



City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, September 12, 2023

4:00 PM

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

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

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

Meeting ID: 997-0675-9306

- o Phone: 1(669) 900-6833

How to Submit Written Public Comment Before City Council Meeting:

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

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at <https://santaclaraca.legistar.com/Calendar.aspx>

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk at Santa Clara City Hall, 1500 Warburton Avenue, Santa Clara, CA 95050 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. For the final document, you may contact the Office of the City Clerk at (408) 615-2220 or Clerk@santaclaraca.gov.

Closed Session - 4:00 PM | Joint Dinner 5:00 PM | Regular Meeting - 7:00 PM

4:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Roll Call

1. **23-1133** [Conference with Labor Negotiators \(CC\)](#)
[Pursuant to Gov. Code § 54957.6](#)

[City representatives: Jōvan Grogan, Nadine Nader, Aracely Azevedo, Marco Mercado, Charles Sakai, Glen Googins](#)

[Employee Organization\(s\):](#)
[Units #5, 7 & 8-City of Santa Clara Employees Association](#)
[Unit #9A-Unclassified Police Management Employees](#)

Convene to Closed Session (Council Conference Room)

Public Comment

The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.

5:00 PM JOINT DINNER

Call to Order in the Council Chambers

Confirmation of a Quorum of Council Attendance

Roll Call of Senior Advisory Commission

2. **23-743** [Joint City Council and Senior Advisory Commission Dinner Meeting](#)

7:00 PM COUNCIL REGULAR MEETING

**Open session to begin at 7:00 PM or shortly thereafter.*

Call to Order in the Council Chambers

Pledge of Allegiance and Statement of Values

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

SPECIAL ORDER OF BUSINESS

- 3.A 23-851 [Proclaim Hispanic Heritage Month from September 15 - October 15, 2023](#)

- 3.B 23-1103 [Proclaim September 16, 2023, as Mahsa Amini Day](#)

CONSENT CALENDAR

[Items listed on the CONSENT CALENDAR are considered routine and will be adopted by one motion. There will be no separate discussion of the items on the CONSENT CALENDAR unless discussion is requested by a member of the Council, staff, or public. If so requested, that item will be removed from the CONSENT CALENDAR and considered under CONSENT ITEMS PULLED FOR DISCUSSION.]

- 4.A 23-20 [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:
Bicycle and Pedestrian Advisory Committee - March 27, 2023
Bicycle and Pedestrian Advisory Committee - June 26, 2023
Planning Commission Special Meeting - January 26, 2023
Planning Commission - March 8, 2023
Senior Advisory Commission - July 24, 2023
Audit Committee - March 30, 2023

- 4.B 23-866 [Action on the Santa Clara Convention Center FY 2022/23 4th Quarter Financial Status Report](#)

Recommendation: Note and file the Santa Clara Convention Center Financial Status Report for the 4th Quarter ending June 30, 2023, as submitted by OVG.

4.C 23-920 [Actions on an Agreement for Professional Services with Wallace Roberts & Todd, LLC in the Amount Not to Exceed \\$442,624 to Develop a Comprehensive Citywide Parks & Recreation Master Plan and the Related Budget Amendment](#)

- Recommendation:**
1. Authorize the City Manager to execute an Agreement with Wallace Roberts & Todd, LLC to provide professional services for the development of a Comprehensive Citywide Parks & Recreation Master Plan, with a maximum compensation of \$442,624, subject to the appropriation of funds, and in a final form approved by the City Attorney;
 2. Authorize the City Manager to (a) take any actions as necessary to implement and administer the Agreement, (b) negotiate and execute amendments to the Agreement to add, modify or delete services consistent with the Agreement's scope of services, provided that the maximum compensation is not exceeded, and (c) to extend the term of the Agreement as required to complete the services required to develop the Citywide Parks & Recreation Master Plan, provided that the maximum compensation is not exceeded; and
 3. Approve the following FY 2023/24 budget amendment in the Parks & Recreation Capital Fund to increase the Parks & Recreation Master Plan project appropriation by \$142,700 and decrease the Park Impact Fees Monitoring project appropriation by the same amount (**majority affirmative Council votes required**).

