



City of Santa Clara

Joint Meeting Minutes

Council and Authorities Concurrent & Stadium Authority Meeting

08/16/2022

3:00 PM

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

The City of Santa Clara will be conducting City Council meetings in a hybrid manner (in-person and continues to have methods for the public to participate remotely). Pursuant to Government Code Section 54953(e) and City of Santa Clara Resolution No. 22-9124, Councilmembers may teleconference from remote locations and the City continues to provide 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

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.

Closed Session - 3:00 PM | Regular Meeting - 7:00 PM

3:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Mayor/Chairperson Gillmor called the meeting to order at 3:02 PM.

Roll Call

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

- 1.A** [22-1033](#) Conference with Legal Counsel-Existing Litigation (CC, SA)
Pursuant to Gov. Code § 54956.9(d)(1)
Forty Niners Stadium Management Company LLC, et al., v. City of Santa Clara, et al. Santa Clara County Superior Court Action No. 19CV355432; Forty Niners Stadium Management Company LLC, et al. v. Santa Clara Stadium Authority, et al., Santa Clara County Superior Court Action No. 17CV304903; and Forty Niners Stadium Management Company LLC v. Santa Clara Stadium Authority, JAMS Case No. 1110024318
- 1.B** [22-967](#) Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
Jacob Malae v. City of Santa Clara, et al., United States District Court, Northern District of California, Case Number 3:21-cv-1453
- 1.C** [22-1009](#) Conference with Legal Counsel-Anticipated Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(2) - Exposure to litigation
Number of potential cases: 1
Facts and Circumstances: Pursuant to Gov. Code § 54956.9(e)(1) - Not disclosed on agenda
- 1.D** [22-1011](#) Conference with Labor Negotiators (CC)
Pursuant to Gov. Code § 54957.6
City representative: City Manager's designee
Employee Organization(s):
Unit #1-Santa Clara Firefighters Association, IAFF, Local 1171
Unit #2-Santa Clara Police Officer's Association
Unit #3-IBEW Local 1245 (International Brotherhood of Electrical Workers)
Unit #4-City of Santa Clara Professional Engineers
Units #5, 7 & 8-City of Santa Clara Employees Association
Unit #6-AFSCME Local 101 (American Federation of State, County and Municipal Employees)
Unit #9-Miscellaneous Unclassified Management Employees
Unit #9A-Unclassified Police Management Employees
Unit #9B-Unclassified Fire Management Employees
Unit #10-PSNSEA (Public Safety Non-Sworn Employees Association)

Public Comment

Teresa O'Neill expressed comments of concern regarding the settlement offer from the San Francisco 49ers (Item 1.A).

Pat Rupel expressed comments regarding the agreement with the San Francisco 49ers (Item 1.A).

Charity expressed comments of concern regarding the settlement offer from the San Francisco 49ers (Item 1.A).

Kirk Vartan expressed comments of concern regarding the settlement offer from the San Francisco 49ers (Item 1.A).

Craig Larsen expressed comments of concern regarding the settlement offer from the San Francisco 49ers (Item 1.A).

Christian Pellecchia expressed comments of concern regarding the settlement offer from the San Francisco 49ers (Item 1.A).

Stacy Morris (E-Mail) expressed comments of concern regarding the settlement offer from the San Francisco 49ers (Item 1.A).

Carolyn McAllistor (E-Mail) expressed comments of concern regarding the settlement offer from the San Francisco 49ers (Item 1.A).

Alex Salsman (E-Mail) expressed comments of concern regarding the settlement offer from the San Francisco 49ers (Item 1.A).

Lee Broughman (E-Mail) expressed comments of concern regarding the settlement offer from the San Francisco 49ers (Item 1.A).

Debbie Tryforos (E-Mail) expressed comments of concern regarding the settlement offer from the San Francisco 49ers (Item 1.A).

Burt Field (E-Mail) expressed comments of concern regarding the settlement offer from the San Francisco 49ers (Item 1.A).

John Galt (eComment) expressed comments regarding the settlement offer from the San Francisco 49ers (Item 1.A).

Susan Hinton (eComment) expressed comments of concern regarding the settlement offer from the San Francisco 49ers (Item 1.A).

Board comments followed.

A motion was made by Boardmember Watanabe, seconded by Chair Gillmor, based on comments and concerns heard this afternoon and the appearance of impropriety, any 49er settlement discussion should be continued until these legal issues are satisfactory met.

