

05-25-21

ITEM #6Q  
RTC#21-722

MEZZETTI LAW FIRM, INC.  
A Professional Corporation

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May 24, 2021

**Via Email:**

Simrat Dhadli  
City Clerk  
City of Santa Clara  
1500 Warburton Avenue  
Santa Clara, CA 95050

Re: *Republic Petition to Agendize (Withdraw)*

Dear Ms. Dhadli:

On behalf of Republic Metropolitan LLC we respectfully request that Agenda Item 21-722 be withdrawn from the May 25, 2021 City Council Agenda.

This agenda item was submitted as a Written Petition pursuant to City Council Policy 030 by Robert Mezzetti, II requesting to discuss Amendment No. 3 to the Exclusive Negotiation Agreement by and between the City, VTA and Republic Metropolitan for the proposed project located at 500 S. Benton Street (APN 230-08-061 and 230-08-078).

Pursuant to the City Council Policy 030 (adopted by Resolution No. 20-8895) the procedure for Written Petition by members of the public specifically states:

"2. Once the Written Petition is received by the City Clerk's Office, it should immediately be forwarded to the City Manager for placement on an agenda within two (2) Council meetings after receipt of the original request from the City Clerk's office. All written material (request and any support material) will be submitted on the agenda in the form substantially provided by the requester *without any staff analysis, including fiscal review, legal review and policy review, until the City Council has had the opportunity to provide direction to the City Manager.*"

"3. At the meeting where the item is first considered, if a majority of the City Council supports further study of the item, then a full staff analysis shall be prepared within thirty (30) days, unless otherwise directed by the City Council. *Discussion should be limited to whether an item should be added to the agenda and a date, not the merit of the item.*"

Here, the Written Petition was placed on the consent agenda with a written staff report, including a Discussion and Recommendation for City Council to take no action. This

**POST MEETING MATERIAL**

violates City Council Policy 030. We will resubmit our Written Petition so that it may be properly placed on the agenda under Written Petition and processed accordingly.

Respectfully,

A handwritten signature in blue ink, appearing to be 'R. Mezzetti II', written over the word 'Respectfully,'.

ROBERT L. MEZZETTI II

RLM/drw