

City of Santa Clara

Meeting Minutes of the



Joint City Council and Authorities Concurrent & Santa Clara Stadium Authority

06/25/2024 5:00 PM

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

The City of Santa Clara is conducting City Council meetings in a hybrid manner (in-person and continues to have methods for the public to participate remotely).

- Via Zoom:
 - o https://santaclaraca.zoom.us/j/99706759306

Meeting ID: 997-0675-9306

o Phone 1(669) 900-6833

How to Submit Written Public Comment Before City Council Meeting:

- 1. Use the eComment tab located on the City Council Agenda page https://santaclara.legistar.com/Calendar.aspx). eComments are directly sent to the iLegislate application used by City Council and staff, and become part of the public record. eComment closes 15 minutes before the start of a meeting.
- 2. By email to clerk@santaclaraca.gov by 12 p.m. the day of the meeting. Those emails will be forwarded to the Council and will be uploaded to the City Council Agenda as supplemental meeting material. Emails received after the 12 p.m. cutoff time up through the end of the meeting will form part of the meeting record. Please identify the Agenda Item Number in the subject line of your email. **NOTE:** Please note eComments and Emails received as public comment will not be read aloud during the meeting.

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Closed Session - 5:00 PM | Regular Meeting - 7:00 PM

5:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Mayor Gillmor called the Closed Session to order at 5:05 PM.

Confirmation of Quorum

Assistant City Clerk Pimentel confirmed a quorum.

1.A	24-605	Conference with Real Property Negotiators ((CC)
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Pursuant to Gov. Code § 54956.8

Property: East of Loyalton and West of Cold Springs in Sierra and Lassen

Counties, APN: 147-040-02-11, 147-050-02-11, 147-050-03-11, 147-05-19-11, 147-070-04-11, 147-070-05-11, 147-080-01-11,

147-080-03-11, 147-080-11-11, 147-080-14-11, 147-080-15-11,

021-010-003, 021-020-001, 016-100-004, 016, 090, 059, 021-010-006, 021-010-012, 016-100-005, 016-080-008, 016-070-012, 016-090-011,

021-010-013, 016-100-001, 016-100-006 and 016-080-007

City/Authority Negotiator: Jōvan D. Grogan, City Manager (or designee),

Manuel Pineda, Glen R. Googins, City Attorney (or designee)

Negotiating Parties: Washoe Tribe of Nevada and California; Feather

River Land Trust

Under Negotiation: Purchase and Sale of Real Property (provisions, price

and terms of payment)

1.B 24-196 Conference with Legal Counsel-Existing Litigation (CC)

Pursuant to Gov. Code § 54956.9(d)(1)

Melissa Lin Silva v. City of Santa Clara, et al., United States District Court,

Northern District of California, Case No. 5:23-cv-02269

1.C 24-632 Conference with Legal Counsel-Anticipated Litigation

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section

54956.9: Number of potential cases - 1

Public Comment

None.

Convene to Closed Session (Sparacino Conference Room)

Council convened to Closed Session at 5:07 PM.

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 7:05 PM.

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Park recited the Statement of Values.

Roll Call

Assistant City Clerk/Secretary Pimentel noted that Council/ **Boardmember Hardy** is participating from a remote location.

Council/Boardmember Hardy noted that the agenda is posted at her remote location and is accessible to the public.

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

> 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 the Public Meeting will need to identify themselves and who they represent.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

Council/Boardmember Park left the dais at 7:11 PM.

City Attorney Googins noted that there was no reportable action from Closed Session.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

None.

SPECIAL ORDER OF BUSINESS

2.A	<u>24-331</u>	Recognition of Funds Raised to Benefit Local Programs from the 2023
		Santa Clara Historic Home Tour

Mayor Gillmor, on behalf of the **Council**, recognized the funds raised to Benefit Local Programs from the 2023 Santa Clara Historic Home Tour.

Mayor Gillmor introduced Janet Stevenson (Chair, Santa Clara Historic Home Tour) provided comments and presented checks to the local programs receiving funding.

2.B Proclamation of June 2024 as Portuguese National Heritage Month

Mayor Gillmor, on behalf of the **Council**, proclaimed June 2024 as Portuguese National Heritage Month and introduced **Sandra Avila** (**Secretary, S.E.S. Portuguese Hall**) who provided a few comments.

2.C 24-134 Proclamation of July 2024 as Parks & Recreation Month

Mayor Gillmor, on behalf of the **Council**, proclaimed July 2024 as Parks & Recreation Month.

Acting Director of Parks and Recreation Bojorquez provided a PowerPoint Presentation.

CONSENT CALENDAR

Mayor Gillmor abstained from Item 3.L due to a conflict of interest as her office is near one of the worksites listed in the item.

Councilmember Jain abstained from Item 3.L due to a conflict of interest as his home is near one of the worksites listed in the item.

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

Aye: 6 - Council/Boardmember Watanabe, Council/Boardmember Chahal, Council/Boardmember Hardy, Council/Boardmember Jain, Vice Mayor/Chair Becker, and Mayor/Chair Gillmor

3.A 24-11 Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:

Governance and Ethics Committee - March 4, 2024 Board of Library Trustees - May 6, 2024 Cultural Commission - May 6, 2024

Planning Commission - May 22, 2024 Planning Commission - May 24, 2023

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to Note and file the Minutes of: Governance and Ethics Committee - March 4, 2024, Board of Library Trustees - May 6, 2024, Cultural Commission - May 6, 2024, Planning Commission - May 22, 2024, and Planning Commission - May 24, 2023.

