



City of Santa Clara

Draft

Joint Meeting Minutes

Council and Authorities Concurrent & Santa Clara Stadium Authority Meeting

03/22/2022

3:30 PM

Virtual Meeting
3:30 PM Closed Session
7:30 PM Open Session

****REVISION:** Updated Item 1.D to reflect the listing of name of negotiating party(ies).

Pursuant to Government Code Section 54953(e) and City of Santa Clara Resolution 22-9058, the City Council meeting will be held by teleconference only. No physical location will be available for this meeting; however, the City of Santa Clara continues to have methods for the public to participate remotely:

- Via Zoom:
 - o <https://santaclaraca.zoom.us/j/99706759306>
 - Meeting ID: 997-0675-9306 or
 - o Phone: 1(669) 900-6833
- Via the City's eComment (now available during the meeting)
- Via email to PublicComment@santaclaraca.gov

As always, the public may view the meetings on SantaClaraCA.gov, Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City's YouTube channel or Facebook page.

3:30 PM CLOSED SESSION

Call to Order

Mayor/Chair Gillmor called the meeting to order at 3:30 PM.

Roll Call

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

- 1.A** [22-250](#) Public Employee Appointment (Gov. Code §§ 54957, 54954.5, subd. (e).)
Title: Interim City Attorney

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- 1.B** [22-416](#) Public Employee Discipline/Dismissal/Release (Government Code § 54957, (b)(1))
- 1.C** [22-417](#) Public Employment Appointment (Government Code §§ 54957, 54954.5, subd. (e))
Title: Acting City Manager
- 1.D** [22-377](#) Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8
Property: Please see below listing for APNs and addresses
City/Authority Negotiator: Assistant City Manager, Director of Parks & Recreation
Negotiating Parties: Please see below listing for names of negotiating party(ies)
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms)
- 1.E** [22-408](#) Conference with Legal Counsel-Anticipated Litigation (CC)
Pursuant to Gov. Code § 54956.9(a) - Exposure to litigation
Number of potential cases: 1
(Facts and Circumstances)
City as potential defendant: Demand letter from Abramson Labor Group, representing Leo Valdez, dated February 22, 2022
- 1.F** [22-427](#) Conference with Legal Counsel-Existing Litigation (CC, SARDA)
Pursuant to Gov. Code § 54956.9(d)(1)
County of Santa Clara, et al., v. City of San Jose, et al.
Santa Clara County Superior Court Master Case Number (consolidated)
105CV046005
- 1.G** [22-431](#) Conference with Labor Negotiators (CC)
Pursuant to Gov. Code § 54957.6
City representative: City Manager's designee
Employee Organization(s):
Unit #1-Santa Clara Firefighters Association, IAFF, Local 1171
Unit #2-Santa Clara Police Officer's Association
Unit #3-IBEW Local 1245 (International Brotherhood of Electrical Workers)
Unit #4-City of Santa Clara Professional Engineers
Units #5, 7 & 8-City of Santa Clara Employees Association
Unit #6-AFSCME Local 101 (American Federation of State, County and Municipal Employees)
Unit #9-Miscellaneous Unclassified Management Employees
Unit #9A-Unclassified Police Management Employees
Unit #9B-Unclassified Fire Management Employees
Unit #10-PSNSEA (Public Safety Non-Sworn Employees Association)

Public Comment

None.

Convene to Closed Session

Council/Board adjourned to Closed Session at 3:32 PM.

7:30 PM JOINT COUNCIL AND STADIUM AUTHORITY MEETING

Call to Order

Mayor/Chair Gillmor called the Open Session to order at 7:31 PM.

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Chahal recited the Statement of Values.

Assistant City Clerk/Secretary Pimentel recited the AB 23 Announcement and Behavioral Standards. **Assistant City Clerk/Secretary Pimentel** also noted registered Lobbyist must identify themselves and whom they represent while speaking during a public meeting.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

Mayor Gillmor reported that on Item 1.B - Council approved severance agreement with City Manager Deanna Santana.

Chief Assistant City Attorney Reuter noted that there was no reportable action from Items 1.D, 1.E, 1.F.

