



City of Santa Clara

Revised Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, April 6, 2021

4:00 PM

Virtual Meeting

****Revisions:**

Added Closed Session Item 21-552 and Item 21-556

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented 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.

4:00 PM CLOSED SESSION

Call to Order

Roll Call

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.

- 1.A 21-552** [Pursuant to California Government Code Section 54956.9\(d\)\(2\) and \(e\)\(3\) and Section 54956.9\(d\)\(4\):](#)
[CONFERENCE WITH CITY'S OUTSIDE ATTORNEY -](#)
[ANTICIPATED LITIGATION](#)
[One \(1\) item of anticipated litigation \(Continued from April 1, 2021\)](#)

- 1.B 21-532** [Conference with Labor Negotiators \(CC\)](#)
[Pursuant to Gov. Code § 54957.6](#)
[City representative: Deanna J. Santana, City Manager \(or designee\)](#)
[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 \(Public Safety Non-Sworn Employees Association\)](#)
[\(Continued from March 23, 2021\)](#)
- 1.C 21-542** [Conference with Legal Counsel-Anticipated Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(4\) - Initiation of litigation](#)
[Number of potential cases: 1](#)
[Facts and Circumstances: Consideration of recommendations contained in the TAP International Financial Audit Titled "Contract Close Out Review: Convention and Visitor's Bureau"](#)
- 1.D 21-556** [Conference with Legal Counsel-Existing Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)
[City of Santa Clara v. Yumori Kaku, et al., California Sixth District Court of Appeal Case No. H046105](#)

Convene to Closed Session

5:30 PM COUNCIL REGULAR MEETING

**Open Session to be heard at 5:30 PM or shortly thereafter*

Pledge of Allegiance and Statement of Values

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

SPECIAL ORDER OF BUSINESS

- 2.A 21-235 [Recognize Local Author Marvin J. Sung](#)
- 2.B 21-266 [Presentation of Cultural Commission Work Plan Goals and Activities](#)
- 2.C 21-392 [Verbal Report from City Manager regarding COVID-19 Pandemic](#)

STUDY SESSION

- 3. 21-918 [Study Session: Housing Element Update](#)

Recommendation: Note and file the report on the Housing Element Update.

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 21-08 [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:

- City-School Liaison Committee - September 2, 2020
- Parks & Recreation Commission - February 16, 2021
- Senior Advisory Commission - February 22, 2021
- Downtown Community Task Force - January 21, 2021
- Downtown Community Task Force - February 3, 2021
- Downtown Community Task Force - February 18, 2021
- Santa Clara Tourism Improvement District Advisory Board - October 8, 2020
- Santa Clara Tourism Improvement District Advisory Board - December 10, 2020
- Santa Clara Tourism Improvement District Advisory Board - January 8, 2021
- Santa Clara Tourism Improvement District Advisory Board - January 21, 2021
- Santa Clara Tourism Improvement District Advisory Board - February 18, 2021

4.B 21-533 [Action on Council Priority Setting Session Minutes of Day 1-February 1, 2021 and Day 2 - February 2, 2021](#)

Recommendation: Approve the meeting minutes of:
Council Priority Setting Session Day 1 - February 1, 2021
Council Priority Setting Session Day 2 - February 2, 2021

4.C 21-200 [Action on an Agreement for Services with Milton Security Group, Inc. for Information Technology Support Services for Silicon Valley Power](#)

Recommendation:

1. Authorize the City Manager to execute an Agreement for Services with Milton Security Group, Inc. for information technology support services, for a term starting on May 1, 2021 and ending on April 30, 2026 for total maximum amount not-to-exceed compensation of \$4,500,000, subject to the annual appropriation of funds; and
2. Authorize the City Manager to execute up to five one-year options to extend the term of the Agreement after the initial term, ending April 30, 2031, assuming all options are exercised, and subject to the annual appropriation of funds.

