



City of Santa Clara

Meeting Minutes of the Joint Council and Authorities Concurrent & Stadium Authority Meeting



07/09/2024

5:30 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. NOTE: Please note eComments and Emails received as public comment will not be read aloud during the meeting.

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Signing Ceremony - 5:30 PM | Regular Meeting - 7:00 PM

5:30 PM SIGNING CEREMONY

Call to Order in the Council Chambers

Mayor Gillmor called the meeting to order at 5:36 PM.

Confirmation of Quorum

Assistant City Clerk Pimentel confirmed a quorum.

1. [24-594](#) Ceremony for the Friendship City Renewal Between the City of Santa Clara and Icheon City

Mayor Gillmor welcomed and made some opening remarks on behalf of the **Council** to the Ceremony for the Friendship City Renewal between the City of Santa Clara and Icheon City.

Mayor Gillmor introduced **Icheon City Mayor Kim Kyung-hee** to the podium who provided comments.

Mayor Gillmor introduced **Councilmember Park (Santa Clara Sister City Association Council Liaison)**.

Mayor Gillmor invited **Icheon City Mayor Kim Kyung-hee** to join her at the table for the official signing.

Mayor Gillmor called for a recess until the regular meeting began at 7:00 PM.

7:00 PM JOINT CITY COUNCIL/STADIUM AUTHORITY BOARD MEETING

Call to Order in the Council Chambers

Mayor/Chair Gillmor called the regular meeting to order at 7:04 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

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.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

None.

SPECIAL ORDER OF BUSINESS

- 2.A** [24-371](#) Recognition of the Santa Clara Women's League Donation of \$12,000 to Support the Senior Center Health & Wellness Case Management Program and the "Be Strong, Live Long 2024" Health & Wellness Fair

Mayor Gillmor recognized the **Santa Clara Women's League** donation of \$12,000 to support the Senior Center Health & Wellness Case Management Program and the "Be Strong Live Long 2024 Health & Wellness Fair.

Outgoing President of the Santa Clara Women's League Nancy Velasco made a few remarks and the **Incoming President Emily Adorable** provided some comments.

- 2.B** [24-486](#) Recognition of the Recipients of the Silicon Valley Power Sustainable Futures Scholarship Program at Mission College

Mayor Gillmor on behalf of the **Council** recognized the recipients of the Silicon Valley Power Sustainable Futures Scholarship Program at Mission College.

Chief Electric Utility Officer Pineda provided comments and introduced **Mission College Extended Opportunity Program and Services Counseling Faculty Theresa Tran** who provided a few remarks and announced the recipients.

CONSENT CALENDAR

Mayor Gillmor abstained on Item 3.B due to a potential conflict of interest as she owns property near one of subject curbs.

A motion was made by Vice Mayor Becker, seconded by Councilmember Hardy, to approve the Consent Calendar.

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

3.A [24-12](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
City / Mission College Liaison Committee - November 2, 2023
Governance and Ethics Committee - March 4, 2024
Governance and Ethics Committee - June 3, 2024
Parks & Recreation Commission - May 21, 2024
Senior Advisory Commission - April 22, 2024

A motion was made by Vice Mayor Becker, seconded by Councilmember Hardy, to note and file the Minutes of: City/Mission College Liaison Committee - November 2, 2023, Governance and Ethics Committee - March 4, 2024, Governance and Ethics Committee - June 3, 2024, Parks & Recreation Commission - May 21, 2024, and Senior Advisory Commission - April 22, 2024.

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

3.B [24-88](#)

Action on Award of Contract for the 2024 Americans with Disabilities Act (ADA) Curb Ramps Project to ASG Builders

Recommendation:

1. Determine that the proposed actions are exempt from CEQA pursuant to Section 15301 (Existing Facilities) of Title 14 of California Code of Regulations;
2. Determine that the proposed actions are exempt from NEPA pursuant to Section 58.35 (Categorical Exclusion) of Title 24 of the Code of Federal Regulations;
3. Award the Public Works Contract for the 2024 Americans with Disabilities Act Curb Ramps Project to ASG Builders, the lowest responsive and responsible bidder, in the amount of \$543,214, and authorize the City Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project, in final forms approved by the City Attorney; and
4. Authorize the City Manager to execute change orders up to approximately 15 percent of the original contract price, or \$81,482 for a total not to exceed amount of \$624,696 in final forms approved by the City Attorney.

