



# City of Santa Clara

## Meeting Minutes

### Council and Authorities Concurrent Meeting

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01/26/2021

4:00 PM

Virtual Meeting

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

- **Via Zoom:**

- o <https://santaclaraca.zoom.us/j/99706759306>

Meeting ID: 997-0675-9306 or

- o Phone: 1(669) 900-6833

- **Via the City's eComment (now available during the meeting)**

- **Via email to [PublicComment@santaclaraca.gov](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.

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

#### **Call to Order**

**Mayor Gillmor** called the meeting to order at 4:05 PM.

#### **Roll Call**

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

**Public Comment**

**None.**

[21-167](#)

Conference with Legal Counsel-Existing Litigation (CC)  
Pursuant to Gov. Code § 54956.9(d)(1)  
City of Santa Clara v. Yumori Kaku, et al., California Sixth District Court of  
Appeal Case No. H046105

**Convene to Closed Session**

**4:30 COUNCIL/STADIUM AUTHORITY REGULAR MEETING**

**Pledge of Allegiance and Statement of Values**

**Council** recited the Pledge of Allegiance.

**Councilmember Watanabe** recited the Statement of Values.

**Assistant City Clerk Pimentel** recited the Statement of Behavioral Standards and AB23 Announcement.

**REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS**

**City Attorney Doyle** noted there was no reportable action from Closed Session.

**CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS**

**Council/Boardmember Jain** noted that the Forty Niners submitted a request for a continuance on Item 2.K.

**City Manager Santana** and **City Attorney Doyle** noted that Item 2.K can be pulled from Consent Calendar for further clarification on Form 700 and the advice from Fair Political Practices Commission.

**SPECIAL ORDER OF BUSINESS**

- 1.A [21-156](#) Recognize Resident Esperanza Castellanos on her 107th Birthday
- Mayor Gillmor** recognized Santa Clara resident **Esperanza Castellanos** on her 107th Birthday. **Council** proclaimed January 13, 2021 as **Esperanza Castellanos Day**.
- Public Speaker(s):** Esperanza Castellanos and Mandy
- 1.B [21-168](#) Recognize Local Youth Author Aarna Agrawal
- Mayor Gillmor** recognized and presented a Special Mayoral Recognition to Local Youth Author **Aarna Agrawal** on her first book: *The Magic Bracelet*.
- Aarna Agrawal** expressed comments of gratitude for the recognition and her inspiration for the book.
- Council** gave congratulating comments, noting how proud Santa Clara is of her accomplishments, and would love to put the book in Santa Clara libraries.
- 1.C [21-1270](#) Update on Worker Cooperative Initiative
- Assistant City Manager Shikada, Assistant to the City Manager Sahid, Hilary Abell (Consultant - Project Equity), Donna Sky (Consultant - Democracy at Work Institute) and Zen Trenholm (Consultant - Democracy at Work Institute)** gave a Powerpoint Presentation on Worker Cooperative Initiatives and addressed **Council** questions.
- Kirk Vartan** gave an update on the partnership on Worker Cooperative Initiatives with Mission College.

1.D [21-147](#) Verbal Report from City Manager regarding COVID-19 Pandemic

**City Manager Santana** gave a PowerPoint presentation regarding COVID-19, noting the following:

- State of California has lifted the regional Stay-at-Home Order based on the four week projections that ICU capacity will be above 15%;
- On January 25, 2021, the available ICU capacity in Santa Clara County was 16%;
- Santa Clara will return to the Purple Tier;
- Santa Clara County currently researching new variants of COVID-19;
- The Santa Clara County average 7 day case numbers is 1,127 and 100 new hospitalizations each day;
- Preparing to return pick-up services at Santa Clara Libraries;
- Mass Vaccination site open in Mountain View;
- Forty Niners and Santa Clara County working to make Levi's Stadium a mass vaccination site;
- Santa Clara County Board of Supervisors to pass an Eviction Moratorium through June 2021;
- Currently reviewing Round 2 of Emergency Rental Assistance applications; and
- O2 Micro International donated PPE to the City.

