

City of Santa Clara

Meeting Agenda



Council and Authorities Concurrent Meeting

Call and Notice of Special Meeting

Santa Clara Stadium Authority

Tuesday, July 5, 2022

5:30 PM

**Hybrid Meeting
Council Chambers/Virtual
1500 Warburton Avenue
Santa Clara, CA 95050**

The City of Santa Clara will be conducting City Council meetings in a hybrid manner (in-person and continues to have methods for the public to participate remotely). Pursuant to Government Code Section 54953(e) and City of Santa Clara Resolution No. 22-9096, Councilmembers may teleconference from remote locations and the City continues to provide 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

(Comments received after 2:00 p.m. on the day of the meeting, will be made part of the public record but will not be read out loud during the meeting)

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 Chair calls for a Special Meeting of the Governing Board of the Stadium Authority, to commence and convene on July 5, 2022, at 5:30 pm for a Special Meeting to be held virtually and in the City Hall Council Chambers located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California, to consider the following matter(s) and to potentially take action with respect to them.

Closed Session - 5:30 PM | Regular Meeting - 6:30 PM

5:30 PM CLOSED SESSION

Call to Order in the Council Chambers

Roll Call

1. **22-890** [Conference with Legal Counsel-Anticipated Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(2\) - Exposure to litigation](#)
[Number of potential cases: 1](#)
[Facts and Circumstances: Pursuant to Gov. Code § 54956.9\(e\)](#)
[\(1\) - Not disclosed on agenda](#)

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)

6:30 PM COUNCIL/SPECIAL STADIUM MEETING

**Open Session is to begin at 6:30 PM or shortly thereafter.*

Call to Order

Call to Order in the Council Chambers (Open to the Public)

Pledge of Allegiance and Statement of Values

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

SPECIAL ORDER OF BUSINESS

- 2.A **22-895** [Verbal Report Update from Director of Water and Sewer](#)
[Regarding the Local Drought Emergency](#)
- 2.B **22-835** [Verbal Report from the Chief Emergency Services Officer](#)
[regarding COVID-19 Pandemic](#)

SANTA CLARA STADIUM AUTHORITY CONSENT ITEM DEFERRED FROM JUNE 21, 2022

3. Action on Request Submitted by the Stadium Manager to Execute Agreement with Blue'sRoofing Company for Recoating Existing Traffic Bearing Membrane in the Seating Bowl and Concourse Areas at Levi's Stadium (General Areas/Coatings Main Deck CapEx Project) (Deferred from June 21, 2022 Meeting)

3.A 22-887 [Request from the Stadium Manager to Execute Agreement with Blue's Roofing Company for Recoating Existing Traffic Bearing Membrane in the Seating Bowl and Concourse Areas at Levi's Stadium \(General Areas/Coatings Main Deck CapEx Project\) \(Deferred from June 21, 2022 Meeting\)](#)

3.B 22-888 [Report from the Stadium Authority for Action Regarding Stadium Manager's Request to Execute Agreement with Blue's Roofing Company for Recoating Existing Traffic Bearing Membrane in the Seating Bowl and Concourse Areas at Levi's Stadium \(General Areas/Coatings Main Deck CapEx Project\) \(Deferred from June 21, 2022 Meeting\)](#)

Recommendation:

Approve the Stadium Manager's request to execute an agreement with Blue's Roofing Company in the amount of \$2,505,744 for recoating the existing traffic bearing membrane in the seating bowl and concourse areas at Levi's Stadium (General Areas/Coatings Main Deck CapEx project); authorize the Executive Director to approve the execution of any and all documents associated with, and necessary for the award, completion, and acceptance of the project; authorize the Executive Director to approve the issuance and execution of change orders up to \$66,383, for a total not to exceed amount of \$2,572,127; and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager.

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.]

4.A 22-22 [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:
Parks & Recreation Commission - May 17, 2022
Planning Commission - May 25, 2022
Senior Advisory Commission - May 23, 2022
Downtown Community Task Force - March 17, 2022
Downtown Community Task Force - April 21, 2022
Downtown Community Task Force - May 19, 2022

4.B 22-720 [Action on Bills and Claims Report \(CC, SCSA\) for the period May 7, 2022 - June 3, 2022](#)

Recommendation: Approve the list of Bills and Claims for May 7, 2022 - June 3, 2022.

