



# City of Santa Clara

## Minutes

### Joint Council and Authorities Concurrent

### & Santa Clara Stadium Authority

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05/23/2023

7:00 PM

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

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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](mailto: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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**7:00 PM JOINT COUNCIL/STADIUM AUTHORITY MEETING**

**Call to Order**

**Mayor/Chair Gillmor** called the meeting to order at 7:01 p.m.

**Pledge of Allegiance and Statement of Values**

**Council/Board** recited the Pledge of Allegiance.

**Council/Boardmember Jain** recited the Statement of Values.

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

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

**Roll Call**

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

**CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS**

**Mayor/Chair Gillmor** moved Item 9 to be heard after Item 5.

**SPECIAL ORDER OF BUSINESS**

1.A [23-500](#) Proclaim May 2023 as Asian American Pacific Islander Heritage Month

**Mayor Gillmor** proclaimed May 2023 as Asian American Pacific Islander Heritage Month.

**Joel Wong with National Asian Americans United** accepted the proclamation and shared a video.

**Eunice Chun with Korean American Community Services** accepted the proclamation and shared a video.

**Vice President of the Santa Clara Cricket Club Umar Ali** accepted the proclamation and shared a PowerPoint presentation.

**Council** comments followed.

1.B [23-451](#) Recognition of the Recipients of the Silicon Valley Power Sustainable Future Scholarship Program at Santa Clara University

**Mayor Gillmor** recognized the Silicon Valley Power Sustainable Future Scholarship Program.

**Silicon Valley Power Chief Utility Officer Pineda** introduced **Director of the Center for Sustainability for Santa Clara University Lindsey Kalkbrenner** who briefly explained the program. **Ms. Kalkbrenner** then introduced scholarship recipients **Ayla Flanagan, Conor Grady, and Declan Bernal** who each provided brief comments to **Council**.

**Council** comments followed.

1.C [23-140](#) Proclamation of National Public Works Week 2023

**Mayor Gillmor** proclaimed May 21 - May 27, 2023 as National Public Works Week.

**Public Works Director Mobeck** accepted the proclamation and introduced Public Works staff.

**Council** comments followed.

### **CONSENT CALENDAR**

**Mayor/Chair Gillmor** noted eComments received for Items 2.L and 2.Q.

**Mayor/Chair Gillmor** stated that she will abstain from voting on Item 2.H and that she will be voting "No" on Items 4.A and 4.B.

**Council/Boardmember Watanabe** stated she will also be voting "No" on Items 4.A and 4.B.

**Vice Mayor/Chair Park** pulled Item 2.D for discussion.

**Council/Boardmember Becker** pulled Item 2.P for discussion.

**A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Chahal, to approve the balance of the Consent Calendar.**

**Aye:** 7 - Council/Boardmember Watanabe, Council/Boardmember Chahal, Council/Boardmember Hardy, Vice Mayor/Chair Park, Council/Boardmember Jain, Council/Boardmember Becker, and Mayor/Chair Gillmor

- 2.A [23-683](#) Action on the Minutes of April 4, 2023 Council and Authorities Concurrent and Special Santa Clara Stadium Authority Meeting and the April 18, 2023 Joint Council and Authorities Concurrent and Santa Clara Stadium Authority Meeting

**Recommendation:** Approve the Meeting Minutes Action on the Minutes April 4, 2023 Council and Authorities Concurrent Special Santa Clara Stadium Authority Meeting and the April 18, 2023 Joint Council and Authorities Concurrent and Santa Clara Stadium Authority Meeting.

**A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Chahal, to approve the action minutes of the April 4, 2023 Council and Authorities meeting and the April 18, 2023 Joint Council and Authorities Concurrent and Santa Clara Authority Meeting.**

**Aye:** 7 - Council/Boardmember Watanabe, Council/Boardmember Chahal, Council/Boardmember Hardy, Vice Mayor/Chair Park, Council/Boardmember Jain, Council/Boardmember Becker, and Mayor/Chair Gillmor

- 2.B [23-13](#) Board, Commissions and Committee Minutes

**Recommendation:** Note and file the Minutes of:  
Youth Commission - March 14, 2023  
Cultural Commission - April 3, 2023  
Youth Commission - April 11, 2023  
Parks & Recreation Commission - April 18, 2023

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to note and file the minutes of the March 14, 2023 Youth Commission meeting; April 3, 2023 Cultural Commission meeting; April 11, 2023 Youth Commission meeting; and the April 18, 2023 Parks and Recreation Commission meeting.**

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

- 2.C [23-337](#) Action on Monthly Financial Status and Investment Reports for February and March 2023 and Approve the Related Budget Amendments

**Recommendation:** Note and file the Monthly Financial Status and Investment Reports for February and March 2023 as presented and Approve the Related Budget Amendments (five affirmative Council votes required to appropriate additional revenue or for the use of unused balances).

