



# City of Santa Clara

Draft

## Meeting Minutes

### Council and Authorities Concurrent Meeting

### Call and Notice of Special Meeting

### Santa Clara Stadium Authority

04/05/2022

4:00 PM

Virtual Meeting  
4:00 PM Closed Session  
6:00 PM Study Session  
7:00 PM Open Session

Pursuant to Government Code Section 54953(e) and City of Santa Clara Resolution 22-9058, the City Council meeting will be held by teleconference only. No physical location will be available for this meeting; however, the City of Santa Clara continues to have 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](mailto:PublicComment@santaclaraca.gov)

As always, the public may view the meetings on [SantaClaraCA.gov](http://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 Santa Clara Stadium Authority Board to commence and convene on April 5, 2022, at 4:00 PM for a Special Meeting held virtually via Zoom, to consider the following matter(s) and to potentially take action with respect to them.

#### **4:00 PM CLOSED SESSION**

#### **Call to Order**

**Mayor/Chair Gillmor** called the meeting to order at 4:01 PM.

#### **Roll Call**

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

- 1.A**     [22-483](#)     Public Employee Appointment (Gov. Code §§ 54957, 54954.5, subd. (e).)  
Title: Interim City Attorney
- 1.B**     [22-495](#)     Public Employee Appointment (Gov. Code §§ 54957, 54954.5, subd. (e).)  
Title: City Attorney
- 1.C**     [22-428](#)     Conference with Legal Counsel-Anticipated Litigation (CC)  
Pursuant to Gov. Code § 54956.9(a) - Exposure to litigation  
Number of potential cases: 1  
(Facts and Circumstances)  
City as potential defendant: Demand letter from the Law Offices of Randal  
M. Barnum, representing Andrea Jordan, dated February 1, 2022.
- 1.D**     [22-463](#)     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)

**Public Comment**

**None.**

**Convene to Closed Session**

**Council/Board** convened to Closed Session at 4:02 PM.

**6:00 PM STUDY SESSION**

**Call to Order**

**Mayor/Chair Gillmor** called the Study Session to order at 6:01 PM.

2. [22-105](#) Study Session on the Fiscal Year 2022/23 Municipal Fee Schedule and Parks & Recreation Cost Recovery Policy

- Recommendation:**
1. Review and provide input on the Proposed Fiscal Year 2022/23 Municipal Fee Schedule; and
  2. Review and provide input on the proposed Parks & Recreation Cost Recovery Policy.

**Director of Finance Lee** made some opening remarks and introduced **Terry Madsen (Clearsource Financial)**.

**Terry Madsen** gave a Powerpoint presentation.

**Council** comments and questions followed.

**Director of Finance Lee** and **Terry Madsen** addressed **Council** questions and comments.

**Public Speaker(s):** Charlotte  
Dennis Martinu  
Jonathan Evans

**Director of Finance Lee, Terry Madsen, Battalion Chief/Fire Marshall Tomlin, Director of Community Development Crabtree** and **Director of Parks & Recreation Teixeira** addressed **Council** and public questions and comments.

**Council** comments and questions followed.

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

**7:00 PM COUNCIL REGULAR AND SPECIAL STADIUM AUTHORITY MEETING**

## 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 Pimentel** recited the AB 23 Announcement and Statement of Behavioral Standards.

**Assistant City Clerk Pimentel** also noted that registered Lobbyist must identify themselves and whom they represent when speaking during a public meeting.

## REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

**Chief Assistant City Attorney Reuter** noted that there was no reportable action from Closed Session items 1.C and 1.D.

**Mayor Gillmor** noted that there was no reportable action from Closed Session items 1.A and 1.B.

## CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

**Councilmember Becker** requested three written petitions (Items 9, 13, 14, & 15) to be heard after Public Presentations.

## SPECIAL ORDER OF BUSINESS

**3.A**     [22-280](#)     Recognition of Santa Clara students for their participation in Santa Clara Valley Science and Engineering Fair Association's Synopsys Science and Technology Championship

**Mayor Gillmor** recognized the Santa Clara students for their participation in Santa Clara Valley Science and Engineering Fair Association's Synopses Science and Technology Championship.

**Forrest Williams (Santa Clara Valley Science & Engineering Fair Association Board of Directors member)** gave a brief presentation and recognized all the students.

**3.B**     [22-429](#)     Presentation by Santa Clara Relay for Life

**Mayor Gillmor** introduced **Jonathan Oh (Volunteer member of the Event Leadership Team)** and **Liliana Camarena, (American Cancer Society)** who gave a Powerpoint presentation on Relay for Life.

