



City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, November 19, 2024

5:00 PM

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

The City of Santa Clara is conducting City Council meetings in a hybrid manner (in-person and continues to have methods for the public to participate remotely).

- Via Zoom:
 - o <https://santaclaraca.zoom.us/j/99706759306>
 - Meeting ID: 997-0675-9306
 - o Phone 1(669) 900-6833

How to Submit Written Public Comment Before City Council Meeting:

1. Use the eComment tab located on the City Council Agenda page (<https://santaclaraca.legistar.com/Calendar.aspx>). eComments are directly sent to the iLegislate application used by City Council and staff, and become part of the public record. eComment closes 15 minutes before the start of a meeting.
2. By email to clerk@santaclaraca.gov by 12 p.m. the day of the meeting. Those emails will be forwarded to the Council and will be uploaded to the City Council Agenda as supplemental meeting material. Emails received after the 12 p.m. cutoff time up through the end of the meeting will form part of the meeting record. Please identify the Agenda Item Number in the subject line of your email. NOTE: Please note eComments and Emails received as public comment will not be read aloud during the meeting.

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All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk at Santa Clara City Hall, 1500 Warburton Avenue, Santa Clara, CA 95050 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. For the final document, you may contact the Office of the City Clerk at (408) 615-2220 or Clerk@santaclaraca.gov.

Closed Session - 5:00 PM | Regular Meeting - 7:00 PM

5:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Confirmation of Quorum

- 1.A 24-1004** [Conference with Labor Negotiators \(CC\)](#)
[Pursuant to Gov. Code § 54957.6](#)

[City representatives: Jovan D. Grogan, Nadine Nader, Aracely Azevedo, Marco Mercado, Charles Sakai, Glen R. Googins](#)

[Employee Organization\(s\):](#)

[Unit # 6 - AFSCME Local 101 \(American Federal of State, County and Municipal Employees\)](#)

- 1.B 24-853** [Conference with Real Property Negotiators \(CC\) - Mathews Property](#)
[Pursuant to Gov. Code § 54956.8](#)

[Property: 525 Mathew Street, Santa Clara CA 95050 \(APN 230-03-090\)](#)

[City Negotiator: Jovan D. Grogan, City Manager \(or designee\)](#)

[Negotiating Parties: City of Santa Clara \(Buyer\) and Grief Inc. \(Seller\)](#)

[Under Negotiation: Purchase of Real Property \(price and terms of payment\)](#)

- 1.C 24-1171** [Public Employee Performance Evaluation \(CC\)](#)
[Pursuant to Government Code § 54957\(b\)\(1\)](#)
[\(Continued from November 12, 2024\)](#)

[Title: City Attorney](#)

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 CITY COUNCIL/STADIUM AUTHORITY BOARD MEETING

Call to Order in the Council Chambers

Pledge of Allegiance and Statement of Values

Roll Call

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

SPECIAL ORDER OF BUSINESS

- 2.A 24-568** [Proclamation of November 2024 as Native American Heritage Month](#)

- 2.B 24-1063** [Proclamation of Nurse Practitioner Week from November 10 to November 16, 2024](#)

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 24-1174** [Action on the September 10, 2024 Joint Council and Authorities Concurrent & Stadium Authority Meeting Minutes, September 24, 2024 Joint Council and Authorities Concurrent & Stadium Authority Meeting Minutes, October 21, 2024 Special City Council Meeting Minutes, October 22, 2024 Joint Council and Authorities Concurrent & Stadium Authority Meeting Minutes.](#)

Recommendation: Approve the meeting minutes of:
September 10, 2024 Joint Council and Authorities Concurrent & Stadium Authority Meeting,
September 24, 2024 Joint Council and Authorities Concurrent & Stadium Authority Meeting,
October 21, 2024 Special City Council Meeting,
October 22, 2024 Joint Council and Authorities Concurrent & Stadium Authority Meeting.

3.B 24-21 [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:

Cultural Commission - October 7, 2024
Planning Commission - October 23, 2024
Board of Library Trustees - September 16, 2024
Board of Library Trustees - October 7, 2024
Bicycle and Pedestrian Advisory Committee - August
26, 2024

3.C 24-1074 [Action on City Bills and Claims Report for the period September 21, 2024 - October 18, 2024](#)

Recommendation: Approve the list of Bills and Claims for September 21, 2024 - October 18, 2024.

