



City of Santa Clara
Joint Meeting Minutes
Council and Authorities Concurrent
and Special Stadium Authority Meeting

08/25/2020

3:30 PM

City Hall Council Chambers
1500 Warburton Avenue
Santa Clara, CA 95050

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented 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.

For those individuals that do not have the above access, the City Cafeteria has been set up to accommodate up to 10 people at a time and public comment will be given from that location.

The meeting set-up is in line with the recommendations of the COVID-19 White House Task Force, which notes no more than 10 people gatherings. The Mayor will be present for the meeting with Councilmembers and department heads participating remotely. A limited number of staff will also be present.

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 ("The Brown Act") and Section 708 of the Santa Clara City Charter, the Chairperson calls for a Special Meeting of the Governing Board of the Stadium Authority to commence and convene on August 25, 2020, at 3:30 pm for a Special Meeting in the City Hall Council Chambers located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California, to consider the following matter(s) and to potentially take action with respect to them.

3:30 PM CLOSED SESSION

Call to Order in the Council Chambers

Mayor/Chair Gillmor called the meeting to order at 3:39 PM.

Roll Call

Present: 6 - Vice Mayor/Chair Karen Hardy, Council/Boardmember Teresa O'Neill, Council/Boardmember Debi Davis, Council/Boardmember Kathy Watanabe, Council/Boardmember Raj Chahal, and Mayor/Chair Lisa M. Gillmor

20-769

Conference with Legal Counsel-Existing Litigation (CC, SARDA)
Pursuant to Gov. Code § 54956.9(d)(1)
County of Santa Clara, et al., v. City of San Jose, et al.
Santa Clara County Superior Court Master Case Number (consolidated)
105CV046005

20-780

Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8
Property: 500 Benton Street, APN 230-08-078
City/Authority Negotiator: Deanna J. Santana, City Manager (or designee)
Negotiating Parties: Robert Mendelsohn, Republic Metropolitan
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property
(provisions, price and terms of payment)

Public Comment

None.

Convene to Closed Session (Council Conference Room)

Council adjourned to Closed Session at 3:40 PM.

5:00 PM COUNCIL REGULAR/SPECIAL STADIUM AUTHORITY MEETING

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Davis recited the Statement of Values.

Assistant City Clerk Pimentel read the AB23 Announcement and Behavioral Standards.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

City Attorney Doyle reported that there was No Reportable Action from Closed Session.

CONTINUANCES/EXCEPTIONS

None.

SPECIAL ORDER OF BUSINESS

1.A [20-738](#) Recognition of Youth Initiatives during the COVID-19 Pandemic

Council recognized the following students for their innovation during the COVID-19 Pandemic:

- **Ritvi Ranka (Junior at Monta Vista High School)** for her invention of a Door Knob Sanitization kit "Ritize". Ritvi Ranka gave a PowerPoint Presentation and video on "Ritize."
- Sia (get name from Genevieve)

1.B [20-712](#) Verbal Report from City Manager regarding COVID-19 Pandemic [Council Pillar: Enhance Community Engagement and Transparency]

City Manager Santana provided a verbal update on the following:

- City staff providing mutual aid to the Wildfire Response;
- City extended the hours of the Cooling Centers;
- Reviewing the City's reopening plan;
- City Police responded to the City's first homicide; and
- Temporary suspend outdoor services due to the Wildfire Smoke; and
- In September, staff will bring options to help Small Businesses and Resident Rental Assistance.

Chief Emergency Services Coordinator Schoental provided a verbal update on the COVID-19 Pandemic.

Council expressed gratitude towards City Staff for their efforts during this time and providing frequent communication with the residents.

City Manager Santana addressed **Council** questions.

CONSENT CALENDAR

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve the balance of the Consent Calendar (except Items 2.L and 2.M).

