



City of Santa Clara

Joint Meeting Agenda

Council and Authorities Concurrent

Santa Clara Stadium Authority

Tuesday, January 26, 2021

4:00 PM

Virtual Meeting

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.

- 21-167** [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

4:30 COUNCIL/STADIUM AUTHORITY REGULAR MEETING

**Regular Meeting to begin at 4:30 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

- 1.A 21-156** [Recognize Resident Esperanza Castellanos on her 107th Birthday](#)
- 1.B 21-168** [Recognize Local Youth Author Aarna Agrawal](#)
- 1.C 21-1270** [Update on Worker Cooperative Initiative](#)
- 1.D 21-147** [Verbal Report from City Manager regarding COVID-19 Pandemic](#)

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.]

- 2.A 21-29** [Action on the Special City Council/Stadium Authorities, Council & Authorities Concurrent, and Special City Council Meeting Minutes](#)

Recommendation: Approve the Meeting Minutes:
Special City Council & Stadium Authority Meeting
Minutes of December 1, 2020
Council & Authorities Concurrent Meeting Minutes of
December 8, 2020
Special City Council Meeting Minutes of December 9,
2020

2.B 21-03 [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:
Santa Clara Tourism Improvement District Advisory Board - July 10, 2019
Santa Clara Tourism Improvement District Advisory Board - August 9, 2019
Santa Clara Tourism Improvement District Advisory Board - September 10, 2019
Audit Committee - September 24, 2020
Cultural Commission - December 7, 2020
Board of Library Trustees - September 14, 2020
Board of Library Trustees - October 5, 2020
Board of Library Trustees - November 2, 2020
Task Force on Diversity, Equity, and Inclusion Meeting Minutes - November 9, 2020
Task Force on Diversity, Equity, and Inclusion Meeting Minutes - December 2, 2020
Task Force on Diversity, Equity, and Inclusion Meeting Minutes - December 9, 2020
Task Force on Diversity, Equity, and Inclusion Meeting Minutes - December 16, 2020
Youth Commission - December 8, 2020
Historical and Landmarks Commission - November 5, 2020

2.C 21-1282 [Action on Monthly Financial Status and Investment Reports for November 2020 and Approve Related Budget Amendments](#)

Recommendation: Note and file the Monthly Financial Status and Investment Reports for November 2020 as Presented and Approve Related Budget Amendments.

2.D 21-1191 [Action on Amendment No. 3 to the Facility Use Agreement between Santa Clara Swim Club, Inc. and the City of Santa Clara to address COVID19 Impacts to Programs & Revenue](#)

Recommendation: Authorize the City Manager to execute Amendment No. 3 to the facility use agreement with the Santa Clara Swim Club, Inc. for the operation and maintenance of the George F. Haines, International Swim Center and delegate authority to make minor modifications to the Agreement as needed.

2.E 21-1136 [Approval of the Annual Investment Policy Statement for the City of Santa Clara, its Agencies and Corporations](#)

Recommendation:

Approve the Investment Policy for the City of Santa Clara, its agencies and corporations.

2.F 21-1198 [Action on Award of Contract for the Pruneridge Avenue-Lawrence Expressway Bicycle Lane Improvements Project \(CE 17-18-09\)](#)

Recommendation:

1. Award the Public Works Contract for the Pruneridge Avenue-Lawrence Expressway Bicycle Lane Improvements Project (CE 17-18-09) to the lowest responsive and responsible bidder, ASG Builders, in the amount of \$364,096 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 \$36,504 for a total not to exceed amount of \$400,600.

2.G 21-1308 [Action on Amendment No. 2 to an Agreement for Services with Guidehouse, Inc. for Consulting Services for North American Electric Reliability Corporation \(NERC\) Compliance Support](#)

Recommendation:

1. Authorize the City Manager to execute Amendment No. 2 to the Agreement for Services with Guidehouse, Inc. to increase the maximum compensation from \$149,000 to \$274,000; and
2. Authorize the City Manager to add or delete services consistent with the scope of the agreements and allow future rate adjustments subject to request and justification by contractor, approval by the City, and the appropriation of funds.