A motion was made by Vice Mayor Becker, seconded by Councilmember Hardy, to (1) determine that the proposed actions are exempt from CEQA pursuant to Section 15301 (Existing Facilities) of Title 14 of California Code of Regulations; (2) determine that the proposed actions are exempt from NEPA pursuant to Section 58.35 (Categorical Exclusion) of Title 24 of the Code of Federal Regulations; (3) award the Public Works Contract for the 2024 Americans with Disabilities Act Curb Ramps Project to ASG Builders, the lowest responsive and responsible bidder, in the amount of \$543,214, and authorize the City Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project, in final forms approved by the City Attorney; and (4) authorize the City Manager to execute change orders up to approximately 15 percent of the original contract price, or \$81,482 for a total not to exceed amount of \$624,696 in final forms approved by the City Attorney.

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

Abstained: 1 - Mayor Gillmor

- 3.C [24-658](#) Action to Authorize the City Manager to Complete Negotiations and Execute a Third Phase Agreement with the Northern California Power Agency (NCPA) for the Purchase of Renewable Energy from Grace Orchard Energy Center

Recommendation:

1. Authorize the City Manager, or designee, to complete negotiations, approve, and execute a Third Phase Agreement (Agreement) with the Northern California Power Agency for the purchase of renewable energy from the Grace Solar Facility in an annual approximate amount of \$1.2 to \$2 million, funded by the Electric Utility Fund, subject to the review and approval as to form by the City Attorney; and
2. Authorize the City Manager to (a) take any and all actions as are necessary or advisable to implement and administer the Agreement; and (b) approve and execute future amendments to the Agreement so long as the contract price and term are not modified, subject to the review and approval as to form by the City Attorney.

A motion was made by Vice Mayor Becker, seconded by Councilmember Hardy, to (1) authorize the City Manager, or designee, to complete negotiations, approve, and execute a Third Phase Agreement (Agreement) with the Northern California Power Agency for the purchase of renewable energy from the Grace Solar Facility in an annual approximate amount of \$1.2 to \$2 million, funded by the Electric Utility Fund, subject to the review and approval as to form by the City Attorney; and (2) authorize the City Manager to (a) take any and all actions as are necessary or advisable to implement and administer the Agreement; and (b) approve and execute future amendments to the Agreement so long as the contract price and term are not modified, subject to the review and approval as to form by the City Attorney.

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

3.D [24-631](#)

Action on Amendment No. 3 to Agreement with Questica, Inc. for the Budget and Financial Planning System

Recommendation:

1. Authorize the City Manager to execute Amendment No. 3 to the Agreement with Questica, Inc. to extend the term of the agreement through August 25, 2029, and increase the maximum compensation by \$548,038.40 for a revised maximum compensation of \$1,425,076.52, subject to the appropriation of funds and in a final form approved by the City Attorney; and
2. Authorize the City Manager or designee to take any actions as necessary to implement and administer the Agreement with Questica, Inc. and negotiate and execute amendments to (a) add or delete services consistent with the scope of services, (b) renew the term of the agreement for up to five years through August 25, 2034, and (c) increase the maximum compensation for an additional \$600,000 for a total aggregate maximum compensation not to exceed \$2,025,076.52 for the extended term, subject to the appropriation of funds and the review and approval as to form by the City Attorney.

A motion was made by Vice Mayor Becker, seconded by Councilmember Hardy, to (1) authorize the City Manager to execute Amendment No. 3 to the Agreement with Questica, Inc. to extend the term of the agreement through August 25, 2029, and increase the maximum compensation by \$548,038.40 for a revised maximum compensation of \$1,425,076.52, subject to the appropriation of funds and in a final form approved by the City Attorney; and (2) authorize the City Manager or designee to take any actions as necessary to implement and administer the Agreement with Questica, Inc. and negotiate and execute amendments to (a) add or delete services consistent with the scope of services, (b) renew the term of the agreement for up to five years through August 25, 2034, and (c) increase the maximum compensation for an additional \$600,000 for a total aggregate maximum compensation not to exceed \$2,025,076.52 for the extended term, subject to the appropriation of funds and the review and approval as to form by the City Attorney.