3.D 24-1057 [Action Authorizing the City Manager to Negotiate and Execute Agreement\(s\) with Vendor\(s\) for the Purchase of Capacitor Banks with Reactor Switching Devices, Protection and Control Panels, Insulators, and Surge Arresters to be Funded by the Electric Utility Capital Fund](#)

- Recommendation:**
1. Subject to compliance with Chapter 2.105 of the City Code, review and approval as to form by the City Attorney, and appropriation of funds, authorize the City Manager or designee to negotiate and execute agreement(s) or purchase order(s) with vendors for Capacitor Banks with Reactive Switching Devices, Protection and Control Panels, Insulators, and Surge Arresters, subject to a total maximum aggregate compensation amount of \$11,000,000, plus a fifteen percent (15%) contingency (\$1,650,000) for a maximum compensation amount of \$12,650,000; and
 2. Authorize the City Manager or designee to (a) take any actions as necessary to implement and administer the agreement(s) and/or purchase order(s), and (b) negotiate and execute amendments to the Agreement(s) for (i) design changes, (ii) any unanticipated issues, (iii) extensions of the term, or (iv) the purchase of additional Capacitor Banks with Reactive Switching Devices, Protection and Control Panels, Insulators and Surge Arresters, subject to the above maximum compensation limit and review and approval as to form by the City Attorney.

3.E 24-1112 [Authorize the City Manager to execute the Side Letter Agreement between the City of Santa Clara and the Public Safety Non-Sworn Employees Association \(Unit 10\) that provides a pilot program for training pay for Senior Public Safety Dispatchers who are assigned to train newly hired lateral Public Safety Dispatchers.](#)

Recommendation: Authorize the City Manager to execute the Side Letter Agreement between the City of Santa Clara and the Public Safety Non-Sworn Employees Association (Unit 10) that provides a pilot program for a training pay for Senior Public Safety who are assigned to train newly hired lateral Public Safety Dispatchers on the terms presented and in a final form approved by the City Attorney.

3.F 24-1094 [Action on the Services Agreement with Bay Pro for Landscaping Services at Water and Sewer Utilities facilities, with a Maximum Compensation Amount of \\$410,000](#)

Recommendation:

1. Determine the proposed actions are exempt from CEQA pursuant to Section 15301 (Class 1 -Existing Facilities) and of Title 14 of the California Code of Regulations;
2. Authorize the City Manager or designee to negotiate and execute an agreement with Bay Pro (Agreement) to provide for landscaping services at water wells, storage tanks, and sewer pump/lift station sites for up to five years, with a maximum compensation of \$410,000, subject to the approval as to form by the City Attorney; and
3. Authorize the City Manager or designee to take any actions as necessary to implement and administer the Agreement and to negotiate and execute amendments to the Agreement to (a) increase the maximum compensation amount by \$350,000 for a revised maximum compensation amount of \$410,000, (b) add or delete services consistent with the scope of services, and (c) exercise up to five one-year options to extend the term of the Agreement through June 30, 2030, subject to appropriation of funds and review and approval as to form by the City Attorney.

3.G 24-1034 [Action on an Agreement for Services with Grid Subject Matter Experts, LLC to Provide Silicon Valley Power With Consulting and Support Services for North American Reliability Corporation Critical Infrastructure Protection Compliance](#)

- Recommendation:**
1. Authorize the City Manager or designee to execute an agreement with Grid Subject Matter Experts, LLC (Agreement) to provide North American Reliability Corporation (NERC) compliance services and Supervisory Control and Data Acquisition (SCADA) system support for a term starting on January 1, 2025 and ending on December 31, 2029, with a maximum compensation of \$600,000, to be funded by Electric Utility Fund, subject to the approval as to form by the City Attorney; and
 2. Authorize the City Manager or designee to take any actions as necessary to implement and administer the Agreement and to negotiate and execute amendments to the Agreement to (a) add or delete services consistent with the scope of services, (b) adjust rates by up to 3% annually, (c) extend the term for up to three additional years, (d) make other no cost or term extension amendments, and (e) increase the maximum compensation by up to \$400,000 for a total maximum compensation of \$1,000,000 over an eight-year period through December 31, 2032, subject to the appropriation of funds and approval as to form by the City Attorney.

