

City of Santa Clara



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



Tuesday, May 28, 2024

5:30 PM

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

Revision: Added Item 2.B to Special Order of Business

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

5:30 PM CLOSED SESSION

Call to Order in the Council Chambers

Confirmation of Quorum

1. **24-430** [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. Gogins](#)

[Employee Organization\(s\):](#)
[Unit #9 Unclassified Miscellaneous Management](#)

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 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

May 20, 2024 and May 28, 2024

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

SPECIAL ORDER OF BUSINESS

- 2.A **24-330** [Recognition of Santa Clara High School Student Athletes](#)
- 2.B **24-586** [Recognition of Wilcox High School Robotics Team](#)

- 2.C 24-440 [Recognition of the Recipients of the Second Annual Silicon Valley Power Sustainable Futures Scholarship Program in Partnership with Santa Clara University](#)
- 2.D 24-446 [Proclamation of May 2024 as Historic Preservation Month](#)
- 2.E 24-488 [Proclamation of May as Affordable Housing Month and Recognition of the Freebird Development Company for the successful Completion of the Monroe Commons Affordable Housing Development](#)

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 24-09 [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:
Historical and Landmarks Commission - February 1, 2024
Historical and Landmarks Commission - April 4, 2024
Cultural Commission - April 1, 2024
Board of Library Trustees - April 1, 2024
Youth Commission - March 12, 2024
Civil Service Commission - February 8, 2024

- 3.B 24-460 [Actions authorizing the County of Santa Clara to allocate up to \\$409,950 of the City's 2020 Permanent Local Housing Allocation \(PLHA\) Funds to rehabilitate and preserve the Belovida Santa Clara Senior Apartments located at 1820 Main Street.](#)

Recommendation: 1. Direct the County of Santa Clara (PLHA fund administrator) to allocate up to \$409,950 from the City's 2020 Permanent Local Housing Allocation (PLHA) , which includes the reallocation of \$8,000 from a PLHA homelessness activity to a PLHA rehabilitation activity to help fund repairs at the Belovida Santa Clara Senior Apartments as part of a long-term repositioning of the project. This funding commitment shall be contingent upon National Environmental Policy Act (NEPA) clearance from HUD, if required.

3.C 24-99 [Action on Award of Purchase Order to Canon Solutions America, Inc. for Citywide Leases and Maintenance Services for Copier/Multi-Function Devices \(MFDs\)](#)

- Recommendation:**
1. Authorize the City Manager to execute a Purchase Order with Canon Solutions America Inc. for Citywide Leases and Maintenance Services for Copier/Multi-Function Devices under the Master Agreement with lead public agency University of California through OMNIA Partners for an initial five-year term through June 30, 2029, with maximum compensation not-to-exceed \$1,110,000 subject to the appropriation of funds and in a final form approved by the City Attorney;
 2. Authorize the City Manager to execute change orders for a not-to-exceed contingency amount of \$166,500 in the event additional equipment is required and/or usage increases during the initial term, subject to appropriation of funds and in a final form approved by the City Attorney; and
 3. Authorize the City Manager to execute up to five one-year options to extend the purchase order after the initial term through June 30, 2034, pursuant to the terms of the cooperative solicitation, subject to the appropriation of funds, and in a final form approved by the City Attorney.

3.D 24-522 [Action to Authorize the City Manager to Negotiate and Execute Agreements and/or Amendments to Existing Agreements as Required to Complete Emergency Transformer Replacement at Juliette Substation and Approve Related Budget Amendment](#)

- Recommendation:**
1. Determine the proposed actions are exempt from CEQA pursuant to Sections 15301 (Class 1 -Existing Facilities) and 15302 (Class 2 - Replacement or Reconstruction) of Title 14 of the California Code of Regulations;
 2. Authorize the City Manager to negotiate and execute agreements and/or amendments to existing agreements to complete the transformer replacements at Juliette Substation with a maximum compensation of \$15,000,000, subject to approval as to form by the City Attorney;
 3. Authorize the City Manager to take any actions as necessary to implement and administer the agreements and to negotiate and execute amendments as needed to complete the Juliette Substation transformer replacements, subject to the total maximum authorization of \$15,000,000 and review and approval as to form by the City Attorney;
 4. Approve the following FY 2023/24 budget amendments:
 - A. In the Electric Utility Fund, increase the transfer to the Electric Utility Capital Fund and decrease the Unrestricted Ending Fund Balance in the amount of \$15.0 million (**five affirmative Council votes required for the use of unused balances**); and
 - B. In the Electric Utility Capital Fund, recognize a transfer from the Electric Utility Fund and increase the Juliette Substation Transformer Rerate and Installation Project in the amount of \$15.0 million (**five affirmative Council votes required to appropriate additional revenue**).

