



City of Santa Clara

Minutes

Joint Council and Authorities Concurrent & Santa Clara Stadium Authority Meeting

11/15/2022

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

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

- 1.A** [22-1314](#) 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

Kirk Vartan requested additional information on Closed Session Agenda Item 1.D. **Interim City Attorney Ngo** responded to Mr. Vartan's questions.

Convene to Closed Session (Council Conference Room)

Council went into Closed Session at 4:39 p.m.

7:00 PM JOINT COUNCIL/STADIUM AUTHORITY MEETING

Call to Order

Mayor/Chair Gillmor called the meeting to order at 7:02 p.m.

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 Statement of Behavioral Standards.

Assistant City Clerk/Secretary Pimentel also noted that any registered Lobbyist speaking during Public Meeting will need to identify themselves and who they represent.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

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

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

There were none.

SPECIAL ORDER OF BUSINESS

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

Chair Leung of the Historical and Landmarks Commission provided a Powerpoint presentation.

Council comments and questions followed. **Chair Leung** responded to **Council** questions.

Public Speaker(s):
Adam Thompson
Jonathon Evans
Kirk Vartan
Nancy Biagini

CONSENT CALENDAR

- 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

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

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

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

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

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

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

- 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.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

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

- 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.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to adopt a Resolution No. 22-9152 approving the Vesting Tentative Subdivision Map for DAP 1 (Phase 1) for the Related Santa Clara development located at 5155 Stars and Stripes Drive.

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

- 3.E [22-1174](#) Action on Award of Purchase Orders with Guerra Construction Group, SBV Concrete, Inc. DBA Valley Concrete, and Spenco 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 Spenco 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.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

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

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.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

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

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.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

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

- 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.

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

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

- 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.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

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

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.

Mayor Gillmor abstained from voting on this item due to a potential conflict of interest as the property is near her place of business.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

Aye: 6 - Council/Boardmember Watanabe, Council/Boardmember Chahal, Council/Boardmember Hardy, Council/Boardmember Park, Vice Mayor/Chair Jain, and Council/Boardmember Becker

Abstained: 1 - Mayor/Chair Gillmor

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.

Mayor Gillmor abstained from voting on this item due to a potential conflict of interest as the property is near her place of business.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

Aye: 6 - Council/Boardmember Watanabe, Council/Boardmember Chahal, Council/Boardmember Hardy, Council/Boardmember Park, Vice Mayor/Chair Jain, and Council/Boardmember Becker

Abstained: 1 - Mayor/Chair Gillmor

- 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**).

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to adopt Resolution 22-9153 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 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 to reduce the unrestricted ending fund balance.

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

- 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.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, determined the proposed actions are exempt from CEQA and adopted Resolution 22-9154 authorizing the use of City Electric Forces for work detailed in this report located at 902 Lexington Street and 3131 Homestead Road.

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

- 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.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, determined the approved actions are exempt from CEQA and adopted Resolution 22-9155 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 Lawrence 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.

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

- 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**).

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

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

- 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).

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

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

- 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.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to adopt Resolution 22-9156, Resolution 22-9157, Resolution 22-9158, and Resolution 22-9159 to set each of the 2023 Calendar of Regular Meetings for the Cultural Commission, Youth Commission, Parks & Recreation Commission, and Senior Advisory Commission.

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

- 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.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

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

- 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.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

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

- 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.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

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

- 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.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

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

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

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to approve staff recommendation.

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

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.

A motion was made by Council/Boardmember Watanabe, seconded by Vice Mayor/Chair Jain, to adopt Resolution 22-9160 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.

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

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

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.

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

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

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.

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

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

PUBLIC PRESENTATIONS

Kirk Vartan spoke about the Business License Tax measure and also spoke about canceled Economic Development Committee meetings.

Public Speaker (1) expressed concerns regarding unlicensed vendors at Levi's Stadium.

Pilar Furlough with the Bill Wilson Center shared that November is National Runaway and Youth Homelessness Prevention Month.

Sylvia Abboud with Heart of the Valley expressed concerns that funding they receive from CDBG funds are being removed and will go to the General Fund. She requested that the **Council** hold discussion on CDBG and General Funding.