**Chief Emergency Services Officer Schoenthal** gave a PowerPoint Presentation providing details on the Purple Tier and the modifications that can be made, the statistical information on COVID-19, provided an update on information from the County of Santa Clara Board of Supervisors and Public Health Officials on vaccinations, and information regarding the current incoming storm.

**City Manager Santana** addressed **Council** questions.

**Public Speaker(s):** Kirk Vartan

## **CONSENT CALENDAR**

**A motion was made by Vice Mayor Hardy, seconded by Councilmember Jain, to approve the balance of the Consent Calendar (except Items 2.E, 2.K, 2.L, 2.M, 2.Q, 2.R and 2.U).**

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

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

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

**A motion was made by Vice Mayor/Vice Chair Hardy, seconded by Councilmember/Boardmember Jain, to approve staff recommendation.**

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

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

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

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

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

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

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

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

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

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

**Recommendation:**

1. Award the Public Works Contract for the Pruneridge Avenue-Lawrence Expressway Bicycle Lane Improvements Project (CE 17-18-09) to the lowest responsive and responsible bidder, ASG Builders, in the amount of \$364,096 and authorize the City Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project; and
2. Authorize the City Manager to execute change orders up to approximately 10 percent of the original contract price, or \$36,504 for a total not to exceed amount of \$400,600.

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

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

**Recommendation:**

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

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

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

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

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

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

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

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

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

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

**Councilmember Chahal** recused himself from this item due to potential conflict of interest as his property is near the subject item property.

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

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

**Recused:** 1 - Councilmember Chahal

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

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

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

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

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

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

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

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

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

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

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

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

#### STADIUM AUTHORITY CONSENT CALENDAR ITEMS

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

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

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



**PUBLIC PRESENTATIONS**

None.

**CONSENT ITEMS PULLED FOR DISCUSSION**

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

**Recommendation:**

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

**Councilmember Jain** pulled this Item for further discussion on City's investment on Sustainability.

**Director of Finance Lee** gave a verbal clarification on the City's investment on Sustainability.

**A motion was made by Councilmember Jain, seconded by Councilmember Watanabe, to continue this item and return with report an analysis on Investments, including Sustainability Investments.**

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

- 2.K**     [21-1285](#)     Adopt the following City of Santa Clara and related agencies' Resolutions Amending the Conflict of Interest Codes for Designated Positions as Required by the Political Reform Act and Regulations of the Fair Political Practices Commission:
1. City of Santa Clara
  2. Santa Clara Stadium Authority
  3. Bayshore North Project Enhancement
  4. Public Facilities Financing Corporation
  5. Sports and Open Space Authority
  6. Housing Authority

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

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

**Council/Boardmember Jain** pulled this item for further clarification due to the letter received by Ruthann Ziegler, Stadium Management Company's Attorney.

**City Attorney/Counsel Doyle** gave a presentation on Form 700 for the Stadium Authority.

**City Attorney/Counsel Doyle, City Manager/Executive Director Santana, Assistant City Clerk/Secretary** addressed **Council/Board** questions.

**Council/Boardmember Watanabe** made a motion to adopt the Resolutions amending the Conflict of Interest Code required by the Political Reform Act and Regulations of the Fair Political Practices Commission: (1) City of Santa Clara (2) Santa Clara Stadium Authority (3) Bayshore North Project Enhancement (4) Public Facilities Financing Corporation (5) Sports and Open Space Authority (6) Housing Authority.

Motion failed for a lack of a second.

**Public Speaker(s):** Jeff Houston  
Kirk Vartan

**A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Hardy, to continue this item to February 9, 2021 to provide the Stadium Management Company's attorney Ruthann Ziegler opportunity (by January 29, 2021) to provide the City/Stadium Authority information on why the Stadium Management Company individuals listed in the staff report should not be included in the Conflict of Interest Code.**

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

**Nay:** 1 - Councilmember Watanabe

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

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

**Vice Mayor Chahal** pulled this item and requesting to change the Proclamation, Commendations, and Recognitions policy from sole discretion of the Mayor to Mayor and Council discretion.

