



City of Santa Clara

Draft

Joint Meeting Minutes

Council and Authorities Concurrent & Santa Clara Stadium Authority Meeting

10/19/2021

4:30 PM

Virtual Meeting
Closed Session 4:30 PM
Open Session 7:30 PM

****Revisions: Added Closed Session Item 21-1504 and 21-1509**

Pursuant to the provisions of AB 361, signed by the Governor on September 16, 2021, 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.

4:30 PM CLOSED SESSION

Call to Order

Mayor/Chair Gillmor called the meeting to order at 4:30 PM.

Roll Call

Present: 7 - Council/Boardmember Kathy Watanabe, Vice Mayor/Chair Raj Chahal, Council/Boardmember Karen Hardy, Council/Boardmember Kevin Park, Council/Boardmember Suds Jain, Council/Boardmember Anthony Becker, and Mayor/Chair Lisa M. Gillmor

Public Comment

None.

- 1.A** [21-1483](#) Public Employee Appointment (Government Code Section 54954, subd. (e))
Title: Interim City Attorney
- 1.B** [21-1207](#) Threat to Public Services or Facilities (CC, SA)
Pursuant to Gov. Code § 54957(a)
Consultation with: City Manager & Information Technology
- 1.C** [21-1346](#) 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)
- 1.D** [21-1381](#) 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)

- 1.E** [21-1504](#) Conference with Labor Negotiators (CC)
Pursuant to Gov. Code § 54957.6
City representative: Deanna J. Santana, City Manager (or designee)
Employee Organization(s):
Unit #1-Santa Clara Firefighters Association, IAFF, Local 1171
Unit #2-Santa Clara Police Officer's Association
Unit #3-IBEW Local 1245 (International Brotherhood of Electrical Workers)
Unit #4-City of Santa Clara Professional Engineers
Units #5, 7 & 8-City of Santa Clara Employees Association
Unit #6-AFSCME Local 101 (American Federation of State, County and Municipal Employees)
Unit #9-Miscellaneous Unclassified Management Employees
Unit #9A-Unclassified Police Management Employees
Unit #9B-Unclassified Fire Management Employees
Unit #10-PSNSEA (Public Safety Non-Sworn Employees Association)
- 1.F** [21-1509](#) 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

Convene to Closed Session

Council/Board convened to Closed Session at 4:32 PM and reconvened to Open Session at 7:41 PM.

7:30 PM JOINT COUNCIL/STADIUM AUTHORITY MEETING

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Hardy recited the Statement of Values.

Assistant City Clerk/Secretary Pimentel recited the AB 23 Announcement and Statement of Behavioral Standards.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

Mayor Gillmor reported on Item 1.A (RTC 21-1483) - the appointment of an Interim City Attorney. The Council voted unanimously to post a Request for Information to solicit candidates to fill an interim position.

Chief Assistant City Attorney Reuter noted that there were no reportable actions from Closed Session Items 1.B through 1.F.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

Mayor Gillmor announced Special Order of Business will be heard after Item 2. Item 11 will also be heard following Item 3.

City Manager Santana noted that the following Items must be heard this evening: Items 5, 6.D, 6.E, 6.F, 6.H, 6.I, 6.J, 6.L, 8 and 10. **City Manager Santana** noted that Item 9 has been dropped.

Councilmember Jain requested to hear Item 11 prior to Item 3. **Mayor Gillmor** declined the request.

Councilmember Becker requested to drop his Written Petitions (Item 12.D, 12.F, and 12.I.)

2. [21-1444](#) Action to Defer the Update on Sustainability Program and Provide Feedback on Program Priorities to November 9, 2021

Recommendation: Defer the Update on Sustainability Program and Provide Feedback on Program Priorities to November 9, 2021.

A motion was made by Councilmember Becker, seconded by Councilmember Park, to defer the Update on Sustainability Program and Provide Feedback on Program Priorities to November 9, 2021.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

SPECIAL ORDER OF BUSINESS

- 4.A [21-0006](#) Proclaim October 2021 as Breast Cancer Awareness Month

Mayor Gillmor proclaimed October 2021 as Breast Cancer Awareness Month and presented a proclamation to **Jonathan O. (American Cancer Society)**. **Jonathan O.** expressed comments of gratitude of the Proclamation and encouraged women (of age) to get yearly mammograms.

4.B [21-0007](#) Proclaim October 2021 as Domestic Violence Awareness Month

Mayor Gillmor proclaimed October 2021 as Domestic Violence Awareness Month.

4.C [21-1501](#) Recognition of Outgoing Cultural Commissioner Teresa Sulcer

Council recognized **Outgoing Cultural Commissioner Teresa Sulcer** for her service to the City of Santa Clara. **Outgoing Cultural Commissioner Teresa Sulcer** expressed gratitude for the recognition and the great experience raising her family in Santa Clara.

4.D [21-1476](#) Introduce Santa Clara Swim Club's New Head Coach

Mayor Gillmor introduced **Vikas Gupta** who introduced new Santa Clara Swim Club's Head Coach **Kevin Zacher**.

