



City of Santa Clara

Meeting Minutes of the

Joint City Council and Authorities Concurrent &

Santa Clara Stadium Authority Board



09/04/2024

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

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1. Use the eComment tab located on the City Council Agenda page (<https://santaclaraca.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.

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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 Mayor/Chair calls for a Special Meeting of the City Council of the City of Santa Clara and the Governing Board of the Stadium Authority to commence and convene on September 4, 2024, at 5:00 pm for a Special Meeting to be held virtually and in the City Hall Council Chambers located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California, to consider the following matter(s) and to potentially take action with respect to them.

5:00 PM SPECIAL CITY COUNCIL/STADIUM AUTHORITY BOARD MEETING

Call to Order in Council Chambers

Mayor/Chair Gillmor called the meeting to order at 5:09 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

Mayor/Chair Gillmor asked for a motion to excuse Council/Boardmember Chahal from this meeting.

Deputy City Clerk/Secretary Nguyen recited the AB23 announcement and Statement of Behavioral Standards.

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

Council/Boardmember Park announced that he would be leaving the meeting around 7:00 PM.

Present: 6 - Council/Boardmember Kathy Watanabe, Council/Boardmember Karen Hardy, Council/Boardmember Kevin Park, Council/Boardmember Suds Jain, Vice Mayor/Chair Anthony Becker, Mayor/Chair Gillmor

Absent: 1 - Council/Boardmember Raj Chahal

A motion was made by Council/Boardmember Park, seconded by Council/Boardmember Hardy, to excuse Council/Boardmember Chahal from the meeting.

Aye: 6 - Council/Boardmember Kathy Watanabe, Council/Boardmember Karen Hardy, Council/Boardmember Kevin Park, Council/Boardmember Suds Jain, Vice Mayor/Chair Anthony Becker, Mayor/Chair Gillmor

Absent: 1 - Council/Boardmember

Chahal **GENERAL BUSINESS**

1. [24-879](#) Action on the City Council's Response to the Santa Clara County Civil Grand Jury Report Entitled "Irreconcilable Differences: Santa Clara City Council"

- Recommendation:**
1. Discuss and approve a final response to the Civil Grand Jury Report entitled "Irreconcilable Differences: Santa Clara City Council" and direct the City Attorney/Authority Counsel to prepare the formal response consistent with City Council/Stadium Authority direction.
 1. Authorize the Stadium Authority Chair to submit the City/Stadium Authority's response to the Civil Grand Jury Report in the form approved, subject only to finalization of response language, as directed, and any technical, conforming, non-substantive modifications approved by the City Attorney/Authority Counsel, to the Honorable Beth McGowan, Presiding Judge, Superior Court of California, County of Santa Clara, no later than September 10, 2024.

Mayor Gillmor noted that this item was already considered at the September 3, 2024 Special Joint City Council and Authorities Concurrent and Santa Clara Stadium Authority Board Meeting.

2. [24-880](#) Action on a Response to the Santa Clara County Civil Grand Jury Report Entitled “Outplayed: Measure J, the City of Santa Clara, and the San Francisco 49ers”

- Recommendation:**
1. Discuss and approve a final response to the Civil Grand Jury Report entitled “Outplayed: Measure J, the City of Santa Clara, and the San Francisco 49ers” and direct the City Attorney/Authority Counsel to prepare the formal response consistent with City Council/Stadium Authority direction.
 2. Authorize the Stadium Authority Chair to submit the City/Stadium Authority’s response to the Civil Grand Jury Report in the form approved, subject only to finalization of response language, as directed, and any technical, conforming, non-substantive modifications approved by the City Attorney/Authority Counsel, to the Honorable Beth McGowan, Presiding Judge, Superior Court of California, County of Santa Clara, no later than September 11, 2024.

City Manager/Executive Director Grogan introduced the item and provided a Powerpoint presentation.

Council/Board questions and comments followed.

City Manager/Executive Director Grogan and **City Attorney/Authority Counsel Googins** addressed **Council/Board** questions.

Public Comments: Satish Chandra
Michele Ryan

Council/Boardmember Jain read a statement into the record.

Mayor/Chair Gillmor read a statement into the record.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 1.

Council/Board questions and comments followed.

City Attorney/Authority Counsel Googins and **City Manager/Executive Director Grogan** addressed **Board** questions.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 2.

Council/Board questions and comments followed.