4.D 21-48 [Action on an Agreement with Studio G Architects, Inc. for Design and Engineering Support Services for the Utilities Corporation Yard Field Services Center Building Renovation Project \(CE 20-21-12\)](#)

Recommendation:

1. Approve and authorize the City Manager to execute a Design Services Agreement with Studio G Architects, Inc. for the Utilities Corporation Yard Field Services Center Building Renovation Project in the amount not-to-exceed \$224,000; and
2. Authorize the City Manager make minor, non-substantive modifications, including time extensions, to the Agreement, if needed.

4.E 21-1262 [Action on an Agreement with Plump Engineering, Inc. for Design Professional Services for the Bowers Park Building and Sarah Fox Mausoleum Roof Rehabilitation Project](#)

- Recommendation:**
1. Approve and authorize the City Manager to execute an agreement with Plump Engineering, Inc. for the Bowers Park Building and Sarah Fox Mausoleum Roof Rehabilitation Project in the amount not-to-exceed \$136,390; and
 2. Authorize the City Manager to make minor modifications, including time extensions, to the agreement, if needed.

4.F 21-201 [Action on an Agreement for Services with Flynn Resource Consultants, Inc. for As-needed Transmission System Analysis, and Related Engineering Consultant Services](#)

- Recommendation:**
1. Authorize the City Manager to execute an Agreement for Services with Flynn Resource Consultants, Inc. for as-needed Transmission System Analysis, and Related Engineering Consultant Services, for a term starting on or about May 1, 2021 and ending on or about April 30, 2026 for total maximum amount not-to-exceed \$5,000,000 during the initial term, subject to the annual appropriation of funds; and
 2. Authorize the City Manager to execute up to five one-year options to extend the term of the Agreement after the initial term, ending April 30, 2031, assuming all options are exercised, and subject to the annual appropriation of funds.

4.G 21-414 [Action on Microsoft Enterprise Agreement and Enrollment with Dell Marketing, LP, for Microsoft Office 365 Software and Enterprise Licenses](#)

- Recommendation:**
1. Authorize the continued participation in the Microsoft Enterprise License Agreement for State and Local Governments (“Enterprise Agreement”), a cooperative agreement administered by the County of Riverside, California on behalf of State and Local public agencies and enrollment with Dell Marketing, LP, pursuant to the terms and conditions of the Enterprise Agreement;
 2. Authorize the City Manager to execute purchase orders and other required enrollment documentation to purchase Microsoft Office 365 and related enterprise licenses for an initial three-year term beginning on May 1, 2021 and ending on April 30, 2024 in an amount not to exceed \$1,382,424, which includes a 5% annual contingency for increase in license counts, subject to the appropriation of funds;
 3. Authorize the City Manager to execute up to one additional three-year option to extend the term after the initial term through April 30, 2027, subject to the appropriation of funds; and
 4. Authorize the City Manager to issue amendments, change orders, and enrollment documents as required to cover any unanticipated changes, including subscriptions at the Enterprise Agreement discounted rates as may be required, subject to the appropriation of funds.

4.H 21-202 [Action on an Agreement for Services with Energy Project Solutions, LLC for Gas Pipeline Compliance, Inspection, Maintenance, and Repair Services](#)

- Recommendation:**
1. Authorize the City Manager to execute an Agreement for Services with Energy Project Solutions, LLC for Gas Pipeline Compliance, Inspection, Maintenance, and Repair Services, for an initial term starting on May 1, 2021 and ending on April 30, 2026 for total maximum compensation not-to-exceed \$3,186,900, subject to the annual appropriation of funds;
 2. Authorize the City Manager to execute up to five one-year options to extend the term of the Agreement after the initial term, ending April 30, 2031, subject to the annual appropriation of funds; and
 3. Authorize the City Manager to add or delete services consistent with the scope of the agreement, and allow future rate adjustments subject to request and justification by contractor, approval by the City, and the appropriation of funds.