3.H 24-1038 [Action on the Historic Preservation Agreement \(Mills Act Contract\) \(PLN24-00423\) for 1309 Alviso Street](#)

- Recommendation:**
1. Determine that the project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15331(Class 31 - Historical Resource Restoration / Rehabilitation); and
 2. Authorize the City Manager to execute a Mills Act Contract in a final form approved by the City Attorney and adopt the 10-Year Restoration and Maintenance Plan associated with the property at 1309 Alviso Street.

3.I 24-1041 [Action on the Historic Preservation Agreement \(Mills Act Contract\) \(PLN21-15422\) for 1365 Main Street](#)

- Recommendation:**
1. Determine that the project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15331(Class 31 - Historical Resource Restoration / Rehabilitation); and
 2. Authorize the City Manager to execute a Mills Act Contract in a final form approved by the City Attorney and adopt the 10-Year Restoration and Maintenance Plan associated with the property at 1365 Main Street.

3.J 24-1029 [Action on the Historic Preservation Agreement \(Mills Act Contract\) \(PLN24-00431\) for 811 Monroe Street](#)

- Recommendation:**
1. Determine that the project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15331(Class 31 - Historical Resource Restoration / Rehabilitation); and
 2. Authorize the City Manager to execute a Mills Act Contract in a final form approved by the City Attorney and adopt the 10-Year Restoration and Maintenance Plan associated with the property at 811 Monroe Street.

3.K 24-1067 [Action on Authorizing the City Manager to Negotiate and Execute Amendment No. 1 to the Substation Agreement with Vantage Data Centers CA31, LLC for the Bowers Avenue Junction Substation](#)

- Recommendation:**
1. Authorize the City Manager or designee to negotiate and execute Amendment No. 1 to the Substation Agreement with Vantage Data Centers CA31, LLC for the Bowers Avenue Junction Substation on the terms presented, subject to the review and approval as to form by the City Attorney; and
 2. Authorize the City Manager or designee to take any actions as necessary to implement and administer the Agreement and to negotiate and execute amendments to the Agreement to make any additional modifications that do not result in increased costs or total capacity exceeding 192.5 MVA, subject to review and approval as to form by the City Attorney.

3.L 23-373 [Action to Adopt a Resolution Approving Updates to the City's Water Service and Use Rules and Regulations](#)

- Recommendation:** Adopt a Resolution approving updates to the City's Water Service and Use Rules and Regulations.

3.M 24-1111 [Action to Adopt a Resolution of Local Support and Findings for the City's Application for Transit-Oriented Communities Implementation Grants](#)

- Recommendation:**
1. Adopt a Resolution of Local Support for the City's application for technical assistance grants related to Association of Bay Area Government's Transit-Oriented Communities Policy; and
 2. Authorize the City Manager to execute all documents related to applying for and accepting the technical assistance grants.

3.N 24-1121 [Adopt a Resolution Approving and Adopting Updated Salary Plans for Various As-Needed and Classified Positions](#)

Recommendation: Adopt a Resolution to approve and adopt the revised salary plans for various as-needed positions and various classified positions (effective December 22, 2024) to satisfy the requirements of California Code of Regulations Section 570.5.

3.O 24-1071 [Adopt a Resolution to Authorize the City Manager to Execute the 2025-2028 Memorandum of Understanding Between the City of Santa Clara and the Unclassified Miscellaneous Management \(hereafter, "Unit 9"\), Which Incorporates the Terms of the Tentative Agreement; Adopt a Resolution Updating the Unclassified Salary Plan; Approve the Creation and Modification of Unclassified Class Specifications; and Add 1.0 Assistant Fleet Manager and Delete 1.0 Public Works Supervisor](#)

- Recommendation:***
1. Authorize the City Manager to Execute the 2025-2028 Memorandum of Understanding Between the City of Santa Clara and the Unclassified Miscellaneous Management (hereafter, "Unit 9"), Which Incorporates the Terms of the Tentative Agreement;
 2. Adopt a Resolution to approve the revised salary plans for unclassified positions to satisfy the requirements of California Code of Regulations Section 570.5, effective December 22, 2024;
 3. Authorize the City Manager to negotiate and execute all necessary agreements and other documents, in final form(s) approved by the City Attorney, for the establishment and operation of a section 401(a) deferred compensation plan in accordance with the terms of the Unit 9 MOU;
 4. Approve the Creation of the Assistant Fleet Manager Class Specification (Job Code 046);
 5. Approve the consolidation of the Deputy Public Works Director (Job Code 176) and Deputy Parks and Recreation Director (Job Code 175) to a general Deputy Director (Job Code 176) Class Specification;
 6. Approve Revisions to Senior Electric Division Manager (Job Code 173) Class Specification; and
 7. Approve the addition of 1.0 Assistant Fleet Manager and deletion of 1.0 Public Works Supervisor in the Public Works Department.