Aye: 2 - Boardmember Watanabe, and Chair Gillmor

Nay: 5 - Boardmember Chahal, Boardmember Hardy, Boardmember Park, Vice Chair Jain, and Boardmember Becker

Motion Failed.

Convene to Closed Session (Council Conference Room)

Council/Board convened to Closed Session at 3:31 PM.

7:00 PM JOINT COUNCIL/STADIUM AUTHORITY MEETING

Call to Order

Mayor/Chair Gillmor called the open session to order at 7:35 PM.

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Chahal recited the Statement of Values.

Assistant City Clerk/Secretary Pimentel recited the AB 23 Announcement and Behavioral Standards.

Assistant City Clerk/Secretay Pimentel noted that any registered Lobbyist must identify themselves and whom they represent when speaking at a public meeting.

Councilmember Park left the meeting after Closed Session.

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Chahal, to excuse Council/Boardmember Park.

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

Absent: 1 - Council/Boardmember Park

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

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

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

Vice Mayor Jain requested to move up Item 11 after Item 5.

SPECIAL ORDER OF BUSINESS

2.A [22-828](#) Proclaim August 2022 as American Muslim Appreciation and Awareness Month

Mayor Gillmor proclaimed August 2022 as American Muslim Appreciation and Awareness Month.

Samer Darwish (President of the Muslim Community Association - MCA), Mohammed Islam (Treasurer of MCA) and Sameena Usman (Senior Government Relations Coordinator - CAIR) accepted the proclamation and expressed gratitude for the recognition and comments regarding Muslim contributions to the community.

2.B [22-1045](#) Proclaim August 2022 as Transgender History Month

Council proclaimed August 2022 as Transgender History Month.

Sera Fernando (Manager of County of Santa Clara Office of LGBTQ Affairs) expressed comments of gratitude for the recognition and recognized community trailblazers.

Councilmember Becker provided comments regarding Transgender History Month.

CONSENT CALENDAR

Mayor Gillmor abstained from Item 3.F due to a potential conflict of interest as her property is within 500 ft of the subject property.

A motion was made by Council/Boardmember Hardy, seconded by Council/Boardmember Becker, to approve the Consent Calendar.

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

Excused: 1 - Council/Boardmember Park

- 3.A [22-389](#) Action on April 5, 2022 Council and Authorities Concurrent & Special Stadium Authority Meeting, April 19, 2022 Council Authorities Concurrent & Special Stadium Authority and Planning Commission Meeting, and April 28, 2022 Special City Council Meeting Minutes

Recommendation: Approve the Meeting Minutes of:
April 5, 2022 Council and Authorities Concurrent & Special Stadium Authority;
April 19, 2022 Council and Authorities Concurrent & Special Stadium Authority and Planning Commission Meeting; and
April 28, 2022 Special City Council Meeting

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

- 3.B [22-24](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Parks & Recreation Commission - June 21, 2022
Senior Advisory Commission - February 28, 2022
Senior Advisory Commission - June 27, 2022
Cultural Commission - June 6, 2022
Planning Commission - June 15, 2022
Board of Library Trustees - May 2, 2022

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

- 3.C [22-838](#) Action on Monthly Financial Status Report for May 2022 and Monthly Investment Reports for May 2022 and June 2022, and Approve the Related Budget Amendments

Recommendation: Note and file the Monthly Financial Status Report for May 2022, Monthly Investment Reports for May 2022 and June 2022 as presented and Approve the Related Budget Amendments.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

3.D [22-918](#) Action on Award of Contract for the Mission Library Gazebo Project to Innovate Concrete and Related Budget Amendment

- Recommendation:**
1. Award the Public Works Contract for the Mission Library Gazebo Project to the lowest responsive and responsible bidder, Innovate Concrete, in the amount of \$169,563 and authorize the City Manager or Designee to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project;
 2. Authorize the City Manager or Designee to execute change orders up to approximately 15 percent of the original contract price, or \$25,437, for a total not to exceed amount of \$195,000; and
 3. Approve the following FY 2022/23 budget amendment in the Parks and Recreation Capital Fund to increase the Mission Library Gazebo project appropriation by \$41,194 (from \$168,806 to \$210,000) and decrease the Parks and Recreation Capital Fund Quimby Act fund balance by \$41,194 (**five affirmative Council votes required for the use of unused balances**).

