



City of Santa Clara

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



Tuesday, August 20, 2024

4:30 PM

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

Councilmember Park will be participating remotely from the following location: Fairmont Seoul Hotel, 108 Yeoui-daero, Yeongdeungpo District, Seoul, South Korea

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

How to Submit Written Public Comment Before City Council Meeting:

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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All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk at Santa Clara City Hall, 1500 Warburton Avenue, Santa Clara, CA 95050 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. For the final document, you may contact the Office of the City Clerk at (408) 615-2220 or Clerk@santaclaraca.gov.

Closed Session - 4:30 PM | Regular Meeting - 7:00 PM

4:30 PM CLOSED SESSION

Call to Order in the Council Chambers

Confirmation of Quorum

1. 24-791 [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. Googins](#)

[Employee Organization\(s\):](#)

[Unit # 6 - AFSCME Local 101 \(American Federal of State, County and Municipal Employees\)](#)

[Unit # 9 - Miscellaneous Unclassified Management Employees](#)

[Unit #10 - PSNSEA \(Public Safety Non-Sworn Employees Association\)](#)

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 BOARD 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

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

2. 24-819 [Continuance of an Action on the Adoption of a Revised Zoning Map that resolves inconsistencies with the City's General Plan Land Use Diagram to a date certain of September 24, 2024](#)

Recommendation: Staff recommends that the City Council open the public hearing on this item and then immediately continue the request to September 24, 2024.

SPECIAL ORDER OF BUSINESS

- 3.A 24-307 [Presentation from Santa Clara Sister Cities Association and Students for Recent Visit to Izumo, Japan](#)

3.B 24-105 [Recognition of American Muslim Appreciation and Awareness Month for 2024](#)

3.C 24-749 [Proclamation of August 24, 2024 as Ukrainian Independence Day](#)

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 24-156 [Action on May 28, 2024 Joint Council and Authorities Concurrent & Stadium Authority Meeting Minutes](#)

Recommendation: Approve the May 28, 2024 Joint Council and Authorities Concurrent & Stadium Authority Meeting Minutes.

4.B 24-14 [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:
Bicycle & Pedestrian Advisory Committee - April 1, 2024
Cultural Commission - June 3, 2024
Board of Library Trustees - June 3, 2024
Civil Service Commission - April 11, 2024
Civil Service Commission - May 9, 2024
Civil Service Commission - June 13, 2024

4.C 24-724 [Action on City Bills and Claims Report for the period June 8, 2024 - July 19, 2024](#)

Recommendation: Approve the list of Bills and Claims for June 8, 2024 - July 19, 2024.

4.D 24-696 [Action to Authorize the City Manager to Execute Purchase Orders with Flyers Energy, LLC to Provide Various Mobil and Chevron Oils and Lubricants to Silicon Valley Power](#)

- Recommendation:**
1. Authorize the City Manager or designee to execute Purchase Orders with Flyers Energy, LLC for a total maximum aggregate compensation of \$100,000 to provide various Mobil and Chevron oils and lubricants to Silicon Valley Power for the period starting on or around September 1, 2024, through August 31, 2025, to be funded by the Electric Utility Fund, subject to the review and approval as to form by the City Attorney; and
 2. Authorize the City Manager or designee to issue additional Purchase Orders through June 30, 2029 to (a) order additional supplies subject to maximum compensation limits, (b) adjust rates based on evaluation compared to the applicable market index, or (c) increase the total maximum aggregate compensation to \$500,000 over the five-year period, subject to the appropriation of funds and the review and approval as to form by the City Attorney.