Mayor Gillmor noted that there was no reportable action on Item 1.A and 1.C.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

Mayor Gillmor noted that Public Presentations will be heard after Special Order of Business.

SPECIAL ORDER OF BUSINESS

2.A [22-03](#) Proclaim March 2022 as Red Cross Month

Council proclaimed March as American Red Cross Month.

Joe Siecinski (American Red Cross) gave a Powerpoint presentation on the American Red Cross.

Council comments followed.

2.B [22-279](#) Proclaim March 2022 as Youth Arts Month

Council proclaimed March as Youth Arts Month.

Sofia Fojas (Arts Coordinator, Santa Clara County Office of Education) gave a Powerpoint presentation on Youth Arts.

Council comments followed.

PUBLIC PRESENTATIONS

Dan Ondrasek gave a Powerpoint presentation on returning Main Street to Downtown Santa Clara. (Connie Costa, Mary Grizzle, Kayla Grizzle, and Dan Meyberg conceded their time to Dan to allow him to speak for 15 minutes)

[22-445](#) Public Presentations Post Meeting Material

CONSENT CALENDAR

A motion was made by Council/Boardmember Watanabe, seconded by Council/Boardmember Hardy, to approve the Consent Calendar.

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

3.A [22-400](#) Action on December 14, 2021 Council and Authorities Concurrent & Stadium Authority Meeting and January 5, 2022 Special City Council Meeting Minutes

Recommendation: Approve the December 14, 2021 Council and Authorities Concurrent & Stadium Authority Meeting and January 5, 2022 Special City Council Meeting minutes.

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

3.B [22-15](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Historical and Landmarks Commission - February 3, 2022
Cultural Commission - February 7, 2022
Youth Commission - February 8, 2022
Audit Committee - November 30, 2021

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

3.C [22-305](#) Action on Monthly Financial Status and Investment Report for December 2021 and Approve Related Budget Amendments

Recommendation: Note and file the Monthly Financial Status and Investment Reports for November 2021 as presented and Approve Related Budget Amendments in various funds requiring five affirmative votes and consistent with **City Charter Section 1305**, *“At any meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by the **affirmative votes of at least five members** so as to authorize the transfer of unused balances appropriated for one purpose to another purpose, or to appropriate available revenue not included in the budget,”* as noted for each individual item in Attachment 3.

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

3.D [22-306](#) Action on the Single Audit Report for Fiscal Year 2020-21

Recommendation: Note and file the City of Santa Clara Single Audit Report for the year ended June 30, 2021, as recommended by the Council Audit Committee.

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

3.E [22-356](#) Action on the Integrated Goose Management Plan (IGMP) for Central Park

Recommendation: Recommend that Council approve the Santa Clara Central Park Integrated Goose Management Plan and its implementation.

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

- 3.F [22-1704](#) Action on a Substation Agreement with CoreSite Real Estate SV9, L.P. for Stender Way Junction Substation, Related Budget Amendment, Addition of 4.0 Full Time Positions and Delegation of Authority to the Office of the City Manager to Negotiate and Execute Substation Agreements for Silicon Valley Power (SVP) with the following customers:
1. 651 Walsh Partners, LLC for Laurelwood Junction Substation;
 2. 1220 Santa Clara Propco, LLC for Memorex Junction Substation; and
 3. C-1 Santa Clara LLC, for Martin Avenue Junction Substation Agreement