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

3.E [22-1603](#) Action on an Agreement with Wonderware, Inc., doing business as CORE Business Technologies (CORE), for a Central Cashiering System

- Recommendation:**
1. Authorize the City Manager to execute an agreement with Wonderware, Inc., doing business as CORE Business Technologies, to provide software, hardware, and related professional services for a central cashiering system, with an initial term of five years starting on or around September 1, 2022 and ending on or around August 31, 2027, with maximum compensation not-to-exceed \$516,816, subject to the appropriation of funds; and
 2. Authorize the City Manager to amend the agreement to extend the term after the initial five-year term for as long as the system is being used by the City, subject to the appropriation of funds.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

3.F [22-798](#) Action on Historic Preservation Agreement (Mills Act Contract) for 1356 Main Street

Recommendation: Authorize the City Manager to execute a Mills Act contract and adopt the Ten-Year Restoration and Maintenance Plan associated with the Historic Property Preservation Agreement for the property at 1356 Main Street with applicants Brian Dawbin and Mary Ann Salyards; File No. PLN2021-15291.

Mayor Gillmor abstained from this item due to a potential conflict of interest as her property is within 500 ft of subject property.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to authorize the City Manager to execute a Mills Act contract and adopt the Ten-Year Restoration and Maintenance Plan associated with the Historic Property Preservation Agreement for the property at 1356 Main Street with applicants Brian Dawbin and Mary Ann Salyards; File No. PLN2021-15291.

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

Excused: 1 - Councilmember Park

Abstained: 1 - Mayor Gillmor

3.G [22-889](#) Action on an Agreement with Kyle Groundwater, Inc. for Well Condition Assessment and Engineering Services During Rehabilitation

Recommendation: Authorize the City Manager to execute an agreement with KYLE Groundwater, Inc. for well condition assessment and engineering services during rehabilitation starting on or around September 1, 2022 and ending on or around August 31, 2025, with maximum compensation not-to-exceed \$1,007,880, subject to the appropriation of funds.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

- 3.H [22-08](#) Action on an Agreement with Advanced Mobility Group for Design Professional Services for the Lick Mill Boulevard Pedestrian Beacon Upgrade and Monroe Street at Los Padres Boulevard Traffic Signal Modification Project

Recommendation: 1. Approve and authorize the City Manager to execute an agreement for Design Professional Services with Advanced Mobility Group for the Lick Mill Boulevard Pedestrian Beacon Upgrade and Monroe Street at Los Padres Boulevard Traffic Signal Modification Project in the amount not-to-exceed \$136,818; and

2. Authorize the City Manager to make minor modifications to the agreement if needed and to extend the term.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

- 3.I [22-163](#) Action on Software Services Agreement with Power Market Consulting Inc. for OASISLive Subscription Used for California Independent System Operator (CAISO) Congestion Revenue Rights (CRR) Market Participation with Options to Renew for up to Five Additional Years

Recommendation: 1. Authorize the City Manager to Execute a Software Services Agreement (Agreement) with Power Market Consulting Inc. for OASISLive subscription used for CRR and power market participation in an amount not to exceed \$1,000,000 for the four-year initial period;

2. Authorize the City Manager to execute amendments to extend the term of the Agreement for up to five additional years with a total maximum compensation not to exceed \$3,000,000; and

3. Authorize the City Manager to amend the Agreement to (a) add or delete services, licenses, subscriptions, and equipment; and (b) allow for future rate adjustments, subject to appropriation of funds.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

- 3.J [22-816](#) Action on an Agreement with TT FASTER LLC, dba FASTER Asset Solutions, for a Fleet Management Information System

Recommendation:

1. Authorize the City Manager to execute an agreement with TT FASTER LLC, doing business as FASTER Asset Solutions, for a vendor-hosted fleet management information system, with an initial term of five years starting on or around September 1, 2022 and ending on or around August 31, 2027, with maximum compensation not-to-exceed \$149,194;
2. Authorize the City Manager to execute amendments for any additional system modules not-to-exceed \$50,000 and subject to the appropriation of funds; and
3. Authorize the City Manager to renew the agreement at the end of the five-year term for ongoing maintenance and support as long as the system is being used by the City and subject to the appropriation of funds.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

- 3.K [22-968](#) Action on the Approval of a Municipal Law Enforcement Services Agreement with San Francisco Police Department (deferred from the July 12, 2022 City Council meeting)