2.H 21-1223 [Action on an Agreement with EOA, Inc. for Professional Consulting Services Related to Compliance with Stormwater Runoff and Discharge Regulations](#)

- Recommendation:**
1. Approve and authorize the City Manager to finalize and execute an agreement with EOA, Inc. for professional consulting services related to compliance with stormwater runoff and discharge regulations for \$200,000 over the five-year term, subject to the appropriation of funds; and
 2. Authorize the City Manager to make minor modifications to the agreement, including time extensions, as necessary.

2.I 21-1317 [Action on the FY 2020/21 California Library Literacy Services Grant Award and Related Budget Amendment](#)

- Recommendation:**
1. Accept the California Library Literacy Services grant award of \$78,924 for Read Santa Clara; and
 2. Approve the related FY 2020/21 budget amendment in the Library Operating Grant Trust Fund to recognize grant revenue in the amount of \$38,924 and increase the FY 2020/21 Adult Literacy Program appropriation by \$38,924 (**five affirmative Council votes required for revenue actions only Pursuant to Santa Clara Charter Section 1305 Budget - Appropriations**)

2.J 21-1218 [Action on Final Map Tract 10524 at 1900 Warburton Avenue](#)

- Recommendation:**
1. Approve Final Map for Tract 10524;
 2. Authorize the City Manager to make minor modifications, if necessary, prior to recordation; and,
 3. Authorize the recordation of Final Map Tract 10524, located at 1900 Warburton Avenue [APN 224-20-027 (2020-21)].

2.K 21-1285 [Adopt the following City of Santa Clara and related agencies' Resolutions Amending the Conflict of Interest Codes for Designated Positions as Required by the Political Reform Act and Regulations of the Fair Political Practices Commission:](#)

1. [City of Santa Clara](#)
2. [Santa Clara Stadium Authority](#)
3. [Bayshore North Project Enhancement](#)
4. [Public Facilities Financing Corporation](#)
5. [Sports and Open Space Authority](#)
6. [Housing Authority](#)

Recommendation: Adopt the Resolutions amending the Conflict of Interest Code required by the Political Reform Act and Regulations of the Fair Political Practices Commission:

1. City of Santa Clara
2. Santa Clara Stadium Authority
3. Bayshore North Project Enhancement
4. Public Facilities Financing Corporation
5. Sports and Open Space Authority
6. Housing Authority

2.L 21-1288 [Action on Adopting a Resolution to Amend Council Policy 020 \("Proclamations"\)](#)

Recommendation: Adopt a resolution to amend Council Policy 020 as recommended by the Governance and Ethics Committee.

2.M 21-1387 [Action on Appointments to City Committees and Area Wide/Outside Agency Committees for the 2021 Calendar Year](#)

Recommendation: Approve the appointments to the City and Area Wide/Outside Agency Committees.

2.N 21-68 [Action on Annual Appointment of Vice Mayor and Chaplain](#)

Recommendation: Appoint Councilmember Raj Chahal as Vice Mayor and appoint Vice Mayor Karen Hardy as Chaplain for approximately one year until the appointment of a successor Vice Mayor and successor Chaplain in January 2022.

2.O 21-114 [Informational Report on COVID-19 Legislative Updates from Townsend Public Affairs for January 1-14, 2021](#)

Recommendation: Note and file this Informational Report on COVID-19 Legislative Updates from Townsend Public Affairs for January 1-14, 2021.

2.P 21-1273 [Action on Amendment No. 1 with Townsend Public Affairs, Inc. for Legislative Advocacy Services](#)

Recommendation: Authorize the City Manager to execute Amendment No. 1 to the Agreement with Townsend Public Affairs, Inc. to extend the term of the agreement through January 29, 2023 and increase the total not-to-exceed amount from \$90,000 to \$252,000.