4.D 23-834 [Action on an Agreement with West Yost & Associates, Inc. with a Maximum Compensation of \\$949,502 to Update the City's Water Supply Master Plan and to Approve the Related Budget Amendments](#)

- Recommendation:**
1. Authorize the City Manager to execute an agreement with West Yost & Associates, Inc. (Agreement), in substantially the form attached to this Report to Council and subject to the review and approval of the City Attorney, to update the City's Water Supply Master Plan, for a term starting on or around September 1, 2023 and ending on or around June 30, 2028, with a maximum compensation not-to-exceed \$949,502, subject to the appropriation of funds;
 2. Authorize the City Manager to (a) take any actions as necessary to implement and administer the Agreement and (b) extend the term of the Agreement as required to complete the services required to update the Water Master Plan, provided that the maximum compensation is not exceeded;
 3. Authorize the Director of Water & Sewer Utilities to negotiate and execute amendments to the Agreement to add, modify or delete services consistent with the Agreement's scope of services, provided that the maximum compensation is not exceeded; and
 4. Approve the following FY 2023/24 budget amendments:
 - a. In the Recycled Water Capital Fund, establish a transfer to the Water Utility Capital Fund and reduce the unrestricted ending fund balance by \$168,118 (**five affirmative Council votes required for the use of unused balances**);
 - b. In the Sewer Utility Fund, establish a transfer to the Water Utility Capital Fund and reduce the unrestricted ending fund balance by \$50,000 (**five affirmative Council votes required for the use of unused balances**); and
 - c. In the Water Utility Capital Fund, recognize a transfer of \$168,118 from

the Recycled Water Capital Fund, recognize a transfer of \$50,000 from the Sewer Utility Fund, reduce the unrestricted ending fund balance by \$731,384, and increase the Asset Management Program project by \$949,502 (**five affirmative Council votes required to appropriate additional revenue and for the use of unused balances**).

4.E 23-121 [Action on Addendum 5 to Software License Agreement Contract No. 2005-204 with Telvent USA LLC to Extend the Term of the Currently-Installed GIS System to April 22, 2026 and Increase Maximum Compensation for Enterprise-wide Software Licenses by \\$225,000 \(Silicon Valley Power\)](#)

- Recommendation:**
1. Authorize the City Manager to execute Addendum 5 to the Software License Agreement Contract No. 2005-204 with Schneider Electric Smart Grid Solutions, LLC, to extend the term of the currently-installed GIS system to April 22, 2026 and increase compensation by \$225,000 for a revised maximum compensation of \$892,500 for enterprise-wide licenses; and
 2. Authorize the City Manager to negotiate and execute future addendums to (a) extend the term of the agreement for up to three additional years through April 22, 2029; (b) adjust rates based on number of users or as part of an extension of term; and (c) add/delete functionalities and services required to support future system requirements, for a total maximum compensation amount not-to-exceed \$1,500,000 subject to budget appropriations and review and approval as to form by the City Attorney.

4.F 23-958 [Action on a Special Permit to Allow Outdoor Display and Sale of Clothing and Accessories in Connection with the Santa Clara Gun Show on September 16th and 17th, 2023 in the Parking Lot at the American Legion Hall at 958 Homestead Road](#)

Recommendation: 1. Determine that the proposed action is categorically exempt from CEQA pursuant to Class 4 (“Minor Alterations to Land”).
2. Adopt staff’s proposed findings presented above and approve the request of a Special Permit to allow the use of the parking lot for the display/sale of clothing and accessories in connection with a two-day Gun Show on September 16th and 17th, 2023 at 958 Homestead Road, subject to the conditions presented.

4.G 23-1067 [Action on a Resolution Approving the 2024 Civil Service Commission Calendar of Meetings, and Setting the Number and Start Time of Regular Meetings of the Civil Service Commission](#)

Recommendation: Adopt a Resolution approving the 2024 Civil Service Commission Calendar of Meetings and setting the number and start time of regular Civil Service Commission meetings.