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

3.B 24-483

Action on Monthly Financial Status and Investment Reports for March and April 2024 and Approval of Related Budget Amendments

- **Recommendation:** 1. Note and file the Monthly Financial Status and Monthly Investment Reports for March and April 2024 as presented; and
 - 2. Approve the FY 2023/24 Budget Amendments in the following funds (as detailed in Attachment 5):
 - a. In the General Fund, with a net impact of \$5,315,610;
 - b. In the Cemetery Fund, with a net impact of \$26,970;
 - c. In the Electric Utility Capital Fund, with a net impact of (\$272,065,000);
 - d. In the Electric Utility Debt Service Fund, with a net impact of (\$321,927,014);
 - e. In the Electric Utility Fund, with a net impact of \$40,000,000;
 - f. In the Endowment Care Fund, with a net impact of \$26,500;
 - g. In the Engineering Operating Grant Trust Fund, with a net impact of \$279,147;
 - h. In the Expendable Trust Fund, with a net impact of \$46,000;
 - i. In the Fire Department Capital Fund, with a net impact of \$0;
 - j. In the Fire Development Services Fund, with a net impact of \$133,027;
 - k. In the Fire Operating Grant Trust Fund, with a net impact of \$95,113;
 - I. In the Fleet Maintenance and Operations Fund, with a net impact
 - m. In the Housing and Urban Development Fund, with a net impact of \$13.012:
 - n. In the Parks and Recreation Capital Fund, with a net impact of \$2,242,802;
 - o. In the Parks and Recreation Operating Grant Trust Fund, with a net impact of \$5,000;
 - p. In the Patrick Henry Drive Infrastructure Improvement Fund, with a net impact of (\$69,205);
 - q. In the Perpetual Care Fund, with a net impact of \$470;
 - r. In the Police Operating Grant Trust Fund, with a net impact of \$41,000;
 - s. In the Prefunded Plan Review Fund, with a net impact of \$62,000;
 - t. In the Public Buildings Capital Fund, with a net impact of \$24,000;
 - u. In the Public Donations Fund, with a net impact of \$14,620;
 - v. In the Recycled Water Fund, with a net impact of \$0;
 - w. In the Related Santa Clara Developer Fund, with a net impact of \$0:
 - x. In the Sewer Utility Capital Fund, with a net impact of \$0;
 - y. In the Solid Waste Capital Fund, with a net impact of (\$244,000);

- z. In the Solid Waste Fund, with a net impact of \$0;
- aa. In the Streets and Highways Capital Fund, with a net impact of \$104,938; and
- bb. In the Water Utility Capital Fund, with a net impact of \$0.

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to (1) note and file the Monthly Financial Status and Monthly Investment Reports for March and April 2024 as presented; and (2) approve the FY 2023/24 Budget Amendments in the following funds (as detailed in Attachment 5): [a] In the General Fund, with a net impact of \$5,315,610; [b] In the Cemetery Fund, with a net impact of \$26,970; [c] In the Electric Utility Capital Fund, with a net impact of (\$272,065,000); [d] In the Electric Utility Debt Service Fund, with a net impact of (\$321,927,014); [e] In the Electric Utility Fund, with a net impact of \$40,000,000; [f] In the Endowment Care Fund, with a net impact of \$26,500; [g] In the Engineering Operating Grant Trust Fund, with a net impact of \$279,147; [h] In the Expendable Trust Fund, with a net impact of \$46,000; [i] In the Fire Department Capital Fund, with a net impact of \$0; [j] In the Fire Development Services Fund, with a net impact of \$133,027; [k] In the Fire Operating Grant Trust Fund, with a net impact of \$95,113; [I] In the Fleet Maintenance and Operations Fund, with a net impact of \$0; [m] In the Housing and Urban Development Fund, with a net impact of \$13,012; [n] In the Parks and Recreation Capital Fund, with a net impact of \$2,242,802; [o] In the Parks and Recreation Operating Grant Trust Fund, with a net impact of \$5,000;[p] In the Patrick Henry Drive Infrastructure Improvement Fund, with a net impact of (\$69,205); [q] In the Perpetual Care Fund, with a net impact of \$470; [r] In the Police Operating Grant Trust Fund, with a net impact of \$41,000; [s] In the Prefunded Plan Review Fund, with a net impact of \$62,000; [t] In the Public Buildings Capital Fund, with a net impact of \$24,000; [u] In the Public Donations Fund, with a net impact of \$14,620; [v] In the Recycled Water Fund, with a net impact of \$0; [w] In the Related Santa Clara Developer Fund, with a net impact of \$0; [x] In the Sewer Utility Capital Fund, with a net impact of \$0; [y] In the Solid Waste Capital Fund, with a net impact of (\$244,000); [z] In the Solid Waste Fund, with a net impact of \$0; [aa] In the Streets and Highways Capital Fund, with a net impact of \$104,938; and [bb] In the Water Utility Capital Fund, with a net impact of \$0.