Vikas Gupta and **Kevin Zacher** gave a PowerPoint Presentation.

Council comments followed.

Public Speaker(s): Amanda Pease
Veronica Ospina
Joanna Wilk

Council comments followed.

3. [21-1416](#) Direction to Staff on Alternatives for Revisions to the El Camino Real Specific Plan; Possible Action on the Consultant Contract with Rami & Associates and budget amendment for Revisions to the El Camino Real Specific Plan (Continued from September 28, 2021 and to be Heard Early on Agenda)

Recommendation: Direct staff to proceed with either:

Alternative 1: Direct staff to conduct additional planning work to revise the draft Specific Plan per City Council direction. Authorize the City Manager to execute an agreement with Rami & Associates, Inc. to provide El Camino Real Specific Plan Consultant Services for an initial three-year term ending September 30, 2024, for a maximum compensation not to exceed \$750,000, subject to the annual appropriation of funds. Approve the related budget amendment recognizing appropriations of an additional \$900,000 in FY 2021/22 General Fund account to support consultant work and the use of contract planning staff. Upon completion of the revised Specific Plan, staff will return to the City Council for adoption of the project Water Supply Assessment, project EIR, a modified Specific Plan, General Plan amendments, and a resolution to remove on-street parking for the El Camino Real corridor. Direct staff to bring forward budget amendments at a future date or

Alternative 2: Direct staff to create two new zoning districts with objective design standards that align with the existing General Plan land use designations for the El Camino Real corridor and to prepare an El Camino Real Infrastructure Plan/Streetscape Plan for the creation of bicycle lanes along the corridor. Authorize the City Manager to execute an agreement with Rami & Associates, Inc. to provide El Camino Real Specific Plan Consultant Services for a one-year term ending September 30, 2022, for a maximum compensation not to exceed \$50,000, subject to the annual appropriation of funds. Approve the related budget amendment recognizing appropriations of an additional \$50,000 in FY 2021/22 General Fund Staff will return to City Council for adoption of zoning districts, a resolution to remove on-street parking for the El Camino Real corridor, and adoption of an El Camino Real Infrastructure Plan/Streetscape Plan.

Director of Community Development Crabtree gave a PowerPoint Presentation.

Council comments and questions followed.

Director of Community Development Crabtree addressed **Council** comments and questions.

Public Speaker(s): Allen Liou
Alex Shoor

Greenbelt Alliance
Sunil B

Bradley Gardner	Mathew Reed
Kat Wortham	Reshma Kotwal
Jeff Houston	Deepa
Zoe Siegel	Gabriela Landaveri (E-Mail)

Council comments and questions followed.

Director of Community Development Crabtree addressed **Council** questions.

City Manager Santana noted that a budget amendment on this items require five affirmative votes and will the budget amendment request will be on the October 26, 2021 Council and Authorities Concurrent Meeting.

A motion was made by Councilmember Jain, seconded by Councilmember Hardy, to direct staff to move forward with Alternative 1: direct staff to conduct additional planning work to revise the draft Specific Plan per City Council direction. Authorize the City Manager to execute an agreement with Rami & Associates, Inc. to provide El Camino Real Specific Plan Consultant Services for an initial three-year term ending September 30, 2024, for a maximum compensation not to exceed \$750,000, subject to the annual appropriation of funds. Approve the related budget amendment recognizing appropriations of an additional \$900,000 in FY 2021/22 General Fund account to support consultant work and the use of contract planning staff. Upon completion of the revised Specific Plan, staff will return to the City Council for adoption of the project Water Supply Assessment, project EIR, a modified Specific Plan, General Plan amendments, and a resolution to remove on-street parking for the El Camino Real corridor. Direct staff to bring forward budget amendments at a future date with the following modifications: leave original proposal on the table along with Lower Density Plan, include the Economic Analysis Study option to compare, and make sure objective design standards are kept for building articulation that were developed in the original proposal.

Aye: 4 - Councilmember Hardy, Councilmember Park, Councilmember Jain, and Councilmember Becker

Nay: 3 - Councilmember Watanabe, Vice Mayor Chahal, and Mayor Gillmor

11. [21-1432](#) Action on the Introduction of an All-Electric Reach Code Ordinance, including Electric Vehicle (EV) Charging, that Amends Chapter 15.36 (Energy Code) and Chapter 15.38 (Green Building Code) of Title 15 (Buildings and Construction) of the Santa Clara City Code (Deferred from September 28, 2021)

Recommendation: Staff recommend that City Council introduce electrification reach codes as written, to be established on January 1, 2022; to help reduce carbon emissions associated with new construction, reduce costs in new construction, improve indoor air quality and safety of our building stock, support affordable housing, and increase adoption of electric vehicles.

Sustainability Manager Templeton gave a PowerPoint Presentation.

Council comments and questions followed.

Sustainability Manager Templeton and **Director of Community Development Crabtree** addressed **Council** questions.

