUHU

Signature:



Address:

1720 TRITON CT

Date:

8/13/2021

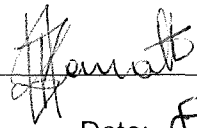
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Sincerely,

Printed Name: PARVATHI KAMATH Signature: 
Address: 1720 TRITON CT Date: 8/13/2022

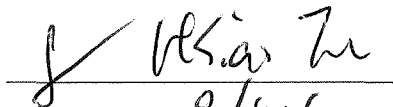
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Sincerely,

Printed Name: Ching Hsiao Tu Signature: 
Address: 1660 Triton Ct Santa Clara Date: 9/14/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Christine Fu

Signature: Christine Fu

Address: 1660 Triton Ct, Santa Clara, CA 95050 Date: 9/14/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at 1601 Civic Center Drive, Santa Clara, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks, The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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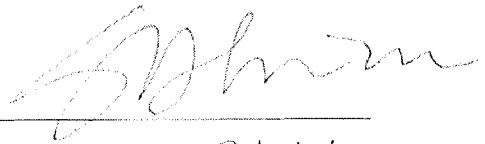
We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

So Young Kim

Signature:



Address:

1705 Triton Ct
Santa Clara, CA 95050

Date:

9/11/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at 1601 Civic Center Drive, Santa Clara, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: James Kim

Signature: 

Address: 1705 Triton Ct

Date: 9/10/22

Santa Clara, CA 95050


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Min Yang Signature: 

Address: 1601 Triton Ct., Santa Clara Date: 9/8/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: VENERANDA CRUZ Signature: Veneranda Cruz

Address: 1651 TRITON COURT SANTA CLARA CA Date: 9-7-2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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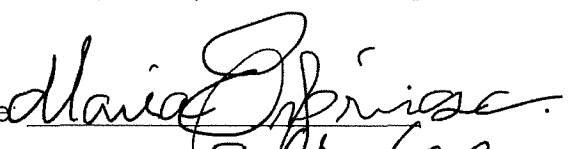
We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name:

MARIA ESPINOSA

Signature



Address:

1651 TRITON COURT SAN JACAPRA

Date: 9/17/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Jiaming Cheng Signature: 

Address: 1671 Triton Ct, Santa Clara, 95050, CA Date: Sep 13 2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: DAVID R. BAYTO

Signature: David R. Bayto

Address: 1690 TRITON COURT
SANTA CLARA CA 95050

Date: 9-12-22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Edna T. Pampy

Signature: 

Address: 1680 TRITON CT, SANTA CLARA, CA 95050 Date: 9/8/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: DAVID SERWITZKE

Signature: 

Address: 1680 TRITON CT, Santa Clara 95050 Date: 9-8-22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Ye Cao

Signature: Ye Cao

Address: 1681 Triton Ct, Santa Clara, CA, 95050 Date: 09/10/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Keyu Pi

Signature: 

Address: 1661 Triton Ct. Santa Clara, CA 95050 Date: 09/08/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: DWARKANATH SAKPAL

Signature: DW SAKPAL

Address: 1701 TRITON CT, SANTA CLARA, CA 95050 Date: 09/08/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: SUNANDA SAKPAL

Signature: *Sunanda S*

Address: 1701 TRITON CT, SANTA CLARA, CA 95050 Date: 09/08/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Xingqi Gao Signature: Xingqi Gao

Address: 1681 Triton Ct, Santa Clara, CA, 95050 Date: 09/08/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: VISHAL SAKPAL Signature: VISHAL SAKPAL Address:
1701 Triton Ct, Santa Clara, CA-95050 Date: 09/07/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Morteza Shafiei

Signature: *morteza shafiei*

Address: 1721 Triton CT. Santa Clara CA 95050

Date: Sep-7-2022


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: YONGJIN YAO Signature: 
Address: 1843 Hillebrand Pl, Santa Clara, CA 95050 Date: 9/19/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

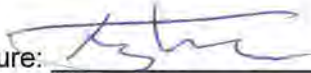
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- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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Sincerely,

Printed Name: Xinghua Han

Signature: 

Address: 1843 Hillebrand PL Santa Clara, CA 95050 Date: 9/19/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

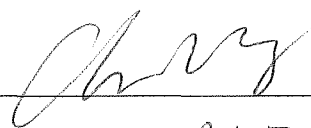
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Sincerely,

Printed Name: Changxu Zhang

Signature: 

Address: 1954 Hillebrand Pl

Date: 9/17/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

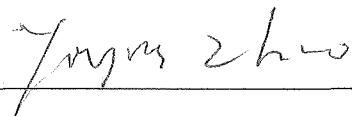
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Sincerely,

Printed Name: Yoying Zhao

Signature: 

Address: 1954 Hillebrand Pl

Date: 9/17/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: _____

Signature: _____

Address: _____

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chen
Minn's
1948 Hillcrest

[Handwritten Signature]
9/17/22

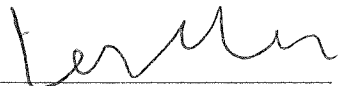
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Sincerely,

Printed Name: Chen Lei Signature: 
Address: 1948 Hillebrand Pl Date: 9/17/22

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Sincerely,

Printed Name: SWARNIL NIVENDRAE

Signature: 

Address: 1942 HILLEBRANT PL

Date: 09/17/22

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Sincerely,

Printed Name: _____

Signature: _____

Address: _____

Date: _____

[Handwritten signature]
[Handwritten signature]
1601 Triton Ct
Santa Clara
9/17/22

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Joseph H. Guss Signature: Johann

Address: 960 Hillside Lane Date: 9/1/19

CH 5/5/19

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Zun Qi Signature: Zun Qi

Address: 1795 Hillebrame, Santa Clara, CA Date: 8/17/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Yue Cao Signature: Yue Cao
Address: 1795 Hillebrand place., Santa Clara. Date: 09/17/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: RILEY LAPENA

Signature: 

Address: 1702 HILLEBRANT PL SANTA CLARA

Date: 9/17/22

95050


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: LIZA LAPENA Signature: 
Address: 1702 HILLEBRANT PL SANTA CLARA Date: 9/17/22
95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: CAMILLE LAPENTA

Signature: _____

Address: 1702 HILVERANT PLSANTA CLARA

Date: _____

9/17/22
95050

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Printed Name: _____

Signature: _____

Address: _____

Date: _____

John Hibbard
1745 Hillebrand PL
Santa Clara, CA

9-17-22

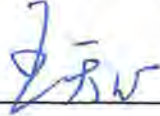
Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Tianxin Wang Signature: 
Address: 1710 Hillebrand Pl. Santa Clara, CA. 95050 Date: 9/17/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Zhuyun Xu Signature: 

Address: 1920 Hillebrand Pl Santa Clara CA 95050 Date: 09/17/2022

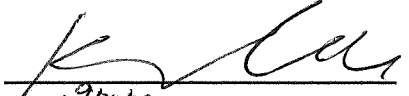
Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Kuangyuan Chen Signature: 
Address: 1920 Hillebrant Pl, Santa Clara CA 95050 Date: 9/17/2022

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: _____

Ji Hyun Jun

Signature: _____

[Handwritten Signature]

Address: _____

1922 Hillebrand Pl, Santa Clara

Date: _____

9-17-22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Sinan Lin Signature: 

Address: 1932 Hillebrant Pl, Santa Clara, CA 95050 Date: 9/17/2022

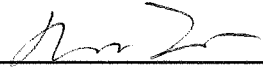
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Sincerely,

Printed Name: Naixin Li Signature: 
Address: 1932 Hillebrant Pl, Santa Clara CA 95050 Date: 9/17/2022


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Sincerely,

Printed Name: Shreyank Prabhu Signature: 
Address: 1942 Hillebrant Pl Date: 09/17/2022

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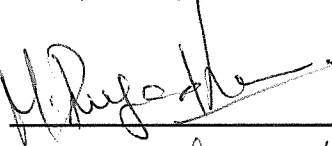
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Sincerely,

Printed Name:

Priya Ma Prakash S

Signature:



Address:

1952 Hillebrand Pl. Santa Clara

Date:

Sep 17 '22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

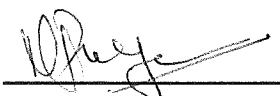
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Printed Name: Podkash S

Signature: 

Address: 1952 Hillebrand Pl.

Date: 9/17/22.

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Sincerely,

Printed Name:

Michelle Jiang

Signature:



Address:

1706 Hillebrant Pl. SC. CA 95050

Date:

9/12/2022

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- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Menghui Wang

Signature: 

Address: 1710 Hillebrant PL, Santa Clara, CA 95050 Date: 09/22/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Tianxin Wang

Signature: *Tianxin Wang*

Address: 1710 Hillebrant PL, Santa Clara, CA 95050 Date: 09/11/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: _____

Prasanna Sane

Signature: _____



Address: _____

1718 Hillebrand Pl

Date: _____

09/16/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Wan-Li Chien

Signature: 

Address: 1774 - Hillebrand PL Santa Clara Date: 11/19

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Alice Han

Signature: Alice Han

Address: 1814 Millebrant Place
Santa Clara CA 95050

Date: 9/20/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Shiqiu Zhang

Signature: 

Address: 1934 Hillebrant Pl, Santa Clara, CA

Date: 09/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Allan Dang

Signature: 

Address: 1771 Hillebrand Place, Santa Clara Date: Sep 19, 2022

Clare

CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Cassandra Mak Signature: Cassandra Mak

Address: 1771 Hillebrand Place Date: Sep 19, 2022
Santa Clara CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Xuan Zhu

Signature: 

Address: 1934 Hillebrand pl, Santa Clara, CA Date: 09/16/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA


We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Howard Hoa

Signature: 

Address: 1814 Hillebrand Pl.

Date: 9-17-2022


Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Abhay Gaarg Signature: 
Address: 18 30 Hillebrand Pl Date: 09/17/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Gjasvi Thamb Signature: Gjasvi Thamb
Address: 1887 Hillcraent Pl Date: 09/17/2022

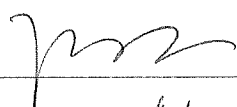
Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: XUN LU Signature: 
Address: 1883 HILDEBRANT PL, Santa Clara, CA Date: 09/17/2022

950430

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: Ruan Yuan Xiang Signature: [Handwritten Signature]

Address: 1883 HILSBRAND PL, Santa Clara, CA Date: 2022/09/17
95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name:

Caleb Hayashi

Signature:



Address:

1773 Hillebrand Pl

Date:

9/17/22

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name:

Xinyu Liang

Signature:



Address:

1977 Hillebrant Pl

Date:

09/18/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Bingyu Lan

Signature: Bingyu Lan

Address: 1977 Hillebrant Pl

Date: 07/18/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: Zhou Sha Signature: 

Address: 1701 Civic Center Dr. Santa Clara Date: 9/17/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: Ying Liu Signature: 

Address: 1701 Civic Center Dr. Santa Clara Date: 9/17/2022

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Sincerely,

Printed Name: ANGEL CHUNG Signature: Angel Chung
Address: 1703 CIVIC CENTER DR. SANTA CLARA, CA Date: 9/11/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

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Sincerely,

Printed Name: JOHNNY CHUNG

Signature: Johnny Chung

Address: 1703 CIVIC CENTER DR. SANTA CLARA, CA Date: 9/11/2022

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Sincerely,

Printed Name: Lydia M.

Signature: 

Address: 1705 Civic Center Dr.

Date: 9-9-2022

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Sincerely,

Printed Name: DICK SATO

Signature: Dick Sato

Address: 1709 Civic Center Dr

Date: 9-10-22

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Sincerely,

Printed Name: Shiyang Huang Signature: 

Address: 1711 Civic Center Dr. Date: 09/10/2022

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Sincerely,

Printed Name: SNEHA SHAH

Signature: 

Address: 1713 CIVIC CENTER DR

Date: 09-12-2022

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- **Financial Impact:** The '1601' project has been a huge cost burden to the City and neighborhood. CH goes to great length to deny this, but it imposed enforcement and monitoring costs on the City and lost business and sleep time on its neighbors during the lock down. Please take note of publicized problems at Renascent Place in SJ, a CH property. We have a pattern of CH not being a good neighbor. The 90dB noise during construction will make it difficult to earn an income from home. The mitigation against dangerously high toxic fumes during construction is inadequate, if not impossible. Longer term this project will worsen the City's structural deficit, and will require more public resources as private rents increases. The sewer, power and water infrastructure is old and there is no cost assessment. Infrastructure has to be updated before dense housing. CH needs to disclose the financial interest of its limited partners.
- **Project burdens local private amenities:** Residents of Catalina and Boulevard HOAs complain that their private children's park and guest parking are used by outsiders. This project does not provide its own amenities and will exasperate such problems. Existing public parks do not satisfy demand from existing residents. We need CH to have contiguous parks, not patches of green.

We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: RAJAN SHETH

Signature: 

Address: 1713 CIVIC CENTER DR,

Date: 09-12-2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
- **Grossly Inadequate Parking:** The project proposes a ratio of 0.72 per unit or 82 spots. Parking overflow will worsen the congestion in our neighborhood. The curbs are filthy, there is no parking after 6pm, delivery and service vehicles block traffic, car break-ins and vandalism have skyrocketed. CH refuses to build underground parking. There is not enough EV stations on the street or the project. Not all residents are likely buyers of EV cars. Public transportation is not widespread or reliable enough to serve the residents, requiring each working adult to own a non-EV car.
- **Shadow Impact:** The 5-story building will block sunlight and views from several homes on Triton Ct. and cast a significant shadow. A 30 degree angle considered in the ECR Specific Plan is better. The shadow study presented to the Planning Commission was inaccurate.
- **Density:** A 5-story building with 108 units is too high, dense and not a good fit for our neighborhood. CH shrewdly opted out of the ECR Specific Plan to avoid objective standards contemplated in the 'Plan'. As a Planned Development (PD), the City has the authority to ask the developer to conform to more stringent standards than the ECR Specific Plan. We ask that the project plan reflect any changes made on an on-going basis.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: QING SONG Signature: 

Address: 1715 CIVIC CENTER DR. SANTA CLARA Date: 9/9/2022
CA 95050

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

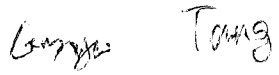
We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

- **Safety:** The developer ignored the safety of our neighborhood for 13 months. It refused to fence it and took no action to remove the homeless encampment on '1601'. CH now denies the problems on their property occurred (c.f. MND response E-6 on City website) even though SCPD made them aware of the petty crime, blight, nuisance, and dumping (including a septic tank). CH refuses to remove the proposed driveway on the west side of '1601' and to block access along Triton Ct.'s fence. There are already 3 streets feeding traffic onto Civic Center Drive in a narrow stretch. There is a high risk of pedestrian/ traffic incidents. The proposed street is only 12 feet from Triton Ct. homes' living areas. There will be noise from cars and fire trucks. The new access lane will increase the risk of dumping & petty criminal activity because it is hard to monitor. CH prefers to place the cost and burden of monitoring on neighbors and the enforcement on SCPD, as it did during the lockdown.
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We believe in sustainable and balanced development. The proposed project is neither. It does not have the internal controls that enable it to be so. We urge you to **Vote NO** on the proposed General Plan Amendment and Rezone of 1601 Civic Center Drive to Planned Development by Charities Housing.

Sincerely,

Printed Name: CONGYAO TANG

Signature: 

Address: 1715 CIVIC CENTER DR. SANTA CLARA
CA 95050

Date: 9/9/2022

Petition to Oppose Charity Housing's High-Density Development on 1601 Civic Center Drive, Santa Clara, CA

We concerned residents are strongly opposed to the high-density rental development by Charities Housing (abbreviated CH) at **1601 Civic Center Drive, Santa Clara**, because:

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Sincerely,

Printed Name: ALICE MANCERO

Signature: 

Address: 1828 Park Vista Cir Santa Clara CA
95050

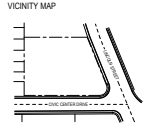
Date: Sept. 14, 2022



CIVIC CENTER FAMILY HOUSING

1601 CIVIC CENTER DR.
SANTA CLARA, CA 95050

GPA RESUBMISSION 2
05/25/2022



DATE: 02/28/2022
DRAWING NUMBER: PLANNING SUBMITTAL 02-2022
DATE: 02/28/2022
DRAWING NUMBER: GFA SUBMITTAL 02-2022
DATE: 02/28/2022
DRAWING NUMBER: GFA RESUBMISSION 1 02-2022
DATE: 02/28/2022
DRAWING NUMBER: GFA RESUBMISSION 2 02-2022

PROJECT NUMBER: AT
PROJECT NAME: KB / SA
PROJECT LOCATION: SA / AK
PROJECT ARCHITECT: AP
PROJECT NUMBER: 1927400

GREEN POINT RATED CHECKLIST

PROJECT NUMBER: 1927400
DATE: 05/25/2022

PROJECT RATING: G0.03
GPA RESUBMISSION 2
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Civic Center Family Housing - Planning Score table. Includes sections for Planning Score, LEED Green Building, and LEED Energy Performance. Columns include Item, Description, and Score.

Civic Center Family Housing - Planning Score table. Includes sections for LEED Green Building, LEED Energy Performance, and LEED Water Efficiency. Columns include Item, Description, and Score.

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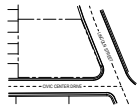
Civic Center Family Housing - Planning Score table. Includes sections for LEED Green Building, LEED Energy Performance, and LEED Water Efficiency. Columns include Item, Description, and Score.

05/25/2022 10:17:00 AM

PREPARED FOR



VICINITY MAP



DATE	DESCRIPTION
02.08.2022	PLANNING SUBMITTAL
02.15.2022	10% SCHEMATIC DESIGN
03.10.2022	GPA SUBMITTAL
03.15.2022	50% DESIGN DEVELOPMENT
04.08.2022	GPA RESUBMISSION 1
05.05.2022	100% DESIGN DEVELOPMENT
05.15.2022	GPA RESUBMISSION 2

DATE	DESCRIPTION
04.08.2022	GPA RESUBMISSION 1

REVISION	DATE	DESCRIPTION
AT		PROJECT NUMBER
KB / SA		PROJECT ARCHITECT
SA / AK		PROJECT ENGINEER
AP		PROJECT TRADE CONTRACTOR

RENDERINGS

RENDERING NO.
1927400
DATE
05/25/2022

RENDERING NO.
G1.03
GPA RESUBMISSION 2
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CIVIC CENTER PERSPECTIVE



STREET TREES ARE REMOVED FROM RENDERING FOR CLARITY

NARRATIVE

THE DESIGN INCLUDES GROUND LEVEL UNITS ALONG CIVIC CENTER DRIVE WITH A LANDSCAPED SETBACK AND PRIVATE PATIOS TO HELP CREATE AN ACTIVE, RESIDENTIAL FEEL ON THIS STREET THAT TRANSITIONS INTO A SINGLE FAMILY NEIGHBORHOOD.

THE BUILDING IS SET BACK FROM THE EXISTING RESIDENTIAL NEIGHBORS ON THE WEST SIDE OF THE PROPERTY BY 65' AND TREES ARE USED TO PROVIDE A NATURAL SCREENING BETWEEN THE NEW BUILDING AND EXISTING HOMES. WINDOWS ON THE WEST FACING ELEVATION ARE LIMITED IN ORDER TO PROTECT THE PRIVACY OF THE EXISTING HOMES.

LOBBY ENTRY PERSPECTIVE



STREET TREES ARE REMOVED FROM RENDERING FOR CLARITY

CIVIC CENTER STREET LEVEL PERSPECTIVE



MITHUN, INC. 1927400 05/25/2022
 CIVIC CENTER FAMILY HOUSING - CIVIC CENTER PERSPECTIVE
 1601 CIVIC CENTER DR., SANTA CLARA, CA 95050
 ARCHITECT: MITHUN, INC. 1927400 05/25/2022
 CIVIC CENTER FAMILY HOUSING - CIVIC CENTER PERSPECTIVE
 1601 CIVIC CENTER DR., SANTA CLARA, CA 95050
 ARCHITECT: MITHUN, INC. 1927400 05/25/2022



DATE	DESCRIPTION
02.18.2021	PLANNING SUBMITTAL
02.23.2021	10% SCHEMATIC DESIGN
03.13.2021	GPA SUBMITTAL
04.16.2021	50% DESIGN DEVELOPMENT
04.28.2021	GPA RESUBMISSION 1
05.13.2021	100% DESIGN DEVELOPMENT
05.15.2021	GPA RESUBMISSION 2

DATE: 04.08.2022
 PROJECT: CIVIC CENTER FAMILY HOUSING
 SHEET: 10
 SCALE: 1" = 100'-0"

DESIGNED BY:
 AT
 KB / SA
 PROJECT MANAGER:
 SA / AK
 ARCHITECT:
 AP

DATE: 04.08.2022

PROJECT LOCATION:
 CIVIC CENTER DR. & LINCOLN ST.