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

3.C 24-452 Action to Approve Payments to Shape, Inc., PAC Machine Company, and TrueBlue Automation Services for Lick Mill Storm Pump Station Emergency Pump Repairs and Rental Services, Related Budget Amendments, and Accept this Post-Emergency Report

- **Recommendation:** 1. Approve estimated payment of \$155,000 to TrueBlue Automation Services to diagnose and repair the pump controls at the Lick Mill SDPS:
 - 2. Approve estimated payment of \$325,000 to Shape, Inc. for emergency removal, diagnostics and repairs to pumps 2 and 3 at the Lick Mill SDPS:
 - 3. Approve estimated payment of \$205,000 to PAC Machine Company to supply temporary pumping capacity at the Lick Mill SDPS;
 - 4. Approve the following FY 2023/24 budget amendments:
 - A. In the General Fund, establish a transfer to the Storm Drain Capital Fund and decrease the Budget Stabilization Reserve in the amount of \$685,000 (five affirmative Council votes required for the use of unused balances) and
 - B. In the Storm Drain Capital Fund, recognize a transfer from the General Fund - Budget Stabilization Reserve and increase the Storm Pump Motor and Control Replacement Project in the amount of \$685,000 (five affirmative Council votes required to appropriate additional revenue).
 - 5. Note and file this Post-Emergency Report pursuant to Santa Clara City Code Section 2.105.260(c).

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to (1) approve estimated payment of \$155,000 to TrueBlue Automation Services to diagnose and repair the pump controls at the Lick Mill SDPS; (2) approve estimated payment of \$325,000 to Shape, Inc. for emergency removal, diagnostics and repairs to pumps 2 and 3 at the Lick Mill SDPS; (3) approve estimated payment of \$205,000 to PAC Machine Company to supply temporary pumping capacity at the Lick Mill SDPS; (4) approve the following FY 2023/24 budget amendments: A. In the General Fund, establish a transfer to the Storm Drain Capital Fund and decrease the Budget Stabilization Reserve in the amount of \$685,000 and B. In the Storm Drain Capital Fund, recognize a transfer from the General Fund - Budget Stabilization Reserve and increase the Storm Pump Motor and Control Replacement Project in the amount of \$685,000; and (5) Note and file this Post-Emergency Report pursuant to Santa Clara City Code Section 2.105.260(c).

Ave: 6 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Jain, Vice Mayor Becker, and Mayor Gillmor

3.D 24-912 Action on the Appropriation of \$166,774 in Asset Forfeiture Funds for FY 2024/25 and to Approve the Related Budget Amendment

- **Recommendation:** 1. Approve the appropriation of Asset Forfeiture Funds in the amount of \$166,774 pursuant to State and federal Regulations; and,
 - 2. Approve the FY 2024/25 budget amendment in the Police Operating Grant Trust Fund to recognize seized asset funding in the amount of \$166,774 and appropriate that funding to the Seized Asset Funding program in the amount of \$166,774 (five affirmative Council votes required to appropriate additional revenue).

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to (1) approve the appropriation of Asset Forfeiture Funds in the amount of \$166,774 pursuant to State and federal Regulations; and, (2) approve the FY 2024/25 budget amendment in the Police Operating Grant Trust Fund to recognize seized asset funding in the amount of \$166,774 and appropriate that funding to the Seized Asset Funding program in the amount of \$166,774.

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

3.E 24-1587 Action to Partner with the County of Santa Clara on an Award of Funding from the California Department of Justice to Combat Tobacco Related Challenges in the Community Not to Exceed \$27,680 and Approve the Related Budget Amendment

- Recommendation: 1. Authorize the City Manager and/or Finance Director to sign any and all documents required to partner with the County of Santa Clara on a FY 2023/24 Tobacco Grant from the California Department of Justice in final forms approved by the City Attorney; and
 - 2. Approve a FY 2023/24 budget amendment in the Police Operating Grant Trust Fund to recognize grant funding in the amount of \$27,680 and establish grant appropriations for the Tobacco Grant Program in the amount of \$27,680 (five affirmative Council votes required to appropriate additional revenue).

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to (1) authorize the City Manager and/or Finance Director to sign any and all documents required to partner with the County of Santa Clara on a FY 2023/24 Tobacco Grant from the California Department of Justice in final forms approved by the City Attorney; and (2) approve a FY 2023/24 budget amendment in the Police Operating Grant Trust Fund to recognize grant funding in the amount of \$27,680 and establish grant appropriations for the Tobacco Grant Program in the amount of \$27,6801; Authorize the City Manager and/or Finance Director to sign any and all documents required to partner with the County of Santa Clara on a FY 2023/24 Tobacco Grant from the California Department of Justice in final forms approved by the City Attorney; and (2) approve a FY 2023/24 budget amendment in the Police Operating Grant Trust Fund to recognize grant funding in the amount of \$27,680 and establish grant appropriations for the Tobacco **Grant Program in the amount** of \$27,680.

Ave: 6 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Jain, Vice Mayor Becker, and Mayor Gillmor

3.F 24-372 Action on a Contract Between the County of Santa Clara and the City of Santa Clara to Provide a Senior Nutrition Congregate Meals Program and **Related Budget Amendments**

- **Recommendation:** 1. Approve and authorize the City Manager to execute the Contract Between the County of Santa Clara and City of Santa Clara for the Senior Nutrition Congregate Meals Program in an amount not to exceed \$139,872 for FY 2024/25 in a final form approved by the City Attorney;
 - 3. Approve the related FY 2024/25 budget amendments in the Parks and Recreation Operating Grant Trust Fund to increase the Other Agencies Revenue estimate by \$14,954, decrease the Transfer from the General Fund by \$5,594 and increase the Senior Nutrition Program appropriation by \$9,360 (five affirmative Council votes required to appropriate additional revenue).
 - 4. Approve the related FY 2024/25 budget amendments in the General Fund to decrease the Transfer to the Parks & Recreation Operating Grant Trust Fund and increase the General Fund Budget Stabilization Reserve by \$5,594 (majority affirmative Council votes required).