Public Speaker(s): Dashiell Leeds	Hoai-An (Why-Ann) Truong
Alexis S Tan	Moria Merriweather
Sahana Moogi	Jessie Good
Carolyn Zhao	Vanessa
Boz Azordegan	Diane Bailey
Sindu Saggeri	Prateek Kundu
Rosie Chen	Alex Shoor
Bruce Naegel	Sven Thesen
Jenny Green	Zach Goldberg (E-Mail)
Edward Strine	

Council comments and questions followed.

Chief Assistant City Attorney Reuter, **Sustainability Manager Templeton**, and **City Manager Santana** addressed **Council** questions.

A motion was made by Councilmember Jain, seconded by Vice Mayor Chahal, that the City Council introduce electrification reach codes as written (Ordinance No. 2034), to be established on January 1, 2022; to help reduce carbon emissions associated with new construction, reduce costs in new construction, improve indoor air quality and safety of our building stock, support affordable housing, and increase adoption of electric vehicles with two modifications to Exception 2: (1) applicant shall provide third party verification that all electric space heating requirement or secondarily propane heating is not cost effective and feasible (2) apply that to Exception 4 as well.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

Mayor Gillmor called for a recess at 10:51 PM and reconvened the meeting at 11:00 PM.

STUDY SESSION

5. [21-1269](#) Presentation on Business Tax Ballot Measure and Other Potential Revenue Measures for November 2022 Ballot

Recommendation: 1. Provide feedback on key priorities for the development of recommendations on possible alternative tax structures for future Council consideration; and
2. Review and direct staff to explore other potential revenue measures to be placed on the November 2022 ballot.

A motion was made by Councilmember Hardy, seconded by Councilmember Park, to defer this item to October 26, 2021 Council and Authorities Concurrent Meeting, and place it at the beginning of the agenda.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

CONSENT CALENDAR

A motion was made by Council/Boardmember Hardy, seconded by Council/Boardmember Park, to approve the balance of the Consent Calendar (except Item 6.D).

Aye: 7 - Council/Boardmember Watanabe, Vice Mayor/Chair Chahal, Council/Boardmember Hardy, Council/Boardmember Park, Council/Boardmember Jain, Council/Boardmember Becker, and Mayor/Chair Gillmor

6.A [21-20](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:

Downtown Community Task Force - May 20, 2021

Cultural Commission - August 2, 2021

Parks & Recreation Commission - August 17, 2021

Senior Advisory Commission - August 23, 2021

Planning Commission - August 25, 2021

A motion was made by Councilmember Hardy, seconded by Councilmember Park, to approve staff recommendation.

6.B [21-959](#) Action on Bills and Claims Report (CC, HA, SA) for the period June 12th, 2021 - August 27th, 2021

Recommendation: Approve the list of Bills and Claims for June 12, 2021 - August 27, 2021.

A motion was made by Councilmember Hardy, seconded by Councilmember Park, to approve staff recommendation.

6.C [21-1434](#) Action on the Adoption of Ordinance No. 2033 Amending Section 3.25.030 of the Santa Clara City Code to Reflect the Increase in the Transient Occupancy Tax Rate to 11.5%

Recommendation: 1. Adopt Ordinance No. 2033 Amending Section 3.25.030 of the Santa Clara City Code to Reflect the Increase in the Transient Occupancy Tax Rate to 11.5%.

A motion was made by Councilmember Hardy, seconded by Councilmember Park, to adopt Ordinance No. 2033 Amending Section 3.25.030 of the Santa Clara City Code to Reflect the Increase in the Transient Occupancy Tax Rate to 11.5%.

- 6.E [21-738](#) Action on Agreements with the Santa Clara Valley Transportation Authority for 2016 Measure B Funding of the De La Cruz Boulevard Class IV Bikeway Study, Monroe Street Class II Buffered Bicycle Lane Study, Walsh Avenue Class IV Bikeway Study, and Related Budget Amendments

- Recommendation:**
1. Approve and authorize the City Manager to execute funding agreements between the City of Santa Clara and Santa Clara Valley Transportation Authority for the De La Cruz Boulevard Class IV Bikeway Study, Monroe Street Class II Buffered Bicycle Lane Study, and Walsh Avenue Class IV Bikeway Study;
 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 FY 2021/22 budget amendment in the Streets and Highways Capital Fund to increase the Other Agencies Revenue estimate by \$455,000 to recognize grant funding for the VTA Measure B Bicycle/Pedestrian program category funds, establish an appropriation for the new Project - De La Cruz Boulevard Class IV Bikeway Study in the amount of \$250,000, establish an appropriation for the new Project - Monroe Street Class II Buffered Bicycle Lane Study in the amount of \$200,000, establish an appropriation for the new Project - Walsh Avenue Class IV Bikeway Study in the amount of \$200,000 and decrease the Pedestrian and Bicycle Enhancement Facilities Project by \$195,000 (**five affirmative Council votes required to appropriate additional revenue**); and
 3. Authorize the City Manager to make modifications to the Agreements, if needed, within the approved budget of the projects.