4.E 24-697 [Authorize the City Manager to Negotiate and Execute Agreements for Services with Pro Safety & Rescue, Inc. and Hazardous Materials Institute LLC for Confined Space Rescue Team Services for Silicon Valley Power](#)

- Recommendation:**
1. Determine that the proposed actions are exempt from CEQA pursuant to Section 15301 (Existing Facilities) of Title 14 of the California Code of Regulations;
 2. Authorize the City Manager to negotiate and execute an Agreement for Services with Pro Safety & Rescue, Inc. for confined space rescue team services for a five-year term ending on July 31, 2029, with a maximum compensation not to exceed \$750,000, to be funded by the SVP Operating or Capital Fund as applicable, subject to the review and approval as to form by the City Attorney;
 3. Authorize the City Manager to negotiate and execute an Agreement for Services with Hazardous Materials Institute LLC for confined space rescue team services for a five-year term ending on July 31, 2029, with a maximum compensation not to exceed \$750,000, to be funded by the SVP Operating or Capital Fund as applicable, subject to the review and approval as to form by the City Attorney; and
 4. Authorize the City Manager or designee to take any actions as necessary to implement and administer the above agreements and negotiate and execute amendments to (a) add or delete services consistent with the scope of services; (b) adjust future rates to account for reasonable changes in labor and materials rates; (c) increase compensation up to an aggregate amount of \$500,000 for a total aggregate maximum compensation of \$2,000,000 between the two agreements, subject to the appropriation of funds and the review and approval as to form by the City Attorney.

4.F 24-45 [Action to Authorize the City Manager to Negotiate and Execute Amendments to Agreements with Henkels & McCoy West, LLC and PAR Western Line Contractors, LLC for As-Needed Preventative Maintenance, Inspection, and Repair Services for Silicon Valley Power's Utility Overhead and Underground Transmission Facilities and Distribution Systems and Approve Related Budget Amendment](#)

- Recommendation:**
1. Determine that the proposed actions are exempt from CEQA pursuant to Section 15301 (Existing Facilities) of Title 14 of the California Code of Regulations;
 2. . Approve the following FY 2024/25 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 \$5.0 million (**five affirmative Council votes required for the use of unused balances**); and
 - B. In the Electric Utility Capital Fund, increase the transfer from the Electric Utility Fund and increase the Transmission and Distribution Betterments Project in the amount of \$5.0 million (**five affirmative Council votes required to appropriate additional revenue**).
 3. Authorize the City Manager or designee to negotiate and execute amendments to the agreements with Henkels & McCoy West, LLC and PAR Western Line Contractors, LLC for as-needed preventative maintenance, inspection, and repair services for Silicon Valley Power's Utility overhead and underground transmission facilities and distribution systems for a five-year term ending May 31, 2029, to (a) increase the maximum compensation of each agreement, with a total aggregate maximum compensation of \$20,000,000 between both agreements, (b) add or delete services consistent with the scope of services, (c) adjust future rates to account for changes such as contractor labor rates, (d) authorize a one-year option to extend the term of each agreement

- through May 31, 2030, to be funded by the SVP Operating or Capital Fund as applicable and subject to the appropriation of funds and the review and approval as to form by the City Attorney; and
4. Authorize the City Manager to take any actions as necessary to implement and administer the above agreements.

4.G 24-44 [Action to Authorize the City Manager to Negotiate and Execute Amendments to Agreements with \(a\) Rising Edge Technologies \(California\), LLC, \(b\) Power Systems Professionals, Inc., \(c\) Electric Power Systems International, Inc., and \(d\) Delta Star, Inc. for As-Needed Maintenance, Repair, and Testing Services for Electrical Equipment for Silicon Valley Power](#)

- Recommendation:**
1. Determine that the proposed actions are exempt from CEQA pursuant to Section 15301 (Existing Facilities) of Title 14 of the California Code of Regulations;
 2. Authorize the City Manager or designee to negotiate and execute amendments to agreements with: (a) Rising Edge Technologies (California), LLC, (b) Power Systems Professionals, Inc., (c) Electric Power Systems International, Inc., and (d) Delta Star, Inc., for as-needed electrical equipment maintenance, repair, and testing services for a five-year term ending May 31, 2029, to (a) increase the maximum compensation of each agreement, with a total aggregate maximum compensation of \$10,000,000 among the four agreements, (b) add or delete services consistent with the scope of services, (c) adjust future rates to account for changes in labor rates, and (d) exercise a one-year option to extend the term of each agreement through May 31, 2030, to be funded by the SVP Operating or Capital Fund as applicable, subject to the appropriation of funds and the review and approval as to form by the City Attorney; and
 3. Authorize the City Manager to take any actions as necessary to implement and administer the above agreements as amended.