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to (1) approve and authorize the City Manager to execute the Contract Between the County of Santa Clara and City of Santa Clara for the Senior Nutrition Congregate Meals Program in an amount not to exceed \$139,872 for FY 2024/25 in a final form approved by the City Attorney; and (3) approve the related FY 2024/25 budget amendments in the Parks and Recreation **Operating Grant Trust Fund to increase the Other Agencies** Revenue estimate by \$14,954, decrease the Transfer from the General Fund by \$5,594 and increase the Senior Nutrition Program appropriation by \$9,360; (4) approve the related FY 2024/25 budget amendments in the General Fund to decrease the Transfer to the Parks & Recreation Operating Grant Trust Fund and increase the General Fund Budget Stabilization Reserve by \$5,594.

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

3.G 24-519 Urgency Declaration and Action to Approve Expenditures of \$563,103 and Ratify an Agreement with C2R Engineering for the Emergency Pavement Repair Project on Las Palmas Drive, Loyola Drive, Buchanan Drive, and **Encina Way**

Recommendation: Deem the Emergency Pavement Repair Project at Las Palmas Drive, Loyola Drive, Buchanan Drive, and Encina Way an urgent necessity under section 1310 of the City Charter, because these roadways encounter frequent vehicular, bicycle, and pedestrian traffic and further delay in permanent repairs to the pavement along these streets would pose public health consequences and a threat to safety of residents and property, and ratify the agreement with C2R Engineering in the amount of \$467,875 plus change orders in the amount of \$68,228 for a total not-to-exceed amount of \$536,103.

> A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to deem the Emergency Pavement Repair Project at Las Palmas Drive, Loyola Drive, Buchanan Drive, and Encina Way an urgent necessity under section 1310 of the City Charter, because these roadways encounter frequent vehicular, bicycle, and pedestrian traffic and further delay in permanent repairs to the pavement along these streets would pose public health consequences and a threat to safety of residents and property, and ratify the agreement with C2R Engineering in the amount of \$467,875 plus change orders in the amount of \$68,228 for a total not-to-exceed amount of \$536,103.

Ave: 6 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Jain, Vice Mayor Becker, and Mayor Gillmor

3.H 24-472 Action on Amendments to Ten (10) Vendor Agreements for Recreational Programming Services in the Parks & Recreation Department for a revised not-to-exceed aggregate maximum compensation amount of \$6,206,130, subject to budget appropriations, in final forms approved by the City Attorney.

Recommendation: Authorize the City Manager to execute Amendments to the Agreements with the following ten (10) vendors to provide recreational programming services, in the respective not-to-exceed amounts and amended terms noted in this report, for a revised not-to-exceed aggregate maximum compensation amount of \$6,206,130, subject to budget appropriations, in final forms approved by the City Attorney: 1) Kimberly Davey; 2) Guru's Educational Services; 3) Joyful Melodies; 4) North American Youth Activities; 5) Anthony Janovich; 6) Nanogan Science & Services; 7) Sean Mendelson; 8) Josh Rubietta; 9) Linnea Sheehy; and 10) Southbay Youth Sports, Inc.

> A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to authorize the City Manager to execute Amendments to the Agreements with the following ten (10) vendors to provide recreational programming services, in the respective notto-exceed amounts and amended terms noted in the report, for a revised not-to-exceed aggregate maximum compensation amount of \$6,206,130, subject to budget appropriations, in final forms approved by the City Attorney: 1) Kimberly Davey; 2) Guru's Educational Services; 3) Joyful Melodies; 4) North American Youth Activities; 5) Anthony Janovich; 6) Nanogan Science & Services; 7) Sean Mendelson; 8) Josh Rubietta; 9) Linnea Sheehy; and 10) Southbay Youth Sports, Inc.

Ave: 6 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Jain, Vice Mayor Becker, and Mayor Gillmor

3.I 24-1141 Action on Amendment No. 2 to the Agreement with Accela, Inc. to Purchase Additional Licenses for Land Management Software and Increase the Maximum Compensation by \$235,872.25 for a Maximum Contract Compensation of \$2,875,172.25 and Approve the Related **Budget Amendment**

- **Recommendation:** 1. Authorize the City Manager, or his designee, to execute Amendment No. 2 to the Agreement with Accela, Inc. to purchase additional licenses for Land Management Software and increase the maximum compensation by \$235,872.25 for a maximum contract compensation of \$2,875,172.25 in a final form approved by the City Attorney; and
 - 2. Approve the FY 2024/25 budget amendment in the General Fund to increase the Non-Departmental appropriation in the amount of \$76,045 and decrease the Technology Fee Reserve in the amount of \$76,045 (five affirmative Council votes required for the use of unused balances).