**Council** comments and questions followed.

**Jonathan Oh** addressed **Council** questions.

**3.C**     [22-365](#)     Verbal Report from the Chief Emergency Services Officer regarding COVID-19 Pandemic

**Chief Emergency Services Officer Schoenthal** provided a Powerpoint presentation on COVID-19 Pandemic:

- March 24, 2022 CDC has categorized low for COVID-19 cases for Santa Clara County;
- 18 COVID-19 patients for hospitalization;
- April 19, 2022 City of Santa Clara will transition back to in-person meetings for Council and Authorities Concurrent, Stadium Authority, and Planning Commission meetings;
- City staff is reviewing options for Board and Commission meetings returning back to in-person;
- City's Emergency Rental Assistance Program has ended;
- Library hours are beginning to expand for more open hours;
- Library continues to have in-person, virtual, and hybrid programming;
- 90.6% residents 5 or older have completed COVID-19 vaccinations; and
- Free COVID-19 Testing continues at Central Park Library.

**3.D**     [22-366](#)     Verbal Report Update from Chief Emergency Services Officer Regarding the Local Drought Emergency

**Chief Emergency Services Officer Schoenthal** provided a verbal report update on the Local Drought Emergency.

**Council** comments followed.

### **CONSENT CALENDAR**

**A motion was made by Vice Mayor/Chair Jain, seconded by Council/Boardmember Chahal, to approve the Consent Calendar.**

**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 [22-472](#) Action on January 11, 2022 Council and Authorities Concurrent & Special Stadium Authority Meeting and January 25, 2022 Joint Council & Authorities Concurrent, Stadium Authority, and Special Planning Commission Meeting Minutes

**Recommendation:** Approve the January 11, 2022 Council and Authorities Concurrent & Special Stadium Authority Meeting and January 25, 2022 Joint Council & Authorities Concurrent, Stadium Authority, and Special Planning Commission Meeting Minutes.

**Vice Mayor Jain** noted error in minutes was corrected by staff.

**A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to approve staff recommendation.**

- 4.B [22-16](#) Board, Commissions and Committee Minutes

**Recommendation:** Note and file the Minutes of:  
Parks & Recreation Commission - February 15, 2022  
Board of Library Trustees - February 7, 2022  
Planning Commission - February 16, 2022  
Bicycle and Pedestrian Advisory Committee - January 24, 2022

**A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to approve staff recommendation.**

- 4.C [22-363](#) Action on Bills and Claims Report (CC, SCSA, SOSA) for the period January 29, 2022 - March 4, 2022

**Recommendation:** Approve the list of Bills and Claims for January 29, 2022 - March 4, 2022.

**A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to approve staff recommendation.**

- 4.D [22-114](#) Action on Award of Purchase Order to Valley Power Systems North, Inc. for Stationary Generator Services

**Recommendation:**

1. Authorize the Office of the City Manager to execute a Purchase Order with Valley Power Systems North, Inc. for stationary generator services for an initial one-year term beginning on July 1, 2022 and ending on June 30, 2023 with maximum compensation not-to-exceed \$153,835; and
2. Authorize the Office of the City Manager to exercise up to four one-year options to extend the term of the Purchase Order after the initial term, ending on June 30, 2027 assuming all options are exercised and subject to appropriation of funds.

**A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to approve staff recommendation.**

- 4.E [22-116](#) Action on Award of Purchase Order to MT Tire Service, LLC for Tire Maintenance and Repair Services

**Recommendation:**

1. Authorize the City Manager's Office to execute a purchase order with MT Tire Service, LLC for tire maintenance and repair services for an initial one-year term with maximum compensation not-to-exceed \$115,267 (including a contingency of \$10,487); and
2. Authorize the City Manager's Office to exercise up to four one-year options to extend the term of the purchase order, subject to the appropriation of funds.

**A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to approve staff recommendation.**

- 4.F [22-193](#) Action on an Agreement with the Santa Clara Valley Transportation Authority for the 2010 Measure B Vehicle Registration Fee Countywide Program for the Multi-jurisdictional Transportation Technology Project and Related Budget Amendment

**Recommendation:**

1. Approve and authorize the City Manager's Office to execute the funding agreement between the City of Santa Clara and Santa Clara Valley Transportation Authority for the 2010 Measure B Vehicle Registration Fee Countywide Program for the Multi-jurisdictional Transportation Technology Project;
2. 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 FY 2021/22 budget amendment in the Streets and Highways Capital Fund to increase the Other Agencies Revenue estimate by \$135,000 to recognize grant funding for the VTA VRF grant funds and establish an appropriation for the Multi-jurisdictional Transportation Technology Project the amount of \$135,000; **(five affirmative Council votes required to appropriate additional revenue)**; and
3. Authorize the City Manager's Office to make minor modifications to the Agreement, if needed, within the approved cost of the project.