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to note and file the Monthly Financial Status and Investment Reports for February and March 2023 as presented and to approve the related budget amendments.**

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

**2.E**     [23-252](#)     Action on a Vesting Tentative Map for 3000 Patrick Henry Drive (CEQA: Addendum to the Patrick Henry Drive Specific Plan EIR)

**Recommendation:** Adopt a resolution to approve the Vesting Tentative Map to subdivide the existing lot into two lots with one condominium unit at 3000 Patrick Henry Drive.

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to adopt Resolution 23-9227 to approve the Vesting Tentative Map to subdivide the existing lot into two lots with one condominium unit at 3000 Patrick Henry Drive.**

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

- 2.F [23-472](#) Action on an Agreement with CSG Consultants, Inc. for Design Professional Services for the Miscellaneous Asphalt and Concrete Maintenance and Repairs Project and Related Budget Amendments

- Recommendation:**
1. Approve and authorize the City Manager to execute an Agreement with CSG Consultants, Inc. for the Miscellaneous Asphalt and Concrete Maintenance and Repairs Project in the amount not-to-exceed \$293,710, in substantially the form presented, in a final form approved by the City Attorney;
  2. Authorize the City Manager to make minor, non-substantive modifications, including time extensions, to the Agreement, if needed;
  3. Approve the following FY 2022/23 Budget Amendments (five affirmative Council votes required for the use of unused balances or to appropriate additional revenue):
    - A. In the Water Utility Capital Fund, increase the Transfer to the Public Buildings Capital Fund in the amount of \$11,781 and decrease the Unrestricted Ending Fund Balance in the same amount;
    - B. In the Sewer Utility Fund, establish a Transfer to the Public Buildings Capital Fund in the amount of \$119,119 and decrease the Unrestricted Ending Fund Balance in the same amount;
    - C. In the Library Department Capital Fund, decrease the Central Park Library - Concrete Sidewalk Replacement project in the amount of \$57,300 and establish a Transfer to the Public Buildings Capital Fund of \$57,300;
    - D. In the Convention Center Maintenance District Fund, decrease the Public Works Department budget by \$71,700 and establish a Transfer to the Public Buildings Capital Fund of \$71,700; and
    - E. In the Public Buildings Capital Fund, recognize each transfer totaling \$259,900 and increase the Public Building Parking Lot Improvements Project appropriation by \$259,900.

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to approve and authorize the City Manager to execute an agreement with CSG Consultants, Inc. for the Miscellaneous Asphalt and Concrete Maintenance and Repairs Project in the amount not-to-exceed \$293,710, in substantially the form presented, in a final form approved by the City Attorney; authorize the City Manager to make, minor, non-substantive modifications including time extensions, to the Agreement, if needed; to approve the following FY2022-23 Budget Amendments: a) in the Water Utility Capital Fund, increase the transfer to the Public Buildings Capital Fund in the amount of \$11,781 and decrease the Unrestricted Ending Fund Balance in the same amount; b) in the Sewer Utility Fund, establish a transfer to the Public Buildings Capital Fund in the amount of \$119,119 and**

decrease the Unrestricted Ending Fund Balance in the same amount; c) in the Library Department Capital Fund, decrease the Capital Park Library - Concrete Sidewalk Replacement project in the amount of \$57,300 and establish a transfer to the Public Buildings Capital Fund of \$57,300; d) in the Convention Center Maintenance District Fund, decrease the Public Works Department Budget by \$71,700 and establish a transfer to the Public Buildings Capital Fund of \$71,700; and e) in the Public Buildings Capital Fund, recognize each transfer totaling \$259,900.

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

**2.G**     [23-393](#)

Action on Amendment No. 1 to the Agreement for Professional Services with CSG Consultants, Inc. for Development Plan Review and Field Inspection Services

**Recommendation:**

1. Approve and Authorize the City Manager to execute Amendment No. 1 to the Agreement for Professional Services with CSG Consultants, Inc. for Development Plan Review and Field Inspection Services, in substantially the form presented, in a final form approved by the City Attorney.
2. Authorize the City Manager to make minor modifications, including time extensions, to the agreement if necessary, on forms approved by the City Attorney.