4.H 24-590 Action to approve and authorize the City Manager to execute Amendment No. 1 to the Amended and Restated Affordable Housing Agreement with SHAC LS Apartments II, LLC for 3580 Rambla Place Building A in a final form approved by the City Attorney, execute minor amendments thereto, and to take any other action necessary to implement the requirement to reduce the number of affordable rental units from 53 to 43 and lower the affordability levels at 3580 Rambla Place Building A.

Recommendation: Approve and authorize the City Manager to execute Amendment No. 1 to the Amended and Restated Affordable Housing Agreement with SHAC LS Apartments II, LLC for 3580 Rambla Place Building A in a final form approved by the City Attorney, execute minor amendments thereto, and to take any other action necessary to implement the requirement to reduce the number of affordable rental units from 53 to 43 and lower the affordability levels at 3580 Rambla Place Building A.

4.I 24-688 [Action on Amendment No. 2 to the Agreement with Granicus, LLC for the City's Website Content Management System](#)

- Recommendation:**
1. Authorize the City Manager or designee to negotiate and execute Amendment No. 2 to the Agreement with Granicus, LLC for a software-as-a-service content management system including software subscription, web design, support and maintenance, and related professional services to extend the term of the agreement through August 31, 2027 and increase the maximum compensation by \$320,884.52 for a revised not-to-exceed maximum amount of \$983,999.52, subject to the appropriation of funds and approval as to form by the City Attorney; and
 2. Authorize the City Manager or designee to take any actions as necessary to implement and administer the agreement with Granicus, LLC and negotiate and execute amendments to (a) add and/or delete system functionalities as required within contractual maximum compensation limitations, (b) exercise the option to extend the term of the agreement for up to three years through August 31, 2030, and increase the maximum compensation by an additional \$353,000 for a total aggregate maximum compensation not to exceed \$1,336,999.52 for the extended term, subject to the appropriation of funds and approval as to form by the City Attorney.

4.J 24-633 [Action on a Resolution Ordering the Vacation of an Emergency Vehicle Access Easement At 1111 Comstock Street](#)

- Recommendation:**
1. Adopt a Resolution Ordering the Vacation of the Emergency Vehicle Access Easement at 1111 Comstock Street [APN 224-08-092]; and
 2. Authorize the recordation of the Resolution.

4.K 24-510 [Action to Adopt the Americans with Disabilities Act Self-Evaluation and Transition Plan, Unfreeze 1.0 Associate Engineer position in the Department of Public Works to Support ADA Plan Implementation, and Approve Related Budget Amendments](#)

Recommendation: 1. Adopt the Americans with Disabilities Act Self-Evaluation and Transition Plan;
2. Authorize the City Manager to take any and all actions necessary to modify, edit, update, maintain, and implement the Self-Evaluation and Transition Plan;
3. Approve Unfreezing of 1.0 Associate Engineer position in the Department of Public Works; and
4. Approve the FY 2024/25 budget amendment in the General Fund to increase the Department of Public Works budget and decrease the Budget Stabilization Reserve in the amount of \$200,000
(five affirmative Council votes required for the use of unused balances).

4.L 24-754 [Action on Two Resignations: One Resignation on the Bicycle and Pedestrian Advisory Committee and One resignation on the Cultural Commission, and Appointment from the Council Approved Eligibility List](#)

Recommendation: Accept the resignation of outgoing Committee member Clark Seninger and Commissioner Paul McNamara effective immediately; declare the vacancy on the Bicycle and Pedestrian Advisory Committee and Cultural Commission; and appoint from the Council approved eligibility list: Hung Duong to the Bicycle and Pedestrian Advisory Committee to fill a partial-term ending June 30, 2027 and Swami Krishnamoorthy to the Cultural Commission for a partial term ending June 30, 2028.