Recommendation: Approve the Municipal Law Enforcement Services Agreement between the Santa Clara Stadium Authority, City of Santa Clara, and San Francisco Police Department for support services associated with events at Levi's Stadium.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

- 3.L [22-715](#) Action on Amendment No. 1 to the Agreement with WRECO for the Great America Parkway and Mission College Boulevard Intersection Improvements Project

Recommendation:

1. Approve and authorize the City Manager to execute Amendment No. 1 to the Agreement with WRECO in the amount of \$381,629 for Great America Parkway and Mission College Boulevard Intersection Improvements Project for a total Agreement not-to-exceed amount of \$1,409,629; and
2. Authorize the City Manager to make minor modifications to the agreement if needed and to extend the term.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

3.M [22-536](#) Action on a Resolution Ordering the Vacation of an Electric Easement and Wire Clearance Easement at 2690 Scott Boulevard

Recommendation: 1. Adopt a Resolution Ordering the Vacation of an Electric Easement and Wire Clearance Easement at 2690 Scott Boulevard [APN 224-10-131 (2021-22); SC 21-0014]; and
2. Authorize the recordation of the Resolution.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to adopt Resolution No. 22-9132 ordering the Vacation of an Electric Easement and Wire Clearance Easement at 2690 Scott Boulevard [APN 224-10-131 (2021-22); SC 21-0014]; and authorization for the recordation of the Resolution.

3.N [22-662](#) Action on Award of a Purchase Order to American Truck & Trailer Body Co. for Automated Valve Operators and Installation Services

Recommendation: 1. Authorize the City Manager to execute a Purchase Order with American Truck and Trailer Body Co. for the purchase and installation of three (3) automated valve operators, with a maximum compensation of \$156,844 plus applicable taxes for a one-year term; and
2. Authorize the City Manager to execute change orders for a not-to-exceed contingency amount of \$15,684 in the event any unforeseen changes arise, subject to the appropriation of funds.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

3.O [22-900](#) Action on a Request for a Special Permit to Allow Seasonal Pumpkin Patch and Christmas Tree Sales Events at 2610 El Camino Real from September 17, 2022 through December 24, 2022

Recommendation: Approve the request of a Special Permit to allow for seasonal Pumpkin Patch and Christmas Tree sales events at 2610 El Camino Real from September 17, 2022 through December 24, 2022, subject to conditions.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

3.P [22-901](#) Action on a Request for a Special Permit to Allow Seasonal Pumpkin Patch and Christmas Tree Sales Events at 3590 Benton Street from October 1, 2022 through December 24, 2022

Recommendation: Approve the request of a Special Permit to allow for a seasonal Pumpkin Patch and Christmas Tree sales events at 3590 Benton Street from October 1, 2022 through December 24, 2022, subject to conditions.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

- 3.Q [22-561](#) Action to Authorize the City Manager to Negotiate, Execute, and Administer an Agreement with the City of San Jose for the Stevens Creek Boulevard Vision Study and Related Budget Amendment

- Recommendation:**
1. Authorize the City Manager to negotiate, execute, and administer an agreement with the City of San Jose for the Stevens Creek Boulevard Vision Study up to a total not-to-exceed amount of \$100,296;
 2. Authorize the City Manager to execute any and all documents necessary for or associated with the agreement, including payments to the City of San Jose; and
 3. Approve the FY 2022/23 budget amendment in the Streets and Highways Capital Fund to establish an appropriation for a new project - Stevens Creek Boulevard Vision Study in the amount of \$100,296, and decrease the Pedestrian and Bicycle Enhancement Facilities Project by \$100,296; (**majority affirmative Council votes required**).

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

- 3.R [22-765](#) Actions on a Resolution Adopting the Updated Sanitary Sewer Outlet Charge - Conveyance Fee Report and List of Improvements, and a Resolution Accepting the Amended AB1600 Report on Development Impact Fees for Fiscal Year Ended June 30, 2021

- Recommendation:**
1. Adopt a Resolution approving the updated Sanitary Sewer Outlet Charge - Conveyance Fee Report and List of Improvements; and
 2. Adopt a Resolution accepting the Amended AB1600 Report on Development Impact Fees for fiscal year ended June 30, 2021.

