



City of Santa Clara

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

Tuesday, May 24, 2022

4:00 PM

**Hybrid Meeting
Council Chambers/Virtually
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. 22-9087, Councilmembers may teleconference from remote locations and the City continues to provide methods for the public to participate remotely:

- Via Zoom:

- o <https://santaclaraca.zoom.us/j/99706759306>

Meeting ID: 997-0675-9306 or

- o Phone: 1(669) 900-6833

- Via the City's eComment (now available during the meeting)
- Via email to PublicComment@santaclaraca.gov

As always, the public may view the meetings on SantaClaraCA.gov, Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City's YouTube channel or Facebook page.

Closed Session - 4:00 PM | Study Session - 6:00 PM | Regular Meeting - 7:00 PM

4:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Roll Call

- 1.A 22-725** [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 22-543** [Conference with Legal Counsel-Anticipated Litigation \(SA\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(4\) - Initiation of litigation](#)
[Number of potential cases: 1](#)
- 1.C 22-631** [Conference with Legal Counsel-Anticipated Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(2\) - Exposure to litigation](#)
[Number of potential cases: 1](#)
[Facts and Circumstances: Pursuant to Gov. Code § 54956.9\(e\)\(1\) - Not disclosed on agenda](#)
- 1.D 22-724** [Conference with Legal Counsel-Existing Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)
[Voluntary Petitions for Filing of Chapter 11 Bankruptcy, PG&E Corporation, Debtor, and Pacific Gas and Electric Company, Debtor, United States Bankruptcy Court, Northern District of California, San Francisco Division, jointly administered under No. 19-30088](#)

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)

6:00 PM STUDY SESSION

Call to Order in the Council Chambers

2. **22-100** [Study Session: Review of the Proposed FY 2022/23 & FY 2023/24 Biennial Capital Improvement Program Budget and FY 2022/23 Operating Budget Changes](#)

Recommendation: Review and provide input on the Proposed FY 2022/23 & FY 2023/24 Biennial Capital Improvement Program Budget and FY 2022/23 Operating Budget Changes.

7:00 PM JOINT COUNCIL/STADIUM REGULAR MEETING

**Open Session to begin at 7:00 PM or shortly thereafter*

Call to Order

Call to Order in the Council Chambers (Open to the Public)

Pledge of Allegiance and Statement of Values

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

SPECIAL ORDER OF BUSINESS

3. **22-430** [Proclaim May 2022 as Asian American and Pacific Islander Heritage Month](#)

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.]

- 4.A **22-19** [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:
Historical and Landmarks Commission - March 3, 2022
Youth Commission (Special Meeting) - April 5, 2022
Parks & Recreation Commission - April 19, 2022

4.B 22-512 [Action on Monthly Financial Status and Investment Reports for February and March 2022 and Approve the Related Budget Amendments](#)

Recommendation:

1. Note and file the Monthly Financial Status and Investment Reports for February and March 2022 as presented; and
2. Approve the Related Budget Amendments in various funds requiring **five affirmative votes of at least five members** as noted for each individual item in Attachment 5.

4.C 22-535 [Action on a 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 a 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.

4.D 22-568 [Action on Agreement with TruePoint Solutions, LLC for Professional Services to Support the Accela Permitting System](#)

Recommendation:

1. Authorize the City Manager to execute a Master Agreement with TruePoint Solutions, LLC to provide software support services for the Accela Permitting System, for a two-year term beginning on July 1, 2022 and ending on June 30, 2024, with maximum compensation not to exceed \$1,086,000, subject to the appropriation of funds; and
2. Authorize the City Manager to extend the Master Agreement one additional year through June 30, 2025, subject to the appropriation of funds.

4.E 22-115 [Action on Award of Contract for the Montague Park Rehabilitation Project \(CE 19-20-04\) to Robert A Bothman Construction and Related Budget Amendment](#)

- Recommendation:**
1. Award the Public Works Contract for the Montague Park Rehabilitation Project (CE 19-20-04) to the lowest responsive and responsible bidder, Robert A Bothman Construction, in the amount of \$5,634,785 and authorize the City Manager or Designee to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project;
 2. Authorize the City Manager or Designee to execute change orders up to approximately 10 percent of the original contract price, or \$563,479, for a total not to exceed amount of \$6,198,264; and
 3. Approve the following FY 2021/22 budget amendment to increase the Montague Park Enhancement project appropriation by \$3,003,540 (from \$3,892,940 to \$6,896,480) and decrease the Parks and Recreation Capital Fund Mitigation Fee Act fund balance by the same amount (**five affirmative Council votes required for the use of unused balances**).