CONSENT ITEMS PULLED FOR DISCUSSION

There were none.

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

A motion was made by Councilmember Watanabe, seconded by Vice Mayor Jain, 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 Santa Clara to eliminate a clause relating to temporary employees.

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

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).

A motion was made by Councilmember Watanabe, seconded by Mayor Gillmor, to adopt Resolution 22-9161 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).

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

Nay: 1 - Councilmember Becker

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).

Mayor Gillmor opened the Public Hearing.

Director of Community Development Crabtree presented the staff report.

A motion was made by Vice Mayor Jain, 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

A motion was made by Vice Mayor Jain, seconded by Councilmember Hardy, to adopt Resolution 22-9162 approving the reissuance of the Bonds by the CMFA for the benefit of Allied 2904 Corvin, L.P., to provide the refinancing of the Project, such as adoption is solely for the purposes of satisfying the requirements of TEFRA, the Code and the California Government Code Section 6500 (and following).

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

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.

Director of Community Development Crabtree provided the Powerpoint presentation.

Council comments and questions followed.

Community Development Director Crabtree responded to **Council** questions.

Kathy Robinson, Hai Nguyen and Joe Head with Charities Housing provided a Powerpoint presentation.

Council questions followed.

Hai Nguyen and **Joe Head** responded to **Council** questions and comments.

Public Speaker(s):

Keyhan Sinai

Jean

Jamie L.

Jamie V.

Sundar

Simon

Rev. Chris Sanders

Sunil R.

Aaron Hadzess

Ye Cao

Elizabeth Conlan

Rajan

Alex Shoor

Berge Yeghyayan Jessica

Martin SV@Home

Anna Gao

Reshma

Dave Weigand

Deepa	Anne Paulson
Korina Colman	Sunil B
Morteza	Lalo Mendez
Jeff Houston	Sabina
Kathryn Hedges SURJ	Usman Bhatti
Kalisha Webster, Housing Choices	CJ Gabbe
Anu Satpathi	Matthew Reed
Sunil R.	Humberto Nava
Aaron Hadzess	Igor
Deepa	Myra Cao
MaryAnn	Kelly Wong
Phil	
Betsy Megas	
Candy Fang	
Greenbelt Alliance	
Ali Sapirman	
Ingrid Granados	
James Kim	
cytang7	
Sandor Fazekas	

Mayor Gillmor called for a recess at 10:09 p.m. and reconvened the meeting with all Councilmembers present at 10:19 p.m.

Assistant City Clerk Pimentel noted for the record that 82 e-comments were received with 98% in opposition and 2% in support of the project.

Joe Head with Charities Housing gave closing remarks.

Council comments and questions followed.

Joe Head and Kathy Robinson responded to additional **Council** questions.

A motion was made by Vice Mayor Jain, 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

A motion was made by Vice Mayor Jain, seconded by Councilmember Hardy, to approve Alternative 1 to adopt Resolution 22-9163 to adopt the Mitigated Negative Declaration (MND) and the Mitigation Monitoring and Reporting Program (MMRP) for the Civic Center Family Housing Project.

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

Nay: 1 - Councilmember Park

A motion was made by Vice Mayor Jain, seconded by Councilmember Becker, to approve Alternative 2: adopt Resolution 22-9164 to approve a General Plan Amendment from Community Commercial to High Density Residential; Alternative 3: adopt Resolution 22-9165 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; and Alternative 3: authorize the City Manager to negotiate and execute a density bonus agreement in a form approved by the City Attorney.

Aye: 5 - Councilmember Watanabe, Councilmember Hardy, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

Nay: 2 - Councilmember Chahal, and Councilmember Park

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Councilmember Hardy shared her thoughts on traffic.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

There were none.

[22-1389](#)

Tentative Meeting Agenda Calendar (TMAC)

ADJOURNMENT

The meeting was adjourned at 11:35 p.m. in memory of former **City Attorney Barry McCarthy**.

A motion was made by Councilmember Hardy, seconded by Councilmember Park, to adjourn the meeting at 11:35 p.m.

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

22-1448 Memorandum for Former City Attorney Barry McCarthy

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."

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Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.

ATTEST:



Assistant City Clerk/Secretary

APPROVE:



Mayor/Chairperson