A motion was made by Councilmember Hardy, seconded by Councilmember Park, to approve staff recommendation.

- 6.F [21-1038](#) Action on a Resolution Authorizing the City Manager to Negotiate and Execute Master Service Agreements with RWG USA, Inc. and Standard Aero to Perform Gas Turbine Engine Parts Supply, Field Services, and Depot Services

- Recommendation:**
1. Adopt a Resolution authorizing the City Manager to negotiate and execute Master Service Agreements with RWG USA, Inc. and Standard Aero Limited to perform Gas Turbine Engine Parts Supply, Field Services, and Depot Services subject to the following conditions:
 - A. Each agreement shall have an initial term of five years and shall have a maximum amount not-to-exceed set by the City Manager subject to an aggregate maximum authority of \$10,000,000 during the initial term with annual spending subject to the annual appropriation of funds;
 - B. The City Manager shall be authorized to add or delete services consistent with the scope of the agreements and allow future rate adjustments subject to justification by contractor and the appropriation of funds; and
 - C. The City Manager shall be authorized to execute up to five one-year options to extend the term of the master service agreements, subject to the annual appropriation of funds.

A motion was made by Councilmember Hardy, seconded by Councilmember Park, to adopt Resolution No. 21-9010, authorizing the City Manager to negotiate and execute Master Service Agreements with RWG USA, Inc. and Standard Aero Limited to perform Gas Turbine Engine Parts Supply, Field Services, and Depot Services.

- 6.G [21-998](#) Action on a Resolution Amending Silicon Valley Power Rate Schedule SB-1 - Standby General Service with Respect to Determination of Reservation Capacity, and Rate Schedule NM - Net Energy Metering Service with Respect to Implementation of an Aggregate Metering Option

Recommendation: Adopt a Resolution of the City of Santa Clara amending rate schedules to Silicon Valley Power's Standby Service Schedule (SB-1) with respect to determination of Reservation Capacity and amending rate schedule Net Energy Metering Service (NM) with respect to implementation of aggregate metering, effective October 6, 2021.

A motion was made by Councilmember Hardy, seconded by Councilmember Park, to adopt Resolution No. 21-9011, amending rate schedules to Silicon Valley Power's Standby Service Schedule (SB-1) with respect to determination of Reservation Capacity and amending rate schedule Net Energy Metering Service (NM) with respect to implementation of aggregate metering, effective October 6, 2021.

- 6.H [21-1206](#) Action on Amendment No. 2 to the Steam Sales Agreement with The Newark Group, Inc. to Extend the Agreement Until March 31, 2022

Recommendation: 1. Authorize the City Manager to execute Amendment No. 2 to the Steam Sales Agreement with The Newark Group, Inc. to extend the Agreement until March 31, 2022; and
2. Authorize the City Manager to make minor changes to the attached Amendment subject to approval by City Attorney as to form.

A motion was made by Councilmember Hardy, seconded by Councilmember Park, to approve staff recommendation.

- 6.I [21-21237](#) Consideration of the Silicon Valley Power 2020 Power Content Label

Recommendation: Note and file SVP's Power Content Label(s).

A motion was made by Councilmember Hardy, seconded by Councilmember Park, to approve staff recommendation.

- 6.J [21-1265](#) Delegation of authority to the City Manager to negotiate and execute the Third Phase Agreement with Northern California Power Agency (NCPA) for a Power Purchase Agreement (PPA) with South Feather Water and Power Agency (SFWPA)

Recommendation: 1. Authorize the City Manager to negotiate and execute the Third Phase Agreement with Northern California Power Agency (NCPA) for a Power Purchase Agreement with South Feather Water and Power Agency (SFWPA); and
2. Authorize the City Manager to execute administrative amendments to the Third Phase Agreement with Northern California Power Agency as may be needed from time to time during the term of the PPA.

A motion was made by Councilmember Hardy seconded by Councilmember Park, to approve staff recommendation.

- 6.K [21-1253](#) Action on a Resolution Approving the 2022 Historical and Landmarks Commission Calendar of Meetings

Recommendation: Adopt a Resolution approving the 2022 Historical and Landmarks Commission Calendar of Meetings.

A motion was made by Councilmember Hardy, seconded by Councilmember Park, to adopt Resolution No. 21-9012, approving the 2022 Historical and Landmarks Commission Calendar of Meetings.

- 6.L [21-1480](#) Action on a Resolution Allowing City Legislative Bodies to Hold Public Meetings Solely by Teleconference or Otherwise Electronically Pursuant to AB 361

Recommendation: Adopt a Resolution allowing the City's legislative bodies to hold public meetings solely by teleconference or otherwise electronically pursuant to AB 361.

A motion was made by Councilmember Hardy, seconded by Councilmember Park, to adopt Resolution No. 21-9013, allowing the City's legislative bodies to hold public meetings solely by teleconference or otherwise electronically pursuant to AB 361.