4.M 24-782 [Action on Council and Authorities Concurrent and Stadium Authority Meetings for 2025](#)

Recommendation: Set the 2025 calendar year Council and Authorities Concurrent and Stadium Authority as reflected on the attached calendar.

- 4.N 24-801 [Action to Waive Second Reading and Adopt Ordinance No. 2070 to Amend Title 18 \(“Zoning”\) of the Santa Clara City Code \(the Zoning Code “Cleanup” Ordinance\), Including Changes to Single-Family Setbacks to be Consistent with the City’s Adopted Residential Design Guidelines.](#)

Recommendation: Waive second reading and adopt Ordinance No. 2070 to amend Title 18 (“Zoning”) of the Santa Clara City Code (the Zoning Code “Cleanup” Ordinance), including changes to single-family setbacks to be consistent with the City’s adopted Residential Design Guidelines.

SANTA CLARA STADIUM AUTHORITY BOARD CONSENT CALENDAR

5. 24-694 [Action on Stadium Authority Bills and Claims for the Month of June 2024](#)

Recommendation: Approve the list of Stadium Authority Bills and Claims for June 2024.

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. 24-800 [Note and File the Silicon Valley Power Bi-Annual Update](#)

Recommendation: Note and file the Silicon Valley Power Bi-Annual Update.

7. **24-742** [Approval of Twelve \(12\) New Positions for Silicon Valley Power and One \(1\) New Position in the City Attorney's Office to Support Silicon Valley Power's Expanded System](#)

Recommendation: That the City Council approve the addition of twelve new positions for Silicon Valley Power and 1.0 new position in the City Attorney's Office to support Silicon Valley Power's expanded system as follows:

- One Principal Electric Utility Engineer
- One Senior Electric Utility Engineer
- Three Electric Utility Engineers
- One Assistant Electric Utility Engineer
- One Electric Division Manager
- One Senior Resource Analyst
- One Principal Power Analyst
- One Senior Business Analyst
- Two Power Contract Specialists
- One Deputy City Attorney

8. 24-740 [Action to Delegate Authority to the City Manager to Negotiate, Approve, and Execute Agreements with Aquamarine Westside, LLC and Castanea Project, LLC to Purchase Up to 350 MW of Solar and 135 MW of Battery Energy Storage for up to \\$73.2 Million Annually](#)

Recommendation:

1. Authorize the City Manager or designee to negotiate, approve, and execute a Power Purchase Agreement with Aquamarine Westside, LLC to purchase renewable solar energy and associated attributes from the Aquamarine project on the terms presented, subject to the review and approval as to form by the City Attorney;
2. Authorize the City Manager or designee to negotiate, approve, and execute a Power Purchase Agreement with Castanea Project, LLC to purchase renewable solar energy, battery storage products, and associated attributes from the Castanea project on the terms presented, subject to the review and approval as to form by the City Attorney;
3. Authorize the City Manager or designee to execute all documents, agreements, and certificates as may be required under the terms of the above power purchase agreements, subject to the review and approval as to form of the City Attorney, including, but not limited to, collateral assignment agreements, estoppel certificates, and performance security documentation; and
4. Authorize the City Manager or designee to (a) take any and all actions as are necessary or advisable to implement and administer the power purchase agreements; and (b) approve and execute future amendments to the Agreements so long as the contract price and term are not modified, subject to the review and approval as to form by the City Attorney.

REPORTS OF MEMBERS, SPECIAL COMMITTEES AND COUNCILMEMBER 030 REQUESTS

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

ADJOURNMENT

The next regular scheduled meeting is on Tuesday, August 27, 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.