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to approve and authorize the City Manager to execute Amendment No. 1 to the agreement for professional services with CSG Consultants, Inc. for Development Plan Review and Field Inspection Services, in substantially the form presented, in a final form approved by the City Attorney; and to authorize the City Manager to make minor modifications, including time extensions, to the agreement if necessary, on forms approved by the City Attorney.**

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



2.H [23-579](#) Authorize the City Manager to Negotiate and Execute Lease Extensions for 1000 Lafayette Street (Peddler's Plaza) to May 31, 2024

**Recommendation:** Authorize the City Manager to negotiate and execute amendments to the existing leases for the commercial spaces at 1000 Lafayette to extend the term of each lease to May 31, 2024 in final forms approved by the City Attorney.

**Mayor Gillmor** abstained from voting on this agenda item as the property is near her business.

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to authorize the City Manager to negotiate and execute amendments to the existing leases for the commercial spaces at 1000 Lafayette to extend the term of each lease to May 31, 2024, in final forms approved by the City Attorney.**

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

**Abstained:** 1 - Mayor Gillmor

2.I [23-475](#) Action on Amendment No. 3 to the Shopping Center Lease Agreement with Colliers International to Lease Space at Rivermark Village for the Police Northside Substation Extending the Term to May 31, 2028

**Recommendation:** Approve Amendment No. 3 to the Shopping Center Lease Agreement with Colliers International to Lease Space at Rivermark Village for the Police Northside Substation Extending the Term to May 31, 2028

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to approve Amendment No. 3 to the Shopping Center Lease Agreement with Colliers International to lease space at Rivermark Village for Police Northside Substation extending the term to May 31, 2028.**

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

- 2.J [23-1247](#) Action to Adopt a Resolution of the City of Santa Clara, California Amending the Administrative Penalty Schedule to Add Penalties for Violations of “The Code of the City of Santa Clara, California” Chapter 8.26 (Edible Food Recovery)

**Recommendation:** Adopt a Resolution of the City of Santa Clara, California amending the Administrative Penalty Schedule to add penalties for violations of “The Code of the City of Santa Clara, California” Chapter 8.26 (Edible Food Recovery).

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to adopt Resolution 23-9228 of the City of Santa Clara, California amending the Administrative Penalty to add penalties for violations of "The Code of the City of Santa Clara, California" Chapter 8.26 (Edible Food Recovery).**

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

- 2.K [23-103](#) Action on a Resolution Authorizing the Use of City Electric Forces at 1790 Warburton Avenue

**Recommendation:** Determine the proposed actions are exempt from CEQA pursuant to Sections 15302 (c) and 15303 of Title 14 of the California Code of Regulations and adopt a Resolution authorizing the use of City Electric Forces for work detailed in this Report to Council located at 1790 Warburton Avenue.

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to determine the proposed actions are exempt from CEQA pursuant to SEctions 15302(c) and 15303 of Title 14 of the California Code of Regulations and adopt Resolution 23-9229 authorizing the use of City Electric Forces for Work detailed in Report to Council located at 1790 Warburton Avenue.**

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

2.L [23-509](#) Action on a Resolution to Certify Compliance with State Housing Laws for Purposes for Participation in the One Bay Area Grant Program

**Recommendation:** Adopt a Resolution self-certifying compliance with state housing laws for the purpose of receiving an OBAG 3 grant for bicycle and pedestrian improvements in the area surrounding City Hall.

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to adopt Resolution 23-9230 self-certifying compliance with state housing laws for the purpose of receiving an OBAG 3 grant for bicycle and pedestrian improvements in the area surrounding City Hall.**

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

2.M [23-498](#) Action on a Special Permit for a Private Concert Event at Stevens Stadium on the Santa Clara University Campus (CEQA: Class 23 Categorical Exemption - Normal Operations of Facilities for Public Gatherings)

**Recommendation:** 1. Approve the use of a Class 23 Categorical Exemption, and  
2. Approve the Special Permit to allow a private concert event at Stevens Stadium on the Santa Clara University Campus, subject to conditions.

