



# City of Santa Clara

## Joint Meeting Agenda

### Council and Authorities Concurrent

### Santa Clara Stadium Authority

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**Tuesday, July 14, 2020**

**1:00 PM**

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

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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](mailto: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.

#### **1:00 PM COUNCIL/STADIUM AUTHORITY REGULAR MEETING**

#### **Call to Order**

#### **Pledge of Allegiance and Statement of Values**

#### **Roll Call**

#### **CONTINUANCES/EXCEPTIONS**

#### **SPECIAL ORDER OF BUSINESS**

- 1.A 20-317 [Proclamation of August 2020 as American Muslim Appreciation and Awareness Month](#)
- 1.B 20-616 [Presentation of 2020 City of Santa Clara/Silicon Valley Power Scholarships](#)
- 1.C 20-673 [Recognition of District 1 Resident Jennifer Whitten](#)
- 1.D 20-670 [Verbal Report from City Manager regarding COVID-19 Pandemic \[Council Pillar: Enhance Community Engagement and Transparency\]](#)

### **CONSENT CALENDAR**

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

- 2.A 20-14 [Action on Council and Authorities Concurrent & Stadium Authority Meeting Minutes \[Council Pillar: Enhance Community Engagement and Transparency\]](#)

**Recommendation:** Approve the March 24, 2020 Stadium Authority Meeting, March 12 & 14, 2020 Joint Council and Authorities Concurrent Meeting, and March 26, 2020 Council and Authorities Concurrent Meeting Minutes.

- 2.B 20-567 [Action on Monthly Financial Status and Investment Reports for May 2020 and Approve the Related Budget Amendments \[Council Pillar: Enhance Community Engagement and Transparency\]](#)

**Recommendation:** Note and file the Monthly Financial Status and Investment Reports for May 2020 as presented and Approve Related Budget Amendments.

**2.C 20-492** [Action on Investment Management Services Agreement with PFM Asset Management LLC and Approval of Related Budget Amendment \[Council Pillar: Manage Strategically Our Workforce Capacity and Resources\]](#)

- Recommendation:**
1. Approve and authorize the City Manager to execute an agreement with PFM Asset Management LLC for Investment Management Services for an initial three-year term starting on or about August 1, 2020 and ending on July 31, 2023 for a total maximum amount not to exceed \$840,000, subject to the appropriation of funds;
  2. Authorize the City Manager to execute two one-year options to extend the term of the Agreement through July 31, 2025, subject to the appropriation of funds; and
  3. Approve the related FY 2020/21 budget amendment in the General Fund to increase Interest Income revenue estimate by \$255,000 and increase the Finance Department appropriation by \$255,000 for year 1 of the investment management services agreement.

**2.D 20-600** [Action on a Resolution for the Use of City Electric Forces at Various Locations \[Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure\]](#)

- Recommendation:**
- Adopt a Resolution approving the use of City Electric Forces for the installation of facilities at 3238 Scott Boulevard, 1550 Space Park Drive, Santa Clara Square area near Building 6 on Scott Boulevard and Octavius Drive, East side Stars and Stripes Drive east of Fire Station (under Tasman overpass), 2106 Klamath Avenue, 2900 Lakeside Drive, Monroe Street and Reeve Street, 3365 Cabrillo Avenue, 2375 De La Cruz Boulevard, and 2041 Mission College Boulevard.

**2.E 20-604** [Action on Award of Contract for the Photovoltaic System Installation at the Northside Branch Library \(CE 18-19-11\) and Related Budget Amendment \[Council Pillar: Sustainability\]](#)

- Recommendation:**
1. Approve the establishment of the new Capital Improvement Program Project within the Library Capital Fund for the Photovoltaic System Installation at the Northside Branch Library Project;
  2. Approve the FY 2020/21 budget amendment in the Library Capital Fund to recognize a transfer from the Electric Operating Grant Trust Fund and establish the Photovoltaic System Installation at the Northside Branch Library Project in the amount of \$114,982; in the Electric Operating Grant Trust Fund, decrease the Public Benefits Program - Mandated Program Costs and establish a transfer to Library Capital Fund in the amount of \$114,982;
  3. Award the Public Works Contract for Photovoltaic System Installation at the Northside Branch Library (CE 18-19-11), including the Base Bid and Add Alternate, to the lowest responsive and responsible bidder, Staten Solar Corporation, in the amount of \$99,982 and authorize the City Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project; and
  4. Authorize the City Manager to execute change orders up to approximately 15 percent of the original contract price, or \$15,000, for a total project budget not to exceed amount of \$114,982.