- 6.M [21-1217](#) Action on Resolution Declaring Two Successor Agency Sites located at 5101 and 5201 Great America Parkway as Surplus Land as Required by State Law [APNs: 104-55-012 and 104-55-013]

Recommendation: That the City Council acting as the governing board of the Successor Agency to the Former Redevelopment Agency of the City of Santa Clara adopt a Resolution declaring two Successor Agency properties located at 5101 Great America Parkway [APN 104-55-012 and 5201 Great America Parkway [APN 104-55-013] as “Surplus Land” pursuant to Government Code § 54221(b)(1).

A motion was made by Councilmember Hardy, seconded by Councilmember Park, to adopt Resolution No. 21-1 (SARDA), declaring two Successor Agency properties located at 5101 Great America Parkway [APN 104-55-012] and 5201 Great America Parkway [APN 104-55-013] as “Surplus Land” pursuant to Government Code § 54221(b)(1).

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

- 7.A [21-1249](#) Action on Stadium Authority Bills and Claims for the Month of July 2021

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

A motion was made by Boardmember Hardy, seconded by Boardmember Park, to approve staff recommendation.

7.B Action on Request from the Stadium Manager to Execute Agreement with R.E. Cuddie Co. for Tunnel Slip and Fall Protection CapEx Project

1. [21-1424](#) Request from the Stadium Manager to Execute Agreement with R.E. Cuddie Co. for Tunnel Slip and Fall Protection CapEx Project

2. [21-1425](#) Report from the Stadium Authority Regarding Stadium Manager's Request to Execute Agreement with R.E. Cuddie Co. for Tunnel Slip and Fall Protection CapEx Project

Recommendation:

1. Approve the Stadium Manager's request to execute an agreement with R.E. Cuddie Co. for removal and disposal of existing synthetic turf flooring, and furnishing and installation of new synthetic turf flooring from stadium tunnels at Levi's Stadium (Tunnel Slip and Fall Protection CapEx line item) in the amount of \$14,614, 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;
2. 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; and
3. Authorize the Executive Director to approve the execution of change orders up to approximately 10% of the contract cost, or \$1,461, for a total not to exceed amount of \$16,075.

A motion was made by Boardmember Hardy, seconded by Boardmember Park, to approve staff recommendation.

7.C Action on Request from the Stadium Manager to Award Purchase Orders to Cintas and Twin Hill for Guest Services Uniforms and Fastenal for Stadium and Special Event Spaces CapEx Project, and Execute Agreement with MGC DBA Mission Glass Company for Command Post Window Treatment CapEx Project

1. [21-1437](#) Request from the Stadium Manager to Award Purchase Orders to Cintas and Twin Hill for Guest Services Uniforms and Fastenal for Stadium and Special Event Spaces CapEx Project, and Execute Agreement with MGC DBA Mission Glass Company for Command Post Window Treatment CapEx Project

2. [21-1438](#) Report from Stadium Authority Regarding Stadium Manager's Request to Award Purchase Orders to Cintas and Twin Hill for Guest Services Uniforms and Fastenal for Stadium and Special Event Spaces CapEx Project, and Execute Agreement with MGC DBA Mission Glass Company for Command Post Window Treatment CapEx Project

Recommendation:

1. Approve the Stadium Manager's request to award a purchase order to Cintas for the purchase of Guest Services uniforms, in an amount not to exceed \$4,365, 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;
2. Approve the Stadium Manager's request to award a purchase order to Twin Hill for the purchase of Intaglio jackets and Royal Oxford shirts for Guest Services uniforms, in the amount of \$3,367, 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;
3. Approve the Stadium Manager's request to award a purchase order to Fastenal for Waterhog premier mats (Stadium and Special Event Spaces CapEx project), in the amount of \$71,274, 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; and
4. Approve the Stadium Manager's request execute an agreement with MGC DBA Mission Glass Company for window tinting services (Command Post Window Treatment CapEx project), in the amount of \$9,425, 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.

A motion was made by Boardmember Hardy, seconded by Boardmember Park, to approve staff recommendation.

7.D Action on Request from the Stadium Manager to Execute Agreement with R.E. Cuddie Co. for Non-Slip Floor Matting CapEx Project and Related Budget Amendment

1. [21-1440](#) Request from the Stadium Manager to Execute Agreement with R.E. Cuddie Co. for Non-Slip Floor Matting CapEx Project and Related Budget Amendment

2. [21-1441](#) Report from the Stadium Authority Regarding Stadium Manager's Request to Execute Agreement with R.E. Cuddie Co. for Non-Slip Floor Matting CapEx Project and Related Budget Amendment

Recommendation:

1. Approve the Stadium Manager's request to execute an agreement with R.E. Cuddie Co. for the removal and disposal of existing resilient athletic flooring from service tunnels, and the furnishing and installation of rubber resilient athletic flooring at Levi's Stadium (Non-Slip Floor Matting CapEx line item) in an amount not to exceed \$53,955, 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;
2. 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;
3. Authorize the Executive Director to approve the execution of change orders up to approximately 10% of the contract cost, or \$5,396, for a total not to exceed amount of \$59,351; and
4. Approve a budget amendment in the amount of \$6,851 to fund the total agreement and 10% contingency amount exceeding the budgeted amount for the line item in the Stadium Authority FY 2021/22 CapEx Budget, offset by a decrease in Capital Reserves.

