



# City of Santa Clara

## Meeting Agenda

### Council and Authorities Concurrent Meeting

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Tuesday, September 1, 2020

3:30 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](http://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.

#### **3:30 PM CLOSED SESSION**

**Call to Order in the Council Chambers**

**Roll Call**

**Public Comment**

*The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.*

**20-809** [Conference with Real Property Negotiators \(CC\)](#)  
[Pursuant to Gov. Code § 54956.8](#)  
[Property: Please see below listing for APNs and addresses](#)  
[City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director \(or designee\)](#)  
[Negotiating Parties: Please see below listing for names for negotiating party\(ies\)](#)  
[Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property \(provisions, price and terms of payment\)](#)

	APN	Property Address	Property Owner (Name)
1	224-04-062	2755 LAFAYETTE STREET, SANTA CLARA	WITKIN PROPERTIES LP
2	224-04-057	890 WALSH AVENUE, SANTA CLARA	L.A.W. LLC
3	224-04-088	2555 LAFAYETTE STREET, SANTA CLARA	GAHRAHMAT FAMILY LP 1
4	230-03-090	525 MATHEW STREET, SANTA CLARA	NEWARK GROUP INDUSTRIES INC
5	224-35-014	630 MARTIN AVENUE, SANTA CLARA	D & R MILLER PROPS LLC
6	224-08-109	2908 LAFAYETTE STREET, SANTA CLARA	DOLLINGER LAFAYETTE ASSOCIATES
7	224-36-001	840 COMSTOCK STREET, SANTA CLARA	LAPTALO JAKOV, TRUSTEE
8	224-04-090	851 MARTIN AVENUE, SANTA CLARA	GAHRAHMAT FAMILY LP II
9	224-04-071	651 MARTIN AVENUE, SANTA CLARA	GAHRAHMAT FAM LP II LP
10	224-61-002	1401 MARTIN AVENUE, SANTA CLARA	ALMAN DIANA J TRUSTEE & ET AL
11	224-60-014	1261 MARTIN AVENUE, SANTA CLARA	MARTIN INVESTMENT PROPERTIES LLC
12	224-60-012	1199 MARTIN AVENUE, SANTA CLARA	1065 MARTIN AVE LLC
13	224-60-013	1061 MARTIN AVENUE, SANTA CLARA	1065 MARTIN AVE LLC
14	224-60-011	1055 MARTIN AVENUE, SANTA CLARA	YOUNG SANG A AND ANNE C TRUSTEE
15	224-60-010	1015 MARTIN AVENUE, SANTA CLARA	1015 Martin Ave LLC
16	224-60-006	1051 MARTIN AVENUE, SANTA CLARA	BAY AREA CELLULAR TELEPHONE CO
17	224-60-005	999 MARTIN AVENUE, SANTA CLARA	POLLACK ENTERPRISES INC
18	224-60-004	953 MARTIN AVENUE, SANTA CLARA	ROBINSON OIL CORPORATION
19	224-35-019	2495 LAFAYETTE STREET, SANTA CLARA	WONG KING WAN TRUSTEE & ET AL
20	224-35-020	2435 LAFAYETTE STREET, SANTA CLARA	WESCO PROPERTIES INC
21	224-40-010	2365 LAFAYETTE STREET, SANTA CLARA	BOWLES, ECKSTROM & ASSOCIATES LLC
22	224-40-009	2325 LAFAYETTE STREET, SANTA CLARA	RICHARD & DOROTHY LONG REVOCABLE
23	224-40-008	2311 LAFAYETTE STREET, SANTA CLARA	WHITNEY BRUCE S AND JUDITH R TRUSTEE
24	224-40-007	2301 LAFAYETTE STREET, SANTA CLARA	MEUSER WILLIAM E AND ANN E TRUSTEE
25	224-03-080	2265 LAFAYETTE STREET, SANTA CLARA	SEW LLC
26	224-03-081	800 MATHEW STREET, SANTA CLARA	PATEL JITENDRA G AND SHASHI J TRUSTEE
27	230-03-106	2500 DE LA CRUZ BLVD, SANTA CLARA	EMF LLC
28	224-07-099	960 CENTRAL EXPRESSWAY, SANTA CLARA	OWENS CORNING INSULATING
29	224-56-001	925 WALSH AVENUE, SANTA CLARA	PSB NORTHERN CA INDUSTL PORTFOLIO LLC
30	224-57-015	925 WALSH AVENUE, SANTA CLARA	PSB NORTHERN CA INDUSTL PORTFOLIO LLC
31	224-57-014	1451 Walsh Ave. Santa Clara	UNITED STATES POSTAL SERVICE
32	224-57-003	1515 Walsh Avenue, Santa Clara	The Malisic Survivor's Trust, Malisic Residual Trust
33	224-58-003	1150 Walsh Avenue, Santa Clara	Ragingwire Data Centers, Inc. A Nevada Corp.
34	224-04-093	2845 LAFAYETTE STREET, SANTA CLARA CA	Digital Lafayette, LLC
35	224-04-094	2805 LAFAYETTE STREET, SANTA CLARA	DIGITAL BH 800 LLC
36	224-61-004	1501 MARTIN AVENUE, SANTA CLARA	INTEL CORPORATION
37	230-03-105	2600 DE LA CRUZ BLVD, SANTA CLARA	C-1 Santa Clara, LLC

