



City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, November 10, 2020

3:30 PM

City Hall Council Chambers

1500 Warburton Avenue

Santa Clara, CA 95050

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

• Via Zoom:

o <https://santaclaraca.zoom.us/j/99706759306>

Meeting ID: 997-0675-9306 or

o Phone: 1(669) 900-6833

• Via the City's eComment (now available during the meeting)

• Via email to PublicComment@santaclaraca.gov

As always, the public may view the meetings on SantaClaraCA.gov, Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City's YouTube channel or Facebook page.

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

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

3:30 PM COUNCIL MEETING

Call to Order in the Council Chambers

Roll Call

CLOSED SESSION

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.

Convene to Closed Session (Council Conference Room)

- 20-1158** [Conference with Legal Counsel-Existing Litigation \(CC\)](#)
[Pursuant to Gov't Code § 54956.9\(d\)\(1\)](#)
[NCPA, et al. v. the United States, U.S. Court of Federal Claims,](#)
[Case No. 14-817C](#)
- 20-1159** [Conference with Real Property Negotiators \(CC\)](#)
[Pursuant to Gov. Code § 54956.8](#)
[Property: 2908 Lafayette Street, APN: 224-08-109](#)
[City/Authority Negotiator: Deanna J. Santana, City](#)
[Manager/Executive Director \(or designee\)](#)
[Negotiating Parties: Dollinger Lafayette Associates](#)
[Under Negotiation: Purchase/Sale/Exchange/Lease of Real](#)
[Property \(provisions, price and terms of payment\)](#)

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/RECONSIDERATIONS

SPECIAL ORDER OF BUSINESS

- 1.A 20-740** [Proclaim November 2020 as Sikh Awareness and Appreciation Month](#)
- 1.B 20-1128** [Recognize Sewa International for Outstanding Community Service](#)
- 1.C 20-1102** [Recognize Santa Clara Community Coalition for Outstanding Community Service](#)
- 1.D 20-1077** [Verbal Report from City Manager regarding COVID-19 Pandemic](#)
- 1.E 20-1072** [Presentation by the Santa Clara Valley Transportation Authority \(VTA\) on the Proposed 2021 Transit Service Plan](#)

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 20-1140 [Approve the Special City Council & Stadium Authority, Council and Authorities Concurrent and Special Stadium Authority Meeting, and Council and Authorities Concurrent Meeting](#)

Recommendation: Approve the meeting minutes of:
September 28, 2020 - Special City Council & Stadium Authority Meeting
September 29, 2020 - Council and Authorities Concurrent Meeting & Special Stadium Authority Meeting

2.B 20-21 [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:

Senior Advisory Commission - September 28, 2020
Planning Commission - June 10, 2020
Cultural Commission - October 5, 2020
Downtown Community Task Force - September 24, 2020

2.C 20-714 [Action on Agreements with N. Harris Computer Corporation for the NorthStar CIS Utility Billing System](#)

Recommendation: 1. Authorize the City Manager to execute Amendment No. 1 to the Agreement with N. Harris Computer Corporation for the NorthStar CIS Utility Billing System to extend the term of the agreement through December 31, 2023, with no change to the maximum compensation of \$276,648;
2. Authorize the City Manager to negotiate and execute future amendments to the agreement with N. Harris Computer Corporation for additional work related to the SEW project and change of banking services and extend the term, if required, to complete the additional work and subject to the appropriation of funds; and
3. Authorize the City Manager to negotiate and execute a new support and maintenance agreement with N. Harris Computer Corporation to memorialize the software products and configurations that are licensed to the City with maximum compensation amount not-to-exceed \$171,595 for FY2020/21; negotiate and execute future amendments consistent with additions and deletions of software products and configurations licensed to the City; and execute one-year options to renew the maintenance and support agreement, subject to the appropriation funds.

2.D 20-964 [Action on Bills and Claims Report \(CC\) for the period October 3rd, 2020 - October 16th, 2020](#)

Recommendation: Approve the list of Bills and Claims for October 3, 2020 - October 16, 2020.

2.E 20-886 [Action on a Resolution of the City Council of the City of Santa Clara Authorizing City Staff to Deposit and Withdraw City Funds in the State's Local Agency Investment Fund](#)

Recommendation: Adopt a resolution granting the authority to the City Manager, City Auditor, Director of Finance, and Assistant Director of Finance to invest and withdraw City funds in the State of California's Local Agency Investment Fund (LAIF).

2.F 20-900 [Action on Approval of a Tentative Parcel Map for 5407 and 5409 Stevens Creek Boulevard](#)

Recommendation: Alternative 1:
Adopt a resolution to approve the Tentative Parcel Map to subdivide the existing parcel into two lots at the property located at 5407 and 5409 Stevens Creek Boulevard.

