



# City of Santa Clara

## Revised Agenda

### Council and Authorities Concurrent Meeting

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Tuesday, July 6, 2021

4:00 PM

Virtual Meeting

Closed Session 4:00 PM

Open Session 6:30 PM

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**\*\*Revision:**

**Added Item 21-953**

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

**4:00 PM CLOSED SESSION**

**Call to Order**

**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.*

- 1.A 21-929** [CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION](#)  
[\(Paragraph \(1\) of subdivision \(d\) of Section 54956.9\)](#)  
[Name of case: Buzzell v. City of Santa Clara](#)  
[\(WCAB Case Nos. ADJ12998780, ADJ14200898, ADJ14260301, ADJ14260283, ADJ14322249\)](#)

- 1.B 21-928** [Public Employee Performance Evaluation pursuant to Government Code Section 54957\(b\)\(1\)](#)  
[Title: City Attorney](#)

Convene to Closed Session

**6:30 PM COUNCIL REGULAR MEETING**

*\*Open Session to be heard at 6:30 p.m. 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**

- 2.A 21-812** [Action on Silicon Valley Power Logo Temporary Redesign in Recognition of 125th Anniversary](#)

**Recommendation:** Approve and authorize the temporary usage of the alternate Silicon Valley Power logo redesign in celebration of its 125th Anniversary year.

- 2.B 21-950** [Recognize Local Youth Author Paarth Bansal](#)

**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.]*

- 3.A 21-932** [Action on April 6, 2021 Council and Authorities Concurrent Meetings Minutes](#)

**Recommendation:** Approve the Meeting Minutes of:  
Council & Authorities Concurrent Meeting - April 6, 2021

- 3.B 21-14** [Board, Commissions and Committee Minutes](#)

**Recommendation:** Note and file the Minutes of:  
Parks & Recreation Commission - May 18, 2021  
Historical and Landmarks Commission - May 6, 2021  
Senior Advisory Commission - May 24, 2021

**3.C 21-845** [Action on Bills and Claims Report \(CC\) for the period May 29th, 2021 - June 11th, 2021](#)

**Recommendation:** Approve the list of Bills and Claims for May 29, 2021 - June 11, 2021.

**3.D 21-234** [Action on an Agreement with Gates and Associates Landscape Architecture, Inc. for Design Professional Services for the Westwood Oaks Playground Rehabilitation Project](#)

**Recommendation:**

1. Approve and authorize the City Manager to execute an agreement with Gates and Associates Landscape Architecture, Inc. for the Westwood Oaks Playground Rehabilitation Project in the amount not-to-exceed \$92,817; and
2. Authorize the City Manager to make minor modifications, if needed.

**3.E 21-660** [Action on Agreements with DKS Associates, Kimley-Horn and Associates, Inc., and W-Trans for Traffic Engineering Consulting Support](#)

- Recommendation:**
1. Approve and authorize the City Manager to execute an agreement with DKS Associates for traffic engineering consulting support services, for a term ending on or about July 1, 2023 for a total amount not-to exceed \$83,300, subject to the appropriation of funds;
  2. Approve and authorize the City Manager to execute an agreement with Kimley-Horn and Associates, Inc. for traffic engineering consulting support services, for a term ending on or about July 1, 2023 for a total amount not-to exceed \$83,300, subject to the appropriation of funds;
  3. Approve and authorize the City Manager to execute an agreement with Whitelock & Weinberger Transportation, Inc., dba W-Trans, for traffic engineering consulting support services, for a term ending on or about July 1, 2023 for a total amount not-to exceed \$83,300, subject to the appropriation of funds;
  4. Authorize the City Manager to make minor modifications to the agreements, including amending the not-to-exceed amounts, as long as the cumulative compensation of all three agreements does not exceed \$250,000 for the initial two-year term, if necessary; and
  5. Authorize the City Manager to exercise up to two one-year options to extend the agreements after the initial two-year term, with the final term ending on July 1, 2025 if all options are exercised, and subject to the appropriation of funds.

- 3.F 21-758** [Action on Amendment No. 2 to the Agreement with Orchard Commercial, Inc. for Property Management Services for the Santa Clara Convention Center Complex located at 5001, 5101, and 5201 Great America Parkway](#)

***Recommendation:*** Authorize the City Manager to execute Amendment No. 2 to the Agreement with Orchard Commercial, Inc. for property management services to increase the amount of the agreement by \$77,400 and to extend the term of the agreement through July 31, 2022 for a revised not-to-exceed maximum compensation of \$472,918, subject to the appropriation of funds.

- 3.G 21-543** [Approval of the 2021 Santa Clara County Multi-Jurisdictional Program for Public Information; a program under the Community Rating System of the Federal Emergency Management Agency's National Flood Insurance Program](#)

***Recommendation:*** Approve the implementation of the 2021 Santa Clara County Multi-Jurisdictional Program for Public Information 5-Year Plan for the Community Rating System Program.

3.H 21-629 [Action on the Appropriation of Asset Forfeiture Funds for FY 2021/22 and Related Budget Amendment](#)

**Recommendation:**

1. Approve the appropriation of Asset Forfeiture Funds in the amount of \$182,500 pursuant to State and federal Regulations; and
2. Consistent with City Charter Section 1305 “*At any meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by the **affirmative votes of at least five members** so as to authorize the transfer of unused balances appropriated for one purpose to another purpose, or to appropriate available revenue not included in the budget,*” approve the following FY 2021/22 budget amendments:
  - A. In the Expendable Trust Fund, recognize Beginning Fund Balance of \$182,500 from asset forfeiture funds received and establish a Transfer to the Police Operating Grant Trust Fund (**five affirmative Council votes required for the use of unused balances**); and
  - B. In the Police Operating Grant Trust Fund, establish a Transfer from the Expendable Trust Fund and establish a Seized Asset Funds appropriation in the amount of \$182,500 (**five affirmative Council votes required to appropriate additional revenue**).