City Manager/Executive Director Grogan addressed **Council/Board** questions.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 3.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 4.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 5.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 6a.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 6b and 6c.

Council/Board comments followed.

Council/Boardmember Park left the dais at 6:56 PM.

City Attorney/Authority Counsel Googins provided a Powerpoint presentation of the draft response to Finding 7a.

Council/Board comments followed.

City Attorney/Authority Counsel Googins provided a Powerpoint presentation of the draft response to Finding 7b.

Council/Board comments followed.

City Attorney/Authority Counsel Googins provided a Powerpoint presentation of the draft response to Finding 8a.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 8b.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 9a.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 9b.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 9c.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 10a.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 10b.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 11.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 12.

Council/Board questions and comments followed.

City Attorney/Authority Counsel Googins and City Manager/Executive Director Grogan addressed **Board** questions and comments.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Finding 13.

Mayor/Chair Gillmor called for a recess at 8:30 PM and reconvened the meeting at 8:49 PM.

Council/Boardmember Park returned to the dais at 8:49 PM.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Recommendation 1.

Council/Board questions and comments followed.

City Manager/Executive Director Grogan addressed **Council/Board** questions and comments.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Recommendation 2.

Council/Board questions and comments followed.

City Attorney/Authority Counsel Googins and **City Manager/Executive Director Grogan** addressed **Board** questions and comments.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Recommendation 3.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Recommendation 7.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Recommendation 8.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Recommendation 9.

Council/Board questions and comments followed.

City Manager/Executive Director Grogan addressed **Council/Board** questions and comments.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Recommendation 10.

Council/Board comments followed.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Recommendation 12.

Council/Board questions and comments followed.

City Attorney/Authority Counsel Googins addressed **Council/Board** questions and comments.

City Manager/Executive Director Grogan provided a Powerpoint presentation of the draft response to Recommendation 13.

Council/Board questions and comments followed.

City Attorney/Authority Counsel Googins and **City Manager/Executive Director Grogan** addressed **Council/Board** questions and comments.

Public Comments: Michele Ryan
Wanda Buck

City Attorney/Authority Counsel Googins provided a summary of the Board's discussion on Findings 2, 9b, 12, and 13.

Council/Board questions and comments followed.

City Attorney/Authority Counsel Googins address **Council/Board** questions.

A motion was made by Vice Mayor/Chair Becker, seconded by Council/Boardmember Hardy, to approve the draft responses for Findings 2, 9b, 12, and 13.

Aye: 6 - Council/Boardmember Kathy Watanabe, Council/Boardmember Karen Hardy, Council/Boardmember Kevin Park, Council/Boardmember Suds Jain, Vice Mayor/Chair Anthony Becker, Mayor/Chair Gillmor

Absent: 1 - Council/Boardmember Chahal

City Attorney/Authority Counsel Googins summarized the **Council/Board** discussion on Findings 3, 4, 6a, 6b, 6c, 7a, 7b, 8a, 8b, 10b, and 11.

Council/Board questions and comments followed.

City Attorney/Authority Counsel Googins addressed **Council/Board** questions.

A motion was made by Vice Mayor/Chair Becker, seconded by Council/Boardmember Hardy, to approve draft responses for Findings 3, 4, 6a, 6b, 6c, 7a, 7b, 8a, 8b, 10b, 11.

Aye: 5 - Council/Boardmember Kathy Watanabe, Council/Boardmember Karen Hardy, Council/Boardmember Kevin Park, Council/Boardmember Suds Jain, Vice Mayor/Chair Anthony Becker

Nay: 1 - Mayor/Chair Gillmor

Absent: 1 - Council/Boardmember Chahal

City Attorney/Authority Counsel Googins summarized the **Council/Board** discussion on Finding 1.

Council/Board questions and comments followed.

City Attorney/Authority Counsel Googins address **Council/Board** questions.

A motion was made by Vice Mayor/Chair Becker, seconded by Council/Boardmember Hardy, to approve draft response for Finding 1.

Aye: 5 - Council/Boardmember Karen Hardy, Council/Boardmember Kevin Park, Council/Boardmember Suds Jain, Vice Mayor/Chair Anthony Becker

Nay: 1 - Council/Boardmember Watanabe

Absent: 1 - Council/Boardmember Chahal

City Attorney/Authority Counsel Googins summarized the **Council/Board** discussion on Finding 5.

Council/Board questions and comments followed.