PROJECT NUMBER:
 CIVIC CENTER FAMILY HOUSING

PROJECT TITLE:
 FIRE ACCESS DIAGRAM

PROJECT NUMBER:
 CIVIC CENTER FAMILY HOUSING

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PROJECT TITLE:
 FIRE ACCESS DIAGRAM

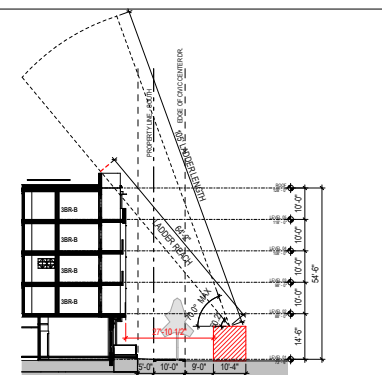
PROJECT NUMBER:
 CIVIC CENTER FAMILY HOUSING

PROJECT TITLE:
 FIRE ACCESS DIAGRAM

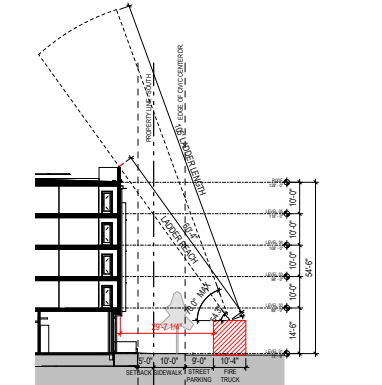
PROJECT NUMBER:
 CIVIC CENTER FAMILY HOUSING

PROJECT TITLE:
 FIRE ACCESS DIAGRAM

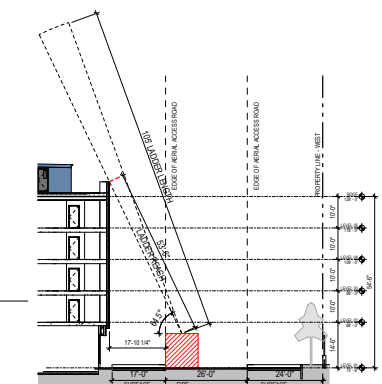
PROJECT NUMBER:
 CIVIC CENTER FAMILY HOUSING



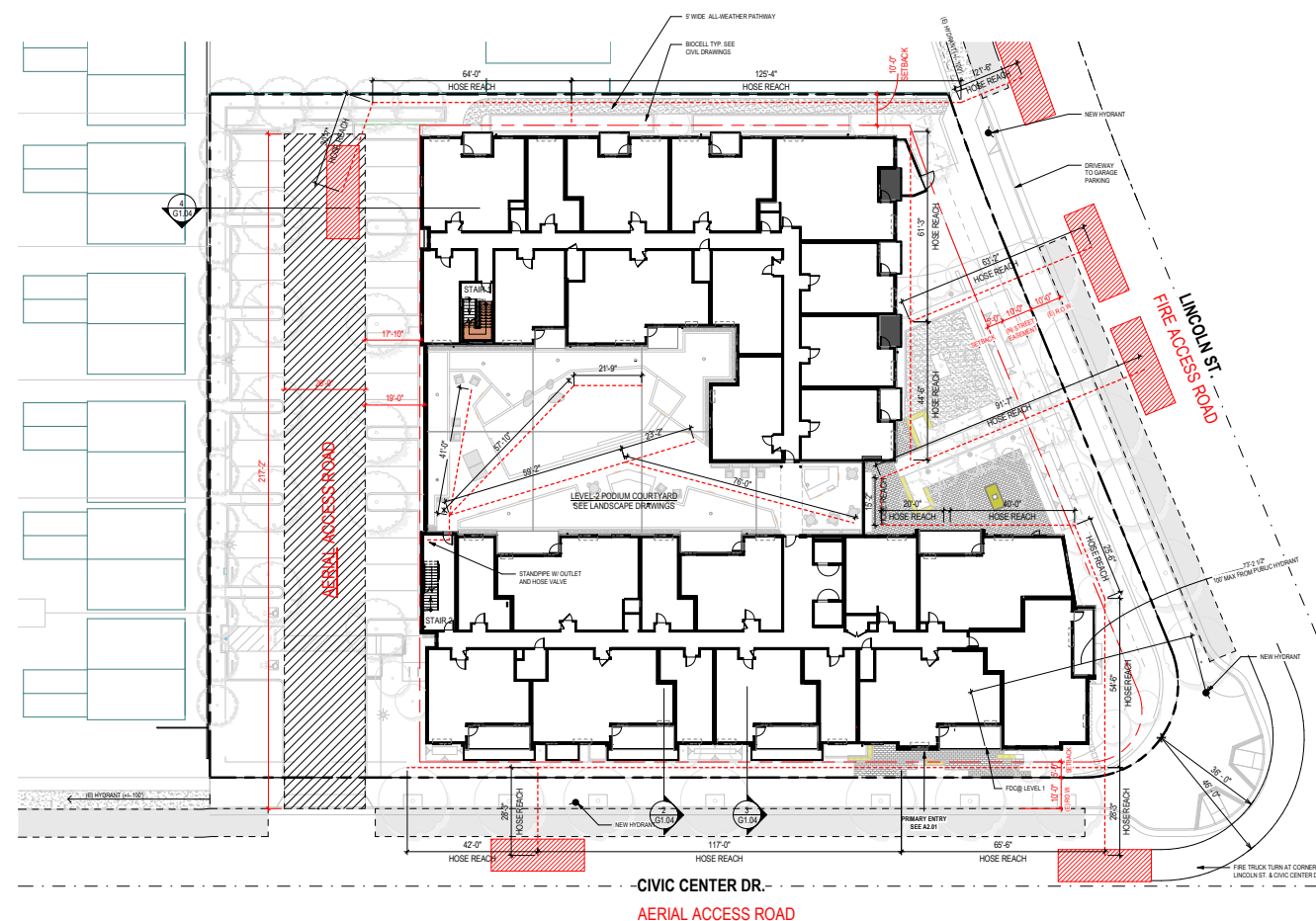
2 LADDER REACH AT CIVIC BALCONY 02
 1/16" = 1'-0"



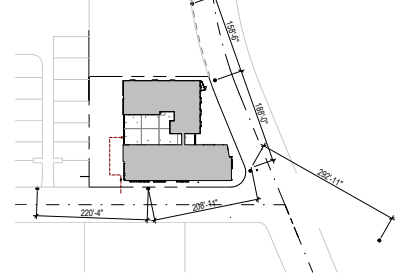
3 LADDER REACH AT CIVIC MAIN FACADE
 1/16" = 1'-0"



4 LADDER REACH AT WESTERN DRIVEWAY
 1/16" = 1'-0"



1 FIRE ACCESS-LEVEL 2 FLOOR PLAN
 1/16" = 1'-0"



10 FIRE HYDRANT DIAGRAM
 1" = 100'-0"

Fire Flow Requirements with Mixed Construction

Total Area (SF)	Building
Level 1 (Type IA)	31,635 SF
Level 2-5 (Type IIA)	101,066 SF
Number of Stories	5
Height	Varies from 58'-9" to 66'-6"
Construction Type	4 levels Type IIA over 1 level Type IA
Occupancy Group	R-2, S-2, A, B

Calculations:
 Total Building area: 31,635 square feet (Type IA - Garage) + 101,066 square feet (Type IIA - Residential) = 132,701 SF
 Percentage of Building: IA = 31,635/132,701 x 100 = 23.8%, IIA = 101,066/132,701 x 100 = 76.2%

Fire Flow Duration, Hydrant Locations and Distribution are to be based on the full Fire Flow required per CFC Table B105.1(2)
 Full Fire Flow: 0.238 (2,000 gpm) + 0.762 (4,500 gpm) = 3,905 gpm + 4,000 gpm (round up)
 A 75% reduction in fire-flow is allowed with the installation of an automatic fire sprinkler system designed in accordance with California Fire Code § B105.2.
 A max 50% reduction in fire-flow is allowed per Conditions of Approval from Santa Clara Fire Department for this project.
 Reduced Fire Flow: 0.52 x 4,000 gpm = 2,080 gpm

Based upon 4,000 gpm Full Fire Flow, there needs to be a minimum of 4 hydrants with an average spacing of 350 feet (from Appendix C of the Fire Code) for the duration of 4 hours. The frontage distance based on the 4,000 gpm Full fire requirement is 210 feet.

- NOTES**
- SEE A3.11 & A3.12 FOR FULL BUILDING SECTIONS INCLUDING FACD LOCATION
 - SEE A2.01 FOR GROUND LEVEL CONDITIONS
 - ALL FIRE DEPARTMENT ACCESS ROADWAYS SHALL BE RECORDED AS PERMANENT EVAE PER TO COMMENTS. AMBR WILL BE SUBMITTED FOR EVAE AT WESTERN DRIVEWAY.
 - EVAE TO HAVE ALL WEATHER SURFACE DESIGNED TO SUPPORT GROSS VEHICLE WEIGHT OF 75,000 LBS.

CONSTRUCTION TYPE
 TYPE IIIA & IA

- LEGEND**
- PROPERTY LINE
 - PROPOSED SETBACK
 - HOSE LENGTH
 - FIRE ENGINE
 - EVALUATE
 - PARALLEL PARKING ZONE
 - IN FIRE HYDRANT
 - OUT FIRE HYDRANT TO BE REMOVED
 - FIRE DEPARTMENT CONNECTION
 - FIRE ALARM/CONTROL PANEL
 - SEE A2.01 FOR LOCATION





DATE

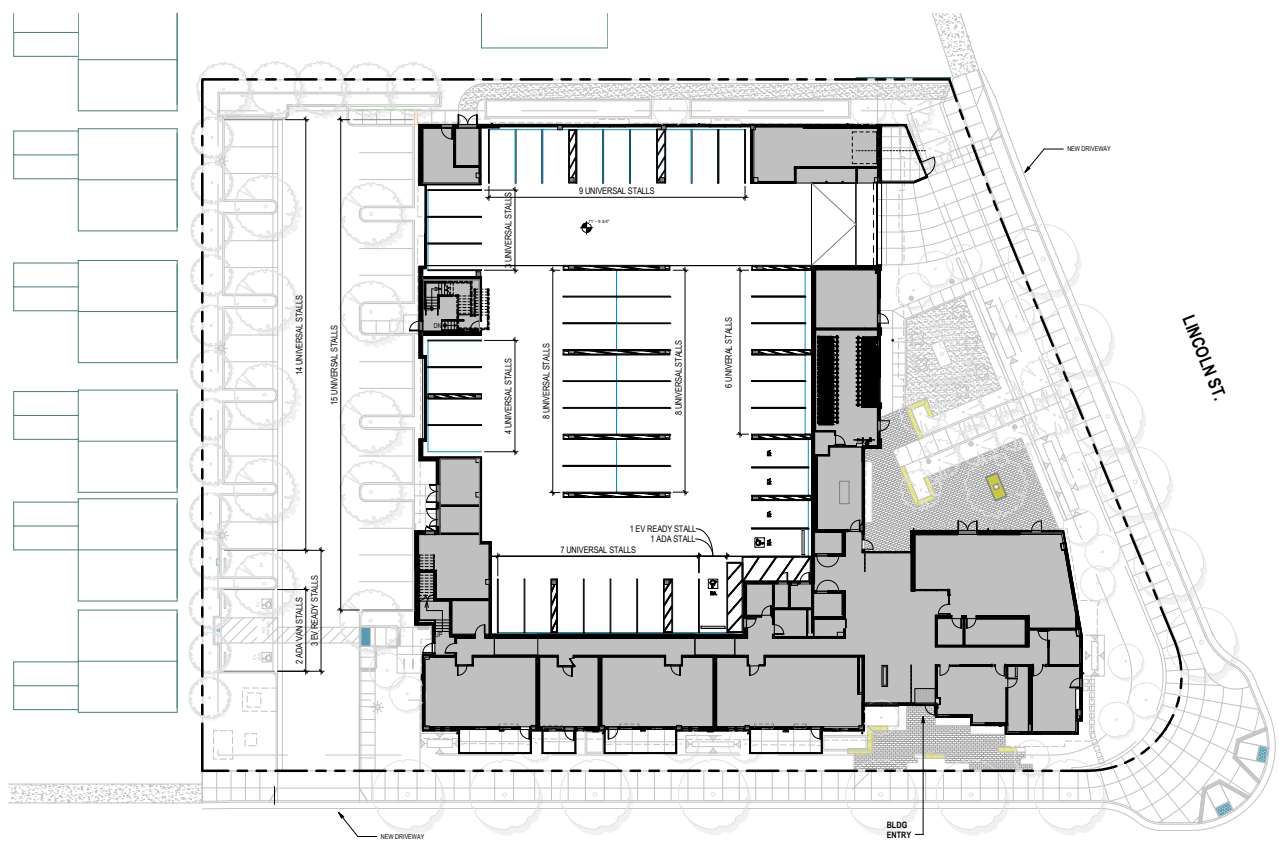
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02.23.2021	10% SCHEMATIC DESIGN
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04.08.2022	GPA RESUBMISSION 1
05.05.2022	100% DESIGN DEVELOPMENT
05.15.2022	GPA RESUBMISSION 2

REVISION

1	04.08.2022	GPA RESUBMISSION 1
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DESIGN TEAM

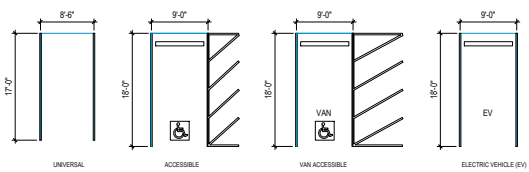
AT	PROJECT MANAGER
KB / SA	ARCHITECT
SA / AK	MECHANICAL
AP	ELECTRICAL
	PROJECT TRADE PARTNER
	DATE



1 LEVEL 1 FLOOR PLAN - PARKING
 1/16" = 1'-0"

CIVIC CENTER DR.

PARKING LEGEND



PARKING COUNT - EXTERIOR			
CATEGORY	PROPOSED	SIZE	COMMENTS
UNIVERSAL STALLS PROVIDED	29	8'-6" X 17'-0"	
VAN ACCESSIBLE	2	9'-0" (-8'-0" ACCESS AISLE) X 18'-0"	CBC 11B-208.2.4 (1/6 of ADA stalls)
ADA STALLS	1	9'-0" (-5'-0" ACCESS AISLE) X 18'-0"	CBC 11B-208.3.1
EV PARKING*	3	9'-0" X 18'-0"	CalGreen 4.106.4.2 (10% of total parking) CBC 11B-228.3.2.1 Includes (1) Van Stall
SUBTOTAL PARKING	32		

PARKING COUNT - INTERIOR			
CATEGORY	PROPOSED	SIZE	COMMENTS
UNIVERSAL STALLS PROVIDED	45	8'-6" X 17'-0"	
VAN ACCESSIBLE REQ'D	1	9'-0" (-8'-0" ACCESS AISLE) X 18'-0"	CBC 11B-208.2.4 (1/6 of ADA stalls)
ADA STALLS REQ'D	1	9'-0" (-5'-0" ACCESS AISLE) X 18'-0"	CBC 11B-208.3.1
EV PARKING**	5	9'-0" X 18'-0"	CalGreen 4.106.4.2 (10% of total parking) CBC 11B-228.3.2.1 Includes (1) Van & (1) ADA Stall
SUBTOTAL PARKING	52		

TOTAL PARKING	82		
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* Included as part of ADA stall
 ** Included as part of Van accessible stall

MITHUN, INC. 1001 10th Street, Suite 1000, San Francisco, CA 94102 | 415.398.8888 | www.mithun.com
 PROJECT NO. 1927400 | DATE 05/25/2022
 PROJECT NAME: CIVIC CENTER FAMILY HOUSING | 1601 CIVIC CENTER DR., SANTA CLARA, CA 95050
 DRAWING NO. G1.05 | SHEET NO. 100001 | SCALE: 1/16" = 1'-0"
 DESIGNER: MITHUN, INC. | ARCHITECT: CHARITIES HOUSING
 MECHANICAL: SA / AK | ELECTRICAL: AP
 PROJECT TRADE PARTNER: [REDACTED]
 DATE: 05/25/2022
 © 2016 MITHUN, INC.



DATE: 02.18.2022 PLANNING SUBMITTAL
02.18.2021 1901 SCHEMATIC DESIGN
11.19.2021 GFA SUBMITTAL
04.08.2022 GFA RESUBMISSION 1
02.08.2022 1901 SCHEMATIC DEVELOPMENT
02.15.2022 GFA RESUBMISSION 2

DATE: 04.08.2022 GFA RESUBMISSION 1

PROJECT NUMBER: AT7
PROJECT ARCHITECT: KB / SA
PROJECT ENGINEER: SA / AK
PROJECT TEAM LEADER: AP
PROJECT TEAM MEMBER: DCS

UNIT COUNTS

PROJECT NO: 1927400
DATE: 05/25/2022

UNIT COUNT - STUDIO

Level	Name	Count
LEVEL 02	SSR-A	6
LEVEL 03	SSR-A	6
LEVEL 04	SSR-A	6
LEVEL 05	SSR-A	6
SSR-D		
LEVEL 01	SSR-D	1
25		

UNIT COUNT - 3BR

Level	Name	Count
LEVEL 02	3BR-A	1
LEVEL 03	3BR-A	1
LEVEL 04	3BR-A	1
LEVEL 05	3BR-A	1
3BR-B		
LEVEL 02	3BR-B	3
LEVEL 03	3BR-B	3
LEVEL 04	3BR-B	3
LEVEL 05	3BR-B	3
3BR-B.2		
LEVEL 02	3BR-B.2	1
LEVEL 03	3BR-B.2	1
LEVEL 04	3BR-B.2	1
LEVEL 05	3BR-B.2	1
3BR-B.3		
LEVEL 02	3BR-B.3	1
LEVEL 03	3BR-B.3	1
LEVEL 04	3BR-B.3	1
LEVEL 05	3BR-B.3	1
3BR-C		
LEVEL 02	3BR-C	1
LEVEL 03	3BR-C	1
LEVEL 04	3BR-C	1
LEVEL 05	3BR-C	1
3BR-D		
LEVEL 01	3BR-D	1
29		

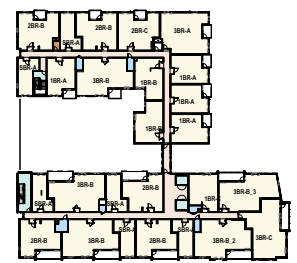
UNIT COUNT - 1BR

Level	Name	Count
LEVEL 02	1BR-A	4
LEVEL 03	1BR-A	4
LEVEL 04	1BR-A	4
LEVEL 05	1BR-A	4
1BR-B		
LEVEL 02	1BR-B	2
LEVEL 03	1BR-B	2
LEVEL 04	1BR-B	2
LEVEL 05	1BR-B	2
1BR-C		
LEVEL 02	1BR-C	1
LEVEL 03	1BR-C	1
LEVEL 04	1BR-C	1
LEVEL 05	1BR-C	1
26		

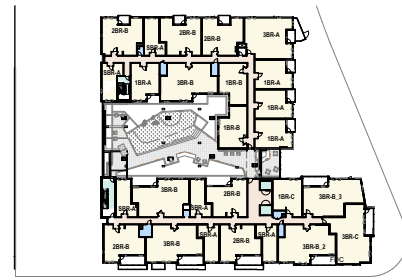
UNIT COUNT - TOTAL

UNIT TYPE	COUNT	AVERAGE SQ FT
SSR-A	24	379 SF
SSR-D	1	395 SF
1BR-A	16	395 SF
1BR-B	8	341 SF
1BR-C	4	605 SF
2BR-A	2	766 SF
2BR-B	23	789 SF
2BR-C	1	828 SF
3BR-A	4	1139 SF
3BR-B	12	1091 SF
3BR-B.2	4	1107 SF
3BR-B.3	4	1100 SF
3BR-C	4	1131 SF
3BR-D	1	697 SF
Grand total:	105	
28		

- NOTES:
- ALL AREAS IN THE SCHEDULE ARE DESIGN DEVELOPMENT LEVEL AND APPROXIMATE IN NATURE.
 - NSF FOR RESIDENTIAL UNIT INCLUDES SHAFT SPACE WITHIN THE UNIT.



3 LEVEL-3 FLOOR PLAN - UNIT COUNT (26 UNITS)
1" = 40'-0"



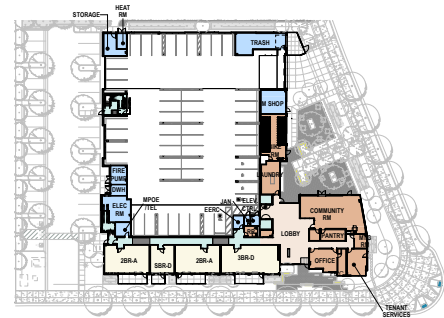
2 LEVEL-2 PODIUM - UNIT COUNT (26 UNITS)
1" = 40'-0"



5 LEVEL-5 FLOOR PLAN - UNIT COUNT (26 UNITS)
1" = 40'-0"

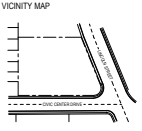


4 LEVEL-4 FLOOR PLAN - UNIT COUNT (26 UNITS)
1" = 40'-0"



1 GROUND FLOOR - FLOOR PLAN - UNIT COUNT (4 UNITS)
1" = 40'-0"

MITHUN, INC. 1927400 05/25/2022
 PROJECT NO: 1927400 DATE: 05/25/2022
 SHEET NO: G1.07 OF 10
 GENERAL LAYOUT, SEE BY: JCT
 GFA RESUBMISSION 2
 © 2016 MITHUN, INC.