**Convene to Closed Session (Council Conference Room)**

**4:30 PM COUNCIL REGULAR MEETING**

*Regular Meeting to Reconvene at 4:30 PM or shortly thereafter*

**Pledge of Allegiance and Statement of Values**

**REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS**

**CONTINUANCES/EXCEPTIONS**

**SPECIAL ORDER OF BUSINESS**

- 1.A 20-700 [Proclamation of September 2020 as Community Preparedness Month](#)
- 1.B 20-739 [Recognition of Outstanding Community Service by Local Business Water Spring](#)
- 1.C 20-569 [Verbal Report from City Manager regarding COVID-19 Pandemic and Presentation of Healthy Meals CPOD Video \[Council Pillar: Enhance Community Engagement and Transparency\]](#)

**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 20-17 [Board, Commissions and Committee Minutes](#)

**Recommendation:** Note and file the Minutes of:

Planning Commission Meeting - February 26, 2020

Planning Commission Meeting - April 8, 2020

- 2.B 20-701 [Action on Bills and Claims Report \(CC, SA, HA\) for the period July 25th, 2020 - August 7th, 2020 \[Council Pillar: Enhance Community Engagement and Transparency\]](#)

**Recommendation:** Approve the list of Bills and Claims for July 25, 2020 - August 7, 2020.

**2.C 20-691** [Action on the Santa Clara Convention Center FY 2019/20 4th Quarter Financial Status Report \[Council Pillars: Promote and Enhance Economic, Housing and Transportation Development, Enhance Community Engagement and Transparency, and Promote Sustainability and Environmental Protection\]](#)

***Recommendation:*** Note and file the Santa Clara Convention Center Financial Status Report for the fourth quarter ended June 30, 2020, as submitted by Spectra.

**2.D 20-322** [Adopt a Resolution in Support of the Convention on the Elimination of all Forms of Discrimination Against Women \(CEDAW\) \[Council Pillar: Enhance Community Engagement and Transparency\]](#)

***Recommendation:*** Adopt a resolution in support of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).

**2.E 20-765** [Action on an Affordable Housing Agreement with KB Homes South Bay, Inc., for Project located at 2780 El Camino Real \[Council Pillar: Promote and Enhance Economic, Housing and Transportation Development\]](#)

***Recommendation:*** 1. Approve and authorize the City Manager to execute the Affordable Housing Agreement with KB Homes South Bay, Inc. , to execute amendments thereto, and to take any other action necessary to implement the requirement for the provision of five (5) Below Market Purchase homes within a 58-unit townhome project at 2780 El Camino Real; and  
2. Authorize the recordation thereof.

**2.F 20-764** [Action on an Affordable Housing Agreement with DD Warburton Group LLC, for Project located at 1900 Warburton Avenue \[Council Pillar: Promote and Enhance Economic, Housing and Transportation Development\]](#)

**Recommendation:** 1. Approve and authorize the City Manager to execute the Affordable Housing Agreement with DD Warburton Group LLC to execute amendments thereto, and to take any other action necessary to implement the requirement for the provision of one (1) Below Market Purchase homes within a 12-unit townhome project at 1900 Warburton Avenue; and  
2. Authorize the recordation thereof.