**2.F 20-657** [Public Hearing: Action on a Resolution Confirming the 2020 Weed Abatement Program and Assessment \[Council Pillar: Promote Sustainability and Environmental Protection\]](#)

- Recommendation:** Adopt a Resolution confirming the 2020 Weed Abatement Program Assessment Report and Assessment.

- 2.G 20-660** [Action on an Agreement for Services with Milton Security Group, Inc. for Technology Support Including Network and Cyber Security, Advanced Metering Infrastructure \(AMI\) Implementation, OSISoft Plant Information \(PI\) system, and SharePoint \[Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure\]](#)

**Recommendation:** Approve and authorize the City Manager to execute the Agreement for Services with Milton Security Group, Inc. in an amount not-to-exceed \$400,000, for technology support including network and cyber-security, Advanced Metering Infrastructure (AMI) implementation, OSISoft Plant Information (PI) system, and SharePoint.

- 2.H 20-671** [Action to Authorize the City Manager to Execute Agreements with SHAC Tasman CDM Apartments LLC for the Construction of Park Improvements and the Maintenance of the Park in perpetuity within the Tasman East Area \[Council Pillar: Enhance Community Sports, Recreation and Art Assets\]](#)

**Recommendation:** Authorize the City Manager to execute the Park Improvement Agreement and the Park Maintenance Agreement with SHAC Tasman CDM Apartments LLC, and to make minor, non-substantive changes as necessary.

- 2.I 20-662** [Action to Delegate Authority to Mayor Gillmor and Chief Nikolai to Establish An Ad Hoc Committee in Support of the "Commit to Action" Initiative \[Community Pillar: Enhance Community Engagement and Transparency\]](#)

**Recommendation:** Staff recommends Alternative 1: Delegate authority to Mayor Gillmor and Chief Nikolai to establish an ad hoc committee in support of community dialogue on a Santa Clara plan to address systemic racism and the Commit to Action Initiative during the July/August City Council recess with a status update to the Council no later than the September 29, 2020 City Council meeting.

#### **STADIUM AUTHORITY CONSENT ITEMS**

**2.J 20-583** [Action to Purchase and/or Award Purchase Orders for Public Safety Supplies and Equipment and Approve Miscellaneous Purchases Incurred After November 8, 2019 \[Board Pillar: Ensure Compliance with Measure J and Manage Levi's Stadium\]](#)

**Recommendation:** Alternatives 1, 2 and 3.

1. Authorize the Executive Director to purchase and/or execute purchase orders with specified vendors for the public safety supplies and equipment outlined in the report (Motorola APX 6000 Radio/Charger/Battery; Radio Earpieces; Battery Pack for JHAT Crew; Small Cooler and Ice Pack; Mass Decontamination Hydrant Nozzles; Stadium Vehicles (Gator & Kubota) Upfits; Storage Conex Garage for Apparatus; Heavy Lift Kit; Stadium Personal Protective Equipment; Body Worn Cameras; Motor Vehicle Barricades; Bicycles; Radio Batteries; Radios; Radio Chargers; Safety Gear for Special Event Officers & Traffic Control Personnel; and Explosive Ordinance Detection Blankets/Water Barrier), pursuant to Chapter 2.105 of the Santa Clara City Code and in an amount not-to-exceed \$817,887, the budgeted amount in the Stadium Authority FY 2020/21 CapEx Budget for the items;
2. Authorize the Executive Director to purchase future publications for required Stadium Authority public hearing items in the City's official newspaper, Santa Clara Weekly, and approve the final costs of the three publications that were purchased for June 17 and 24, and July 1, 2020; and
3. Approve the miscellaneous expenses detailed in Attachment 2 that were incurred by the Stadium Authority and the City on behalf of the Stadium Authority (to be reimbursed by the Stadium Authority) between November 8, 2019 and June 4, 2020.

