



# City of Santa Clara

## Minutes



Draft

### Joint Council and Authorities Concurrent & Santa Clara Stadium Authority Meeting

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01/09/2024

7:00 PM

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

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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

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**7:00 PM JOINT CITY COUNCIL/STADIUM AUTHORITY BOARD MEETING**

**Call to Order in the Council Chambers**

**Mayor/Chair Gillmor** called the meeting to order at 7:04 p.m.

**Pledge of Allegiance and Statement of Values**

**Council/Board** recited the Pledge of Allegiance.

**Council/Boardmember Jain** recited the Statement of Values.

**Assistant City Clerk/Secretary Pimentel** recited the AB23 announcement and Statement of Behavioral Standards.

**Assistant City Clerk/Secretary Pimentel** also noted that any registered Lobbyist speaking during Public Meeting will need to identify themselves and who they represent.

**Roll Call**

**Present:** 7 - Council/Boardmember Kathy Watanabe, Council/Boardmember Raj Chahal, Council/Boardmember Karen Hardy, Vice Mayor/Chair Kevin Park, Council/Boardmember Suds Jain, Council/Boardmember Anthony Becker, and Mayor/Chair Lisa M. Gillmor

**CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS**

There were none.

**CONSENT CALENDAR**

**Mayor/Chair Gillmor** abstained on voting for Item 1.F due to a potential conflict of interest as her office is located within the Downtown Zoning District.

**Council/Boardmember Chahal** asked a clarification question on Item 1.G. and **Community Development Acting Director Brilliot** responded.

**A motion was made by Council/Boardmember Hardy, seconded by Council/Boardmember Becker, to approve the Consent Calendar.**

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

1.A [24-1631](#) Board, Commissions and Committee Minutes

**Recommendation:** Note and file the Minutes of:  
Planning Commission Special Meeting - November 15, 2023

**A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to note and file the minutes of the November 15, 2023 Planning Commission Special Meeting.**

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

1.B [24-1512](#) Action on City Bills and Claims Report for the period November 11, 2023 - December 1, 2023

**Recommendation:** Approve the list of Bills and Claims for November 11, 2023 - December 1, 2023.

**A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve the list of Bills and Claims for November 11, 2023 - December 1, 2023.**

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

1.C [24-1515](#) Action on Monthly Financial Status and Investment Reports for October 2023 and Approve the Related Budget Amendments

**Recommendation:**

1. Note and file the Monthly Financial Status Reports and Monthly Investment Reports for October 2023 as presented; and
2. Approve the FY 2023/24 Budget Amendment in the Convention Center Enterprise Fund, eliminating the interfund services appropriation and increasing the unrestricted ending fund balance in the amount of \$280,583 (**majority affirmative Council votes required**).

**A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to note and file the Monthly Financial Status Reports and Monthly Investment Reports for October 2023 as presented; and approve the FY 2023/24 Budget Amendment in the Convention Center Enterprise Fund, eliminating the interfund services appropriation and increasing the unrestricted ending fund balance in the amount of \$280,583.**

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

- 1.D [24-1422](#) Action on Award of Purchase Order to Republic EVS for the Purchase of a Medix Specialty Vehicle Type 1, MSV 170 Ambulance, and Approve the Related Budget Amendments

- Recommendation:**
1. Authorize the City Manager to execute a purchase order with Republic EVS for a new Medix Specialty Vehicle Type 1, MSV 170 ambulance for a maximum not-to-exceed amount of \$315,000, inclusive of sales tax and applicable fees.
  2. Approve the following FY 2023/24 budget amendments:
    - a. In the General Fund, increase the Other Fees for Services estimate by \$155,000 for the recognition of Fire ambulance transport revenues and increase the transfer to the Vehicle Replacement Fund by \$155,000 (**five affirmative Council votes required to appropriate additional revenue**); and
    - b. In the Vehicle Replacement Fund, increase the transfer from the General Fund by \$155,000 and increase the Capital Outlay appropriation by \$155,000 (**five affirmative Council votes required to appropriate additional revenue**).

**A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to authorize the City Manager to execute a purchase order with Republic EVS for a new Medix Specialty Vehicle Type 1, MSV 170 ambulance for a maximum not-to-exceed amount of \$315,000, inclusive of sales tax and applicable fees; to approve the following FY 2023/24 budget amendments: a) in the General Fund, increase the Other Fees for Services estimate by \$155,000 for the recognition of Fire ambulance transport revenues and increase the transfer to the Vehicle Replacement Fund by \$155,000; and b) in the Vehicle Replacement Fund, increase the transfer from the General Fund by \$155,000 and increase the Capital Outlay appropriation by \$155,000.**

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

- 1.E [24-1405](#) Appointment of Alternate BPAC Member to the Santa Clara Station Area Plan Task Force (SATF)

- Recommendation:** 1. Appoint Sukrit Ganesh to represent the BPAC on the SATF.