**A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to approve staff recommendation.**

- 4.G**     [22-186](#)     Action to Authorize the Office of the City Manager or Designee to Negotiate, Execute, and Administer an Agreement with the City of San Jose for the Stevens Creek Boulevard and Winchester Boulevard Pavement Resurfacing Project

- Recommendation:**
1. Authorize the Office of the City Manager or designee to negotiate, execute, and administer an agreement with the City of San Jose for the Stevens Creek Boulevard and Winchester Boulevard Pavement Resurfacing Project up to a total not-to-exceed amount of \$6,100,000, subject to annual appropriation of funds;
  2. Authorize the Office of the City Manager or designee to execute any and all documents necessary for or associated with the agreement, including payments to San Jose; and
  3. Authorize the Office of the City Manager or designee to execute any and all documents associated with, and necessary for the award, completion, and acceptance of the construction of the project.

**A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to approve staff recommendation.**

4.H [22-268](#) Action on a Resolution Authorizing the Use of City Electric Forces at Various Locations and Related Budget Amendments

- Recommendation:**
1. Adopt a Resolution authorizing the use of City Electric Forces at 2055 Lafayette Street, 601 El Camino Real, 555 Los Padres Boulevard, 3360 Cabrillo Avenue, Pruneridge Avenue, Hillsdale Avenue, Carlisle Avenue, Lawrence Expressway near Homestead Road and adjacent to Kaiser Hospital, Palm Substation to Lick Mill Boulevard at Tasman Drive, 641 Walsh Avenue, 983 Wood Duck Court, 1988 Bellomy Street, 1889 Lawrence Road, Serra Substation, 5046 Calle de Escuela, 1200 Memorex Drive, 90 N Winchester Avenue, 2760 Homestead Road, 1705 Martin Avenue, 124 Brookside Avenue, 3035 El Camino Real, 3587 Notre Dame, 2335 Calle de Mundo, 2300 Calle de Luna, 4355 Stevens Creek Boulevard, 2175 Martin Avenue, 2600 De La Cruz, 3084 El Camino Real, 1405 Richard Avenue, 1515 Richard Avenue, 1075 Pomeroy Avenue, and 3102 Kifer Road; and
  2. 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 2021/22 budget amendments:
    - A. In the Electric Utility Fund, decrease the Electric Utility Department Salaries and Benefits budget by \$3,000,000 and increase the transfer to the Electric Capital Fund by \$3,000,000 (**majority affirmative Council votes required**); and
    - B. In the Electric Capital Fund, recognize a transfer from the Electric Utility Fund in the amount of \$3,000,000 and increase the New Business Estimate Work project appropriation by \$3,000,000 (**five affirmative Council votes required to appropriate additional revenue**).

**A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to adopt Resolution No. 22-9065 authorizing the use of City Electric Forces at 2055 Lafayette Street, 601 El Camino Real, 555 Los Padres Boulevard, 3360 Cabrillo Avenue, Pruneridge Avenue, Hillsdale Avenue, Carlisle Avenue, Lawrence Expressway near Homestead Road and adjacent to Kaiser Hospital, Palm Substation to Lick Mill Boulevard at Tasman Drive, 641 Walsh Avenue, 983 Wood Duck Court, 1988 Bellomy Street, 1889 Lawrence Road, Serra Substation, 5046 Calle de Escuela, 1200 Memorex Drive, 90 N Winchester Avenue, 2760 Homestead Road, 1705 Martin Avenue, 124 Brookside Avenue, 3035 El Camino Real, 3587 Notre Dame, 2335 Calle de Mundo, 2300 Calle**

**de Luna, 4355 Stevens Creek Boulevard, 2175 Martin Avenue, 2600 De La Cruz, 3084 El Camino Real, 1405 Richard Avenue, 1515 Richard Avenue, 1075 Pomeroy Avenue, and 3102 Kifer Road; and approve staff recommendation.**

- 4.I [22-110](#) Action on a Resolution Retroactively Authorizing the Use of City Electric Forces at Various Locations

**Recommendation:** Adopt a Resolution authorizing the use of City Electric Forces at: 801 Martin Avenue, 3305 Kifer Road, 5353 Betsy Ross Road, Fairview Substation, 2961 Corvin Drive, north side of Eisenhower Drive east of Lafayette Street, 2200 Lawson Lane, 1500 Warburton Avenue, 1715 Martin Avenue, 1700 Walsh Avenue, 2811-2841 Mission College Boulevard, 2566 Scott Boulevard, 3150 Central Expressway, 641 Walsh Avenue, 1111 Comstock Street, 2905 Stender Way, 2904 Corvin Drive, 1889 Lawrence Road, 2382 Warburton Avenue, 3625 Peterson Way, 1595 Lafayette Street, 2300 Calle De Luna, and 3045 Stender Way.