DATE: 05/25/2022

05/25/2022 PLANNING SUBMITTAL
05/25/2022 190A SCHEMATIC DESIGN
05/25/2022 GFA SUBMITTAL
05/25/2022 GFA DESIGN DEVELOPMENT
06/08/2022 GFA RESUBMISSION 1
06/08/2022 190A DESIGN DEVELOPMENT
05/15/2022 GFA RESUBMISSION 2

DATE: 04/08/2022

04/08/2022 GFA RESUBMISSION 1

DATE: 05/25/2022

05/25/2022 GFA RESUBMISSION 2

DATE: 05/25/2022

05/25/2022 GFA RESUBMISSION 2

DATE: 05/25/2022

05/25/2022 GFA RESUBMISSION 2

DATE: 05/25/2022

05/25/2022 GFA RESUBMISSION 2

GSF - TYPE I-A

Name	Construction Type	Area
LEVEL 01		
AREA A'	TYPE I-A	18408 SF
AREA B'	TYPE I-A	11880 SF
AREA C'	TYPE I-A	869 SF
AREA D'	TYPE I-A	370 SF
AREA E'	TYPE I-A	228 SF
		31635 SF

GSF - TYPE III-A

Name	Construction Type	Area
LEVEL 02		
AREA C''	TYPE III-A	11882 SF
AREA D''	TYPE III-A	13302 SF
LEVEL 03		
AREA C'	TYPE III-A	11882 SF
AREA D'	TYPE III-A	13466 SF
LEVEL 04		
AREA C'	TYPE III-A	11884 SF
AREA D'	TYPE III-A	13466 SF
LEVEL 05		
AREA C'	TYPE III-A	11882 SF
AREA D'	TYPE III-A	13374 SF
		101102 SF

GSF - TOTAL

Name	Construction Type	Area
AREA A'	TYPE I-A	18408 SF
AREA B'	TYPE I-A	12227 SF
AREA C'	TYPE III-A	47494 SF
AREA D'	TYPE III-A	53608 SF
		132737 SF

GSF - SUMMARY

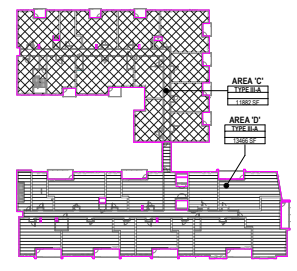
PROGRAM	GSF
BOH	4664 SF
CIRCULATION - HORIZONTAL	13314 SF
CIRCULATION - VERTICAL	3146 SF
COMMONS	5802 SF
PARKING	18338 SF
RESIDENTIAL	87460 SF
	132723 SF

GSF - PER PROGRAM

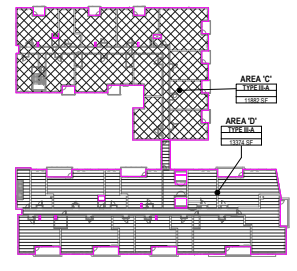
LEVEL	PROGRAM	GSF
LEVEL 01	BOH	2371 SF
LEVEL 01	CIRCULATION - HORIZONTAL	1174 SF
LEVEL 01	CIRCULATION - VERTICAL	726 SF
LEVEL 01	COMMONS	5802 SF
LEVEL 01	PARKING	18338 SF
LEVEL 01	RESIDENTIAL	3229 SF
LEVEL 02		
LEVEL 02	BOH	573 SF
LEVEL 02	CIRCULATION - HORIZONTAL	2907 SF
LEVEL 02	CIRCULATION - VERTICAL	606 SF
LEVEL 02	RESIDENTIAL	21083 SF
LEVEL 03		
LEVEL 03	BOH	572 SF
LEVEL 03	CIRCULATION - HORIZONTAL	3079 SF
LEVEL 03	CIRCULATION - VERTICAL	606 SF
LEVEL 03	RESIDENTIAL	21073 SF
LEVEL 04		
LEVEL 04	BOH	574 SF
LEVEL 04	CIRCULATION - HORIZONTAL	3079 SF
LEVEL 04	CIRCULATION - VERTICAL	606 SF
LEVEL 04	RESIDENTIAL	21071 SF
LEVEL 05		
LEVEL 05	BOH	574 SF
LEVEL 05	CIRCULATION - HORIZONTAL	3075 SF
LEVEL 05	CIRCULATION - VERTICAL	603 SF
LEVEL 05	RESIDENTIAL	21004 SF

NOTES:

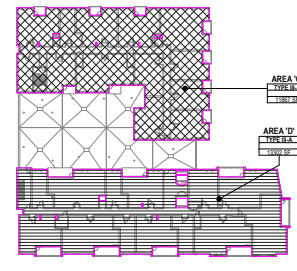
- GSF IS MEASURED TO OUTSIDE FACE OF EXTERIOR WALLS, CENTERLINE OF CORRIDOR WALLS, AND CENTERLINE OF PARTITION WALLS.
- ALL AREAS IN THE SCHEDULE ARE DESIGN DEVELOPMENT LEVEL AND APPROXIMATE IN NATURE.
- GSF DOES NOT INCLUDE COVERED EXTERIOR AREAS.



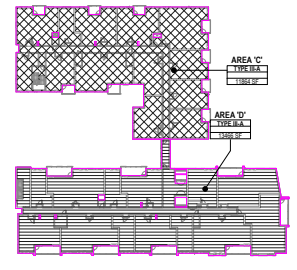
3 LEVEL 03 - GSF AREAS
1" = 40'-0"



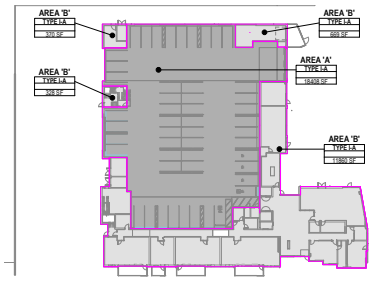
5 LEVEL 05 - GSF AREAS
1" = 40'-0"



2 LEVEL 02 - GSF AREAS
1" = 40'-0"



4 LEVEL 04 - GSF AREAS
1" = 40'-0"

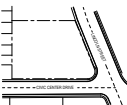


1 LEVEL 01 - GSF AREAS
1" = 40'-0"

MITHUN ARCHITECTS, INC. 1601 CIVIC CENTER DRIVE, SANTA CLARA, CA 95050
 PROJECT NO. 1601-CV-CR-2018-001
 SHEET NO. G2.00A
 DATE: 05/25/2022
 DRAWN BY: JAC
 CHECKED BY: JAC
 APPROVED BY: JAC
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 MITHUN ARCHITECTS, INC. IS AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER. MINORITY AND DISABLED VETERANS ARE ENCOURAGED TO APPLY.

PREPARED FOR

VICINITY MAP



DATE	DESCRIPTION
11.28.2018	PLANNING SUBMITTAL
12.13.2018	SCHEMATIC DESIGN
11.13.2019	GPA SUBMISSION 1
04.28.2020	GPA RESUBMISSION 1
05.21.2020	100% DESIGN DEVELOPMENT
05.21.2020	GPA RESUBMISSION 2

DATE: 04.28.2020

DESCRIPTION: GPA RESUBMISSION 1

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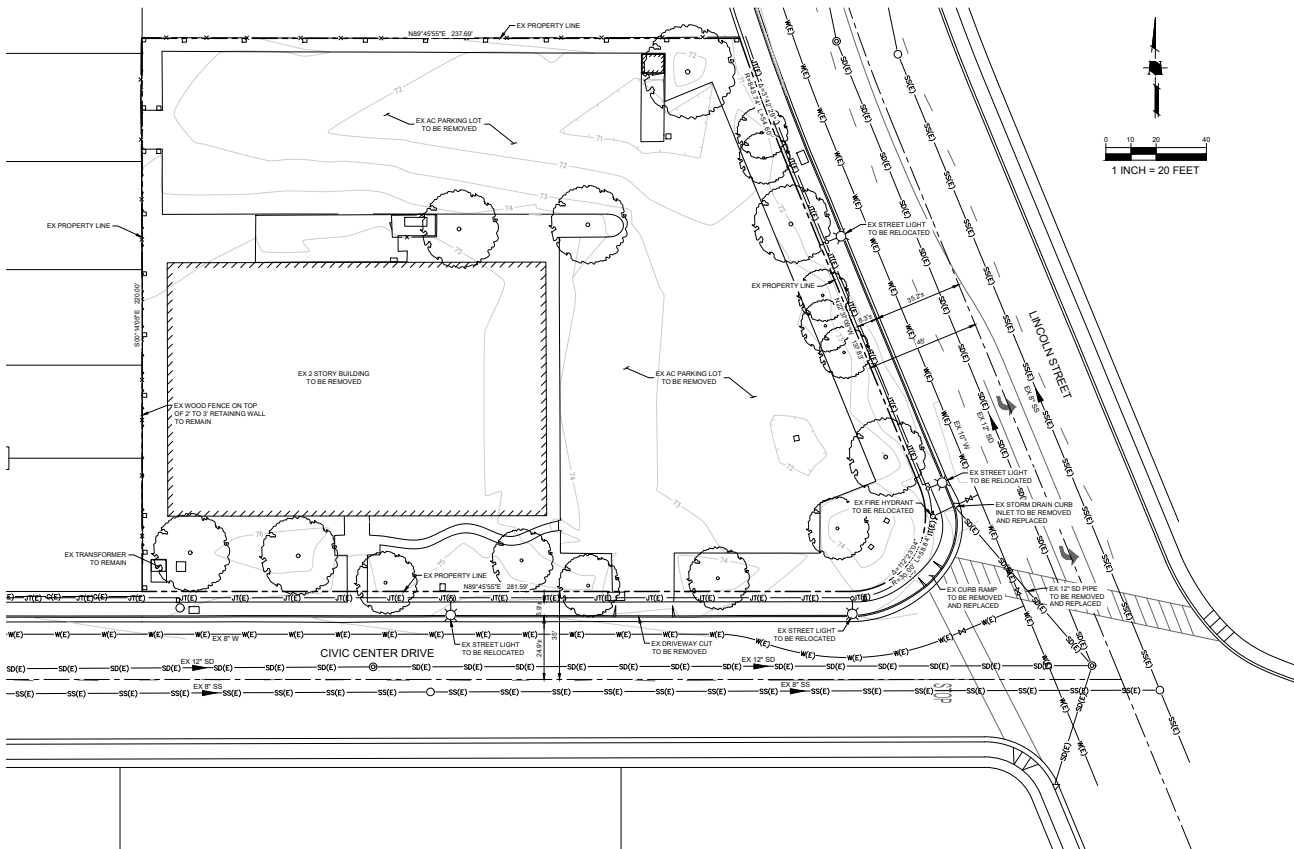
DESCRIPTION: GPA RESUBMISSION 1

DATE: 04.28.2020

DESCRIPTION: GPA RESUBMISSION 1

DATE: 04.28.2020

DESCRIPTION: GPA RESUBMISSION 1



LEGEND

PROJECT BOUNDARY	---
PROPERTY LINE	---
CENTERLINE	---
CURB AND GUTTER	---
SIDEWALK	---
DRIVEWAY	---
WHEELCHAIR RAMP	---
TREE	---
SANITARY SEWER	---
SANITARY SEWER MANHOLE	---
SANITARY SEWER CLEAN OUT	---
STORM DRAIN LINE	---
STORM DRAIN MANHOLE	---
STORM DRAIN CURB INLET	---
STORM DRAIN INLET	---
WATER MAIN	---
WATER VALVE	---
WATER METER	---
FIRE HYDRANT	---
ELECTRICIAN	---
PULL BOX	---
JOINT TRENCH	---
GAS	---

- NOTES**
1. ALL EXISTING TREES WITHIN THE PROPERTY TO BE REMOVED.
 2. EXISTING CURB, GUTTER AND ATTACHED SIDEWALK TO BE REMOVED AND REPLACED ALONG THE PROJECT FRONTAGE ON CIVIC CENTER DRIVE.
 3. EXISTING CURB AND GUTTER ALONG THE PROJECT FRONTAGE ON LINCOLN STREET TO BE REMOVED AND REPLACED.
 4. EXISTING ATTACHED SIDEWALK ALONG THE PROJECT FRONTAGE ON LINCOLN STREET TO BE REMOVED AND REPLACED WITH A DETACHED SIDEWALK.

EXISTING CONDITIONS

PROJECT NO:
1927400
DATE:
05/25/2022

C1.01
GPA RESUBMISSION 2
© 2016 MITHUN, INC.

DATE	DESCRIPTION
11.28.2018	FINAL SUBMITTAL
11.23.2018	FINAL SCHEMATIC DESIGN
11.13.2018	GPA SUBMITTAL
11.03.2018	PRELIMINARY DESIGN
10.28.2018	GPA SUBMISSION 1
10.23.2018	PRELIMINARY DESIGN
10.13.2018	GPA SUBMISSION 2

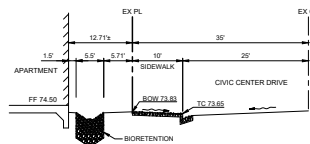
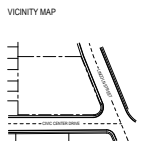
NO.	DATE	DESCRIPTION
10	10/13/2018	GPA SUBMISSION 1
11	10/23/2018	GPA SUBMISSION 2
12	11/03/2018	PRELIMINARY DESIGN
13	11/13/2018	PRELIMINARY DESIGN
14	11/23/2018	GPA SUBMITTAL
15	11/28/2018	FINAL SUBMITTAL

NO.	DATE	DESCRIPTION
16	12/13/2018	FINAL SUBMITTAL
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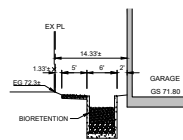
PROJECT
CIVIC CENTER FAMILY HOUSING

LOCATION
**1601 CIVIC CENTER DR.
 SANTA CLARA, CA
 95050**

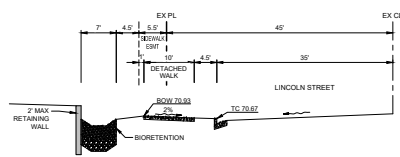
PREPARED FOR

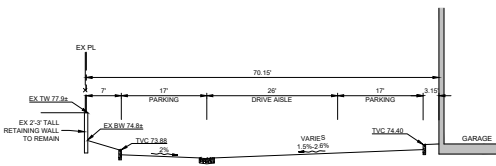
D SECTION
NTS



B SECTION
NTS



C SECTION
NTS



A SECTION
NTS

DATE	DESCRIPTION
11.28.2018	PLANNING SUBMITTAL
12.14.2018	100% SCHEMATIC DEVELOPMENT
12.21.2018	GPA SUBMISSION 1
11.13.2019	90% DESIGN DEVELOPMENT
10.28.2019	GPA RESUBMISSION 1
05.28.2020	100% DESIGN DEVELOPMENT
05.25.2020	GPA RESUBMISSION 2

NO.	DATE	DESCRIPTION
01	04.08.2020	GPA RESUBMISSION 1

DESIGNER
 AP
 PROJECT MANAGER
 KB / SA
 PROJECT ARCHITECT
 SA / AK
 PROJECT ENGINEER

DATE
 05/29/2022

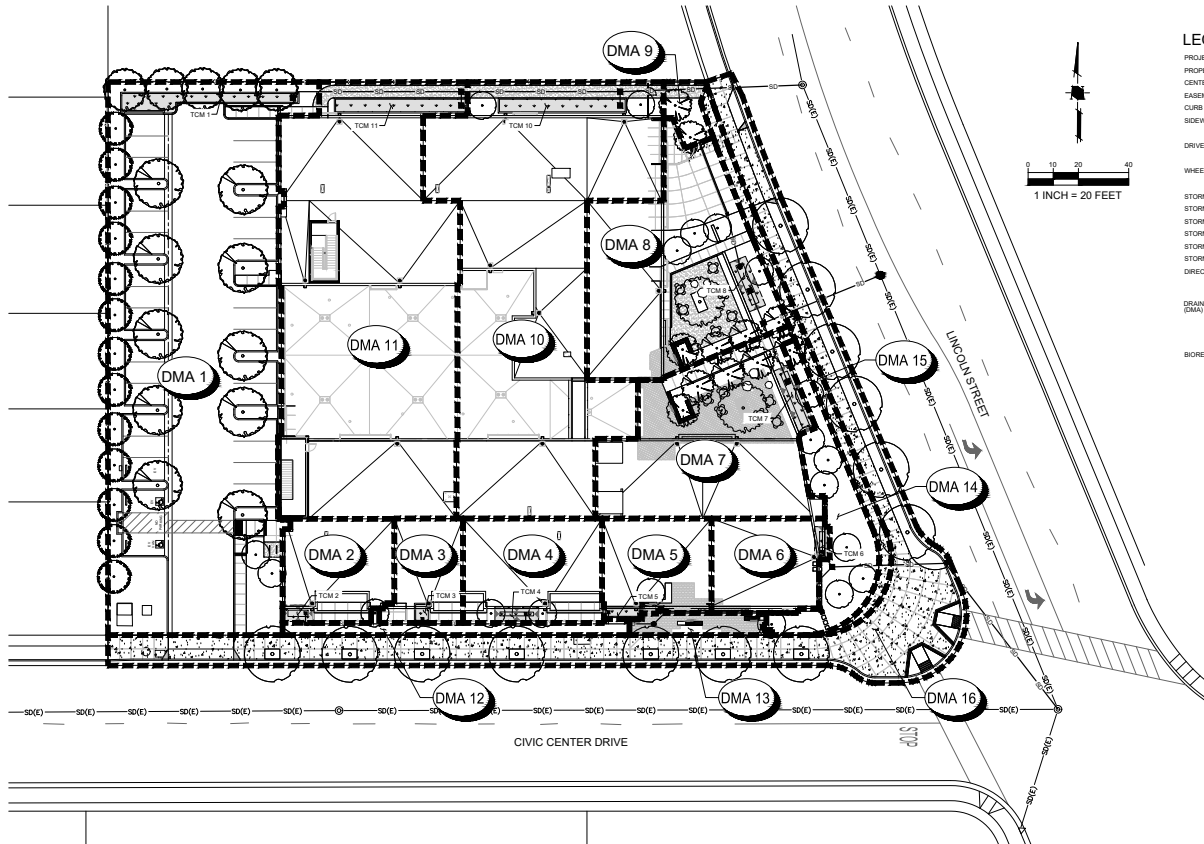


TITLE
GRADING SECTIONS

PROJECT NO.
 1927400

DATE
 05/29/2022

C2.02
 GPA RESUBMISSION 2
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LEGEND

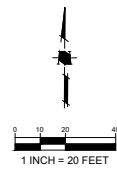
- PROJECT BOUNDARY
- PROPERTY LINE
- CENTERLINE
- EASEMENT
- CURB AND GUTTER
- SIDEWALK
- DRIVEWAY
- WHEELCHAIR RAMP
- STORM DRAIN LINE
- STORM DRAIN MANHOLE
- STORM DRAIN CURB INLET
- STORM DRAIN INLET (X1)
- STORM DRAIN INLET (X2)
- STORM DRAIN BUBBLER
- DIRECTION OF SURFACE DRAINAGE
- DRAINAGE MANAGEMENT AREA (DMA)
- BIORETENTION BASIN

PROPOSED

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EXISTING

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STORMWATER CONTROL PLAN

NO.	DESCRIPTION	TYPE	INLET	OUTLET	INLET ELEVATION	OUTLET ELEVATION	LENGTH	WIDTH	DEPTH	AREA	VOLUME	REMARKS
1	Storm Drain 1	Storm Drain	TCM 1	TCM 2	100.00	99.50	100.0	10.0	1.0	100.0	100.0	Storm Drain 1
2	Storm Drain 2	Storm Drain	TCM 2	TCM 3	99.50	99.00	100.0	10.0	1.0	100.0	100.0	Storm Drain 2
3	Storm Drain 3	Storm Drain	TCM 3	TCM 4	99.00	98.50	100.0	10.0	1.0	100.0	100.0	Storm Drain 3
4	Storm Drain 4	Storm Drain	TCM 4	TCM 5	98.50	98.00	100.0	10.0	1.0	100.0	100.0	Storm Drain 4
5	Storm Drain 5	Storm Drain	TCM 5	TCM 6	98.00	97.50	100.0	10.0	1.0	100.0	100.0	Storm Drain 5
6	Storm Drain 6	Storm Drain	TCM 6	TCM 7	97.50	97.00	100.0	10.0	1.0	100.0	100.0	Storm Drain 6
7	Storm Drain 7	Storm Drain	TCM 7	TCM 8	97.00	96.50	100.0	10.0	1.0	100.0	100.0	Storm Drain 7
8	Storm Drain 8	Storm Drain	TCM 8	TCM 9	96.50	96.00	100.0	10.0	1.0	100.0	100.0	Storm Drain 8
9	Storm Drain 9	Storm Drain	TCM 9	TCM 10	96.00	95.50	100.0	10.0	1.0	100.0	100.0	Storm Drain 9
10	Storm Drain 10	Storm Drain	TCM 10	TCM 11	95.50	95.00	100.0	10.0	1.0	100.0	100.0	Storm Drain 10
11	Storm Drain 11	Storm Drain	TCM 11	TCM 12	95.00	94.50	100.0	10.0	1.0	100.0	100.0	Storm Drain 11
12	Storm Drain 12	Storm Drain	TCM 12	TCM 13	94.50	94.00	100.0	10.0	1.0	100.0	100.0	Storm Drain 12
13	Storm Drain 13	Storm Drain	TCM 13	TCM 14	94.00	93.50	100.0	10.0	1.0	100.0	100.0	Storm Drain 13
14	Storm Drain 14	Storm Drain	TCM 14	TCM 15	93.50	93.00	100.0	10.0	1.0	100.0	100.0	Storm Drain 14
15	Storm Drain 15	Storm Drain	TCM 15	TCM 16	93.00	92.50	100.0	10.0	1.0	100.0	100.0	Storm Drain 15
16	Storm Drain 16	Storm Drain	TCM 16	TCM 17	92.50	92.00	100.0	10.0	1.0	100.0	100.0	Storm Drain 16

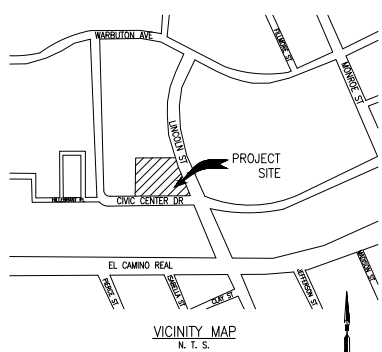
REVISIONS

NO.	DATE	DESCRIPTION
1	JUL 20 2021	REVISED SUBMITTAL
2	JUL 20 2021	REVISED SUBMITTAL
3	JUL 20 2021	REVISED SUBMITTAL
4	JUL 20 2021	REVISED SUBMITTAL
5	JUL 20 2021	REVISED SUBMITTAL
6	JUL 20 2021	REVISED SUBMITTAL
7	JUL 20 2021	REVISED SUBMITTAL
8	JUL 20 2021	REVISED SUBMITTAL
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18	JUL 20 2021	REVISED SUBMITTAL
19	JUL 20 2021	REVISED SUBMITTAL
20	JUL 20 2021	REVISED SUBMITTAL

APPROVED
 AP: [Signature]
 KB / SA
 SA / AK

STORMWATER CONTROL PLAN
 PROJECT NO: 1927400
 DATE: 05/25/2022

C4.01
 GPA RESUBMISSION 2
 © 2018 MITHUN, INC.



