

# 2022 City Council Priority Session

February 8, 2022






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## Welcome - Where we Are

- Governance: Working on Meeting Efficiency and Collegiality
- City not aligned with Charter re: Council Appointees, has caused for significant workload, impaired function, and burden on the organization for complex legal services needs
- 10-Year Financial Forecast -- \$19.6 M GF projected deficit and \$5 M in GF CIP Reserve with \$500M of GF 5-Year CIP need (*\$1B long-term*)
- Workload high, Capacity low, and Staffing reduced/overwhelmed with work
- Significant Accomplishments on Priorities: COVID uncertainty
- Next 18 months will define your work:
  - February - November 2022    Ballot Measures/Stabilize Fiscal and Workforce Conditions
  - November – June 2023        Budget balancing (based on ballot outcome) and adopted balanced budget with either reductions or stabilized revenue



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## Agenda

1. Welcome – Where we Are
2. Budget Update & 10-Year Financial Forecast
3. Accomplishments on Council Priorities and State of the Organization
4. Governance Check-in with Council
5. 2022 Council Priorities Strategy – 2022 Critical Priorities, Additional Items Referred and Unfunded Council Initiatives

***5 p.m. Presentation of Ballot Measure Strategy Research Results***



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## Public Presentations



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# Budget Update & 10-Year Financial Forecast

*Kenn Lee, Director of Finance*



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## Agenda

- Overview
- Economic Outlook
- 10-Year General Fund Forecast
- Capital Budget
- Budget Balancing
- Budget Principles
- Next Steps/Policy Discussion



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## Overview

### Financial Update as a Strategic Planning Tool

- Evaluate current condition
- Foundation for looking at priorities
- Know risk factors and vulnerabilities
- Understand trade-offs moving forward
- Develop mitigation efforts
- Strategic positioning and use of reserves



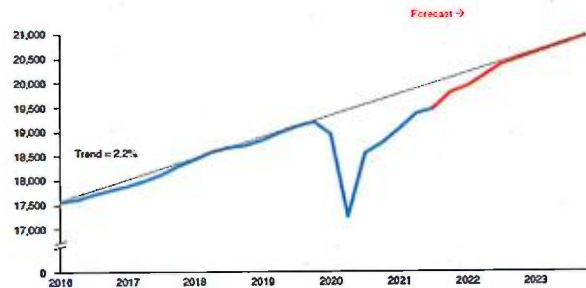
## Economic Outlook



## Economic Outlook

- COVID-19 continues to determine the course of the economy
- UCLA Forecast is for continued strong economic growth and labor market recovery, with a lessening of supply constraints and inflation
- Omicron variant may temporarily derail this forecast, but it is too soon to tell

Real GDP Levels and Trends, \$ Billions



Source: UCLA Anderson Forecast and Oxford Economics

- GDP expected to reach the pre-pandemic trend by Q3 2022



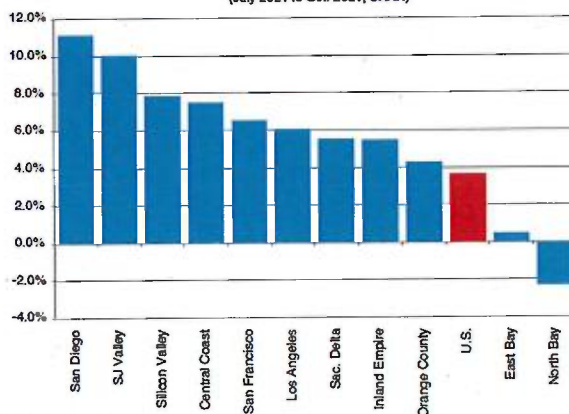
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## Economic Outlook

Chart 3

California Regional Job Gain  
(July 2021 to Oct. 2021, SAAR)

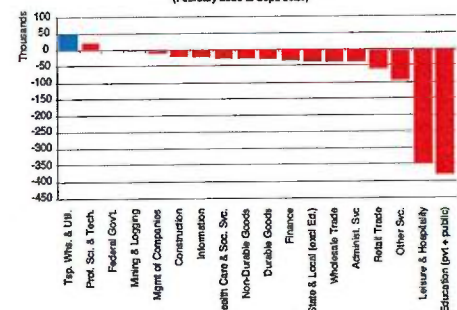


Source: California EDD

- Job losses concentrated in certain sectors
- Silicon Valley outperformed many other regions in California

Chart 1

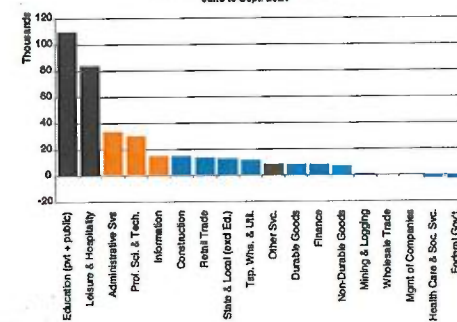
CHANGE IN NO. OF JOBS BY SECTOR  
(February 2020 to Sept. 2021)



Source: California EDD

Chart 2

CHANGE IN NO. OF JOBS BY SECTOR  
June to Sept. 2021



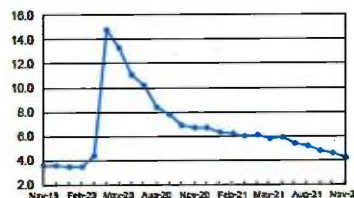
Source: EDD.ca.gov

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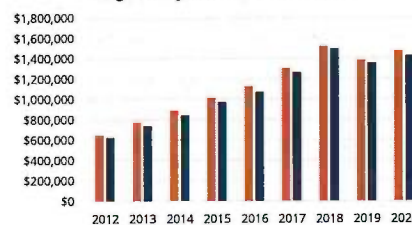
## Economic Outlook

- Unemployment continues to improve after unprecedented increase in March 2020; Silicon Valley lower than State and U.S.
- Santa Clara residential real estate market experienced growth despite COVID-19
- Home prices increased at their fastest rate in over 40 years; UCLA does not expect this rate of appreciation to continue (annual growth of 5.6% projected by Q4 2022; 4.8% by Q4 2023)
- Development activity remains strong; can change quickly

U.S. Unemployment Rate  
November 2019 – November 2021



Single Family Residential Home Sales



■ Average Price ■ Median Price

Data Source: Santa Clara County Association of Realtors



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## 10-Year General Fund Forecast

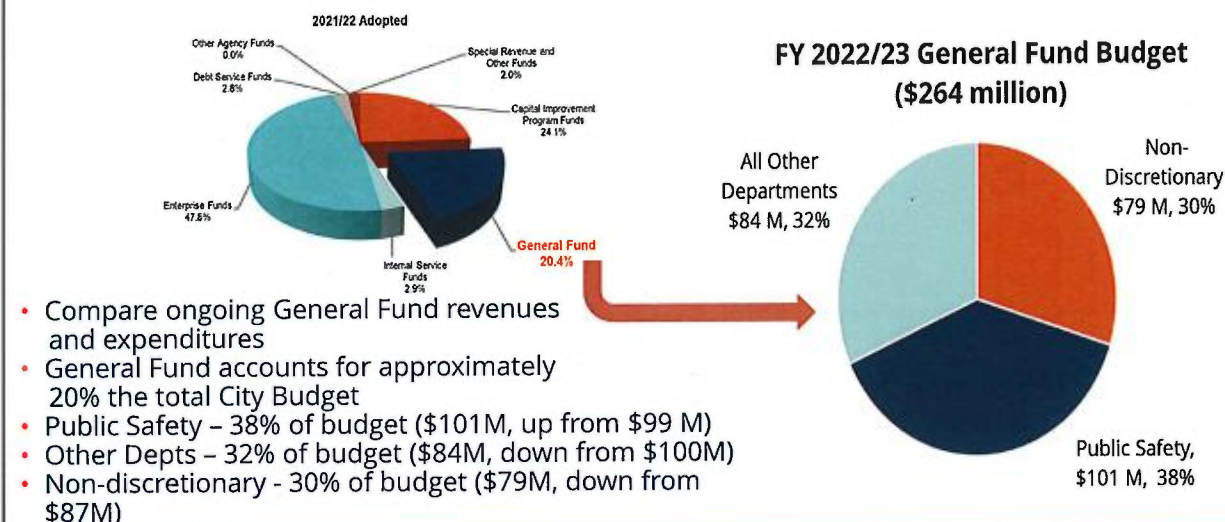
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## 10-Year General Fund Forecast



## 10-Year General Fund Forecast Development and Assumptions

### Major assumptions:

- Post COVID-19 continued economic recovery with longer-term impacts to Transient Occupancy Tax
- Current CalPERS direction/ methodology for payments
- Revenue and expenditure review
- Adjustments for latest labor agreements

### Forecast does not include:

- Additional contributions to reserves (Council Policy for BSR, Pension)
- One-time funding sources
- One-time expenditures
- The cost to address unmet/ deferred infrastructure needs



# 10-Year General Fund Forecast Known Risks

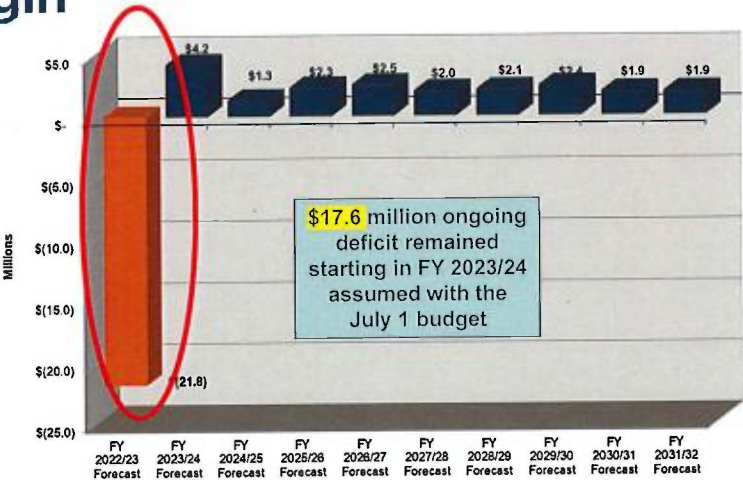
- More significant impact from COVID-19 variants
- Economic slowdown/recession/inflation
- State/federal legislative changes and legal challenges
- Labor costs outside the budget assumptions
- CalPERS actuarial changes or reform actions
- Capital/infrastructure - unanticipated critical maintenance needs
- Maintenance impacts and timing of development projects



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# General Fund Forecast – June 2021 Net Operating Margin

- FY 2021/22 and FY 2022/23 budget projected significant COVID-induced ongoing shortfall
- FY 2022/23 shortfall solved with use of reserves, allowing time for potential improvement and phased-in impacts
- Net shortfall of **\$17.6 M** when combining FY 2022/23 and FY 2023/24
- Ongoing shortfall to be addressed in FY 2023/24 and FY 2024/25 Operating Budget

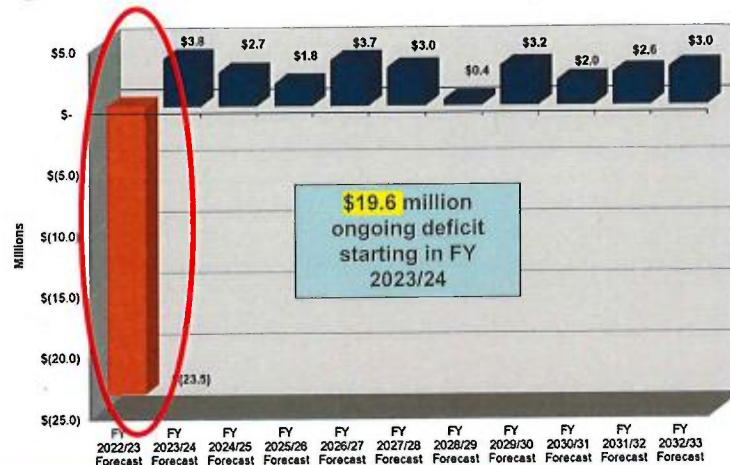


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## General Fund Forecast – January 2022 Net Operating Margin

- Slight increase in ongoing shortfall projected
- To be addressed in FY 2023/24 and FY 2024/25 Biennial Operating Budget
- Will require combination of expenditure reductions, additional revenues, and limited use of reserves



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## Budget Balancing through FY 2021/22 and Ongoing Forecast

### General Fund Forecast Timeline –

	January 2020 Forecast	April 2020 Forecast	January 2021 Forecast	April 2021 (With Phase 1)	June 2021 Adopted Budget*	January 2022 Forecast*
General Fund Shortfall	(\$13 M) (from \$3.3M)	(\$34 M)	(\$42 M)	(\$29 M)	(\$17.6 M)	(\$19.6)**
COVID – 19 Induced Impact						

\* Projected shortfall through FY 2023/24

\*\* Adjusted revenues/expenditures (e.g., higher insurance costs, retirement)

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## Major Changes from Prior Forecast

### Revenues - Down \$0.6 M in 2022/23 (less than 1% of revenue budget)

- Lower estimates: Rents - Related lease payments down due to extended timeline partially offset by new Commerce/Peddler's Plaza revenue (down \$0.5 M); Sales Tax (down \$0.8 M), Licenses and Permits (down \$0.2 M)
- Higher estimates: Contribution in-lieu (up \$0.6 M), Property Tax (up \$0.3 M), Interest Income (up \$0.3 M)

### Expenditures - Up \$1.1 M in 2022/23 (less than 1% of expenditure budget)

- Salaries and Benefits
  - Salaries (down \$1.6 M)
  - Retirement costs (up \$0.9 M)
  - Other benefits (down \$0.2 M)
- Non-Personnel Costs (up \$0.8 M)
- Interfund Services (up \$1.3 M) – Insurance up \$1.0 M; vehicle replacement up \$0.2 M

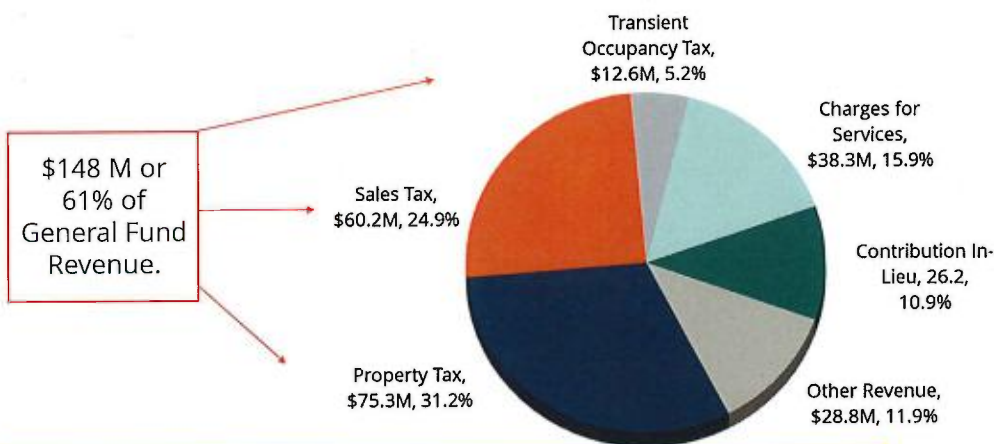


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## 10-Year General Fund Forecast

2022/23 General Fund Revenues = \$241.4 M



*Note: 30% (\$72.8M) of General Fund Revenue is Economically Sensitive (Sales Tax and TOT)*



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## Selected General Fund Revenues

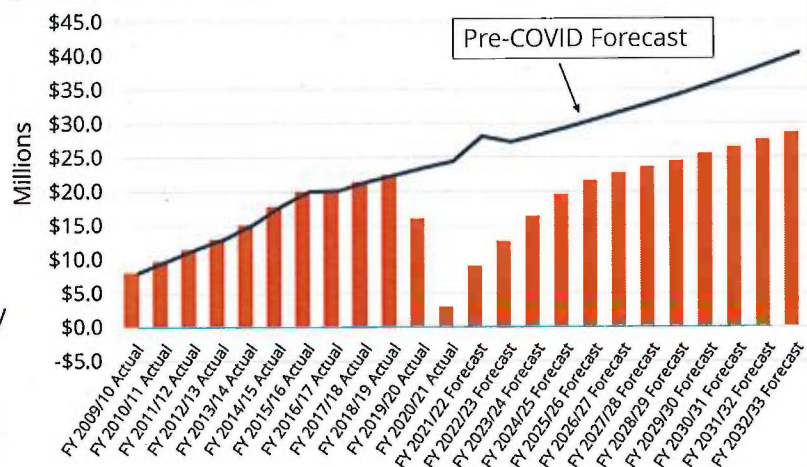
	FY 2018/19 Actual	FY 2019/20 Actual	FY 2020/21 Actual	FY 2021/22 Budget	FY 2022/23 Forecast	FY 2022/23 Forecast Pre-COVID*
Property Tax	\$58.4 M	\$65.5 M	\$68.8 M	\$71.3 M	\$75.3 M	\$75.9 M
Sales Tax	\$58.5 M	\$55.3 M	\$56.2 M	\$58.2 M	\$60.2 M	\$62.8 M
Transient Occupancy Tax	\$22.5 M	\$16.0 M	\$2.9 M	\$9.0 M	\$12.6 M	\$22.5 M
Rents (Related project delay)	\$8.8 M	\$8.9 M	\$9.2 M	\$9.8 M	\$11.3 M	\$13.4 M
Interest Income (excludes Pension Trust Interest)	\$5.3 M	\$5.2 M	\$3.2 M	\$2.6 M	\$2.5 M	\$6.3 M