4.H 23-751 [Action on Resolutions Ordering the Vacation of a Storm Drain Easement, Street and Utility Easement, Wire Clearance Easement, and Electric Easements at 2200 Calle De Luna](#)

Recommendation: 1. Adopt a Resolution Ordering the Vacation of a storm drain easement, street and utility easement, electric easement, and wire clearance easement at 2200 Calle De Luna [APN 097-01-039 (2022-23), SC23-0051];
2. Adopt a Resolution Ordering the Vacation of an electric easement at 2200 Calle De Luna [APN 097-01-039 (2022-23), SC23-0052]; and
3. Authorize the recordation of the Resolutions.

PUBLIC PRESENTATIONS

[This item is reserved for persons to address the Council or authorities on any matter not on the agenda that is within the subject matter jurisdiction of the City or Authorities. The law does not permit action on, or extended discussion of, any item not on the agenda except under special circumstances. The governing body, or staff, may briefly respond to statements made or questions posed, and appropriate body may request staff to report back at a subsequent meeting. Although not required, please submit to the City Clerk your name and subject matter on the speaker card available in the Council Chambers.]

CONSENT ITEMS PULLED FOR DISCUSSION

PUBLIC HEARING/GENERAL BUSINESS

5. 23-951 [Hold a Public TEFRA Hearing and Action on the Adoption of a Resolution Approving the California Municipal Finance Authority \(CMFA\) Issuance of Tax-Exempt Bonds Relating to the Financing of a 200-unit Multifamily Rental Housing Project for Low-income Households to be Located in the City of Santa Clara, California at 80 Saratoga Avenue](#)

Recommendation: Hold a Tax Equity and Fiscal Responsibility Act public hearing and adopt a resolution approving the issuance of up to \$95,000,000 in tax-exempt private-activity bonds by California Municipal Finance Authority (CMFA) for the benefit of a 200-unit Multifamily Rental Housing Project to be Located in the City of Santa Clara, California at 80 Saratoga Avenue.

6. 23-1071 [Action to Adopt a Resolution Amending Parking Regulations on Lafayette Street related to possible parking removal for the Lafayette Street Class IV Bikeway Project and Direction on Use of Roadway on Lafayette for Bicycle Paths - Deferred from August 22, 2023](#)

Recommendation: Alternative 1 and 2.

1. Determine the proposed action is exempt under CEQA pursuant to Class 1 (Existing Facilities) of CEQA Guidelines Section 15301.
2. Authorize staff to implement parking removal and a Class IV protected bikeway along Lafayette Street between Memorex Drive and Reed Street (Option 1)
 - a. Adopt a resolution amending parking regulations on Lafayette Street between Memorex Drive and Parker Court (Attachment 5).

7. **23-852** [Action on Proposed Council Policy 053 - Santa Clara Convention Center and Levi's Stadium Policy for Operational Tours for Designated City/Stadium Authority Officials](#)

Recommendation: Adopt a Resolution approving Council Policy 053 - Santa Clara Convention Center and Levi's Stadium Policy for Operational Tours for Designated City/Stadium Authority Officials.

8. **23-1101** [Public Hearing: Action to Waive Second Reading and Adopt Ordinance No. 2063 Amending Chapter 15.60 of the Santa Clara City Code \("Santa Clara Municipal Fire and Environmental Code"\) to adopt the 2022 Supplemental California Fire Code appendices, as amended.](#)

Recommendation: Waive Second Reading and Adopt Ordinance No. 2063 Amending Chapter 15.60 of the Santa Clara City Code ("Santa Clara Municipal Fire and Environmental Code") to adopt the 2022 Supplemental California Fire Code appendices, as amended.

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

9. **23-1137** [Action on a Written Petition \(Council Policy 030\) Submitted by Councilmember Becker Requesting to Place an Agenda Item at a Future Council Meeting to Consider a Policy to Normalize and make Consistent Speaking at Public Events](#)

Recommendation: Staff makes no recommendation.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

ADJOURNMENT

The next regular scheduled meeting is on Tuesday, September 19, 2023 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.

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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.