



City of Santa Clara

Draft

Meeting Minutes

Council and Authorities Concurrent and Special Santa Clara Stadium Authority Meeting

06/21/2022

4:30 PM

Hybrid Meeting
Council Chambers/Virtual
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 22-9096, 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

(Comments received after 2:00 p.m. on the day of the meeting, will be made part of the public record but will not be read out loud during the meeting)

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.

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 ("The Brown Act") and Section 708 of the Santa Clara City Charter, the Chair calls for a Special Meeting of the Governing Board of the Stadium Authority, to commence and convene on June 21, 2022, at 4:30 pm for a Special Meeting to be held virtually and in the City Hall Council Chambers located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California, to consider the following matter(s) and to potentially take action with respect to them.

Closed Session - 4:30 PM | Regular Meeting - 6:00 PM

4:30 PM CLOSED SESSION

Call to Order in the Council Chambers

Mayor/Chairperson Gillmor called the meeting to order at 4:31 PM.

Roll Call

Present: 6 - Council/Boardmember Kathy Watanabe, Council/Boardmember Raj Chahal, Council/Boardmember Karen Hardy, Council/Boardmember Kevin Park, Vice Mayor/Chair Suds Jain and Mayor/Chair Lisa M. Gillmor

Absent: 1 - Council/Boardmember Anthony Becker

- 1.A** [22-848](#) 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** [22-856](#) Conference with Legal Counsel-Existing Litigation (CC, SARDA)
Pursuant to Gov. Code § 54956.9(d)(1)
County of Santa Clara, et al., v. City of San Jose, et al.
Santa Clara County Superior Court Master Case Number (consolidated)
105CV046005
- 1.C** [22-857](#) 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)
City as potential defendant: Letter from County of Santa Clara dated May 13, 2022

Public Comment

None.

Convene to Closed Session (Council Conference Room)

Council convened to Closed Session at 4:32 PM.

Council/Boardmember Becker arrived at 4:51 PM.

6:00 PM COUNCIL REGULAR/SPECIAL STADIUM MEETING

Call to Order in the Council Chambers

Mayor/Chair Gillmor called the meeting to order at 6:05 PM.

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Chahal recited the Statement of Values.

Assistant City Clerk/Secretary Pimentel recited the AB23 Announcement and Behavioral Standards. **Assistant City Clerk/Secretary Pimentel** also noted that any registered Lobbyist speaking during a public meeting must identify themselves and whom they represent.

Mayor Gillmor asked for a moment of silence for **former Santa Clara Mayor and Councilmember Lawrence (Larry) Leroy Fargher**.

[22-1240](#)

Moment Of Silence- Post Meeting Material

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

Interim City Attorney Sanchez reported on Items 1B and 1C, the City Council voted unanimously to enter into an agreement with the City of San Jose upon the following material terms:

1. City of Santa Clara releases and forever discharges its current and former claims against the City of San Jose regarding its North San Jose Area Development Plan
2. City of San Jose agrees to the following:
 - a. Construct the lane-widening of Montague Expressway over Guadalupe River
 - b. \$9.33 million to \$14 million paid to City of Santa Clara over six annual payments
 - c. San Jose shall defend and indemnify Santa Clara against third party claims

In addition, the City Council has authorized mediation with the County and San Jose regarding the County's claims and demands related to the North San Jose Area Plan. After final execution of the agreement, a copy will be available for public inspection at the City Clerk's Office.

SENIOR ADVISORY COMMISSION INTERVIEWS

2. [22-854](#) Declare a Vacancy on the Senior Advisory Commission for a Partial Term Ending June 30, 2025, Interview and Action on Appointment to fill a partial term to the Senior Advisory Commission

Recommendation: Appoint one candidate to the Senior Advisory Commission to serve a partial term ending June 30, 2025.

Assistant City Clerk Pimentel provided a brief overview on this item.

Applicant Rick Andrews and **Applicant Veena Sterling** were called to interview.

Councilmembers each casted one vote for their top applicant:

Councilmember Becker: Veena Sterling

Councilmember Hardy: Rick Andrews

Vice Mayor Jain: Veena Sterling

Mayor Gillmor: Rick Andrews

Councilmember Chahal: Veena Sterling

Councilmember Watanabe: Rick Andrews

Councilmember Park: Veena Sterling

Rick Andrews will remain on the eligibility list.

A motion was made by Vice Mayor Jain, seconded by Councilmember Becker, to appoint Veena Sterling to the Senior Advisory Commission for a partial term ending June 30, 2025.

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

Mayor Gillmor moved up Items 9 and 10 after the Consent Calendar.

SPECIAL ORDER OF BUSINESS

3.A [22-661](#) Bay 2 Brooklyn Ride Recognition

Council recognized all participants of the Bay 2 Brooklyn Ride.

Firefighter Sales provided a few remarks and introduced those that participated.