\* FY 2022/23 revenues down almost **\$20 million** from pre-COVID Forecast (January 2020 Forecast)

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## 10-Year General Fund Forecast Transient Occupancy Tax (TOT)

- 3rd largest General Fund revenue source
- COVID-19 Significantly Impacted TOT receipts
- Occupancy and room rates plummeted in 2020; slow return assumed
- Rate increase effective January 2022 (increase from 9.5% to 11.5%)
- No additional hotels assumed

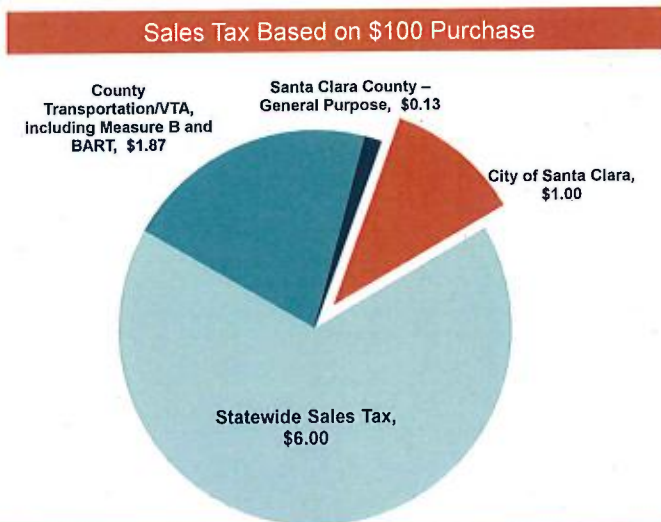


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## 10-Year General Fund Forecast Sales Tax

- The City of Santa Clara receives \$1 of every \$9 of sales tax collected
- Most of sales tax revenues support the State and County Transportation

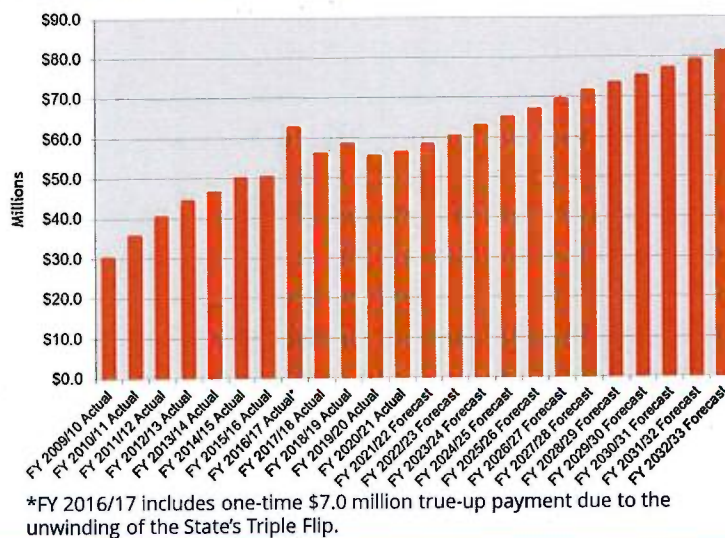


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## 10-Year General Fund Forecast Sales Tax

- 2nd largest General Fund revenue source
- COVID-19 Impacted Collections in FY 2019/20 and 2020/21
- Business to Business sales make up over 40% of the City's Sales Tax
- Economically sensitive
- Internet Sales Tax



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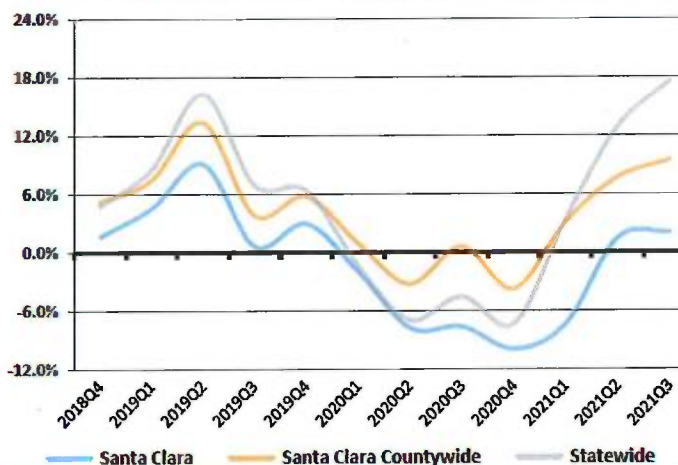
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## 10-Year General Fund Forecast Sales Tax

- Santa Clara performance lagging behind the County and the State
- COVID-19 related declines followed by improvement in recent quarters

Annualized Percent Change in Sales Tax Cash Receipts



Source: AvenulInsights



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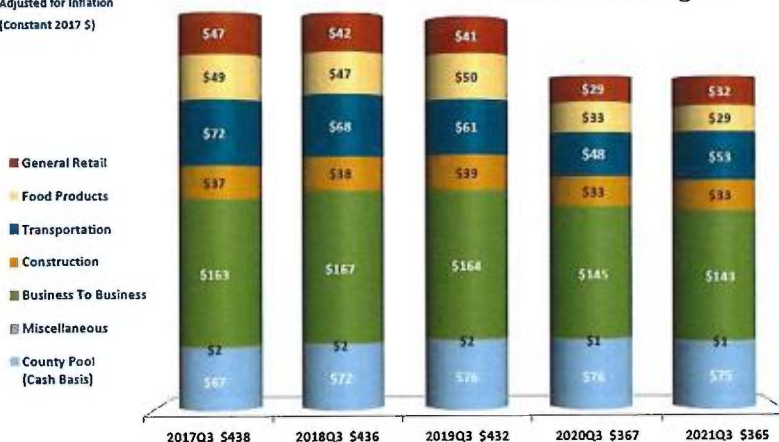
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## 10-Year General Fund Forecast Sales Tax

- Annual Per Capita Sales Tax trending down in recent quarters
- Business-to-Business is the backbone of the City's sales tax
- Internet sales (County Pool) is 20% of sales tax

Santa Clara  
Annual Per Capita Sales Tax  
Adjusted for Inflation  
(constant 2017 \$)

Source: AvenulInsights

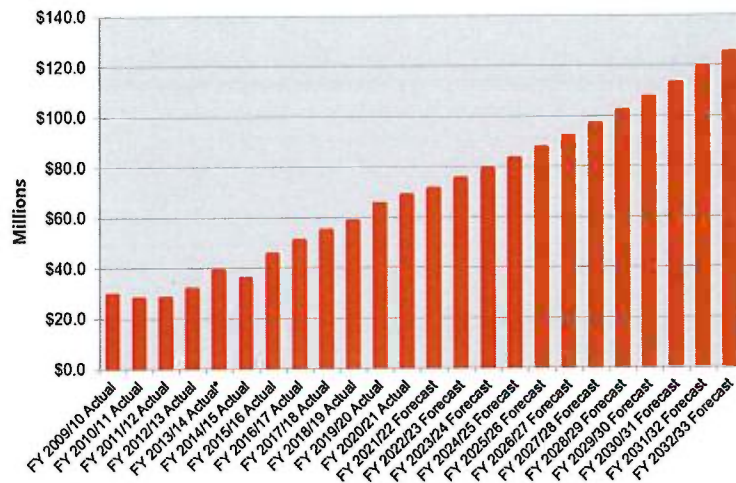


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## 10-Year General Fund Forecast Property Tax

- Largest General Fund revenue source
- Secured valuation growth ranging from 5.0% - 5.5% over the forecast period
- Assumes approximately \$750 M - \$1.0 billion annual development growth valuation in out years



\*FY 2013/14 includes one-time \$6.1 million due to Redevelopment Agency dissolution



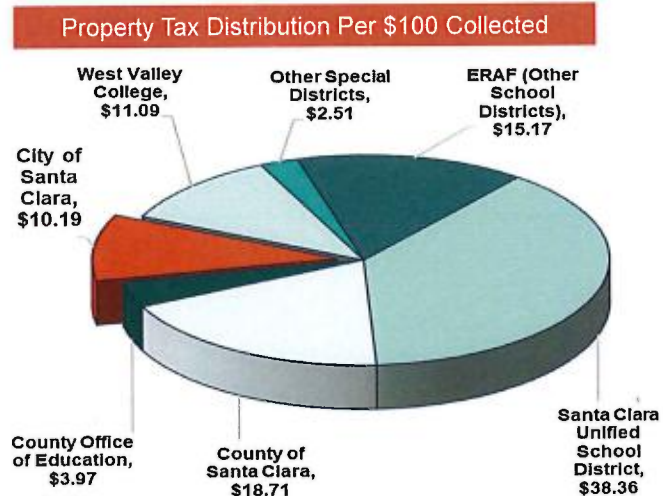
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## 10-Year General Fund Forecast Property Tax

- The City of Santa Clara receives \$10.19 of every \$100 collected in property tax
- Most of property tax revenues support schools and the County



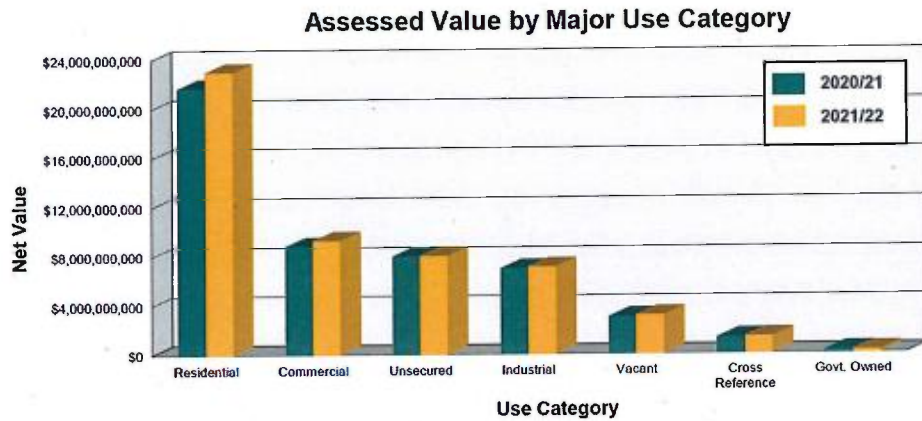
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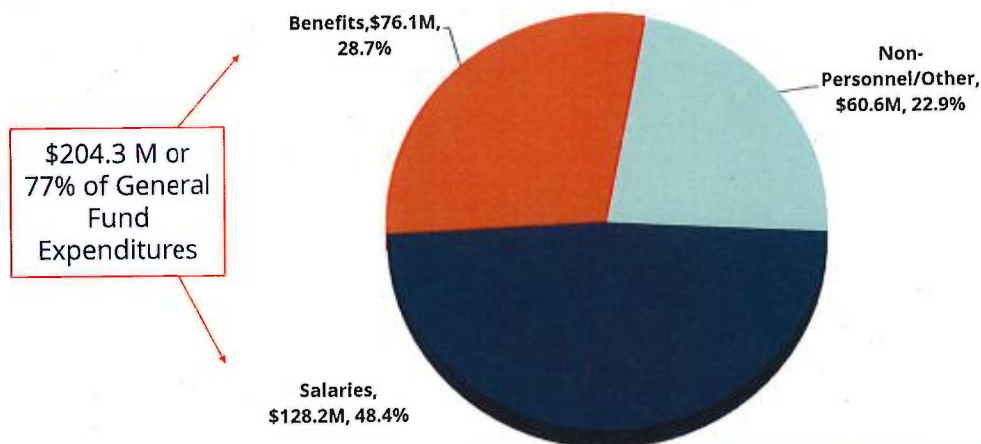
## 10-Year General Fund Forecast Property Tax

- City of Santa Clara's mix of residential and non-residential property assessed values



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## 10-Year General Fund Forecast 2022/23 General Fund Expenditures by Type



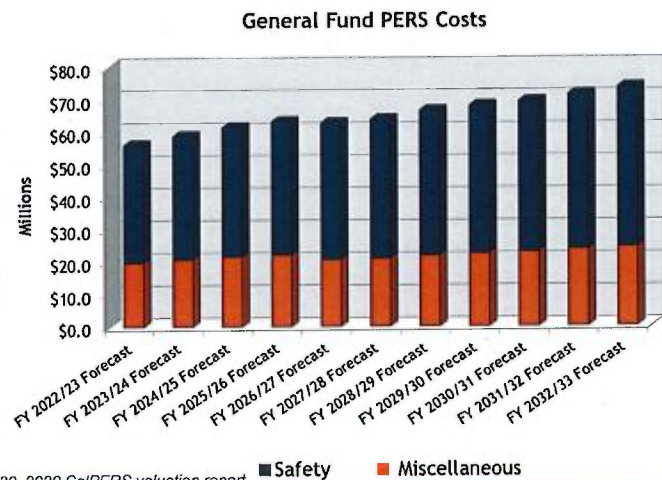
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# 10-Year General Fund Forecast

## CalPERS Rising Pension Costs due to Policies to Address Unfunded Liabilities

- Managing three impacted categories: retirees, classic members, and new employees (under PEPRa)
- From FY 2022/23 to 2032/33 General Fund projected to increase \$17.6 M (from \$55.8 M to \$73.4 M)
- Current Unfunded Actuarial Liability (UAL) (all funds) of \$640 M<sup>1</sup>
  - 66% of Miscellaneous and 73% of Safety Accrued Liability is due to retirees
- Payments part of CalPERS reform efforts; Actuary projects rates to peak at end of forecast period, followed by declines
- Labor agreements can impact UAL



<sup>1</sup> Combined Safety and Miscellaneous Unfunded Accrued Liability, as of June 30, 2020 CalPERS valuation report



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# Capital Budget

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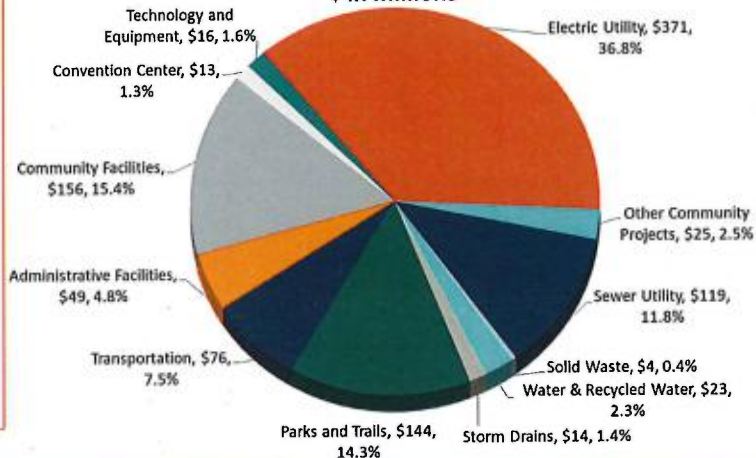
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## Capital Budget Submittals

- \$1.0 Billion in Capital Budget Submittals
- Dedicated funding for Utilities, developer-funded projects, and some Transportation projects
- Significant funding gap for projects supported by General Fund

FY 2022/23 - FY 2026/27 CIP Submittals  
\$ in millions

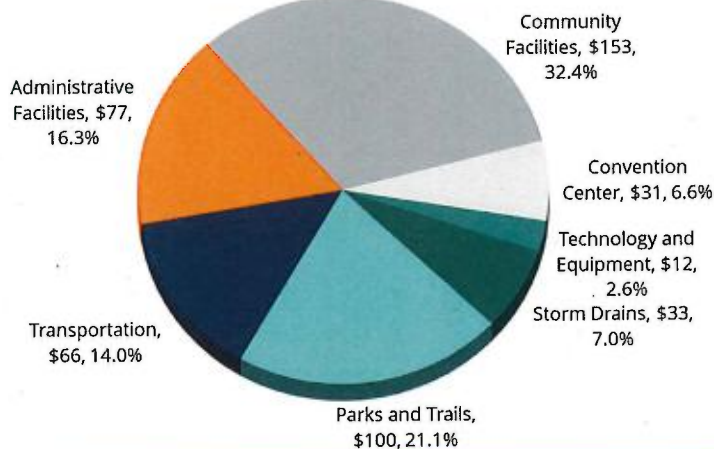


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## Capital Budget Submittals

**Initial General Fund Requests totaling \$472 M for upcoming Five-Year CIP**

FY 2022/23 - FY 2026/27 CIP Submittals  
\$ in millions



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## Capital Budget

### Unfunded Infrastructure Needs

#### Close to \$1 billion of identified capital needs not in Forecast:

- Parks Assessment (December 2017-Kitchell Report) identified \$100 M of parks grounds and building needs (\$156 M w/ escalation)
- 2015 Storm Drain Master Plan identified \$343 M in projects (2018 dollars), including almost \$68 M in high priority projects
- Transportation infrastructure (e.g., traffic signal infrastructure replacement (\$50 M), uncontrolled crosswalks (\$50 M), Bicycle Plan (\$40 M), Creek Trail Master Plan (\$50 M), pavement (\$9 M annually beyond CIP)
- Public Buildings (New City Hall (\$236 M – \$300 M), existing City Hall (\$39 M); fire stations, historic buildings, corporation yard, ADA plan)
- Adding capacity to keep pace with growth/development (e.g., library and parks)