- 3.P 24-866 [Action on a Resolution Approving the 2025 Board of Library Trustees Calendar of Meetings, and Setting the Number of Regular Board of Library Trustees Meetings](#)

Recommendation: Adopt a Resolution setting the Board of Library Trustees regular meeting dates for the 2025 calendar year.

- 3.Q 24-1124 [Appointment of Alternate Cultural Commission Member to the Santa Clara Station Area Plan Task Force \(SATF\)](#)

Recommendation: Appoint Jonathan Marinaro to represent the Cultural Commission on the SATF.

SANTA CLARA STADIUM AUTHORITY BOARD CONSENT CALENDAR

4. 24-1078 [Action on Stadium Authority Bills and Claims for the Month of September 2024](#)

Recommendation: Approve the list of Stadium Authority Bills and Claims for September 2024.

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. 24-1105 [PUBLIC HEARING: Action on an Environmental Impact Report and Mitigation Monitoring and Reporting Program, General Plan Amendment from High-Intensity Office/Research-and-Development to newly created Urban Center Mixed Use and Urban Center Residential Mixed Use land use designations, a Rezoning to PD - Planned Development, a Vesting Tentative Subdivision Map, and Introduction of an Ordinance to Approve a Development Agreement for a Mixed Use Project at 3005 Democracy Way comprised of up to 1,800 units \(approximately 1.8 million square feet of residential uses\), up to 3 million square feet of office/research-and-development, approximately 100,000 square feet of retail, and approximately 10,000 square feet of childcare facilities \("Option A"\), with a project alternative \("Option B"\) that allows for the flexibility of up to an additional 800 dwelling units \(for a total of up to 2,600 residential units\) with a corresponding reduction in office/research and development square footage to 2.2 million square feet.](#)

Recommendation: Option B

1. Adopt a resolution to certify the Final EIR prepared for the Mission Point Project (SCH # 2018072068) and adopt a Mitigation Monitoring and Reporting Program, CEQA Findings, and a Statement of Overriding Considerations, "Option B".
2. Adopt a resolution to approve a General Plan Amendment to add new land use designations, Urban Center Mixed-Use (UCMU) and Urban Center Mission Point (UCMP), and to change the land use designation for the project site from High Intensity Office/Research & Development (HI O/R&D) to UCMU (on Areas C and D) and UCMP (on Areas A and B), "Option B".
3. Adopt a resolution to approve the Planned Development Rezoning from HO-RD - High-Intensity Office/Research and Development to PD - Planned Development, with land use "Option B".
4. Adopt a resolution to approve a Vesting Tentative Subdivision Map, "Option B".
5. Waive first reading and introduce an ordinance to approve the Development Agreement, "Option B".

6. 24-51 [PUBLIC HEARING: Action on a Resolution Amending Rate Schedules for Electric Services for All Classes of Customers to Increase Electric Rates and Charges in Each Rate Schedule by 5.0% and Make Other Modifications, Effective January 1, 2025](#)

Recommendation: Adopt a Resolution amending the City of Santa Clara Rate Schedules for Electric Utility Services to increase electric rates and charges in each rate schedule by 5.0% and make other modifications, effective January 1, 2025.

7. 24-1022 [PUBLIC HEARING: Action on a Vesting Tentative Parcel Map at 4590 Patrick Henry Drive for the Creation of Two Lots](#)

Recommendation: Adopt a resolution to approve the Vesting Tentative Parcel Map to subdivide the existing parcel for the creation of two lots at the property located at 4590 Patrick Henry Drive.

REPORTS OF MEMBERS, SPECIAL COMMITTEES AND COUNCILMEMBER 030 REQUESTS

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

ADJOURNMENT

The next scheduled Special Stadium Authority meeting is on Monday, November 25, 2024 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.

STREAMING SERVICES: 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.

Note: The public cannot participate in the meeting through these livestreaming methods; livestreaming capabilities may be disrupted at times, viewers may always view and participate in meetings in-person and via Zoom as noted on the agenda.

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.

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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.