3.B [22-795](#) Proclaim June 19, 2022 as Juneteenth

Mayor Gillmor proclaimed June 19th as Juneteenth.

Council comments followed.

Presentation By Assemblyman Elect Evan Low

Assemblyman Elect Evan Low recognized the month of June as LGBTQ+ Pride Month and acknowledged Arlene Rue and Clara of the LGBTQ+ community.

CONSENT CALENDAR

Mayor Gillmor abstained on Item 4.R due to a potential conflict of interest as her office is in the Franklin Square Mall.

Councilmember Becker pulled Item 4.O.

Councilmember Watanabe pulled Item 5.B1.

Assistant City Clerk Pimentel noted that there was a clerical error on the Neighborhood University Residents Committee minutes and that they have been corrected.

Assistant to the Executive Director Jung made a clarification on Item 5.D recommendation and Item 5.B2 recommendation.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve the balance of the Consent Calendar (except Items 4.O and 5.B1).

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

4.A [22-21](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Planning Commission - March 9, 2022
Planning Commission - April 13, 2022
Planning Commission - May 11, 2022
Historical and Landmarks Commission - May 5, 2022
Neighborhood University Relations Committee (NURC) - February 7, 2022
Cultural Commission - May 2, 2022
Downtown Community Task Force - January 20, 2022

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve staff recommendation.

4.B [22-513](#) Action on Monthly Financial Status and Investment Reports for April 2022 and Approve the Related Budget Amendments

Recommendation: Note and file the Monthly Financial Status and Investment Reports for April 2022 as presented and Approve the Related Budget Amendments.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve staff recommendation.

4.C [22-635](#) Action on the Appropriation of Asset Forfeiture Funds for FY 2022/23 and Approve the Related Budget Amendment

Recommendation: 1. Approve the appropriation of Asset Forfeiture Funds in the amount of \$41,000 pursuant to State and federal Regulations; and,
2. Approve the following FY 2022/23 budget amendments:
A. In the Expendable Trust Fund, recognize Beginning Fund Balance of \$41,000 from asset forfeiture funds received and establish a Transfer to the Police Operating Grant Trust Fund (**five affirmative Council votes required for the use of unused balances**); and
B. In the Police Operating Grant Trust Fund, establish a Transfer from the Expendable Trust Fund and establish a Seized Asset Funds appropriation in the amount of \$41,000 (**five affirmative Council votes required to appropriate additional revenue**).

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.D [22-646](#) Action on Award of Purchase Order to Universal Site Services, Inc. for Parking Lot Sweeping Services at Santa Clara Convention Center Complex - Maintenance District No. 183

Recommendation:

1. Authorize the City Manager to execute a purchase order with Universal Site Services, Inc. for parking lot sweeping services at the Santa Clara Convention Center Complex - Maintenance District No. 183 for an initial one-year term, with maximum compensation not-to-exceed \$66,947 inclusive of a contingency amount of \$6,086; and
2. Authorize the City Manager to execute up to four one-year options to extend the purchase order after the initial term and to approve potential annual price adjustments, subject to the appropriation of funds.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.E [22-796](#) Action on Agreement Between the County of Santa Clara and City of Santa Clara for the Provision of Senior Nutrition Program - COVID-19 Emergency Meals and Related Budget Amendment

Recommendation:

1. Approve and authorize City Manager to execute an Agreement with the County of Santa Clara for the Senior Nutrition Program to provide emergency meals in an amount not to exceed \$56,000 for FY 2021/22;
2. Approve the related FY 2021/22 budget amendment in the Parks and Recreation Operating Grant Trust Fund to increase the Other Agencies Revenue estimate and the Senior Nutrition Program appropriation by \$56,000 (**five affirmative Council votes required to appropriate additional revenue**); and
3. Authorize the City Manager to negotiate and execute amendments and minor modifications to the Agreement for emergency meals, subject to Council appropriation of funds.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.F [22-191](#) Action on Award of Contract for the 2022 ADA Curb Ramps Project to Sposeto Engineering, Inc.

Recommendation:

1. Award the Public Works Contract for the 2022 ADA Curb Ramps Project to the lowest responsive and responsible bidder, Sposeto Engineering, Inc., in the amount of \$317,209, and authorize the City Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project; and
2. Authorize the City Manager to execute change orders up to approximately 10 percent of the original contract price, or \$31,721, for a total not to exceed amount of \$348,930.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.G [22-698](#) Action on Authorizing the City Manager to Negotiate and Execute two Lender Consent and Subordination Agreements for an Access Easement Agreement and Stormwater Easement Agreement for HomeSafe San Jose

Recommendation: Authorize the City Manager to negotiate and execute two Consent and Subordination Agreement for an Access Easement Agreement and Stormwater Easement Agreement for HomeSafe San Jose