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to (1) authorize the City Manager, or his designee, to execute Amendment No. 2 to the Agreement with Accela, Inc. to purchase additional licenses for Land Management Software and increase the maximum compensation by \$235,872.25 for a maximum contract compensation of \$2,875,172.25 in a final form approved by the City Attorney; and (2) approve the FY 2024/25 budget amendment in the General Fund to increase the Non Departmental appropriation in the amount of \$76,045 and decrease the Technology Fee Reserve in the amount of \$76,045.

Ave: 6 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Jain, Vice Mayor Becker, and Mayor Gillmor

3.J 24-396 Action on Amendment No. 2 to the Agreement with NUVIS Landscape Architecture, Inc. for Design Professional Services for the Central Park New Entrance, Access, and Parking Improvements Project and Related **Budget Amendments**

- **Recommendation:** 1. Approve and Authorize the City Manager to execute Amendment No. 2 to the Agreement with NUVIS Landscape Architecture, Inc. for the Central Park New Entrance, Access, and Parking Improvements Project in the amount not-to-exceed \$576,727, in a final form approved by the City Attorney;
 - 2. Authorize the City Manager to make minor modifications to the agreement, including time extensions, if needed; and
 - 3. Approve the following FY 2023/24 budget amendments:
 - A. In the Parks and Recreation Capital Fund, increase the Central Park New Entrance, Access, and Parking Improvements Project by \$172,727 and decrease the Mitigation Fee Act fund balance by the same amount (five affirmative Council votes required for the use of unused balances).

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to (1) approve and authorize the City Manager to execute Amendment No. 2 to the Agreement with NUVIS Landscape Architecture, Inc. for the Central Park New Entrance, Access, and Parking Improvements Project in the amount not-to-exceed \$576,727, in a final form approved by the City Attorney; (2) authorize the City Manager to make minor modifications to the agreement, including time extensions, if needed; and (3) approve the following FY 2023/24 budget amendments: [A] In the Parks and Recreation Capital Fund, increase the Central Park New Entrance, Access, and Parking Improvements Project by \$172,727 and decrease the Mitigation Fee Act fund balance by the same amount.

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

3.K 24-191 Action on a Standard Agreement with the California Highway Patrol for Traffic Management and Law Enforcement Services Related to Levi's Stadium Events

Recommendation: Authorize City Manager to execute the Standard Agreement with the California Highway Patrol for traffic management and law enforcement services for Levi's Stadium events, in an amount not to exceed \$5,000,000 over a four-year term (July 1, 2024 - June 30, 2028).

> A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to authorize the City Manager to execute the Standard Agreement with the California Highway Patrol for traffic management and law enforcement services for Levi's Stadium events, in an amount not to exceed \$5,000,000 over a four-year term (July 1, 2024 - June 30, 2028).

Ave: 6 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Jain, Vice Mayor Becker, and Mayor Gillmor

3.L 24-528 Action on Authorizing the Use of City Electric Forces for Public Works **Projects at Various Locations**

- **Recommendation:** 1. Determine the proposed action is exempt from CEQA pursuant to Section 15303 (Class 3 - New Construction or Conversion of Small Structures) of Title 14 of the California Code of Regulations; and
 - 2. Declare and determine in accordance with Section 1310 of the City Charter that the public works located at Winchester Boulevard at Market Street and Bellomy Street, Benton Street at Monroe Street, and Monroe Street to Bellomy Street are better performed by the City with its own employees based on the information set forth in this Report to Council and authorize the performance of these public works consistent with this authorization.

Mayor Gillmor abstained from this Item (3.L) due to a conflict of interest as her office is near one of the worksites listed in this item.

Councilmember Jain abstained from this Item (3.L) due to a conflict of interest as his home is near one of the worksites listed in this item.

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to (1) determine the proposed action is exempt from CEQA pursuant to Section 15303 (Class 3 - New Construction or Conversion of Small Structures) of Title 14 of the California Code of Regulations; and (2) declare and determine in accordance with Section 1310 of the City Charter that the public works located at Winchester Boulevard at Market Street and Bellomy Street, Benton Street at Monroe Street, and Monroe Street to Bellomy Street are better performed by the City with its own employees based on the information set forth in this Report to Council and authorize the performance of these public works consistent with this authorization.

Aye: 4 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, and Vice Mayor Becker

Abstained: 2 - Councilmember Jain, and Mayor Gillmor

3.M 24-563 Adopt a Resolution Accepting the California Department of Alcoholic Beverage Control Grant and Authorizing the City Manager to Execute Grant Related Documents and Approve the Related Budget Amendment

Recommendation: 1. Adopt the Resolution accepting the California Department of Alcoholic Beverage Control Grant to be utilized to fund a variety of overtime assignments to curb alcohol-related challenges in our community, and authorizing the City Manager to execute all grant-related documents; and 2. Approve the FY 2024/25 budget amendment in the Police Operating Grant Trust Fund to recognize grant funding in the amount of \$75,381 and establish an Alcohol Policing Grant Partnership Grant 2024/25 appropriation in the amount of 75,381 (five affirmative Council votes required to appropriate additional revenue).

> A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to (1) adopt Resolution No. 24-9334 accepting the California Department of Alcoholic Beverage Control Grant to be utilized to fund a variety of overtime assignments to curb alcohol-related challenges in our community, and authorizing the City Manager to execute all grant-related documents; and (2) approve the FY 2024/25 budget amendment in the Police Operating Grant Trust Fund to recognize grant funding in the amount of \$75,381 and establish an Alcohol Policing Grant Partnership Grant 2024/25 appropriation in the amount of 75,381.