4.I 21-129 [Action on the Award of Purchase Order to Bear Electrical Solutions, Inc. for Traffic Signal Maintenance, Repair, and Support Services](#)

- Recommendation:**
1. Authorize the City Manager to execute a Purchase Order with Bear Electrical Solutions, Inc. for traffic signal maintenance, repair, and support services, for a term starting on or about April 6, 2021 and ending on or about April 6, 2023 for a maximum amount not-to-exceed \$1,558,346, subject to the appropriation of funds; and
 2. Authorize the City Manager to exercise up to three one-year options to extend the term of the purchase order after the initial term through February 28, 2026 for ongoing traffic signal maintenance, repair, and support services, subject to the appropriation of funds.

4.J 21-1241 [Action of the Award of Purchase Orders with Quality Traffic Data, LLC and Traffic Data Service CA, LLC for Traffic Data Collection Services](#)

- Recommendation:**
1. Authorize the City Manager to execute a purchase order with Quality Traffic Data, LLC for traffic data collection services, for a term ending on or about April 6, 2022 for a total amount not-to-exceed \$60,000, subject to the appropriation of funds;
 2. Authorize the City Manager to execute a purchase order with Traffic Data Service CA, LLC for traffic data collection services, for a term ending on or about April 6, 2022 for a total amount not-to-exceed \$60,000, subject to the appropriation of funds; and
 3. Authorize the City Manager to exercise up to four one-year options to extend the term of both purchase orders after the initial term through April 6, 2026 for ongoing traffic data collection services, subject to the appropriation of funds.

4.K 21-389 [Action on Award of Contract for the 2021 Annual Street Maintenance and Rehabilitation Project \(CE 20-21-02\) to O’Grady Paving, Inc. and Related Budget Amendment](#)

- Recommendation:**
1. Award the Public Works Contract for the 2021 Annual Street Maintenance and Rehabilitation Project (CE 20-21-02), including the Base Bid, Add Alternate A, and Add Alternate B, to the lowest responsive and responsible bidder, O’Grady Paving, Inc., in the amount of \$6,840,367 and authorize the City Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project;
 2. Authorize the City Manager to execute change orders up to approximately 10 percent of the original contract price, or \$684,033, for a total project budget not to exceed amount of \$7,524,400; and
 3. Consistent with City Charter Section 1305, “*At any meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by the **affirmative votes of at least five members** so as to authorize the transfer of unused balances appropriated for one purpose to another purpose, or to appropriate available revenue not included in the budget,*” approve the following FY 2020/21 budget amendments:
 - A. In the Streets and Highways Capital Fund, recognize transfers of \$87,260 from the Water Utility Fund and \$87,260 from the Sewer Utility Fund, and increase the Annual Street Maintenance and Rehabilitation Program project by \$174,520 (**five affirmative Council votes required to appropriate additional revenue**);
 - B. In the Water Utility Fund, increase the transfer to the Streets and Highways Capital Fund and reduce the unrestricted ending fund balance by \$87,260 (**five affirmative Council votes required for the use of unused balances**); and
 - C. In the Sewer Utility Fund, increase the transfer to Streets and Highways Capital Fund and reduce the unrestricted ending

fund balance by \$87,260. (five affirmative Council votes required for the use of unused balances).

4.L 21-445 [Action on a Resolution Approving Purchase and Sale Agreements for Electric Utility Easements on the South Loop Reconfigure Project for the following properties: 999 Martin Avenue \[224-60-005\], 1055 Martin Avenue \[224-60-011\], 1061 Martin Avenue & 1199 Martin Avenue \[224-60-013 & 224-60-012\], 1261 Martin Avenue \[224-60-014\], 1501 Martin Avenue \[224-61-004\], and 2311 Lafayette Street \[224-40-008\]](#)

Recommendation: 1. Adopt the Resolution approving the Purchase and Sale Agreements for overhead electric easements at 999 Martin Avenue [224-60-005], 1055 Martin Avenue [22460-011], 1061 Martin Avenue & 1199 Martin Avenue [224-60-013 & 224-60-012], 1261 Martin Avenue [224-60-014], 1501 Martin Avenue [224-61-004], and 2311Lafayette Street [224-40-008]; and
2. Authorize the recordation thereof.