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.H [22-492](#) Action on Amendment No. 1 to Extend the Term of the Agreement with Universal Site Services, Inc. for Cleaning Services at the Santa Clara Convention Center Complex - Maintenance District No. 183

Recommendation: Authorize the City Manager to execute Amendment No. 1 to the Agreement with Universal Site Services, Inc. for Santa Clara Convention Center Complex - Maintenance District No. 183 to extend the term of the agreement for one year ending on June 30, 2023, with no increase in the contract amount.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.I [22-160](#) Action on Amendment No. 2 to the Grant Agreement with Bay Area Air Quality Management District Grant No. 2018.245

Recommendation:

1. Authorize the City Manager, or their designee, to execute Amendment No. 2 to the Grant Agreement with Bay Area Air Quality Management District (BAAQMD) Grant No. 2018.245 to extend the term of the grant to demonstrate the feasibility of battery energy storage systems for back-up power at data centers; and
2. Delegate authority to the City Manager, or their designee, to negotiate and approve any future amendments to extend the Grant Agreement with Bay Area Air Quality Management District Grant No. 2018.245 as needed to complete the project.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.J [22-554](#) Action on the Third Amendment to the Contract Between the County of Santa Clara and City of Santa Clara - Congregate Meals for FY2022/23 and Related Budget Amendment

Recommendation:

1. Approve and authorize the City Manager to execute the Third Amendment to the Contract Between the County of Santa Clara and City of Santa Clara - Congregate Meals at the Santa Clara Senior Center in an amount not to exceed \$124,917.60 for FY 2022/23; and
2. Authorize the Office of the City Manager to negotiate and execute minor amendments to the Agreement, subject to Council appropriation of funds; and
3. Approve the related FY 2022/23 budget amendment in the Parks and Recreation Operating Grant Trust Fund to increase the Other Agencies Revenue estimate and the Senior Nutrition Program by \$3,594 (**five affirmative Council votes required to appropriate additional revenue**).

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.K [22-752](#) Action on Amendment No. 4 to an Agreement with Peninsula Corridor Joint Powers Board for the Santa Clara Train Station Parking Lot

Recommendation: Approve and authorize the City Manager to execute Amendment No. 4 to the Agreement with Peninsula Corridor Joint Powers Board to extend the term of the lease to December 31, 2022 with the option to extend up to two additional 6-month periods.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.L [22-746](#) 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 as described above at 630 Laurelwood Road, 2499 El Camino Real, 90 N. Winchester Boulevard, and 70 N. Winchester Boulevard.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to adopt Resolution No. 22-9114, authorizing the use of City Electric Forces for work as described above at 630 Laurelwood Road, 2499 El Camino Real, 90 N. Winchester Boulevard, and 70 N. Winchester Boulevard.

- 4.M [22-157](#) Action on a Resolution Making Certain Findings and Determinations and Taking Certain Actions Related to Aligning Existing Reserves of the Electric Utility With the City's Current Budget and Fiscal Policies for Utility Funds Reserves

Recommendation: Adopt a Resolution making certain findings and determinations and taking certain actions related to aligning the existing reserves of the Electric Utility with the City's current Budget and Fiscal Policies for Utility Funds Reserves.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to adopt Resolution No. 22-9107 making certain findings and determinations and taking certain actions related to aligning the existing reserves of the Electric Utility with the City's current Budget and Fiscal Policies for Utility Funds Reserves.

- 4.N [22-761](#) Action on a Resolution Authorizing the Use of City Electric Forces for New Dark Fiber Installations at Various Locations

Recommendation: Adopt a Resolution authorizing the use of City Electric Forces for New Dark Fiber Installations as described above at 1150 Walsh Avenue, 500 Benton Street, 351 Brokaw Road, and 6280 America Center Drive to 1350 Duane Avenue.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to adopt Resolution No. 22-9108, authorizing the use of City Electric Forces for New Dark Fiber Installations as described above at 1150 Walsh Avenue, 500 Benton Street, 351 Brokaw Road, and 6280 America Center Drive to 1350 Duane Avenue.

- 4.P [22-726](#) Informational Report Regarding Bi-Annual Project Status Report of the GIS Services Program

Recommendation: Note and file the Informational Report regarding the Bi-annual Project Status Report of the GIS Services Program.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve staff recommendation.