Public Speaker(s): Susan Hinton (eComment)

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to adopt Resolution No. 22-9133 approving the updated Sanitary Sewer Outlet Charge - Conveyance Fee Report and List of Improvements; and adopt Resolution No. 22-9134 accepting the Amended AB1600 Report on Development Impact Fees for fiscal year ended June 30, 2021.

- 3.S [22-834](#) Action on a Resolution Extending AB 361 Implementation to Allow City Legislative Bodies to Hold Public Meetings Solely by Teleconference or Otherwise Electronically During the Governor's Proclaimed COVID State of Emergency

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

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to adopt Resolution No. 22-9135 finding the existence of the need to extend AB 361 implementation to allow the City's legislative bodies to hold public meetings solely by teleconference or otherwise electronically pursuant to AB 361.

- 3.T [22-985](#) Action on a Resolution Authorizing the Use of City Electric Forces for New Dark Fiber Installations at Various Locations

Recommendation: Determine the proposed actions are exempt from CEQA and adopt a Resolution authorizing the use of City Electric Forces for work detailed in this report located at Gianera Substation to Donald Von Raesfeld Power Plant.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to adopt Resolution No. 22-9136 authorizing the use of City Electric Forces for work detailed in this report located at Gianera Substation to Donald Von Raesfeld Power Plant after determining the proposed actions are exempt from CEQA.

- 3.U [22-817](#) Action on a Resolution Authorizing the Use of City Electric Forces at Various Locations

Recommendation: Determine the proposed actions are exempt from CEQA and adopt a Resolution authorizing the use of City Electric Forces for work detailed in this report located at 2400 Agnew Road, 3355 Thomas Road, 2175 Martin Avenue, 1850 El Camino Real, 2235 Calle De Luna and 2232 Calle Del Mundo.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to adopt Resolution No. 22-9137 authorizing the use of City Electric Forces for work detailed in this report located at 2400 Agnew Road, 3355 Thomas Road, 2175 Martin Avenue, 1850 El Camino Real, 2235 Calle De Luna and 2232 Calle Del Mundo after determining the proposed actions are exempt from CEQA.

- 3.V [22-1047](#) Action to Waive Second Reading and Adopt Ordinance No. 2048 to establish objective subdivision, zoning, and design standards for SB 9 residential projects by amending Title 18 (Zoning) to create Chapter 18.13 (Two Unit Dwelling Residential Development and Urban Lot Splits)

Recommendation: Waive Second Reading and Adopt Ordinance No. 2048 to establish objective subdivision, zoning, and design standards for SB 9 residential projects by amending Title 18 (Zoning) to create Chapter 18.13 (Two Unit Dwelling Residential Development).

Public Speaker(s): Susan Hinton

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to adopt Ordinance No. 2048 to establish objective subdivision, zoning, and design standards for SB 9 residential projects by amending Title 1 (Zoning) to create Chapter 18.13 Two Unit Dwelling Residential Development).

- 3.W [22-1048](#) Action to Waive Second Reading and Adopt Ordinance No. 2049 amending Chapter 17.05 (Subdivisions) of Title 17 (Development) to revise the subdivision process for SB 9 developments.

Recommendation: Waive Second Reading and Adopt Ordinance No. 2049 to amend Chapter 17.05 (Subdivisions) of Title 17 (Development) to revise the subdivision process for SB 9 developments.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to adopt Ordinance No. 2049 to amend Chapter 17.05 (Subdivisions) of Title 17 (Development) to revise the subdivision process for SB 9 developments.

- 3.X [22-649](#) Note and File the 2022 Evaluation Report of the Hazard Mitigation Plan

Recommendation: Note and File the 2022 Evaluation Report of the Local Hazard Mitigation Plan.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

4. [22-850](#) Action on Stadium Authority Bills and Claims for the Month of May 2022

Recommendation: Approve the list of Stadium Authority Bills and Claims for May 2022.

A motion was made by Boardmember Hardy, seconded by Boardmember Becker, to approve staff recommendation.

PUBLIC PRESENTATIONS

Howard Gibbins expressed comments of concern regarding helping small businesses and comments of gratitude for the support of **Council** and the community.

Curtis Fisher provided a Powerpoint presentation regarding the history of the Lawn Bowl Club in Santa Clara.

Jill Schwinn expressed comments of concern regarding the Santa Clara Cemetery hours. **Council** referred this matter back to the City Manager's Office by consensus.