- Recommendation:**
1. Authorize the Office of the City Manager to execute the Substation Agreement with CoreSite Real Estate SV9, L.P. to allow SVP to design, procure equipment, and construct 60kV facilities to serve the Stender Way Junction Substation to meet an ultimate capacity of 49 MVA of permanent electric service to 2905 Stender Way, subject to the appropriation of funds;
 2. Authorize the Office of the City Manager to negotiate and execute a Substation Agreement with 651 Walsh Partners, LLC to allow SVP to design, procure equipment, and construct 60kV facilities to serve the Laurelwood Junction Substation to meet an ultimate capacity of up to 99 MVA of permanent electric service to 651 Walsh Avenue, subject to the appropriation of funds;
 3. Authorize the Office of the City Manager to negotiate and execute a Substation Agreement with 1220 Santa Clara Propco, LLC to allow SVP to design, procure equipment, and construct 60kV facilities to serve the Memorex Junction Substation to meet an ultimate capacity of up to 60 MVA of permanent electric service to 1220 Memorex Drive, subject to the appropriation of funds;
 4. Authorize the Office of the City Manager to negotiate and execute a substation agreement with C-1 Santa Clara LLC to allow SVP design, procure equipment, and construct 60kV facilities to serve for Martin Avenue Junction Substation to meet an ultimate capacity of up to 99 MVA of permanent electric service to 2600 De La Cruz, subject to the appropriation of funds;
 5. Authorize the Office of the City Manager to make minor modifications to the substation agreements and execute any and all associated documents;
 6. Delegate authority to the Office of the City Manager to approve long lead time material procurement agreements and associated purchase orders for these Substation Agreements;
 7. Consistent with City Charter Section 1305, *“At any meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by the **affirmative votes of at least five members** so as to authorize the transfer of unused balances appropriated for one purpose to another purpose, or to appropriate*

available revenue not included in the budget," approve the following FY 2021/22 budget amendments:

A. In the Electric Utility Capital Fund, recognize developer contributions of \$885,166, and increase the Stender Way Junction project appropriation by \$885,166, and recognize developer contributions of \$4,016,000, and increase the Memorex Junction Substation project appropriation by \$4,016,000 (**five affirmative Council votes required to appropriate additional revenue**); and

8. Approve the addition of two (2) Senior Electric Utility Engineers, one (1) Senior Instrument and Controls Technician, and one (1) Electric Water System Operator in the Electric Utility Department.

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

3.G [22-1748](#)

Action on an Agreement with Iteris, Inc. for Design Professional Services for the Great America Parkway and Tasman Drive Traffic Signal Interconnect Project

Recommendation: 1. Approve and authorize the City Manager to execute an agreement for Design Professional Services with Iteris, Inc. for the Great America Parkway and Tasman Drive Traffic Signal Interconnect Project in the amount not-to-exceed \$158,000; and
2. Authorize the City Manager to make minor modifications to the agreement, if needed.

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

- 3.H [22-103](#) Action on Agreements with Axon Enterprise, Inc. for the Purchase of Body Worn Cameras, Conducted Energy Weapons, and Evidence.com

Recommendation:

1. Authorize the City Manager's Office to execute an agreement with Axon Enterprise, Inc. for the bundled purchase of Body Worn Cameras, Conducted Energy Weapons and Evidence.com for the Santa Clara Police Department with a five-year term starting on April 1, 2022 and ending on March 31, 2027, with maximum compensation not-to-exceed \$2,276,714, and subject to the appropriation of funds;
2. Authorize the Executive Director's Office to execute an agreement with Axon Enterprise, Inc. for the purchase of Body Worn Cameras and Evidence.com for the Santa Clara Stadium Authority with a five-year term starting on April 1, 2022 and ending on March 31, 2027, with maximum compensation not-to-exceed \$439,294, and subject to the appropriation of funds;
3. Authorize staff to purchase additional body worn cameras, conducted energy weapons and software services as may be required, subject to the same terms and conditions and the appropriation of funds; and
4. Authorize the City Manager and the Executive Director Offices to extend the agreements for up to five additional years, at the discretion of the SCPD and subject to the appropriation of funds.

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

- 3.I [22-112](#) Action on an Agreement with R3 Consulting Group, Inc. for Solid Waste Consulting Services

Recommendation:

1. Authorize the City Manager's Office to execute an Agreement with R3 Consulting Group, Inc. for solid waste consulting services, with a five-year term starting on or around April 1, 2022, and ending on June 30, 2027, with maximum compensation not-to-exceed \$754,915 subject to the appropriation of funds;
2. Authorize the City Manager's Office to execute amendments to the Agreement for additional solid waste consulting services that may be required during the five-year term, subject to the appropriation of funds; and
3. Authorize the City Manager's Office to execute up to two, one-year options to extend the Agreement through June 30, 2029, subject to the appropriation of funds.