- 4.Q [22-815](#) Authorize the City Manager to execute the 2022-2025 Memorandum of Understanding Between the City of Santa Clara and the International Brotherhood of Electrical Workers (IBEW), Local 1245 (hereafter, "Unit 3"), that incorporates the terms of the Tentative Agreement, and Adoption of a Resolution to Update the Classified Salary Plan for Classifications represented by IBEW

- Recommendation:**
1. Authorize the City Manager to execute the Memorandum of Understanding between the City of Santa Clara and the International Brotherhood of Electrical Workers (IBEW), Local 1245 (Unit 3) with effective dates of December 19, 2021 - December 31, 2025, that incorporates the terms of the Tentative Agreement; and
 2. Adopt a Resolution to approve the revised salary plan for various classified positions to satisfy the requirements of California Code of Regulations Section 570.5.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to (1) authorize the City Manager to execute the Memorandum of Understanding between the City of Santa Clara and the International Brotherhood of Electrical Workers (IBEW), Local 1245 (Unit 3) with effective dates of December 19, 2021 - December 31, 2025, that incorporates the terms of the Tentative Agreement; and (2) adopt Resolution No. 22-9019 to approve the revised salary plan for various classified positions to satisfy the requirements of California Code of Regulations Section 570.5.

- 4.R [22-713](#) Informational Report Regarding Council's Request to Explore Alternatives to Fund Operations and Maintenance Costs for Parking Maintenance District No. 122 - Franklin Square

Recommendation: Note and file this informational report.

Mayor Gillmor abstained on Item 4.R due to a potential conflict of interest as her office is in the Franklin Square Mall.

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to approve staff recommendation.

Aye: 6 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, and Councilmember Becker

Abstained: 1 - Mayor Gillmor

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

- 5.A [22-802](#) Action to Award Purchase Orders to L.N. Curtis & Sons, Inc. for Personal Protective Equipment (PPE) Replacement Nomex Tops and Bottoms CapEx Project and Stryker for Lifepak CR2 AEDs Replacement CapEx Project

Recommendation: 1. Authorize the Executive Director to award a purchase order in the amount of \$9,385 to L.N. Curtis and Sons, Inc. to procure the PPE described in this report (PPE Replacement Nomex Tops CapEx Project and PPE Replacement Nomex Bottoms CapEx Project); and
2. Authorize the Executive Director to award a purchase order to Stryker in the amount of \$18,464 to procure the Lifepak CR2 AEDs described in this report (Lifepak CR2 AEDs Replacement CapEx Project).

A motion was made by Boardmember Chahal, seconded by Boardmember Hardy, to approve staff recommendation.

5.C Action on Request Submitted by the Stadium Manager for Approval to Execute an Agreement with Silicon Valley Business Journal for a Non-NFL Events Marketing Email Campaign

- 5.C.1 [22-810](#) Request from the Stadium Manager for Approval to Execute an Agreement with Silicon Valley Business Journal for a Non-NFL Events Marketing Email Campaign

- 5.C.2 [22-811](#) Report from the Stadium Authority for Action Regarding Stadium Manager's Request for Approval to Execute an Agreement with Silicon Valley Business Journal for a Non-NFL Events Marketing Email Campaign

Recommendation: Approve the Stadium Manager's request for approval to execute an agreement with SVBJ for a September 2022 Non-NFL events marketing email campaign; and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager.

A motion was made by Boardmember Chahal, seconded by Boardmember Hardy, to approve staff recommendation.

5.D Action on Request Submitted by the Stadium Manager to Award Purchase Orders to Benjamin Litho Inc. for Guest Services Printed Materials and Johnson Controls, Inc. Fire and Security for Security Cardkeys, Tags, and Supplies

- 5.D.1 [22-840](#) Request from the Stadium Manager to Award Purchase Orders to Benjamin Litho Inc. for Guest Services Printed Materials and Johnson Controls, Inc. Fire and Security for Security Cardkeys, Tags, and Supplies

5.D.2 [22-845](#)

Report from the Stadium Authority for Action Regarding the Stadium Manager's Request to Award Purchase Orders to Benjamin Litho Inc. for Guest Services Printed Materials and Johnson Controls, Inc. Fire and Security for Security Cardkeys, Tags, and Supplies

Recommendation: 1. Approve the Stadium Manager's request to award a purchase order to Benjamin Litho Inc. in the amount of \$12,501 for Guest Services printed materials; and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager; and
2. Approve the Stadium Manager's request to award a purchase order to JCI in the amount of \$7,845 for security cardkeys, tags, and supplies; and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager.

A motion was made by Boardmember Chahal, seconded by Boardmember Hardy, to approve staff recommendation.

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

9. [22-803](#)

Action on a Written Petition (Council Policy 030), Submitted by Brian Doyle, to Place an Agenda Item at a Future Council Meeting to Consider an Explanation by Councilmember Hardy and Chahal as to Non-Compliance with FPPC Law and Regulations, City of Santa Clara Lobbyist Ordinance and Council Policy 050

Recommendation: Staff makes no recommendation.

Written Petitioner Brian Doyle provided comments on his written petition.

A motion was made by **Vice Mayor Jain**, seconded by **Councilmember Park**, to request a deferral until litigation is resolved.

A substitute motion was made by **Councilmember Watanabe**, seconded by **Mayor Gillmor**, to amend as soon as possible.

Council comments followed.