3.E 24-38 [Action on an Agreement for Services with CRMOrbit, Inc. dba energyOrbit for a Rebate Processing System for Silicon Valley Power](#)

- Recommendation:**
1. Authorize the City Manager to execute the proposed Agreement for Services (Agreement) with CRMOrbit, Inc. dba energyOrbit for a Rebate Processing System for a three-year term beginning on or around June 1, 2024, with a maximum compensation not to exceed \$350,000, subject to the annual appropriation of funds funded by Silicon Valley Power's Public Benefit's Program in the Electric Operating Grant Trust Fund; and
 2. Authorize the City Manager 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 by up to an additional \$100,000 for a total maximum compensation not to exceed \$450,000 in the event that SVP requires additional training, licenses, or features, and (b) exercise options to extend the term to align with the term of the Agreement with the lead agency, Turlock Irrigation District, subject to the appropriation of funds and review and approval as to form by the City Attorney.

3.F 24-222 [Action on an Agreement with Kimley-Horn and Associates, Inc. for Professional Services for the Santa Clara Vision Zero Plan](#)

- Recommendation:**
1. Authorize the City Manager to negotiate and execute an agreement with Kimley-Horn and Associates, Inc. (Agreement) to provide professional services for the Santa Clara Vision Zero Plan project with a maximum compensation not-to-exceed \$556,536 over a two-year term, in a final form approved by the City Attorney; and
 2. Authorize the City Manager to take any actions necessary to implement and administer the Agreement and negotiate and execute amendments to the Agreement to extend the term and modify the scope of services, in final forms approved by the City Attorney.

3.G 24-521 [Action to Authorize the City Manager to Negotiate and Execute Agreements and/or Amendments to Existing Agreements as Required to Complete Unanticipated Internal Inspection and Re-rate Engineering Study for Transformer Upgrades at the Kifer Receiving Station \(KRS\) and Scott Receiving Station \(SRS\) and Approve Related Budget Amendment](#)

- Recommendation:**
1. Subject to compliance with Chapter 2.105 of the City Code, as applicable, and review and approval as to form by City Attorney, authorize the City Manager to negotiate and execute new agreements and/or amendments to existing agreements with various vendors to complete unanticipated internal inspections, and re-rate engineering studies, at the Kifer Receiving Station (KRS) and Scott Receiving Station (SRS) with a total aggregate authorization not to exceed \$500,000;
 2. Authorize the City Manager or designee to take any actions as necessary to implement and administer the agreements and to negotiate and execute further amendments to the agreements as needed to complete inspections and studies at KRS and SRS, subject to the maximum authorization of \$500,000 and approval as to form by the City Attorney; and
 3. Approve the following FY 2023/24 budget amendments:
 - A. In the Electric Utility Fund, increase the transfer to the Electric Utility Capital Fund and decrease the Unrestricted Ending Fund Balance in the amount of \$500,000 (**five affirmative Council votes required for the use of unused balances**); and
 - B. In the Electric Utility Capital Fund, recognize a transfer from the Electric Utility Fund in the amount of \$500,000, increase the KRS Rebuild and Replacement project (CIP 2453) by \$250,000, and increase the SRS Rebuild and Replacement project (CIP 2456) by \$250,000 (**five affirmative Council votes required to appropriate additional revenue**).