A motion was made by Boardmember Hardy, seconded by Boardmember Park, to approve staff recommendation.

7.E Action on Request from the Stadium Manager to Incur Charges for Various Conferences, Events, and Meetings

1. [21-1442](#) Request from the Stadium Manager to Incur Charges for Various Conferences, Events, and Meetings

2. [21-1443](#) Report from the Stadium Authority Regarding the Stadium Manager's Request to Incur Charges for Various Conferences, Events, and Meetings

Recommendation:

1. Approve the Stadium Manager's request to incur charges up to \$2,300 to cover registration fees, travel expenses and potential client entertainment, including the purchase of alcohol with public funds, for one Stadium Manager employee for the October 21-22, 2021 VenuesNow Conference in Seattle, WA;
2. Approve the Stadium Manager's request to incur charges up to \$4,550 to cover registration fees, travel expenses and potential client entertainment, including the purchase of alcohol with public funds, for two Stadium Manager employees for the November 2021 Billboard Live Music Summit + Awards in Los Angeles, CA;
3. Approve the Stadium Manager's request to incur charges up to \$2,650 in order to cover travel expenses and potential client entertainment, including the purchase of alcohol with public funds, for two Stadium Manager employees for the February/March 2022 Gridiron Stadium Network Annual Meeting in Austin, TX; and
4. Approve the Stadium Manager's request to incur charges up to \$9,000 to cover travel and entertainment expenses, including the purchase of alcohol with public funds, for up to six client meetings.

A motion was made by Boardmember Hardy, seconded by Boardmember Park, to approve staff recommendation.

PUBLIC PRESENTATIONS

Jospeh Ducato expressed comments regarding options for responsibility of replacement of sewer laterals.

CONSENT ITEMS PULLED FOR DISCUSSION

6.D [21-1293](#) Action on an Agreement with Impark for Event Parking Services at the Santa Clara Convention Center

- Recommendation:**
1. Authorize the City Manager to negotiate and execute an Agreement with Impark for event parking services at the Santa Clara Convention Center for an initial three-year term not-to-exceed \$1,064,700;
 2. Authorize the City Manager to increase maximum compensation during the initial three-year term if demand for event parking services exceeds the current forecast and based on actual services rendered, subject to the appropriation of funds; and
 3. Authorize the City Manager to execute up to two one-year options to extend the term of the Agreement after the initial three-year term and subject to the appropriation of funds.

Councilmember Jain pulled this item for clarification on maintenance of the parking structure and parking fees.

Council comments followed.

City Manager Santana addressed **Council** comments and questions.

A motion was made by Councilmember Jain, seconded by Vice Mayor Chahal, to (1) authorize the City Manager to negotiate and execute an Agreement with Impark for event parking services at the Santa Clara Convention Center for an initial three-year term not-to-exceed \$1,064,700; (2) authorize the City Manager to increase maximum compensation during the initial three-year term if demand for event parking services exceeds the current forecast and based on actual services rendered, subject to the appropriation of funds; and (3) authorize the City Manager to execute up to two one-year options to extend the term of the Agreement after the initial three-year term and subject to the appropriation of funds.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

PUBLIC HEARING/GENERAL BUSINESS

8. [21-198](#) Public Hearing: Action on a Resolution of Necessity to Acquire Certain Real Property Interests on 999 Martin Avenue, Santa Clara, California, from Pollack Enterprises, Inc.

Recommendation: Alternative 1: Adopt a Resolution of Necessity to Acquire Certain Real Property Interests on 999 Martin Avenue, Santa Clara, California, from Pollack Enterprises, Inc. **(Five affirmative votes required [California Code of Civil Procedure section 1245.245]).**

Chief Electric Utility Officer Pineda gave a PowerPoint Presentation.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to approve Alternative 1: adopt Resolution No. 21-9014 of Necessity to Acquire Certain Real Property Interests on 999 Martin Avenue, Santa Clara, California, from Pollack Enterprises, Inc. (Five affirmative votes required [California Code of Civil Procedure section 1245.245]).

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

9. [21-1385](#) Public Hearing: Action on a Resolution of Necessity to Acquire Certain Real Property Interests on 1261 Martin Avenue, Santa Clara, California, from Martin Investment Properties, LLC

Recommendation: Alternative 1: Adopt a Resolution of Necessity to Acquire Certain Real Property Interests on 1261 Martin Avenue, Santa Clara, California, from Martin Investment Properties, LLC. **(Five affirmative votes required [California Code of Civil Procedure section 1245.245]).**

Item 9 was dropped from the agenda as noted by City Manager Santana during Continuances/Exceptions.