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

3.J [22-153](#)

Action on Various Agreements for Silicon Valley Power (SVP), Authorizing the Office of the City Manager to:

1. Exercise options to renew an Enterprise Program Agreement with OSIssoft, LLC for up to five years and increase funding authorization to include additional services or addition of assets to the existing licenses;
2. Negotiate and Execute Amendment No. 2 to an Agreement for Services with Efficiency Services Group, LLC to administer the Commercial Parking Lot & Exterior Lighting Program to Silicon Valley Power's (SVP) small and mid-sized business customers;
3. Negotiate and execute additional amendments to add or delete services or licenses consistent with the scopes of the subject agreements, and allow future rate adjustments including associated increases to maximum compensation, subject to request and justification by contractor, approval by the City, and the appropriation of funds; and
4. Execute long lead-time material agreements and purchase orders for the South Loop Reconfiguration Project

Recommendation:

1. Authorize the Office of the City Manager to exercise options to renew the Enterprise Program Agreement with OSIssoft, LLC for up to five years through April 23, 2027 and increase funding authorization by \$911,930 to include additional services or addition of assets to the existing licenses for a total maximum authorization of \$1,400,000, subject to annual appropriation of funds;
2. Authorize the Office of the City Manager to negotiate and execute Amendment No. 2 to an Agreement for Services with Efficiency Services Group, LLC to administer the Commercial Parking Lot & Exterior Lighting Program to Silicon Valley Power's (SVP) small and mid-sized business customers extending the term through June 30, 2023 and increasing maximum compensation by \$527,000 for a total maximum authorization of \$1,527,000, subject to annual appropriation of funds;
3. Authorize the Office of the City Manager to negotiate and execute additional amendments to add or delete services or licenses consistent with the scope of the agreements and allow future rate adjustments including associated increases in maximum compensation subject to request and justification by contractor, approval by the City, and the appropriation of funds; and
4. Delegation of authority to the Office of the City Manager to purchase long lead-time materials for South Loop Reconfiguration Project.

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

- 3.K [22-96](#) Action on Agreements with C2R Engineering, Inc. and West Valley Construction Company, Inc. for On Call Emergency Water & Sewer Utility Repairs

Recommendation: Authorize the City Manager's Office to execute Master Agreements with C2R Engineering, Inc. and West Valley Construction Company for On Call Emergency Water & Sewer Utility Repairs, for a five-year term starting on or about April 1, 2022, and ending on or about March 31, 2027, with a maximum aggregate compensation not-to-exceed \$5,000,000 for the two Master Agreements.

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

- 3.L [22-119](#) Action on a Resolution Acknowledging Receipt by City Council of a State-Mandated Compliance Report on Required Annual Fire Inspections of Certain Occupancies

Recommendation: Adopt a Resolution acknowledging receipt of a report made by the Fire Chief of the Santa Clara Fire Department regarding the inspection of certain occupancies requiring annual inspections in such occupancies pursuant to sections 13146.2 and 13146.3 of the California Health and Safety Code.

A motion was made by Councilmember Watanabe, seconded by Councilmember Hardy, to adopt Resolution No. 22-9059 acknowledging receipt of a report made by the Fire Chief of the Santa Clara Fire Department regarding the inspection of certain occupancies requiring annual inspections in such occupancies pursuant to sections 13146.2 and 13146.3 of the California Health and Safety Code.

- 3.M [22-262](#) Accept the 2021 General Plan Annual Progress Report

Recommendation: Accept the General Plan Annual Progress Report as presented by staff.

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

- 3.N [22-304](#) Action on Reappointment of Board and Commission Members, Declaring Commissioner Vacancies, and Setting Dates for Recruitment and Interviews

- Recommendation:**
1. Reappoint the six (6) eligible commissioners to serve a four-year term each ending June 30, 2026;
 2. Declare five (5) vacancies on the following commissions for four (4) full terms each ending June 30, 2026 and one partial term ending June 30, 2025:
 - Two (2) on the Parks and Recreation Commission (full terms);
 - One (1) on the Planning Commission (full term); and
 - Two (2) on the Senior Advisory commission (one full term and one partial term);
 3. Open the recruitment period on March 23, 2022;
 4. Set April 27, 2022 by 5:00 p.m. as the application deadline; and
 5. Set May 16, 2022 to conduct interviews.

