

Meeting Minutes

Joint Council and Authorities Concurrent &



Santa Clara Stadium Authority Board

6:00 PM

03/05/2024

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

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

6:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Mayor Gillmor called the meeting to order at 6:02 p.m.

Confirmation of a Quorum

Assistant City Clerk/Secretary Pimentel confirmed the quorum of the Council/Board.

1.A24-165Conference 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): Units #5, 7 & 8 - City of Santa Clara Employees Association Unit #9 - Miscellaneous Unclassified Management Employees

CAO announced the one item on the agenda.

Public Comment

<u>Public Comment:</u> Annette Duerksen (10 minutes - time given by Elvia Sanchez, Nicole Sodilek, Gina Saporito, and Katie Carter) Gary Ferraris Jimmy Vidunas

Convene to Closed Session (Council Conference Room)

Mayor Gillmor adjourned the meeting into Closed Session at 6:13 p.m.

7:00 PM JOINT CITY COUNCIL/STADIUM AUTHORITY BOARD MEETING

Call to Order in the Council Chambers

Mayor/Chair Gillmor called the meeting to order at 7:06 p.m.

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Park 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.

Roll Call

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

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

City Attorney/Legal Counsel Googins stated there was no reportable action taken in Closed Session.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

There were none.

SPECIAL ORDER OF BUSINESS

2.A 24-1476 Proclaim March 2024 as Women's History Month
Mayor Gillmor proclaimed March 2024 as Women's History Month on behalf of the Council. Bay Area Women's Sports Initiative Director Vanetta Thomas accepted the proclamation.
2.B 24-98 Proclaim March 4 through March 8, 2024 as Divorce with Respect Week
Mayor Gillmor proclaimed March 4 through March 8, 2024 as Divorce with Respect Week on behalf of the Council. Collaborative Practice Silicon Valley Marriage and Family Therapist Melissa Lenon and Brenda Avila-Quince accepted the proclamation.

CONSENT CALENDAR

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to approve the Consent Calendar.

- Aye: 7 Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Vice Mayor Becker, and Mayor Gillmor
- **3.A** <u>24-235</u> Action on the Minutes of the February 20, 2024 Joint Council and Authorities Concurrent and Stadium Authority Meeting.
 - **Recommendation:** Approve the Minutes of the February 20, 2024 Joint Council and Authorities Concurrent and Stadium Authority Meeting.

A motion was made by Vice Mayor/Chair Becker, seconded by Council/Boardmember Chahal, to approve the minutes of the February 20, 2024 Joint Council and Authorities Concurrent and Stadium Authority Board meeting.

- Aye: 7 Council/Boardmember Watanabe, Council/Boardmember Chahal, Council/Boardmember Hardy, Council/Boardmember Park, Council/ Boardmember Jain, Vice Mayor/Chair Becker, and Mayor/Chair Gillmor
- **3.B** <u>24-04</u> Board, Commissions and Committee Minutes
 - **<u>Recommendation</u>**: Note and file the Minutes of: Youth Commission - January 9, 2024 Planning Commission - January 31, 2024 Senior Advisory Commission - January 22, 2024

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to note and file the minutes of the January 9, 2024 Youth Commission meeting; January 31, 2024 Planning Commission meeting; and January 22, 2024 Senior Advisory Commission meeting.

- Aye: 7 Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Vice Mayor Becker, and Mayor Gillmor
- **3.C** <u>24-128</u> Action on City Bills and Claims Report for the period January 6, 2024 February 2, 2024
 - **Recommendation:** Approve the list of Bills and Claims for January 6, 2024 February 2, 2024.

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to approve the list of the Bills and Claims for January 6, 2024 – February 2, 2024.