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to approve the use of a Class 23 Categorical Exemption; and to approve the Special Permit to allow a private concert event at Stevens Stadium on the Santa Clara University Campus, subject to conditions.**

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

2.N [23-636](#) Action to Approve Modifications to Existing Code Enforcement Technician (Job Code 329) Class Specification

**Recommendation:** Approve modifications to existing Code Enforcement Technician (Job Code 329) class specification.

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to approve modifications to existing Code Enforcement Technician (Job Code 329) class specification.**

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

2.O [23-480](#) Memorandum of Understanding Among Local Public Agencies in Santa Clara County for Food Recovery Program Costs

- Recommendation:**
1. Approve and authorize the City Manager to execute the Memorandum of Understanding Among Local Public Agencies in Santa Clara County for Food Recovery Program Costs for FY 2023/24 in substantially the form presented, and in a final form approved by the City Attorney;
  2. Authorize the City Manager to execute a subsequent MOU to fund food recovery program costs from FY 2024/25 through FY 2029/30 with the same funding structure as the FY 2023/24 MOU in final forms approved by the City Attorney; and
  3. Authorize the City Manager to execute future amendments to the FY 2024/25 - FY 2029/30 food recovery program cost MOU which update annual costs on a per generator basis and minor changes to the base and infrastructure enhancements program in final forms approved by the City Attorney.

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to approve and authorize the City Manager to execute the Memorandum of Understanding among local public agencies in Santa Clara County for food recovery program costs for FY2023/24 in substantially the form presented, and in a final form approved by the City Attorney; to authorize the City Manager to execute a subsequent MOU to fund food recovery program costs from FY2024/25 through FY 2029/30 with the same funding structure as the FY 2023/24 MOU in final forms approved by the City Attorney; and to authorize the City Manager to execute future amendments to the FY 2024/25 - FY 2029/30 food recovery program cost MOU which update annual costs on a per generator basis and minor changes to the base and infrastructure enhancements program in final forms approved by the City Attorney.**

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

**2.Q**     [23-667](#)     Action to Declare Upcoming Bicycle and Pedestrian Advisory Committee Vacancies and Setting Dates for Recruitment and Interviews

- Recommendation:**
1. Declare three (3) vacancies for the BPAC effective June 30, 2023;
  2. Open recruitment for such three (3) vacancies on May 24, 2023 for a four-year term expiring June 30, 2027;
  3. Set the application deadline on June 26, 2023 at 5:00 p.m.; and
  4. Set interviews on or around July 17, 2023.

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to declare three vacancies for the Bicycle and Pedestrian Advisory Committee effective June 30, 2023; to open recruitment for such three vacancies**

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

**2.R**     [23-686](#)     Action to Waive Second Reading and Adopt Ordinance No. 2061 amending Zoning Code Section 18.60.050 to Permit Fuel Cells and Photovoltaic Panels as an Allowable Use without Need for a Use Permit, as well as Require Other Electric Power Plants to Adhere to State of California Emissions Requirements in MP - Planned Industrial, ML - Light Industrial, MH - Heavy Industrial, B - Public, Quasi-Public, and Public Park or Recreation, and PD - Planned Development Zoning Districts

- Recommendation:**
- Waive Second Reading and Adopt Ordinance No. 2061 amending Zoning Code Section 18.60.050 to Permit Fuel Cells and Photovoltaic Panels as an Allowable Use without Need for a Use Permit, as well as Require Other Electric Power Plants to Adhere to State of California Emissions Requirements in MP - Planned Industrial, ML - Light Industrial, MH - Heavy Industrial, B - Public, Quasi-Public, and Public Park or Recreation, and PD - Planned Development Zoning Districts

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to waive the second reading and adopt Ordinance No. 2061 amending Zoning Code Section 18.60.050 to permit fuel cells and photovoltaic panesl as an allowable use without need for a Use Permit, as well as require other electric power plants to adhere to State of California emissions requirements in MP - Planned Industrial, ML - Light Industrial, MH - Heavy Industrial, B - Public, Quasi-Public, and Public Park or Recreation, and PD - Planned Development Zoning Districts.**

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

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**SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR**

**3.A**     [23-491](#)     Action on Stadium Authority Bills and Claims for the Month of March 2023

**Recommendation:** Approve the list of Stadium Authority Bills and Claims for March 2023.

**A motion was made by Boardmember Becker, seconded by Boardmember Chahal, to approve the list of Stadium Authority Bills and Claims for March 2023.**

**Aye:** 7 - Boardmember Watanabe, Boardmember Chahal, Boardmember Hardy, Vice Chair Park, Boardmember Jain, Boardmember Becker, and Chair Gillmor

**3.B**     [23-639](#)     Action on Third Amendment to SBL Website Marketing Agreement with STR Marketplace, LLC

**Recommendation:** Approve and authorize the Executive Director to execute the Third Amendment to the SBL Website Marketing Agreement with STR to extend the term by four years to May 31, 2027.