4.F 22-488 [Action on Amendment No. 3 to the Agreement with HouseKeys Inc. for Administration Services for the City's Affordable Rental Program](#)

- Recommendation:**
1. Authorize the City Manager to execute Amendment No. 3 to the Agreement with HouseKeys Inc. for Administration Services for the City's Affordable Rental Program to increase the amount of the agreement by \$332,000 and to extend the term of the agreement through June 30, 2024 for a revised not-to-exceed maximum compensation of \$875,000, subject to the appropriation of funds; and
 2. Authorize the City Manager to execute all related documents for the provision of administrative services for the Affordable Rental Program.

4.G 22-576 [Action on a Request for a Special Permit to Allow a Temporary Storage Tent at 2401 Agnew Road \(Great America Theme Park\) from June 29, 2022 through August 20, 2022](#)

Recommendation: Approve the request of a Special Permit to allow a temporary storage tent at 2401 Agnew Road (Great America Theme Park) from June 29, 2022 through August 20, 2022, subject to conditions.

4.H 22-481 [Action on Appointing a City of Santa Clara Bicycle 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 Pedestrian Advisory Committee member Betsy Megas to serve as the City's representative on the Santa Clara Valley Transportation Authority Bicycle Pedestrian Advisory Committee.

4.I 22-254 [Adopt a Resolution to: 1\) Modify Parking Regulations on Bassett Street for purposes of installing a Class II Bikeway; and 2\) Delegate authority to the City Manager or designee to revise parking regulations on Bassett Street between Chestnut Street and George Street as necessary to accommodate Class II Bicycle Lanes](#)

Recommendation: Adopt a resolution to: 1) Modify certain parking regulations on Bassett Street; and 2) Delegate authority to the City Manager or designee to revise parking regulations on Bassett Street between Chestnut Street and George Street as necessary to accommodate Class II Bicycle Lanes.

4.J 22-1496 [Action on Modifications to P&P 049 Community Grant Policy](#)

Recommendation: Alternatives 1: Approve Amended Council Policy 049 ("Community Grant Policy").

4.K 22-188 [Action on a Resolution to Adopt a List of Projects Funded by Senate Bill 1, The Road Repair and Accountability Act, for Fiscal Year 2022-23](#)

Recommendation: Adopt a Resolution to Adopt a List of Projects Funded by Senate Bill 1, The Road Repair and Accountability Act, for Fiscal Year 2022-23.

4.L 22-155 [Action on a Resolution Authorizing the Use of City Electric Forces at Various Locations](#)

Recommendation: Adopt a Resolution authorizing the use of City Electric Forces for work described above at 1384 Worthington Circle, Central Expressway including Coronado Drive and Stender Way, 1515 Richard Avenue, Calle De Luna from Lafayette Street to Calle Del Sol, 2590 Walsh Avenue, 3402 El Camino Real, 5100 Patrick Henry Drive, 4551 Great America Parkway, 1205 Coleman Avenue, Northwest corner of Homestead Road and Los Padres Boulevard, 1217 Harrison Street, 2234 Calle Del Mundo and 3941 Stevens Creek Blvd.

4.M 22-679 [Actions to Modify the Classification Specification for Senior Power Scheduler Trader \(Job Code 772\), Approve a New Classification Specification Titled Development Project Manager \(Job Code 158\), and Adopt a Resolution Approving and Adopting the Updated Unclassified Salary Plan](#)

Recommendation:

1. Approve modifications to the Senior Power Scheduler Trader (Job Code 772) Classification Specification;
2. Approve the creation of the Development Project Manager (Job Code 158) Classification Specification; and
3. Adopt a Resolution to approve the revised unclassified salary plan to satisfy the requirements of California Code of Regulations Section 570.5.

4.N 22-689 [Authorize the City Manager to execute the 2022-2024 Memorandum of Understanding Between the City of Santa Clara and the American Federation of State County and Municipal Employees, Local 101 \(Unit 6\), that incorporates the terms of the Tentative Agreement](#)

Recommendation: Authorize the City Manager to execute the Memorandum of Understanding between the City of Santa Clara and the American Federation of State County and Municipal Employees, Local 101 (Unit 6) with effective dates of January 1, 2022 - December 31, 2024, that incorporates the terms of the Tentative Agreement.

- 4.O 22-707 [Action to Waive Second Reading and Adopt Ordinance No. 2047 Approving the Westwood Oaks Park Master Plan Update and Preferred Playground Schematic Design, in Accordance with City Charter Section 714.1](#)

Recommendation: Waive Second Reading and Adopt Ordinance No. 2047 Approving the Westwood Oaks Park Master Plan Update and Preferred Playground Schematic Design, in Accordance with City Charter Section 714.1.

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

5. 22-652 [Action on Agreement with Keyser Marston Associates, Inc. for As Needed Fiscal and Economic Analysis Consulting Services](#)

Recommendation: Authorize the Executive Director to retroactively execute a three-year agreement ending on March 31, 2025 with Keyser Marston in an amount not to exceed \$25,000 for as needed fiscal and economic analysis consulting services.