3.D	<u>24-28</u>		n Monthly Financial Status and Investment Reports for November ember 2023 and Approve the Related Budget Amendments
<u>Re</u>	<u>ecommendation:</u>	1. N In pi 2. A	lote and file the Monthly Financial Status Reports and Monthly nvestment Reports for November and December 2023 as resented; and approve the following FY 2023/24 Budget Amendments as ummarized below and detailed in Attachment 5: a. Transfer \$4,944,484 from City Affordable Housing Capital Fund to the City Affordable Housing Fund for the Civic Center Drive - Low Income Housing Project as a loan
			 (majority affirmative Council votes required); b. Transfer \$125,000 from the Convention Center Enterprise Fund to the Convention Center Capital Fund for electrical signage repairs (five affirmative Council votes required for the use of unused balances);
			 c. Decrease the developer contributions revenue estimate by \$2,080,000 in the Developer Traffic Payments Fund, Streets and Highways Capital Fund, and Traffic Mitigation Fund offset by a decrease in the Multimodal Improvement Plan Phase 1 and Phase 2 projects (majority affirmative Council votes required);
			d. Recognize and appropriate grant funding in the Fire Operating Grant Trust Fund in the amount of \$2,600 for the 2022 Emergency Management Preparedness Grant and \$51,446 for the 2023 County of Santa Clara Emergency Medical Services Grant (five affirmative Council votes
			 required to appropriate additional revenue); e. Appropriate \$1,591,500 in the Electric Utility Capital Fund for the Fiber Development, Design, and Expansion Project, offset by developer contributions and a decrease to the SCADA Improvements project in the amount of \$191,500 in the Water and Utility Capital Fund (five affirmative Council
			 votes required to appropriate additional revenue); f. Transfer \$6,000,000 from the Electric Utility Fund to the Electric Utility Capital Fund for the New Business Estimate Work Project (five affirmative Council votes required to
			 appropriate additional revenue); g. Appropriate \$1,000,000 in the Electric Utility Capital Fund for the Transmission and Distribution Capital Maintenance and Betterments Project offset by unrestricted ending fund balance (five affirmative Council votes required for the
			use of unused balances); and,
			h. Appropriate \$150,000 in the Electric Utility Capital Fund for the Storm Water Compliance Project offset by unrestricted

ending fund balance (five affirmative Council votes required for the use of unused balances).

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to note and file the Monthly Financial Status Reports and Monthly Investment Reports for November and December 2023 as presented; and approve the following FY 2023/24 Budget Amendments as summarized below and detailed in Attachment 5: a) transfer \$4,944,484 from City Affordable Housing Capital Fund to the City Affordable Housing Fund for the Civic Center Drive - Low Income Housing Project as a loan; b) transfer \$125,000 from the Convention Center Enterprise Fund to the **Convention Center Capital Fund for electrical signage repairs (five** affirmative Council votes required for the use of unused balances); c) decrease the developer contributions revenue estimate by \$2,080,000 in the Developer Traffic Payments Fund, Streets and Highways Capital Fund, and Traffic Mitigation Fund offset by a decrease in the Multimodal Improvement Plan Phase 1 and Phase 2 projects; d) recognize and appropriate grant funding in the Fire Operating Grant Trust Fund in the amount of \$2,600 for the 2022 **Emergency Management Preparedness Grant and \$51,446 for the** 2023 County of Santa Clara Emergency Medical Services Grant; e) appropriate \$1,591,500 in the Electric Utility Capital Fund for the Fiber Development, Design, and Expansion Project, offset by developer contributions and a decrease to the SCADA Improvements project in the amount of \$191,500 in the Water and Utility Capital Fund; f) transfer \$6,000,000 from the Electric Utility Fund to the Electric Utility Capital Fund for the New Business Estimate Work Project; g) appropriate \$1,000,000 in the Electric Utility Capital Fund for the Transmission and Distribution Capital Maintenance and Betterments Project offset by unrestricted ending fund balance; and h) appropriate \$150,000 in the Electric Utility Capital Fund for the Storm Water Compliance Project offset by unrestricted ending fund balance.

3.E	<u>24-103</u>	Action to Authorize the City Manager to Execute the First Amendment to
		Central Valley Project Corporation Membership Agreement to Extend the
		Term for Ten Years

- **<u>Recommendation</u>**: 1. Authorize the City Manager to execute the First Amendment to Central Valley Project Corporation Membership Agreement to extend the term for ten years in a final form approved by the City Attorney; and
 - 2. Authorize the City Manager, or designee, to take any and all necessary or advisable actions to implement and administer the Agreement as amended.

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to authorize the City Manager to execute the First Amendment to Central Valley Project Corporation Membership Agreement to extend the term for ten years in a final form approved by the City Attorney; and authorize the City Manager, or designee, to take any and all necessary or advisable actions to implement and administer the Agreement as amended.

