



City of Santa Clara

Meeting Minutes

Council and Authorities Concurrent Meeting

09/12/2023

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

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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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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

Mayor Gillmor called the meeting to order at 4:00 p.m.

Roll Call

Councilmember Watanabe stated she is participating in the meeting via teleconference using the AB 2449 provision due to a family emergency.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to allow Councilmember Watanabe to participate in the Council meeting via teleconference using the AB 2449 emergency provision.

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

Abstained: 1 - Councilmember Watanabe

Roll Call

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

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)

Mayor Gillmor convened the meeting to Closed Session at 4:03 p.m.

Public Comment

There were none.

5:00 PM JOINT DINNER

Call to Order in the Council Chambers

Mayor Gillmor called the joint dinner with the Senior Advisory Commission to order at 5:06 p.m.

Confirmation of a Quorum of Council Attendance

Roll Call of Senior Advisory Commission

Assistant City Clerk Pimentel confirmed a quorum of the Council was present.

Chair Judy Hubbard, Vice Chair Edmund Drozek, Commissioner Tom Frietas, and Commissioner Veena Sterling from the Senior Advisory Commission were present.

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

Council and Senior Advisory Commission introduced themselves.

City Manager Grogan and **City Attorney Googins** gave a Powerpoint presentation.

Chair Hubbard gave a Powerpoint presentation on **Commission** accomplishments and then reviewed upcoming events.

Senior Advisory Commissioners expressed their concerns on Senior activities within the City of Santa Clara.

Council comments followed.

The joint dinner concluded at 6:36 p.m.

7:00 PM COUNCIL REGULAR MEETING

Call to Order in the Council Chambers

Mayor Gillmor called the meeting to order at 7:03 p.m.

Pledge of Allegiance and Statement of Values

Council recited the Pledge of Allegiance.

Councilmember Jain recited the Statement of Values.

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

Assistant City Clerk Pimentel also noted that any registered Lobbyist speaking during Public Meeting will need to identify themselves and who they represent.

Assistant City Clerk Pimentel announced that **Councilmember Watanabe** would be participating remotely under the provision of AB2449 due to a family emergency.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

City Attorney Googins stated there was no reportable action.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

There were none.

SPECIAL ORDER OF BUSINESS

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

Mayor Gillmor proclaimed September 15 through October 15, 2023 as Hispanic Heritage Month.

Inez Barragan, a leader within La Misión Colectiva and Project Director at Mission College, accepted the proclamation and gave a few remarks.

Council comments followed.

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

Council proclaimed September 16, 2023 as Mahsa Amini Day.

Council comments followed.

CONSENT CALENDAR

Vice Mayor Park pulled Item 4.B from the Consent Calendar.

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

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

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

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to note and file the minutes of the March 27, 2023 Bicycle and Pedestrian Advisory Committee meeting; the June 26, 2023 Bicycle and Pedestrian Advisory Committee; the January 26, 2023 Planning Commission Special Meeting; the March 8, 2023 Planning Commission meeting; the July 24, 2023 Senior Advisory Commission meeting; and the March 30, 2023 Audit Committee meeting.

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

- 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**).

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to 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; to 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 to 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.

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

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**).

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to 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; to 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; to 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 to 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; (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; 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.

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

- 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.

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

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

- 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.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to determine that the proposed action is categorically exempt from CEQA pursuant to Class 4 ("Minor Alterations to Land") and to 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 16 and 17, 2023 at 958 Homestead Road, subject to the conditions presented.

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

- 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.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to adopt Resolution 23-9261 approving the 2024 Civil Service Commission Calendar of Meetings and setting the number and start time of regular Civil Service Commission meetings.

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

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.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to adopt Resolution 23-9262 ordering the vacation of a storm drain easement, street and utility easement, electric easement, and wire clearance easement at 2200 Call De Luna [APN 097-01-039 (2022-23), SC23-0051]; and to adopt Resolution 23-9263 ordering the vacation of an electric easement at 2200 Calle De Luna [APN 097-01-039 (2022-23), SC23-0051]; and to authorize the recordation of the Resolutions.

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

PUBLIC PRESENTATIONS

Brian Darby thanked the **Council** and **City staff** for their work, spoke about September 11, 2001 and the euthanasia camp in Germany.

Wanda Buck spoke about the Governance and Ethics Commission.

CONSENT ITEMS PULLED FOR DISCUSSION

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.

Vice Mayor Park pulled this item to provide comments.

A motion was made by Vice Mayor Park, seconded by Councilmember Becker, to note and file the Santa Clara Convention Center Financial Status Report for the 4th Quarter ending June 30, 2023, as submitted by OVG.

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

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.

City Manager Grogan introduced this agenda item.

Community Development Director Crabtree provided the PowerPoint presentation.

Public Comment:
Brian Darby
Shreya Chokshi

A motion was made by Councilmember Chahal, seconded by Councilmember Hardy, to close the Public Hearing.

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

Absent: 1 - Councilmember Becker

A motion was made by Councilmember Hardy, seconded by Councilmember Chahal, to adopt Resolution 23-9264 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 980 Saratoga Avenue.