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## Budget Balancing

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## Budget Balancing Balancing Strategy Timeline

- Significant budget balancing required over the next 1.5 years
- FYs 2021/22 and 2022/23 work on revenue opportunities/ballot measures
- Concurrent budget balancing proposals, end of 2022/early 2023
- Both revenue/expenditure solutions needed
- We must resolve deficit by proposed FY 23/24 budget (May 2023 release)

Action	Date
FY 2022/23 Municipal Fee Adoption	April 19, 2022
FY 2022/23 & FY 2023/24 Proposed Budget Released	April 29, 2022
June 2022 Election	June 7, 2022
Budget Adoption	June 21, 2022
November 2022 Election	November 8, 2022
FY 2023/24 & FY 2024/25 Proposed Budget Released	May 1, 2023
FY 2023/24 & FY 2024/25 Budget Adoption	June 2023

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## Addressing COVID-19 Deficits

- Multi-phase budget rebalancing initiated ASAP (March and June 2021)
- Federal Stimulus funding
- Use of one-time reserves
- Eliminated/freeze vacant positions
- Some labor concessions (no pay increase for two years for some labor groups)
- Successful Transient Occupancy Tax ballot measure
- Hiring freeze with exceptions; General Fund value of non-public safety vacancies (\$7.1M)
- Stricter expenditure controls with review of purchases
- Limited travel and training
- Evaluating contracts and reduced non-personnel expenditures
- Ongoing review of cost-recovery fees (e.g., Parks & Recreation)

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## Budget Balancing Strategy

- Use of reserves to address FY 2022/23 shortfall approved in FY 2021/22 and FY 2022/23 Adopted Budget
- Additional use of Land Sale Reserve to address FY 2022/23 shortfall and maintain Budget Stabilization Reserve at 15%
- Combination of strategies will be necessary to address ongoing shortfall in FY 2023/24 and FY 2024/25 Biennial Budget
  - Ongoing and one-time expenditure reductions
  - Revenue-generating actions
  - Use of Reserves

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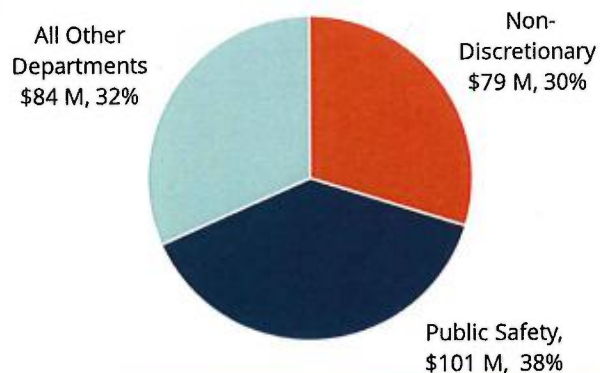
## Budget Balancing Strategy

### Expenditure Budget

#### Limited control in certain areas

- Non-Discretionary costs - approx. 30% of the General Fund budget (e.g., CalPERS UAL, debt, fixed facility costs, fee-supported activities)
- \$19.6 M budget shortfall represents approx. 10% of all discretionary costs; 23% of non-public safety costs (meaning, if public safety held harmless, 23% cuts in All Other Departments)

### FY 2022/23 General Fund Budget (\$264 million)



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## Potential Budget Balancing Scenario

	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27
<b>Forecast (Shortfall)/Surplus</b>	\$3.4 M	\$3.8 M	\$2.7 M	\$1.8 M	\$3.7 M
Carried Over – 1x Solutions	(\$25.2 M)	(\$23.5 M)	(\$9.7 M)	(\$5.0 M)	(\$3.2M)
January 2022 Forecast Update	(\$1.7 M)				
Ongoing Expenditure Reductions		\$5.0 M			
Ongoing Revenue Solutions		\$5.0 M	\$2.0 M		
<b>Remaining Shortfall</b>	<b>(\$23.5 M)</b>	<b>(\$9.7 M)</b>	<b>(\$5.0 M)</b>	<b>(\$3.2 M)</b>	<b>\$0.5 M</b>
One-Time Expenditure Solutions			\$0.4 M	\$3.2 M	
Use of Budget Stabilization Reserve	\$14.2 M				
Land Sale Reserve (Up from \$4.5 M in FY 22/23)	\$9.3 M	\$9.7 M	\$4.6 M		
<b>Remaining Budget (Shortfall)/Surplus</b>	<b>\$0 M</b>	<b>\$0 M</b>	<b>\$0 M</b>	<b>\$0 M</b>	<b>\$0.5 M</b>

## Budget Balancing Select General Fund Reserves

<b>Reserve Type</b>	<b>2021/22 Current Balance</b>	<b>Potential Balances</b>
General Fund Budget Stabilization (BSR)	\$53.9 M*	\$39.8 M
General Fund Capital Projects	\$5.0 M	\$0 M
Land Sale Reserve	\$23.6 M	\$0 M
Pension Trust (General Fund)	\$24.0 M	\$24.0 M

*\*The BSR reserve drops to \$36.6 million in the FY 2022/23 Adopted Budget; adjustment to \$39.8 million to meet the 15% target in FY 2023/24*

## Budget Balancing Balancing Strategy Impacts

- **We need both new revenues and expenditure reductions (\$12 M ongoing)**
  - Additional expenditure reductions will be necessary (potential of \$5 M ongoing and an additional \$3.6 M one-time)
  - Revenue increases/ballot measure would help offset a portion of the shortfall (potential goal of est. \$7 M)
- Potentially solve one-half of the shortfall with ongoing solutions
- Use the entire land sale reserve and capital projects reserve
- Keep the goal to maintain Budget Stabilization Reserve at 15% of expenditures
- Forecast already assumes growth and recovery from COVID-19
- No money for General Fund funded infrastructure
- Restoration of services would begin in **Year 5 at the earliest**



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## Budget Balancing Potential New Revenue Sources

### Potential New Revenue Sources

#### Under Review for 2022

- Improve municipal fee cost recovery
- Business License Tax
- General Obligation Bond (Capital Infrastructure)

#### Future Considerations

- Utility User Tax
- Documentary Transfer Tax
- New or modernization of impact fees



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## Budget Balancing Potential New Revenue Sources

### Municipal Fees

- Fees and Charges approved each year to recover the costs of services provided
- Fee study underway to update fees
- Many City fees are below cost recovery
- Policy decision – what level of subsidy for senior, youth, planning, etc.



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## Budget Balancing Potential New Revenue Sources

### Utility Users Tax (UUT)

- The rates in Santa Clara County range from 2% to 5%
- Potential estimated revenue of \$4 M - \$6 M (Water, Gas, Telephone)

### Documentary Transfer Tax

- Increase of \$3.30 (for a total of \$4.40 for each \$1,000) would generate \$7 M annually; for a \$1.5 M sale, the tax would increase from \$1,650 to \$6,600

### Impact Fees Study

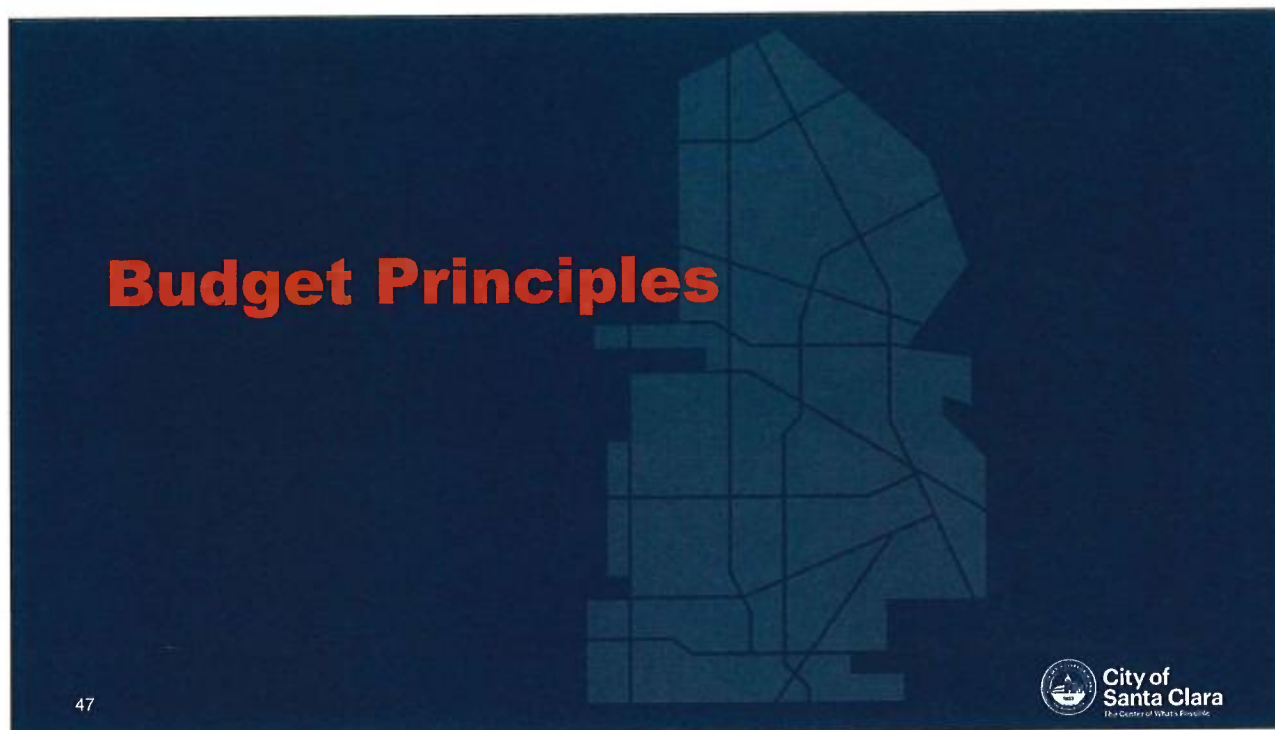
- 2020 Consultant study – fee comparison and feasibility analysis
- Consider new fees including public protection, libraries, and general government



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## Budget Principles

- Provide framework and approach for developing the City's budget
- Budget Principles approved by Council each year
- Modify principle #6 to acknowledge the drop of the Budget Stabilization Reserve to 15% of expenditures in FY 2022/23 and the proposed use of the Land Sale Reserve to address any additional shortfall

### PROPOSED BUDGET PRINCIPLES FOR FY 2022/23

1. Make decisions within the context of the City's Code of Ethics and Values, especially being Fiscally Responsible, Communicative, and Service-Oriented.
2. Consider budget decisions with long-term implications taking into account data from the Ten-Year Financial Forecast.
3. To the extent possible, align ongoing expenditures with ongoing revenues to avoid negative impacts on future budgets and maintain the City's high financial management standards.
4. When addressing General Fund shortfalls, use a combination of ongoing and one-time solutions to balance the competing goals of aligning ongoing revenues and expenditures and minimizing the service delivery impacts to the community.
5. Continue cost control measures until the ongoing General Fund revenues and expenditures are in alignment.
6. Approve an exception to the Council Policy that dictates setting the General Fund Budget Stabilization Reserve at or above 25% of adopted budget expenditures; set the Reserve level at a minimum of 15% of expenditures and address any remaining FY 2022/23 shortfall with the use of the Land Sale Reserve.
7. Focus on projects and services that benefit the community as a whole.
8. Pursue economic development objectives and strategies to foster new public and private investment within Santa Clara, and to create employment opportunities.
9. Balance between compensation adjustments to retain and attract employees and funding for positions.
10. Use one-time unrestricted revenues (e.g., annual General Fund surplus) for one-time uses such as increasing reserves, funding capital or Information Technology projects, paying off debt, and/or paying off unfunded pension or other post-employment benefits liabilities.
11. Inform and communicate clearly and broadly to residents, businesses and employees regarding the City's fiscal position and budget; schedule hearings to promote active participation in the City Council's budget deliberations.
12. With limited exceptions, establish fees based on full cost recovery where individuals/businesses rather than the community at-large are benefiting from City services. This preserves limited unrestricted resources for providing services that benefit the community as a whole.
13. Focus on business process redesign in order to improve employee productivity and the quality, flexibility, and cost-effectiveness of service delivery (e.g., streamlining, simplifying, reorganizing functions, and reallocating resources).
14. Explore expanding existing revenue sources and/or adding new revenue sources.
15. Engage employees to contribute new and innovative ideas during the department budget development process.
16. Use the General Plan as a primary long-term fiscal planning tool and link ability to provide City services to development policy decisions.

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## Next Steps / Policy Discussion

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### Next Steps FY 2022/23 and 2023/24 Budget Calendar

Date	City/Stadium Authority Budget Schedule
February 8, 2022	Council Priority Setting Retreat / Adoption of Budget Principles
March 15, 2022	Approval of Stadium Authority Budget
TBD	Study Session on Municipal Fee Schedule
April 19, 2022	Public Hearing and Adoption of Proposed Municipal Fee Schedule
April 29, 2022	Release Proposed Biennial Capital Budget and Summary of Operating Budget Changes
May 10, 2022	Study Session to review Biennial Capital Budget and Operating changes
June 7, 2022	Study Session to review Biennial Capital Budget and Operating changes
June 21, 2022	Public Hearing/Adoption of Biennial Operating Budget and CIP changes



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## Moving Forward

### City Council Policy Discussion

#### Budget Balancing

- FY 2022/23 and FY 2023/24 Capital Budget
  - Limited resources to address significant unfunded capital needs
  - G.O. Bond consideration/requires community engagement and strategy
- FY 2022/23 Operating Budget
  - Use of Reserves approved to balance FY 2022/23 budget
- FY 2023/24 and FY 2024/25 Biennial Operating Budget
  - Significant FY 2023/24 General Fund shortfall
  - With draw down of reserves, fewer options available
  - Expenditure reductions and additional revenues



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## Council Q & A



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# Public Comment



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# Accomplishments on Council Priorities & State of the Organization

*Deanna J. Santana, City Manager*  
*Dr. Shawn Spano, Facilitator*

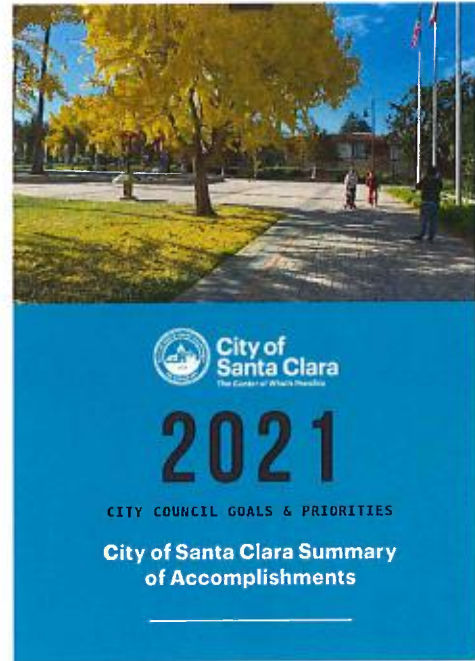


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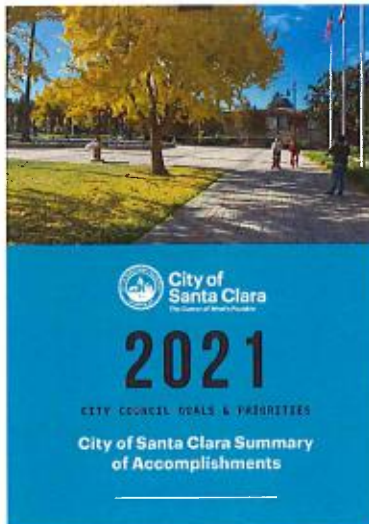
## State of the Organization

- City produced 2021 Mid-Year and 2021 Year-End Accomplishments on Council Priorities and Other Operational Work.
- Report demonstrates high-functioning teamwork that is award-winning and has pivoted to respond to community's needs during COVID while advancing Council priorities.
- Reduced staff capacity significantly and has not reduced proportionately City services—est. 26% reduced capacity did not mean est. 26% reduced services.
- Impacts to staff for sustaining services, coupled with COVID and City Attorney vacancy.



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## Accomplishments



### SANTA CLARA RESPONDED DURING THE PANDEMIC

We quickly pivoted to provide City services in-person while enhancing online digital services during the pandemic.

#### Healthy Meals Santa Clara

**150,000** free meals to youth and children in partnership with Santa Clara Unified School District to supplement meals.