**A motion was made by Boardmember Becker, seconded by Boardmember Chahal, to approve and authorize the Executive Director to execute the Third Amendment to the SBL Website Marketing Agreement with STR to extend the term by four years to May 31, 2027.**

**Aye:** 7 - Boardmember Watanabe, Boardmember Chahal, Boardmember Hardy, Vice Chair Park, Boardmember Jain, boardmember Becker, and Chair Gillmor

**3.C**     [23-618](#)     Informational Report on Stadium Authority and Stadium Manager Meetings for the Period of January 1 to March 31, 2023

**Recommendation:** Note and file the quarterly report on Stadium Authority and Stadium Manager staff meetings and corresponding summaries for the period of January 1 to March 31, 2023.

**A motion was made by Boardmember Becker, seconded by Boardmember Chahal, to note and file the quarterly report on Stadium Authority and Stadium Manager staff meetings and corresponding summaries for the period of January 1 to March 31, 2023.**

**Aye:** 7 - Boardmember Watanabe, Boardmember Chahal, Boardmember Hardy, Vice Chair Park, Boardmember Jain, boardmember Becker, and Chair Gillmor

**3.D Action on Request Submitted by Stadium Manager to Execute Agreement with Integrated Communication Systems (ICS) for Fire Alarm Testing, Inspection, Maintenance, and Related Services at Levi's Stadium**

**3.D.1** [23-659](#) Request from Stadium Manager to Execute Agreement with Integrated Communication Systems (ICS) for Fire Alarm Testing, Inspection, Maintenance, and Related Services at Levi's Stadium

**3.D.2** [23-660](#) Report from the Stadium Authority for Action Regarding Stadium Manager's Request to Execute Agreement with Integrated Communication Systems (ICS) for Fire Alarm Testing, Inspection, Maintenance, and Related Services at Levi's Stadium

**Recommendation:**

1. Approve the Stadium Manager's request to execute an Agreement with Integrated Communication Systems (ICS) to provide fire alarm testing, inspection, maintenance, and related services at Levi's Stadium for a three-year period beginning June 1, 2023 through March 31, 2026, in an amount not to exceed \$115,000 for the first contract year, \$117,000 for the second contract year, and \$120,000 for the third contract year, for a total not to exceed amount of \$352,000 over the three-year period, subject to budget appropriations; and
2. Authorize Executive Director to approve the Stadium Manager's exercise of the option to extend the agreement with the same basic terms and conditions for two additional one-year periods, subject to budget appropriations.

**A motion was made by Boardmember Becker, seconded by Boardmember Chahal, to approve the Stadium Manager's request to execute an agreement with Integrated Communications Systems (ICS) to provide fire alarm testing, inspection, maintenance, and related services at Levi's Stadium for a three-year period beginning June 1, 2023 through March 31, 2026, in an amount not to exceed \$115,000 for the first contract year, \$117,000 for the second contract year, and \$120,000 for the third contract year, for a total not to exceed amount of \$352,000 over the three-year period, subject to budget appropriations; and authorize Executive Director to approve the Stadium Manager's exercise of the option to extend the agreement with the same basic terms and conditions for two additional one-year periods, subject to budget appropriations.**

**Aye:** 7 - Boardmember Watanabe, Boardmember Chahal, Boardmember Hardy, Vice Chair Park, Boardmember Jain, boardmember Becker, and Chair Gillmor

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**STADIUM AUTHORITY CONSENT ITEM PULLED FOR DISCUSSION AND DEFERRED FROM  
APRIL 4, 2023**

**4. Action on Request Submitted by the Stadium Manager for Retroactive Approval of Incurred Expenses for Non-NFL Events-Related Marketing, Networking, Travel, and Entertainment Activities (Deferred from April 4, 2023)**

**4.A.**     [23-573](#)     Request from the Stadium Manager for Retroactive Approval of Incurred Expenses for Non-NFL Events-Related Marketing, Networking, Travel, and Entertainment Activities (Deferred from April 4, 2023)

**4.B.**     [23-574](#)     Report from the Stadium Authority for Action on Stadium Manager's Request for Retroactive Approval of Incurred Expenses for Non-NFL Events-Related Marketing, Networking, Travel, and Entertainment Activities (Deferred from April 4, 2023)

**Recommendation:** Approve the Stadium Manager's request for retroactive approval of expenses incurred by the Stadium Manager on behalf of the Stadium Authority in the amount of \$39,407 for the FY 2022/23 Non-NFL Events-related marketing, networking, travel, and entertainment activities, including client entertainment with alcohol, described in this report.