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

Absent: 1 - Councilmember Becker

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).

Councilmember Becker returned to the dais at 7:48 p.m.

City Manager Grogan introduced the agenda item.

Community Development Assistant Director Liw provided the PowerPoint presentation.

Council questions and comments followed.

Public Comment:
Gavin Achtemeier
Rosie Chen
Betsy Megas
Gabby Landaveri
Ricky/Beth
David Gravelle
Diana Crumedy
Mikael
Jeff Houston

eComment:
Diane Harrison

Council provided additional comments.

A motion was made by **Councilmember Becker**, seconded by **Councilmember Hardy**, to approve Staff recommendation of Alternative 1: Determine the proposed action is exempt under CEQA pursuant to Class 1 (Existing Facilities) of CEQA Guidelines Section 15301 and Alternative 2: Determine the proposed action is exempt under CEQA

pursuant to Class 1 (Existing Facilities) of CEQA Guidelines Section 15301; and 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).

Councilmember Chahal requested a friendly amendment to the Motion for Alternative 1 and 3: Authorize staff to implement parking removal and a Class IV protected bikeway along Lafayette Street between Memorex Drive and Reed Street (Option 1) with temporary bicycle improvements on Lafayette Street between Memorex Drive and Parker Court through a pilot program. a. Adopt a resolution amending parking regulations on Lafayette Street between Memorex Drive and Parker Court (Attachment 5).

Councilmember Becker accepted the friendly amendment.

Councilmember Hardy did not accept the friendly amendment.

Councilmember Becker rescinded his original motion and made a new motion.

A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to determine the proposed action is exempt under CEQA pursuant to Class 1 (Existing Facilities) of CEQA Guidelines Section 15301; and to authorize staff to implement parking removal and a Class IV protected bikeway along Lafayette Street between Memorex Drive and Reed Street (Option 1) with temporary bicycle improvements on Lafayette Street between Memorex Drive and Parker Court through a pilot program; and adopt Resolution 23-9265 amending parking regulations on Lafayette Street between Memorex Drive and Parker Court (Attachment 5).

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

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

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.

City Manager Grogan provided the PowerPoint presentation on the proposed Council Policy 053 - Santa Clara Convention Center and Levi's Stadium Policy for operational tours for designated City/Stadium Authority Officials.

Council questions followed and **City Manager Grogan** responded to questions.

Public Comment:
Wanda Buck
Brian Darby
Edward Strine

Council comments followed.

Councilmember Watanabe lost connection at 9:18 p.m. and reconnected at 9:24 p.m.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to adopt Resolution 23-9266 approving Council Policy 053 - Santa Clara Convention Center and Levi's Stadium Policy for Operational Tours for Designated City/Stadium Authority Officials with the following changes: the elimination of allowing guests to attend the operation tour, clarifying language on food/beverage consumption, establish two tours at the Stadium and two tours at the convention center within a twelve-month period, and ceremonial presentations are exempt from this policy upon the determination by the City Manager of what constitutes a ceremonial presentation.

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

Nay: 3 - Councilmember Watanabe, Vice Mayor Park, and Mayor Gillmor

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.

City Manager Grogan provided an introduction to the agenda item.

Fire Marshal Tomlin was present to answer any questions.

Public Comment:
Brian Darby

A motion was made by Councilmember Hardy, seconded by Councilmember Chahal, to close the Public Hearing.

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

Absent: 1 - Councilmember Becker

A motion was made by Councilmember Jain, seconded by Councilmember Hardy, to waive the 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.

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

Absent: 1 - Councilmember Becker

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.

Councilmember Becker explained his written petition to place to consider a policy to normalize and make consistent speaking at public events.

Public Comment:

Brian Darby

Lee

A motion was made by Councilmember Becker, seconded by Councilmember Jain, to agendaize this written petition to a future meeting between October 24 and December 12, 2023 for Council discussion.

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

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Mayor Gillmor announced that the Santa Clara Arts and Wine Festival will be held this weekend on September 16 and 17. She also reported on the water main break at Cypress and Stevens Creek Boulevard and thanked City staff/crew who worked on fixing it in a timely manner.

Councilmember Becker also thanked City staff with the Stevens Creek water main break. He also reported that he attended a CalTrain Board meeting and that CalTrain has announced new promotional fares for students, hybrid workers, and families.

Councilmember Jain announced that Ed Sheeran will have a concert at Levi's Stadium this Saturday and that the transit agencies are prepared for the event. He also reported that he went a tour of Santa Clara University/Sobrato STEM building on September 11 with the Vice President of Finance at Santa Clara University.

Councilmember Watanabe thanked staff on their work on the water main break and also thanked Kirk Vartan and the Slice of New York Pizza Restaurant for providing food for City staff working on the water main break. She also spoke about the 22nd Anniversary of the 9/11 Terrorist Attacks in New York.

Vice Mayor Park reported he visited Great America and urged residents to visit it.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

There were none.

ADJOURNMENT

A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to adjourn the meeting at 11:17 p.m.

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

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.

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