#### Small Business Assistance Grant Program

**248** businesses supported  
**\$1,745,000** in grants

#### Senior Meal Program

We transitioned our daily Senior Nutrition Program to maintain the health and safety of the senior community.  
**103,000** free meals

#### City Council prioritized COVID-19 response during Priority Setting Sessions!

#### Emergency Rental Assistance

Assisted low income households in Santa Clara with rental assistance for past due rent due to the COVID-19 crisis.  
**169** households  
**\$734,000** in funding

#### Food for Families

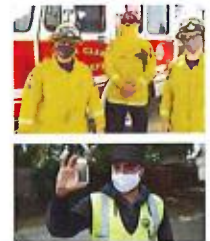
In partnership with the Salvation Army and Second Harvest Food Bank, distributed free essential food items to those impacted by the COVID-19 pandemic.  
**16,809** boxes of food  
**5,603** households

#### Santa Clara City Library COVID-19 Free Testing

**22** days of testing  
**10,986** tests provided

### MANAGE STRATEGICALLY OUR WORKFORCE CAPACITY & RESOURCES

We invest in our staff to ensure they continue to provide the best possible service while remaining fiscally responsible and focused on strategic goals.



### ENHANCE COMMUNITY SPORTS, RECREATIONAL & ARTS ASSETS

We will continue to provide public amenities, programs and services that provide opportunities to stay active and engaged. We are also continuing to maintain and improve our parks.



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# Accomplishments

**DELIVER & ENHANCE HIGH-QUALITY EFFICIENT SERVICES & INFRASTRUCTURE**

*We were busy in 2021 delivering the critical services the community expects and going above and beyond when the community needs us.*

**ENSURE COMPLIANCE WITH MEASURE J & MANAGE LEVI'S STADIUM**

*We are committed to managing Levi's Stadium with integrity, protecting public funding and complying with Measure J.*

**PROMOTE & ENHANCE ECONOMIC, HOUSING & TRANSPORTATION DEVELOPMENT**

*We will continue to look for opportunities to provide additional housing and transportation and partner with other agencies to make progress on our goals.*

**PROMOTE SUSTAINABILITY & ENVIRONMENTAL PROTECTION**

*The City of Santa Clara is dedicated to environmental sustainability and climate action through community programs, projects, partnerships and policy development.*

Ranked second place in the nation for SVP's Green Power Excellence from the U.S. Department of Energy

City of Santa Clara  
The Center of Innovation

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# 2021 Service Awards & Recognition

2021 American Public Works Association Project of the Year  
Reed & Grant Sports Park Project

Ranked First Place for 3CMA 2021 Savvy Award in Digital Interactive Overall Website for City website redesign

U.S. Environmental Protection Agency RAD Champion Award for Silicon Valley Power Responsible Appliance Disposal Program

Ranked First Place CMUA Resource Efficiency & Community Service Award for Silicon Valley Power innovative Energy Efficiency Grant Program for Small Businesses

Award for Excellence in Information Technology Practices from Municipal Information Systems Association of CA

2021 Achievement of Excellence in Procurement Award for excellence in public procurement

Award of Excellence from the American Planning Association for Tasman East Specific Plan

Clean Water Environment Association Sewer Collection System of the Year

City of Santa Clara  
The Center of Innovation

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## 2021 Service Awards & Recognition



Silicon Valley Power recognized for Smart Energy Provider designation from the American Public Power Association



State Level Recognition with Grassroots Award of Merit from California American Planning Association recognizing community team including Reclaiming Our Downtown, Santa Clara Parade of Champions, and Old Quad Residents for Rebuilding Downtown Santa Clara



American Public Power Association's Safety Award of Excellence for Silicon Valley Power



Mission Branch Library LEED Silver Certification through the U.S. Green Building Council



Certificate of Achievement in Excellence in Financial Reporting for Comprehensive Annual Financial Report ending FY June 2020



California Emergency Services Association Coastal Chapter Exceptional Award for LISTOS program for Emergency Management



Capital Budget Excellence Award for Fiscal Year 2020/21 from the California Society of Municipal Finance Officers

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## City Council Pillars



Promote and Enhance Economic, Housing and Transportation Development



Enhance Community Engagement and Transparency



Enhance Community Sports, Recreational and Arts Assets



Ensure Compliance with Measure J and Manage Levi's Stadium



Deliver and Enhance High Quality Efficient Services and Infrastructure



Promote Sustainability and Environmental Protection



Manage Strategically Our Workforce Capacity and Resources


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## 2021 City Council Priorities

- At the August 2021 Check-in, **23 total priorities\*** were identified in the following categories:
  - **Top/Urgent** – one item
  - **Important** – three items
  - **Already In Progress/Ongoing** – 16 items
  - **Items to be Considered 2022** – three additional items



**\*View Council Priorities Matrix for additional details**

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## 2021 City Council Priorities

### Top / Urgent Priority

#### 1. COVID-19 Recovery

- ✓ In February 2021 Priority Setting, Council agreed that **COVID-19 Assistance and Relief** was the most **urgent top priority**. In August 2021 check-in, the City continues to move towards **COVID-19 Recovery** as a top priority.
- ✓ The City continues to provide services and resources with the current workforce capacity and fiscal outlook, emphasizing the importance of COVID-19 vaccinations and expanded hours and in-person services at City Hall



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## 2021 City Council Priorities

### Three Important Items (In Progress)

**2. Levi's Stadium Curfew and Violation Fee** – City Council voted on Nov. 16 to direct City Manager to provide exemptions for up to five weeknight concerts per year with pyrotechnics ending no later than 11 p.m. Sunday – Thursday. Additional requests beyond the five per year, the City Manager will bring to Council for discussion. The program will need to be consistent with the Stadium permit.

**3. Modernization of Business Employee Tax** – Pursuing a business employee tax which is already before the Council. Council approved agreement with consultant to provide voter research, strategic consulting, and community outreach services which is currently underway.

**4. Affordable Housing Opportunities** – Affordable and, particularly, low-income housing, which has also been inclusive of homeless housing opportunities remain a priority. Council has taken action on various projects approved and homelessness services (short- and long-term). The City's Affordable Ordinance will produce nearly 1,000 additional affordable inclusionary units over the coming years to help meet the critical need.

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## 2021 City Council Priorities

### Already In Progress/Ongoing Items (Approx. \$2+M of need)

**5. Homelessness** – On Dec. 14, 2021, as part of the FY 2020/21 Budget Year-End Report, the City **appropriated \$75,000** to establish and support implementation activities with the Ad hoc Homelessness Task Force including monthly meetings, community education and engagement, and preparation of a Draft City Plan to End Homelessness. The Draft City Plan to End Homelessness may result in additional programmatic recommendations to Council for services and may require additional funding. On Jan. 25, 2022, Council approved an agreement with Homebase to work with staff to establish the Task Force. **(PARTIALLY FUNDED)**

**6. Adopt Vision Zero Policy** – On Nov. 16, 2021, Council voted to move this item to Priority Setting Session and directed staff to return to Council with a funding source in the amount of \$315,000 prior to the session. On Dec. 14, 2021, City staff presented the FY 2020/21 Budget Year-End Report that included \$400,000 for City Council initiatives. Of this amount, \$75,000 was allocated to support homelessness and the remaining balance of **\$325,000 is available**. Council has not yet appropriated the remainder of fund balance for this purpose. **(UNFUNDED)**



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## 2021 City Council Priorities

### *Already In Progress/Ongoing Items*

**7. Facilitate Economic Recovery** – Implemented grant programs for small businesses; temporary modification of City land use regulations; delivery service caps to protect restaurants; emergency rental assistance program; communication of potential resources to community; Worker Retention and Recall ordinances; efforts with TID and DMO to support hotel and convention center sales activity. The City has never had dedicated staff for economic development nor an Economic Development division. It is important to note that the City's two staff members, that served as subject matter experts while holding other duties, have departed the City. Current work is partially being completed and some has been suspended due to lack of capacity.

**(PARTIALLY FUNDED/STAFFED)**

**8. Transportation "Quiet Zone"** – City Council voted at Nov. 16, 2021 Council meeting to discuss at February Priority Session and staff researched funding sources, such as the infrastructure bill or grant programs. No grant opportunities were identified and the City's Legislative Advocacy consultant, Townsend Public Affairs were not aware of other opportunities at this time. The estimated cost for the study is **\$300,000**.

**(UNFUNDED/UNRESOURCED)**

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## 2021 City Council Priorities

### *Already In Progress/Ongoing Items*

**9. Transportation Demand Management Study** – Staff currently working on Request for Proposals (RFP) to get a third-party consultant as well as inclusion of a fee to fund work to include developing a TDM template and requirements for developers. At the Jan. 11, 2022 City Council meeting, the Council voted to note and file for the RFP to include support for online reporting of TDM reports. **Costs TBD (UNFUNDED)**

**10. Station Area Plan** – On Dec. 7, 2021 Council approved the **\$400,000** in grant funding from the MTC for the preparation of the Santa Clara Area Plan. The City will also have access to up to \$500,000 of consultant services funded by the Valley Transportation Authority. The **typical total cost is \$1-1.5M** which includes preparation of a Specific Plan and CEQA review. Additional funding will be necessary to complete and adopt the Specific Plan. Work on the Specific Plan is scheduled to begin in the summer of 2022 and extend through 2025. **(PARTIALLY FUNDED)**

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## 2021 City Council Priorities

### *Already In Progress/Ongoing Items*

**11. Elections/Redistricting** - The Independent Redistricting Commission is currently conducting a community engagement process with public hearings as part of the Redistricting process. The Commission will present to the Council an adopted map based on Census 2020 data. The Council will adopt an ordinance amending the current District Map with the newly adopted map in March 2022. The adopted Council map will be implemented starting with the November 2022 election.

**12. Provide Core Services/Public Safety** - \$1.7 million added to SCPD for operations.

**13. Downtown Task Force/Precise Plan** - Ongoing meetings continue to focus on best approaches for revitalizing downtown efforts. The schedule anticipates Council will consider adoption of the Precise Plan in Fall 2022/Winter 2023. The Task Force requested a scope and cost to analyze relocating City Hall downtown. The study conceptually analyzes moving City Hall downtown, including conceptual building form/space programming and an economic and financial analysis. **The estimated cost for conceptual land use and economic analysis is \$400,000**, which is not funded.

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## 2021 City Council Priorities

### *Already In Progress/Ongoing Items*

**14. Pilot Program for eBikes & Scooters** - On Dec. 7, Council approved an Ordinance to Establish Shared Mobility Permit and Impound Fees Program

**15. Procurement Reform Recommendations** - Council information session conducted with a targeted schedule for Council action in Spring 2022

**16. Policy Discussion on Data Centers** - Consider as part of Climate Action Plan update in Q2 2022. Staff is joining a Data Center working group, through existing data center national effort.

**17. Economic Support from Large Businesses (voluntary)** - City does not actively seek donations to ensure staff compliance with City Code and FPPC regulations & to adhere to the highest ethical standards. While the City does not actively seek donations, Policy 051 allows methods to accept donations. **(UNFUNDED/UNRESOURCED)**

**18. Expand Councilmember District Communication Options** - This new governance is implemented. The digital newsletter City Hall News will be developed for district-based on a monthly newsletter, provided to each City Councilmember to distribute to district constituencies

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## 2021 City Council Policy Priorities

### *Already In Progress/Ongoing Items*

**19. Task Force on Diversity, Equity & Inclusion** – Staff continues to support the Task Force which moves forward to identify key issues facing the historically disenfranchised communities and making recommendations to policies to achieve racial equity. Important to note staff that once supported this Task Force have departed the City and, to the extent possible, the staff person also assigned to ballot measures is also absorbing this work and working on development of a workplan to focus this work. **(UNRESOURCED)**

**20. Councilmember Conflict of Interest** – Staff conducts a review of agendas for addresses/properties for Councilmember-owned property. If the address is located within a radius (1,000 ft or less than 500 ft), the City Attorney's Office makes determination of conflict of interest. For all other matters, the City Council self-reports on any potential conflicts of interest. However, under the law, Councilmembers are responsible for managing their potential conflicts.



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## State of the Organization



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## State of the Organization

- **COVID Impairs Full-Functionality and has Impacted City's Fiscal and Workforce Wellness** (e.g., workplace, staffing, and service delivery). COVID has revealed how shallow our "bench" is for sustaining services.
- **Prolonged City Attorney vacancy** has increased workload of existing staff and consumed significant capacity of non-CAO staff. Staff did not know that we would need to sustain COVID and CAO support services for this prolonged period: delays and backlog have increased. **This is an added burden and stressor in the workplace for sustaining day-to-day services.**
- **Recruitment and Retention Challenges:**
  - **4.5 million Americans quit their jobs in November according to U.S. Bureau of Labor Statistics\*/Great Resignation**
  - Nation/region is experiencing a labor shortage
  - Silicon Valley has always been a competitive labor market for public sector and these growing trends add to the challenge
  - Known workplace conditions add to the retention/recruitment challenge

\*CNN Business, Jan. 4 2022

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## Priorities Requires More Discipline & Strategy

### In many ways, 2022 Priorities are self-evident:

1. Permanent City Attorney—legal needs far too voluminous/complex to be leaderless
2. Focus on successful revenue ballot measures (June and November)
3. Stabilize the organization from COVID impacts, recent reductions and threat of more reductions without resolved deficit, catch-up from prolonged absence of a City Attorney, and cure for imbalanced of workload > capacity (BURNOUT!)

### What's Needed?

1. Permanent City Attorney
2. Strategy with how we use very LIMITED capacity. Stay focused on fiscal and workforce wellness and "make" capacity by suspending work that is "nice to have" or can be completed later. For example, moratorium with task forces, committees, and extra workload requiring our very limited and already reduced capacity, etc.
3. Fiscal controls that have been in place over past 4 years, are no longer fiscal solutions that we can use because we have institutionalized them already. We need to create new solutions from February through November.



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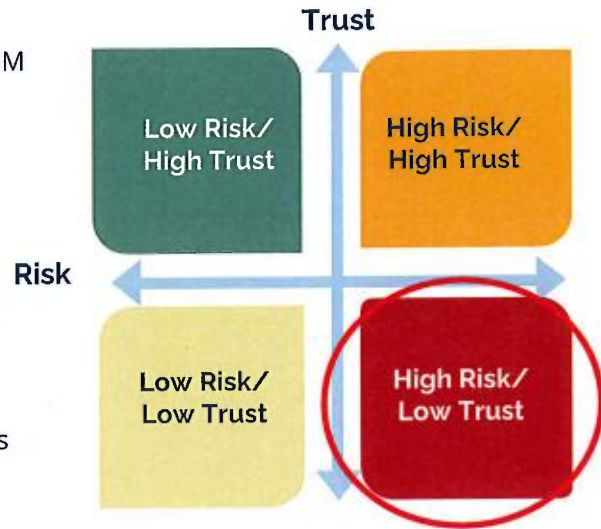
## We Can Do This! Critical Path/Critical Priorities

### When I started...

- Entered with \$116M projected deficit and \$47.5M in Budget Stabilization Reserve
- Deferred/delayed Council Priorities
- High risk and antiquated admin processes
- Council mandate for reform with discipline

### What happened...

- Deficit reduced as low as \$3.3 M
- Reserves replenished to unprecedented levels
- Strategic investments in technology systems
- Discipline with workload, created capacity to obtain fiscal health and address policy priorities
- Addressed administrative improvements
- Built and earned trust!



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## Public Sector Employees Leaving Jobs The Great Resignation

### Public Sector Employees are Considering Leaving Their Jobs

52%



of state and local workers are considering leaving their jobs **voluntarily** due to COVID-19 to do **any or all** of the following: change jobs, retire, and/or leave the workforce entirely.

Working during the COVID-19 pandemic has made them consider:



36%  
Changing jobs



33%  
Retiring



28%  
Leaving the workforce entirely for the foreseeable future

These individuals are significantly more likely to be:

Under age 40  
African American  
In K-12 education  
At high risk of exposure to COVID-19 at work

Age 60+  
Earning a household income of \$100,000+  
At high risk of exposure to COVID-19 at work

Under age 40  
African American  
At high risk of exposure to COVID-19 at work

SOURCE:  
MissionSquare  
Research  
Institute  
polling,  
February 2022

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## Why Employees Are Leaving?