4.C 22-714 [Action on the 2022 Annual Report Related to the Federal Emergency Management Agency's National Flood Insurance Program's Community Rating System](#)

Recommendation: Note and File the 2022 Annual Report for the Santa Clara County Multi-Jurisdictional Program for Public Information related to the Federal Emergency Management Agency's National Flood Insurance Program's Community Rating System.

4.D 22-274 [Action on an Agreement with Data Ticket, Inc. for Citation Management with an Option to Expand Services to Include Permit Processing](#)

Recommendation: 1. Authorize the City Manager to execute an agreement with Data Ticket, Inc. for parking citation and optional permit processing services for an initial term starting on September 1, 2022 and ending on August 31, 2027;
2. Authorize the City Manager to execute up to five one-year options to extend the agreement after the initial five-year term, with the final term ending on August 31, 2032 if all options are exercised, subject to appropriation of funds;
3. Authorize the City Manager to execute Purchase Orders with Data Ticket, Inc. for the purchase of handheld ticket writers, peripherals and accessories as may be required, subject to the annual appropriation of funds; and,
4. Approve the FY 2022/23 budget amendment in the General Fund to recognize citation revenue in the amount of \$150,000 and increase the Police Department appropriation in the amount of \$24,000
(five affirmative Council votes required to appropriate additional revenue)

4.E 22-502 [Action on a Resolution Ordering the Vacation of a Pole Line Easement, Anchor Easement, and Portion of Public Utility Easement at 3941 Stevens Creek Boulevard](#)

Recommendation: 1. Adopt a Resolution Ordering the Vacation of a Pole Line Easement, Anchor Easement, and Portion of Public Utility Easement at 3941 Stevens Creek Boulevard [APN 294-39-010 (2021-22); SC 22-0011]; and
2. Authorize the recordation of the Resolution.

- 4.F 22-774** [Action on a Resolution Extending AB 361 Implementation to Allow City Legislative Bodies to Hold Public Meetings Solely by Teleconference or Otherwise Electronically During the Governor's Proclaimed COVID State of Emergency](#)

Recommendation: Adopt a Resolution finding the existence of the need to extend AB 361 implementation to allow the City's legislative bodies to hold public meetings solely by teleconference or otherwise electronically pursuant to AB 361.

- 4.G 22-744** [Informational Report on 2022 Q1 & Q2 Legislative Updates](#)

Recommendation: Note and file the informational report on 2022 Q2 legislative updates.

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

- 5.** Action on Request Submitted by the Stadium Manager to Execute Agreement with Tyson Group, LLC for Stadium Builder's License (SBL) Sales Training Services

- 5.A 22-884** [Request from the Stadium Manager to Execute Agreement with Tyson Group, LLC for Stadium Builder's License \(SBL\) Sales Training Services](#)

- 5.B 22-885** [Report from the Stadium Authority for Action Regarding Stadium Manager's Request to Execute Agreement with Tyson Group, LLC for Stadium Builder's License \(SBL\) Sales Training Services](#)

Recommendation:

Approve the Stadium Manager's request to execute a one-year agreement with Tyson Group, LLC in the amount of \$80,000 for SBL sales training services, with the option to extend for two additional one-year periods, subject to budget appropriations; authorize the Executive Director to approve the exercise of any option to extend the agreement for up to two additional one-year periods, subject to budget appropriations; and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager.

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

6. 22-891 [Adoption of Resolutions Calling for a Municipal General Election and Ordering Consolidation with the Gubernatorial General Election for the Purpose of Submitting to the Voters a Business License Tax \(BLT\) Modernization Measure and Utility Transfer Charter Amendment; Authorizing the City Clerk to Contract with the County of Santa Clara for Services to be Performed in Connection with the Gubernatorial General Election to be Held on November 8, 2022, as well as Directing the City Attorney to Prepare an Impartial Analysis; and Setting Priorities for Ballot Arguments](#)

Recommendation:

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 8, 2022, for the purpose of submitting to City voters a measure modernizing the City's Business License Tax; requesting consolidation with the Gubernatorial 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.
2. 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 8, 2022, for the purpose of submitting to City voters a measure to amend the City's Charter regarding Utility Transfers; requesting consolidation with the Gubernatorial 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.