**City Manager Santana** and **City Attorney Doyle** addressed **Council** questions.

**Public Speaker(s):** Bob O'Keefe

**A motion was made by Councilmember Becker, seconded by Councilmember Jain, to adopt Resolution No. 8932 to amend Council Policy 020 as recommended by the Governance and Ethics Committee.**

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

**Council** took a recess at 7:57 PM. and reconvened at 8:07 PM.

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

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

**Councilmember Jain** pulled this item for further discussion.

**Mayor Gillmor** provided a verbal report on how she selected the assigned appointments to the Council Committees and Outside Agency Committee lists.

**Councilmember Jain** provided a presentation on his proposal of Council Committees and Outside Agency Committee Assignments.

**Councilmember Becker** made a motion to adopt Councilmember Jain's proposal for the Council Committees and Outside Agency Committee Assignments with the following amendments: (1) Mayor Gillmor replacing Councilmember Watanabe on the Economic Development & Marketing Committee and (2) Councilmember Chahal on the Caltrain Modernization Local Policymaker Group and listing Councilmember Becker as the Alternate.

Motion failed due to lack of a second.

**Public Speaker(s):** Bob O'Keefe

**A motion was made by Councilmember Hardy, seconded by Councilmember Jain, (1) to establish an Ad-Hoc Committee comprised of Councilmember Park, Councilmember Jain, and Mayor Gillmor to review the Committee assignments, (2) return to Council with a revised plan, and (3) current Committee assignments will remain in place until new appointment list is approved by Council.**

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

**Nay:** 2 - Councilmember Watanabe, and Councilmember Becker

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

**Recommendation:** 1. Note and file this report.

**Councilmember Jain** pulled this item for further discussion and presentation from **Written Petitioner Sam Liu**.

**Written Petitioner Sam Liu** provided a review of his concerns of the CMU Wall.

**Community Development Crabtree** gave a verbal presentation and addressed **Council** questions.

**City Attorney Doyle** addressed **Council** questions.

**Public Speaker(s):** Dawn Sweatt  
Alan Li (eComment)  
Hailiang Xie (eComment)

**A motion was made by Councilmember Hardy, seconded by Councilmember Jain, to refer this item back to the City Building Official to review the revised application of the permit in light of the testimony that was offered at the City Council meeting.**

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

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

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

**Councilmember Watanabe** pulled this item for further clarification on the timeline for the installation of restrooms.

**Councilmember Jain** requested for Wi-Fi be available in the Park

**Director of Parks & Recreation Teixeira** addressed **Council** questions.

**A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to adopt Ordinance No. 2027 approving the Update of the Fairway Glen Park Master Plan to include a Restroom in Accordance with City Charter Section 714.1.**

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

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

**Boardmember Watanabe** pulled this item for further clarification.

**Executive Director Santana** gave a PowerPoint Presentation.

**Stadium Authority Board** comments and questions followed.

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

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

**Recommendation:** Alternatives 1 and 4:

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

**A motion was made by Boardmember Watanabe, seconded by Boardmember Hardy, to approve alternatives 1 and 4: (1) approve the Stadium Manager's request to execute agreements with FedEx and USPS for mailing up to 1,200 SBL notices of defaults and termination in a total amount not-to-exceed \$16,400 and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager; and (4) deny retroactive approval of the costs associated with postage, printing and mailing the 2021 SBL invoices, in an amount not-to-exceed \$10,100, and delegate approval to the Executive Director upon receipt of invoices and all supporting documentation from the Stadium Manager.**

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

**PUBLIC HEARING/GENERAL BUSINESS**

**STADIUM AUTHORITY GENERAL BUSINESS ITEM**

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

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

**Stadium Authority Treasurer Lee** gave a PowerPoint Presentation.

**A motion was made by Boardmember Jain, seconded by Boardmember Watanabe, to note and file the Santa Clara Stadium Authority Financial Status Report for the Quarter Ending September 30, 2020.**

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

**COUNCIL GENERAL BUSINESS ITEMS**



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

**Recommendation:** Alternatives 1 and 3:

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

**Assistant City Manager Shikada, Kelly Rankin (Civitas Advisors), and Assistant to the City Manager Thome** gave a PowerPoint Presentation.

