



City of Santa Clara

Special Meeting Minutes

City Council

04/08/2020

2:00 PM

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

- With the heightened “Stay at Home” order by the State and the continued order by the County, the Mayor will be present for the meeting with Councilmembers and department heads participating online. A limited number of staff will also be present. 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 City Cafeteria has been set up to accommodate up to 10 people at a time and public comment will be given from that location.
- However, we encourage residents to stay at home and provide public comment:
 - o Via the City’s eComment section (now available during meeting)
 - o Via email to PublicComment@santaclaraca.gov
- As usual, the public can 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.

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 Mayor calls for a Special Meeting of the City Council of the City of Santa Clara to commence and convene on April 8, 2020 at 2:00 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.

2:00 PM COUNCIL SPECIAL MEETING

Call to Order

Mayor Gillmor called the meeting to order at 2:03 PM.

Pledge of Allegiance and Statement of Values

Roll Call

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

CLOSED SESSION

[20-465](#)

Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
Name of case: City of Santa Clara, etc. v. D.E. II Restaurants, Inc., et al.,
Superior Court Case No. 19CV340508

Public Comment

None.

Convene to Closed Session (Council Conference Room)

Council convened to Closed Session at 2:05 PM and reconvened the meeting at 2:39 PM.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

City Attorney Doyle reported there was no reportable action from Closed Session.

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

A motion was made by Councilmember Davis, seconded by Councilmember Chahal, to approve the Consent Calendar.

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

1. [20-462](#)

Action on the Universal Resolution of Authorized Agents for Disaster Recovery Funds [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

Recommendation: Authorize City Manager, Fire Chief and/or Director of Finance to act as designated agents of the City of Santa Clara for all matters pertaining to state disaster assistance by approving the attached Cal OES form 130 "Designation of Applicant's Agent Resolution for Non-State Agencies"

A motion was made by Councilmember Davis, seconded by Councilmember Chahal, to authorize City Manager, Fire Chief and/or Director of Finance to act as designated agents of the City of Santa Clara for all matters pertaining to state disaster assistance by approving the attached Cal OES form 130 "Designation of Applicant's Agent Resolution for Non-State Agencies".

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

PUBLIC PRESENTATIONS

None.

CONSENT ITEMS PULLED FOR DISCUSSION

None.

PUBLIC HEARING/GENERAL BUSINESS

2. [20-464](#) Action on Landfill Post-Closure Operation and Management Agreement for Related Santa Clara project [Council Pillar: Promote and Enhance Economic and Housing Development]

Recommendation: Alternative 1:

Approve and authorize the City Manager to execute the Landfill Post-Closure Operations and Management Agreement with Related Santa Clara, LLC for the Related Santa Clara development project and authorize the City Manager to obtain additional insurance programs to bolster the limits of liability available to City under the Project insurance programs.

Assistant City Manager Shikada and Curt Toll (Greenburg Traurig, LLC) gave a PowerPoint Presentation.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to approve Alternative #1: approve and authorize the City Manager to execute the Landfill Post-Closure Operations and Management Agreement with Related Santa Clara, LLC for the Related Santa Clara development project and authorize the City Manager to obtain additional insurance programs to bolster the limits of liability available to City under the Project insurance programs.

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

3. [20-440](#) Action on Small Business Assistance Grant Program in Response to COVID-19 [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation: 1. Approve Small Business Assistance Grant Program and direct staff to continue working with the Silicon Valley Central Chamber of Commerce or other organization to leverage additional resources for the program.

Assistant City Manager Shikada gave a PowerPoint Presentation.

Public Speaker(s): Nick Kaspar (Lobbyist)

A motion was made by Councilmember Davis, seconded by Councilmember Chahal, to approve the Small Business Assistance Grant Program and direct staff to continue working with the Silicon Valley Central Chamber of Commerce or other organizations to leverage additional resources for the program and adding an additional funds for a total of \$500,000 towards Small Business Assistant Grant Program.

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

4. [20-452](#) Discussion and Direction on the Santa Clara Tourism Improvement District [Council Pillar: Promote and Enhance Economic and Housing Development]

Recommendation: Alternative 2: Direct staff to proceed with the renewal of the current Santa Clara Tourism Improvement District.

Assistant City Manager Shikada gave PowerPoint Presentation.

Public Speaker(s): Joe Eustice
Eron Hodges

A motion was made by Councilmember Davis, seconded by Councilmember Chahal, to approved Alternative #1: to direct staff to proceed with the formation of a new tourism improvement district and the levy of a flat rate assessment under the 1994 law and with an assessment of 1.5% gross revenue.

Aye: 3 - Vice Mayor Hardy, Councilmember Davis, and Councilmember Chahal

Nay: 3 - Councilmember O'Neill, Councilmember Watanabe, and Mayor Gillmor

Motion Fails.

A motion was made by Councilmember O'Neill, seconded by Councilmember Watanabe, to continue with current 1989 law and revisit options at a future agenda.

Aye: 4 - Vice Mayor Hardy, Councilmember O'Neill, Councilmember Watanabe, and Mayor Gillmor

Nay: 2 - Councilmember Davis, and Councilmember Chahal

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

None.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

None.

ADJOURNMENT

The meeting was adjourned at 5:09 PM.

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

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

The next regular scheduled meeting is on Tuesday evening, April 28, 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."