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

6. 22-1725 [Public Hearing: Adoption of a Resolution Setting Rates for Overall Solid Waste Services and Annual Clean-up Campaign in the Exclusive Franchise Area](#)

Recommendation: Alternative 1: Adopt a Resolution setting the overall rates to be charged to rate payers for the collection and disposal of garbage, refuse, yard trimmings, recycling, annual Clean-up Campaign, and Household Hazardous Waste in the exclusive franchise area, effective for the utility bills issued for services rendered on and after July 1, 2022.

7. **22-721** [Approval of a Status Report on the Lease Agreement Between the City of Santa Clara and the Police Activities League \(PAL\) for the Operation of a BMX Track](#)

Recommendation: Alternative #1: Note and file staff report.

8. **22-667** [Discussion and Action on Contracting with the Current Downtown Precise Plan Consultant, WRT, to Prepare a Financial Analysis for Moving City Hall to a Location within the Eight Blocks of the Original Downtown \(Lafayette, Benton, Monroe, Homestead\)](#)

Recommendation: Staff makes no recommendation.

9. 22-594 [Action on the Freedom Circle Future Focus Area Plan Including: Adoption and Certification of the Environmental Impact Report \(EIR\) Prepared to Analyze the Potential Environmental Impacts for the Project and an Associated Mitigation Monitoring and Reporting Program; Adoption of a General Plan Text Amendment to Add Language Regarding the Creation of Additional Future Focus Areas, the Re-designation of Land Outside of Focus Areas, Creation of the New Very High-Intensity Office/Research & Development \(R&D\) Designation, and Adoption of a General Plan Amendment to Create the Freedom Circle Future Focus Area, Bounded by Great America Parkway to the West, Mission College Boulevard to the North, San Tomas Aquino Creek to the East, and Highway 101 to the South; Adoption of the Greystar General Plan Amendment to Change the Designation of the Greystar Site from High Intensity Office/Research & Development \(R&D\) \(Maximum Floor Area Ratio of 2.0\) to Very High Density Residential \(51-100 Dwelling Units/Acre\); and Adoption of the Planned Development Rezoning for the Greystar Site, Which Would Allow up to 1,100 Units on a 13.3 Gross Acre Site Bounded by Freedom Circle to the West, Mission College Boulevard to the North, San Tomas Aquino Creek to the East and Highway 101 to the South](#)

Recommendation:

1. Adopt a resolution approving and certifying the Final EIR prepared for the Freedom Circle Future Focus Area Plan and the Greystar Project General Plan Amendment (SCH #2020060425), including CEQA Findings and a statement of overriding consideration;
2. Adopt a resolution approving a General Plan text amendment to add language regarding the creation of additional Future Focus Areas, the re-designation of land outside of Focus Areas, creation of the new Very High-Intensity Office/R&D designation, and adoption of a General Plan Amendment to create the Freedom Circle Future Focus Area bounded by Great America Parkway to the west, Mission College Boulevard to the north, San Tomas Aquino Creek to the east and Highway 101 to the south, \ including modifications of the plan area diagram to change all Class II bike lanes to Class IV separated bikeways;

3. Adopt a resolution approving the Greystar General Plan Amendment from High Intensity Office/R&D \ (maximum Floor Area Ratio of 2.0) to Very High Density Residential (51-100 Dwelling Unit/Acre); and
4. Adopt a resolution approving the Planned Development Rezoning and Vesting Tentative Parcel Map for the Greystar site, which would allow up to 1,100 units on a 13.3 gross acre site bounded by Freedom Circle to the west, Mission College Boulevard to the north, San Tomas Aquino Creek to the east and Highway 101 to the south.

10. 22-548 [Action on a Resolution Declaring the Loylton Ranch Property Surplus](#)

Recommendation: There is no staff recommendation.

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

11. 22-670 [Action on a Council Written Request \(Council Policy 030\) Submitted by Councilmember Becker to Place an Agenda Item at a Future Council Meeting to Discuss Construction of New Lawn Bowl Facility to Follow Through on Past Promises](#)

Recommendation: Staff makes no recommendation.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

ADJOURNMENT

The next regular scheduled meeting is on Tuesday, June 7, 2022, in the City Hall Council Chambers.

MEETING DISCLOSURES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

AB23 ANNOUNCEMENT: Members of the Santa Clara Stadium Authority, Sports and Open Space Authority and Housing Authority are entitled to receive \$30 for each attended meeting.

Note: The City Council and its associated Authorities meet as separate agencies but in a concurrent manner. Actions taken should be considered actions of only the identified policy body.

LEGEND: City Council (CC); Stadium Authority (SA); Sports and Open Space Authority (SOSA); Housing Authority (HA); Successor Agency to the City of Santa Clara Redevelopment Agency (SARDA); Bayshore North Project Enhancement Authority (BNPEA); Public Facilities Financing Corporation (PFFC)

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

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