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

- 3.E [24-387](#) City Council and Authorities Action Delegating Authority: to the City Manager for the City; the Executive Director for the Santa Clara Stadium Authority; the Contract Administrator for the Sports and Open Space Authority; and the Executive Director for the Housing Authority during the City Council recess from July 17, 2024 through August 19, 2024

Recommendation: That the City Council/Stadium Authority Board/Sports and Open Space Authority/Housing Authority:

Adopt a Joint Resolution delegating authority to the City Manager for City/Executive Officer for Santa Clara Stadium Authority/Contract Administrator for Sports and Open Space Authority/Executive Director for Housing Authority to approve project related documents during the period from July 17, 2024 through August 19, 2024, and requiring the City Manager/Executive Director/Contract Administrator to submit a report on actions taken during the Council recess at a City Council/Stadium Authority/Sports and Open Space Authority/Housing Authority meeting in September 2024.

A motion was made by Vice Mayor/Chair Becker, seconded by Council/Boardmember Hardy, that the City Council/Stadium Authority Board/Sports and Open Space Authority/Housing Authority: adopt a Joint Resolution No. 24-9339 delegating authority to the City Manager for City/Executive Officer for Santa Clara Stadium Authority/Contract Administrator for Sports and Open Space Authority/Executive Director for Housing Authority to approve project related documents during the period from July 17, 2024 through August 19, 2024, and requiring the City Manager/Executive Director/Contract Administrator to submit a report on actions taken during the Council recess at a City Council/Stadium Authority/Sports and Open Space Authority/Housing Authority meeting in September 2024.

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

- 3.F [24-442](#) Action to Accept the FY 2024/25 and FY 2025/26 California Library Literacy Services (CLLS) English as a Second Language (ESL) Grant Awards for the Read Santa Clara Program and Approve the Related Budget Amendments

Recommendation:

1. Accept the total English as a Second Language (ESL) grant award of \$126,327 (\$61,618 for FY 2024/25 and \$64,709 for FY 2025/26) for the Read Santa Clara program;
2. Approve the FY 2024/25 budget amendment in the Library Operating Grant Trust Fund to recognize \$61,618 in grant revenue and establish a grant appropriation in the same amount for ESL Services as part of the Read Santa Clara program **(five affirmative Council votes required to appropriate additional revenue).**

A motion was made by Vice Mayor Becker, seconded by Councilmember Hardy, to (1) accept the total English as a Second Language (ESL) grant award of \$126,327 (\$61,618 for FY 2024/25 and \$64,709 for FY 2025/26) for the Read Santa Clara program; (2) approve the FY 2024/25 budget amendment in the Library Operating Grant Trust Fund to recognize \$61,618 in grant revenue and establish a grant appropriation in the same amount for ESL Services as part of the Read Santa Clara program (five affirmative Council votes required to appropriate additional revenue).

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

- 3.G** [24-617](#) Action to Authorize the Use of City Electric Forces for New Dark Fiber Installations at 881 Martin Avenue to 1705 Martin Avenue, and at 2434 Calle Del Mundo

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 881 Martin Avenue to 1705 Martin Avenue, and at 2434 Calle Del Mundo 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.

A motion was made by Vice Mayor Becker, seconded by Councilmember Hardy, 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 881 Martin Avenue to 1705 Martin Avenue, and at 2434 Calle Del Mundo are better performed by the City with its own employees based on the information set forth in the Report to Council and authorize the performance of these public works consistent with this authorization.

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

- 3.H** [24-666](#) Action on a Resolution Revising the Regular Meeting Date for the Senior Advisory Commission

Recommendation: Adopt a Resolution revising the Senior Advisory Commission regular meeting date and time to the third Monday of each month at 5 p.m.

A motion was made by Vice Mayor Becker, seconded by Councilmember Hardy, to adopt Resolution No. 24-9340 revising the Senior Advisory Commission regular meeting date and time to the third Monday of each month at 5 p.m.

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

PUBLIC PRESENTATIONS

Natalie Neufeld noted that she is observing Council meetings as part of a project that she is working on as a student at Stanford University.

Kirk Vartan played a video recapping previous Council meetings.

James Rowen expressed comments of concern of Council dynamic and comments on the election.