### Why Employees Are Leaving

#### Top 3 Reasons

#### Employees Are Considering Changing Jobs

**52%**

Want a higher salary or a better benefits package

**47%**

Feel burned out from stress of job during pandemic

**36%**

Need better work-life balance

#### Top 3 Reasons

#### Considering Retiring and/or Leaving the Workforce Entirely

**42%**

Feel burned out from stress of job during pandemic

**37%**

Want time to do things that bring joy

**26%**

Tension have faced working with the public (or students' parents)

#### Top 3 Reasons

#### Causing Increase In People Leaving Their Jobs Voluntarily

**58%**

Added stress due to the pandemic

**52%**

Concern about safety due to COVID-19

**47%**

People are rethinking what they want to do



**8 in 10** say the increase in number of people leaving voluntarily has put a strain on their workload.

✓ **Pre-COVID 11-14% Vacancy Rate, Post COVID ~17%**

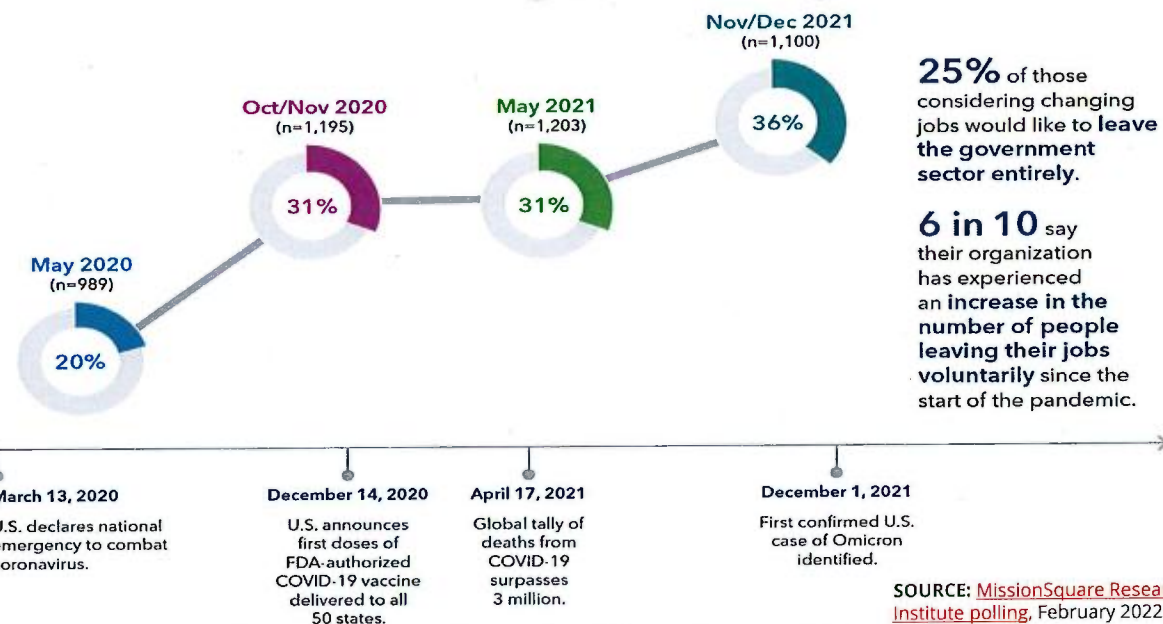
- ✓ High Cost of Living
- ✓ Council Dynamics/ Treatment of Staff
- ✓ Workload Stress
- ✓ Lack of Work Life Balance
- ✓ Organizational Complexity/Tough

SOURCE: [MissionSquare Research Institute](#) polling, February 2022

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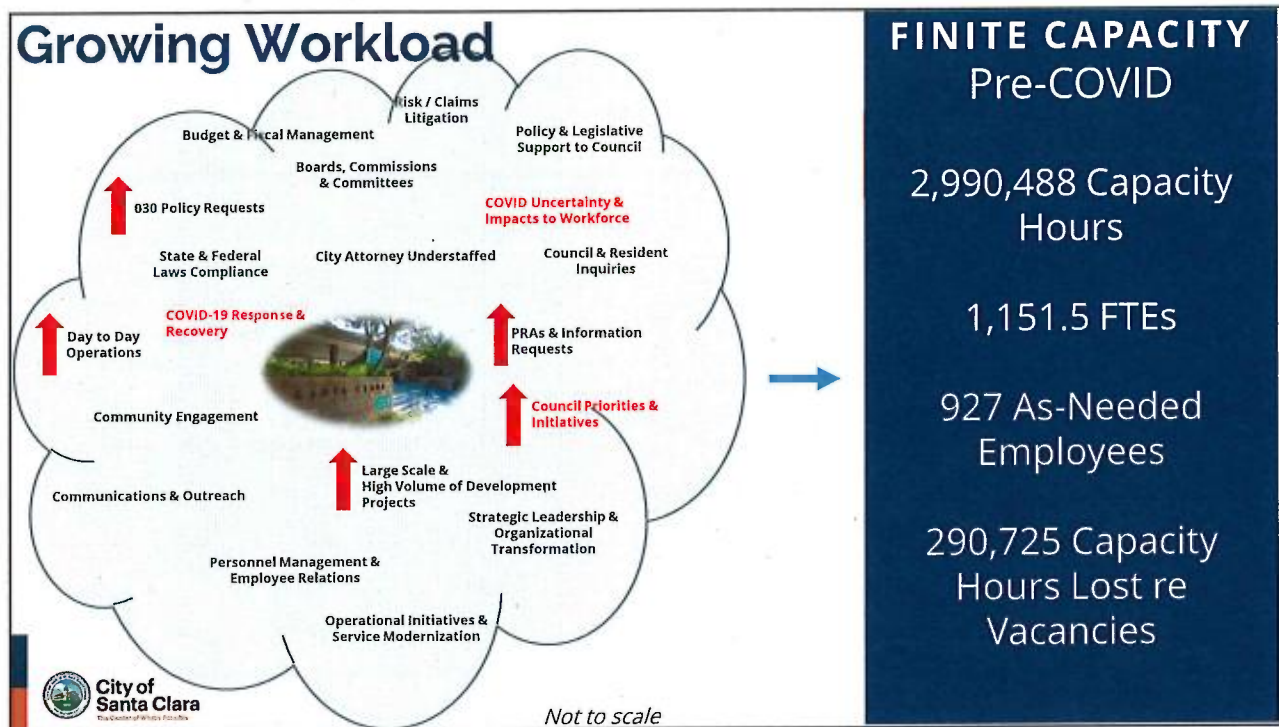
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## Trends in Considering Job Changes

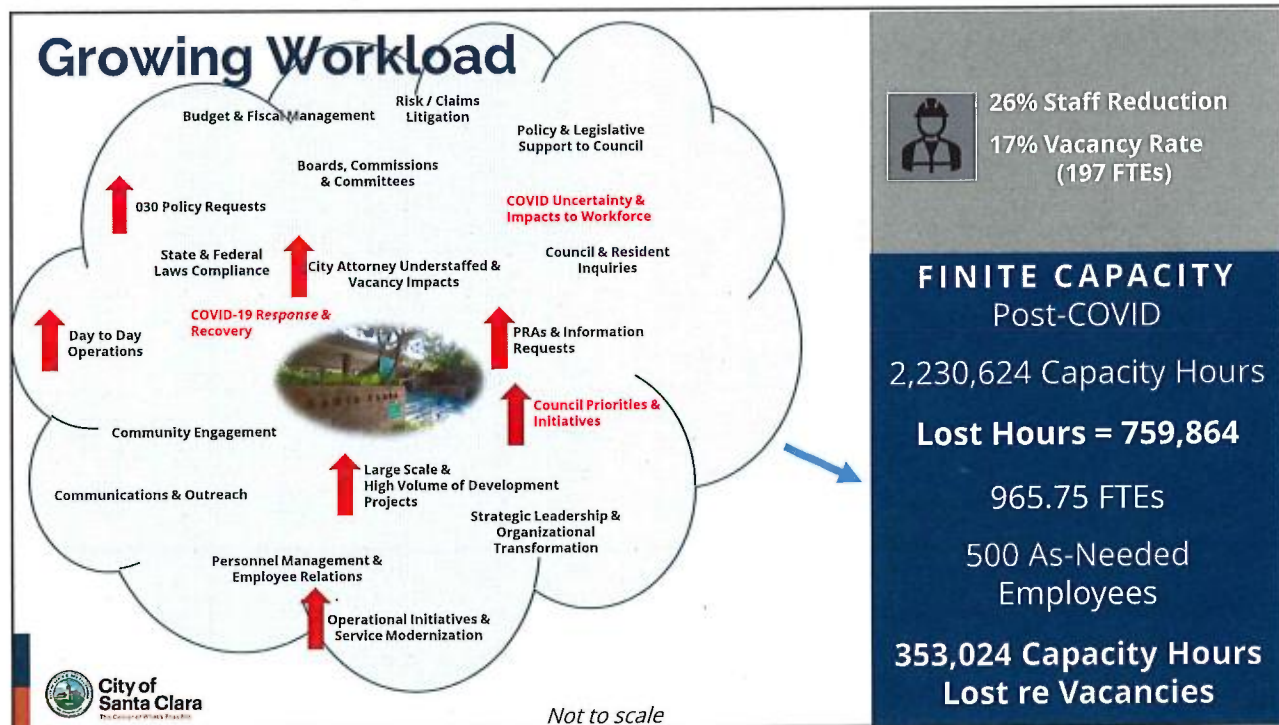


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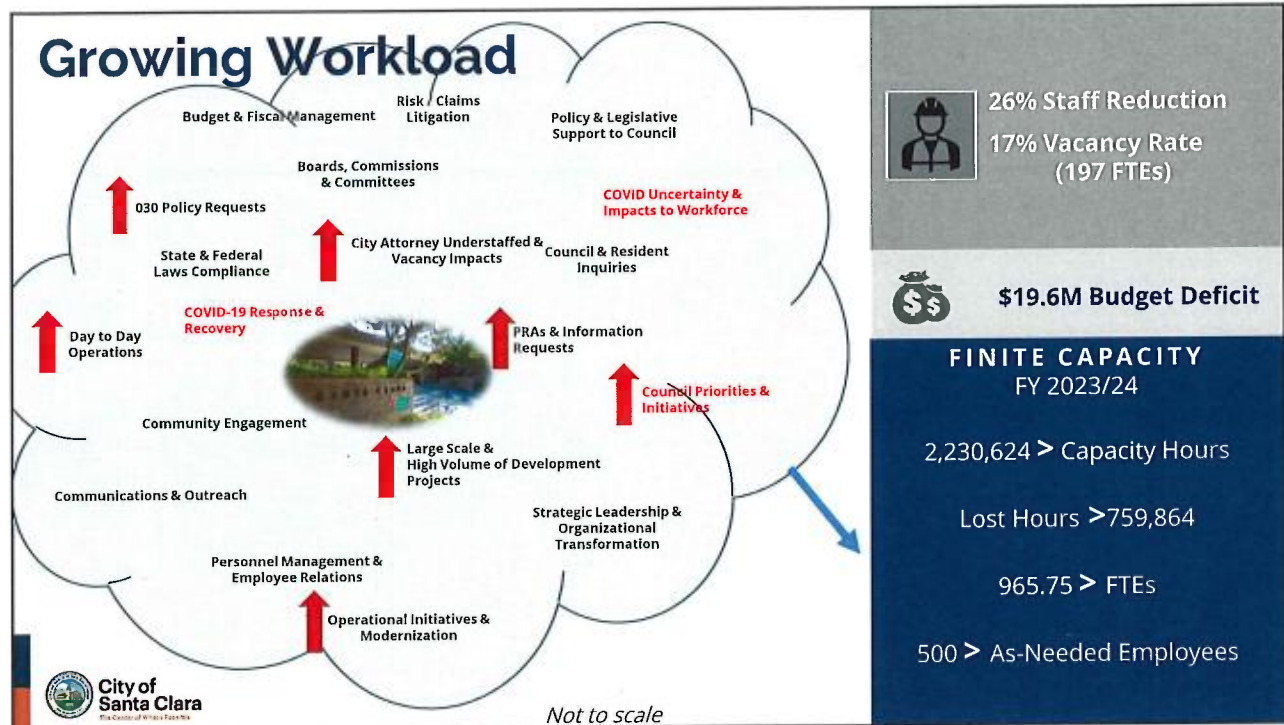




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Organizational Capacity – <b>Loss of 1+ million staff hours</b> 26% reductions in staff and ~17% vacancy rate*	
Pre-COVID-19 Staff Capacity	Hours
1,151.5 FTEs x 1,792 hrs.**	2,063,488
927 as-needed x 1,000 hrs.***	927,000
<b>Total full capacity productivity hours</b>	<b>2,990,488</b>
Current Staff Capacity	Hours
965.75 <b>Filled</b> FTEs x 1,792 hrs.^	1,730,624
500 as-needed x 1,000 hrs.	500,000
<b>Total current productivity hours (759,864 hours)</b>	<b>2,230,624</b>
Total loss of productivity hours due to <b>17% vacancy rate</b> (197 FTEs x 1,792 hrs.)	<b>353,024</b>

\*17% vacancy rate – General Fund non-public safety positions total \$7M

\*\*Assumes time off for holidays, vacation, sick and personal days and furloughs

\*\*\*As-needed positions can work up to 1,000 hrs./year

^Total budgeted positions is 1162.75

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## State of the Workforce

- **COVID-19 staff outbreaks:** impacts capacity/delivery of services  
CY 2021 = 148 breakouts      CY 2022 = 260 breakouts (*as of 1/25/22*)
- Departments experiencing a **higher demand** for services, service delays and hard to keep up with growing requests
- **Employee burnout and inability to respond** to all Council priorities or take time off, already exists
- City runs **high risk of being in violation of employee laws** regarding mandated workplace time off requirements (e.g., breaks, lunch, etc.) and inability to flex schedules for hours worked beyond 40 hrs/week. For some bargaining units, 40-60+ hrs/week is the norm.



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## State of the Workforce

While Staffing levels shrink--

- Workload that Council controls is growing
- Workload that is outside of City's ability to manage is also growing
  - State and federal laws, order, and/or mandates
  - Regional or other public agency work (Valley Water, SFPUC, County, VTA/BART, etc.)
  - On-demand services by residents/businesses/developers
  - Public Records Act, Development and Service Requests, etc.
- Ongoing services/staffing levels are based on assumption that staff will regularly work over 40+ hours in a week. **This has reached its limit with existing staff, not sustainable to float work on assumption of overtime while there is no flexing and little time to take off.**



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## Growing Workload

- Public Record Act (PRA) request continue to increase YTY by double digits over past two years: we can't recruit for these positions because of known workload.

Public Record Act Requests		
	January 2021	January 2022
Total Requests	864	1,336
	YTY 55% increase	
Total Sub-requests	17,381	25,618
	YTY 47% increase	

(Data range: Jan. 1, 2021–Jan. 31, 2022)

- Outsourcing PRAs, but not seeing gain in staff capacity due to required support/coordination. All departments are impacted by requests!
- Board, Commission, Committees, Task Forces, and Ad Hoc bodies increasing without more resources to sustain and while staff that support them have left
- Staff departures and reduced ability to recruit because of known working conditions and Council dynamics (some recruitments have to be conducted more than once to get to an employment offer, some we have been unable to fill)



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## Growing Workload Outside of Council Direction

- Statewide Climate Issues** - Drought Emergency and Water Conservation Efforts. Separately, Water & Sewer have large capital projects to implement.
- Unprecedented Development & Permits processed** - Staff processed record-breaking Plan Check and Permit fees **in FY 2020-21 for over \$15.5 million in revenue**, an all-time high for the City. In contrast, Community Development has **≈31% vacancy rate. Hard to fill profession!!!**
- 7,814 (30% increase YTY) building permits were issued in FY 2020-21**, compared to 6,005 in FY 2019-20 and 7,321 in FY 2018-19.
- Ongoing Planning Projects** - total of 84 ongoing projects (FY20-21) that collectively propose **20,186 units** and **21.8 million square feet of non-residential development**.
- Projects are supported by multi-department City staff at every stage, from entitlement to construction, and require resources and capacity.
- Traffic study requests are up 20% in 2021.** City receives about 400 traffic study requests per year.

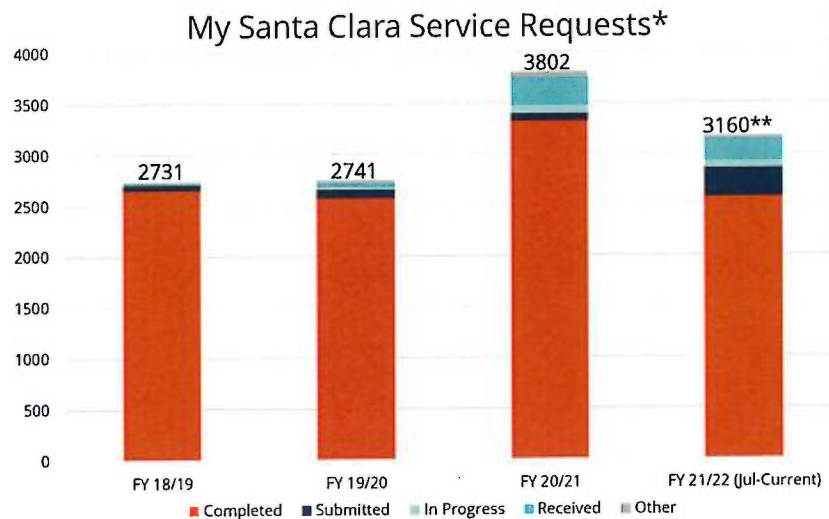


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## Citywide Service Request Growing (MySantaClara)

- **39% increase** in use between FY 19/20 and FY 20/21 (*likely some are COVID related*)
- **40% increase** in last seven months compared to previous seven months\*\* (*on trend to exceed prior year*)
- **Resources/staffing not increased to support increased service requests** (*staff absorbed as daily work and requests impacts all Departments*)
- Concern about our ability to maintain quality of service.