Ave: 6 - Councilmember Watanabe, Councilmember Chahal, Councilmember Hardy, Councilmember Jain, Vice Mayor Becker, and Mayor Gillmor

Off Dais: 1 - Councilmember Park

3.N <u>24-6</u>20 Action to Adopt a Resolution Approving and Adopting the Updated Classified Salary Plan Effective July 7, 2024, to reflect the negotiated and City Council approved general wage increase for classifications represented by The Engineers of the City of Santa Clara.

Recommendation:

1. Adopt a Resolution to Approve the revised classified salary plan, to satisfy the requirements of California Code of Regulations Section 570.5, effective July 7, 2024.

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to adopt Resolution No. 24-9335 to approve the revised classified salary plan, to satisfy the requirements of California Code of Regulations Section 570.5, effective July 7, 2024.

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

3.0 24-621

Adoption of a Resolution Calling and Giving Notice of a General Municipal Election to be held on Tuesday, November 5, 2024 for the Election of Four Councilmembers one for each Council District 1, 4, 5 and 6, Chief of Police and one City Clerk; and Requesting the Consolidation and Performance of Services from the County of Santa Clara Registrar of Voters of the Municipal Election with the Statewide Election; and Adopt Regulations for Candidate Statements of Qualifications Submitted to the Voters and Levying a Share of the Cost of the Candidates' Statements

Recommendation: Adopt a Resolution Calling and Giving Notice of a of a General Municipal Election to be held on Tuesday, November 5, 2024 for the Election of Four Councilmembers one for each Council District 1, 4, 5 and 6, one Chief of Police and one City Clerk; Requesting the Consolidation and Performance of Services from the County of Santa Clara Registrar of Voters of the Municipal Election with the Statewide Election; and Adopt Regulations for Candidate Statements of Qualifications Submitted to the Voters and Levying a Share of the Cost of the Candidates' Statements

> A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to adopt Resolution No. 24-9336 Calling and Giving Notice of a of a General Municipal Election to be held on Tuesday, November 5, 2024 for the Election of Four Councilmembers one for each Council District 1, 4, 5 and 6, one Chief of Police and one City Clerk; Requesting the Consolidation and Performance of Services from the County of Santa Clara Registrar of Voters of the Municipal Election with the Statewide Election; and Adopt Regulations for Candidate Statements of Qualifications Submitted to the Voters and Levying a Share of the Cost of the Candidates' Statements.

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

Off Dais: 1 - Councilmember Park

3.P 24-623 Action on a Resolution Revising the Regular Meeting Date for the Parks & Recreation Commission to the Second Monday of the Month at 7:00 p.m.

Recommendation: Adopt a Resolution revising the Parks & Recreation Commission regular meeting date and time to the second Monday of each month at 7 p.m.

> A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to adopt Resolution No. 24-9337 revising the Parks & Recreation Commission regular meeting date and time to the second Monday of each month at 7 p.m.

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

Off Dais: 1 - Councilmember Park

3.Q 24-624 Action on Renewal of Friendship City Memorandum of Understanding

between City of Santa Clara and Icheon City, Republic of Korea

Recommendation: Approve a three-year Friendship City Relationship Memorandum of

Understanding (MOU) with Icheon City, Republic of Korea, and authorize

the Mayor to sign the MOU on behalf of the City of Santa Clara

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to approve a three-year Friendship City Relationship Memorandum of Understanding (MOU) with Icheon City, Republic of Korea, and authorize the Mayor to sign the MOU on behalf of the City of Santa Clara.

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

Off Dais: 1 - Councilmember Park

3.R 24-455 Informational Report Regarding Bi-Annual Project Status Report of the GIS

Services Program

Recommendation: Note and file the Bi-annual Status Report on the GIS Service Program.

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to note and file the Bi-annual Status Report on the GIS Service Program.

Aye: 6 - Councilmember Watanabe, Councilmember Chahal, Councilmember

Hardy, Councilmember Jain, Vice Mayor Becker, and Mayor Gillmor

Off Dais: 1 - Councilmember Park

SANTA CLARA STADIUM AUTHORITY BOARD CONSENT CALENDAR

4. 24-616 Action on Stadium Authority Bills and Claims for the Month of April 2024

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

A motion was made by Vice Chair Becker, seconded by Boardmember Chahal, to approve the list of Stadium Authority Bills and Claims for April 2024.

Aye: 6 - Boardmember Watanabe, Boardmember Chahal, Boardmember Hardy, Boardmember Jain, Vice Chair Becker, and Chair Gillmor

Off Dais: 1 - Boardmember Park

PUBLIC PRESENTATIONS

Caller #2669 expressed comments regarding **Councilmembers**.

Sreeja Pavuluri invited Council to attend Bloom Energy's Valley Health Community Run and Walk event.

Edward Strine expressed comments regarding Former President Trump and increased crime in California.

CONSENT ITEMS PULLED FOR DISCUSSION

None.