WORK RESPONSIBILITY JOINT TRENCH

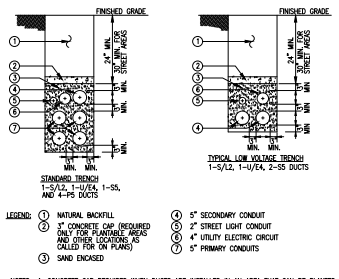
Table with 2 columns: Activity and Responsibility. Activities include Trenching, Gas Material, Electric Cable, Electric Conduit, Electric Boxes, Electric Transformer Pads, Electric Switchgear & Transformer, Telephone Conduit, Telephone Cable, Telephone Splice Boxes, C.A.T.V. Conduit, C.A.T.V. Splice Boxes, C.I.E.C. Fiber Conduit, and C.I.E.C. Fiber Splice Boxes. Responsibilities are assigned to Civil Engineer, Civil/Structural Engineer, Electrical Engineer, Mechanical Engineer, and Utility Contractor.

THESE PLANS WERE PREPARED IN CONJUNCTION WITH THE FOLLOWING PLANS:

Table listing project milestones: CIVIL IMPROVEMENT PLANS/GRADING PLANS (10-20-2021 PRELIMINARY), ARCHITECTURAL/ELECTRICAL FILE (05-23-2022 PRELIMINARY), APPLICANT DESIGN (GAS) (SAP DESIGN ELECTRICAL), CIVIL DESIGN (ELECTRICAL), LANDSCAPE (05-26-2022 PRELIMINARY), and LIGHT LOCATIONS.

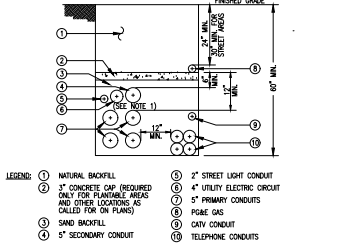
VISION UTILITY PARTNERS is not responsible for any unanticipated changes or performance of other utilities shown are approximate and based on field survey and available utility information. It is the responsibility of the utility owner to verify the actual location and extent of utilities prior to construction. The location and extent of utility locations shall be performed by careful probing or hand digging in accordance with Article 6 of the California Construction Safety Orders.

SVP TRENCH SECTIONS



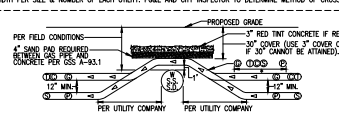
- LEGEND: 1. NATURAL BACKFILL, 2. CONCRETE CAP (REQUIRED), 3. SAND DROUGHT, 4. 5" SECONDARY CONDUIT, 5. 2" STREET LIGHT CONDUIT, 6. 4" UTILITY ELECTRIC CIRCUIT, 7. 5" PRIMARY CONDUITS.
- NOTES: 1. CONCRETE CAP REQUIRED WHEN DUCTS ARE INSTALLED IN AN AREA THAT CAN BE PLANTED... 2. ALL DIMENSIONS SHOWN ARE MINIMUM REQUIREMENTS... 3. DUCTS SHALL BE SPACED TOGETHER AND SUPPORTED WITH 1/2" MINIMUM SPACERS... 4. IF ADDITIONAL PRIMARY DUCTS ARE REQUIRED... 5. BACKFILL IN ACCORDANCE WITH CITY OF SANTA CLARA ENGINEERING DEPARTMENT SPECIFICATIONS...

JOINT TRENCH CONFIGURATION

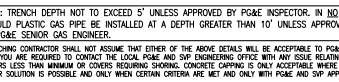


- LEGEND: 1. NATURAL BACKFILL, 2. 1" CONCRETE CAP (REQUIRED ONLY FOR PLANTERS/TREES AND OTHER LOCATIONS AS CALLED FOR ON PLANS), 3. SAND BACKFILL, 4. 5" SECONDARY CONDUIT, 5. 2" STREET LIGHT CONDUIT, 6. 4" UTILITY ELECTRIC CIRCUIT, 7. 5" PRIMARY CONDUITS, 8. GAS PIPING, 9. GUY CATCH, 10. TELEPHONE CONDUITS.
- NOTES: 1. REFER TO "TRENCH CROSS-SECTIONS" FOR TYPICAL ELECTRIC TRENCH SECTIONS AND MINIMUM DUCT SPACING REQUIREMENTS. 2. MINIMUM DEPTH AND SEPARATION REQUIREMENTS BETWEEN GAS, GUY, AND TELEPHONE CONDUITS TO BE PROVIDED BY THE RESPECTIVE UTILITIES. 3. DEPTH AND BACKFILL REQUIREMENTS FOR JOINT TRENCHES IN PUBLIC RIGHT OF WAY SHALL COMPLY WITH CITY OF SANTA CLARA ENGINEERING DEPARTMENT STANDARD SPECIFICATIONS. 4. JOINT TRENCH CONSTRUCTION REQUIREMENTS APPLY WHEN ALL UTILITY SUBSTITUTIONS ARE INSTALLED AT THE SAME TIME.

JOINT TRENCH UNDER WATER & S.S. & S.D.



JOINT TRENCH OVER WATER & S.S. & S.D.



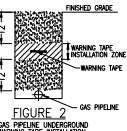
NOTE: TRENCH DEPTH NOT TO EXCEED 5' UNLESS APPROVED BY P&GE INSPECTOR. IN NO CASE SHOULD PLASTIC GAS PIPE BE INSTALLED AT A DEPTH GREATER THAN 10' UNLESS APPROVED BY P&GE SENIOR GAS ENGINEER.

GENERAL NOTES:

- 1. THE PREPARED TRENCH LOCATION IS IN A PUBLIC UTILITY (PUBLIC). 2. ALL DEPTHS AND RESULTING COVER REQUIREMENTS ARE MEASURED FROM FINAL GRADE. 3. COVER, CLEARANCES, AND SEPARATION SHALL BE AS GREAT AS PRACTICABLE UNDER THE CIRCUMSTANCES... 4. TRENCH DIMENSIONS SHOWN ARE TYPICAL TRENCH SIZES AND CONFIGURATIONS... 5. NON-UTILITY FACILITIES ARE NOT ALLOWED IN ANY JOINT UTILITY TRENCH... 6. WHEN COMMUNICATION DUCTS ARE INSTALLED... 7. PROVIDE SEPARATION FROM TRENCH WALL AND OTHER FACILITIES... 8. MAINTAIN PROPER SEPARATION BETWEEN P&GE FACILITIES AND "NET" UTILITY LINES... 9. SEPARATIONS SHALL BE MAINTAINED AT ADEQUATE TOLERANCE POINTS... 10. PROCEDURES FOR APPROXIMATING NATIVE BACKFILL FOR SHADING OF P&GE GAS FACILITIES... 11. FOR SVP ELECTRIC SUBSTRUCTURE BACKFILL REQUIREMENTS... 12. CONTENT NATIVE SOILS ARE REFERRED TO BE USED FOR SHADING, BEDDING, AND BACKFILLING... 13. THE APPLICANT IS RESPONSIBLE FOR THE REMOVAL OF EXCESS SPOIL AND ASSOCIATED COSTS. 14. SERVICE SHIELDS ARE THE PREFERRED SERVICE SETTINGS FOR USE WITHIN THE JOINT TRENCH PROJECT... 15. CONTRACTOR TO INCREASE GAS METER SPACING AS NECESSARY...

GAS PIPELINE UNDERGROUND WARNING TAPE NOTES:

- 1. A WARNING TAPE IS TO BE INSTALLED IN OPEN TRENCH INSTALLATION... 2. INSTALL 4" WIDE WARNING TAPE ABOVE THE GAS PIPELINE AT LEAST 12" FROM THE SURFACE... 3. WARNING TAPE SHALL BE BRIGHTLY COLORED YELLOW AND MARKED "CAUTION GAS LINE BURIED BELOW" OR MARKED WITH A SIMILAR NOTIFICATION... 4. WARNING TAPE SHALL BE STORED IN SUCH A MANNER THAT LIMITS ULTRAVIOLET (UV) EXPOSURE.



TYPICAL GAS METER REQUIREMENTS*

Table with columns: METER TYPE, LOAD (GPM), DELIVERY PRESSURE (PSIG), PAD SIZE (INCHES), MIN. UNLESS LONGER (INCHES), MIN. UNLESS LONGER (INCHES), MIN. UNLESS LONGER (INCHES). Rows include Residential, Commercial, Industrial, and various sizes of meters.

P&GE PM'S/GAS:

DESIGN CHANGE COMPONENT

ANY CHANGES TO THIS DESIGN MUST BE APPROVED BY P&GE GAS ADE PHONE NUMBER

CONSTRUCTION NOTES:

- 1. ALL TRENCHING, BACKFILLING AND INSTALLATION BY CONTRACTOR MUST COMPLY WITH P&GE 10 STANDARD 50453 (EFFECTIVE DATE 7-5-2006) AND SUCION VALLEY POWER STANDARD DOCUMENT US-1000. 2. ALL WORK MUST COMPLY WITH P&GE SVP TELEPHONE CABLE STANDARDS... 3. ALL TRENCHING, BACKFILLING AND INSTALLATION BY CONTRACTOR MUST COMPLY WITH P&GE 10 STANDARD 50453... 4. IF SOIL IS NOT FREE ADE, ADD 4" DEPTH OF TRENCH FOR SAND BEDDING. 5. VERIFY SPURCE BOX DIMENSIONS SIZES WITH SUPPLIERS. 6. THE TRENCHING CONTRACTOR SHALL COORDINATE THE UTILITY COMPANIES' INSTALLATION... 7. CONTRACTOR SHALL MAKE SURE FAMILIAR WITH THE PROJECT IMPROVEMENT PLANS... 8. IF IT IS THE TRENCHING CONTRACTOR'S RESPONSIBILITY TO PROTECT IN PLACE ALL EXISTING FACILITIES... 9. VISION UTILITY PARTNERS ASSUMES NO RESPONSIBILITY FOR THE PROJECT CONDITIONS... 10. CONTRACTOR WILL COMPLY WITH ALL LAWS, ORDINANCES AND REGULATIONS... 11. CONTRACTOR SHALL PROTECT CONSTRUCTION STAGING... 12. CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT (USA) TWO WORKING DAYS PRIOR TO START OF WORK... 13. CONTRACTOR SHALL NOTIFY INSPECTORS OF ANY POTENTIAL CONFLICTS PRIOR TO START OF WORK... 14. THIS PLAN IS TO BE USED FOR SOLE PURPOSE OF DIGGING THE JOINT TRENCH... 15. NOTE: PLANS ISSUED AT THE PRE-CONSTRUCTION MEETING... 16. WATER, SEWER, RAINFALL, SANITARY WASTE, FLEES (INCLUDING DRESS AND GASOLINE), OIL, PROPANE AND OTHER VOLATILE HEAVIER THAN AIR GASES... 17. IN THE EXTRAORDINARY CASE THAT THE MINIMUM THREE FOOT HORIZONTAL SEPARATION CANNOT BE ATTAINED... 18. THE JOINT TRENCH PLAN WAS PREPARED BASED ON TOPOGRAPHIC SURVEY... 19. THE JOINT TRENCH PLAN WAS PREPARED BASED ON TOPOGRAPHIC SURVEY AS PROVIDED BY A CIVIL ENGINEER...

Substructure Verification Stamp form with fields for Developer, Please Note and Sign, and Date.

Table with columns: UTILITY, APPROVED BY, DATE. Lists utilities like SVP Electric, P&GE Gas, AT&T (Phone), Comcast (Cable), and City Engineer.

DEVELOPER: CHARITIES HOUSING 1400 PARKMOOR AVE SAN JOSE, CA 95126 HAI NGUYEN T: 408-550-8314 E: HNGUYEN@CHARITIESHOUSING.ORG

SHEET INDEX

- JT-1 JOINT TRENCH TITLE SHEET
JT-2 JOINT TRENCH COMPOSITE
JT-3 JOINT TRENCH SECTIONS

PROJECT: CIVIC CENTER FAMILY HOUSING
LOCATION: 1601 CIVIC CENTER DR. SANTA CLARA, CA 95050

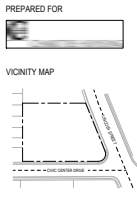


Table with columns: DATE, DESCRIPTION, DRAWN BY, CHECKED BY, APPROVED BY. Lists project milestones and approvals.

Table with columns: DATE, DESCRIPTION, DRAWN BY, CHECKED BY, APPROVED BY. Lists project milestones and approvals.

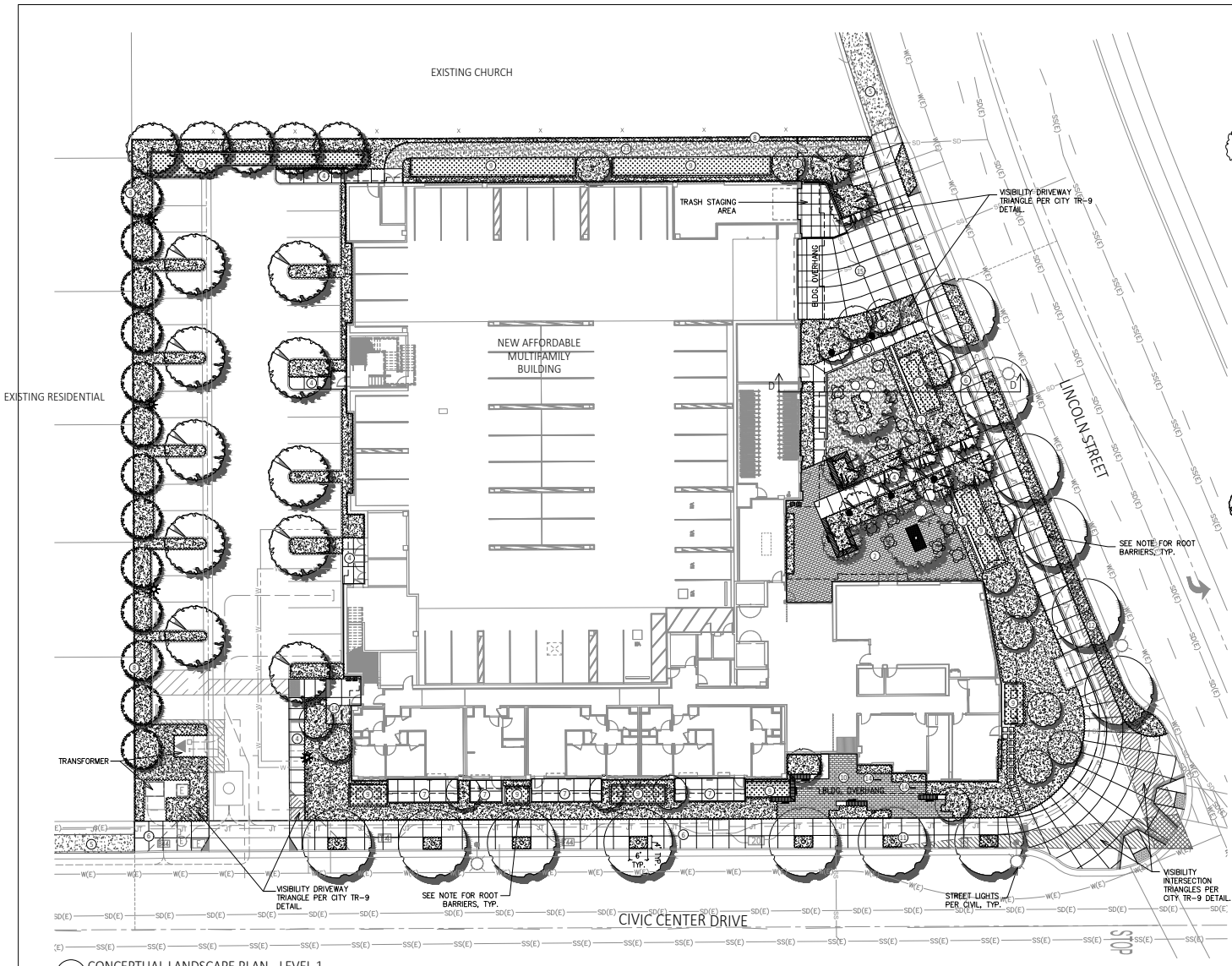
Table with columns: UTILITY, APPROVED BY, DATE. Lists utilities and their approvals.

Table with columns: DATE, DESCRIPTION, DRAWN BY, CHECKED BY, APPROVED BY. Lists project milestones and approvals.

JOINT TRENCH TITLE SHEET

DATE: 05/23/2022

PROJECT: JT-1 DESIGN DEVELOPMENT © 2019 MITHUN, INC.