**A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to adopt Resolution No. 22-9066 authorizing the use of City Electric Forces at: 801 Martin Avenue, 3305 Kifer Road, 5353 Betsy Ross Road, Fairview Substation, 2961 Corvin Drive, north side of Eisenhower Drive east of Lafayette Street, 2200 Lawson Lane, 1500 Warburton Avenue, 1715 Martin Avenue, 1700 Walsh Avenue, 2811-2841 Mission College Boulevard, 2566 Scott Boulevard, 3150 Central Expressway, 641 Walsh Avenue, 1111 Comstock Street, 2905 Stender Way, 2904 Corvin Drive, 1889 Lawrence Road, 2382 Warburton Avenue, 3625 Peterson Way, 1595 Lafayette Street, 2300 Calle De Luna, and 3045 Stender Way.**

- 4.J [22-455](#) Action to Waive Second Reading and Adopt Ordinance No. 2043 of the City of Santa Clara, California, Defining the Composition of the Membership of the Bicycle and Pedestrian Advisory Committee and the Scope of the Bicycle and Pedestrian Advisory Committee's Jurisdiction, Adding a New Section 2.120.170 ("Bicycle and Pedestrian Advisory Committee") and Amending Section 2.120.010 (Names, Membership, Qualifications, and Terms of Office") of Chapter 2.120 ("Boards and Commissions") of Title 2 ("Administration and Personnel") of the Santa Clara City Code

**Recommendation:** 1. Waive Second Reading and Adopt Ordinance No. 2043 of the City of Santa Clara, California, Defining the Composition of the Membership of the Bicycle and Pedestrian Advisory Committee and the Scope of the Bicycle and Pedestrian Advisory Committee's Jurisdiction, Adding a New Section 2.120.170 ("Bicycle and Pedestrian Advisory Committee") and Amending Section 2.120.010 (Names, Membership, Qualifications, and Terms of Office") of Chapter 2.120 ("Boards and Commissions") of Title 2 ("Administration and Personnel") of "The Code of the City of Santa Clara, California."

**A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to adopt Ordinance No. 2043 of the City of Santa Clara, California, Defining the Composition of the Membership of the Bicycle and Pedestrian Advisory Committee and the Scope of the Bicycle and Pedestrian Advisory Committee's Jurisdiction, Adding a New Section 2.120.170 ("Bicycle and Pedestrian Advisory Committee") and Amending Section 2.120.010 (Names, Membership, Qualifications, and Terms of Office") of Chapter 2.120 ("Boards and Commissions") of Title 2 ("Administration and Personnel") of "The Code of the City of Santa Clara, California."**

- 4.K [22-453](#) Action to Waive Second Reading and Adopt Ordinance No. 2044 Adopting the New Council District Map

**Recommendation:** Waive second reading and adopt Ordinance No. 2044 adopting a new City Council District Map describing the district boundaries for the City of Santa Clara's by-district elections.

**A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to adopt Ordinance No. 2044 adopting a new City Council District Map describing the district boundaries for the City of Santa Clara's by-district elections.**

- 4.L [22-458](#) Action to Waive Second Reading and Adopt Ordinance No. 2046 Amending Chapter 17.15 “Property Developments” of Title 17 “Development” of the Santa Clara City Code to Add Section 17.15.360 “Patrick Henry Drive Infrastructure Improvement Fee”

**Recommendation:** Waive Second Reading and Adopt Ordinance No. 2046 Amending Chapter 17.15 “Property Development” of Title 17 “Development” of the Santa Clara City Code to Add Section 17.15.360 “Patrick Henry Drive Infrastructure Improvement Fee”.

**A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to adopt Ordinance No. 2046 Amending Chapter 17.15 “Property Development” of Title 17 “Development” of the Santa Clara City Code to Add Section 17.15.360 “ Patrick Henry Drive Infrastructure Improvement Fee”.**

- 4.M [22-482](#) Action to Waive Second Reading and Adopt Ordinance No. 2045 to Add a New Chapter 18.27 to the Zoning Code to Create Zoning Regulations for the Patrick Henry Drive Area Specific Plan and Rezoning of the Patrick Henry Drive Specific Plan Area

**Recommendation:** Waive Second Reading and Adopt Ordinance No. 2045 amending the Zoning Code to create a new Chapter 18.27 of the Zoning Code, regulations for the Patrick Henry Drive Area (PHD) Zoning Districts, including development standards, allowed uses and parking requirements for the following zoning districts: PH-R5-100D - Very High Density Residential, VR-149D - Village Residential, UV-149D - Urban Village, UC-250D - Urban Center, and HD Flex - High Density Flex, and rezoning the Project Site using the new districts as indicated in the Patrick Henry Drive zoning map, incorporating affordable housing language as follows: 15% affordable units split equally between three affordability levels of 50%, 80%, and 120% AMI.