PUBLIC HEARING/GENERAL BUSINESS

5. 24-120

Action and Direction on the Re-opening of the George F. Haines International Swim Center (ISC) for Temporary Use with a Maximum Occupancy of 200 people

Recommendation: It is recommended that the City Council:

- 1. Remove from further consideration the option for a temporary, modular pool solution; and
- 2. Direct staff to continue the closure of the ISC and authorize the City Manager to take all necessary steps to ensure the safety and security of the site, including draining and covering the pools, pending the development of a permanent, new facility.

City Manager Grogan made some opening remarks and introduced **Acting Parks and Recreation Director Bojorquez** who gave a PowerPoint presentation on the action and direction on the re-opening of the George F. Haines International swim Center (ISC) for Temporary Use with a Maximum Occupancy of 200 people.

Council questions followed.

Councilmember Park returned to the dais at 8:10 PM.

Acting Parks and Recreation Director Bojorquez and City Manager Grogan addressed Council questions and comments.

Public Comments: Vikas Gupta

Julie Corrigan

Linda

Additional **Council** questions followed.

Acting Parks and Recreation Director Bojorquez and City Manager Grogan addressed Council questions and concerns.

A motion was made by Councilmember Watanabe, seconded by Vice Mayor Becker, to (1) pursue a temporary reopening of the International Swim Center for an estimated cost of \$1,860,000 in one-time cost; (2) an additional costs \$53,955 in ongoing annual costs for showers; (3) there would not be a continued cost for porta-potties as the North and South restrooms facilities have been approved for a reopening with park access; (4) remove Myrtha temporary modular pool consideration; and (5) direct staff to develop a plan for the County of Santa Clara on when the International Swim Center can reopen.

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

Nay: 1 - Councilmember Hardy

Mayor Gillmor called for a recess at 9:30 PM and reconvened the meeting at 9:44 PM.

6. FISCAL YEAR 2024/25 AND FY 2025/26 BUDGET ACTION ITEM

6.A 24-322 Public Hearing: Action on Adoption of the Proposed FY 2024/25 & FY 2025/26 Biennial Capital Improvement Program Budget, Approval of FY 2024/25 Operating Budget Amendments, and Adoption of the FY 2024/2025 Housing Authority Budget, and Sports and Open Space Authority Budget

Recommendation: That the City Council, and the City Council acting as the Governing Boards of the Housing Authority and the Sports and Open Space Authority take the following actions:

- 1. Approve the Proposed FY 2024/25 and FY 2025/26 Biennial Capital Budget, including the recommended revisions, as detailed in Attachment 2;
- 2. Approve the FY 2024/25 Operating Budget changes included in the recommended revisions, as detailed in Attachment 2;
- 3. Approve the Appropriation Schedule for capital funds totaling \$567,807,159 in FY 2024/25 and \$358,945,656 in FY 2025/26 and the FY 2024/25 Appropriation Schedule for operating funds totaling \$1,494,223,189, as detailed in Attachment 3;
- 4. Approve the Housing Authority FY 2024/25 expenditure budget of \$468,931 as presented in the Proposed Budget; and
- 5. Approve the Sports and Open Space Authority FY 2024/25 expenditure budget of \$10,200 as presented in the Proposed Budget.

Director of Finance Lee gave a PowerPoint presentation on the Public Hearing of Adoption of the proposed FT 2024/25 and FY 2025/26 Biennial Capital Improvements program budget and FY 2024/25 Operating Budget changes and for Item 6.B establishing the City's fiscal year 2024/25 appropriations limit.

Council questions followed.

Director of Finance Lee responded to **Council** questions.

Public Comment: David Mooso

Mayor Gillmor also opened the Public Hearing: Action Establishing the City's Fiscal Year 2024/25 Appropriations Limit of \$651,370,972 Pursuant to Article XIIIB of the California State Constitution (Item 6.B).

A motion was made by Vice Mayor Becker, seconded by Councilmember Jain, to close the Public Hearing on Item 6.A and 6.B.

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

A motion was made by **Vice Mayor Becker** to approve staff recommendation for both 6A and 6B, with the inclusion of the full funding of \$825,000 for the Lawn Bowl Club facility and allocate \$100,000 for Rainbow crosswalk in specific locations.

Councilmember Jain requested to amend the motion to fully fund the Lawn Bowl Club at \$1 Million Dollars which already has a contingency built into it, allocate \$100,000 for the Rainbow Crosswalks, and to add \$200,000 to fully fund the reopening of the International Swim Center.

Vice Mayor Becker accepted the request.

Council comments followed.

A motion was made by Vice Mayor Becker, seconded by Councilmember Jain, that the City Council acting as the Governing **Boards of the Housing Authority and the Sports and Open Space** Authority take the following actions: to (1) approve the Proposed FY 2024/25 and FY 2025/26 Biennial Capital Budget, including the recommended revisions, as detailed in Attachment 2; (2) approve the FY 2024/25 Operating Budget changes included in the recommended revisions, as detailed in Attachment 2; (3) approve the Appropriation Schedule for capital funds totaling \$567,807,159 in FY 2024/25 and \$358,945,656 in FY 2025/26 and the FY 2024/25 Appropriation Schedule for operating funds totaling \$1,494,223,189, as detailed in Attachment 3; (4) approve the Housing Authority FY 2024/25 expenditure budget of \$468,931 as presented in the Proposed Budget; and (5) approve the Sports and Open Space Authority FY 2024/25 expenditure budget of \$10,200 as presented in the Proposed Budget; (6) with the inclusion of the full funding of \$1 million for the Lawn Bowl Club facility; (7) allocate \$100,000 for rainbow crosswalk in specific locations; and (8) to fully fund the reopening the International Swim Center.