2.Q 21-108 [Response to Written Petition from Mr. Sam Liu Regarding a Proposed CMU Wall at 3200 Scott Boulevard](#)

Recommendation: 1. Note and file this report.

2.R 21-149 [Action on Adoption of an Ordinance No. 2027 Approving the Update of the Fairway Glen Park Master Plan to include a Restroom in Accordance with City Charter Section 714.1](#)

Recommendation: Adopt Ordinance No. 2027 Approving the Update of the Fairway Glen Park Master Plan to include a Restroom in Accordance with City Charter Section 714.1

2.S 21-151 [Action on Adoption of an Ordinance No. 2028 Approving the Central Park All-Inclusive Playground Schematic Design in Accordance with City Charter Section 714.1](#)

Recommendation: Adopt Ordinance No. 2028 Approving the Central Park All-Inclusive Playground Schematic Design in Accordance with City Charter Section 714.1

STADIUM AUTHORITY CONSENT CALENDAR ITEMS

2.T 21-1291 [Action on Stadium Authority Bills and Claims for the Month of October 2020](#)

Recommendation: Approve the list of Stadium Authority Bills and Claims for October 2020.

2.U Report and Action on the Stadium Manager's Request for Authority to Execute Agreements with FedEx and USPS to Mail Stadium Builder License (1) Notice of Default and/or Notice of Termination for 2020 and (2) Request for Payment for 2021 Invoices

- A. 21-163 [Request from the Stadium Manager for Authority to Execute Agreements with FedEx and USPS to Mail Stadium Builder License \(1\) Notice of Default and/or Notice of Termination for 2020 and \(2\) Request for Payment for 2021 Invoices](#)
- B. 21-131 [Report from the Stadium Authority Regarding the Stadium Manager's Request for Delegated Authority to Execute Agreements with FedEx and USPS for Mailing Stadium Builder License \(1\) Notice of Default and/or Notice of Termination and \(2\) Request for Payment for 2021 Invoices](#)

Recommendation: Alternatives 1 and 4:

1. Approve the Stadium Manager's request to execute agreements with FedEx and USPS for mailing up to 1,200 SBL notices of defaults and termination in a total amount not-to-exceed \$16,400 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
4. Deny retroactive approval of the costs associated with postage, printing and mailing the 2021 SBL invoices, in an amount not-to-exceed \$10,100, and delegate approval to the Executive Director upon receipt of invoices and all supporting documentation from the Stadium Manager.

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

STADIUM AUTHORITY GENERAL BUSINESS ITEM

3. 21-1292 [Action on the Santa Clara Stadium Authority Financial Status Report for Quarter Ending September 30, 2020](#)

Recommendation: Note and file the Santa Clara Stadium Authority Financial Status Report for the Quarter Ending September 30, 2020.

COUNCIL GENERAL BUSINESS ITEMS

4. 21-3589 [Discussion and Direction on the Conversion of the Santa Clara Tourism Improvement District \(TID\) Established Under the Parking and Business Improvement Area Law of 1989 to a TID Established under the Property and Business Improvement District Law of 1994.](#)

Recommendation: Alternatives 1 and 3:

1. Provide direction to proceed with the conversion of the Santa Clara Tourism Improvement District (TID) established under the Parking and Business Improvement Area Law of 1989 to a TID established under the Property and Business Improvement District Law of 1994; and
3. Provide direction to proceed with an initial District assessment formula of 1.5% of gross room revenue and increasing to 2% in Year Two.

5. 21-101 [Action on a Written Petition Submitted by Councilmember Jain Requesting a Discussion on the Vote on the Sale of the Loylton Ranch Property](#)

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

6. 21-109 [Action on a Written Petition Submitted by Councilmember Jain Requesting a Discussion and Vote of Revising the Terms of Franklin Mall Maintenance District Number 122](#)

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

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

21-94 [Update on City Council and Stadium Authority Staff Referrals](#)

21-38 [Tentative Meeting Agenda Calendar \(TMAC\)](#)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, February 9, 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.