7. **22-1761** [Public Hearing: Action on Introduction of Ordinances to Establish Objective Zoning, Subdivision, and Design Standards for SB 9 Residential Projects by Amending Chapter 17.05 \(Subdivisions\) of Title 17 \(Development\) and Amending Title 18 \(Zoning\) to Create Chapter 18.13 \(Two Unit Dwelling Residential Development and Urban Lot Splits\); and Address Affordability Recommendations of the Planning Commission for SB 9 Developments](#)

Recommendation: Alternatives 1, 4, and 5:

1. Waive first reading and introduce an ordinance to establish objective subdivision, zoning, and design standards for SB 9 residential projects by amending Title 18 (Zoning) to create Chapter 18.13 (Two Unit Dwelling Residential Development and Urban Lot Splits) with specific modifications to the draft ordinance as recommended by the Planning Commission related to front yard landscaping and solar access.
4. Waive first reading and introduce an ordinance amending Chapter 17.05 (Subdivisions) of Title 17 (Development) to revise the subdivision process for SB 9 developments.
5. Direct staff to bring back an ordinance amending Chapter 17.40 (Citywide Affordable Housing Requirements) of Title 17 (Development) to add SB 9 projects to the types of developments subject to an affordable housing fee.

8. 22-849 [Authorize the City Manager to Negotiate and Execute Amendment No. 3 to the Agreement for Design Services with Bellecci & Associates, Inc. and Associated Budget Amendment for the Loyalton Property](#)

Recommendation: Alternatives

1. Authorize the City Manager to negotiate and execute Amendment No. 3 to the Agreement for Design Services with Bellecci & Associates, Inc. for engineering design services for the Loyalton fence and site remediation project at Loyalton, California, to increase the maximum compensation from \$170,000 to \$343,581;
2. Authorize the City Manager to add or delete services consistent with the scope of the agreement, and allow future rate adjustments subject to request and justification by contractor, approval by the City, and the appropriation of funds; and
3. Approve the following FY 2022/23 budget amendment in the Electric Utility Operating Fund to increase the Electric Utility Department budget by \$173,581 and decrease the unrestricted ending fund balance by \$173,581 (**five affirmative Council votes required for the use of unused balances**).

9. 22-118 [Public Hearing: Action on a Resolution Confirming the 2022 Weed Abatement Program and Assessment](#)

Recommendation: Adopt a Resolution confirming the 2022 Weed Abatement Program Assessment Report and Assessment.

10. 22-148 [Consideration of Silicon Valley Power Quarterly Update](#)

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

SANTA CLARA STADIUM AUTHORITY GENERAL BUSINESS

11. 22-863 [Action to Delegate Authority to Executive Director to Procure, Negotiate, and Execute an Agreement for Levi's Stadium Naming Rights Signage Assessment Services](#)

Recommendation: Alternative 1

1. Authorize the Executive Director to procure, negotiate, and execute an agreement with a third-party vendor in an amount not to exceed \$30,000 to assess the Levi's Stadium Naming Rights exterior signs and make a recommendation on the most cost-effective long-term approach.

WRITTEN PETITION (COUNCIL POLICY 030) REQUESTS SUBMITTED BY THE PUBLIC/COUNCIL

12. 22-917 [Action on a Written Petition Submitted by Councilmember Becker Requesting to Place an Agenda Item at a Future Council Meeting to Discuss the Recent Planning Commission Appointment](#)

Recommendation: Staff has no recommendation and is seeking Council direction.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

22-881 [Update on City Council and Stadium Authority Staff Referrals](#)

22-920 [Tentative Meeting Agenda Calendar \(TMAC\)](#)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday, July 12, 2022, 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); 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>> 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.