**2.G 20-614** [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 753 Poplar Street, south side of El Camino Real north of Benton Street, 1627 Monroe Street, Reed Street between Lafayette and Grant Street, 1375 El Camino Real, 2200 Lawson Lane, 2888 San Tomas Expressway, 3090 Homestead Road, Lawrence Expressway and De Soto Avenue, Monroe Street and Reeve Street, 2381 Monroe Street, 515 Aldo Avenue, 4952 Bill Walsh Way, 575 Benton Street, 2904 Corvin Drive, 5123 Calle De Sol, 2445 Cabrillo Avenue, 2343 Calle Del Mundo, and 2305 Mission College Boulevard.



**2.H 20-644** [Action on Award of Contract for the Scott Boulevard \(Garrett Dr. - Central Expwy.\) Traffic Signal Interconnect and Coordination Project \(CE 18-19-15\) \[Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure\]](#)

- Recommendation:**
1. Award a Contract for the Scott Boulevard (Garrett Dr. - Central Expwy.) Traffic Signal Interconnect and Coordination Project (CE 18-19-15), including Base Bid, Add Alternate 1, and Add Alternate 2, to the lowest responsive and responsible bidder, DV Electric, Co., in the amount of \$207,649.31 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
  2. Authorize the City Manager to execute change orders up to approximately 15 percent of the original contract price, or \$31,150.69, for a total not to exceed amount of \$238,800.

**2.I 20-698** [Action on a Resolution Acknowledging Receipt by City Council of a State-Mandated Compliance Report on Required Annual Fire Inspections of Certain Occupancies \[Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure\]](#)

- Recommendation:** Adopt a Resolution acknowledging receipt of a report from the Fire Chief of the Santa Clara Fire Department regarding the inspection of certain occupancies requiring annual inspections pursuant to sections 13146.2 and 13146.3 of the California Health and Safety Code.

**2.J 20-710** [Action on the California Library Literacy Services Grant Awards Second Installment for the Adult Literacy Program and Related Budget Amendment \[Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure\]](#)

- Recommendation:**
1. Accept the California Library Literacy Services grant award of \$30,072; and
  2. Approve the FY 2020/21 Operating Budget amendment in the Library Operating Grant Fund to recognize the grant funding of \$30,072 and appropriate the funds to the Read Santa Clara Adult Literacy Program.

**2.K 20-715** [Action on First Amendment to Lease between Gahrahmat Family Limited Partnership 11, LP \(Gahrahmat\) for Commercial Space at 881 Martin Avenue \(APN 224-04-090\) for Silicon Valley Power \[Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure\]](#)

**Recommendation:** Authorize the City Manager to execute the First Amendment to Lease between Gahrahmat Family Limited Partnership 11, LP (Gahrahmat) for Commercial Space at 881 Martin Avenue (APN 224-04-090) for Silicon Valley Power.

- 2.L 20-727** Action on Contracts for Silicon Valley Power [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure] as follows, authorize the City Manager to execute:
1. Amendment No. 1 to the Agreement for the Performance of Services with Eagle Security Services / Cerny's Locksmith;
  2. Agreement for Services with Montrose Air Quality Services, LLC in an amount not to exceed \$415,705 for the period of September 1, 2020 through December 31, 2025;
  3. Amendment No. 1 to the Agreement for Services with Quality Assurance Engineering, Inc. dba Consolidated Engineering Laboratories extending the term through September 30, 2022;
  4. Amendment No. 1 to Contract No. 2004D with Daleo, Inc. authorizing staff to issue call orders through July 31, 2021;
  5. Amendment No. 1 to the Agreement for Services with Document Management Technologies, LLC in an amount not to exceed \$230,000 for the period September 5, 2020 through September 5, 2022; and,
  6. Add or delete services consistent with the scope of the agreements, and allow future rate adjustments subject to request and justification by contractor, approval by the City, and the appropriation of funds.

- Recommendation:**
1. Authorize the City Manager to execute Amendment No. 1 to the Agreement for the Performance of Services with Eagle Security Services / Cerny's Locksmith;
  2. Authorize the City Manager to execute an Agreement for Services with Montrose Air Quality Services, LLC in an amount not to exceed \$415,705 for the period of September 1, 2020 through December 31, 2025;
  3. Authorize the City Manager to execute Amendment No. 1 to the Agreement for Services with Quality Assurance Engineering, Inc. dba Consolidated Engineering Laboratories extending the term through September 30, 2022;
  4. Authorize the City Manager to execute Amendment No. 1 to Contract No. 2004D with Daleo, Inc. authorizing staff to issue call orders through July 31, 2021;
  5. Authorize the City Manager to execute Amendment No. 1 to the Agreement for Services



with Document Management Technologies, LLC in an amount not to exceed \$230,000 for the period September 5, 2020 through September 5, 2022; and,

6. Authorize the City Manager to add or delete services consistent with the scope of the agreements, and allow future rate adjustments subject to request and justification by contractor, approval by the City, and the appropriation of funds.