**A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to appoint Sukrit Ganesh to represent the Bicycle and Pedestrian Advisory Committee on the Santa Clara Station Area Plan Task Force.**

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

**1.F**     [24-1605](#)     Action to Waive Second Reading and Adopt Ordinance No. 2065 Amending the Zoning Code to Create the Downtown Zoning District and Make Corresponding Changes to the Zoning Map.

**Recommendation:** Waive second reading and adopt Ordinance No. 2065 amending the Zoning Code to create the Downtown Zoning District and make corresponding changes to the zoning map.

**A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to waive second reading and adopt Ordinance No. 2065 amending the Zoning Code to create the Downtown Zoning District and make corresponding changes to the zoning map.**

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

**Abstained:** 1 - Mayor Gillmor

**1.G**     [24-1619](#)     Action to Waive Second Reading and Adopt Ordinance No. 2066 amending Title 18 of the Santa Clara City Code to Implement the Zoning Code Update Including Changes as Recommended by the Planning Commission.

**Recommendation:** Waive Second Reading and Adopt Ordinance No. 2066 amending Title 18 of the Santa Clara City Code to implement the Zoning Code Update including changes as recommended by the Planning Commission.

**A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to waive second reading and adopt Ordinance No. 2066 amending Title 18 of the Santa Clara City Code to implement the Zoning Code Update including changes as recommended by the Planning Commission.**

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

**SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR**

2.A [24-1525](#) Action on Stadium Authority Bills and Claims for the Month of October 2023

**Recommendation:** Approve the list of Stadium Authority Bills and Claims for October 2023.

**A motion was made by Boardmember Hardy, seconded by Boardmember Becker, to approve the list of Stadium Authority Bills and Claims for October 2023.**

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

2.B [24-1507](#) Action on Stadium Manager's Request to Approve an Agreement with Giant Construction LLC for the Women's Locker Room CapEx Project

**Recommendation:**

1. Approve the Stadium Manager's request to award an agreement to Giant Construction LLC in the amount of \$239,900 to retrofit the auxiliary locker room area for the Women's Locker Room CapEx Project;
2. Authorize the Stadium Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of the project; and
3. Authorize the Stadium Manager to execute change orders for the agreement up to \$23,990 for a total not to exceed amount of \$263,890.

**A motion was made by Boardmember Hardy, seconded by Boardmember Becker, to approve the Stadium Manager's request to award an agreement to Giant Construction LLC in the amount of \$239,900 to retrofit the auxiliary locker room area for the Women's Locker Room CapEx Project; to authorize the Stadium Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of the project; and to authorize the Stadium Manager to execute change orders for the agreement up to \$23,990 for a total not to exceed amount of \$263,890.**

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

**PUBLIC PRESENTATIONS**

**Sen Yang** spoke on the noise levels of gasoline leaf blowers in his neighborhood.

**James Rowan (phone 2669)** spoke on the disconnect between local officials and the citizens.

**CONSENT ITEMS PULLED FOR DISCUSSION**

There were no items pulled from the Consent Calendar.

**PUBLIC HEARING/GENERAL BUSINESS**

3. [24-1400](#) Public Hearing: Action on Architectural Review for a Single-Family Residential Addition at 1485 Bellomy Street.

**Recommendation:**

1. Determine the project to be categorically exempt from CEQA under Class 1(e)(2) (Existing Facilities).
2. Adopt a resolution to approve an Architectural Review of the proposed first- and second-story addition at 1485 Bellomy Street, subject to conditions of approval.

**Councilmember Jain** recused himself from this item and left the dais due to a potential conflict of interest as his residence is within 1,000 feet of the property.

**City Manager Grogan** introduced the item and **Community Development Acting Director Brilliot** provided a PowerPoint presentation on the architectural review for a single-family residential addition at 1485 Bellomy.

**Council** questions followed.

**Community Development Acting Director Brilliot** responded to **Council** questions.

**Applicants Priscilla and Giovanni Bui** provided a PowerPoint presentation on the single-family residential addition at 1485 Bellomy Street.

Public Comment:

Julie Salinas (total of 8 minutes, time given by Anna Klara Maj, Suelinn Moore, Shea Salinas)

Rob Mayer (total 4 minutes, time given by Rebecca Fung)

Jonathon Evans

Candida Diaz

Noreen Carlson

Sigrid Jacobsen

Public Speaker

Pedro Diaz

eComment:

Cara

Pham

Michael Wallace

**Applicant Priscilla and Giovanni Bui** provided rebuttal to Public Comment.



**Community Development Acting Director Brilliot** responded to Public Comment.

**A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to close the Public Hearing.**

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

**Recused:** 1 - Councilmember Jain

**Council** comments followed.

A motion was made by **Councilmember Becker**, seconded by **Vice Mayor Park**, to deny based on not being able to make the architectural review finding regarding the project not being harmonious to character of the neighborhood.