4.M 21-153 [Action on Adoption of a Resolution of Intention to Establish the Santa Clara Tourism Improvement District under the Property and Improvement District Law of 1994](#)

Recommendation: Alternative 1: Adopt a Resolution of Intention declaring the City's intent to establish the Santa Clara Tourism Improvement District (SCTID) for 5 years starting July 1, 2021.

4.N 21-69 [Action on Introduction of an Ordinance to Reinstate the International Exchange Commission \(IEC\)](#)

Recommendation: Approve the introduction of an ordinance to reinstate the International Exchange Commission, and amend the powers, functions, and duties of the Cultural Commission.

4.O 21-223 [Note and File Ten-Year Goals for Silicon Valley Power's Energy Efficiency Program](#)

Recommendation: Note and File Ten-Year Goals for Silicon Valley Power's Energy Efficiency Program.

- 4.P 21-233 [Action on a Resolution Authorizing the Filing of an Application with the Metropolitan Transportation Commission for Allocation of Transportation Development Act Article 3, Pedestrian and Bicycle Project Funding for Fiscal Year 2021/22](#)

Recommendation: Adopt a Resolution Authorizing the Filing of an Application with the Metropolitan Transportation Commission for Allocation of Transportation Development Act Article 3, Pedestrian and Bicycle Project Funding for Fiscal Year 2021/22.

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

5. 21-196 [Consideration of Silicon Valley Power Quarterly Strategic Plan Update](#)

Recommendation: Note and file the Silicon Valley Power Quarterly Strategic Plan Update.

6. 21-228 Action on a Resolution authorizing the City Manager to Negotiate and Execute Master Service Agreements with General Electric Packaged Power LLC and TransCanada Turbines to Perform Gas Turbine Engine Field and Depot Services subject to the following conditions:
1. Each agreement shall have an initial term of five years and shall have a maximum amount not-to-exceed set by the City Manager subject to an aggregate maximum authority of \$30,000,000 during the initial term with annual spending subject to the annual appropriation of funds;
 2. The City Manager shall be authorized to add or delete services consistent with the scope of the agreements and allow future rate adjustments subject to justification by contractor and the appropriation of funds; and
 3. Authorize the City Manager to execute up to five one-year options to extend the term of the master service agreements, subject to the annual appropriation of funds.

Recommendation: Adopt a Resolution authorizing the City Manager to Negotiate and Execute Master Service Agreements with General Electric Packaged Power, LLC and TransCanada Turbines to perform gas turbine engine field and depot services subject to the following conditions:

1. Each agreement shall have an initial term of five years and shall have a maximum amount not-to-exceed set by the City Manager subject to an aggregate maximum authority of \$30,000,000 during the initial term with annual spending subject to the annual appropriation of funds;
2. The City Manager shall be authorized to add or delete services consistent with the scope of the agreements and allow future rate adjustments subject to justification by contractor and the appropriation of funds; and
3. Authorize the City Manager to execute up to five one-year options to extend the term of the master service agreements, subject to the annual appropriation of funds.

7. **21-365** [Report from the Chair of the Downtown Community Task Force \(DCTF\) on the status of the work of the Task Force](#)

Recommendation: There is no staff recommendation.

8. **21-521** [Discussion on Consideration of the Sale of the Loyalton Ranch Property \(Continued from March 23, 2021\)](#)

Recommendation: Staff has no recommendation and is seeking Council direction.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

- 21-501** [Update on City Council and Stadium Authority Staff Referrals](#)

- 21-507** [Tentative Meeting Agenda Calendar \(TMAC\)](#)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, April 20, 2021.

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)

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.