**2.M 20-736** [Action on Approval of a Letter Agreement Amending 2015 Memorandum of Understanding with the Silicon Valley Regional Interoperability Authority for the Silicon Valley Regional Communications System \[Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure\]](#)

***Recommendation:*** Action on Approval of a Letter Agreement Amending the 2015 MOU with the Silicon Valley Regional Interoperability Authority.

**2.N 20-751** [Action on Amended and Restated Disposition and Development Agreement with Monroe Street Housing Partners L.P for the Project at 2330 Monroe Street and Related Budget Amendment \[Council Pillar: Promote and Enhance Economic, Housing and Transportation Development\]](#)

**Recommendation:** Alternatives 1 and 2:

1. Adopt a Resolution approving and authorizing the City Manager to execute the Amended and Restated Disposition and Development Agreement with Monroe Street Housing Partners L.P. for the development of 65 units of housing at 2330 Monroe Street and further authorizing the City Manager to execute all other agreements (including a Ground Lease, Loan Agreements, Deeds of Trust, Promissory Notes, and Affordable Housing Agreement) in a form consistent with the DDA and all other documents necessary or convenient to close escrow and implement the purposes and terms of the DDA; and
2. Approve the FY 2020/21 Budget Amendment in the Housing Authority Fund to recognize Developer Contributions of \$5,200,000, establish a loan appropriation in the amount of \$6,700,000, and decrease the Ending Fund Balance by \$1,500,000.

**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.     **20-804**     [Action on CARES Act Funding in the Amount of \\$1.59 Million and San José Settlement Agreement Funds in the Amount of \\$5 Million and Related Budget Amendments \[Council Pillars: Promote and Enhance Economic, Housing, and Transportation Development, and Deliver and Enhance High Quality Efficient Services and Infrastructure\]](#)

**Recommendation:**

1. Approve the allocation of CARES Act funds in the amount of \$1,590,000 to the Food Distribution Program, the Small Business Assistance Grant Program, and to reimburse General Fund for past COVID-19 related expenses;
2. Approve the allocation of Santana West Settlement Agreement funds in the amount of \$5 million for the Benton Bicycle Lane project, Lick Mill Boulevard Pedestrian Beacons Upgrade, 1601 Civic Center Drive Low Income Housing Development, and Emergency Rental Assistance Program;
3. Approve the use of \$1.0 million from the General Fund to provide residential customers with a credit/rebate on their solid waste utility bill;
4. Approve the related FY 2020/21 budget amendments in the General Fund, the Solid Waste Fund, the Other City Departments Operating Grant Trust Fund, the City Affordable Housing Fund, the Streets and Highways Capital Fund, and the Housing and Urban Development Fund as described in Attachment 3; and
5. Direct the City Manager to implement a credit/rebate program consistent with the staff report that reduces the solid waste bill for residential customers.

4.     **20-779**     [Action on an Emergency Ordinance Establishing a Temporary Limit on Third-Party Food Delivery Service Fees During the COVID-19 Emergency \[Council Pillar: Promote and Enhance Economic, Housing and Transportation Development\]](#)

**Recommendation:** Alternatives 1:  
Adopt an Emergency Ordinance Establishing a Temporary Limit on Third-Party Food Delivery Service Fees.

5.     **20-819**     [Discussion and direction on the possible relocation of Santa Clara County Courthouse located at 1095 Homestead Road, Santa Clara CA 95050 \(APN 269-22-94\) including authorizing discussions with the State of California Judicial Council \[Council Pillar: Enhance Community Engagement and Transparency\]](#)

***Recommendation:*** There is no staff Recommendation.

**REPORTS OF MEMBERS AND SPECIAL COMMITTEES**

**CITY MANAGER/EXECUTIVE DIRECTOR REPORT**

- 20-794**     [Update on City Council and Stadium Authority Staff Referrals \[Council Pillar: Enhance Community Engagement and Transparency\]](#)
- 20-709**     [Tentative Meeting Agenda Calendar \(TMAC\) \[Council Pillar: Enhance Community Engagement and Transparency\]](#)

**ADJOURNMENT**

The next regular scheduled meeting is on Tuesday evening, September 29, 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."