Betsy Megas expressed comments regarding the City's usage of grants and understand the impact of the grants.

Ganesh Sanap requested the **Council** to find a field for the youth to play cricket. **Council** referred this matter back to the City Manager's Office by consensus.

Councilmember Chahal addressed public comments.

Igor expressed comments regarding having better bike infrastructure throughout the City.

Tommy expressed comments of concern regarding the public records requests received.

CONSENT ITEMS PULLED FOR DISCUSSION

None.

PUBLIC HEARING/GENERAL BUSINESS

5. [22-1022](#) Receive Silicon Valley Power Quarterly Report (Deferred from July 5, 2022)

Recommendation: Note and file the Silicon Valley Power Quarterly Update.

Chief Electric Utility Officer Pineda gave a Powerpoint presentation.

Council comments and questions followed.

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

A motion was made by Councilmember Hardy, seconded by Councilmember Chahal, to note and file the Silicon Valley Power Quarterly Update.

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

Excused: 1 - Councilmember Park

11. [22-982](#) Action on a Written Petition (Council Policy 030), Submitted by Thomas Calvello Requesting to Place an Agenda Item on a Future Council Meeting for Council to Discuss an Admission Tax of 6% be added to the Ticket Price or other Charge that Attendees Pay to Enter Entertainment Venues or Events in Santa Clara

Recommendation: Staff makes no recommendation.

Written Petitioner Thomas Calvello provided a brief overview on his written petition requesting to place an agenda item on a future Council Meeting for Council to discuss an Admission Tax of 6% be added to the ticket price or other charge that attendees pay to enter entertainment venues or events in Santa Clara.

City Manager Batra noted this item will return within 60 days.

A motion was made by Vice Mayor Jain, seconded by Councilmember Watanabe, to agendize this written petition to a future Council and Authorities Concurrent meeting agenda.

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

Excused: 1 - Councilmember Park

6. [22-1016](#) Consideration of Action on a Resolution to Remove Ron Patrick from the Planning Commission in Accordance with Council Policy 032; and to Appoint First Eligible Appointee Mario Bouza to the Planning Commission

Recommendation: Staff makes no recommendation.

Assistant Director of Community Development Brilliot introduced the item.

Councilmember Becker requested **Planning Commissioner Ron Patrick** address **Council** questions about his Planning Commission application.

Planning Commissioner Ron Patrick addressed **Council** questions.

Council comments and questions followed.

Interim City Attorney Ngo addressed **Council** questions.

Council comments followed.

Public Speaker(s): Lee Broughman
Shona Armstrong
Kirk Vartan

Assistant City Clerk Pimentel provided some clarification on the application process.

Public Speaker(s): Monica (eComment)
John Galt (eComment)

Council comments followed.

Councilmember Chahal stated that staff should request that a candidate should be a registered voter by the application deadline or they are disqualified.

A motion was made by Councilmember Becker, seconded by Vice Mayor Jain, to adopt Resolution No. 22-9151 to (1) pursuant to its discretionary authority provided in the City Charter and in Council policy 032, the City Council removes Ron Patrick from the Planning Commission effective immediately, (2) pursuant to the authority in the City Charter, appoint 1st eligible candidate Mario Bouza effective immediately, and (3) this resolution shall become effectively immediately.

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

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

Excused: 1 - Councilmember Park

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

7. [22-870](#) Action on a Council Written Request (Council Policy 030) Submitted by Vice Mayor Jain Requesting to Place an Agenda Item at a Future Council Meeting to Discuss working with the Water District and any other agency with Jurisdiction to Widen the San Tomas Aquino Trail. The Discussion Should also include a Discussion of the Costs of a Study to Look at all the Opportunities for Widening the Trail and Associated Costs

Recommendation: Staff makes no recommendation.

Vice Mayor Jain provided a brief verbal report on his written petition to place an agenda item at a future Council meeting to discuss working with the Water District and any other agency with Jurisdiction to widen the San Tomas Aquino Trail. The discussion should also include a discussion of the costs of a study to look at all the opportunities for widening the trail and associated costs.

City Manager Batra addressed **Council** comments.

A motion was made by Councilmember Becker, seconded by Vice Mayor Jain, to place this item on the agenda for discussion on the next priority setting session.