3.H 24-453 [Action Authorizing the City Manager to Negotiate and Execute Agreement\(s\) with Vendor\(s\) for the Purchase of High Voltage Disconnect Switches, Station Service Voltage Transformers, Voltage Transformers and Capacitive Voltage Transformers, and Combination Revenue Metering Transformers 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 the four purchases listed below, subject to a total maximum aggregate compensation amount of \$17,400,000 plus a fifteen percent (15%) contingency (\$2,610,000) for a total not to exceed amount of \$20,100,000, as follows:
 - (a) High Voltage Disconnect Switches for an approximately three-year agreement term and a two-year warranty period;
 - (b) Station Service Voltage Transformers for an approximately three-year agreement term and a two-year warranty period;
 - (c) Voltage Transformers and Capacitive Voltage Transformers for an approximately three-year agreement term and a two-year warranty period;
 - (d) Combination Revenue Metering Transformers for an approximately three-year agreement term and a two-year warranty period; 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 orders, and (b) negotiate and execute amendments to the agreement(s) and/or purchase order(s) for (i) design changes, (ii) any unanticipated issues, (iii) extensions of the term, or (iv) the purchase of additional High Voltage Disconnect Switches, Station Service Voltage Transformers, Voltage Transformers and Capacitive Voltage Transformers, and Combination Revenue Metering Transformer, up to the \$20,100,000 amount and subject to the review and approval as to form by the City Attorney.

3.I 24-384 [Action to Authorize the Use of City Electric Forces for New Dark Fiber Installations at 6001 America Center Drive - 3080 Raymond Street](#)

- Recommendation:**
1. Determine the proposed action is exempt from CEQA pursuant to Section 15303 (Class 3 - New Construction or Conversion of Small Structures) of Title 14 of the California Code of Regulations; and
 2. Declare and determine in accordance with Section 1310 of the City Charter that the public works located at 6001 America Center Drive to 3080 Raymond Street are better performed by the City with its own employees based on the information set forth in this Report to Council and authorize the performance of this public work consistent with this authorization.

3.J 24-427 [Action on Recommendations from Governance and Ethics Committee to Amend Council Policy 046 entitled "Mayor and Council Public Records Policy" and Amend Email Retention from 90 days to two years for City Councilmembers](#)

- Recommendation:** Adopt a Resolution approving the recommendations from the Governance and Ethics Committee to Amend Council Policy 046 entitled "Mayor and Council Public Records Policy" to include amending email retention from 90 days to two years.

3.K 24-436 [Action on Authorizing the Use of City Electric Forces for Public Works Projects at Various Locations](#)

Recommendation: 1. Determine the proposed action is exempt from CEQA pursuant to Section 15303 (Class 3 - New Construction or Conversion of Small Structures) of Title 14 of the California Code of Regulations; and

2. Declare and determine in accordance with Section 1310 of the City Charter that the public works projects proposed at 2865 Uranium Drive, 2991 Jerald Avenue, 2310 Calle Del Mundo, 3193 Cabrillo Avenue, 3345 Cabrillo Avenue, 3061 Monroe Street, 1821 Bowers Avenue, and 1962 Lafayette Street are better performed by the City with its own employees based on the information set forth in this Report to Council and authorize the performance of these public works by City electric utility forces consistent with this authorization.

3.L 24-231 [Action on Appointing a City of Santa Clara Bicycle and Pedestrian Advisory Committee Member to Serve as the City's Representative on the Santa Clara Valley Transportation Authority Bicycle Pedestrian Advisory Committee](#)

Recommendation: Appoint the City of Santa Clara Bicycle and Pedestrian Advisory Committee member Betsy Megas to serve as the City's representative on the Santa Clara Valley Transportation Authority Bicycle and Pedestrian Advisory Committee.

3.M 24-487 [Action to Approve Revisions to the Existing Staff Analyst I Class Specification; Approve a New Senior Counsel for Silicon Valley Power Class Specification; Approve a Resolution Adopting the Amended Unclassified Salary Plan](#)

Recommendation:

1. Approve revisions to the existing Staff Analyst I (Job Code 796) class specification to clarify the acceptable level of educational units for the position;
2. Approve the creation of the Senior Counsel for Silicon Valley Power (Job Code 179) class specification; And
3. Approve the Resolution Adopting the Amended Unclassified Salary Plan to reflect the new Senior Counsel for Silicon Valley Power position.

SANTA CLARA STADIUM AUTHORITY BOARD CONSENT CALENDAR

4.A 24-364 [Informational Report on Stadium Authority and Stadium Manager Meetings for the Period of January 1 to March 31, 2024](#)

Recommendation:

Note and file the quarterly report on Stadium Authority and Stadium Manager staff meetings and corresponding summaries for the period of January 1 to March 31, 2024.