10. [21-1386](#) Public Hearing: Action on a Resolution of Necessity to Acquire Certain Real Property Interests on 1199 & 1061 Martin Avenue, Santa Clara, California, from 1065 Martin Ave, LLC

Recommendation: Alternative 1: Adopt a Resolution of Necessity to Acquire Certain Real Property Interests on 1199 & 1061 Martin Avenue, Santa Clara, California, from 1065 Martin Ave, LLC. **(Five affirmative votes required [California Code of Civil Procedure section 1245.245]).**

Chief Electric Utility Officer Pineda gave a PowerPoint Presentation.

A motion was made by Councilmember Watanabe, seconded by Councilmember Becker, to approve Alternative 1: adopt Resolution No. 21-9015 of Necessity to Acquire Certain Real Property Interests on 1199 & 1061 Martin Avenue, Santa Clara, California, from 1065 Martin Ave, LLC. **(Five affirmative votes required [California Code of Civil Procedure section 1245.245]).**

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

12. WRITTEN PETITIONS (POLICY 030) SUBMITTED BY THE PUBLIC/COUNCIL

- A. [21-1478](#) Action on a Written Petition (Council Policy 030) submitted by Morteza Shafiei, as representative of HOAs on October 7, 2021 to add an Agenda Item to a future Council Agenda to Consider the Purchase of lot at 1601 Civic Center Drive

Recommendation: Staff makes no recommendation.

Vice Mayor Chahal recused himself from this item due to his property being within 500 ft. of 1601 Civic Center Drive.

Written Petitioner Morteza Shafiei gave a verbal report on his request to consider the purchase of the lot located at 1601 Civic Center Drive.

Council comments followed.

City Manager Santana noted that due to reduced staffing, this item would not be able to return within 30 days (as noted in Council Policy 030).

Public Speaker(s): Keyhan Sinai
Deepa
Sunil
DW
Brayden
Reshma Kotwal

A motion was made by Councilmember Watanabe, seconded by Councilmember Becker, to agendize the Written Petition Request to a future Council date.

Aye: 4 - Councilmember Watanabe, Councilmember Park, Councilmember Becker, and Mayor Gillmor

Nay: 2 - Councilmember Hardy and Councilmember Jain

Recused: 1 - Vice Mayor Chahal

- B. [21-1477](#) Action on a Written Petition (Council Petition 030) Submitted by Councilmember Jain Requesting to Place an Agenda Item at a Future Meeting to Discuss the Debt Acquisition Company of America Applying for a Conditional Use Permit to Build and Operate a 320 Acre Sand and Gravel Quarry at Sargent Ranch

Recommendation: Staff has no recommendation and seeks Council direction.

Councilmember Jain provided a verbal overview on his Written Petition Request to discuss the Debt Acquisition Company of America applying for a Conditional Use Permit to build and operate a 320 Acre Sand and Gravel Quarry at Sargent Ranch.

Public Speaker(s): Alice Kaufman
Tedde Simon
Valentin Lopez
Sunil B

A motion was made by Councilmember Jain, seconded by Vice Mayor Chahal, to place this item on a future agenda item to discuss and consider a resolution to reject the Debt Acquisition Company of America application for a Conditional Use Permit to Build and Operate a 320 Acre Sand and Gravel Quarry at Sargent Ranch.

Aye: 6 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

Nay: 1 - Councilmember Hardy

- C. [21-1431](#) Action on Written Petition (Council Petition 030) Submitted by Councilmember Becker Requesting to Place an Agenda Item at a Future Council Meeting for Discussion to Propose including a New City Hall Plan Incorporated into the New Santa Clara Downtown Plan

Recommendation: Staff has no recommendation and seeks Council direction.

Councilmember Jain recused himself from this item due to his property being within 1000 ft. to the Downtown Specific Plan.

Councilmember Becker provided a verbal report on his Written Petition for discussion to propose including a New City Hall Plan incorporated into the New Santa Clara Downtown Plan.

Council discussion followed.

Public Speaker(s): Dan Ondrasek	Skip Pearson
Sunil B	Mary Grizzle
Donna West	Frank
Deepa	Edward Strine

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to continue Items 12.C, 12.E, 12.G, 12.H, 12.J and 12.K to the Council Priority Goal Setting Session in February 2022, and circulate any pertinent reports/information on these items prior to the session.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

- D. [21-1486](#) Action on Written Petition (Council Petition 030) Submitted by Councilmember Becker Requesting to Place an Agenda Item at a Future Council Meeting for Discussion to Propose a Stricter and more Regulated Ordinance for AirBNB Properties/Operations

Recommendation: Staff has no recommendation and seeks Council direction.

Councilmember Becker requested to drop his Written Petitions (Item 12.D, 12.F, and 12.I.).