City Attorney/Authority Counsel Googins address **Council/Board** questions.

A motion was made by Vice Mayor/Chair Becker, seconded by Council/Boardmember Hardy, to approve draft response for Finding 5.

Aye: 4 - Council/Boardmember Hardy, Council/Boardmember Park, Council/Boardmember Jain, and Vice Mayor/Chair Becker

Nay: 2 - Council/Boardmember Watanabe, and Mayor/Chair Gillmor

Absent: 1 - Council/Boardmember Chahal

City Attorney/Authority Counsel Googins summarized the **Council/Board** discussion on Finding 10a.

Council/Board questions and comments followed.

City Attorney/Authority Counsel Googins address **Council/Board** questions.

A motion was made by Council/Boardmember Suds, seconded by Council/Boardmember Hardy, to approve draft response for Finding 10a.

Aye: 4 - Council/Boardmember Hardy, Council/Boardmember Park, Council/Boardmember Jain, and Vice Mayor/Chair Becker

Nay: 2 - Council/Boardmember Watanabe, and Mayor/Chair Gillmor

Absent: 1 - Council/Boardmember Chahal

City Attorney/Authority Counsel Googins summarized the **Council/Board** discussion on Recommendations 3, 7, and 12.

Council/Board comments followed.

A motion was made by Council/Boardmember Hardy, seconded by Council/Boardmember Jain, to approve draft responses for Recommendations 3, 7, and 12.

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

Absent: 1 - Council/Boardmember Chahal

City Manager/Executive Director Jovan and **City Attorney/Authority Counsel Googins** summarized the **Council/Board** discussion on Finding 9a.

A motion was made by Council/Boardmember Hardy, seconded by Vice Mayor/Chair Becker, to approve draft response for Finding 9a.

Aye: 4 - Council/Boardmember Hardy, Council/Boardmember Park, Council/Boardmember Jain, and Vice Mayor/Chair Becker

Nay: 2 - Council/Boardmember Watanabe, and Mayor/Chair Gillmor

Absent: 1 - Council/Boardmember Chahal

City Attorney/Authority Counsel Googins summarized the **Council/Board** discussion on Finding 9c.

A motion was made by Council/Boardmember Hardy, seconded by Vice Mayor/Chair Becker, to approve draft response for Finding 9c.

Aye: 4 - Council/Boardmember Hardy, Council/Boardmember Park, Council/Boardmember Jain, and Vice Mayor/Chair Becker

Nay: 2 - Council/Boardmember Watanabe, and Mayor/Chair Gillmor

Absent: 1 - Council/Boardmember Chahal

Executive Director Grogan and **Authority Counsel Googins** summarized the **Council/Board** discussion on Recommendations 1, 2, 8, 9, 10, and 13.

A motion was made by Vice Mayor/Chair Becker, seconded by Council/Boardmember Jain, to approve draft responses for Recommendations 1, 2, 8, 9, 10, and 13.

Aye: 4 - Council/Boardmember Hardy, Council/Boardmember Park, Council/Boardmember Jain, and Vice Mayor/Chair Becker

Nay: 2 - Council/Boardmember Watanabe, and Mayor/Chair Gillmor

Absent: 1 - Council/Boardmember Chahal

Executive Director Grogan gave a Powerpoint presentation on authorizing the **Mayor/Chair** to submit the **Council/Board's** response to the Civil Grand Jury Report.

A motion was made by Vice Mayor/Chair Becker, seconded by Council/Boardmember Jain, to authorize the Stadium Authority Chair to submit the Stadium Authority's response to the Civil Grand Jury Report in the form approved, subject only to finalization of response language, as directed, and any technical, conforming, non-substantive modifications approved by the Authority Counsel, to the Honorable Beth McGowan, Presiding Judge, Superior Court of California, County of Santa Clara, no later than September 11, 2024.

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

Absent: 1 - Council/Boardmember Chahal

ADJOURNMENT

The meeting was adjourned at 11:03 PM.

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

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

Absent: 1 - Councilmember Chahal

The next regular scheduled meeting is on Tuesday, September 10, 2024 in the City Hall Council Chambers.

MEETING DISCLOSURES

The time limit within which to commence any lawsuit or legal challenge to any quasi-judicative 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-judicative 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.

STREAMING SERVICES: As always, the public may view the meetings on SantaClaraCA.gov, Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City's YouTube channel or Facebook page.

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)

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

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

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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.