A motion was made by Councilmember Watanabe, seconded by Mayor Gillmor, to consider the substitute motion.

Aye: 2 - Councilmember Watanabe, and Mayor Gillmor

Nay: 5 - Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, and Councilmember Becker

Motion Failed.

Council comments & questions followed.

Interim City Attorney Sanchez addressed **Council** questions.

Public Speaker(s): Susan Hinton (eComment)

A motion was made by Councilmember Jain, seconded by Councilmember Park, to request deferral until litigation is resolved.

Aye: 5 - Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, and Councilmember Becker

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

PUBLIC PRESENTATIONS

Public Speaker expressed comments regarding **Council** transparency and submitted a Written Petition regarding **Councilmember Park's** FPPC filing.

Brian Doyle expressed comments regarding freedom of speech and concern regarding his Written Petitions submitted.

Javier Hernandez expressed comments regarding Global Warming.

Edward Strine expressed comments regarding health and wellness.

10. [22-804](#) Action on a Written Petition (Council Policy 030), Submitted by Anurag Aggrawal and Ajay Thadhlani and Other Residents of North Santa Clara Around Levi's Stadium Requesting to Place an Agenda Item on a Future Council Meeting to Request a Debrief of the Coldplay Concert Held on Sunday, May 19, 2022

Recommendation: Staff makes no recommendation.

Written Petition Ajay Thadhlani expressed comments regarding his written petition.

Public Speaker(s): Lily

A motion was made by Councilmember Jain, seconded by Councilmember Watanabe, to place this item on a future agenda.

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

PUBLIC HEARING/GENERAL BUSINESS

6. [22-66](#) Public Hearing: Action on Resolutions Approving Water, Sewer and Recycled Water Rates to be Effective July 1, 2022 (NOT TO BE HEARD BEFORE 7:00 PM)

Recommendation: Alternative 1: Adopt the Proposed Resolutions Establishing Water Rate Schedule 2022-01, Recycled Water Rate Schedule 2022-02 and Sewer Rate Schedule S-22

Director of Water and Sewer Utilities Welling gave a Powerpoint presentation.

Council comments and questions followed.

Director of Water and Sewer Utilities Welling addressed **Council** questions.

Public Speaker(s): Edward Strine

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

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

Assistant City Clerk Pimentel noted that the City received 13 written protests relating to the proposed water increase, 14 to the proposed sewer increase which doesn't equate to a majority of the effected rate payers, therefore **Council** may proceed with considering the resolutions.

A motion was made by Vice Mayor Jain, seconded by Councilmember Watanabe, to approve Alternative 1: to adopt Resolution No. 22-9110 Establishing Water Rate Schedule 2022-01 and to adopt Resolution No. 22-9111 Recycled Water Rate Schedule 2022-02 and Sewer Rate Schedule S-22.

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

Mayor Gillmor called for a 10 minute recess at 8:24 PM and reconvened the meeting at 8:37 PM.

7. FISCAL YEAR 2022/23 AND FY 2023/24 BUDGET ACTION ITEMS

- 7.A [22-102](#) Public Hearing: Action on the Adoption of the Proposed FY 2022/23 & FY 2023/24 Biennial Capital Improvement Program Budget and FY 2022/23 Operating Budget Changes and Approval of FY 2022/23 Municipal Fee Changes to Library Community Room Rental Fees (NOT TO BE HEARD BEFORE 7:00 PM)

Recommendation: That the City Council, and the City Council acting as the Governing Boards of the Housing Authority and the Sports and Open Space Authority take the following actions:

1. Approve the Proposed FY 2022/23 and FY 2023/24 Biennial Capital Budget, including the recommended revisions detailed in Attachment 2 **(Majority Affirmative Council Votes Required)**;
2. Approve the FY 2022/23 Operating Budget changes included in the recommended revisions detailed in Attachment 2 **(Five Affirmative Council Votes Required)**;
3. Approve the Appropriation Schedule for capital funds totaling \$355,855,666 in FY 2022/23 and \$232,042,249 in FY 2023/24 and the FY 2022/23 Appropriation Schedule for operating funds totaling \$1,177,765,064 as detailed in Attachment 3 **(Majority Affirmative Council Votes Required)**;
4. Approve the Housing Authority FY 2022/23 expenditure budget of \$380,363 as presented in the Operating Budget **(Majority Affirmative Council Votes Required)**;
5. Approve the Sports and Open Space Authority FY 2022/23 expenditure budget of \$5,420 as presented in the Operating Budget **(Majority Affirmative Council Votes Required)**;
6. Adoption of a Resolution amending the library community room rental fees in FY 2022/23 Municipal Fee Schedule, including \$20 per meeting for non-profit or Santa Clara resident community events; \$90 per hour for non-resident use; and staff charges of \$30 per hour if groups require assistance throughout their reservation as shown on Attachment 4 **(Majority Affirmative Council Votes Required)**; and
7. Approve the revised Budget and Fiscal Policies as described in Attachment 6 **(Majority Affirmative Council Votes Required)**.