- E. [21-1488](#) Action on Written Petition (Council Petition 030) Submitted by Councilmember Becker Requesting to Place an Agenda Item at a Future Council Meeting for Discussion to Propose a New Santa Clara City Commission, Film Commission

Recommendation: Staff has no recommendation and seeks Council direction.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to continue Items 12.C, 12.E, 12.G, 12.H, 12.J and 12.K to the Council Priority Goal Setting Session in February 2022 and circulate any pertinent reports/information on these items prior to the session.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

- F. [21-1489](#) Action on Written Petition (Council Petition 030) Submitted by Councilmember Becker Requesting to Place an Agenda Item at a Future Council Meeting for Discussion to Change the Name of the City of Santa Clara Observed Holiday from Columbus Day to Indigenous People's Day

Recommendation: Staff has no recommendation and seeks Council direction.

Councilmember Becker requested to drop his Written Petitions (Item 12.D, 12.F, and 12.I.).

- G. [21-1490](#) Action on Written Petition (Council Petition 030) Submitted by Councilmember Becker Requesting to Place an Agenda Item at a Future Council Meeting for Discussion on Construction of New Lawn Bowl Facility to Follow through on Past Promises

Recommendation: Staff has no recommendation and seeks Council direction.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to continue Items 12.C, 12.E, 12.G, 12.H, 12.J and 12.K to the Council Priority Goal Setting Session in February 2022 and circulate any pertinent reports/information on these items prior to the session.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

- H. [21-1491](#) Action on Written Petition (Council Petition 030) Submitted by Councilmember Becker Requesting to Place an Agenda Item at a Future Council Meeting for Discussion to Add a Ballot Measure in 2022 Election for an Infrastructure Bond or Tax

Recommendation: Staff has no recommendation and seeks Council direction.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to continue Items 12.C, 12.E, 12.G, 12.H, 12.J and 12.K to the Council Priority Goal Setting Session in February 2022 and circulate any pertinent reports/information on these items prior to the session.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

- I. [21-1492](#) Action on Written Petition (Council Petition 030) Submitted by Councilmember Becker Requesting to Place an Agenda Item at a Future Council Meeting for Discussion to Propose an Ordinance to make it a Crime to Promote or Encourage Sideshows on Social Media

Recommendation: Staff has no recommendation and seeks Council direction.

Councilmember Becker requested to drop his Written Petitions (Item 12.D, 12.F, and 12.I.).

- J. [21-1493](#) Action on Written Petition (Council Petition 030) Submitted by Councilmember Becker Requesting to Place an Agenda Item at a Future Council Meeting for Discussion of Installation of RRFB Crosswalk at the Kiely/Mauricia Avenue Intersection

Recommendation: Staff has no recommendation and seeks Council direction.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to continue Items 12.C, 12.E, 12.G, 12.H, 12.J and 12.K to the Council Priority Goal Setting Session in February 2022 and circulate any pertinent reports/information on these items prior to the session.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

- K. [21-1494](#) Action on Written Petition (Council Petition 030) Submitted by Councilmember Becker Requesting to Place an Agenda Item at a Future Council Meeting for Discussion of Installation of Rainbow Crosswalk(s) in the City of Santa Clara

Recommendation: Staff has no recommendation and seeks Council direction.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to continue Items 12.C, 12.E, 12.G, 12.H, 12.J and 12.K to the Council Priority Goal Setting Session in February 2022 and circulate any pertinent reports/information on these items prior to the session.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Mayor Gillmor reported on her attendance at (1) the annual conference of NCPA and was proud to note that **Assistant City Attorney Arellano** was one of the panelists; and (2) the League of California Cities and provided an overview on the sessions she attended. She noted that she would bring the following to Council Goal Setting Session: "TOT recovery on short term rentals" and outsourcing of public records requests.

Councilmember Jain reported on his attendance at the NCPA Conference in Napa along with **Councilmember Watanabe** and **Mayor Gillmor** and provided information on a tour of a Power Plant and the sessions he attended.

Councilmember Watanabe reported on her attendance at (1) the NCPA Conference and (2) the League of California Cities in Sacramento and provided an overview on the sessions she attended.

Councilmember Park reported on his attendance at the League of California Cities and provided an overview on the sessions he attended.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

City Manager Santana expressed gratitude for City Staff (Parks & Recreation Department, Public Safety, and all other supporting departments) who supported the Parade of Champions event and noted that the next budget process has kicked off.

[21-1502](#)

Tentative Meeting Agenda Calendar (TMAC)

ADJOURNMENT

The meeting was adjourned at 12:49 AM in memory of **Jason Nuckles (Alumnus of the Santa Clara Vanguard); Glorian Quigley (A Force of Nature); ArLyne Diamond (former Senior Advisory Commissioner); Danika Nixon Dhople (Santa Clara Resident); Irma LeBlanc (Long term Santa Clara Resident and mother of Board of Library Trustee Debbie Tryforos).**

A motion was made by Councilmember Hardy, seconded by Councilmember Park, to adjourn the meeting.

Aye: 7 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

[21-1527](#)

Adjournment of the October 19, 2021 City Council and Stadium Authority Meeting Post Meeting Material

The next regular scheduled meeting is on Tuesday evening, October 26, 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>> 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.