**A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to adopt Ordinance No. 2045 amending the Zoning Code to create a new Chapter 18.27 of the Zoning Code, regulations for the Patrick Henry Drive Area (PHD) Zoning Districts, including development standards, allowed uses and parking requirements for the following zoning districts: PH-R5-100D - Very High Density Residential, VR-149D - Village Residential, UV-149D - Urban Village, UC-250D - Urban Center, and HD Flex - High Density Flex, and rezoning the Project Site using the new districts as indicated in the Patrick Henry Drive zoning map, incorporating affordable housing language as follows: 15% affordable units split equally between three affordability levels of 50%, 80%, and 120% AMI.**

- 4.N [22-438](#) Action on a Resolution Extending AB 361 Implementation to Allow City Legislative Bodies to Hold Public Meetings Solely by Teleconference or Otherwise Electronically During the Governor's Proclaimed COVID State of Emergency

**Recommendation:** Adopt a Resolution finding the continued existence of the need to extend AB 361 implementation to allow the City's legislative bodies to hold public meetings solely by teleconference or otherwise electronically pursuant to AB 361.

**A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to adopt Resolution No. 22-9067 finding the continued existence of the need to extend AB 361 implementation to allow the City's legislative bodies to hold public meetings solely by teleconference or otherwise electronically pursuant to AB 361.**

#### **SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR**

- 5.A [22-173](#) Note and File an Informational Report on Stadium Authority Contracts for Fiscal Year 2021/22 per Santa Clara City Code Chapter 17.30 Stadium Authority Procurement Policy

**Recommendation:** Note and file the Informational Report on Stadium Authority contracts for Fiscal Year 2021/22.

**A motion was made by Vice Chair Jain, seconded by Boardmember Chahal, to approve staff recommendation.**

## **PUBLIC PRESENTATIONS**

**Macias Family** requested to reopen the BMX track and expressed the comments regarding the values the track provides.

**Teresa Perez** expressed comments regarding BMX track and requests to reopen the track.

**Jess** expressed comments regarding Nick Valencia and staff at the BMX track and requested to reopen the track.

**Dlistrok** expressed comments her children placing during a BMX event and the community at the BMX track.

**Jason Perkins** requested Council to work with Santa Clara PAL to reopen BMX track and help get it sanctioned.

**Ashley Fitzgerald** expressed comments of concern regarding the closure of BMX track.

**Tammy MacDonald** expressed comments of concern regarding the closure of BMX track.

**Cass Thompson** expressed comments of concern regarding PAL Board and in support of the BMX program.

**Lily #SaveSCPaiBMX** expressed comments of the importance of the BMX track and how supportive the track team provides to the riders.

**Sphrese** expressed comments regarding reopening the BMX track with USA BMX sanction and the community built around the track.

**Daemon Head** requested the BMX track be reopened and cherishes the training received from the track staff.

**Lou and Rosie Jupp** expressed comments regarding the staff at the BMX track and how the sport has impacted girl participants.

**Sebastian** requested to reopen the BMX track and the staff is encouraging to the participants and the site is affordable.

**Anne Feng** requested the BMX track be reopened and expressed comments on how there is such a great community around the track.

**Vivaan** expressed comments regarding the BMX staff support and requests the BMX track be reopened.

**Nick Valencia** expressed comments regarding the growing ridership at the BMX track and the commitment of the track staff.

**Greg** expressed comments of concern regarding the BMX track operations.

**Mia** expressed comments requesting to reopen the BMX track.

**Marisol** expressed comments regarding the impact the BMX track has on her family and requesting to reopen the track.

**Kara Mitchell** expressed comments regarding the impact the BMX track has on her family and requesting to reopen the track.

**Jessie** expressed comments requesting to reopen the BMX track.

**Tina Marron** expressed comments regarding the impact the BMX track had on her family during the pandemic.

**Sophia** expressed comments on why the BMX track needs to reopen as a USA BMX sanctioned track.

**Rachel** expressed comments of concern regarding the BMX track operations.

**Melanie Harris** expressed comments regarding the impact the BMX track has on her family and requesting to reopen the track.