CANDIDATE PLANT LEGEND

SYMBOL	BOTANICAL NAME (COMMON NAME)	MIN. SIZE	WUCOLS	HEIGHT (FT)
PROJECT STREET TREES:				
	LINCOLN STREET: OLEA EUROPAEA "SWAN HILL" (FRUITLESS OLIVE)	36" BOX	V. LOW	30
	CIVIC CENTER DRIVE: CERIS CANADENSIS (EASTERN REDBUD)	36" BOX	MOD	30
ENTRY COURT TREE (SUCH AS):				
	ZELKOVA S. "CITY SPRITE" (DWARF ZELKOVA)	24" BOX	MOD	25
	OLEA EUROPAEA "SWAN HILL" (FRUITLESS OLIVE)	36" BOX	V. LOW	30
	CERIS OCCIDENTALIS (WESTERN REDBUD)	24" BOX	V. LOW	15-20
	PIRUS C. "CAPITAL" (CAPITAL FLOWERING PEAR)	24" BOX	MOD	25-35
LEVEL 2 COURTYARD TREES (SUCH AS):				
	OLEA EUROPAEA "SWAN HILL" (FRUITLESS OLIVE)	36" BOX	V. LOW	30
	AGONIS F. "AFTER DARK" (AFTER DARK PEPPERMINT TREE)	24" BOX	LOW	15-20
	CHITALPA TASHKENTENSIS (CHITALPA)	24" BOX	MOD	20-30
	PITTIOSPORUM TENUIFOLIUM (KOHUHU)	15-GAL	MOD	15-25
	ROBINIA P. "PURPLE ROBE" (PURPLE ROBE LOCUST)	24" BOX	LOW	30-34
	PRUNUS CAROLINIANA (CAROLINA CHERRY)	24" BOX	LOW	15-20
SECONDARY ACCENT TREES (SUCH AS):				
	ACER PALMATUM "RHODE ISLAND RED" (JAPANESE MAPLE)	15-GAL	MOD	6
	ARBUTUS "MARINA" (MARINA MADRONE)	15-GAL	LOW	20-30
	LOPHOSTEMUM CONFERTUS (BRISBANE BOX)	15-GAL	MOD	35-45
	ACACIA STENOPHYLLA (SHOE-STRING ACACIA)	15-GAL	LOW	20-40
	COTINUS COGKYGRIA (SMOKETREE)	15-GAL	LOW	12-15
PARKING AREA TREES (SUCH AS):				
	RHUS LANCEA (AFRICAN SUMAC)	24" BOX	LOW	20-30
	GENERA PARVIFLORA (AUSTRALIAN WILLOW)	24" BOX	MOD	20-35
	PITTIOSPORUM TENUIFOLIUM (KOHUHU)	15-GAL	MOD	15-25
STORMWATER TREATMENT PLANTINGS (SUCH AS):				
	CAREX SPP. (SEDGE)	1 GAL	MOD	
	MUHLENBERGIA SPP. (MUHLY)	1 GAL	LOW	
	JUNCUS SPP. (RUSH)	1 GAL	LOW	
	CAREX SUBFUSCA (RUSTY SEDGE)	1 GAL	LOW	
SHRUBS/SUCCULENTS/GROUNDCOVERS/VINES (SUCH AS):				
	LEPTOSPERMUM S. CYS (DWF TEA TREE)	5 GAL	MOD	
	WESTRIGIA FRUTICOSA (COAST ROSEMARY)	5 GAL	LOW	
	RHAMNUS C. "EVE CASE" (DWF COFFEEBERRY)	5 GAL	LOW	
	LOMANDRA LONGIFOLIA "TANIKA" (TANIKA LOMANDRA)	5 GAL	LOW	
	GREVILLEA "NOELLII" (NOEL'S GREVILLEA)	5 GAL	LOW	
	ACACIA "COUSIN ITT" (DWF RIVER WATTLE)	5 GAL	LOW	
	ARTISTOPHYLOS SPP. (MANZANITA)	5 GAL	LOW	
	ASPARAGUS D. "MYERS" (MYERS' FERN)	1 GAL	MOD	
	DIEES BICOLOR (FORTNIGHT LILY)	1 GAL	LOW	
	CHONDROPETALUM TECTORUM (CAPE RUSH)	1 GAL	LOW	
	POLYSTICHUM MUNITUM (WESTERN SWORD FERN)	1 GAL	MOD	
	MYOPORIUM SPP. (CREEPING MYOPORIUM)	1 GAL	LOW	
	LANTANA SELLOMANA (TRAILING LANTANA)	1 GAL	LOW	
	ERIGERON KARwinskianus (SANTA BARBARA DAISY)	1 GAL	LOW	
	ROSEMARINUS SPP. (ROSEMARY)	1 GAL	LOW	

A CONCEPTUAL LANDSCAPE PLAN - LEVEL 1
1/16"=1'-0"

UTILITY & TREE PROTECTION NOTES:
MIN 5' OF SEPARATION IS PROVIDED BETWEEN TREES AND UTILITIES. WHEN LOCATED WITHIN 5' A ROOT BARRIER WILL BE PROVIDED.
ROOT BARRIERS FOR SIDEWALK PROTECTION WILL BE 16" LONG OR EXTEND TO DRIP LINE OF THE MATURE TREE, AND WILL BE 1.5' DEEP, AND CENTERED ON TREES.

STREET TREES:
STREET TREES FRONTING THE PROJECT SITE ALONG THE PUBLIC R.O.W. WILL BE COORDINATED WITH STREET DEPARTMENT AND CITY ARBORIST FOR THE TYPE, LOCATION, INSTALLATION AND MAINTENANCE.

CONCEPTUAL SITE LIGHTING KEY

- 12' POLE LIGHT
- BOLLARD LIGHT
- RECESSED STEP LIGHT

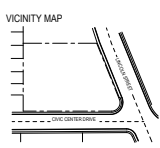
LANDSCAPE ELEMENTS KEY

- ① LOW DECORATIVE GARDEN WALL (36" MAX).
- ② ACTIVE FORECOURT WITH ENHANCED PAVING, SEATING, LANDSCAPE BOULDERS & TREE GRATE.
- ③ PASSIVE FORECOURT WITH TREE GRATE, SEATING, LANDSCAPE BOULDERS & SOFTER PAVING MATERIALS (D.G./DECORATIVE PEA-GRAVEL PAVING).
- ④ CONCRETE WALKWAY.
- ⑤ EXISTING PUBLIC SIDEWALK TO REMAIN.
- ⑥ NEW PUBLIC SIDEWALK.
- ⑦ PRIVATE RESIDENT PATIOS.
- ⑧ EXISTING FENCE TO REMAIN.
- ⑨ STORMWATER TREATMENT BASIN: SEE CIVIL PLANS FOR ADDITIONAL INFORMATION.
- ⑩ PRIMARY ENTRY COURT WITH ENHANCED PAVING AND CONCRETE SEATWALLS WITH WOOD SLATS.
- ⑪ TREE WELLS IN SIDEWALK @ CIVIC CENTER DRIVE.
- ⑫ CONTIGUOUS LANDSCAPED PARKWAY @ LINCOLN STREET.
- ⑬ NEW 6-FT PERFORATED METAL PANEL FENCE (WITH MAINTENANCE ACCESS) TO MATCH TRASH ENCLOSURE AND OTHER BUILDING GUARDRAILS. SEE ARCH. DRAWINGS FOR MORE INFO.
- ⑭ SHORT-TERM BIKE PARKING (QTY: 8 BIKES).
- ⑮ DRIVEWAY.
- ⑯ STEPPED CONCRETE PERIMETER.
- ⑰ RAISED RECREATIONAL AREA WITH SYNTHETIC TURF.
- ⑱ RAISED PLANTERS.
- ⑲ LANDSCAPE BOULDERS OR SMOOTH CONCRETE FAUX BOULDERS.
- ⑳ DINING COURT WITH BBQ COUNTER.
- ㉑ RECREATION AREA WITH OUTDOOR PING PONG TABLE & SEATING.
- ㉒ BREAK-OUT SPACE WITH SEATING.
- ㉓ D.G. PATHWAY (EMERGENCY ACCESS).



PROJECT
**CIVIC CENTER
FAMILY HOUSING**
LOCATION
**1601 CIVIC CENTER DR.
SANTA CLARA, CA 95050**

PREPARED FOR



DATE

12.08.2020	PLANNING SUBMITTAL
09.24.2021	GPA APPLICATION SET
04.08.2022	GPA RESUBMISSION 1
05.25.2022	GPA RESUBMISSION 2

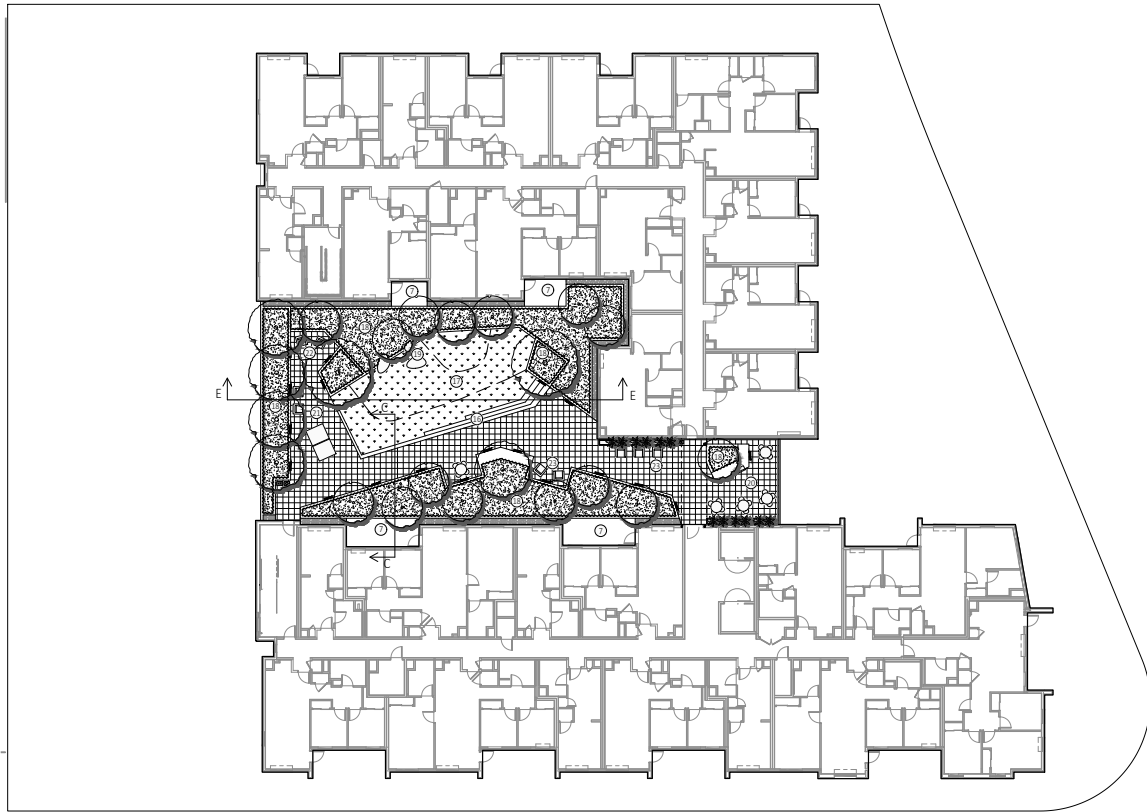
NO. DATE

04.08.2022	GPA RESUBMISSION 1
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CONCEPTUAL LANDSCAPE PLAN - LEVEL 1

PROJECT NO.
1927400
DATE
05/25/2022

PROJECT NO.
L1.0
GPA RESUBMISSION 2



A CONCEPTUAL LANDSCAPE PLAN - LEVEL 2
1/16"=1'-0"



CONCEPTUAL SITE LIGHTING KEY

- 12' POLE LIGHT
- BOLLARD LIGHT
- RECESSED STEP LIGHT

LANDSCAPE ELEMENTS KEY

- ① LOW DECORATIVE GARDEN WALL (36" MAX).
- ② ACTIVE FORECOURT WITH ENHANCED PAVING, SEATING, LANDSCAPE BOULDERS & TREE GRATE.
- ③ PASSIVE FORECOURT WITH TREE GRATE, SEATING, LANDSCAPE BOULDERS & SOFTER PAVING MATERIALS (D.G./DECORATIVE PEA-GRAVEL PAVING).
- ④ CONCRETE WALKWAY.
- ⑤ EXISTING PUBLIC SIDEWALK TO REMAIN.
- ⑥ NEW PUBLIC SIDEWALK.
- ⑦ PRIVATE RESIDENT PATIOS.
- ⑧ EXISTING FENCE TO REMAIN.
- ⑨ STORMWATER TREATMENT BASIN: SEE CIVIL PLANS FOR ADDITIONAL INFORMATION.
- ⑩ PRIMARY ENTRY COURT WITH ENHANCED PAVING AND CONCRETE SEATWALLS WITH WOOD SLATS.
- ⑪ TREE WELLS IN SIDEWALK @ CIVIC CENTER DRIVE.
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- ⑰ RAISED RECREATIONAL AREA WITH SYNTHETIC TURF.
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- ⑲ LANDSCAPE BOULDERS OR SMOOTH CONCRETE FAUX BOULDERS.
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- ㉑ RECREATION AREA WITH OUTDOOR PING PONG TABLE & SEATING.
- ㉒ BREAK-OUT SPACE WITH SEATING.
- ㉓ D.G. PATHWAY (EMERGENCY ACCESS).

LANDSCAPE WATER EFFICIENCY CHECKLIST

IRRIGATION FIGURES
TOTAL AREA: 13829 SF
STORMWATER AREA: 1689 SF
ALL OTHER LANDSCAPE AREA: 12140 SF

MAWA
 $(48.4)(0.62)(0.58 \times 13829 \text{ SF}) = 245,662 \text{ GAL/YR}$

ETWU
 $(48.4)(0.62)(0.3 \times 12140 \text{ SF})/0.9 = 123,941 \text{ GAL/YR}$
 $(48.4)(0.62)(0.5 \times 1689 \text{ SF})/0.9 = 28,739 \text{ GAL/YR}$

TOTAL=152,680 GAL/YR

IRRIGATION DESIGN STATEMENT
 THE IRRIGATION SYSTEM WILL BE DESIGNED TO REDUCE THE OVERALL WATER REQUIRED FOR SUPPLEMENTAL IRRIGATION, ALONG WITH THE RESPONSIBLE SELECTION OF PLANT MATERIALS. CURRENT IRRIGATION TECHNOLOGIES WILL BE UTILIZED IN ORDER TO COMPLY BOTH WITH THE STATE AND CITY WATER CONSERVATION ORDINANCES. THESE INCLUDE ET-BASED "SMART" CONTROLLERS, FLOW AND RAIN SENSORS, AND LOW-VOLUME SUB-SURFACE DRIP IRRIGATION AND DEEP-ROOT TREE BUBBLERS.

IRRIGATION EQUIPMENT STANDARDS

- PRESSURIZED MAINLINE PIPING WILL BE CL. 315 PVC & BURIED MINIMUM 18".
- NON-PRESSURIZED LATERALS WILL BE SCH. 40 PVC OR CL. 315 PVC & BURIED MINIMUM 12".
- AN "RP" TYPE BACKFLOW PREVENTER WILL BE INSTALLED NEAR THE PROJECT POINT-OF-CONNECTION.
- SUBSURFACE IN-LINE DRIP IRRIGATION SHALL BE TORO DL2000, NETAFIM, OR APPROVED EQUIVALENT.
- NO OVERHEAD OR SPRAY IRRIGATION WILL BE UTILIZED.

TURF AREA

- NO IRRIGATED LAWN AREAS ARE PLANNED FOR THIS PROJECT.

IRRIGATION DESIGN FOR RECYCLED WATER:
 ALL ON-SITE IRRIGATION WILL BE DESIGNED FOR RECYCLED WATER USE AND WILL COMPLY WITH ALL RECYCLED WATER REGULATIONS BY CITY OF SANTA CLARA, SBRW AND DEPARTMENT OF DRINKING WATER.

SEE L1.0 FOR PLANT LEGEND



PROJECT
**CIVIC CENTER
 FAMILY HOUSING**
 LOCATION
**1601 CIVIC CENTER DR.
 SANTA CLARA, CA 95050**

PREPARED FOR



VICINITY MAP



DATE	REVISION
12.08.2020	PLANNING SUBMITTAL
09.22.2021	GPA APPLICATION SET
04.08.2022	GPA RESUBMISSION 1
03.25.2022	GPA RESUBMISSION 2

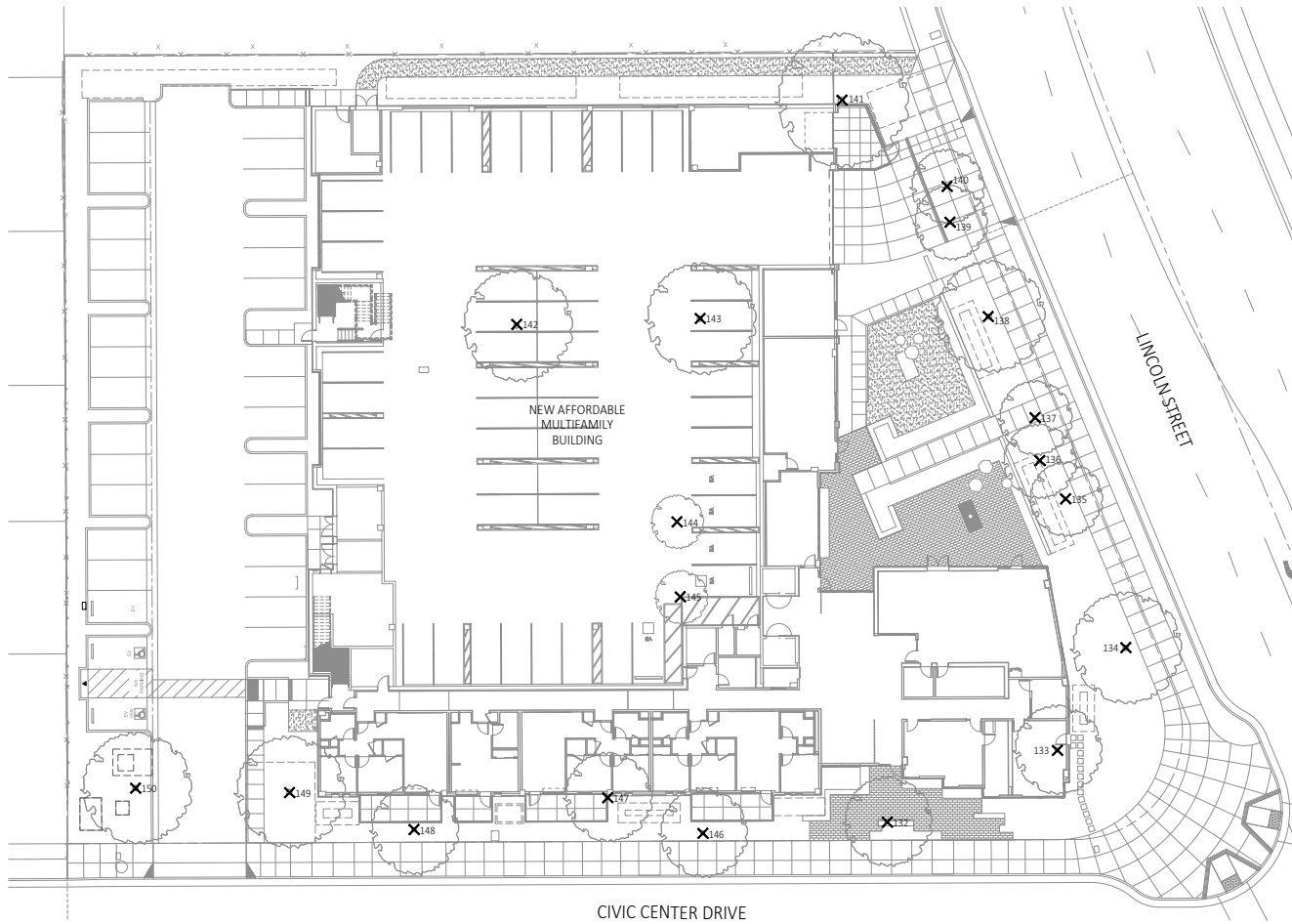
REV.	DATE	REVISION
01	04.08.2022	GPA RESUBMISSION 1

DESIGN PARTNER
PROJECT MANAGER
PROJECT ARCHITECT
PROJECT ENGINEER
PROJECT TEAM MEMBERS
DATE

TITLE
**CONCEPTUAL LANDSCAPE
 PLAN - LEVEL 2**

PROJECT NO.
1927400
 DATE
05/25/2022

HEET NUMBER
L2.0
 GPA RESUBMISSION 2



EXISTING TREE LEGEND

#	TREE TYPE	DIA.(N)	PROTECTED?	CONDITION	ACTION
				1-POOR 5-EXCELLENT	
132	OLIVE	15	YES	2	REMOVE
133	OLIVE	11, 7, 7	NO	2	REMOVE
134	OLIVE	16, 9	YES	3	REMOVE
135	SWEETGUM	8	NO	2	REMOVE
136	SWEETGUM	8	NO	2	REMOVE
137	SWEETGUM	8	NO	2	REMOVE
138	OLIVE	16, 9, 5	YES	3	REMOVE
139	SWEETGUM	7	NO	2	REMOVE
140	SWEETGUM	8	NO	3	REMOVE
141	OLIVE	16, 15	YES	3	REMOVE
142	PURPLE LEAF PLUM	11, 7, 7, 4	NO	3	REMOVE
143	OLIVE	13, 10	YES	3	REMOVE
144	AFRICAN FERNPINE	4, 3, 3, 2	NO	3	REMOVE
145	AFRICAN FERNPINE	5, 4	NO	3	REMOVE
146	OLIVE	16	YES	3	REMOVE
147	OLIVE	16, 15	YES	3	REMOVE
148	OLIVE	10, 10, 9	NO	3	REMOVE
149	OLIVE	17, 14	YES	3	REMOVE
150	OLIVE	12, 10, 10, 9	YES	3	REMOVE

- EXISTING TREE NOTES
1. INFORMATION CONTAINED HERE IS TAKEN FROM ARBORIST'S REPORT PREPARED BY HORT SCIENCE/BARILETTI CONSULTING (325 RAY ST., PLEASANTON, CA 94566) DATED 03-06-2020.
 2. TREE NUMBERING CONVENTION USED SO AS TO ALIGN WITH NUMBERING USED IN ARBORIST'S REPORT.
 3. WHERE TREES HAD MORE THAN TRUNK, THE DIAMETERS OF INDIVIDUAL TRUNKS WERE ADDED TOGETHER TO ESTABLISH THE DIAMETER CLASS FOR MITIGATION PURPOSES.
 4. TREES IN LEGEND MARKED WITH ASTERISK (*): NOT INCLUDED IN PRELIMINARY ARBORIST'S REPORT.

SUMMARY:

TOTAL TREES REMOVED:-	19
MIN 24" BOX TREES PROVIDED:-	38

*TREES PERMITTED BY THE CITY FOR REMOVAL WILL BE REPLACED AT A MINIMUM 2:1 RATIO WITH 24-INCH BOX SPECIMEN TREES.