3.F	<u>24-32</u>	Action on an Agreement with KSB, Inc. and on Amendment No.1 to the Agreement with Koffler Electrical Mechanical Apparatus Repair, Inc. for Motor and Pump Maintenance and Repair for Silicon Valley Power
<u>Reco</u>	ommendation:	 Determine that the proposed actions are exempt from CEQA pursuant to Section 15301 (Existing Facilities) of Title 14 of the California Code of Regulations; Authorize the City Manager to execute an Agreement for Services with KSB, Inc. for motor and pump maintenance and repair services for a five-year term ending on July 31, 2028, with a maximum compensation not to exceed \$1,000,000, to be funded by the SVP Operating or Capital Fund as applicable; Authorize the City Manager to execute Amendment No. 1 to the Agreement for Services with Koffler Electrical Mechanical Apparatus Repair, Inc. for motor and pump maintenance and repair services for a five-year term ending on July 31, 2028, to increase the maximum compensation by \$750,000 for a revised maximum compensation amount of \$1,000,000, to be funded by the SVP Operating or Capital Fund as applicable; and Authorize the City Manager to take any actions as necessary to implement and administer the above agreements and negotiate and execute amendments to (a) add or delete services consistent with the scope of services; (b) adjust future rates to account for reasonable changes in labor and materials rates; (c) exercise a one-year option to extend the term of each agreement through July 31, 2029; and (d) increase compensation for an additional \$1,000,000 between both agreements for a total maximum compensation of \$3,000,000 (\$1,500,000 for each agreement), subject to the appropriation of funds and the review and approval as to form by the City Attorney.
		A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to determine that the proposed actions are exempt from CEQA pursuant to Section 15301 (Existing Facilities) of Title 14 of the California Code of Regulations; authorize the City Manager to execute an Agreement for Services with KSB, Inc. for motor and pump maintenance and repair services for a five-year term ending on July 31, 2028, with a maximum compensation not to exceed \$1,000,000, to be funded by the SVP Operating or Capital

by the SVP Operating or Capital Fund as applicable; and authorize the City Manager to take any actions as necessary to implement and administer the above agreements and negotiate and execute amendments to (a) add or delete services consistent with the scope of services; (b) adjust future rates to account for reasonable changes in labor and materials rates; (c) exercise a one-year option to extend the term of each agreement through July 31, 2029; and (d) increase compensation for an additional \$1,000,000 between both agreements for a total maximum compensation of \$3,000,000 (\$1,500,000 for each agreement), subject to the appropriation of funds and the review and approval as to form by the City Attorney.

- **3.G** <u>24-30</u> Action on Amendment No. 1 to an Agreement for Services with Aspen Environmental Group to Provide As-Needed Consultant Services for Electric Rate and Fee Analysis for Silicon Valley Power
 - **Recommendation:** 1. Authorize the City Manager to execute Amendment No. 1 to the Agreement with Aspen Environmental Group, for as-needed electric fee and rate analysis services to increase the maximum compensation by \$200,000, for a revised not-to-exceed maximum compensation amount of \$650,000, and extend the agreement through October 31, 2027, funded by the Electric Utility Operating Fund; and
 - 2. Authorize the City Manager to take any actions as necessary to implement and administer the Agreement, including negotiate and execute amendments to (a) extend the Agreement through October 31, 2030, (b) add or delete services consistent with the scope of services, (c) increase the rates pursuant to the Agreement's price escalation provisions, and (d) increase the maximum compensation to an amount not-to-exceed \$1,000,000, subject to budget appropriations and review and approval as to form by the City Attorney.

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to Authorize the City Manager to execute Amendment No. 1 to the Agreement with Aspen Environmental Group, for as-needed electric fee and rate analysis services to increase the maximum compensation by \$200,000, for a revised not-to-exceed maximum compensation amount of \$650,000, and extend the agreement through October 31, 2027, funded by the Electric Utility Operating Fund; and authorize the City Manager to take any actions as necessary to implement and administer the Agreement, including negotiate and execute amendments to (a) extend the Agreement through October 31, 2030, (b) add or delete services consistent with the scope of services, (c) increase the rates pursuant to the Agreement's price escalation provisions, and (d) increase the maximum compensation to an amount not-to-exceed \$1,000,000, subject to budget appropriations and review and approval as to form by the City Attorney.

- **3.H** 24-29 Action to Delegate Authority to the City Manager to Negotiate and Execute Amendment No. 2 to the Agreement with e-Builder, Inc. for Annual Software Subscription Fees and Associated Services for Capital Project Management Software
 - **Recommendation:** 1. Authorize the City Manager to negotiate and execute Amendment No. 2 to the Agreement with e-Builder, Inc. to extend the term through March 26, 2029, and increase the maximum compensation by \$1,000,000 from \$1,150,000 to \$2,150,000, subject to the appropriation of funds and review and approval as to form by the City Attorney; and
 - 2. Authorize the City Manager to take any actions as necessary to implement and administer the Agreement, including authorization to negotiate and execute further amendments to (a) add or delete services for additional software support services; (b) adjust subscription fees based on capital improvement budget adjustments, and (c) increase maximum compensation up to \$2,250,000 for the period ending March 25, 2029, subject to appropriation of funds and review and approval as to form by the City Attorney.