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

- 3.O [22-1777](#) Action to Waive First Reading and Introduce an Ordinance of the City of Santa Clara, California, Defining the Composition of the Membership of the Bicycle and Pedestrian Advisory Committee and the Scope of the Bicycle and Pedestrian Advisory Committee's Jurisdiction, Adding a New Section 2.120.170 ("Bicycle and Pedestrian Advisory Committee") and Amending Section 2.120.010 (Names, Membership, Qualifications, and Terms of Office") of Chapter 2.120 ("Boards and Commissions") of Title 2 ("Administration and Personnel") of the Santa Clara City Code and Adopt Changes to the Bicycle and Pedestrian Advisory Committee Policy Guidelines

- Recommendation:**
1. Waive First Reading and Introduce an Ordinance of the City of Santa Clara, California, Defining the Composition of the Membership of the Bicycle and Pedestrian Advisory Committee and the Scope of the Bicycle and Pedestrian Advisory Committee's Jurisdiction, Adding a New Section 2.120.170 ("Bicycle and Pedestrian Advisory Committee") and Amending Section 2.120.010 (Names, Membership, Qualifications, and Terms of Office") of Chapter 2.120 ("Boards and Commissions") of Title 2 ("Administration and Personnel") of "The Code of the City of Santa Clara, California"; and
 2. Adopt Changes to the Bicycle and Pedestrian Advisory Committee Policy Guidelines.

A motion was made by Councilmember Watanabe, seconded by Councilmember Hardy, pass to print Ordinance No. 2043 Defining the Composition of the Membership of the Bicycle and Pedestrian Advisory Committee and the Scope of the Bicycle and Pedestrian Advisory Committee's Jurisdiction, Adding a New Section 2.120.170 ("Bicycle and Pedestrian Advisory Committee") and Amending Section 2.120.010 (Names, Membership, Qualifications, and Terms of Office") of Chapter 2.120 ("Boards and Commissions") of Title 2 ("Administration and Personnel") of "The Code of the City of Santa Clara, California"; and Adopt Changes to the Bicycle and Pedestrian Advisory Committee Policy Guidelines.

- 3.P [22-352](#) Action to Waive Second Reading and Adopt Ordinance No. 2041 to Amend Section 18.80.210 of the Zoning Code to Increase the Permissible Height of Digital Billboards

Recommendation: Waive Second Reading and Adopt Ordinance No. 2041 to Amend Section 18.80.210 of the Zoning Code to allow for increased sign height in conjunction with a Billboard Relocation Agreement.

Public Speaker(s): Jan Hintermeister

Director of Community Development Crabtree addressed public comments.

A motion was made by Councilmember Watanabe, seconded by Councilmember Hardy, to adopt Ordinance No. 2041 amending Section 18.80.210 of the Zoning Code to allow for increased sign height in conjunction with a Billboard Relocation Agreement.

- 3.Q [22-409](#) Action to Waive Second Reading and Adopt Ordinance No. 2042 Approving a Military Equipment Funding, Acquisition and Use Policy Pursuant to Assembly Bill 481

Recommendation: Waive Second Reading and Adopt Ordinance No. 2042 Approving a Military Equipment Funding, Acquisition and Use Policy Pursuant to Assembly Bill 481.

A motion was made by Councilmember Watanabe, seconded by Councilmember Hardy, to Adopt Ordinance No. 2042 approving a Military Equipment Funding, Acquisition and Use Policy Pursuant to Assembly Bill 481.

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

- 4.A [22-309](#) Informational Report on Dates and Purpose of Stadium Authority and Stadium Manager Meetings and Corresponding Minutes for the Period of October 1 to December 31, 2021

Recommendation: Note and file the quarterly report on Stadium Authority and Stadium Manager meetings and corresponding minutes for the period of October 1 to December 31, 2021.