4.B 24-401 [Action on Amendment No. 1 to the Agreement with KPMG LLP for Auditing and Consulting Services for the Santa Clara Stadium Authority](#)

Recommendation:

Authorize the Executive Director or designee to execute an Amendment No. 1 to the Agreement with KPMG LLP for audit and consulting services to increase the compensation by \$100,000 from \$754,554 to \$854,554 in a final form approved by the City Attorney.

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 (COUNCIL/STADIUM AUTHORITY BOARD)

5. 24-201 [Public Hearing: Action on Resolutions Approving Water, Sewer and Recycled Water Amended Rates to be Effective July 1, 2024](#)

Recommendation: Alternative 1: Adopt the Proposed Resolutions Establishing Water Rate Schedule 2024-01, Recycled Water Rate Schedule 2024-02 and Sewer Rate Schedule S-24

6. 24-578 [Action on Amendment No. 2 to the Ground Lease, and Amendment No. 1 to the Restated and Amended Stadium Lease, to Implement the Settlement Agreement and Mutual Release \(Buffet and Public Safety Cost Arbitration\) with Forty Niners SC Stadium Company LLC and Forty Niners Stadium Management Company LLC, and Approve Related Budget Amendments](#)

Recommendation:

1. Authorize the City Manager, on behalf of the City, and the Executive Director, on behalf of the Stadium Authority, to execute a First Amendment to the Ground Lease with the Santa Clara Stadium Authority to in substantially the form presented, in final forms approved by Agency Counsel/City Attorney.
2. Authorize the Executive Director to execute a First Amendment to the Amended and Restated Stadium Lease Agreement with Forty Niners SC Stadium Company, LLC to in substantially the forms presented, in final forms approved by Agency Counsel/City Attorney.
3. Authorize the City Manager, on behalf of the City, and Executive Director, on behalf of Stadium Authority, to negotiate and execute modifications to such other agreements as may be necessary to implement the terms of the Settlement Agreement, in final forms approved by Agency Counsel/City Attorney.
4. Approve the following FY 2024/25 net budget amendments in the Santa Clara Stadium Authority Operating Budget:
 - a. Increase the revenue estimate and corresponding payment to the City for Senior and Youth fees by \$35,000, and
 - b. Increase the Performance-Based Rent expense to the City by \$9,600,000, increase the Public Safety Cost expense by \$6,473,000, increase the transfer to the City's General Fund by \$3,073,000, increase the SBL Complementary Buffet expense by \$900,000, offset by the elimination of Legal Contingency Reserves in the

amount of \$14,747,526 and a decrease to the Renovation/Demolition Reserve by \$5,298,474.

7. 24-549 [Action on an Initial Grant Funding Agreement with Forty Niners SC Stadium Company LLC to Provide \\$200,000 Annually in Grant Funding for an Initial Three Years to the Santa Clara Community and Santa Clara Organizations and Approve the Related Budget Amendments](#)

Recommendation:

1. Authorize the City Manager to enter into an Initial Grant Funding Agreement with Forty Niners SC Stadium Company LLC (StadCo) to provide for 1) the distribution of \$200,000 annually over three years (Years 1-3) to non-profit organizations and community projects serving the Santa Clara community, as further described in the report and agreement, and 2) a process to develop a program, to be formalized through subsequent funding agreement(s) with StadCo, for the remaining grant distribution, in the amount of \$200,000 annually for the subsequent years during StadCo's 20-year commitment term, in a final form approved by the City Attorney; and
2. Approve the FY 2023/24 budget amendments in the General Fund to recognize other revenue in the amount of \$200,000 and increase the Non-Departmental Community Grants Program allocation in the amount of \$200,000 (**five affirmative Council votes required to appropriate additional revenue**).

REPORTS OF MEMBERS, SPECIAL COMMITTEES AND COUNCILMEMBER 030 REQUESTS

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

8. 24-579 [Update on the George F. Haines International Swim Center \(ISC\)](#)

Recommendation: It is recommended that the City Council:

1. Note and file the report.

ADJOURNMENT

The next regular scheduled meeting is on Tuesday, June 4, 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.

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.