City Manager Batra made some opening remarks.

Director of Finance Lee gave a Powerpoint presentation on the FY 2022/23 & FY 2023/24 Biennial Capital Improvement Program Budget and FY 2022/23 Operating Budget Changes and FY 2022/23 appropriations limit.

Council comments and questions followed.

Director of Finance Lee and **City Manager Batra** addressed **Council** questions.

- 7.A [22-102](#) Public Hearing: Action on the Adoption of the Proposed FY 2022/23 & FY 2023/24 Biennial Capital Improvement Program Budget and FY 2022/23 Operating Budget Changes and Approval of FY 2022/23 Municipal Fee Changes to Library Community Room Rental Fees (NOT TO BE HEARD BEFORE 7:00 PM)

Recommendation: That the City Council, and the City Council acting as the Governing Boards of the Housing Authority and the Sports and Open Space Authority take the following actions:

1. Approve the Proposed FY 2022/23 and FY 2023/24 Biennial Capital Budget, including the recommended revisions detailed in Attachment 2 **(Majority Affirmative Council Votes Required)**;
2. Approve the FY 2022/23 Operating Budget changes included in the recommended revisions detailed in Attachment 2 **(Five Affirmative Council Votes Required)**;
3. Approve the Appropriation Schedule for capital funds totaling \$355,855,666 in FY 2022/23 and \$232,042,249 in FY 2023/24 and the FY 2022/23 Appropriation Schedule for operating funds totaling \$1,177,765,064 as detailed in Attachment 3 **(Majority Affirmative Council Votes Required)**;
4. Approve the Housing Authority FY 2022/23 expenditure budget of \$380,363 as presented in the Operating Budget **(Majority Affirmative Council Votes Required)**;
5. Approve the Sports and Open Space Authority FY 2022/23 expenditure budget of \$5,420 as presented in the Operating Budget **(Majority Affirmative Council Votes Required)**;
6. Adoption of a Resolution amending the library community room rental fees in FY 2022/23 Municipal Fee Schedule, including \$20 per meeting for non-profit or Santa Clara resident community events; \$90 per hour for non-resident use; and staff charges of \$30 per hour if groups require assistance throughout their reservation as shown on Attachment 4 **(Majority Affirmative Council Votes Required)**; and
7. Approve the revised Budget and Fiscal Policies as described in Attachment 6 **(Majority Affirmative Council Votes Required)**.

A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to approve Alternative 1: approve the Proposed FY 2022/23 and FY 2023/24 Biennial Capital Improvement Program Budget, including the recommended revisions detailed in Attachment 2 (Majority Affirmative Council Votes Required);

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

A motion was made by Vice Mayor Jain, seconded by Councilmember Hardy, to approve Alternative 2 : approve the FY 2022/23 Operating Budget changes included in the recommended revisions detailed in Attachment 2 (Five Affirmative Council Votes Required).

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

A motion was made by Vice Mayor Jain, seconded by Councilmember Hardy, to approve Alternative 3: approve the Appropriation Schedule for capital funds totaling \$355,855,666 in FY 2022/23 and \$232,042,249 in FY 2023/24 and the FY 2022/23 Appropriation Schedule for operating funds totaling \$1,177,765,064 as detailed in Attachment 3 (Majority Affirmative Council Votes Required).

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

A motion was made by Vice Mayor Jain, seconded by Councilmember Hardy, to approve Alternative 4: approve the Housing Authority FY 2022/23 expenditure budget of \$380,363 as presented in the Operating Budget (Majority Affirmative Council Votes Required).

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

A motion was made by Vice Mayor Jain, seconded by Councilmember Hardy, to approve Alternative 5: approve the Sports and Open Space Authority FY 2022/23 expenditure budget of \$5,420 as presented in the Operating Budget (Majority Affirmative Council Votes Required).

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

A motion was made by Vice Mayor Jain, seconded by Councilmember Hardy, to approve Alternative 6: adopt Resolution No. 22-9112 amending the library community room rental fees in FY 2022/23 Municipal Fee Schedule, including \$20 per meeting for non-profit or Santa Clara resident community events; \$90 per hour for non-resident use; and staff charges of \$30 per hour if groups require assistance throughout their reservation as shown on Attachment 4 (Majority Affirmative Council Votes Required).

Aye: 6 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, and Mayor Gillmor

Nay: 1 - Councilmember Becker

A motion was made by Vice Mayor Jain, seconded by Councilmember Hardy, to approve Alternative 7: approve the revised Budget and Fiscal Policies as described in Attachment 6 (Majority Affirmative Council Votes Required).

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

Council comments and questions followed.