**Chris Barresi** expressed comments regarding the impact the BMX track has on her family and requesting to reopen the track.

**Brian Darby** expressed comments requesting to reopen the BMX track.

**Charlotte Weres** expressed comments of concern regarding the pace of trees being removed in the City of Santa Clara.

**April Smith (eComment)** expressed comments requesting to reopen the BMX track.

**Cesar Verceluz (eComment)** expressed comments requesting to reopen the BMX track.

**Christopher Barresi (eComment)** expressed comments requesting to reopen the BMX track.

**Richard Yang (eComment)** expressed comments regarding the impact the BMX track had on her family during the pandemic.

**Nisha Thomas (eComment)** expressed comments on why the BMX track needs to reopen as a USA BMX sanctioned track.

**Jody Rossi (eComment)** expressed comments requesting to reopen the BMX track.

**Council** comments followed.

[22-516](#)

Public Presentations Post Meeting Material and eComment

**Mayor Gillmor** called for a recess at 9:04 PM and reconvened the meeting at 9:15 PM.

**CONSENT ITEMS PULLED FOR DISCUSSION**

None.

**PUBLIC HEARING/GENERAL BUSINESS**

9. [22-109](#) Action on Written Petition Regarding Responsibility of a Sound Wall Adjacent to Pruneridge Avenue in the Laurel Park East Neighborhood

**Recommendation:** Alternative : 1. Close the petition and take no further action which upholds the terms of the Property Development Agreement for Tract 5766 requiring the property owners to bear all costs and expense for the maintenance, repair and/or replacement of the portion of the sound wall that is located on private property.

**Mayor Gillmor** recused herself from this item at 9:16 PM due to a potential conflict of interest as she owns property near this item.

**Vice Mayor Jain** presided over this item.

**Director of Public Works Mobeck** gave a Powerpoint presentation.

**Written Petitioner Jared Peters (Cindy Wyland, Minnie Croad, Steve, Charlie Shan, and Susan Peters)conceded their time to Jared Peters)** gave a Powerpoint presentation on the Pruneridge Avenue sound wall.

**Council** comments and questions followed.

**Director of Public Works Mobeck, Assistant City Manager Pineda, and Chief Assistant City Attorney Reuter** addressed **Council** questions.

A motion was made by **Councilmember Watanabe**, seconded by **Councilmember Becker**, to refer this item to the Public Works Department to work with the community to come up with a solution including considering financial assistance.

**Councilmember Chahal** requested a friendly amendment to include that this item return to **Council** in Closed Session and resident to propose a cost-sharing agreement on a wooden wall.

**Councilmember Watanabe** did not accept the friendly amendment.

**Director of Public Works Mobeck** and **Assistant City Manager Pineda** addressed **Council** comments.

**Council** comments followed.

**A motion was made by Councilmember Watanabe, seconded by Councilmember Becker, to refer this item to the Public Works**

**Department to work with Written Petitioner Jared Peters to come up with a solution, review option for a source for financial assistance, and return to Council at a future meeting with this information.**

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

**Abstained:** 1 - Mayor Gillmor

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

13. [22-436](#) Action on a Written Petition (Council Policy 030) Submitted by Joseph Goschy Requesting to Place an Agenda Item at a Future Council Meeting to Discuss Appealing a Building Violation (CRN 2020-00310) at 220 Tyler Avenue

**Recommendation:** Staff makes no recommendation.

**Mayor Gillmor** returned to the meeting and presided over the remainder of the meeting.

**Written Petitioner Joseph Goschy** gave a verbal report on his written petition regarding appealing a Building Violation (CRN 2020-00310) at 220 Tyler Avenue.

**Councilmember Becker** noted that he met with **Joseph Goschy**.

**Chief Assistant City Attorney Reuter** addressed **Council** comments.

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to agendize the written petition to a future Council meeting.**

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

14. [22-448](#) Action on a Council Written Request (Council Policy 030) Submitted by Councilmember Becker Requesting to Place an Agenda Item at a Future Council Meeting Proposing to Invite all Members of the Santa Clara Commissions/Committees/Task Forces to the Rescheduled 2022 Priority Setting Session to Provide Input on their Priorities for the Year

**Recommendation:** Staff makes no recommendation.

**Councilmember Becker** gave a verbal report on his Written Petition to invite all Members of the Santa Clara Commissions/Committees/Task Forces to the rescheduled 2022 Priority Setting Session to provide input on their Priorities for the Year.

**Assistant City Manager Nader** noted that staff can invite the Board, Commissions, Task Forces and Committees to the rescheduled Council Priority Setting Session.