\*does not include service requests received by the City through other systems

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## Active/Potential Workload Requiring Capacity\*

- Long-term water security and related regional work with water providers
- Related Development - Phase 1 beginning Q1 2022
- Downtown Implementation
- BART to Santa Clara
- North San Jose development
- Development Support (large computer chip effort to stabilize global shortage)
- ADA Settlement Agreement project implementation
- Large SJ/SC Wastewater Treatment capital projects
- Ballot measures



\*not a complete list of initiatives

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## Est. 6-month Impacts from City Attorney Vacancy

### 1. Litigation Workload – Cannot be Delayed

- Hard Deadlines exist on litigation work
- Litigation support impacts the whole organization

### 2. Transactional Workload - Delays Exist

- Initiatives, agenda reports, contract review, daily legal operational support, and work that keeps services moving
- SVP has about 100 contracts for next year

### 3. Admin. Legal Workload - Delays exist

- Risk management, personnel, City code, new or amended laws as they impact City, modernization, policies, COVID compliance, PRAs, etc.



#### Fragile Complex Legal Support

- 6000+ productivity hours removed from already short-staffed office pre-COVID, plus reductions/departures. Consultant report determined est. 8 attorneys were needed; current = 4
- Less staff are absorbing more work and must continuously prioritize to meet the critical/urgent needs of the organization
- Whack-a-mole doesn't work with our complex legal needs

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## Est. 6-month Impact from City Attorney Vacancy

### Litigation Workload – Cannot Be Delayed

- Major impacts with hard deadlines create delays on other CAO workload (transactional and administrative) and our team is stepping up to help each other out (but it takes capacity)
- Litigation efforts now require much more involvement by key staff
  - City Manager and Finance Director now need to be more hands on and involved in legal matters/reviews, meet more deadlines, etc.
  - Adding to more burnout due to domino effect of delegating eligible work to other staff, some duties delayed, etc.
  - **"This is an impossible task!"**—*well said by a staff member*



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## Est. 6-month impact from City Attorney Vacancy

### Transactional Workload – Delays Exist

- Complex legal requests take longer to complete, which impacts services and adds workplace stress for not getting timely responses to services needs. Staff steps in as much as it can and CAO staff is doing great considering the significant reduction in lost capacity.
- Contract review is continuous while workload is impacted in other areas, the City processes 100s of contracts per year.
- Public Record Act review requests are growing/more complex/outside legal support is burdensome and requires "hands on" support...not observing a gained efficiency. City Attorney's Office does not have capacity to help with the volume of legal reviews.
- Agenda reports take longer for reviews, with some being delayed awaiting capacity to complete reviews, 70 total Council Reports since Jan. 5, 2022
- Voluminous weekly transactional legal reviews to sustain services are taking longer (services requests, new laws review/implementation/compliance, document review, Council report review, contracts review, etc.)



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## Est. 6-month impact from City Attorney Vacancy

### Transactional Workload – Delays Exist

- Delay in Council Referral responses such as the Ethics Consultant, Confidentiality, outstanding Council Committee referrals, etc.
- Longer response time and turnaround on new residential housing Park Development and Park maintenance agreements review/approval (3-4 weeks)
- Delayed Library MOU development, revision, and contracts (e.g., Library Foundation & Friends and Genealogical Society)
- Finance procurement contract review and reduced support on general Finance legal questions.
- SVP has 300 contractual items, with over 80 pending procurement. SVP attorney and purchasing manager resigned. We need time to work on Plan B.
- **Anticipated ballot measures will require significant legal support!**



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## Est. 6-month Impact from City Attorney Vacancy

### Administrative Workload – Delays Exist

- CMO/HR increasingly uses outside labor legal counsel due to reduced capacity/increased workload: legal interpretation of employment laws, review of policies, civil service rules, EEOC/DFEH responses, workforce legal needs, etc.
- Delayed decisions for Prop 218 regulations for Water, Sewer & Recycled Rates
- Existing capacity does not allow for CAO staff to participate in the development of the new Legal Case Management System
- Inability to support strategic procurement processes for outside support because of other workplace emergencies
- Delayed review of Building/Planning submittals and land use reviews



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## Est. 6-month Impact from City Attorney Vacancy

### Administrative – Delays Exist

- Review of critical Police legal matters: document review, PRA guidance, personnel matters (investigations, internal affairs, discipline, etc.), general legal advice,
- Legal review and guidance on RV Clean-ups, towing contracts, issues relating to unhoused populations, noise concerns in the City, etc. *This requires legal support on all levels*
- Review of City Code regarding sidewalk vending still underway; multi-department work has not been able to get started due to lack of staff capacity (SB 946 passed which limits ability to enforce aspects of "sidewalk vending"). SCPD can no longer enforce/cite violations of sidewalk vending. (Parks, PD, SCSA, CMO, CAO)
- Delays in review and clarification of retention of Officer discipline files - Due to recent "Sunshine" changes in State law pertaining to personnel files, needed clarification on internal affairs findings.

*This is not a complete list, but combined, these make the organization unstable, create delay/backlog, add workplace stress for staff, and is not sustainable.*

***Existing City staff are doing a great job, but capacity is finite!***

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## Legal Support for Implementation of New Laws

### Over 200 new bills signed into law take effect in 2022 including highlighted legislation:

- **SB9 (Atkins) Housing Development Approvals:** Develop a zoning code amendment to address the addition of duplexes and urban land splits in single family lots which are now required to be ministerial approvals by the State
- **AB 215 (Chiu) Planning and Zoning Law. Housing Element. Violations:** Requires local governments to make the first draft revision of a housing element available for public comment for at least 30 days; if comments are received, the local government must take at least 10 days beyond the 30-day comment period to consider and incorporate public comment.
- **SB 2 (Bradford) Peace Officers. Certification. Civil Rights:** Beginning January 1, 2022, peace officers, custodial officers, and their employing agencies will no longer be able to claim immunity from Bane Act claims the bill modifies.
- **SB 16 (Skinner) Peace Officers. Release of Records** Local agencies subject to comply with the bill's provisions and disclosing records of incidents that occurred after January 1, 2022. However, the bill phases in implementation so that records relating to incidents that relate to the new categories of offenses added by this bill that occurred before January 1, 2022, are not required to be disclosed until January 1, 2023.
- **SB 278 (Leyva) Public Employee' Retirement System. Disallowed Compensation. Benefit Adjustments.** Public agencies should review all their collective bargaining agreements covering CalPERS' members and scrutinize each item of compensation that is reported to CalPERS to ensure that the item is indeed reportable under applicable statutes, regulations, and administrative guidance.
- **SB 619 (Laird) Organic Waste. Reduction Regulations.** Jurisdictions facing continuing violations of 1383 regulations during the 2022 calendar year must act to receive civil penalty fine relief
- **Other Labor related bills**

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## 30 Current Boards, Commissions & Committees

### \*Unresourced

1. ADA Committee
2. Audit Committee
3. Bicycle and Pedestrian Advisory Committee
4. Board of Library Trustees
5. **Charter Review Committee – As Needed\***
6. City/Mission College Liaison Committee
7. City/School Liaison Committee
8. Civil Service Commission
9. Cultural Commission
10. Deferred Compensation Committee
11. Development Review Hearing
12. Downtown Community Task Force
13. **Economic Development, Communications, & Marketing Committee\***
14. **Governance and Ethics Committee\***
15. Historical and Landmarks Commission
16. **Housing Commission\***
17. Independent Redistricting Commission (as needed)
18. **International Exchange Commission\***
19. Oversight Board Committee
20. Parks and Recreation Commission
21. Planning Commission
22. Salary Setting Commission
23. Senior Advisory Commission
24. **Task Force on Diversity, Equity, and Inclusion\***
25. Youth Commission
26. **Ad Hoc Committees on 2021/22 City Council Committee Assignment (as needed)\***
27. Ad Hoc Facilities Naming and Honorary Recognition Committee (as needed)
28. Ad Hoc Stadium Audit Committee (as needed)
29. **Ad Hoc Committee \* – CVRA Apology Letter**
30. **Ad Hoc Homelessness Task Force \* (Contracted Out)**

### REQUESTED/TBD:

Stadium Neighborhood Relations Committee\*  
Film Commission\*



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## Council Discussion

- What does Council see as the top City Accomplishments in 2021?
- Given the Fiscal Outlook and State of the Organization, what are the key challenges that keep you up at night for the City?
- As a Council, what must you do to address the fiscal situation and workforce wellness?



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## Public Comment



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# Governance Check-In: Meeting Efficiency and Civility and Collegiality

*Dr. Shawn Spano, Facilitator*



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## Review Current Meeting Protocol

1. Council receives the staff report/presentation
2. The Mayor asks each Councilmember, one at a time, to ask their questions. All questions are asked before being answered
3. Staff answers Council's questions and any items that might have surfaced during public comment
4. The Mayor elicits public comment
5. Each Councilmember explains how they are going to vote and why, if they choose to
6. Motion and vote



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## Assess Protocol to Improve Meeting Efficiency

- How is the protocol working?
- What revisions or changes, if any, does Council want to make to the protocol?
- Review protocol



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## Other Meeting Management Techniques

- City Manager notes during beginning which items are critical to keep City continuity
- Meetings generally end by midnight and items deferred
- Items with many public speakers may be shifted
- For routine, non-controversial items, go to vote without staff presentation or discussion



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## Conclude Meeting Efficiency

- Are there any other changes Council wants to consider to improve meeting efficiency?
- Adopt the proposed Resolution establishing meeting procedures



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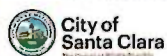
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## City Council Referrals & Inquiries

- **Better management and tracking** of information and responses, increased Council's awareness of resolution of items
- **Monthly reports** provided to Council on status of inquiries available through MySantaClara
- Developed a **centralized process/repository** for all Council questions, inquiries, and resident issues, which can be assigned to staff based on capacity and existing priorities
- Developed new GIS data point to include City Council Districts boundaries in MySantaClara application

### Mayor & Council Referral Requests (July 1, 2021 – Jan. 31, 2021)

Completed	122
In Progress	9
<b>Total Requests</b>	<b>131</b>



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## City Council District Newsletters

- City Council provides personalized message to constituents
- Monthly frequency
- Posted on Council webpages
- Provide to Council to distribute via email
- Implemented in January 2022



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## Governance Norms to Address Civility & Collegiality -- Examples

1. Demonstrate respect—Council must hold each other accountable to the City's Ethics and Values
2. Build collegial and professional relationships
3. Do not assume negative motives or make it "personal"
4. Manage differences productively
5. Vote and move on
6. Do what's best for the City
7. Be prepared for meetings
8. Monitor and adjust your behaviors for meeting efficiency



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## City's Code of Ethics and Values: Behavioral Standards

As a Representative of the City of Santa Clara, I will be

1. Ethical
2. Professional
3. Service-oriented
4. Fiscally responsible
5. Organized
6. Communicative
7. Collaborative
8. Progressive



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## Governance Norms Discussion

1. How is Council doing in adhering and following these norms and behavioral standards?
2. Are you holding each other accountable to them?
3. What impact does this have on how you are perceived as a Council by the community?
4. What impact do you think this has on City staff?
5. Are there any norms and behavioral standards that Council wants to single out to adopt and affirm?



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# Public Comment



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## 2022 Council Priorities Strategy: Critical Priorities

*Dr. Shawn Spano, Facilitator  
Deanna J. Santana, City Manager*



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## 2021 Council Priorities

*From a Strong Foundation,  
All Things Are Possible*

CITY OF SANTA CLARA

PRIORITIES REQUIRE DISCIPLINE & STRATEGY

### 50+ Additional Referrals, 030s

Transportation Quiet Zone, Rainbow Crosswalk, Flashing Beacons Stadium Neighborhood Relations Committee, Film Commission, Sanitary Sewer Laterals, New City Hall Downtown, Vision Zero Policy, Youth Soccer Park parking, Senior Transportation, Elected Police Chief & City Clerk, etc.

### 2021 Council Policy Priorities

Levi's Stadium Curfew and Violation Fee, Homelessness, Affordable Housing, COVID Recovery & Relief, Transportation Demand Management Study, Downtown Task Force, Shared Mobility Program, Business Employee Tax, Transportation Quiet Zone, Station Area Plan, Elections/Redistricting, Policy Discussion on Data Centers, etc.

### Critical Path & 2022 Priorities

Appoint City Attorney

Solving Current Deficit / Revenue Ballot Measures

COVID Impacts & Uncertainty

Maintain Day to Day Operations

Staff Workload, Safety & Wellness

### Foundation



GOOD GOVERNANCE



OPERATIONS & STAFFING



BALANCE THE BUDGET

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## Critical Path and Critical Priorities

### Critical Path:

**Feb – Nov. 2022**

Revenue Ballot Measures/Continue GF Revenue Work & Cost Containment

**Nov. – May 2023**

FY 2023/24 Proposed Budget Must Resolve \$19.6M projected deficit and Address Utility Transfer to GF

### Critical Priorities:

#### • Governance: Permanent City Attorney

- Legal leadership desperately needed for our organization's very complex legal service needs
- Allows for City to catch up on delayed legal services and Charter governance

#### • Budget/Ballot Measures: Allow us to Prioritize Solving the Current Deficit

- Revenue Ballot Measures to Stabilize General Fund and Services
- Some key staff assisting with ballot measure research have left the organization
- Reluctance to fill some General Funded positions because they may be needed to balance the budget in November 2022

#### • Workforce: Create Capacity (Resource Management & Remove Impairments)

- Discipline with COVID impacts, current Council directives, and priorities/CAPACITY IS FINITE
- Right Sizing the Workload for organizational capacity
- Reduce dependence of assumed overtime by staff for completion of Council priorities



City of Santa Clara  
The Color of Your Future

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# 5:00 p.m. Ballot Measure Strategy



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## Potential Ballot Measures

Election	Type	Potential Measures
June 2022	Special Election	1. District Council Elections (May 25, 2021) 2. To be determined
November 2022	General Election	1. Utilities Fund Charter Amendment 2. <i>Business License Tax (TBD)</i>

### Potential Measures Not Included in Potential Ballot Measure Strategy:

- Infrastructure Bond
- Elected Police Chief
- Elected City Clerk
- Campaign Reform



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## Budget Balancing Potential New Revenue Sources

### Business Tax

- Santa Clara Business Tax last updated in 1992
- Business Tax ranges from \$15 to \$500 per company
- No cost escalator
- Current annual revenue of approx. \$0.9 M annually



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## Budget Balancing Potential New Revenue Sources

### Business Tax

- City has approx. 8,500 businesses with active licenses
- About 6,100 businesses are subject to the employee-based business license tax
  - This equates to approximately 137,000 employees
- The remaining 2,400 businesses are exempt or pay alternate-based fees (e.g., pawn shops, taxicabs, theaters, apartments and hotel/motel rental units)



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## Recent Business License Tax Ballot Measures

Agency	Nov 2018 Ballot Measure	Pass/Fail	Agency	Nov 2020 Ballot Measure	Pass/Fail
Cudahy	Casinos	Pass	San Jose	Cardroom Tax	Pass
Daly City	Business Tax	Pass	Richmond	Business Tax	Pass
Mountain View	Business Tax	Pass	San Francisco	Business Tax – various changes	Pass
Sausalito	Business Tax	Pass	San Francisco	Business Tax – employee pay	Pass
Grover Beach	Business Tax	Pass	Berkeley	Transportation Network Companies	Pass
San Francisco	Citizen Initiative – Business Tax	Pass	Long Beach	Oil Production Tax	Pass
County of San Benito	Business Tax	Pass	Lynwood	For-Profit Hospitals	Fail

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## Budget Balancing Potential New Revenue Sources

### Santa Clara Business Taxes are Comparable to Smaller Cities

City	Annual Rate	FY 21/22 Budget	% of GF Budget
Cupertino	\$155 - \$306 plus per unit costs in limited cases	\$0.6 M	0.7%
Gilroy	\$40 - \$2,000	\$0.6 M	0.9%
Los Altos	\$75 - \$335 plus addtl. amt. per employee/unit; \$3,200 max.	\$0.5 M	1.1%
Mountain View	\$75 - \$584K + \$150/employee (tiered by no. employees)	\$6.0 M	4.1%
San Jose	\$207 - \$166K (tiered by no. employees/units)	\$25.7 M	2.1%
Santa Clara	\$15 - \$500 (tiered by no. employees/units)	\$0.9 M	0.4%
Sunnyvale	\$41 - \$13K (tiered by no. employees/units)	\$1.9 M	0.9%

**Note:** Palo Alto, which currently does not have a business tax, is exploring a potential ballot measure

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## Addressing Unfunded Infrastructure Potential New Revenue Sources

### General Obligation (GO) Infrastructure Bond Key Features

- Used for long-term capital project financing
- Requires two-thirds supermajority vote
- One-time revenue, up front
- Secured by levying ad valorem property taxes in addition to the 1% general ad valorem property tax



Swim Center Boiler



Fire Training Tower



**City of  
Santa Clara**  
The Center of What's Possible

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## Addressing Unfunded Infrastructure Potential New Revenue Sources