- 2.K 20-510** [Authorization to Seek Reimbursement of City Public Safety and Traffic Control Purchases from the Forty Niners Stadium Management Company and Forty Niners SC Stadium Company \[Board Pillar: Ensure Compliance with Measure J and Manage Levi's Stadium\]](#)

**Recommendation:** Alternatives 1 and 2:

1. Authorize the City Manager to purchase and/or award Purchase Orders for City public safety and traffic control supplies, equipment and services that are reimbursable by the Stadium Manager or StadCo, pursuant to applicable sections under Chapter 2.105 ("Finance Department") of the Santa Clara City Code; and
2. Retroactively approve the expenses incurred by the City for public safety and traffic control supplies, equipment and services that are reimbursable by the Stadium Manager or StadCo.

- 2.L 20-603** [Action on Stadium Authority Bills and Claims for the Month of March 2020 \[Board Pillar: Enhance Community Engagement and Transparency\]](#)

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

- 2.M 20-615** [Note and File this Informational Report on FY2019/20 Net Loss on Non-NFL Events \[Board Pillar: Ensure Compliance with Measure J and Manage Levi's Stadium\]](#)

**Recommendation:** Note and file the Informational Report on FY2019/20 Net Loss on Non-NFL Events.

**2.N 20-676** [Authorization to Award a Purchase Order for Stadium Builder Licenses Digitization Services \[Board Pillar: Ensure Compliance with Measure J and Manage Levi's Stadium\]](#)

**Recommendation:** Alternatives 1 and 3.

1. Authorize the Executive Director to award a Purchase Order pursuant to the appropriate Purchasing Sections under 2.105 of the Santa Clara City Code; and
3. Note and file the July 2, 2020 letter to the Stadium Manager regarding SBLs with Calculation Errors and the Stadium Authority's request for their plan to address errors.

**PUBLIC PRESENTATIONS**

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

**CONSENT ITEMS PULLED FOR DISCUSSION**

**PUBLIC HEARING/GENERAL BUSINESS**

**3. 20-642** [Authorize the Negotiation and Execution of a Third Amendment to the Exclusive Negotiations Agreement with Republic Metropolitan LLC for the site located at 500 Benton Street \[APN: 230-08-078\] \[Council Pillar: Promote and Enhance Economic, Housing and Transportation Development\]](#)

**Recommendation:** Alternative 1:

Authorize the City Manager to negotiate and execute a Third Amendment to the Exclusive Negotiations Agreement with Republic Metropolitan LLC consistent with the terms in the staff report for the development of a City-owned parcel located at 500 Benton Street.



4.      **20-689**      Adopt a Resolution Ordering the Submission of a Ballot Measure to the Qualified Electors of the City; Calling for a Special Municipal Election to be Held in the City of Santa Clara on Tuesday, November 3, 2020 for the Purpose of Submitting to City Voters a Measure to Increase the Transient Occupancy Tax (TOT) Rate in an Amount Up to 4%; Requesting Consolidation with the Presidential General Election and Election Services from Santa Clara County; Directing the City Attorney to Prepare an Impartial Analysis; and Setting Priorities for Ballot Arguments [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

**Recommendation:** Alternative 1:

Adopt a resolution ordering submission of a ballot measure to the qualified electors of the City; calling for a Special Municipal Election to be held in the City of Santa Clara on Tuesday, November 3, 2020 for the purpose of submitting to City voters a measure to increase the Transient Occupancy Tax Rate in an amount up to 4%; requesting consolidation with the Presidential General Election and election services from Santa Clara County; directing the City Attorney to prepare an impartial analysis; setting priorities for ballot arguments; and approval of the draft amendment to the Santa Clara City Code to incorporate the proposed changes if the measure is approved by the voters.

5.      **20-695**      [Adoption of a Resolution Setting Rates for Overall Solid Waste Services, Annual Clean-up Campaign, and Household Hazardous Waste in the Exclusive Franchise Area; Report responding to Councilmember Chahal's Analysis; and Consideration of Council Action on a Rate Assistance Program, including Budget Amendment action \[Council Pillars: 1\) Deliver and Enhance High Quality Efficient Services and Infrastructure; 2\) Sustainability\]](#)

**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, annual Clean-up Campaign, and household hazardous waste in the exclusive franchise area, effective for the utility bills issued for services rendered on August 1, 2020.

**REPORTS OF MEMBERS AND SPECIAL COMMITTEES**

**CITY MANAGER/EXECUTIVE DIRECTOR REPORT**

- 20-652**      [Update on City Council and Stadium Authority Staff Referrals \[Council Pillar: Enhance Community Engagement and Transparency\]](#)

**ADJOURNMENT**

The next regular scheduled meeting is on Tuesday evening, August 18, 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) <<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."