Director of Finance Lee, Director of Community Development Crabtree, City Manager Batra, and Interim City Attorney Sanchez addressed Council questions.

A motion was made by Vice Mayor Jain, seconded by Councilmember Becker, to approve Alternative 9: add funding of \$1.0 million in the General Fund to support the El Camino Real Specific Plan, offset by a reduction to the General Fund Land Sale Reserve (Five Affirmative Council Votes Required) and direct staff to return at a later date with design standard and scope for the El Camino Real Specific Plan.

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

Mayor Gillmor recused herself from this item due a potential conflict of interest as her office is in the Franklin Square Mall.

Vice Mayor Jain recused himself from this item due a potential conflict of interest as noted by an FPPC letter.

Councilmember Watanabe presided over this item.

A motion was made by **Councilmember Becker** to approve Alternative 10: add funding of \$325,000 in the General Fund to support a precise plan for Downtown to study the potential move of City Hall to Downtown offset by a reduction to the City Council Initiatives carryover in the General Fund (Majority Affirmative Council Votes Required).

Council comments followed.

Councilmember Hardy requested a friendly amendment to include directing staff to do a comparison to building on the existing site from the 2019 study.

Councilmember Becker accepted the friendly amendment and **Councilmember Hardy** seconded the motion.

Council comments and questions followed.

Assistant City Manager Pineda and **Interim City Attorney Sanchez** addressed **Council** comments.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve Alternative 10: add funding of \$325,000 in the General Fund to support a precise plan for Downtown to study the potential move of City Hall to Downtown offset by a reduction to the City Council Initiatives carryover in the General Fund (Majority Affirmative Council Votes Required) and direct staff to do a comparison to building on the existing site from the 2019 study.

Aye: 5 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, and Councilmember Becker

Recused: 2 - Vice Mayor Jain, and Mayor Gillmor

Mayor Gillmor and **Vice Mayor Jain** returned to the Dais at 10:18 PM.

Council comments followed.

A motion was made by Councilmember Becker, seconded by Vice Mayor Jain, to approve Alternative 8: add funding of \$200,000 in the General Fund to support the Transportation Demand Management program offset by a reduction to the General Fund Land Sale Reserve (Five Affirmative Council Votes Required).

Aye: 5 - Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, and Councilmember Becker

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

Council comments followed.

A motion was made by **Councilmember Becker**, seconded by **Councilmember Chahal**, to add funding to fill the gap for the purchase of a new unit for the Lawn Bowl Club in the amount of up to \$575,000.

Council comments and questions followed.

Assistant City Manager Pineda, Director of Parks & Recreation Teixeira, and City Manager Batra addressed **Council** questions.

Councilmember Becker withdrew his motion.

CONSENT ITEMS PULLED FOR DISCUSSION

- 4.O [22-732](#) Consideration of the Schematic Design-Master Plan for the New Public Neighborhood Park proposed to be located at 1205 Coleman Avenue (Gateway Crossings Hunter Storm & Holland Partner Group Residential Project)

Recommendation: That Council approve the proposed Schematic Design-Master Plan for the New Public Neighborhood Park to be located at 1205 Coleman Avenue (Gateway Crossings Project) inclusive of added cross walk safety measures on Rickabaugh Way.

Councilmember Becker pulled this item for further discussion.

Council comments and questions followed.

Director of Parks and Recreation Teixeira addressed **Council** questions and comments.

A motion was made by **Councilmember Chahal**, seconded by **Councilmember Hardy**, to continue this item.

Public Speaker(s): Josh Rupert
Alden Smith

Council comments and questions followed.

Director of Parks and Recreation Teixeira addressed **Council** questions and comments.

Councilmember Chahal withdrew his motion.

A new motion was made by **Councilmember Chahal**, seconded by **Councilmember Watanabe**, to approve the proposed Schematic Design-Master Plan for the New Public Neighborhood Park to be located at 1205 Coleman Avenue (Gateway Crossings Project) inclusive of added crosswalk safety measures on Rickabaugh Way and to have developer the speak with Adam Thompson to review his recommendations and discuss feasibility on BBQ pits.

Council comments and questions followed.

Consultants Jacob Peterson (Peterson Studios) and Alden Smith (Holland Parter Group) addressed **Council** questions.

Public Speaker(s): Jonathan Evans (eComment)
Susan Hinton (eComment)

A motion was made by Councilmember Chahal, seconded by Councilmember Watanabe, to approve the proposed Schematic Design-Master Plan for the New Public Neighborhood Park to be located at 1205 Coleman Avenue (Gateway Crossings Project) inclusive of added crosswalk safety measures on Rickabaugh Way and to have the developer speak with Adam Thompson to review his recommendations and discuss feasibility on BBQ pits.