PROJECT
**CIVIC CENTER
 FAMILY HOUSING**
 LOCATION
**1601 CIVIC CENTER DR.
 SANTA CLARA, CA 95050**

PREPARED FOR



VICINITY MAP

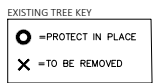


DATE	DESCRIPTION
12.08.2020	PLANNING SUBMITTAL
09.22.2021	GPA APPLICATION SET
04.08.2022	GPA RESUBMISSION 1
05.25.2022	GPA RESUBMISSION 2

NO.	DATE	DESCRIPTION
04.08.2022		GPA RESUBMISSION 1

DESIGN PARTNER	
PROJECT MANAGER	
PROJECT ARCHITECT	
PROJECT DESIGNER	
PROJECT TEAM MEMBERS	
CHECK	

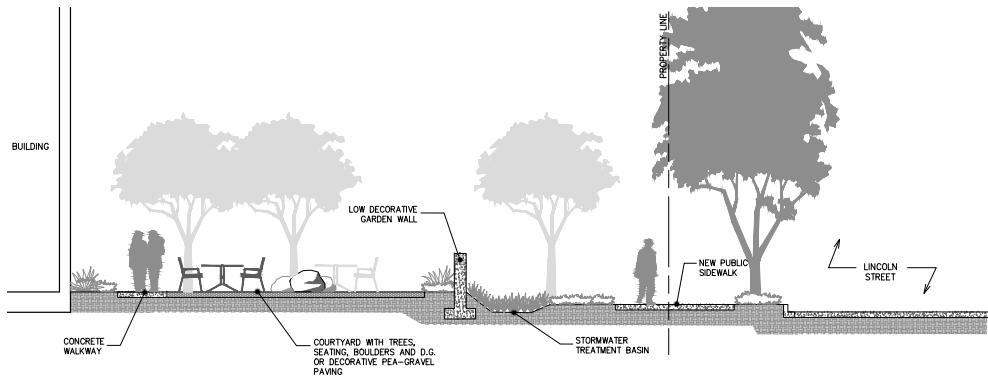
A EXISTING TREE PLAN
 1/16"=1'-0" NORTH



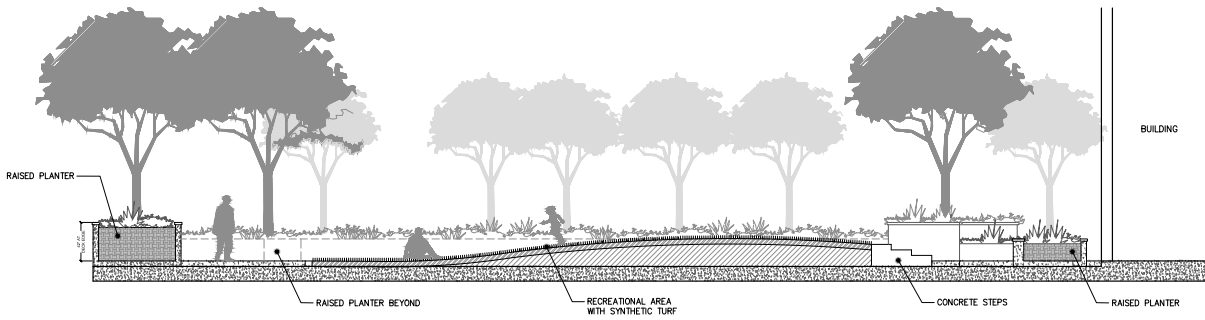
TITLE
 EXISTING TREE PLAN

PROJECT NO.
 1927400
 DATE
 05/25/2022

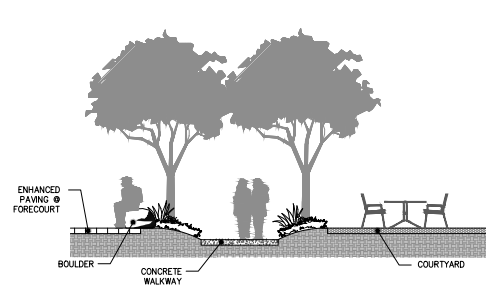
SHEET NUMBER
L3.0
 GPA RESUBMISSION 2



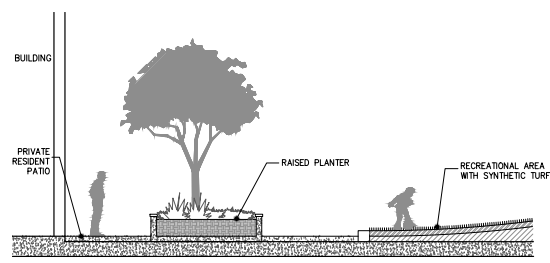
D CROSS-SECTION THROUGH LEVEL 1 COURTYARD
3/16"=1'-0"



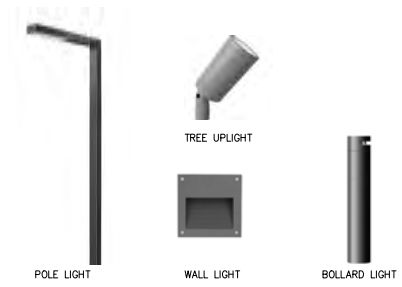
E CROSS-SECTION THROUGH LEVEL 2 COURTYARD
3/16"=1'-0"



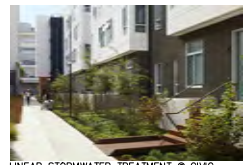
F CROSS-SECTION @ FORECOURT & COURTYARD
3/16"=1'-0"



C CROSS-SECTION THROUGH LEVEL 2 COURTYARD
3/16"=1'-0"



A CONCEPTUAL LIGHTING IMAGERY



LINEAR STORMWATER TREATMENT @ CIVIC CENTER DRIVE FRONTAGE



SEAT WALLS @ ENTRY



LOW DECORATIVE GARDEN WALL SURROUNDED BY PLANTING; IMPLIED BARRIER BUT NOT RESTRICTIVE



DECORATIVE LINEAR UNIT PAVERS



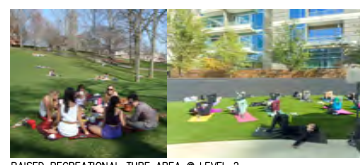
PASSIVE FORECOURT AREA: CASUAL, QUIET, SOFT PAVING MATERIALS



REAL OR FAUX BOULDERS @ LEVEL 2



PERFORATED METAL PANEL FENCE

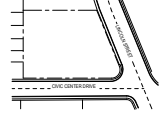


RAISED RECREATIONAL TURF AREA @ LEVEL 2



BIKE RACK

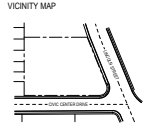
B LANDSCAPE ELEMENT IMAGERY



DATE	ISSUE
12.08.2020	PLANNING SUBMITTAL
08.22.2021	GPA APPLICATION SET
04.08.2022	GPA RESUBMISSION 1
05.25.2022	GPA RESUBMISSION 2

NO.	DATE	ISSUE
04.08.2022		GPA RESUBMISSION 1

DESIGN PARTNER	PROJECT MANAGER	PROJECT ARCHITECT	PROJECT ENGINEER	PROJECT TEAM MEMBERS	CHECK



DATE	DESCRIPTION
02.08.2020	PLANNING SUBMITTAL
02.19.2021	100% SCHEMATIC DESIGN
11.13.2021	GPA SUBMITTAL
11.13.2021	50% DESIGN DEVELOPMENT
04.08.2022	GPA RESUBMISSION 1
05.18.2022	100% DESIGN DEVELOPMENT
05.18.2022	GPA RESUBMISSION 2

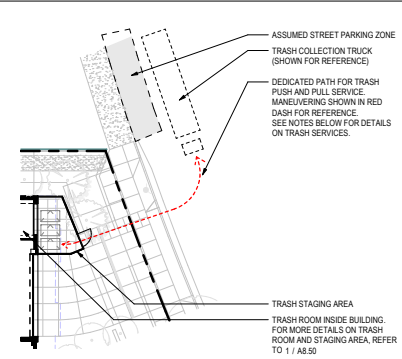
DATE	DESCRIPTION
01.04.08.2023	GPA RESUBMISSION 1

ARCHITECT	AT
PROJECT MANAGER	KB / SA
PROJECT ARCHITECT	SA / AK
PROJECT ENGINEER	AP
PROJECT TEAM	
DATE	

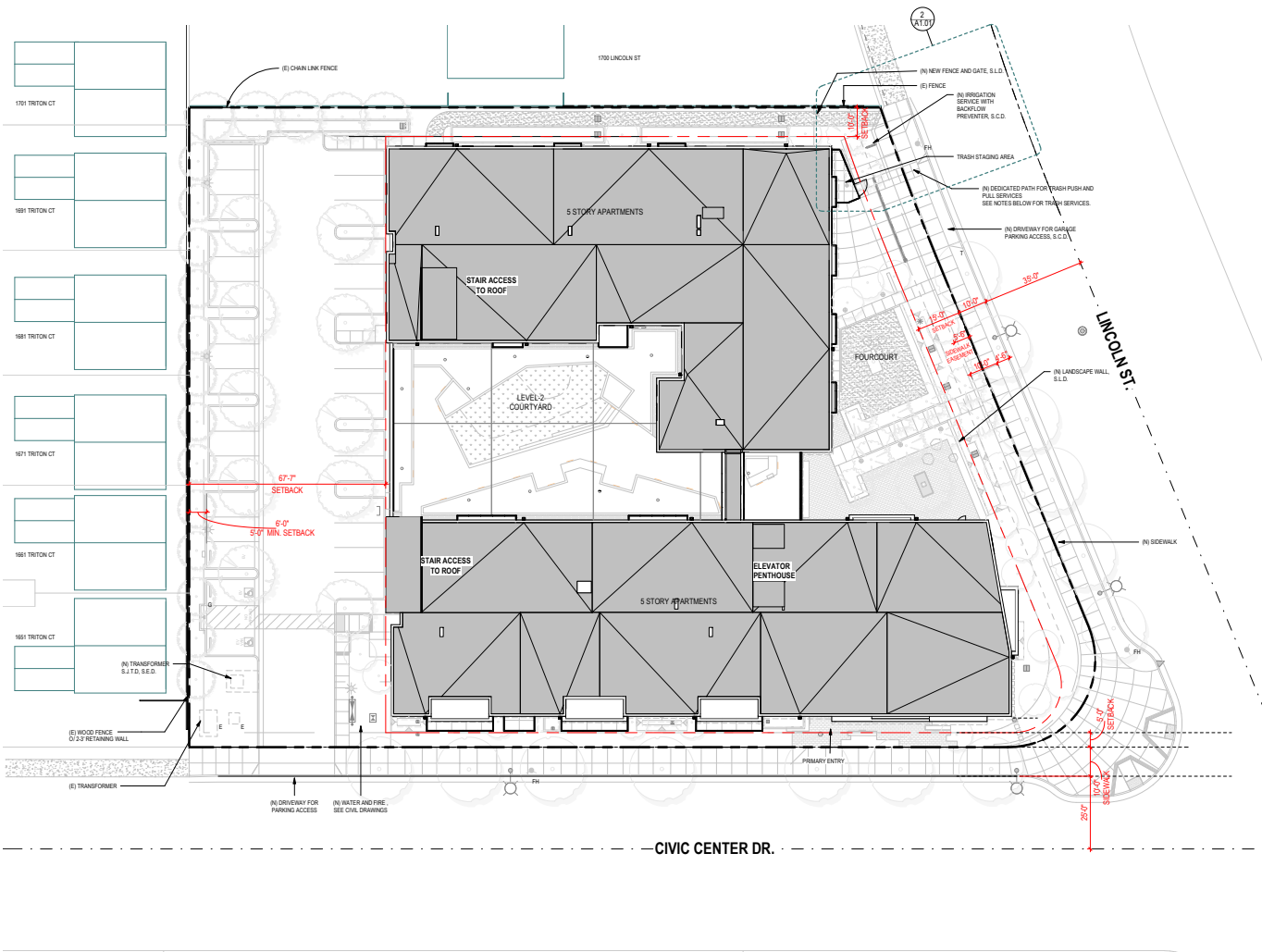
ARCHITECTURAL SITE PLAN

PROJECT NO.
1927400
DATE
05/25/2022

SCALE
A1.01
GPA RESUBMISSION 2
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2 SITE PLAN - TRASH COLLECTION
1/16" = 1'-0"



1 SITE PLAN
1/16" = 1'-0"

NOTES:

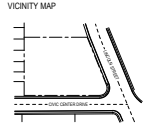
- FOR TRASH PICK UP, PLEASE NOTE THE FOLLOWING:
 - A DEDICATED PATH ADJACENT TO THE GARAGE DRIVEWAY IS PROVIDED FOR PUSH AND PULL SERVICES.
 - COLLECTION TRUCK WILL PARK ON THE STREET AND WORKER WILL ACCESS THE STAGING AREA VIA THE DEDICATED PATH. WILL ROLL THE BINS OUT TO THE STREET TO BE SERVICED BY THE TRUCK, THEN RETURN TO THE STAGING AREA. BINS WILL NOT REMAIN ON THE STREET.
 - COLLECTION FOR RECYCLING AND GARBAGE WILL OCCUR ON SEPARATE DAYS.
 - BINS WILL BE MAXIMUM 3 CUBIC YARD.

LEGEND

- PROPERTY LINE
- SETBACK LINE
- FIRE HYDRANT
- STREET LIGHT
- PROPOSED TREE, SEE LANDSCAPE DRAWINGS



MITHUN, INC. 1001 Market Street, Suite 1000, Seattle, WA 98107
 1927400-01-ARCH-SITE-PLAN-TRASH-COLLECTION-1/16"=1'-0".DWG
 DATE: 05/25/2022 10:59 AM
 PROJECT: CIVIC CENTER FAMILY HOUSING
 SHEET: 1927400-01-ARCH-SITE-PLAN-TRASH-COLLECTION-1/16"=1'-0".DWG
 SCALE: 1/16" = 1'-0"
 DRAWN BY: JACOB
 CHECKED BY: JACOB
 APPROVED BY: JACOB
 MITHUN, INC. 1001 MARKET STREET, SUITE 1000, SEATTLE, WA 98107
 TEL: 206.461.1000 FAX: 206.461.1001
 WWW.MITHUN.COM



DATE	DESCRIPTION
03.08.2021	PLANNING SUBMITTAL
03.10.2021	10% SCHEMATIC DESIGN
03.13.2021	GPA SUBMITTAL
04.01.2021	50% DESIGN DEVELOPMENT
04.08.2021	GPA RESUBMISSION 1
04.28.2021	100% DESIGN DEVELOPMENT
05.15.2021	GPA RESUBMISSION 2

DATE	DESCRIPTION
01.04.2022	GPA RESUBMISSION 1

DATE	DESCRIPTION
01.04.2022	GPA RESUBMISSION 1

DATE	DESCRIPTION
01.04.2022	GPA RESUBMISSION 1

DATE	DESCRIPTION
01.04.2022	GPA RESUBMISSION 1

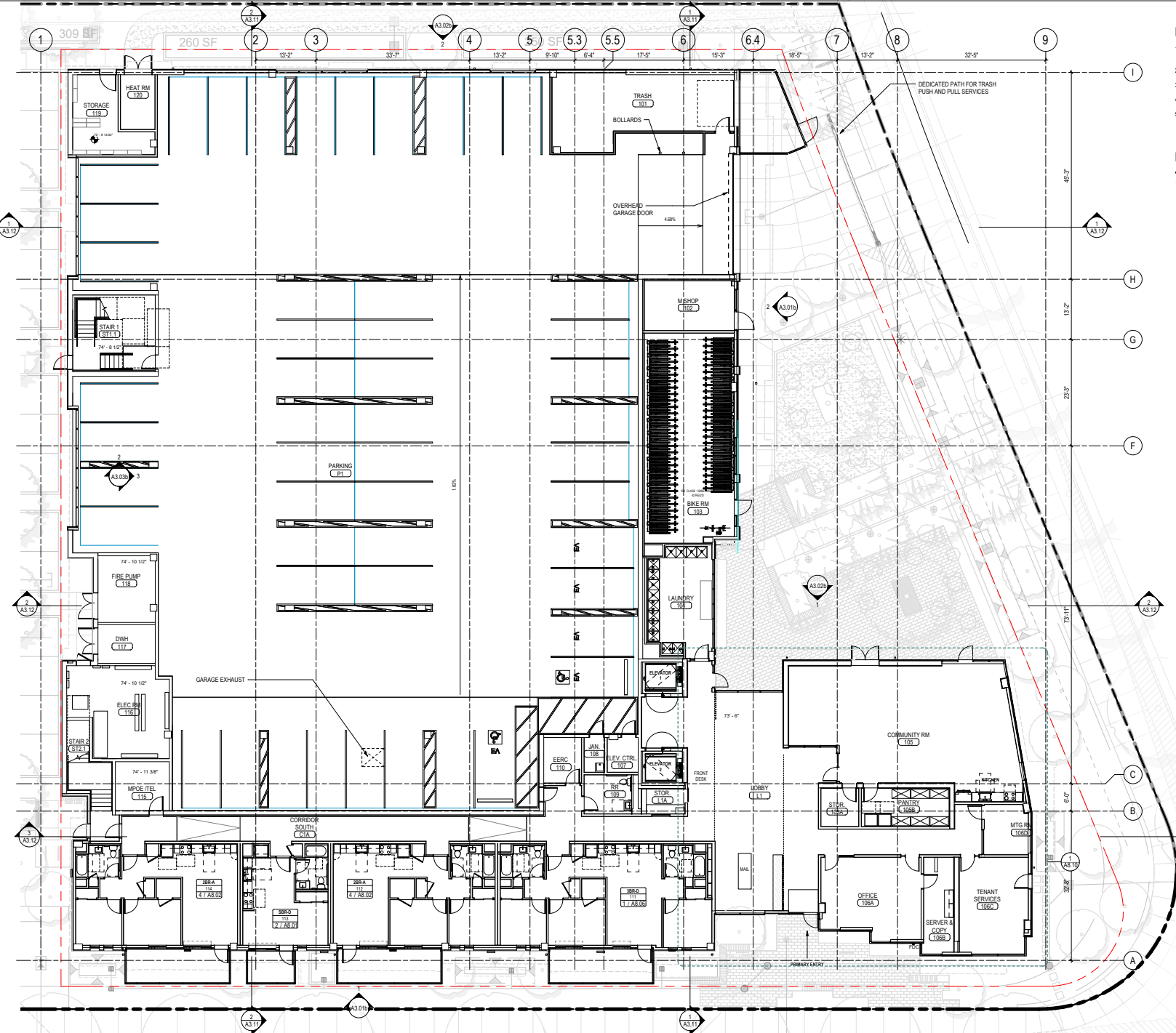
DATE	DESCRIPTION
05/25/2022	GPA RESUBMISSION 2

FLOOR PLAN NOTES

- SEE 8 SERIES FOR ENLARGED PLANS WITH INTERIOR WALL TAGS NOT SHOWN IN OVERALL PLAN, INTERIOR ELEVATIONS AND TYPICAL UNIT TYPES
- SEE EXITING DIAGRAMS FOR DISTANCE REQUIREMENTS BETWEEN FIRE EXTINGUISHER CABINETS
- FOR TYP. PLANTERS AND BIKE ENTONION PLANTERS INFORMATION, S.L.D. AND S.C.D.
- SEE BUILDING SECTIONS AND WALL SECTIONS FOR TYPICAL FLOOR CEILING TAGS
- SEE G SERIES FOR RATING DIAGRAMS FOR FIRE RATED WALL INFORMATION

FLOOR PLAN LEGEND

- PROPERTY LINE
- SETBACK LINE
- FACP FIRE ACCESS CONTROL PANEL



1 LEVEL 1 FLOOR PLAN - GROUND
 1/8" = 1'-0"

MITHUN ARCHITECTURE INC. 1601 CIVIC CENTER DRIVE, SANTA CLARA, CA 95050
 PROJECT NO. 1601CIVICCENTERDR-2021-01
 SHEET NO. A2.01
 DATE: 05/25/2022
 DESIGNER: JEFFREY W. MITHUN, AIA
 CHECKED: JEFFREY W. MITHUN, AIA
 DRAWN: JEFFREY W. MITHUN, AIA
 SCALE: 1/8" = 1'-0"
 THIS DOCUMENT IS THE PROPERTY OF MITHUN ARCHITECTURE INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF MITHUN ARCHITECTURE INC.



DATE	DESCRIPTION
03.08.2021	PLANNING SUBMITTAL
03.19.2021	10% SCHEMATIC DESIGN
03.19.2021	GPA SUBMISSION 1
04.08.2021	50% DESIGN DEVELOPMENT
04.08.2021	GPA RESUBMISSION 1
05.05.2021	100% DESIGN DEVELOPMENT
05.15.2021	GPA RESUBMISSION 2

DATE	DESCRIPTION
04.08.2021	GPA RESUBMISSION 1

DATE	DESCRIPTION
04.08.2021	GPA RESUBMISSION 1

DATE	DESCRIPTION
04.08.2021	GPA RESUBMISSION 1

DATE	DESCRIPTION
04.08.2021	GPA RESUBMISSION 1

DATE	DESCRIPTION
05/25/2022	

FLOOR PLAN NOTES

- SEE 8 SERIES FOR ENLARGED PLANS WITH INTERIOR WALL TAGS NOT SHOWN IN OVERALL PLAN, INTERIOR ELEVATIONS AND TYPICAL UNIT TYPES
- SEE EXITING DIAGRAMS FOR DISTANCE REQUIREMENTS BETWEEN FIRE EXTINGUISHER CABINETS
- FOR TYP. PLANTERS AND BIODECKTOP PLANTERS INFORMATION, S.L.D. AND S.C.D.
- SEE BUILDING SECTIONS AND WALL SECTIONS FOR TYPICAL FLOOR CEILING TAGS
- SEE G SERIES FOR RATING DIAGRAMS FOR FIRE RATED WALL INFORMATION.