**A motion was made by Boardmember Becker, seconded by Boardmember Chahal, to approve the Stadium Manager's request for retroactive approval of expenses incurred by the Stadium Manager on behalf of the Stadium Authority in the amount of \$39,407 for the FY 2022/23 non-NFL events-related marketing, networking, travel, and entertainment activities, including client entertainment activities with alcohol, described in this report.**

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

**Nay:** 2 - Boardmember Watanabe, and Chair Gillmor

**PUBLIC PRESENTATIONS**



[23-753](#)

Public Presentations

**Curtis Fischer** gave a PowerPoint presentation on the Santa Clara Lawn Bowl.

**Kirk Vartan** gave a PowerPoint presentation on videos from the October 18, 2022; March 7, 2023; and the November 16, 2022 council meeting and requested **Councilmember Becker** to resign from the City Council.

**Steve Kelly** thanked City staff and **Councilmembers Jain** and **Hardy** and **Vice Mayor Park** on speaking with him regarding the unhoused people living in the creek near behind his home.

**Zoom Participant #6795** requested **Councilmember Becker** to resign from the City Council.

**Zoom Participant #6716** requested **Councilmember Becker** to resign from the City Council.

#### **CONSENT ITEMS PULLED FOR DISCUSSION**

**2.D**     [23-520](#)     Action on the Santa Clara Convention Center FY 2022/23 3rd Quarter Financial Status Report

**Recommendation:** Note and file the Santa Clara Convention Center Financial Status Report for the 3rd Quarter ending March 31, 2023, as submitted by OVG.

**Vice Mayor Park** pulled Item 2.D for comment.

**A motion was made by Vice Mayor Park, seconded by Councilmember Chahal, to note and file the Santa Clara Convention Center Financial Status Report for the 3rd Quarter ending March 31, 2023.**

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

2.P [23-622](#) Action on Reappointment of Board and Commission Members to a Second Term Ending June 30, 2027

- Recommendation:**
1. Reappoint the nine (9) eligible commissioners to serve a four-year term each ending June 30, 2027.
  2. For any Board or Commission member not proposed for reappointment, base such decision on the objective criteria presented by staff, above, and refer to position to the City Clerk for posting, recruitment, interviews and appointment.

**Councilmember Becker** pulled Item 2.P for discussion.

Public Speakers:

Kelly Cox, Chair of the Parks and Recreation Commission.

Kirk Vartan

Mark Kelsey

**A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to re-appoint eight of the eligible Boards and Commission incumbents with the exception of Parks and Recreation Commissioner Burt Field.**

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

**A motion was made by Councilmember Becker not to re-appoint Burt Field to the Parks and Recreation Commission. Motion failed due to lack of second.**

**A motion was made by Councilmember Watanabe, seconded by Mayor Gillmor, to appoint Burt Field to the Parks and Recreation Commission.**

**Aye:** 3 - Councilmember Watanabe, Councilmember Jain, and Mayor Gillmor

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

**Abstained:** 1 - Councilmember Chahal

**Motion fails.**

## **PUBLIC HEARING/GENERAL BUSINESS**

5. [23-249](#) Approve the Annual Military Equipment Report, and Adopt a Resolution Making Required Findings and Renewing Santa Clara City Code Section 2.80.080, Allowing for the Continued Use of the Military Equipment Funding, Acquisition and Use Policy Pursuant to Assembly Bill 481

**Recommendation:**

Approve the Annual Military Equipment Report, and Adopt a Resolution Making Required Findings and Renewing Santa Clara City Code Section 2.80.080, Allowing for the Continued Use of the Military Equipment Funding, Acquisition and Use Policy Pursuant to Assembly Bill 481

**Police Chief Nikolai** gave a Powerpoint Presentation.

**Council** comments and questions followed.

eComment:  
Diane Harrison

**A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve the Annual Military Equipment Report, and adopt Resolution 23-9231 marking required findings and renewing Santa Clara City Code Section 2.80.080, allowing for the continued use of Military Equipment Funding, Acquisition and Use Policy pursuant to Assembly Bill 481.**

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

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

9. [23-603](#) Action on a Written Petition (Council Policy 030), Submitted by Mary Grizzle Requesting to Place an Agenda Item on a Future Council Meeting for Council to Discuss Santa Clara Civic Center Relocation Study Flaw: Change Two of the Study's Focus Cities

**Recommendation:** Staff makes no recommendation.

**Mayor Gillmor** recused herself from this discussion and vote due to a potential conflict of interest. **Vice Mayor Park** chaired this discussion.