**Mayor Gillmor** asked maker of the motion to refer this item back to the Architectural Review process.

**Councilmember Becker** and **Vice Mayor Park** agreed to the substitute motion.

**A substitute motion was made by Councilmember Becker, seconded by Vice Mayor Park, to refer this project back through the Architecture Review process to include design review.**

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

**Recused:** 1 - Councilmember Jain

**Mayor Gillmor** called for a meeting recess at 9:12 p.m. and reconvened the meeting at 9:22 p.m.

4. [24-1442](#) Action to Authorize the City Manager to Complete Negotiations and Execute an Amendment to the Renewable Energy Purchase and Sale Agreement with Energia Sierra Juarez U.S., LLC, to Purchase Renewable Energy from the Cimarrón Wind Project

**Recommendation:** Authorize City Manager to negotiate, approve, and execute a first amendment to the Renewable Energy Purchase and Sale Agreement with Energia Sierra Juarez U.S., LLC, on the terms presented in an amount of approximately \$93 million a year, subject to final review and approval as to form by the City Attorney

**City Manager Grogan** introduced this item.

**Chief Utility Officer Pineda** provided a PowerPoint presentation on the renewable energy purchase and sale agreement with Energia Sierra Juarez U.S., LLC, to purchase renewable energy from the Cimarrón Wind Project.

**Council** questions followed.

**Chief Utility Officer Pineda** responded to **Council** questions.

Public Comment:  
Linda

**A motion was made by Councilmember Jain, seconded by Councilmember Chahal, to authorize the City Manager to negotiations and execute an amendment to the Renewable Energy Purchase and Sale Agreement with Energia Sierra Juarez U.S., LLC, to purchase reviewable energy from the Cimarrón Wind Project.**

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

5. [24-1622](#) Action to Approve a Merit-based Salary Adjustment for City Manager and to Adopt a Resolution Approving and Adopting the Updated Unclassified Salary Plan that increases the annual base salary for the City Manager to \$418,220.76

**Recommendation:**

1. Approve a merit-based salary adjustment for the City Manager in the amount of \$5,063.28, effective as of December 24, 2023; and
2. Adopt a Resolution to approve the revised unclassified salary plan that adjusts the City Manager annual salary to \$418,220.76, to satisfy the requirements of California Code of Regulations Section 570.5, effective December 24, 2023; and

Council provided comments.

**A motion was made by Councilmember Hardy, seconded by Councilmember Chahal, to approve a merit-based salary adjustment for the City Manager in the amount of \$5,063.28, effective as of December 24, 2023; and adopt Resolution 24-9300 to approve the revised unclassified salary plan that adjusts the City Manager annual salary to \$418,220.76, to satisfy the requirements of California Code of Regulations Section 570.5, effective December 24, 2023.**

**Aye:** 4 - Councilmember Chahal, Councilmember Hardy, Vice Mayor Park, and Councilmember Jain

**Nay:** 3 - Councilmember Watanabe, Councilmember Becker, and Mayor Gillmor

6. [24-1361](#) Action on Annual Appointment of Vice Mayor and Chaplain

- Recommendation:**
1. Appoint Councilmember Anthony Becker as Vice Mayor for approximately one year until the appointment of a successor Vice Mayor; and
  2. Appoint Vice Mayor Kevin Park as Chaplain for approximately one year until the appointment of a successor Chaplain in January 2025.

**City Manager Grogan** gave a PowerPoint presentation on the annual appointment of Vice Mayor and Chaplain.

Public Comment:  
Lee

**A motion was made by Councilmember Jain, seconded by Councilmember Chahal, to appoint Councilmember Becker as Vice Mayor for approximately on year until the appointment of a successor Vice Mayor; and appoint Vice Mayor Kevin Park as Chaplain for approximately one year until the appointment of a successor Chaplain in January 2025.**

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

**Nay:** 2 - Councilmember Watanabe, and Mayor Gillmor

**REPORTS OF MEMBERS AND SPECIAL COMMITTEES**

**Councilmember Jain** announced 2024 Santa Clara Showtime tickets are available for purchase. He also urged citizens to get their COVID vaccinations and boosters.

**Councilmember Watanabe** requested an update on the overtime paid for the December 25, 2023 NFL football game as well as information on the overtime amount for the December 24, 2022 NFL football game and who authorized payment.

**CITY MANAGER/EXECUTIVE DIRECTOR REPORT**

**City Manager/Executive Director Grogan** stated there was no report.

**ADJOURNMENT**

**A motion was made by Council/Boardmember Chahal, seconded by Council/Boardmember Becker, to adjourn the meeting at 9:59 p.m.**

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

**The next regular scheduled meeting is on Tuesday, January 30, 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.

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**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)

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