FLOOR PLAN LEGEND

- PROPERTY LINE
- SETBACK LINE
- FACP FIRE ACCESS CONTROL PANEL



1 LEVEL 3-4 FLOOR PLAN
 1/8" = 1'-0"



MITHUN ARCHITECTS, INC. 1000 CALIFORNIA STREET, SUITE 1000, SAN FRANCISCO, CA 94108
 PROJECT NO. 1601 CIVIC CENTER DR. SANTA CLARA, CA 95050
 DATE: 05/25/2022 11:22:22 AM



02.08.2022	PLANNING SUBMITTAL
02.10.2022	10% SCHEMATIC DESIGN
03.10.2022	GPA SUBMITTAL
11.10.2021	50% DESIGN DEVELOPMENT
04.08.2022	GPA RESUBMISSION 1
02.03.2022	100% DESIGN DEVELOPMENT
02.15.2022	GPA RESUBMISSION 2

01.04.2022	GPA RESUBMISSION 1
------------	--------------------

AT	PROJECT ARCHITECT
KB / SA	ARCHITECT
SA / AK	ARCHITECT
AP	PROJECT ARCHITECT



LEVEL-5

PROJECT NO.
1927400
 DATE
05/25/2022

A2.05
 GPA RESUBMISSION 2
 © 2016 MITHUN, INC.

FLOOR PLAN NOTES

- SEE 8 SERIES FOR ENLARGED PLANS WITH INTERIOR WALL TAGS NOT SHOWN IN OVERALL PLAN, INTERIOR ELEVATIONS AND TYPICAL UNIT TYPES
- SEE EXITING DIAGRAMS FOR DISTANCE REQUIREMENTS BETWEEN FIRE EXTINGUISHER CABINETS
- FOR TYP. PLANTERS AND BIODECKTOP PLANTERS INFORMATION, S.L.D. AND S.C.D.
- SEE BUILDING SECTIONS AND WALL SECTIONS FOR TYPICAL FLOOR CEILING TAGS
- SEE G SERIES FOR RATING DIAGRAMS FOR FIRE RATED WALL INFORMATION.

FLOOR PLAN LEGEND

- PROPERTY LINE
- SETBACK LINE
- FACP FIRE ACCESS CONTROL PANEL



1 LEVEL-5 FLOOR PLAN
 1/8" = 1'-0"



PROJECT NORTH

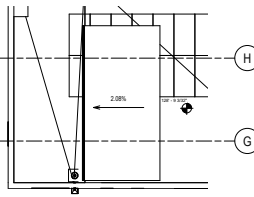
MITHUN ARCHITECTS, INC. 1601 CIVIC CENTER DRIVE, SANTA CLARA, CA 95050
 TEL: 408.292.2334 FAX: 408.292.2335
 WWW.MITHUNARCHITECTS.COM
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 DATE: 05/25/2022 10:27 AM

FLOOR PLAN NOTES

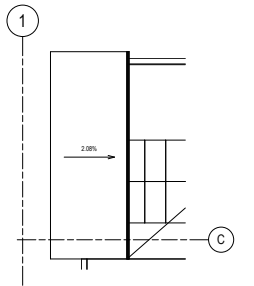
- SEE 8 SERIES FOR ENLARGED PLANS WITH INTERIOR WALL TAGS NOT SHOWN IN OVERALL PLAN, INTERIOR ELEVATIONS AND TYPICAL UNIT TYPES
- SEE EXITING DIAGRAMS FOR DISTANCE REQUIREMENTS BETWEEN FIRE EXTINGUISHER CABINETS
- FOR TYP. PLANTERS AND BIODEGRADABLE PLANTERS INFORMATION, SEE S.I.D. AND S.C.D.
- SEE BUILDING SECTIONS AND WALL SECTIONS FOR TYPICAL FLOOR CEILING TAGS
- SEE G SERIES FOR RATING DIAGRAMMS FOR FIRE RATED WALL INFORMATION.

FLOOR PLAN LEGEND

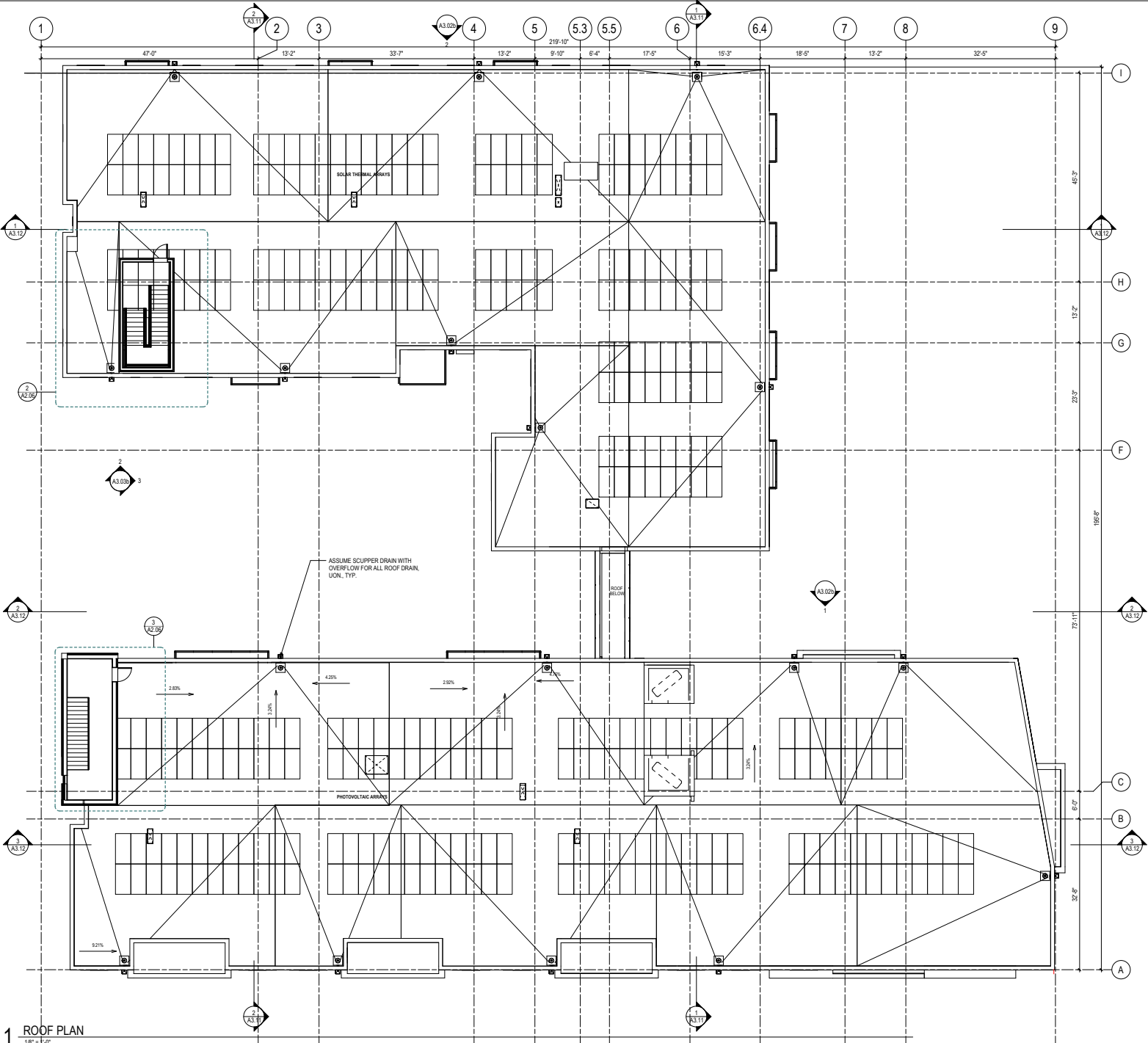
- PROPERTY LINE
- SETBACK LINE
- FACP FIRE ACCESS CONTROL PANEL



2 ROOF PLAN - PENTHOUSE N
 1/8" = 1'-0"



3 ROOF PLAN - PENTHOUSE S
 1/8" = 1'-0"



1 ROOF PLAN
 1/8" = 1'-0"

MITHUN ARCHITECTS, INC. 1927400-05 05/29/2022 11:18 AM
 PROJECT NO.: 1927400
 SHEET NO.: 05/29/2022
 SHEET TITLE: ROOF PLAN
 PROJECT NAME: CIVIC CENTER FAMILY HOUSING
 LOCATION: 1601 CIVIC CENTER DR., SANTA CLARA, CA 95050
 PREPARED FOR: CHARITIES HOUSING
 DATE: 05/29/2022
 PROJECT TEAM: [List of names]
 DESIGNER: AT
 PROJECT MANAGER: KB / SA
 ARCHITECT: SA / AK
 ARCHITECT: AP
 PROJECT TEAM: [List of names]
 DATE: 05/29/2022
 PROJECT NO.: 1927400
 SHEET NO.: 05/29/2022
 PROJECT NAME: CIVIC CENTER FAMILY HOUSING
 SHEET TITLE: ROOF PLAN



1 SOUTH ELEVATION - CIVIC CENTER DR
1/8" = 1'-0"

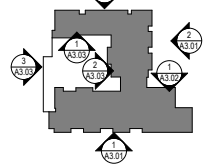


2 EAST ELEVATION - LINCOLN ST.
1/8" = 1'-0"

MATERIAL LEGEND

- | | | | |
|----|---|----|--|
| 1A | STUCCO - WHITE | 5 | BRASS METAL PANEL - DARK BRONZE |
| 1B | STUCCO - BLUE | 6A | DARK BRONZE ALUM. WINDOW W/ SUNSHADE WHERE NOTED |
| 1C | STUCCO - LIGHT GREY | 6B | DARK BRONZE ANODIZED ALUM. STOREFRONT |
| 2 | FIBER CEMENT PLANK - DARK GREY | 7 | METAL ROLL UP DOOR |
| 3 | THERMALLY MODIFIED WOOD SIDING, ALT. FIBER CEMENT PLANK | 8 | PERFORATED METAL PANEL, FENCE / GUARDRAIL |
| 4 | NOT USED | 9 | (NOT USED) |
| | | 10 | LOUVERS - PAINTED TO MATCH WINDOW |

KEY



DATE: 03.18.2022
 03.18.2022 PLANNING SUBMITTAL
 03.22.2021 10% SCHEMATIC DESIGN
 11.13.2021 GFA SUBMITTAL
 11.13.2021 50% DESIGN DEVELOPMENT
 04.08.2022 GFA RESUBMISSION 1
 04.08.2022 100% DESIGN DEVELOPMENT
 03.15.2022 GFA RESUBMISSION 2

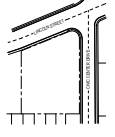
DESIGNER:
 ARCHITECT:
 AT
 KB / SA
 SA / AK
 AP
 PROJECT NUMBER:

BUILDING ELEVATIONS

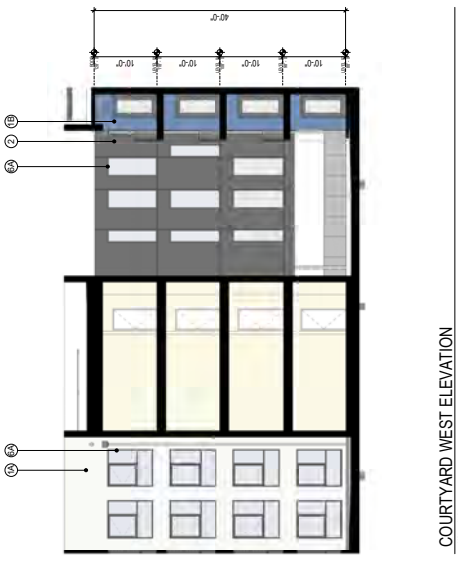
PROJECT NO:
1927400
DATE:
05/25/2022

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GFA RESUBMISSION 2
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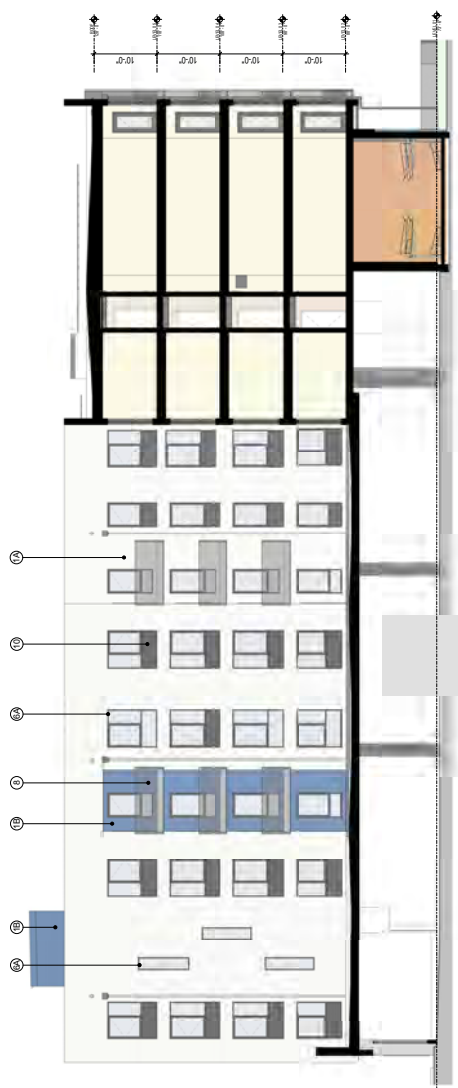
MITHUN ARCHITECTS, INC. 100 MARKET STREET, SUITE 100, SAN FRANCISCO, CA 94102
 415.398.3888 | WWW.MITHUN.COM
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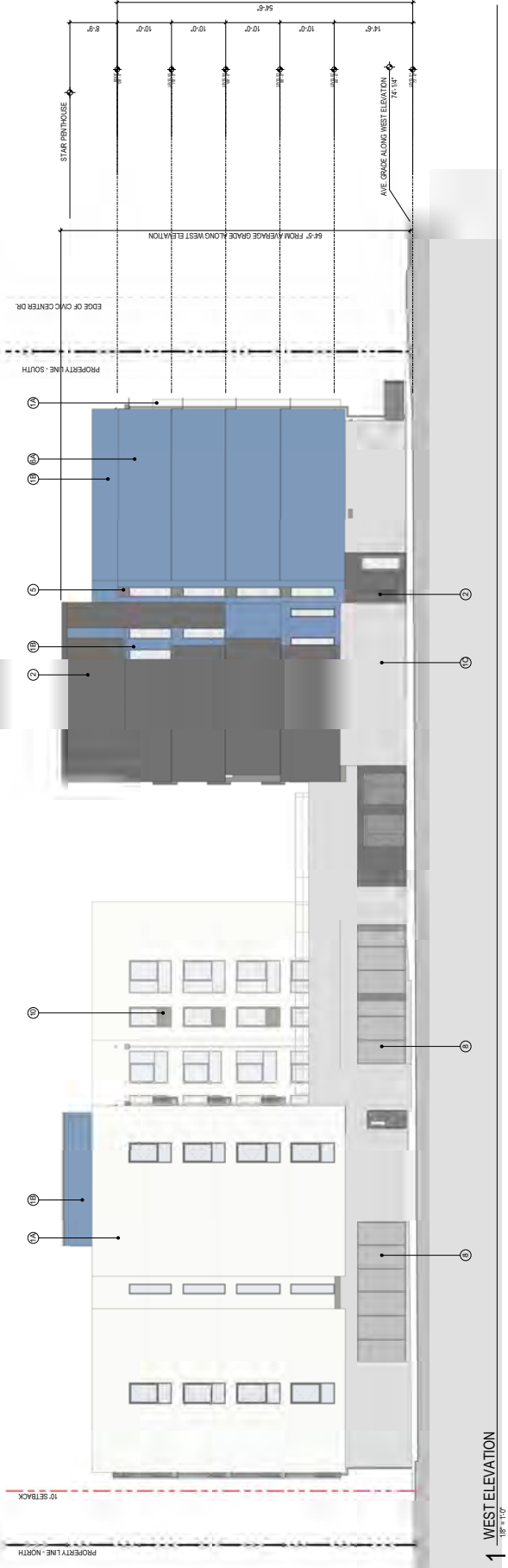
NO.	DESCRIPTION	DATE
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3	REVISED PER COMMENTS	09/05/2024
4	REVISED PER COMMENTS	09/12/2024
5	REVISED PER COMMENTS	09/19/2024
6	REVISED PER COMMENTS	09/26/2024
7	REVISED PER COMMENTS	10/03/2024
8	REVISED PER COMMENTS	10/10/2024
9	REVISED PER COMMENTS	10/17/2024
10	REVISED PER COMMENTS	10/24/2024
11	REVISED PER COMMENTS	10/31/2024
12	REVISED PER COMMENTS	11/07/2024
13	REVISED PER COMMENTS	11/14/2024
14	REVISED PER COMMENTS	11/21/2024
15	REVISED PER COMMENTS	11/28/2024
16	REVISED PER COMMENTS	12/05/2024
17	REVISED PER COMMENTS	12/12/2024
18	REVISED PER COMMENTS	12/19/2024
19	REVISED PER COMMENTS	12/26/2024
20	REVISED PER COMMENTS	01/02/2025
21	REVISED PER COMMENTS	01/09/2025
22	REVISED PER COMMENTS	01/16/2025
23	REVISED PER COMMENTS	01/23/2025
24	REVISED PER COMMENTS	01/30/2025
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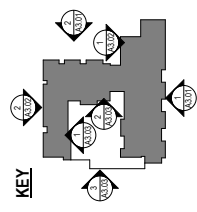
3 COURTYARD WEST ELEVATION
 1/8" = 1'-0"



2 COURTYARD SOUTH ELEVATION
 1/8" = 1'-0"



1 WEST ELEVATION
 1/8" = 1'-0"



- KEY**
- 1 BRASS METAL PANEL - DARK BRONZE
 - 2 DARK BRONZE ALUM WINDOW W/ SUNSHADE WHERE NOTED
 - 3 DARK BRONZE ANODIZED ALUM STOREFRONT
 - 4 METAL ROLL UP DOOR
 - 5 PERFORATED METAL PANEL - FENCE / GUARDRAIL (NOT USED)
 - 6 LOUVERS PAINTED TO MATCH WINDOW

- MATERIAL LEGEND**
- A STUCCO - WHITE
 - B STUCCO - BLUE
 - C STUCCO - LIGHT GREY
 - D STUCCO - DARK GREY
 - E STUCCO - LIGHT GREY
 - F STUCCO - LIGHT GREY
 - G STUCCO - LIGHT GREY
 - H STUCCO - LIGHT GREY
 - I STUCCO - LIGHT GREY
 - J STUCCO - LIGHT GREY
 - K STUCCO - LIGHT GREY
 - L STUCCO - LIGHT GREY
 - M STUCCO - LIGHT GREY
 - N STUCCO - LIGHT GREY
 - O STUCCO - LIGHT GREY
 - P STUCCO - LIGHT GREY
 - Q STUCCO - LIGHT GREY
 - R STUCCO - LIGHT GREY
 - S STUCCO - LIGHT GREY
 - T STUCCO - LIGHT GREY
 - U STUCCO - LIGHT GREY
 - V STUCCO - LIGHT GREY
 - W STUCCO - LIGHT GREY
 - X STUCCO - LIGHT GREY
 - Y STUCCO - LIGHT GREY
 - Z STUCCO - LIGHT GREY



DATE	DESCRIPTION
03/08/2022	PLANNING SUBMITTAL
03/23/2022	90% SCHEMATIC DESIGN
04/13/2022	GPA SUBMITTAL
04/13/2022	90% DESIGN DEVELOPMENT
04/28/2022	GPA RESUBMISSION 1
05/05/2022	100% DESIGN DEVELOPMENT
05/15/2022	GPA RESUBMISSION 2

DATE: 04/08/2022
 DESCRIPTION: GPA RESUBMISSION 1

ARCHITECT:
 AT / SA
 PROJECT MANAGER:
 SA / AK
 ARCHITECT/ENGINEER:
 AP

PROJECT NUMBER:
 00000

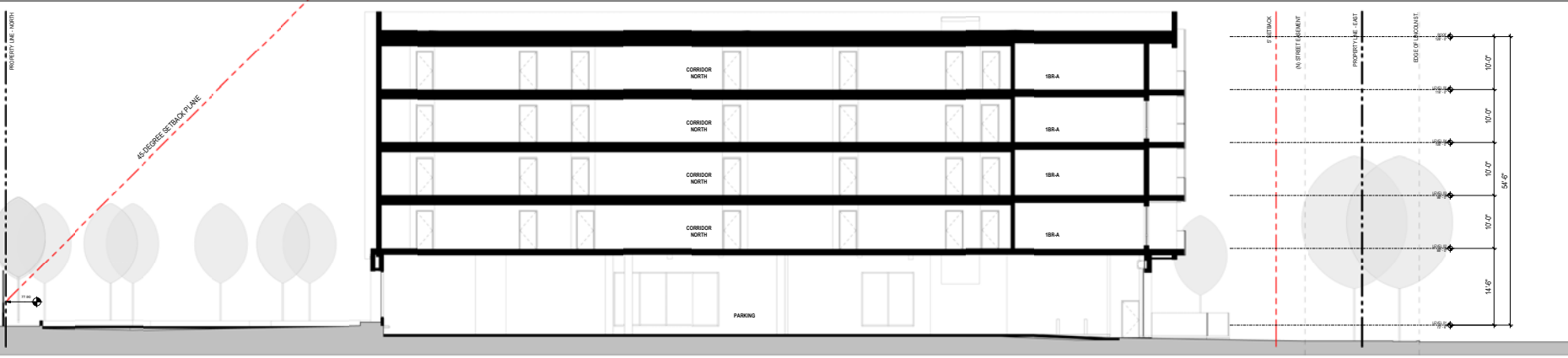
DATE:

SECTION TITLE:

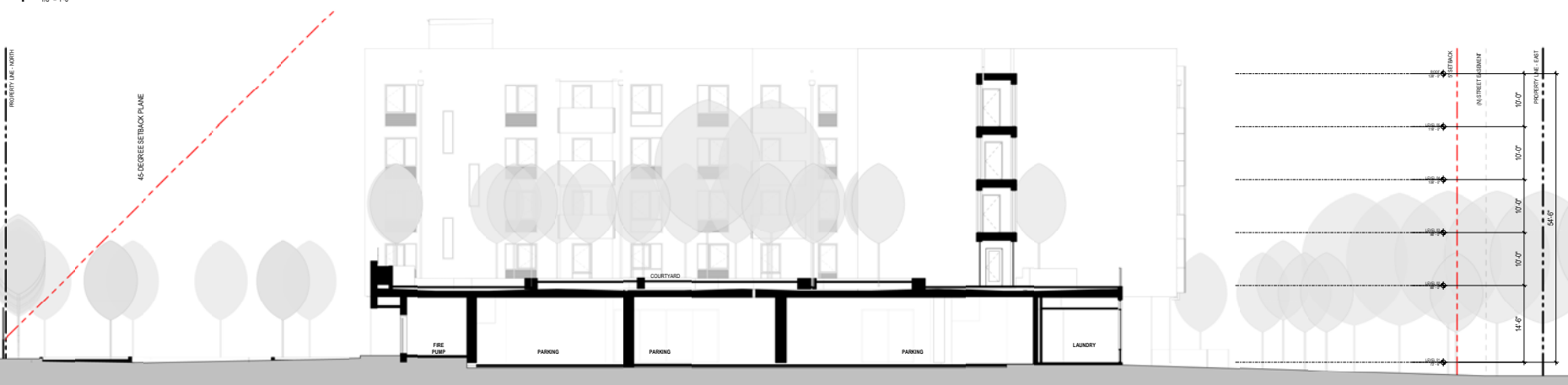
BUILDING SECTIONS

PROJECT NO:
 1927400
 DATE:
 05/25/2022

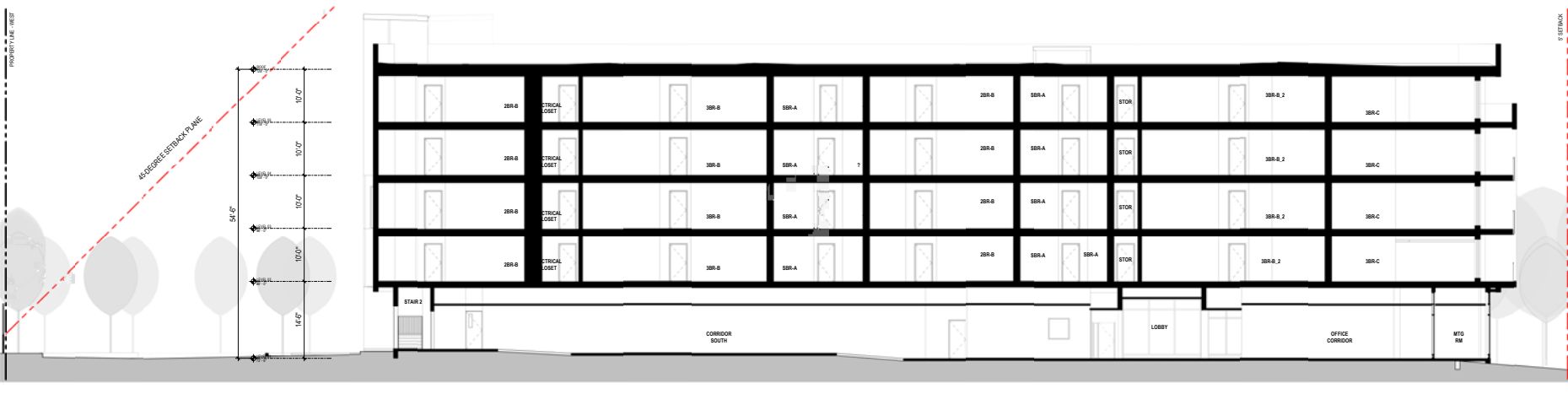
A3.12
 GPA RESUBMISSION 2
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1 SECTION - THROUGH GARAGE ENTRY
 1/8" = 1'-0"



2 SECTION - COURTYARD & CONNECTING WALKWAY
 1/8" = 1'-0"



3 SECTION - THROUGH CORRIDOR AT LEVEL 1
 1/8" = 1'-0"

MITHUN ARCHITECTS, INC. 101 MARKET STREET, SUITE 100, SAN FRANCISCO, CA 94102-3204
 TEL: 415.774.2244 FAX: 415.398.3888
 05/25/2022 13:39 PM



DATE	DESCRIPTION
03.08.2022	PLANNING SUBMITTAL
03.23.2021	10% SCHEMATIC DESIGN
03.23.2021	GPA SUBMITTAL
11.19.2020	50% DESIGN DEVELOPMENT
04.02.2020	GPA RESUBMISSION 1
02.03.2020	100% DESIGN DEVELOPMENT
01.15.2020	GPA RESUBMISSION 2

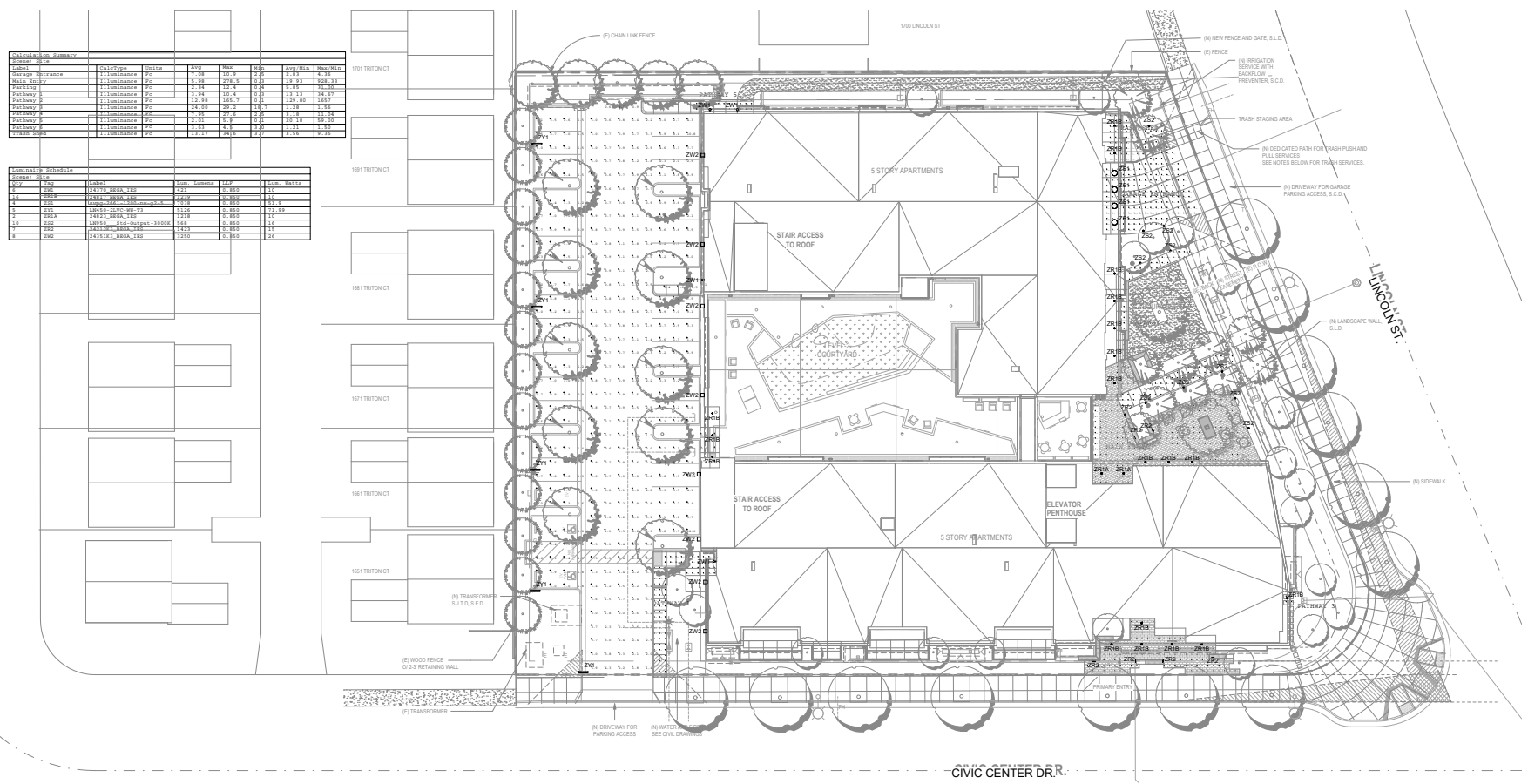
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01.14.2022	GPA RESUBMISSION 1

DATE	DESCRIPTION
05.18.2021	GPA RESUBMISSION 1

DATE	DESCRIPTION
05.18.2021	GPA RESUBMISSION 1

DATE	DESCRIPTION
05.18.2021	GPA RESUBMISSION 1

DATE	DESCRIPTION
05.25.2022	GPA RESUBMISSION 2



Calculation Summary							
Location	Area	Height	AVG	Min	Max	Footcandle	Footcandle
Living	1111.00	7.00	11.08	10.1	12.0	23.97	46.94
Bedroom	1111.00	7.00	11.08	10.1	12.0	23.97	46.94
Pathway	1111.00	7.00	11.08	10.1	12.0	23.97	46.94
Pathway	1111.00	7.00	11.08	10.1	12.0	23.97	46.94
Pathway	1111.00	7.00	11.08	10.1	12.0	23.97	46.94
Pathway	1111.00	7.00	11.08	10.1	12.0	23.97	46.94
Pathway	1111.00	7.00	11.08	10.1	12.0	23.97	46.94
Pathway	1111.00	7.00	11.08	10.1	12.0	23.97	46.94
Vegetation	1111.00	7.00	11.08	10.1	12.0	23.97	46.94

Footcandle Distribution							
Area	Height	AVG	Min	Max	Footcandle	Footcandle	Footcandle
1A	14ft	12.17	10.85	13.5	2.855	10	10
1B	14ft	12.17	10.85	13.5	2.855	10	10
1C	14ft	12.17	10.85	13.5	2.855	10	10
1D	14ft	12.17	10.85	13.5	2.855	10	10
1E	14ft	12.17	10.85	13.5	2.855	10	10
1F	14ft	12.17	10.85	13.5	2.855	10	10
1G	14ft	12.17	10.85	13.5	2.855	10	10
1H	14ft	12.17	10.85	13.5	2.855	10	10
1I	14ft	12.17	10.85	13.5	2.855	10	10
1J	14ft	12.17	10.85	13.5	2.855	10	10

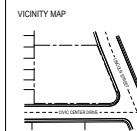
1 SITE PLAN - LIGHTING
1/8" = 1'-0"

SHEET NOTES:
1. *****

GENERAL NOTES:
1. *****



MITHUN, INC. 100 MARKET STREET, 4000 SAN FRANCISCO, CA 94104
 415.393.3888 FAX 415.393.3889
 101 101ST AVENUE SW, SEATTLE, WA 98117
 206.623.3304 FAX 206.623.3305
 1807 ADAMS BLVD, CULVER CITY, CA 90230
 310.307.2700 FAX 310.307.2701
 MITHUN.COM
 PROJECT NO. 1601 CIVIC CENTER DR. SANTA CLARA, CA
 SHEET NO. E1.01
 DATE: 05/25/2022
 DRAWN BY: JAC
 CHECKED BY: JAC
 APPROVED BY: JAC



DATE: 05/25/2022

02.18.2022	PLANNING SUBMITTAL
02.19.2022	10% SCHEMATIC DESIGN
03.10.2022	GPA SUBMITTAL
11.19.2021	50% DESIGN DEVELOPMENT
04.08.2022	GPA RESUBMISSION 1
05.05.2022	100% DESIGN DEVELOPMENT
05.15.2022	GPA RESUBMISSION 2

DATE: 05/25/2022

05/25/2022	GPA RESUBMISSION 1
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PROJECT NUMBER:
AP
PROJECT NUMBER:
KB / SA
PROJECT NUMBER:
SA / AK
PROJECT NUMBER:
DATE:



PODIUM LEVEL FLOOR PLAN - LIGHTING

PROJECT NUMBER:
1927400
DATE:
05/25/2022

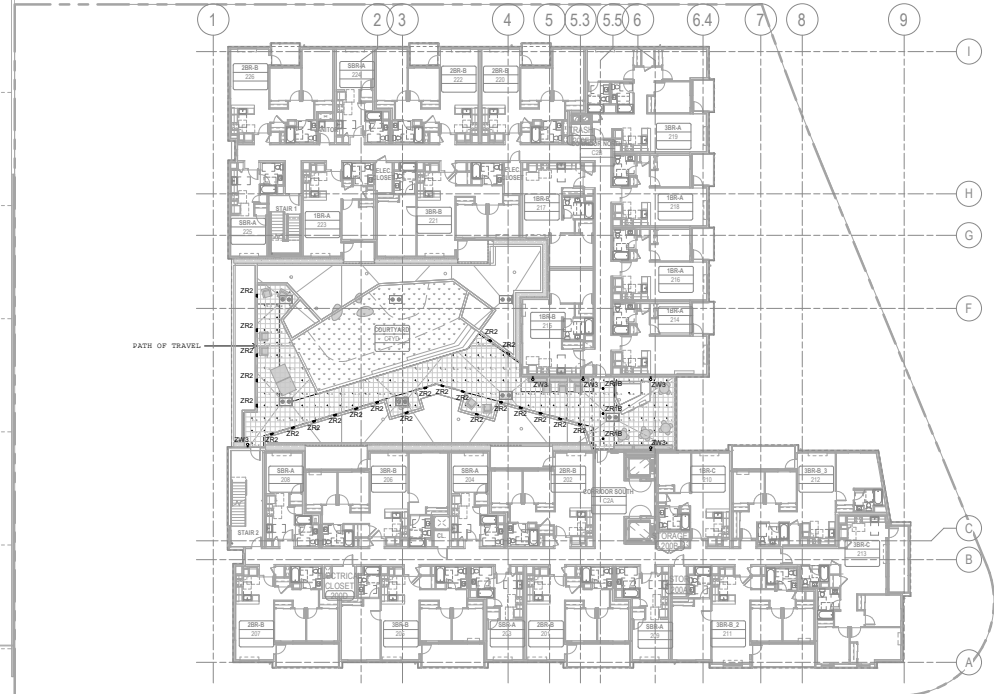
E1.02
GPA RESUBMISSION 2
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Calculation Summary

Code	Section	Area	Volume	Weight	Volume	Weight
Podium Walkway	1	17.84	130.8	21.1	139.40	139.40
Podium Staircase	2	1.14	10.8	1.8	11.70	11.70

Component Schedule

Code	Section	Area	Volume	Weight	Volume	Weight
1	Podium Walkway	17.84	130.8	21.1	139.40	139.40
2	Podium Staircase	1.14	10.8	1.8	11.70	11.70



1 PODIUM LEVEL FLOOR PLAN - LIGHTING
1/8" = 1'-0"

SHEET NOTES:
○

GENERAL NOTES:
1. *****



PROJECT NORTH

MITHUN, INC. 1927400 05/25/2022 E1.02
 PROJECT NUMBER: 1927400
 DATE: 05/25/2022
 SHEET: E1.02
 TITLE: PODIUM LEVEL FLOOR PLAN - LIGHTING
 PROJECT: CIVIC CENTER FAMILY HOUSING
 LOCATION: 1601 CIVIC CENTER DR, SANTA CLARA, CA 95050
 PREPARED FOR: CHARITABLE FOUNDATION
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]
 MITHUN, INC. 1927400 05/25/2022 E1.02



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
@SantaClaraCity

Agenda Report

22-1389

Agenda Date: 11/15/2022

REPORT TO COUNCIL

SUBJECT

Tentative Meeting Agenda Calendar (TMAC)

COUNCIL PILLAR

Enhance Community Engagement and Transparency

BACKGROUND AND DISCUSSION

The purpose of the TMAC is to provide the public advanced notifications of tentative dates of Council Study Sessions, Joint Council/Commission meetings, as well as Council Public Hearing and General Business agenda items. It is important to note that the TMAC is a Tentative Calendar planning tool and reports listed are subject to change due to Public Hearing publication requirements and agenda management.



City of Santa Clara

Tentative Meeting Agenda Calendar

Note: These proposed dates are tentative and subject to change based on staff capacity, meeting management, and deferred items by Council requiring other items to free up agenda meeting time.

Wednesday, November 16, 2022 Special Council Meeting – Grand Jury Report

Tuesday, December 6, 2022 Council and Authorities Concurrent Meeting

Study Session

22-1058 Public Hearing on the Tasman East Specific Plan amendment and potential additional parkland options

Special Orders of Business

22-1307 Recognition of the 2022 Santa Clara Parade of Champions

22-1402 Verbal Report from the Chief Emergency Services Officer regarding COVID-19 Pandemic

22-1403 Verbal Report Update from City Manager Regarding the Local Drought Emergency

Public Hearing/General Business

22-1062 Action on FY 2021/22 Budget Year-End Report and Approve the Related Budget Amendments

22-1231 PLACEHOLDER: Action on a Resolution Amending Rate Schedules for Electric Services for All Classes of Customers, Effective January 1, 2023

22-1381 Action on a Status Report on the BMX lease agreement between the City of Santa Clara and the Police Activities League

Tuesday, December 13, 2022 Joint Council and Authorities Concurrent and Stadium Authority Meeting

Public Hearing/General Business

22-897 Adopt a Resolution Declaring the Results of the Canvass of Returns of the Consolidated General Municipal Election held on November 8, 2022 with the Statewide Gubernatorial Election

Tuesday, January 10, 2023 Council and Authorities Concurrent Meeting

Study Session

23-1316 Study Session to report on the work of the City of Santa Clara Homelessness Taskforce and gather feedback on the Draft Homelessness Response Plan

Public Hearing/General Business

22-276 Housing Element Update Adoption

Tuesday, January 31, 2023 Joint Council and Authorities Concurrent and Stadium Authority Meeting

Study Session

23-1633 Mission City Memorial Park (Cemetery) Operations - Study Session

Public Hearing/General Business

Agenda Items TBD

Tuesday, February 7, 2023 Council and Authorities Concurrent Meeting

Public Hearing/General Business

Agenda Items TBD

Tuesday, February 21, 2023 Joint Council and Authorities Concurrent and Stadium Authority Meeting

Public Hearing/General Business

22-789 Informational Report on adding a potential public art fee for private development applicable to projects in the Patrick Henry Drive Specific Plan area

February 27/28, 2023 Council Priority Setting Meeting - Tentative

AGENDA ITEMS TO BE SCHEDULED TO A FUTURE DATE

- 22-000** Response to Vice Mayor Jain's Written Request to Discuss making the Youth Soccer Park Parking Lot available when there are no events at the Youth Soccer Park (soccer gets absolute priority) in order to Generate Revenue for the City approved to be agendized to a future meeting
- 22-184** Action on a Council Written Request (Council Policy 030) Submitted by Councilmember Jain Requesting to expand the scope of a previous council written request relating to the Youth Soccer Park Parking Lot (Council Policy 030) agenda item already approved to be agendized at future meeting for discussion with additional topics: *1) Under Measure-R, can the City contract out annually to the SCYSL to manage parking the parking lot as it sees fit and charge for parking when there is no soccer activity at YSP? The Parks and Rec department would retain control and could override any decision by the SCYSL. 2) It is my understanding that there have been games at the YSP but no practices this past year due to lack of City staff to schedule practices. I would like a discussion of how scheduling works at the YSP and Reed and Grant. Are only SCYSL events allowed at YSP? Under Measure R, could the SCYSL do its own scheduling, again with override authority (ultimate control) by Parks and Rec? 3) Can the City prioritize staffing a scheduler for YSL as Parks and Rec begins to hire more staff that was reduced under COVID so that we can start having practices at YSP? 4) If staffing for scheduling is short for YSP, can the City look at acquiring some facilities scheduling software to make the process more efficient? SCUSD uses Facilitron. Perhaps this software could be used to schedule all parks and rec facilities. It would be nice for the public to make scheduling requests online to Parks and Rec for meeting rooms, picnic areas, etc. and 5) Can we get a report of the staffing and budget needed to support soccer at YSL and Reed and Grant?*
- 22-000** 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 – *Return at a later date upon completion of litigation.*