**Mary Grizzle** spoke on her Written Petition requesting to place an agenda item on a future Council meeting for Council to discuss Santa Clara Civic Center Relocation Study Flaw: Change of Two of the Study's Focus Cities.

**Council** comments and questions followed.

Public Comment:  
Dan Ondrasek

**A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to place this Item on a future Council meeting agenda.**

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

**Recused:** 1 - Mayor Gillmor

**Vice Mayor Park** called for a recess at 9:06 p.m.

**Mayor Gillmor** reconvened the meeting at 9:16 p.m.

**Mayor Gillmor** clarified that Items 4.A and 4B was included in the vote for Consent Calendar items with "no" votes from both **Mayor Gillmor** and **Councilmember Watanabe**.

## **PUBLIC HEARING/GENERAL BUSINESS**

6. [23-173](#) Public Hearing: Adoption of a Resolution Setting Rates for Overall Solid Waste Services and Annual Clean-up Campaign in the Exclusive Franchise Area

**Recommendation:** Alternative 1: Adopt a Resolution setting the overall rates to be charged to rate payers for the collection and disposal of garbage, refuse, yard trimmings, recycling, and annual Clean-up Campaign in the exclusive franchise area, effective for the utility bills issued for services rendered on and after July 1, 2023.

**City Manager Grogan** made a few remarks and introduced **Public Works Director Mobeck** who gave a PowerPoint presentation on setting rates for overall solid waste services and Annual Clean-Up campaign in the exclusive franchise area.

**Council** comments and questions followed.

Public Comment:  
Kirk Vartan

**Assistant City Clerk Pimentel** tallied the Written Protests received and read into the record that there were 14 Written Protests submitted and stated there was an insufficient number of Written Protests to constitute a majority protest under Proposition 218.

**Public Works Director Mobeck** responded to additional **Council** questions and concerns.

**Council** discussion continued.

**City Manager Grogan** made remarks about a discussion on Proposition 218 and recommended that a policy discussion take place during Council Priority Setting.

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

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

**A motion was made by Councilmember Jain, seconded by Councilmember Hardy, to adopt Resolution 23-9232 setting the overall rates to be charged to rate payers for the collection and disposal of garbage, refuse, yard trimmings, recycling, and annual Clean-Up Campaign in the exclusive franchise area, effective for the utility bills issued for services rendered on and after July 1, 2023.**

**Aye:** 4 - Councilmember Watanabe, Councilmember Hardy, Councilmember Jain, and Mayor Gillmor

**Nay:** 3 - Councilmember Chahal, Vice Mayor Park, and Councilmember Becker

7. [23-479](#) Public Hearing: Action on a Resolution Amending Rate Schedules for Electric Services for All Classes of Customers, Effective July 1, 2023

**Recommendation:** Adopt a Resolution amending City Rate Schedules for Electric Utility Services to increase Electric Rates and Charges in each Rate Schedule by 5.0%, effective July 1, 2023.

**City Manager Grogan** made a few opening remarks and introduced **Chief Electric Utilities Officer Pineda** who gave a PowerPoint presentation on amending the rate schedules for electric utility services for all classes of customers.

**Council** comments and questions followed.

**Chief Electric Utilities Officer Pineda** responded to **Council** questions.

Public Comment:

Kirk Vartan (4 minutes - Marguerite Lee gave time)

John Haggerty

Edward Strine

**Silicon Valley Power Director Pineda** addressed additional concerns.

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

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

**A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to adopt Resolution 23-9233 amending City rate schedules for electric utility services to increase electric rates and charges in each rate schedule by 5.0% effective July 1, 2023 and direct staff to explore a rebate program for small businesses (C1 customers) and report back to Council.**

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

**SANTA CLARA STADIUM AUTHORITY GENERAL BUSINESS**

8. [23-680](#) Report on Status of Obtaining FIFA World Cup 2026 Documents at Levi's Stadium and Potential Action on Terms for an Information Sharing Agreement and Guiding Principles for FIFA World Cup 2026 Events

**Recommendation:** 1. Adopt the Santa Clara City Council Guiding Principles for World Cup 2026; and  
2. Direct the City Manager/Executive Director and City Attorney/Stadium Authority Counsel to negotiate and execute an Information Sharing and Event Cooperation Agreement with Bay Area Host Committee, United States Soccer Federation, Federation Internationale de Football Association, and Forty Niners Stadium Management Company LLC to facilitate the sharing of information on substantially the terms presented, in a final form approved by the City Attorney.