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

Excused: 1 - Councilmember Park

8. [22-871](#) Action on a Council Written Request (Council Policy 030) Submitted by Vice Mayor Jain Requesting to Place an Agenda Item at a Future Council Meeting to Discuss Allocating up to \$150K to create a Neighborhood Stadium Relations Committee using funds from the SCSA budget (not the City of Santa Clara's General Fund)

Recommendation: Staff makes no recommendation.

Vice Mayor Jain provided a verbal report requesting to place an agenda item at a future Council meeting to discuss allocating up to \$150K to create a Neighborhood Stadium Relations Committee using funds from the SCSA budget (not the City of Santa Clara's General Fund).

City Manager Batra addressed **Council** comments.

Public Speaker(s): Kirk Vartan

A motion was made by Vice Mayor Jain, seconded by Councilmember Becker, to agendize to a future Council and Authorities Concurrent meeting in early 2023.

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

Excused: 1 - Councilmember Park

Assistant City Clerk Pimentel noted two eComments were received for Item 7 from Susan Hinton and Brian Doyle.

9. [22-872](#) Action on a Council Written Request (Council Policy 030) Submitted by Vice Mayor Jain Requesting to Place an Agenda Item at a Future Council Meeting to Discuss Potential Uses, Unfunded Repairs and Finances (Income and Expenses) of Operating and Maintaining the Morse Mansion

Recommendation: Staff makes no recommendation.

Mayor Gillmor noted that she will be recusing on this item due to a potential conflict of interest as she has property within a 1000 ft. of subject property and left the dais at 10:10 PM

Vice Mayor Jain presided over this item.

Vice Mayor Jain gave a verbal report on his Written Petition requesting to place an agenda item at a future Council Meeting to discuss potential uses, unfunded repairs and finances (Income and Expenses) of operating and maintaining the Morse Mansion.

Council comments and questions followed.

City Manager Batra addressed **Council** questions.

A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to agendize this item for a future Council and Authorities Concurrent meeting within 60 days.

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

Excused: 1 - Councilmember Park

Recused: 1 - Mayor Gillmor

Mayor Gillmor returned to the dais at 10:18 PM.

10. [22-981](#) Action on a Written Petition (Council Policy 030), Submitted by Kirk Vartan Requesting to Place an Agenda Item on a Future Council Meeting for Council to Review and Evaluate the Purchase of the Great America Theme Park

Recommendation: Staff makes no recommendation.

Written Petitioner Kirk Vartan provided a verbal report on his request to place an agenda item on a future Council Meeting for Council to review and evaluate the purchase of the Great America Theme Park

Council questions followed.

City Manager Batra addressed **Council** questions.

Council comments followed.

Councilmember Watanabe, Vice Mayor Jain, and Mayor Gillmor noted that they met with Pro Logis.

A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to agendize this item for a future Council and Authorities Concurrent Meeting study session.

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

Excused: 1 - Councilmember Park

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Vice Mayor Jain reported on his attendance at two Northern California Power Agency (NCPA) meetings and noted he was elected to the Executive Board.

Councilmember Hardy noted that we continue to be in a water drought and encourage residents to only water two days a week.

Councilmember Becker reported that he and **Councilmember Chahal** attended a Cricket match and following the match, they attended the surviving COVID exhibit at the Triton Museum of Art.

Mayor Gillmor reported on her attendance with **Councilmember Watanabe** at the SES Parade and that the City was awarded a plaque for their continued support.

Councilmember Watanabe reported on her attendance with **Mayor Gillmor** at the 75th India Independence Day celebration in Milpitas.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

City Manager Batra noted that there will be a flag raising on Friday, August 19, 2022 for India Independence Day and recognized **Assistant City Clerk Pimentel** for efforts to continue all City Clerk's Office duties while being short staffed.

[22-1012](#)

Tentative Meeting Agenda Calendar (TMAC) - Will be Published on August 25, 2022

ADJOURNMENT

The meeting was adjourned at 10:37 PM.

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

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

Excused: 1 - Councilmember Park

The next regular scheduled meeting is on Tuesday, August 30, 2022 in the City Hall Council Chambers.

MEETING DISCLOSURES

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

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

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

LEGEND: City Council (CC); Stadium Authority (SA); Sports and Open Space Authority (SOSA); Housing Authority (HA); Successor Agency to the City of Santa Clara Redevelopment Agency (SARDA); Bayshore North Project Enhancement Authority (BNPEA); Public Facilities Financing Corporation (PFFC)

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