**Eron Hodges [Chair of the Tourism Improvement District and Destination Marketing Organization, Inc. (DMO)] and Matt Stewart (Chief Executive Officer of Silicon Valley/Santa Clara DMO, Inc.)** expressed comments regarding the Business Improvement District Laws and addressed Council questions.

**City Manager Santana and Assistant to the City Manager Thome** addressed Council questions.

**Councilmember Becker** made a motion to revisit this item within six months for further discussion.  
Motion failed due to a lack of a second.

**A motion was made by Councilmember Hardy, seconded by Councilmember Watanabe, to approve Alternatives 1 and 3: (1) provide direction to proceed with the conversion of the Santa Clara Tourism Improvement District (TID) established under the Parking and Business Improvement Area Law of 1989 to a TID established under the Property and Business Improvement District Law of 1994; and (3) provide direction to proceed with an initial District assessment formula of 1.5% of gross room revenue and increasing to 2% in Year Two.**

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

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

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

**Councilmember Jain** provided a verbal report on his request to agendize the potential disposal of the Loyalton Property.

**A motion was made by Councilmember Jain, seconded by Councilmember Hardy, to agendize this item for a future Council meeting in mid to late March.**

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

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

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

**Mayor Gillmor** recused herself from this item due to a potential conflict of interest as she owns property in Franklin Square Mall.

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

**Councilmember Jain** provided a verbal report on his request to agendize for a future Council Meeting the City's commitment to maintaining Franklin Square Mall.

**City Attorney Doyle, Director of Public Works Mobeck, and City Manager Santana** addressed Council questions.

**City Manager Santana** noted that staff can return with information on implementing and governing maintenance districts.

**A motion was made by Councilmember Becker, seconded by Councilmember Hardy to agendize this item for a future meeting.**

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

**Nay:** 1 - Councilmember Watanabe

**Recused:** 1 - Mayor Gillmor

### **REPORTS OF MEMBERS AND SPECIAL COMMITTEES**

**Councilmember Hardy** reported on her attendance at the Bicycle Pedestrian Accesability Committee and that Committee recommendations are being referred to the Governance Committee.

**Councilmember Watanabe** reported on her attendance at the Association of Bay Area Governments (ABAG) meeting and the data will be coming out increasing housing in the Bay Area.

### **CITY MANAGER/EXECUTIVE DIRECTOR REPORT**

**City Manager Santana** noted that the City will be holding the Council Priority Setting Sessions on February 1 and 2, 2021 and that there are areas in Santa Clara that have power outages due to the high winds and rain.

**City Manager Santana** addressed **Council** questions regarding the Power Outages.

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

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

### **ADJOURNMENT**

The meeting was adjourned at 11:44 PM.

**A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to adjourn the meeting.**

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

The next regular scheduled meeting is on Tuesday evening, February 9, 2021.

**MEETING DISCLOSURES**

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

AB23 ANNOUNCEMENT: Members of the Santa Clara Stadium Authority, Sports and Open Space Authority and Housing Authority are entitled to receive \$30 for each attended meeting.

Note: The City Council and its associated Authorities meet as separate agencies but in a concurrent manner. Actions taken should be considered actions of only the identified policy body.

LEGEND: City Council (CC); Stadium Authority (SA); Sports and Open Space Authority (SOSA); Housing Authority (HA); Successor Agency to the City of Santa Clara Redevelopment Agency (SARDA)

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<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.