### Recent General Obligation Bond Measures Approved

City/County	Approved	Amount	Purpose
San Francisco	November 2020	\$487.5 M	Housing, Homeless
Alameda County Fire	November 2020	\$90 M	Fire/EMS
San Francisco	November 2019	\$600 M	Affordable Housing
San Jose	November 2018	\$650 M	Public safety, infrastructure, and roads
San Francisco	November 2018	\$425 M	Earthquake/flooding facilities and infrastructure
Berkeley	November 2018	\$135 M	Affordable housing
Campbell	November 2018	\$50 M	Police Emergency Operations Center and library facility
Foster City	June 2018	\$90 M	Levee improvements for flooding
Emeryville	June 2018	\$50 M	Affordable housing
Santa Clara County	November 2016	\$950 M	Affordable housing

\* Does not include school district measures



**City of  
Santa Clara**  
The Center of What's Possible

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## Registrar of Voter (ROV) Deadlines *June 2022 Election*

Action Required	June Election Cycle
Council Adopts Resolution to Place Measure on Ballot and Call for Election	
<b>Deadline to submit resolution to ROV by 5 p.m.</b>	<b>3/11/22</b>
Arguments due to the City Clerk up to 14 days after Council Resolution is adopted but not later than ROV deadline	
<b>Deadline to submit Arguments to ROV by 5 p.m.</b>	<b>3/15/22</b>
Rebuttal and Impartial Analysis due up to 10 days after Arguments but no later than ROV deadline	
<b>Deadline to submit Rebuttals &amp; Impartial Analysis to ROV by 5 p.m.</b>	<b>3/22/22</b>



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## Registrar of Voter (ROV) Deadlines *November 2022 Election*

Action Required	November Election Cycle
Council Adopts Resolution to Place Measure on Ballot and Call for Election	
<b>Deadline to submit resolution to ROV by 5 p.m.</b>	<b>8/12/2022</b>
Arguments due to the City Clerk up to 14 days after Council Resolution is adopted but not later than ROV deadline	
<b>Deadline to submit Arguments to ROV by 5 p.m.</b>	<b>8/16/2022</b>
Rebuttal and Impartial Analysis due up to 10 days after Arguments but not later than ROV deadline	
<b>Deadline to submit Rebuttals &amp; Impartial Analysis to ROV by 5 p.m.</b>	<b>8/23/2022</b>



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## Voter Research

- City retained the Lew Edwards Group to conduct quantitative and qualitative voter research
- Voter research conducted the week of January 18 regarding:
  - utility revenue transfer to General Fund Charter language amendment
  - modernization of business tax
  - infrastructure bond
- Targeted focus groups with business community held on February 3 to solicit initial feedback on modernization of business tax
- Additional outreach would be conducted as needed based on Council direction



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## Voter Research Results & Focus Group Summary

Lew Edwards Group will share presentation



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## Next Steps

- Per CVRA Settlement Agreement, City must request a consolidated special election in June for consideration of the District Election measure.
- Council direction on any additional measure to be placed on the June ballot (infrastructure, elected police chief/clerk, etc.)
- Staff will prepare Council resolutions for June 2022 ballot measures for consideration at the **3/8/22 Council meeting**.

*Note: Authors of the arguments will need to move quickly in order to meet 3/15 ROV submission deadline.*

- Council direction to continue community engagement regarding Utilities Charter Amendment and modernization of Business License Tax as part of November 2022 election cycle



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## 2022 Council Strategy: Additional Items Referred & Unfunded Council Initiatives

*Dr. Shawn Spano, Facilitator  
Deanna J. Santana, City Manager*



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**Other Directives / Initiatives / 030 - Referred to Priority Session**

1. Elected Police Chief and City Clerk Ballot Measure - *August check-in* **(Unresourced/Unfunded)**
2. Election Reform /Campaign Contribution Cap - *August check-in* **(Unresourced/Unfunded)**
3. Internet Equity & WiFi - *August check-in* **(Unresourced/Unfunded)**
4. Ballot Measure Infrastructure Bond/Tax **(Partially Funded/Staffed)**

**Dec. 2020 – Jan. 2022**

- **15 items** referred to Priority Setting Session  
 - **35 Additional Items** submitted by Council Policy (030)  
**= 50 Total Items**



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**Other Directives / Initiatives / 030 - Referred to Priority Session**

5. **Sanitary Sewer Laterals** **(Unresourced/Unfunded)**
6. Discussion of **New City Hall in New Santa Clara Downtown Plan** **(Unresourced/Unfunded)** Estimated cost for conceptual land use and econ. analysis is \$400,000 (construction costs est. \$300-450M).
7. Proposal of New City **Film Commission** **(Unresourced/Unfunded)**
8. **Construction of Lawn Bowl Facility** for Consideration - The City allocated \$175,000 for the repair and maintenance of the Lawn Bowl facility clubhouse. No funding allocated for construction/Cost unknown. **(Unresourced/Partially funded)**
9. Installation of **Rainbow Crosswalk(s)** Painting in Santa Clara **(Unresourced/Unfunded)**

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**Other Directives /Initiatives / 030 - Referred to Priority Session**

10. Installation of Rectangular **Rapid Flashing Beacon Crosswalk** at Kiely/Mauricia – The City has over 200 uncontrolled crosswalks. There is an unfunded project in the budget for additional work for a study and analysis of uncontrolled crosswalks citywide **estimated at \$7M. (Unfunded)**

11. Establish **Stadium Neighborhood Relations Committee (Unresourced/Unfunded)**

12. **Feasibility Study for constructing a roadway undercrossing** at the RR tracks separating Benton Street and Brokaw Road near the Santa Clara Caltrain Station and Future BART Station. The estimated cost for a study is \$500,000. No funding allocated for construction/Cost unknown.**(Unresourced/Unfunded)**

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**Other Directives /Initiatives / 030 - Referred to Priority Session**

13. Approve the review of the **Senior Advisory Commission Transportation Interest Letter** and refer the issue of a transportation needs analysis **(Unresourced/Unfunded)**

14. **Swim Club Presentation on the remedial condition of the facility.** No funding allocated for study or construction/Cost unknown and based on final scope. **(Partially Resourced/Unfunded)**

15. New RFP for **Janitorial services contract** based on public comment experiences with vendor. One year to engage in this significant procurement, where COVID/workplace safety and safe transition is required.

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**Other Directives /Initiatives / 030 - COMPLETED**

16. Action on Written Petition submitted by Councilmember Chahal  
**Requesting a Discussion on the CVRA Appeal Case** (Closed session 12/15/20)

17. Action on a Written Petition **Submitted by Councilmember Hardy Requesting a Discussion on Council Policy 047** (Admonition and Censure) (5/4/21)

18. Action on a Written Petition submitted by Gabriela Gupta  
**Requesting the Censure of Councilmember Watanabe and Admonishment of Mayor Gillmor - Council Policy 047** (5/4/21)



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**Other Directives /Initiatives / 030 - COMPLETED**

19. Action on a Written Petition 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)** (7/6/21)

20. Action on a Written Petition Submitted by Councilmember Jain  
**Requesting Future Meeting to Discuss the Rules for who can serve on Boards, Commissions and Committees** (9/28/21)

21. Action on a Written Petition 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** (7/6/21)

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**Other Directives /Initiatives / 030 - COMPLETED**

22. Action on a Written Petition Submitted by Councilmember Becker **Requesting a Consideration on Adjusting the Start Times for Council, Stadium Authority, and Closed Session Meetings** (3/10/21)

23. Action on a Written Petition submitted by Councilmember Jain to discuss the **Debt Acquisition Company of America applying for a Conditional Use Permit to build and operate 320-acre sand and gravel quarry at Sargent Ranch** (Completed and adopted resolution)

24. Action on a Written Petition Submitted by Councilmember Jain Requesting a **Discussion and Vote of Revising the Terms of Franklin Mall Maintenance District Number 122** (Note and Filed on Jan. 25, 2022)

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**Other Directives /Initiatives / 030 - REFERRED or UNDERWAY  
Unfunded or Unresourced**

25. Action on a Written Petition submitted by Sam Liu Requesting a **Discussion and Reconsideration of a 10' CMU Wall with the Project at 3200 Scott Blvd.** (12/16/20) (City provided a response to written petition on Jan. 26, 2021, referred back to Building City official to review)

26. Action on a Written Petition Submitted by Councilmember Jain Requesting a **Discussion on the Vote on the Sale of the Loyalton Ranch Property** (Scheduled to be heard TBD)

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**Other Directives /Initiatives / 030 - REFERRED or UNDERWAY  
Unfunded or Unresourced**

27. Action on a Written Petition submitted by Aryeh Korthamar Requesting **Discussion and Consideration of Encroachment of APN 290-35-048** (2/23/21). Staff contacted property owner with next steps for permit application. Permit application not yet received.

28. Action on Written Petition by Councilmember Becker Requesting a **Public Apology to the Residents of Santa Clara for the CVRA Lawsuit** (ad Hoc Committee established to address item)



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**Other Directives /Initiatives / 030 - REFERRED or UNDERWAY  
Unfunded or Unresourced**

29. Action on a Written Petition submitted by Gabriela Landaveri Requesting the City of Santa Clara **Adopt a "Vision Zero" Policy (UNFUNDED)**

30. Action on a Written Petition Submitted by Councilmember Jain Requesting Item at a Future Meeting to have a **Policy Discussion on Data Centers**. Consider as part of Climate Action Plan update in April / May 2022.



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**Other Directives /Initiatives / 030 - REFERRED or UNDERWAY  
Unfunded or Unresourced**

31. Action on a Written Petition Submitted by Councilmember Jain Requesting to Place an Agenda Item to Discuss Creating a **Special Ad Hoc Committee Consisting of Residents and Representatives of Housing Advocacy Groups to Discuss only the issues Concerning the Unhoused Population. PAUSED:** Council approved Homebase to establish Homelessness Task Force on 1/25/22

32. Action on Written Petition submitted by Councilmember Jain for Aug. 17, 2021 goal setting meeting to consider staffing and resources, consultants, budget, Council Direction on densities, car parking strategy, coordination with VTA and San Jose, and timeline for implementing a **Station Area Plan (Partially Funded)**

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**Other Directives /Initiatives / 030 - REFERRED or UNDERWAY  
Unfunded or Unresourced**

33. Action on a Written Petition submitted by David Donaldson on August 14, 2021 to add an Agenda Item to a future Council Agenda to Consider **Placing a Ballot Measure on the 2022 Ballot for Charter Amendments** calling for the voters to consider (1) Establishing Mayor and City Council positions as full-time and with an annual salary of \$96,000 and \$80,000, respectively, plus commensurate benefits and COLA adjustments and (2) Campaign Reform actions relative to donations from Santa Clara businesses and residents, City matching funds for donations, funding caps, and disclosures of funding raising activities. (To be Agendized to future meeting to consider Council/Mayor as full-time positions without salary component and return with comps with other cities, deferred #2 to elected City Clerk)

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**Other Directives /Initiatives / 030 - REFERRED or UNDERWAY  
Unfunded or Unresourced**

34. Action on a Written Petition submitted by Councilmember Jain requesting Agenda item to consider **hiring an Ethics Consultant for Upcoming Elections** (Referred to Governance & Ethics Committee and Elected City Clerk)

35. Action on a Written Petition submitted by Councilmember Jain requesting agenda item to **discuss the use of Written Petition (Policy 030) by members of the public** (Referred to Governance & Ethics Committee)



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**Other Directives /Initiatives / 030 - REFERRED or UNDERWAY  
Unfunded or Unresourced**

36. Action on a Written Petition submitted by Councilmember Jain Requesting an Agenda Item to Consider a **Quarterly Report to Council of Legal Expenses to Outside Law Firms and any Settlement Costs** (that can be disclosed) Once Cases are Settled (Referred to Governance & Ethics Committee)

37. Action on a Written Petition submitted by Morteza Shafiei, as representative of HOAs on October 7, 2021, to add an Agenda Item to **Consider the Purchase of lot at 1601 Civic Center Drive** (Target scheduled for Spring 2022)



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**Other Directives /Initiatives / 030 - REFERRED or UNDERWAY  
Unfunded or Unresourced**

38. Place Item on a Future Council Meeting to **Consider a Resolution to Support the Bid to FIFA for the 2026 World Cup and Related Events** (February 22, 2022)

39. Action on a Written Petition (Council Policy 030) Submitted by Jared Peters Requesting an Agenda Item to **Consider making a Policy Decision Regarding the City Assuming Responsibility of an Unstable and Dangerous Sound Wall in the Laurel Park East Neighborhood** (March 2022)



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**Other Directives /Initiatives / 030 - REFERRED or UNDERWAY  
Unfunded or Unresourced**

40. Action on a Written Petition submitted by Travis L. Flora Requesting an Agenda Item to **Consider Admonition or Censure of Councilmember Becker for his Retaliation Against a Member of the Public** on Nov.16, 2021 (CM Becker & CM Hardy met with Mr. Flora and need to report back to Council)



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**Other Directives /Initiatives / 030 - REFERRED or UNDERWAY  
Unfunded or Unresourced**

41. Action on a Council Written Request (Council Policy 030)  
Submitted by Councilmember Jain Requesting to Place an Agenda  
Item at a at the **Youth Soccer Park** (soccer gets absolute priority) in  
order to Generate Revenue for the City

42. Submitted by Keith Stattenfield Requesting an Agenda Item to  
Discuss requirements from the Office of the City Attorney on  
Approving an **Update to the CC&Rs of the Casa del Rey  
Homeowner's Association Bylaws** (To be agendized for future  
meeting)



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**Other Directives /Initiatives / 030  
MOTION FAILED / NO ACTION / DROPPED ITEMS**

43. Action on a Written Petition Submitted by Councilmember  
Becker Requesting a Discussion on **Amending of Section  
18.102.010 ("Commercial Marijuana Activity Prohibited") of  
Chapter 18.102 ("Regulation of Marijuana")** of Title 18 ("Zoning")  
of "The Code of the City of Santa Clara, California" on removing the  
ban on all Commercial Cannabis Activity (No action, motion failed)

44. Action on a Written Petition submitted by Kirk Vartan  
**Requesting Elected City Councilmembers be Required to Turn on  
Video during Virtual Council Meetings** (Motion failed on 4/20/21  
to be agendized)

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**Other Directives /Initiatives / 030****MOTION FAILED / NO ACTION / DROPPED ITEMS**

45. Action on a Written Petition submitted by Robert Mezzetti, II Requesting to Discuss **Amendment No. 3 to the Exclusive Negotiation Agreement by and between the City, VTA and Republic Metropolitan** an LLC for the proposed project located at 500 S. Benton Street (Voted to no action on 6/22/21)

46. Action on Written Petition by Leonne Broughman heard on Aug. 24, 2021 to Censure / Admonishment of Councilmember Kevin Park (No action was taken)



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**Other Directives /Initiatives / 030****MOTION FAILED / NO ACTION / DROPPED ITEMS**

47. Action on Written Petition Submitted by Councilmember Becker Requesting to an Agenda Item at a Future Council Meeting for **Discussion to Propose a stricter and more Regulated Ordinance for AirBNB Operations** (City completed item already and item dropped by Councilmember)

48. Submitted by Councilmember Becker Requesting 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** (City completed action through Task Force DEI recommendation and item dropped by Councilmember)

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**Other Directives /Initiatives / 030**

**MOTION FAILED / NO ACTION / DROPPED ITEMS**

49. Action on Written Petition 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** (City completed item already and item dropped by Councilmember)

50. Action on a Written Petition Submitted by Brian Doyle Requesting to Place an Agenda Item at a Future Council Meeting to **Discuss FIFA Negotiations** (Petition denied)



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# Sanitary Sewer Laterals

*To Be Considered*

***Unfunded/Unresourced***

*Gary Welling, Director of Water & Sewer Utilities*



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## Sewer Lateral Policy Alternatives— *Referred in January 2021*

- Focus on assessment / repair with largest consequence of failure
- Finding innovative approaches
- Meeting with neighboring cities
- Asset ownership challenges
- Possible pilot program(s)
- Insurance

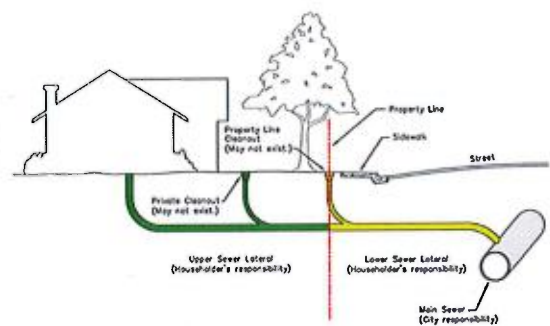


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## Insurance Model for Laterals

- National League of Cities
- Low cost to residents
- Individual and citywide options
- Ownership does not change
- No need to assess laterals citywide
- More feasible from regulatory, fiscal, and workforce resources standpoints



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## Potential Costs & Implementation Options

- Assessment of Laterals to Cost Over **\$2 Million Dollars** and Take Two to Five Years or More
- Individual Insurance Model is approx. \$9.00 Per Month Per Household
- Citywide Insurance Option is approx. \$4.00 Per Month Included In Rates
- Pilot Project Partially Funded with Cell Tower Lease Revenue
  - Cell Tower Lease Revenue Currently Funds Low Income Rate Assistance Approved by Council



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## Discussion on 2022 Priorities

1. Top/Urgent Priority: COVID-19 Recovery
2. Permanent City Attorney and let us catch up on backlogged work
3. Allow us to Prioritize Solving the Current Deficit and Create Capacity for Heavy Lift with Revenue Ballot Measures
4. Resource Management (Staff Can't Sustain Current Workload and Needs to Restore Better Workload balance)



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# Public Comment



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## Recommendations for Council

- a. Adopt the proposed Resolution establishing meeting procedures
- b. Note and File the Budget Update and 10-Year General Fund Forecast; and
- c. Adopt FY 2022-2023 Budget Principles
- d. Provide direction and approval of decisions to move forward with potential ballot measures
- e. Validate 2022 Priorities and approve any amendments



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## Wrap up/Council Questions & Comments



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**City of  
Santa Clara**  
The Center of What's Possible

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# City of Santa Clara

The Center of What's Possible

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**Date:** February 8, 2022

**To:** City Manager

**From:** Executive Assistant to the Mayor & City Council

**Subject:** Correspondence received regarding Item 1.A on the February 8, 2022 City Council Meeting Agenda

As of February 8, 2022, at 1:00 p.m. the Mayor and City Council Offices received the attached correspondence regarding agenda item 1.A 2022 City Council Priority Setting Session.