2.G 20-909 [Approval of Silicon Valley Power's Energy Storage Procurement Plan to Re-Evaluate Energy Storage as an Element of the Electric Utility Power Supply Plans in Compliance with California Assembly Bill 2514](#)

Recommendation: Approve and adopt Silicon Valley Power's Energy Storage Procurement Plan to re-evaluate energy storage as an Element of Electric Utility Power Supply Plans in Compliance with California Assembly Bill 2514.

2.H 20-919 [Public Hearing: Action on a Tentative Parcel Map for 2250 Lawson Lane](#)

Recommendation: Alternative 1:
Adopt a resolution to approve the Tentative Parcel Map to create a single lot subdivision for commercial condominium purposes at the property located at 2250 Lawson Lane.

2.I 20-921 [Action on Amendment No. 1 to the Agreement with Global Spectrum, LP, dba Spectra Venue Management for the Management and Operation of the Santa Clara Convention Center Modifying the Timing of Capital Investments](#)

Recommendation: Authorize the City Manager to execute Amendment No. 1 to the Agreement with Global Spectrum, LP, dba, Spectra Venue Management for the Management and Operation of the Santa Clara Convention Center modifying the timing of capital investments and providing authority the City Manager to make minor or administrative amendments.

2.J 20-929 [Action on Resolution Approving the Purchase and Sale Agreements for Electric Utility Easements on the South Loop Reconfigure Project](#)

- Recommendation:**
1. Adopt the Resolution approving the purchases of overhead electric easements at 2365 Lafayette Street [APN 224-40-010], and 2265 Lafayette Street [APN 224-03-080]; and
 2. Authorize the recordation thereof.

2.K 20-930 [Public Hearing: Action on the Termination of a Covenant Agreement for the Properties Located at 1560 and 1582 Jackson Street that Restrict Development](#)

- Recommendation:**
- Alternative1: Authorize the City Manager to terminate the Covenant Agreement for the Properties located at 1560 and 1582 Jackson Street.

2.L 20-879 [Action on an Agreement for Services with Energy & Resource Solutions, Inc. for Commercial and Industrial Energy Audit and Rebate Management Services](#)

- Recommendation:**
1. Authorize the City Manager to execute an Agreement with Energy and Resource Solutions, Inc. for commercial and industrial energy audit and rebate management services, for an initial term starting on or about December 1, 2020 and ending on June 30, 2022 for total maximum amount not-to-exceed \$1,691,700, subject to the annual appropriation of funds;
 2. Authorize the City Manager to execute up to five one-year options to extend the term of the Agreement after the initial term, ending June 30, 2027 assuming all options are exercised, subject to the annual appropriation of funds; and
 3. 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 and approval by the City, subject to the appropriation of funds.

2.M 20-1010 [Action on Funding Request from Santa Clara Firefighter's Foundation for 2020 Virtual Firehouse Run](#)

Recommendation: Approve and authorize the City Manager to fund 2020 Virtual Firehouse Run in the amount of \$10,000 through the community grants program.

2.N 20-757 [Action on the 2019 Power Source Disclosure Reports and Power Content Label](#)

Recommendation: Adopt a Resolution approving the attestations of the veracity of the 2019 Power Source Disclosure Reports and the Power Content Label for submission to the California Energy Commission.

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. 20-770 [Action on 2020 Q3 Legislative Update](#)

Recommendation: Note and file the 2020 Q3 Legislative Update.

4. 20-1138 [Action on Emergency Ordinance to Add Chapter 9.70 to enact COVID-19 Worker Recall Protections for Building Service, Food Service and Hotel Service Workers](#)

Recommendation: Alternative 1:
Adopt the Emergency Ordinance to add Worker Recall Protections.

5. 20-1133 [Action on a Proposed Cost-Sharing Agreement with the County of Santa Clara to Fund a Countywide Isolation and Quarantine Support Program \(IQSP\)](#)

Recommendation: Alternative 2: Council action to delegate authority to the City Manager to negotiate and execute a funding agreement with the County of Santa Clara in an amount not to exceed \$50,500 for a limited IQSP that includes program oversight and coordination, motel rooms for low-income, City of Santa Clara COVID positive individuals (and/or COVID exposed City of Santa Clara residents) and referral to the City's rental assistance program.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

- 20-882 [Tentative Meeting Agenda Calendar \(TMAC\)](#)

- 20-1074 [Update on City Council and Stadium Authority Staff Referrals](#)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, November 17, 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."