

City of Santa Clara

REVISED

Meeting Agenda

Santa Clara Stadium Authority Call and Notice of Special Meeting City Council



Tuesday, March 2, 2021

3:30 PM

Virtual Meeting

****Revision:**

Added List of Names for Negotiating Parties for Item 21-301

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.

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 March 2, 2021, at 3:30 pm for a Special Meeting to be held virtually zoom, to consider the following matter(s) and to potentially take action with respect to them.

3:30 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 21-301**** [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 I |
| 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 |

- 1.B 21-341** [Conference with Legal Counsel-Existing Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)
[City of Santa Clara v. IA Lodging Santa Clara, LLC, et al., Santa Clara County Superior Court Case No. 19CV340507](#)
- 1.C 21-373** [Conference with Legal Counsel-Existing Litigation \(SA\)](#)
[Pursuant to Gov't Code § 54956.9\(d\)\(1\)](#)
[Forty Niners SC Stadium Company LLC, et al., v. Santa Clara Stadium Authority, Demand for Arbitration through JAMS, 07/26/2019](#)
- 1.D 21-374** [Conference with Legal Counsel-Existing Litigation \(SA\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)
[Jesse Scott, on behalf of himself and all others similarly situated v. Santa Clara Stadium Authority and Legends Sales and Marketing LLC, Santa Clara County Superior Court Case No. 20CV368911](#)
- 1.E 21-375** [Conference with Legal Counsel-Existing Litigation \(SA\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)
[Forty Niners Stadium Management Company LLC and Forty Niners SC Stadium Company LLC v. Santa Clara Stadium Authority, et al., Santa Clara County Superior Court Case No. 17CV304903 and 19CV355432 \(consolidated under lead case 17CV304903\)](#)
- 1.F 21-353** [Conference with Legal Counsel-Existing Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)
[City of Santa Clara v. Yumori Kaku, et al., California Sixth District Court of Appeal Case No. H046105](#)

Convene to Closed Session

STADIUM AUTHORITY/SPECIAL COUNCIL MEETING

**Open Session Meeting to begin immediately following Closed Session.*

Pledge of Allegiance and Statement of Values

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

SPECIAL ORDER OF BUSINESS

2. 21-342 [Verbal Report from City Manager regarding COVID-19 Pandemic](#)

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 21-274 [Action on Stadium Authority Bills and Claims for the Month of January 2021](#)

Recommendation: Approve the list of Stadium Authority Bills and Claims for January 2021.

- 3.B 21-327 [Action on Agreement with DemandStar Corporation for E-procurement Services](#)

Recommendation: Authorize the Executive Director to execute an agreement with DemandStar for procurement services, at no cost to the Stadium Authority.

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. 21-50 [Study Session: Draft 2021 Non-NFL Events Marketing Plan for Levi's Stadium in Accordance with Section 4.10 of the Stadium Management Agreement](#)

Recommendation: Stadium Authority Board discussion and possible action on ManCo's draft 2021 Marketing Plan.

5. 21-44 [Discussion of the Proposed Santa Clara Stadium Authority Fiscal Year 2021/22 Budget, Compliance and Management Policies](#)

Recommendation: Review and provide input, or possible Board action, on the Santa Clara Stadium Authority Fiscal Year 2021/22 Operating, Debt Service, and Capital Budget and Stadium Authority Budget, Compliance and Management Policies.

6. 21-371 [Actions for Target Setting and Priority Strategies for Climate Action Plan \(CAP\) Update \(Continued from February 23, 2021\)](#)

Recommendation: The goal of this meeting is to get Council's confirmation on the recommended GHG target for the CAP update. The staff also seek the Council's input on strategies and the initial action list to indicate their top priority actions and to indicate if there are actions that should not be included in the CAP Update.

7. 21-370 [Continuance of FY 2020/21 Budget Rebalancing Actions to Address COVID-19 Pandemic Impacts \(Continued from February 23, 2021\)](#)

Recommendation:

1. Approve the FY 2020/21 budget amendments detailed in Attachment 1 for all Departments and Offices, except the Mayor and Council and the City Auditor's Office and City Attorney's Office appointees, as recommended by the City Manager (five affirmative Council votes required for revenue actions only); and
2. Consider and approve the FY 2020/21 budget amendments detailed in Attachment 2 for the Mayor and Council, the City Auditor's Office, and City Attorney's Office appointees.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, March 9, 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)

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."

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.