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Melissa Lee  
Executive Assistant to the  
Mayor & City Council

*Documents Related to this Report:*

1) *Communications received*

**POST MEETING MATERIAL**

**Melissa Lee**

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**From:** Jonathon Evans <oqra@jthon.com>  
**Sent:** Sunday, February 6, 2022 8:17 PM  
**To:** Mayor and Council  
**Subject:** Priority Setting Meeting - Feb 8th, 2022

Dear Mayor and Council,

I'm writing you today with regards to priorities for 2022.

I'd like the City of Santa Clara to focus on the following issues:

- Continue the Downtown Precise Plan process with an eye towards implementation of the plan when finished.
- Work with VTA to get the City of Santa Clara the BART station it needs and deserves, and not the station VTA wants to stick Santa Clara with. Use whatever tools are available to require VTA to improve their design.
- Work with VTA on an overall Santa Clara Station Specific Plan. This is the most transit connected area in the City, and a prime candidate for development to meet local housing needs.
- Resume the fee-setting process for Santa Clara Library public meeting rooms. The current process has been stalled for years and has coupled parks and rec and the library's fee schedules. The library and parks and rec have different service goals and the two processes should not be combined.
- There are many individuals lacking regular shelter in Santa Clara. I see people living in cars, trucks, and RVs around my neighborhood. We need to pursue a housing first approach to providing shelter and work with all the Cities in our region to solve the housing problem.

Sincerely,

Jonathon Evans

**Melissa Lee**

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**From:** Gary Ferraris <unit6president@gmail.com>  
**Sent:** Tuesday, February 8, 2022 4:55 AM  
**To:** Mayor and Council  
**Subject:** Letter from unit 6 membership  
**Attachments:** EMail to Mayor and Council from membership.pdf

**Categories:** Red Category

Dear Madame Mayor and Esteemed Council Members,

As an essential employee in the Field Maintenance and Operations staff (Bargaining Unit 6) of the City of Santa Clara, I have seen employee morale plummet throughout my career, and particularly in the past five years. The diminishing morale has been greatly exasperated by the city's recent refusal to acknowledge the needs of bargaining unit 6 members. Keeping up with the escalating cost of living in Silicon Valley is an essential requirement for our survival and continued ability to provide timely emergency response. I understand the city currently has serious budgetary concerns due to the reported "structural deficit". Speaking to this, the recent trends of expanding the executive leadership team in conjunction with continued workforce attrition does not resolve but merely shifts these concerns. We believe it is a decisive inequity to ask the lowest paid employees to shoulder the responsibility of providing the needed relief to the "Structural deficit". We ask you, could or would this expanded leadership team provide the services which they are responsible to oversee? We further question if this truly serves your constituency? When considering your future direction to management on this matter, we ask you to also consider that Unit 6 staff did not work remotely from the safety of our homes. We faced the increased risk of exposure to COVID-19 as we provided daily essential services to your electors. By doing the right thing, properly compensating their employees, surrounding agencies have unknowingly rubbed salt in the fiscal wounds inflicted on us by this executive leadership team.

Thank you for your careful consideration of this serious issue.

Signed in Solidarity,

AFSCME Local 101 – City of Santa Clara Chapter

Please see the attached pdf with 83 live signatures from membership



Dear Madame Mayor and Esteemed Council Members,

As an essential employee in the Field Maintenance and Operations staff (Bargaining Unit 6) of the City of Santa Clara, I have seen employee morale plummet throughout my career, and particularly in the past five years. The diminishing morale has been greatly exasperated by the city's recent refusal to acknowledge the needs of bargaining unit 6 members. Keeping up with the escalating cost of living in Silicon Valley is an essential requirement for our survival and continued ability to provide timely emergency response. I understand the city currently has serious budgetary concerns due to the reported "structural deficit". Speaking to this, the recent trends of expanding the executive leadership team in conjunction with continued workforce attrition does not resolve but merely shifts these concerns. We believe it is a decisive inequity to ask the lowest paid employees to shoulder the responsibility of providing the needed relief to the "Structural deficit". We ask you, could or would this expanded leadership team provide the services which they are responsible to oversee? We further question if this truly serves your constituency? When considering your future direction to management on this matter, we ask you to also consider that Unit 6 staff did not work remotely from the safety of our homes. We faced the increased risk of exposure to COVID-19 as we provided daily essential services to your electors. By doing the right thing, properly compensating their employees, surrounding agencies have unknowingly rubbed salt in the fiscal wounds inflicted on us by this executive leadership team.

Thank you for your careful consideration of this serious issue.

Signed in Solidarity,

AFSCME Local 101 – City of Santa Clara Chapter

Eric Gribben Eric Gribben Facilities Technician 2/7/22  
SIGNATURE NAME POSITION DATE

Joe Luna Joe Luna Equipment Operator 2/7/22  
SIGNATURE NAME POSITION DATE

Kyel Ramos Kyel Ramos Maintenance Worker 2/7/22  
SIGNATURE NAME POSITION DATE

Bob Griffin Bob Griffin Pump Tech 2-7-22  
SIGNATURE NAME POSITION DATE

Philip Francisco Philip Francisco Water Service Tech 2-7-22  
SIGNATURE NAME POSITION DATE

Jesus Hernandez, Jr. Jesus Hernandez, Jr. Water Service Tech 2/7/22  
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Jack D Miller JACK D MILLER EQUIP OPERATOR 2/7/22  
SIGNATURE NAME POSITION DATE

Tom Teixeira TOM TEIXEIRA SMW-II 2/7/22  
SIGNATURE NAME POSITION DATE

CA CARLOS MARTINEZ SM III 2/7/22  
SIGNATURE NAME POSITION DATE

Sergio Garcia Sergio Garcia BUILDING MAINTENANCE WORKER 2/7/22  
SIGNATURE NAME POSITION DATE

Luis Silver LUIS SILVER BUILDING MAINTENANCE 2/7/22  
SIGNATURE NAME POSITION DATE

Cliff Myers CLIFF MYERS SM IV 02/07/22  
SIGNATURE NAME POSITION DATE

Manuel Fernandez MANUEL FERNANDEZ SM IV 2/7/22  
SIGNATURE NAME POSITION DATE

Steven Avelar STEVEN AVELAR SM II 2/7/22  
SIGNATURE NAME POSITION DATE

Armando Gardea ARMANDO GARDEA GM I 2/7/22  
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Howard Pando HOWARD PANDO GM II 2/7/22  
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Jason Kodama JASON KODAMA Street Sweeper 02/07/22  
SIGNATURE NAME POSITION DATE

Nicholas German NICHOLAS GERMAN Street Sweeper 02-07-2022  
SIGNATURE NAME POSITION DATE

David Lora DAVID LORA SMW IV 2/7/22  
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R. Fitzpatrick Kenyatta Fitzpatrick GM I 2/7/22  
SIGNATURE NAME POSITION DATE

Gilbert Reyes Gilbert Reyes GM 2 2/7/22  
SIGNATURE NAME POSITION DATE

Brian Bradbury Brian Bradbury GM I 2/7/22  
SIGNATURE NAME POSITION DATE

Jose Ramirez Amador Jose Ramirez Amador GM I 2/7/22  
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Isaac Leal Isaac Leal GM I 2/7/22  
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Moses Osuna Moses Osuna GM II 2/7/22  
SIGNATURE NAME POSITION DATE

Samuel Hernandez SAMUEL HERNANDEZ GM I 2/7/22  
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Edward Estavillo Edward Estavillo GM II 2/7/22  
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Charles Boughton Charles Boughton GM II 2/7/22  
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Zachary Billingsley Zachary Billingsley GM I 2/7/22  
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Grant Welter Grant Welter crafts worker 2/7/22  
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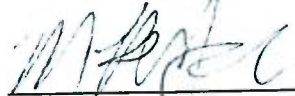
	ARMANDO FERRARIS	MECH MAINT	2/7/22
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	Dominic Barba	Mech Maint	2/7/22
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	Olivio Lopez	Utility	2-7-22
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	Drew Swanson	BLDG MAINT.	2-7-22
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	Chris Flexen	GMWIT	2/7/22
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	Mike Reyer	GM1	2/7/22
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	Riley Peterson	Labover	2/7/22
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MAR Calibzo Henry Calibzo Heavy Equip. Co 2/7/22

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POSITION

DATE

Sam Allen

Daniel Allen

Maintenance Worker II 2/7/22

SIGNATURE

NAME

POSITION

DATE

Will Trimble

Will Trimble

Maintenance Worker I 2/7/22

SIGNATURE

NAME

POSITION

DATE

JAMES DIXON

JAMES DIXON

FACILITIES TECH

2/7/22

SIGNATURE

NAME

POSITION

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Cody Reed

Cody Reed

Equip. Op

2/7/22

SIGNATURE

NAME

POSITION

DATE

SAM MATHIAS

SAM MATHIAS

M-1

2/7/22

SIGNATURE

NAME

POSITION

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Richardo Onofe

Richardo Onofe

M-1

02/07/22

SIGNATURE

NAME

POSITION

DATE

Manuel Diez Rodriguez

Manuel Diez Rodriguez

M-1

02/7/22

SIGNATURE

NAME

POSITION

DATE

Forty Leander

Forty Leander

Equip operator

2-7-22

SIGNATURE

NAME

POSITION

DATE

ALBERT GARCIA

ALBERT GARCIA

Water Tech

2-7-22

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POSITION

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Pedro Castro Jr PEDRO CASTRO JR SMW IV 2-7-22  
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Rafael Sanchez Rafael Sanchez SMW I 2-7-2022  
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David Cardozo David Cardozo SMW III 2-7-2022  
SIGNATURE NAME POSITION DATE

German P. Leary German P. Leary SMW I 2-7-2022  
SIGNATURE NAME POSITION DATE

Daniel Johnson Daniel Johnson SMW I 2-7-2022  
SIGNATURE NAME POSITION DATE

Charlie Gray Charlie Gray SMW I 2/7/22  
SIGNATURE NAME POSITION DATE

Ricardo Ibarra Ricardo Ibarra STREET Sweeper 2-7-22  
SIGNATURE NAME POSITION DATE

Evan Rosa EVAN ROSA GM III 2-7-22  
SIGNATURE NAME POSITION DATE

Dennis McDowell Dennis McDowell CRAFTS WORKER 2/7/22  
SIGNATURE NAME POSITION DATE

Cesar Diaz CESAR DIAZ Street Maintenance Worker III 2-7/22  
SIGNATURE NAME POSITION DATE

Paul Blasquez Paul Blasquez meter Tech II 2/7/22  
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<u>Sumit Datta</u>	<u>Vincent Vergara</u>	<u>GMW II</u>	<u>2-7-22</u>
SIGNATURE	NAME	POSITION	DATE

<u>AA</u>	<u>JUBERT SOUMBOUWA</u>	<u>GM1</u>	<u>2/7/22</u>
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	<u>Jose Orendain</u>	<u>SMW II</u>	<u>2-7-22</u>
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	<u>Chris Bezerra</u>	<u>CCTV</u>	<u>2-7-22</u>
SIGNATURE	NAME	POSITION	DATE

	<u>PETER Rodriguez</u>	<u>SM III</u>	<u>2-7-22</u>
SIGNATURE	NAME	POSITION	DATE

	<u>Matt Hill</u>	<u>Pump Technician</u>	<u>2-7-22</u>
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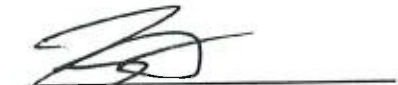
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	Paul P. Nieves	Auto Tech III	2/07/22
SIGNATURE	NAME	POSITION	DATE


	Carlos Guerra	Auto Tech 3	2-7-22
SIGNATURE	NAME	POSITION	DATE

	DON MARTIN	AUTO TECH 3	2/7/22
SIGNATURE	NAME	POSITION	DATE


	Everett Perrault	Auto Tech 1	2/7/22
SIGNATURE	NAME	POSITION	DATE


	Chris Dauenhauer	Auto Tech III	2-7-22
SIGNATURE	NAME	POSITION	DATE


	Francis Le	Auto Tech I	2/7/22
SIGNATURE	NAME	POSITION	DATE


	TREVEN PAGAN	SMW III	2/7/22
SIGNATURE	NAME	POSITION	DATE


	Jeff Kodama	SMW III	2/7/22
SIGNATURE	NAME	POSITION	DATE

	Gabe Moreno	SMW II	2-7-22
SIGNATURE	NAME	POSITION	DATE

	Anthony Rivera	SMIV	2-7-22
SIGNATURE	NAME	POSITION	DATE

	James Lewandowski	SMIV	2-7-22
SIGNATURE	NAME	POSITION	DATE

	RATION NAJAR	M III	2-7-22
SIGNATURE	NAME	POSITION	DATE

	Brooks Tamar	SM II	2-7-22
SIGNATURE	NAME	POSITION	DATE



**Melissa Lee**

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**From:** Tom Freitas <tfreitas89@yahoo.com>  
**Sent:** Tuesday, February 8, 2022 9:42 AM  
**To:** Mayor and Council; Public Comment; publiccomment@santaclara.gov  
**Cc:** jerry patrignani; tom Freitas  
**Subject:** Santa Clara Lawn Bowls Clubhouse

**Categories:** Red Category

Good afternoon Council Members and Honorable Mayor Gilmore,  
I am Jerry Patrignani, the spokesperson for the Santa Clara Lawn Bowls Club. You know that the Santa Clara Lawn Bowls Club has been waiting, some twenty years for a promised clubhouse. Yes, we have been using a construction trailer all this time but it was never an acceptable club house. How could it be at 11 feet wide and 60 feet long, no kitchen, no bathroom, and no equipment space and not a very good space for meetings or socializing

The clubhouse we would like is 20' x 48' feet and it has a kitchen and bathroom, plus an open space for membership meetings and storage for our game equipment.

In 2018 we could have bought it for \$109,000, now it's estimated at \$175,000.... Time is against us!

This council has approved \$175,00 to purchase a clubhouse and we have \$50,000 to add to that. Without a decent clubhouse, we're only half a club and this also reflects on the ability to attract more Santa Clara members.

The social part of being a club is diminished. We're asking you now to make us whole. We need this council to move ahead before the cost or the funds are no longer available.

The Santa Clara Lawn Bowl Club thanks you for your consideration.

Thank you, Jerry Patrignani \_\_\_\_\_

2/8/2022

Tom Freitas

[tfreitas89@yahoo.com](mailto:tfreitas89@yahoo.com)

02-08-22

ITEM 1.A  
RTC #22-1665

Company	Revenue 21 or 20(Billion)	Earnings(Millions)	Market Cap Feb,2022(Billion)
nVidia	\$17.00	\$4,330	\$617
Intel	\$79.00	\$1,987	\$198
ServiceNow	\$5.90	\$230	\$116
AMD	\$16.43	\$3,160	\$151
Aplied Material	\$23.00	\$5,890	\$121
Analog Devices	\$7.32	\$1,390	\$86
Agilent Tech	\$6.32	\$1,210	\$42
Marvel Tech	\$2.70	\$1,580	\$63
Palo Alto Netw	\$4.26	-\$499	\$51
Arista Networks	\$2.32	\$634	\$38
Citrix	\$3.22	\$307	\$13

Total in Millions	167470	20219	\$1,445,000
Employee Tax (Million)	10	10	
%age of (Rev & Earnings)	0.00597	0.0495	

POST MEETING MATERIAL

**From:** [alexis Tan](#)  
**To:** [Public Comment](#)  
**Subject:** Priority Setting Session  
**Date:** Tuesday, February 8, 2022 8:37:05 AM

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Dear Santa Clara City Council,

Climate change is becoming an increasingly worrisome problem. Over the past few years, everyone in our city has experienced some form of climate related effects.

Due to this, SVYCA hopes you prioritize climate related actions and the implementation of the Santa Clara CAP in the upcoming year. Thank you for your time!

Sincerely,

Alexis Tan, Santa Clara High School, SVYCA

Rosie Chen, Wilcox High School, SVYCA