Aye: 6 - Vice Mayor/Chair Hardy, Council/Boardmember O'Neill, Council/Boardmember Davis, Council/Boardmember Watanabe, Council/Boardmember Chahal, and Mayor/Chair Gillmor

- 2.A [20-16](#) Board, Commissions and Committee Minutes [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation: Note and file the Minutes of:
City-School Liaison Committee - February 5, 2020
City-School Liaison Committee - March 25, 2020
Economic Development, Communications, and Marketing Minutes - February 19, 2020
Deferred Compensation Committee Minutes - May 27, 2020

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve staff recommendation.

- 2.B [20-690](#) Action on Monthly Investment Report for June 2020 and Approve FY 2020/21 Budget Amendments [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation: Note and file the Monthly Investment Report for June 2020 as presented and Approve FY 2020/21 Budget Amendments.

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve staff recommendation.

- 2.C [20-682](#) Action on a Request for a Special Permit to Allow Seasonal Christmas Tree Sales Events at 2610 El Camino Real from November 10, 2020 through December 24, 2020. [Council Pillar: Promote and Enhance Economic, Housing and Transportation Development]

Recommendation: Approve the request of a Special Permit to allow for a Christmas Tree sales events at 2610 El Camino Real from November 20, 2020 through December 24, 2020, subject to conditions.

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve staff recommendation.

- 2.D [20-684](#) Note and File the 2020 Evaluation Report of the Hazard Mitigation Plan [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

Recommendation: Note and File the 2020 Evaluation Report of the Local Hazard Mitigation Plan.

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve staff recommendation.

- 2.E [20-703](#) Action on a Reimbursement Agreement for Formation of a Community Facilities District in the Tasman East Specific Plan Area and Related Budget Amendment [Council Pillar: Promote and Enhance Economic, Housing and Transportation Development]

Recommendation:

1. Authorize the City Manager to execute the Reimbursement Agreement with the Developers within the Tasman East Specific Plan Area; and
2. Approve the FY 2020/21 budget amendment in the Expendable Trust Fund to recognize developer contributions in the amount of \$49,500 and establish a Community Facilities District Formation - Tasman East appropriation to account for outside consultant costs in the amount of \$49,500.

Public Speaker(s): Suds Jain (eComment)

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve staff recommendation.

- 2.F [20-706](#) Action on a Request for a Special Permit to Allow Seasonal Pumpkin Patch and Christmas Tree Sales Events at 3590 Benton Street from September 20, 2020 through December 24, 2020 [Council Pillar: Promote and Enhance Economic, Housing and Transportation Development]

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 September 20, 2020 through December 24, 2020, subject to conditions.

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve staff recommendation.

- 2.G [20-726](#) Action on the Approval of FY 19 Edward Byrne Memorial Justice Assistance Grant Funding and Related Budget Amendment [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

Recommendation:

1. Accept and approve the FY 19 Edward Byrne Memorial Justice Assistance Grant funding of \$12,391 to support the Police Department's efforts to become NIBRS compliant;
2. Approve the related FY 2020/21 budget amendment in the Police Operating Grant Trust Fund to recognize grant revenue in the amount of \$12,391 and establish an Edward Byrne Memorial Justice Assistance Grant Program 2019 appropriation in the amount of \$12,391;
3. Authorize the City Manager to sign grant-related documents; and
4. Authorize the City Manager to execute purchase order(s), subject to the appropriation of funds, to directly support the Police Department's technical capacity for collecting, processing, analyzing and validating data to become NIBRS compliant.

Public Speaker(s): Susan Hinton (eComment)

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve staff recommendation.

- 2.H [20-745](#) Update on Tasman East Specific Plan Implementation [Council Pillar: Promote and Enhance Economic, Housing and Transportation Development]

Recommendation: Note and file the Update on Tasman East Specific Plan Implementation.

Public Speaker(s): Susan Hinton (eComment)

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve staff recommendation.