By **Council** consensus, direct staff to invite the Board, Commissions, Task Forces and Committees to the rescheduled Council Priority Setting Session.

**Council** comments followed.

15. [22-447](#) Action on a Council Written Request (Council Policy 030) Submitted by Vice Mayor Jain Requesting to Place an Agenda Item at a Future Council Meeting to Discuss how to change the noticing policy so as to reach more people

**Recommendation:** Staff makes no recommendation.

**Vice Mayor Jain** gave a verbal report on his Written Petition to discuss how to change the noticing policy to reach more people.

**Public Speaker(s):** Rocio Molina

**A motion was made by Vice Mayor Jain, seconded by Councilmember Chahal, to agendize the written petition to a future Council meeting.**

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

6. [22-139](#) Public Hearing: FY21/22 Annual Action Plan Substantial Amendment and FY22/23 DRAFT Annual Action Plan for the use of Federal Housing and Urban Development Grant Funds

**Recommendation:**

1. Approve the 2021-2022 Annual Action Plan Substantial Amendment and direct staff to incorporate all public comment into the final version to be submitted to HUD on or before May 10, 2022; and
2. Approve the 2022-2023 DRAFT Annual Action Plan, and direct staff to incorporate all public comment into the final version to be presented to council on May 10, 2022.

**Director of Community Development Crabtree** introduced new **Housing & Community Services Division Manager Adam Marcus**.

**Housing & Community Services Division Manager Marcus** who gave a Powerpoint presentation on the Substantial amendment 2022-2023 Annual Action Plan for the use of Housing and Urban Development (HUD) Grant Funds.

**Council** comments and questions followed.

**Housing Development Officer Calleja** addressed **Council** questions.

**Public Speaker(s):** Michele Schroeder  
Pilar Furlong  
Sylvia Abboud  
Ann Peterson (E-Mail)  
Deanne Evertone (E-Mail)  
Sheri Burns (E-Mail)  
Jordan Dancer (E-Mail)

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

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

**A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to (1) approve the 2021-2022 Annual Action Plan Substantial Amendment and direct staff to incorporate all public comment into the final version to be submitted to HUD on or before May 10, 2022; and (2) approve the 2022-2023 DRAFT Annual Action Plan, and direct staff to incorporate all public comment into the final version to be presented to Council on May 10, 2022.**

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

7. [22-402](#) Hold a Public TEFRA Hearing and Action on the Adoption of a Resolution Approving the California Municipal Finance Authority (CMFA) Issuance of Tax-Exempt Bonds Relating to the Financing of an 80-unit Multifamily Rental Housing Project for Low-income Senior Households to be Located in the City of Santa Clara, California at 3333 Kifer Road

**Recommendation:** Hold a Tax Equity and Fiscal Responsibility Act public hearing and adopt a resolution approving the issuance of up to \$35,000,000 in tax-exempt private-activity bonds by California Municipal Finance Authority (CMFA) for the benefit of an 80-unit Multifamily Rental Housing Project for Low-income Senior Households to be Located in the City of Santa Clara, California at 3333 Kifer Road.

**Assistant to the City Manager Veach** gave a Powerpoint presentation on TEFRA Hearing for 80-unit Rental Housing Project for low-income households located at 3333 Kifer Road.

**Council** comments followed.

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

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

**A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to hold a Tax Equity and Fiscal Responsibility Act public hearing and adopt a resolution approving the issuance of up to \$35,000,000 in tax-exempt private-activity bonds by California Municipal Finance Authority (CMFA) for the benefit of an 80-unit Multifamily Rental Housing Project for Low-income Senior Households to be Located in the City of Santa Clara, California at 3333 Kifer Road.**

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

8. [22-449](#) Action on a Resolution to Include New and Updated Connection and Load Development Fees for the Electric Utility in the Municipal Fee Schedule Effective July 1, 2022

**Recommendation:** Adopt a Resolution to include new and updated Connection and Load Development Fees for the Electric Utility in the Municipal Fee Schedule effective July 1, 2022.

**Chief Electric Utilities Officer Pineda** gave a Powerpoint on update of load development fees.

**A motion was made by Councilmember Hardy, seconded by Councilmember Chahal, to adopt Resolution No. 22-9069 to include new and updated Connection and Load Development Fees for the Electric Utility in the Municipal Fee Schedule effective July 1, 2022.**

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

10. [22-446](#) Action on Approval of a Legal Services Agreement between the City of Santa Clara and Lozano Smith LLP for Interim City Attorney Services with a Maximum Not-to-Exceed Amount of \$300,000

**Recommendation:** Approval of a Legal Services Agreement between the City of Santa Clara and Lozano Smith LLP for Interim City Attorney Services with a Maximum Not-to-Exceed Amount of \$300,000.