Vikas Gupta expressed comments requesting staff and Council to quickly reopen the International Swim Center.

CONSENT ITEMS PULLED FOR DISCUSSION

None.

PUBLIC HEARING/GENERAL BUSINESS

4. [24-679](#) Discussion, Consideration, and Direction to Staff Regarding Actions to be Taken in Response to the Santa Clara County Civil Grand Jury Report Entitled "Irreconcilable Differences: Santa Clara City Council"

Recommendation: Provide direction on the desired process to develop the City's responses for the specified findings and recommendations outlined in the June 12, 2024 Santa Clara County Civil Grand Jury Report entitled "Irreconcilable Differences: Santa Clara City Council" in time to be submitted to the Civil Grand Jury by the required response date of September 10, 2024.

City Manager Grogan gave a Powerpoint presentation regarding actions to take in response to the Santa Clara County Civil Grand Jury report entitled "Irreconcilable Differences: Santa Clara City Council."

Council questions followed.

City Attorney Googins and **City Manager Grogan** addressed **Council** questions.

Public Comments: Satish Chandra (time donated to him by Gopal and Abinas Roy)

Teresa O'Neill
Wanda Buck
Kirk Vartan
SE Hinton
Dr. Tom Shanks
John Haggerty
Vikas Gupta
Lee
Debbie Tryforos
Kelly Cox

Council comments followed.

Councilmember Watanabe made a motion, seconded by **Mayor Gillmor** to (1) direct staff to establish independent Ethics Commission, (2) to hire independent Ethics professional, (3) implement additional trainings by October 1, 2024, and (4) prepare responses for Council review at the August 20, 2024 or at a special meeting to be determined to include recommendation to findings that would be provided to the Grand Jury.

Council comments followed.

Councilmember Chahal provided a Powerpoint presentation.

A substitute motion was made by **Councilmember Hardy**, seconded by

Councilmember Chahal, to direct the City Manager prepare draft responses to the Grand Jury report including options and process for developing an Ethics Program with further Council input and direction at a meeting to be scheduled in the near future but timely to meet deadline to respond to Grand Jury report.

City Attorney Googins addressed **Council** comments.

Council comments followed.

City Manager Grogan addressed **Council** comments and questions.

Council comments followed.

A motion was made by Councilmember Hardy, seconded by Councilmember Chahal, to consider the substitute motion.

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

Nay: 3 - Councilmember Watanabe, Councilmember Jain, and Mayor Gillmor

A motion was made by Councilmember Hardy, seconded by Councilmember Chahal, to direct the City Manager prepare draft responses to the Grand Jury report including a process and options for developing an Ethics Program with further Council input and direction at a meeting to be scheduled in the near future but timely to meet deadline to respond to Grand Jury report.

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

Nay: 3 - Councilmember Watanabe, Councilmember Jain, and Mayor Gillmor

Mayor Gillmor called a recess at 9:35 PM and reconvened the meeting at 9:46 PM.

5. [24-180](#)

- A. Discussion and Potential Actions Related to Proposed November 2024 Ballot Measure Authorizing the Issuance of General Obligation Bond Debt to Fund Public Infrastructure; Such Actions to Include the Following:
1. Adoption of a Resolution of Necessity
 2. Introduction of an Ordinance Ordering the Submission of a Measure Incurring Bonded Indebtedness to the Voters at the November 2024 General Municipal Election
 3. Direction on a Draft Expenditure Plan to be Included with the Measure

B. Discussion and Council Direction on a Proposed Charter Amendment Regarding Public Works Procurement [Charter Section 1310] to Update the City's Public Works Bidding and Contracting Authority, Allow for Design-Build Projects and Implement Other Technical Changes

Recommendation:

1. Adopt the Resolution of Necessity determining necessity to issue bonds.
2. Waive first reading and approve the introduction of an Ordinance ordering the submission of the measure incurring bonded indebtedness for the purpose of the acquisition, construction, and improvement of certain municipal improvement projects to City voters.
3. Provide Direction on a potential Charter Amendment to update the Public Work Section 1310.