Aye: 7 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Park, Vice Mayor Jain, Councilmember Becker, and Mayor Gillmor

5.B Action on Request Submitted by the Stadium Manager to Execute Agreement with Blue's Roofing Company for Recoating Existing Traffic Bearing Membrane in the Seating Bowl and Concourse Areas at Levi's Stadium (General Areas/Coatings Main Deck CapEx Project)

5.B.1 [22-822](#) Request from the Stadium Manager to Execute Agreement with Blue's Roofing Company for Recoating Existing Traffic Bearing Membrane in the Seating Bowl and Concourse Areas at Levi's Stadium (General Areas/Coatings Main Deck CapEx Project)

Executive Director Batra recommended deferring this item to the next meeting due to last minute information he received.

A motion was made by Boardmember Becker, seconded by Boardmember Watanabe, to defer this item to July 5, 2022 meeting.

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

SANTA CLARA STADIUM AUTHORITY GENERAL BUSINESS

8. Action on Request Submitted by the Stadium Manager and StadCo to Add Stadium Builder's Licenses to Field Seats in the North and South End Zones of Levi's Stadium

8.A [22-580](#) Request from the Stadium Manager and StadCo to Add Stadium Builder's Licenses to Field Seats in the North and South End Zones of Levi's Stadium

- 8.B** [22-581](#) Report from the Stadium Authority for Action Regarding the Stadium Manager and StadCo's Request to Add Stadium Builder's Licenses to Field Seats in the North and South End Zones of Levi's Stadium

Recommendation: Alternatives 1, 2 and 3.

1. Approve Stadium Manager/StadCo's recommendation to add and sell SBLs priced at \$17,500 per seat for the field seats located in the North and South end zones of Levi's Stadium;
2. Authorize the Executive Director to negotiate and execute an agreement with StadCo regarding obligations related to the field seats consistent with the staff report prior to the Stadium Manager selling SBLs for the field seats; and
3. Authorize the Executive Director to work with the Stadium Manager to make modifications and provide clarifications and clean up language to the SBL template form that is in compliance with the Stadium Lease.

Executive Director Batra gave a Powerpoint presentation.

Interim Board Counsel Sanchez provided comments.

A motion was made by **Boardmember Becker**, seconded by **Boardmember Hardy**, to approve Alternatives 1, 2 and 3: (1) approve Stadium Manager/StadCo's recommendation to add and sell SBLs priced at \$17,500 per seat for the field seats located in the North and South end zones of Levi's Stadium; (2) authorize the Executive Director to negotiate and execute an agreement with StadCo regarding obligations related to the field seats consistent with the staff report prior to the Stadium Manager selling SBLs for the field seats; and (3) authorize the Executive Director to work with the Stadium Manager to make modifications and provide clarifications and clean up language to the SBL template form that is in compliance with the Stadium Lease and include a final review by the City Attorney's Office.

Board comments and questions followed.

Executive Director Batra, City Managers Office Shikada, Assistant to Executive Director Jung, and Executive Vice President, General Counsel Beauchman addressed **Board** questions.

Additional **Board** comments followed.

A motion was made by Boardmember Becker, seconded by Boardmember Hardy, to approve Alternatives 1, 2 and 3: (1) approve Stadium Manager/StadCo's recommendation to add and sell SBLs priced at \$17,500 per seat for the field seats located in the North and South end zones of Levi's Stadium; (2) authorize the Executive

Director to negotiate and execute an agreement with StadCo regarding obligations related to the field seats consistent with the staff report prior to the Stadium Manager selling SBLs for the field seats; and (3) authorize the Executive Director to work with the Stadium Manager to make modifications and provide clarifications and clean up language to the SBL template form that is in compliance with the Stadium Lease and include a final review by the City Attorney's Office.

Aye: 5 - Boardmember Chahal, Boardmember Hardy, Boardmember Park, Vice Chair Jain, and Boardmember Becker

Nay: 2 - Boardmember Watanabe, and Chair Gillmor

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Councilmember Becker reported on his attendance at the announcement that Santa Clara will host the Soccer World Cup in 2026.

Councilmember Watanabe reported attending the American Public Power Association Annual Conference and noted her attendance at the honorable Secretary Norman Mineta's Memorial Service.

Councilmember Watanabe also announced that on Wednesday nights Mission College will hold Concerts and encouraged attendance.

Councilmember Chahal reported on his attendance at the Former US Transportation of Secretary Norman Mineta's Memorial Service and noted his excitement that the City of Santa Clara will be hosting Soccer World Cup in 2026.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

None.

ADJOURNMENT

The meeting was adjourned at 12:52 AM in memory of **Laura Mahan (mother of former Santa Clara Mayor Patricia Mahan), Mario Joseph Geraci (Santa Clara resident), and former Santa Clara Mayor and Councilmember Lawrence (Larry) Leroy Fargher.**

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Chahal, to adjourn the meeting.

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

The next regular scheduled meeting is on Tuesday, July 5, 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."

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