**Outside Legal Counsel Jenica Maldonado (Renne Public Law Group)** provided a verbal report on the interim City Attorney services agreement.

**A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve a Legal Services Agreement between the City of Santa Clara and Lozano Smith LLP for Interim City Attorney Services with a Maximum Not-to- Exceed Amount of \$300,000 and approve and authorize the Mayor to sign the agreement.**

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

11. [22-493](#) Action on Approval of Agreement with GVP Ventures, Inc. dba Bob Murray & Associates for Executive Recruiting Services for City Manager Vacancy

**Recommendation:** 1. Authorize the Mayor to execute an agreement with GVP Ventures, Inc. dba Bob Murray & Associates for executive recruiting services for the City Manager vacancy for a six-month term starting April 6, 2022 and ending on October 6, 2022, with an option to extend for up to an additional six (6) months with no increase in rates, with maximum compensation not-to-exceed \$35,000 for services and \$10,000 for costs and fees, subject to appropriation of funds, in a substantially similar form as that attached hereto. Authorize the Office of the City Attorney to approve the Agreement as to form; and

2. Authorize the Mayor and City Attorney's Office to negotiate and execute amendments to the Agreement for additional related services that may be required, subject to the appropriation of funds.

**Councilmember Hardy and Councilmember Chahal** made some introduction remarks on this item.

**Outside Legal Counsel Gary Baum** gave a verbal report.

**Council** comments followed.

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to (1) authorize the Mayor to execute an agreement with GVP Ventures, Inc. dba Bob Murray & Associates for executive recruiting services for the City Manager vacancy for a six-month term starting April 6, 2022 and ending on October 6, 2022, with an option to extend for up to an additional six (6) months with no increase in rates, with maximum compensation not-to-exceed \$35,000 for services and \$10,000 for costs and fees, subject to appropriation of funds, in a substantially similar form as that attached hereto. Authorize the Office of the City Attorney to approve the Agreement as to form; and (2) authorize the Mayor and City Attorney's Office to negotiate and execute amendments to the Agreement for additional related services that may be required, subject to the appropriation of funds.**

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

**Nay:** 1 - Councilmember Watanabe

12. [22-494](#)

Action on:

1. Adoption of a Resolution approving the amended salary plan for Unclassified Employees;
2. Adoption of a Resolution approving the amended salary plan for As-Needed (Temporary) Employees; and
3. Approve and authorize the Mayor to execute an Agreement for Interim City Manager services with Rajeev Batra.

**Councilmember Hardy** and **Councilmember Chahal** made some introduction remarks on this item.

**Outside Legal Counsel Gary Baum** gave a verbal report.

**Council** comments followed.

**Public Speaker(s):** Susan Hinton

**A motion was made by Councilmember Becker, seconded by Vice Mayor Jain, to (1) adopt Resolution No 22-9070 approving the amended salary plan for Unclassified Employees; (2) adopt Resolution No. 22-9071 approving the amended salary plan for As-Needed (Temporary) Employees; and (3) approve and authorize the Mayor to execute an Agreement for Interim City Manager services with Rajeev Batra; and (4) appoint Mr. Rajeev Batra as of April 6, 2022, as interim City Manager.**

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

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

**REPORTS OF MEMBERS AND SPECIAL COMMITTEES**

**Councilmember Becker** reported that Caltrain will cut fares for the month of April by 50%.

**Councilmember Park** announced the Triton Museum Annual Gala Fundraiser will be held on May 7, 2022, from 6:00 PM - 9:00 PM.

**CITY MANAGER/EXECUTIVE DIRECTOR REPORT**

**None.**

## **ADJOURNMENT**

The meeting was adjourned at 11:41 PM in memory of **Alfred David Panetta (Santa Clara resident and Sunnyvale Rotary Club member)** and **Donald J. Bordenave (Santa Clara resident and former Santa Clara Unified School District Teacher and Administrator)**.

**Mayor Gillmor** requested a moment of silence to offer heartfelt condolences to the families and friends of the six individuals from the State Capitol shooting in Sacramento.

**A motion was made by Council/Boardmember Becker, seconded by Vice Mayor/Chair Jain, 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

[22-529](#)

Adjournment of the April 5, 2022 City Council and Special Stadium Authority Meeting Post Meeting Material

[22-530](#)

Moment of Silence - April 5, 2022 Council Meeting Post Meeting Material

The next regular scheduled meeting is on Tuesday, April 19, 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) <<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.