- 2.I [20-747](#) Accept the 2020 Assistance to Firefighters Grant Program COVID-19 Supplemental Award in the amount of \$27,036 and Approve the Related Budget Amendment Including the Required 10% Matching Funds [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

- Recommendation:**
1. Accept the 2020 Assistance to Firefighters Grant COVID-19 Supplemental Award in the amount of \$27,036 for the COVID-19 Purchase of Personal Protection Equipment for Department Personnel and authorize the City Manager to execute the necessary documents; and
 2. Approve the FY 2020/21 Budget Amendment in the Fire Operating Grant Trust Fund to recognize grant revenue of \$27,036 and a transfer of \$2,703 from the General Fund as the City's 10% grant match and establish the Assistance to Firefighters COVID-19 Grant FY 2020/21 appropriation in the amount of \$29,739; in the General Fund, establish a transfer of \$2,703 to the Fire Operating Grant Trust Fund and reduce the Budget Stabilization Reserve by \$2,703.

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve staff recommendation.

- 2.J [20-790](#) Action on a Resolution Terminating the Proclamation of Existence of a Local Emergency by the Director of Emergency Services [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation: Adopt a Resolution Terminating the Proclamation of Existence of a Local Emergency by the Director of Emergency Services.

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to adopt Resolution No 20-8882, Terminating the Proclamation of Existence of a Local Emergency by the Director of Emergency Services.

- 2.K [20-791](#) Action on Funding Request for the 2020 Santa Clara Virtual Parade of Champions [Council Pillar: Enhance Community Sports, Recreational and Arts Assets]

Recommendation: Approve and authorize the City Manager to allocate \$15,000 in funding, available in the City Manager's Office FY 2020/21 operating budget, for the 2020 Santa Clara Virtual Parade of Champions.

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve staff recommendation.

STADIUM AUTHORITY CONSENT ITEMS

- 2.N [20-692](#) Action on Stadium Authority Bills and Claims for the Month of April 2020
[Board Pillar: Enhance Community Engagement and Transparency]

Recommendation: Approve the list of Stadium Authority Bills and Claims for April 2020.

A motion was made by Boardmember Davis, seconded by Vice Chair Hardy, to approve staff recommendation.

- 2.O [20-587](#) Action on an Agreement with The Pun Group, LLP for Auditing Services for the Santa Clara Stadium Authority for the 2019 College Football Playoff National Championship [Board Pillar: Ensure Compliance with Measure J and Manage Levi's Stadium]

Recommendation: Approve and authorize the Executive Director to execute an agreement with the Pun Group to provide auditing services for a twelve-month period for a total maximum not-to-exceed amount of \$23,650.

A motion was made by Boardmember Davis, seconded by Vice Chair Hardy, to approve staff recommendation.

PUBLIC PRESENTATIONS

Bob O'Keefe requested that **Council** reconsider the action taken on August 18, 2020 regarding the relocation of the Santa Clara County Courthouse located in Franklin Square.

Mayor Gillmor recused herself from the discussion related to the Courthouse relocation due to a potential conflict of interest as her business is located in Franklin Square Mall and left the dais at 6:50 PM.

Vice Mayor Hardy presided over this item.

Public Speaker(s): Frank Lemmon
Kevin Park

A motion was made by Councilmember Davis, seconded by Councilmember Chahal, to direct staff to return on September 1, 2020 meeting with information on Relocation the Courthouse.

Aye: 5 - Vice Mayor Hardy, Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, and Councilmember Chahal

Recused: 1 - Mayor Gillmor

CONSENT ITEMS PULLED FOR DISCUSSION

- 2.L [20-535](#) Public Hearing: Action on a Tentative Parcel Map for 2305 Mission College Boulevard [Council Pillar: Promote and Enhance Economic, Housing, and Transportation Development]

Recommendation: Alternative 1:
Adopt a resolution to approve the Tentative Parcel Map to subdivide the existing parcel into two lots at the property located at 2305 Mission College Boulevard.

Councilmember Watanabe pulled this item for further clarification.