City Manager Grogan, Ben Tulchin (Tulchin Research), Jared Boigon (Team Civx), Director of Public Works Mobeck, Deputy Fire Chief Ray, Acting Director of Parks and Recreation Bojorquez, City Attorney Googins and Chief Electric Utility Officer Pineda gave a Powerpoint presentation on (A) discussion and potential actions related to proposed November 2024 ballot measure authorizing the issuance of general obligation bond debt to fund public infrastructure and (B) discussion and council direction on a proposed charter amendment regarding public works procurement charter section 1310 to update the City's public works bidding and contracting authority, allow for design-build projects and implement other technical changes

Council questions followed.

Mayor Gillmor called a recess at 11:25 PM and reconvened the meeting at 11:35 PM.

City Manager Grogan, City Attorney Googins, Jared Boigon (Team Civx), Scott Ferguson (Bond Counsel), and Jaime Trejo addressed **Council** questions.

Public Comment: Eric Crutchlow

Teresa O'Neill
Holly Roberts
Amanda Pease
John Haggerty
Vikas Gupta
Anthony Pascoal

Vice Mayor Becker provided a Powerpoint presentation regarding the potential bond measure.

A motion was made by **Vice Mayor Becker**, seconded by **Councilmember Hardy**, to (1) adopt the Resolution of Necessity determining necessity to issue bonds; (2) waive first reading and approve the introduction of an Ordinance ordering the submission of the measure incurring bonded indebtedness for the purpose of the acquisition, construction, and improvement of certain municipal improvement projects to City voters; (3) provide direction on a potential Charter Amendment to update the Public Work Code Section 1310.

Council discussion ensued.

A substitute motion was made by **Councilmember Watanabe**, seconded by **Councilmember Jain**, to (1) approve the Resolution of Necessity in the form presented; (2) approve on First Reading the proposed Ordinance with the following changes: (a) maximum bond issue and estimated improvement cost amount to be set at \$400,000,000; and (b) Code Section 13(b)(iii) to be revised to delete the phrase "or business districts" (also corrected typo: ".05" corrected to ".5"); (3) direct the City Manager to bring back a revised Expenditure Plan for Council consideration and action at the July 16, 2024 meeting that includes allocation of the \$400,000,000 in maximum improvement costs among the categories of projects identified in the Mayor Gillmor/Councilmember Watanabe Op-ed piece published in the Santa Clara News Online (July 9, 2024), and a commitment to build specific projects identified within those categories; and (4) direction to City Manager to bring back for Council consideration at a future meeting the creation of a Charter Review Committee to review, at a minimum, a possible amendment to the City's Charter regarding the procurement of public works, including the addition of a Design-Build option.

City Manager Grogan comments followed.

Council discussion ensued.

City Manager Grogan, City Attorney Googins, and Director of Public Works Mobeck addressed **Council** questions.

A motion was made by Councilmember Watanabe, seconded by Councilmember Jain, to consider a substitute motion.

Aye: 4 - Councilmember Watanabe, Councilmember Chahal, Councilmember Jain, and Mayor Gillmor

Nay: 3 - Councilmember Hardy, Councilmember Park, and Vice Mayor Becker

A motion was made by Councilmember Watanabe, seconded by Councilmember Jain, to (1) approve Resolution No. 24-9341 of Necessity in the form presented; (2) approve the first reading, proposed Ordinance No. 2069 with the following changes: (a) maximum bond issue and estimated improvement cost amount to be set at \$400,000,000; and (b) Code Section 13(b)(iii) to be revised to delete the phrase “or business districts” (also corrected typo: “.05” corrected to “.5”); (3) direct staff to bring back a revised Expenditure Plan for Council consideration and action at the July 16, 2024 meeting that includes allocation of the \$400,000,000 in maximum improvement costs among the categories of projects identified in the Mayor Gillmor/Councilmember Watanabe Op-ed piece published in the Santa Clara News Online (July 9, 2024), and a commitment to build specific projects identified within those categories; and (4) direct City Manager to bring back for Council consideration at a future meeting the creation of a Charter Review Committee to review, at a minimum, a possible amendment to the City’s Charter regarding the procurement of public works, including the addition of a Design-Build option.

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

Nay: 1 - Councilmember Park

6. [24-475](#) Action (1) Authorizing the City Manager to Negotiate and Execute a 20MW Power Purchase Agreement with Bloom Energy to supply power to Amazon Web Services (AWS) and a separate Offtake Agreement with AWS; and (2) Authorizing the City Manager to Negotiate and Execute up to an additional 80 MW of Power Purchase Agreements with qualified vendors for in-City generation solutions and all needed agreements with Customers.