**City Manager/Executive Director Grogan and City Attorney/Stadium Authority Counsel Googins** gave a PowerPoint presentation on the status of obtaining the FIFA World Cup 2026 documents from Levi's Stadium and provided an overview of potential action on terms for an Information Sharing Agreement and Guiding Principles for the 2026 FIFA World Cup events.

**Council/Board** comments and questions followed.

**A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Hardy, to approve staff recommendation and include a clause to attain reimbursement of all event costs including public safety (pre and post event cost) to Guiding Principle No. 2.**

**Council/Board** discussion ensued.

**A substitute motion was made by Mayo/Chair Gillmor, seconded by Council/Boardmember Watanabe, to approve staff recommendation and include in Guiding Principle No. 2 a clause to attain reimbursement of all event costs including public safety (pre and post event cost) and a new Guiding Principle No. 9 to pledge that the Santa Clara City Council, Stadium Authority Board, and City staff will follow the law, act ethically and transparently with the expectation that other parties do the same.**

Public Comment:  
Kirk Vartan  
John K. Haggerty  
Edward Strine

**City Manager/Executive Director Grogan and City Attorney/Stadium**



**Authority Counsel Googins** responded to **Board** questions.

**A motion was made by /Mayor Chair Gillmor, seconded by Council/Boardmember Watanabe, to accept the substitute motion.**

**Aye:** 4 - Council/Boardmember Watanabe, Council/Boardmember Chahal, Mayor/Boardmember Jain, and Mayor/Chair Gillmor

**Nay:** 3 - Council/Boardmember Hardy, Vice Mayor/Chair Park, and Council/Boardmember Becker

**A substitute motion was made by Mayor/Chair Gillmor, seconded by Council/Boardmember Watanabe, to adopt the Santa Clara City Council Guiding Principles for World Cup 2026; to direct the City Manager/Executive Director and City Attorney/Stadium Authority Counsel to negotiate and execute an Information Sharing and Event Cooperation Agreement with Bay Area Host Committee, United Stated Soccer Federation, Federation Internationale de Football Association, and Forty Niners Stadium Management Company LLC to facilitate the sharing of information on substantially the terms presented, in a final form approved by the City Attorney; and include in Guiding Principle No. 2 a clause to attain reimbursement of all event costs including public safety (pre- and post- event cost) and a new Guiding Principle No. 9 to pledge that the Santa Clara City Council, Stadium Authority Board, and City staff will follow the law, act ethically and transparently with the expectation that other parties do the same.**

**Aye:** 6 - Council/Boardmember Watanabe, Council/Boardmember Chahal, council/Boardmember Hardy, Council/Boardmember Jain, Council/Boardmember Becker, and Mayo/Chair Gillmor

**Nay:** 1 - Vice Mayor/ Chair Park

#### **REPORTS OF MEMBERS AND SPECIAL COMMITTEES**

**Vice Mayor Park** reported that he attended the Silicon Valley Office of Protocol Spring reception.

#### **CITY MANAGER/EXECUTIVE DIRECTOR REPORT**

There were none.

[23-391](#)

Update on City Council and Stadium Authority Staff Referrals

[23-605](#)

Tentative Meeting Agenda Calendar (TMAC)

### **ADJOURNMENT**

**A motion was made by Council/Boardmember Hardy, seconded by Council/Boaardmember Becker, to adjourn the meeting at 1:37 a.m. in memory of Kenneth Park, father of Vice Mayor/Chair Kevin Park.**

**Aye:** 7 - Council/Boardmember Watanabe, Council/Boardmember Chahal, Council/Boardmember Hardy, Vice Mayor/Chair Park, Council/Boardmember Jain, Council/Boardmember Becker, and Mayor/Chair Gillmor

**The next regular scheduled meeting is on Tuesday, June 6, 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.

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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)

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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."

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