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to Authorize the City Manager to negotiate and execute Amendment No. 2 to the Agreement with e-Builder, Inc. to extend the term through March 26, 2029, and increase the maximum compensation by \$1,000,000 from \$1,150,000 to \$2,150,000, subject to the appropriation of funds and review and approval as to form by the City Attorney; and authorize the City Manager to take any actions as necessary to implement and administer the Agreement, including authorization to negotiate and execute further amendments to (a) add or delete services for additional software support services; (b) adjust subscription fees based on capital improvement budget adjustments, and (c) increase maximum compensation up to \$2,250,000 for the period ending March 25, 2029, subject to appropriation of funds and review and approval as to form by the City Attorney.

PUBLIC PRESENTATIONS

Vikas Gupta spoke about the International Swim Center.

Karen Cornwell spoke about the International Swim Center.

City Manager Grogan responded to Public Comment.

CONSENT ITEMS PULLED FOR DISCUSSION

There were none.

PUBLIC HEARING/GENERAL BUSINESS

- 5. 24-118 Public Hearing. Rezone Request from MP Planned Industrial to HO-RD High Intensity Office / R&D for the Properties Located at 2421, 2431, 2441 and 2451 Mission College Boulevard to Align Zoning with General Plan Land Uses
 - **Recommendation:** 2. Determine that the project falls within the scope of the December 19, 2023 Addendum to the General Plan EIR.
 - 3. Adopt a resolution approving a Rezone from MP Planned Industrial to HO-RD High Intensity Office / R&D for the Properties Located at 2421, 2431, 2441 and 2451 Mission College Boulevard.

Mayor Gillmor opened the Public Hearing.

City Manager Grogan introduced this item.

Acting Community Development Director Brilliot provided a PowerPoint presentation on the rezoning request for properties located at 2421, 2431, 2441, and 2451 Mission College Boulevard.

Council questions followed.

Acting Community Development Director Brilliot responded to Council questions.

Applicant Rob Tersini introduced himself and had no comments.

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

Applicant Rob Tersini thanked staff for their work.

A motion was made by Councilmember Hardy, seconded by Councilmember Chahal, to determine that the project falls within the scope of the December 19, 2023 Addendum to the General Plan EIR; and adopt Resolution 24-9308 approving a rezone from MP Planned Industrial to HO-RD High Intensity Office/R&D for the properties located at 2421, 2431, 2441, and 2451 Mission College Boulevard.

- Aye: 7 Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Vice Mayor Becker, and Mayor Gillmor
- 6. <u>24-246</u> Informational Report on Super Bowl LX and FIFA World Cup 2026 Updates

Recommendation:

- 1. Approve the proposed Super Bowl LX Guiding Principles; and,
- 2. Note and file the informational report on FIFA World Cup 2026 and Super Bowl LX updates.

City Manager/Executive Director Grogan, City Attorney/Stadium Authority Counsel Googins, Assistant City Manager Baker, Development Project Manager Knight, Emergency Services Manager Flamm, and Police Captain Fitting gave an informational PowerPoint presentation on Super Bowl LX and FIFA World Cup 2026 updates.

Zaileen Janmohamed, **President/CEO of Bay Area Host Committee**, gave a PowerPoint presentation.

Council/Board comments and questions followed.

Zaileen Janmohamed, President/CEO of Bay Area Host Committee, City Manager/Executive Director Grogan, and City Attorney/Stadium Authority Counsel Googins addressed Council/Board questions.

Public Comment: John Haggerty

A motion was made by Vice Mayor/Chair Becker, seconded by CouncilBoardmember Hardy, to approve the proposed Super Bowl LX Guiding Principles; and note and file the informational report on FIFA World Cup 2026 and Super Bowl LX updates. Aye: 7 - Council/Boardmember Watanabe, Council./Boardmember Chahal, Council/Boardmember Hardy, Council/Boardmember Park, Council/ Boardmember Jain, Vice Mayor/Chair Becker, and Mayor/Chair Gillmor

REPORTS OF MEMBERS, SPECIAL COMMITTEES AND COUNCILMEMBER 030 REQUESTS

Councilmember Jain reported he attended a Joint Venture Silicon Valley event last week.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

There was no report.

ADJOURNMENT

A motion was made by Council/Boardmember Park, seconded by Vice Mayor/Chair Becker, the meeting adjourned at 10:35 p.m. in memory of Nazih (Ned) Nader Chartouny.

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

The next scheduled special meeting is on Tuesday, March 12, 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.

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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)

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