Recommendation:

1. Authorize the City Manager or designee to negotiate and Execute a 20MW Power Purchase Agreement with Bloom or a Bloom affiliate for Amazon Web Services (AWS) and a separate Offtake Agreement with AWS, subject to the review and approval as to form of the City Attorney;
2. Authorize the City Manager or designee to Negotiate and Execute up to an additional 80 MW of Power Purchase Agreements for in-City generation solutions with energy suppliers and separate Offtake Agreements with other SVP customers (each individual PPA and Offtake Agreement cannot exceed 20MW), subject to the review and approval as to form of the City Attorney;
3. 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 agreements; and
4. Authorize the City Manager or designee to execute any amendments to the agreements so long as there is no change to their price or term length.

Chief Electric Utility Officer Pineda gave a Powerpoint on the MW Bloom PPA and AWS Offtake Agreement.

Council questions followed.

Councilmember Jain recused himself from the discussion due to a potential conflict of interest as he owns Amazon Stock.

Chief Electric Utility Officer Pineda addressed **Council** questions.

No public comment.

Additional **Council** questions followed.

Chief Electric Utility Officer Pineda addressed **Council** questions.

A motion was made by Vice Mayor Becker, seconded by Councilmember Hardy, to (1) authorize the City Manager or designee to negotiate and Execute a 20MW Power Purchase Agreement with Bloom or a Bloom affiliate for Amazon Web Services (AWS) and a separate Offtake Agreement with AWS, subject to the review and approval as to form of the City Attorney; (2) authorize the City Manager or designee to Negotiate and Execute up to an additional 80 MW of Power Purchase Agreements for in-City generation solutions with energy suppliers and separate Offtake Agreements with other SVP customers (each individual PPA and Offtake Agreement cannot exceed 20MW), subject to the review and approval as to form of the City Attorney; (3) 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 agreements; and (4) authorize the City Manager or designee to execute any amendments to the agreements so long as there is no change to their price or term length.

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

Recused: 1 - Councilmember Jain

7. [24-640](#) Authorize the City Manager to Execute a Purchase and Sale Agreement with Feather River Land Trust for the Loyalton Property.

Recommendation:

1. Determine the proposed action is exempt from CEQA pursuant to Sections 15312 (Class 12 - Sale of Surplus Land) of Title 14 of the California Code of Regulations; and
2. Authorize the City Manager or designee to execute a Purchase and Sale Agreement (Agreement) with Feather River Land Trust for the Loyalton Property in the amount of \$6 million and on the terms presented and take any necessary actions to implement and administer the Agreement, including, execution of a grant deed and an assignment agreement.

Chief Electric Utility Officer Pineda and Brian Hutcherson (CBRE) gave a Powerpoint presentation on the purchase and sale agreement with Feather River Land Trust for the Loyalton Property.

No public comment.

Council comments followed.

A motion was made by Councilmember Jain, seconded by Vice Mayor Becker, to (1) determine the proposed action is exempt from CEQA pursuant to Sections 15312 (Class 12 - Sale of Surplus Land) of Title 14 of the California Code of Regulations; and (2) authorize the City Manager or designee to execute a Purchase and Sale Agreement (Agreement) with Feather River Land Trust for the Loyalton Property in the amount of \$6 million and on the terms presented and take any necessary actions to implement and administer the Agreement, including, execution of a grant deed and an assignment agreement.

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 REQUEST

None.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

None.

Mayor Gillmor recognized staff for the Fourth of July celebration.

ADJOURNMENT

The meeting was adjourned at 2:15 AM.

A motion was made by Vice Mayor/Chair Becker, seconded by Council/Boardmember Park, to adjourn the meeting in memory of Aristide "Chet" Polini.

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

[24-692](#)

Post Meeting Material

The next regular scheduled meeting is on Tuesday, July 16, 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.

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.

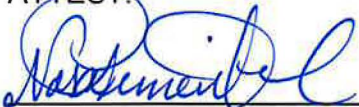
If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

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.

ATTEST:



Assistant City Clerk/Secretary

APPROVE:



Mayor/Chairperson