Chief Electric Utility Officer Pineda addressed Council questions.

A motion was made by Councilmember Watanabe, seconded by Councilmember O'Neill, to close the Public Hearing.

Aye: 6 - Vice Mayor Hardy, Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

A motion was made by Councilmember Watanabe, seconded by Councilmember Davis, to approve Alternative 1: adopt Resolution No.20-8883 to approve the Tentative Parcel Map to subdivide the existing parcel into two lots at the property located at 2305 Mission College Boulevard.

Aye: 6 - Vice Mayor Hardy, Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

- 2.M [20-758](#) Informational Report on Dates and Purpose of Stadium Authority and Stadium Manager Meetings for the Period April 1, 2020 to June 30, 2020 [Board Pillar: Enhance Community Engagement and Transparency]

Recommendation: Note and file the quarterly report on Stadium Authority and Stadium Manager Meetings for the period of April 1, 2020 to June 30, 2020.

Boardmember Chahal pulled this item to request staff to prepare minutes for these meetings.

Public Speaker(s): Kevin Park

A motion was made by Boardmember Davis, seconded by Vice Chair Hardy, to note and file the quarterly report on Stadium Authority and Stadium Manager Meetings for the period of April 1, 2020 to June 30, 2020 and direct staff to begin preparing meeting minutes during Stadium Authority/Stadium Manager Meetings.

Aye: 6 - Vice Chair Hardy, Boardmember O'Neill, Boardmember Davis, Boardmember Watanabe, Boardmember Chahal, and Chair Gillmor

PUBLIC HEARING/GENERAL BUSINESS

3. [20-768](#) Action on a Written Petition submitted by Joseph Ducato requesting to make changes to the Sewer Ordinance whereby the City reassumes responsibility for maintenance and/or replacement of the sewer laterals located in the public right-of-way [Council Pillar: Enhance Community Engagement and Transparency]
- Recommendation:** Staff makes no recommendation.
- Public Speaker(s):** Joseph Ducato (Written Petitioner)
Suds Jain
Phone Number #4907
- A motion was made by Councilmember O'Neill, seconded by Councilmember Chahal, to direct staff to return for discussion at the end of November/December 2020 regarding the City's Sewer Ordinance.**
- Aye:** 6 - Vice Mayor Hardy, Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor
4. [20-750](#) Consideration of Silicon Valley Power Quarterly Strategic Plan and Update on the Power Outages and Silicon Valley Power's Response [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]
- Recommendation:** Note and file the SVP Quarterly Strategic Plan and Update on the Power Outages and Silicon Valley Power's Response.
- Chief Electric Utility Officer Pineda gave a PowerPoint Presentation.**
- Public Speaker(s):** Suds Jain
Phone Number #4907
- A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to note and file the SVP Quarterly Strategic Plan and Update on the Power Outages and Silicon Valley Power's Response.**
- Aye:** 6 - Vice Mayor Hardy, Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

None.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

City Manager Santana noted the high number of Public Records Act requests the City receives and the impact on staff workload.

[20-719](#) Update on City Council and Stadium Authority Staff Referrals [Council Pillar: Enhance Community Engagement and Transparency]

[20-778](#) Tentative Meeting Agenda Calendar (TMAC) [Council Pillar: Enhance Community Engagement and Transparency]

ADJOURNMENT

The meeting was adjourned at 8:44 PM.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to adjourn the meeting.

Aye: 6 - Vice Mayor/Chair Hardy, Council/Boardmember O'Neill, Council/Boardmember Davis, Council/Boardmember Watanabe, Council/Boardmember Chahal, and Mayor/Chair Gillmor

[20-808](#) Adjournment of the August 25, 2020 City Council Meeting Post Meeting Material

The next regular scheduled meeting is on Tuesday evening, September 1, 2020 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)

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."

ATTEST:



Assistant City Clerk/Secretary

APPROVE:



Mayor/Chairperson