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

Nay: 1 - Councilmember Watanabe

6.B 24-484 Action Establishing the City's Fiscal Year 2024/25 Appropriations Limit of \$651,370,972 Pursuant to Article XIIIB of the California State Constitution

Recommendation: Adopt a Resolution Establishing the City's Fiscal Year 2024/25 Appropriations Limit of \$651,370,972 Pursuant to Article XIIIB of the California State Constitution.

> A motion was made by Vice Mayor Becker, seconded by Councilmember Jain, to adopt Resolution No. 24-9338 Establishing the City's Fiscal Year 2024/25 Appropriations Limit of \$651,370,972 Pursuant to Article XIIIB of the California State Constitution.

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

Nav: 1 - Councilmember Watanabe

7. 24-537

Action Authorizing the City Manager to Negotiate and Execute Agreements with Westlands Grape, LLC to Purchase Resource Adequacy Capacity up to \$34 Million Annually from the Westlands Grape Battery Storage Project for Silicon Valley Power's Compliance Obligations

- **Recommendation:** 1. Authorize the City Manager or designee to negotiate and execute an agreement (Agreement) with Westlands Grape, LLC for the purchase of resource adequacy capacity on the terms presented subject to review and approval as to form by the City Attorney;
 - 2. Authorize the City Manager or designee to execute all documents, agreements, and certificates as may be required under the terms of the Agreement, subject to the review and approval as to form of the City Attorney, including, but not limited to, collateral assignment agreements, estoppel certificates, and performance security documentation, and take any and all actions as are necessary or advisable to implement and administer the Agreement; and
 - 3. Authorize the City Manager or designee to (a) execute any amendments so long as there is no change to price or length of the Agreement; and (b) exercise an option for additional resource adequacy capacity in accordance with the terms of the Agreement and subsequently amend the Agreement to reflect the adjusted contract quantity, subject to appropriation of funds and review and approval as to form of the City Attorney.

Chief Electric Utility Officer Pineda gave a PowerPoint presentation authorizing the City Manger to negotiate and execute agreements with Westlands Grape, LLC to purchase resource adequacy capacity up to \$34 million annually from the Westlands Grape Battery Storage Project.

Council questions followed.

Chief Electric Utility Officer Pineda responded to Council questions.

There was no Public Comment.

Additional **Council** questions followed.

A motion was made by Vice Mayor Becker, seconded by Councilmember Jain, to (1) authorize the City Manager or designee to negotiate and execute an agreement (Agreement) with Westlands Grape, LLC for the purchase of resource adequacy capacity on the terms presented subject to review and approval as to form by the City Attorney; (2) authorize the City Manager or designee to execute all documents, agreements, and certificates as may be required under the terms of the Agreement, subject to the review and

approval as to form of the City Attorney, including, but not limited to, collateral assignment agreements, estoppel certificates, and performance security documentation, and take any and all actions as are necessary or advisable to implement and administer the Agreement; and (3) authorize the City Manager or designee to (a) execute any amendments so long as there is no change to price or length of the Agreement; and (b) exercise an option for additional resource adequacy capacity in accordance with the terms of the Agreement and subsequently amend the Agreement to reflect the adjusted contract quantity, subject to appropriation of funds and review and approval as to form of the City Attorney.

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

8. 24-642 Action on a Council Written Request (Council Policy 030) Submitted by Mayor Gillmor and Councilmember Watanabe Requesting to Place on the Agenda at a Future Council Meeting the Santa Clara County Civil Grand Jury Report Titled "Irreconcilable Differences: Santa Clara City Council" for a Public Discussion, the Findings, and possible Council Action

Recommendation: Staff makes no recommendation.

Mayor Gillmor and Councilmember Watanabe provided comments on their Written Request.

Council questions followed.

City Attorney Googins addressed Council questions.

Council comments followed.

Public Comment: Wanda Buck

City Manager Grogan provided additional comments.

A motion was made by Councilmember Watanabe, seconded by Vice Mayor Becker, to agendize the Written Request on the July 9, 2024 Council and Authorities Concurrent meeting agenda.

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

REPORTS OF MEMBERS, SPECIAL COMMITTEES AND COUNCILMEMBER 030 REQUESTS

Councilmember Watanabe reported on her attendance at the American Public Power Assocation Conference along with Mayor Gillmor in San Diego and expressed comments on Chief Electric Utility Officer Pineda's presentation at the Conference.

Councilmember Park reported on his attendance at the AAPI Conference hosted by Police Athletic League (PAL) and expressed comments of discussions on shared experiences with other groups.

Councilmember Hardy reported not attending the last Council meeting as she was on the Hetch Hetchy Tour to better understand water source.

Mayor Gillmor reported on her attendance at the American Public Power Association Conference and noted how well known the City of Santa Clara is known for Silicon Valley Power and expressed comments regarding discussions on wildfires.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

None.

ADJOURNMENT

The meeting was adjourned at 11:07 PM.

A motion was made by Vice Mayor/Chair Becker, seconded by Council/Boardmember Chahal, to adjourn the meeting.

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

The next regular scheduled meeting is on Tuesday, July 9, 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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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."

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Assistant City Clerk/Secretary

ATTEST:

Mayor/Chairperson