**3.I 21-735** [Action on the Award of Purchase Orders with Technology, Engineering & Construction, Inc. and California Hazardous Services, Inc. for Fuel Storage Tank Services](#)

- Recommendation:**
1. Authorize the City Manager to execute a blanket purchase order with Technology, Engineering & Construction, Inc. to provide fuel storage tank compliance services for an initial term starting on July 1, 2021 and ending on June 30, 2022, with maximum compensation not-to-exceed \$60,000;
  2. Authorize the City Manager to execute a blanket purchase order with California Hazardous Services, Inc. to provide fuel maintenance services for an initial term starting on July 1, 2021 and ending on June 30, 2022, with maximum compensation not-to-exceed \$12,000;
  3. Authorize the City Manager to approve contingency amounts of 20 percent, or \$12,000 and \$2,400 on the purchase orders with Technology, Engineering & Construction, Inc. and California Hazardous Services, Inc., respectively, in the event additional or unexpected repairs or compliance services are required during the initial term; and
  4. Authorize the City Manager to exercise up to four one-year options to renew the purchase orders through June 30, 2026, if all options are exercised, and subject to the annual appropriation of funds.

**3.J 21-938** [Action on a Resolution Revising the Council and Authorities/Stadium Authority Regular Meeting Dates for the 2021 Calendar Year](#)

- Recommendation:** Adopt a Resolution revising the Council and Authorities/Stadium Authority regular meeting dates for the 2021 calendar year to reflect the cancelation of the August 31, 2021 Council and Authorities regular meeting and to set August 24, 2021 as a Joint Council and Authorities and Stadium Authority regular meeting.

**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**

4.      21-899      [Adopt a Resolution Establishing an Independent Redistricting Commission to Conduct Public Engagement and Adoption of City Council District Election Map as a Result of the 2020 U.S. Census](#)

**Recommendation:** Staff recommends City Council adopt a Resolution Establishing and Independent Redistricting Commission to Conduct Public Engagement and Adoption of City Council District Election Map as a Result of the 2020 U.S. Census

5.      21-887      [Direction on the Next Steps for the El Camino Real Specific Plan.](#)

**Recommendation:** 2. Prepare an alternative form of the Specific Plan that reduces densities from the prior draft Specific Plan, but maintains an overall average density greater than 35 units per acre.



6. 21-757 [Action on Amendment No. 4 to the Agreement for Professional Services with Perkins + Will for the Tasman East Specific Plan and Related Budget Amendment](#)

**Recommendation:** 1. Consistent with **City Charter Section 1305**, “*At any meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by the **affirmative votes of at least five members** so as to authorize the transfer of unused balances appropriated for one purpose to another purpose, or to appropriate available revenue not included in the budget,*” approve the FY 2021/22 budget amendment in the Other City Departments Operating Grant Trust Fund to recognize grant revenue in the amount of \$310,000 and establish a Planning Grants Program appropriation in the amount of \$310,000 (five affirmative council votes required to appropriate additional revenue); and

2. Authorize the City Manager to execute Amendment No. 4 to the Agreement with Perkins + Will for professional services to prepare the Amendment to the Tasman East Specific Plan to allow up to 1,500 additional units in the Tasman East area, along with preparation of the associated environmental clearance by increasing the amount of the agreement by \$275,000 and extending the term of the agreement through June 30, 2022 for a revised not-to-exceed maximum compensation of \$1,461,432.

7. 21-197 [Consideration of Silicon Valley Power Quarterly Strategic Plan Update](#)

**Recommendation:** Note and file the Silicon Valley Power Quarterly Strategic Plan Update.

8. Written Petition's Submitted

A. 21-912 [Action on a Written Petition \(Council Policy 030\) submitted by Gabriela Landaveri Requesting the City of Santa Clara Adopt a “Vision Zero” Policy \(Deferred from June 22, 2021\)](#)

**Recommendation:** Staff makes no recommendation.

- B. 21-891** [Action on a Written Petition \(Council Policy 030\) Submitted by Councilmember Jain Requesting to Place an Agenda Item at a Future Meeting to have a Policy Discussion on Data Centers \(Deferred from June 22, 2021\)](#)

***Recommendation:*** Staff has no recommendation and seeks Council direction.

- C. 21-926** [Action on a Written Petition \(Council Policy 030\) submitted by Ana Vargas-Smith on June 28, 2021 to add an agenda item to consider financial and in-kind support for the Santa Clara Parade of Champions Plan A \(Live Parade\) or Plan B \(Virtual Parade\)](#)

***Recommendation:*** Staff makes no recommendation.

- D. 21-953** [Action on a Written Petition \(Council Policy 030\) Submitted by Councilmember Watanabe Requesting to Place an Agenda Item at a Future Meeting to Discuss Preparation of a Letter from Mayor and Council to the California Citizens Redistricting Commission](#)

***Recommendation:*** Staff has no recommendation and seeks Council direction.

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

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

- 21-889** [Update on City Council and Stadium Authority Staff Referrals](#)
- 21-955** [Tentative Meeting Agenda Calendar \(TMAC\)](#)

## **ADJOURNMENT**

The next regular scheduled meeting is on Tuesday evening, July 13, 2021

**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); Bayshore North Project Enhancement Authority (BNPEA); Public Facilities Financing Corporation (PFFC)

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."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.