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

- 4.B [22-272](#) Action on Stadium Authority Bills and Claims for the Month of December 2021

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

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

4.C Action on Request Submitted by the Stadium Manager to Exercise Option to Extend Term of Agreement with Landmark Event Staffing Services, Inc. for Levi's Stadium Event Security Services

1. [22-414](#) Request from the Stadium Manager to Exercise Option to Extend Term of Agreement with Landmark Event Staffing Services, Inc. for Levi's Stadium Event Security Services
2. [22-415](#) Report from Stadium Authority for Action on the Stadium Manager's Request to Exercise Option to Extend Term of Agreement with Landmark Event Staffing Services, Inc. for Levi's Stadium Event Security Services

Recommendation:

1. Approve the Stadium Manager's request to exercise its option to extend the term of the agreement with Landmark by one additional two-year period through March 31, 2024, and authorize staff to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager.

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

CONSENT ITEMS PULLED FOR DISCUSSION

None.

PUBLIC HEARING/GENERAL BUSINESS

5. [22-358](#) Report and Presentation from the Independent Redistricting Commission on the 2020 Census Redistricting Process and its Adoption of a Final Map; Action on the Introduction of an Ordinance Adopting the New Council District Map - TO BE HEARD AT 8:00 PM or SHORTLY THEREAFTER

Recommendation: Approval of the introduction of an ordinance adopting a new City Council District map describing the district boundaries for the City of Santa Clara's By-District elections.

City Clerk Haggag provided introductory remarks and introduced **Chair Mirashi** of the Independent Redistricting Commission.

Chair Mirashi and **Jeanne Gobalet (Lapkoff & Gobalet Demographers, Inc. - Demographer)** gave a Powerpoint presentation.

Council comments and questions followed.

Jeanne Gobalet addressed **Council** questions.

A motion was made by Councilmember Becker, seconded by Councilmember Park, to approve the introduction of Ordinance No. 2044 adopting a new City Council District map describing the district boundaries for the City of Santa Clara's By-District elections.

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

6. [22-1757](#) Public Hearing: Adoption of a Resolution Ordering the Abatement of a Nuisance Consisting of Growing Weeds in Association with the County Weed Abatement Program for 2021-2022

Recommendation: Adopt a Resolution ordering the abatement of a nuisance consisting of growing weeds in the City.

A motion was made by Councilmember Watanabe, seconded by Councilmember Park, to close the public hearing.

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

A motion was made by Councilmember Watanabe, seconded by Councilmember Becker, to adopt Resolution No 22-9060 ordering the abatement of a nuisance consisting of growing weeds in the City.

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

7. [22-69](#) Action on the Patrick Henry Drive Specific Plan Including: Determination of the Adequacy of the Environmental Impact Report (EIR) and Adoption of a Statement of Overriding Considerations and an Associated Mitigation Monitoring and Reporting Program (MMRP); Adoption of the Patrick Henry Drive Specific Plan; Adoption of General Plan Amendments to Create New General Plan Land Use Designations and Change the General Plan Land Use Diagram from Light Industrial to Various Residential Designations; Waive First Reading and Introduce an Ordinance to Add a New Chapter 18.27 to the Zoning Code to Create Zoning Regulations for the Patrick Henry Drive Area Specific Plan and Rezoning of the Patrick Henry Drive Specific Plan Area

Recommendation: Alternatives 1-4:

1. Adopt a resolution approving and certifying the Final EIR prepared for the Patrick Henry Drive Specific Plan (SCH # 2019120515), including CEQA Findings and a statement of overriding considerations;
2. Adopt a resolution approving the PHD Specific Plan, a specific plan consistent with Government Code Sections 65450-65457 that incorporates text in the Alternate Circulation Diagram (4.6.2-ALT: CIRCULATION) "Subject to the Approval of the Mission College Board of Trustees"; and incorporates affordable housing language as follows: 15% affordable units split equally between three affordability levels of 50%, 80%, and 120% AMI;
3. Adopt a resolution approving General Plan text amendments creating the following land use designations: Village Residential (60-149 DU/AC), Urban Village (100-149 DU/AC), Urban Center (120-250 DU/AC), and High Density Flex (60-149 DU/AC, or up to 2.0 FAR), updating the Climate Action Plan to recognize those Land Use Designations, and amending the General Plan Land Use diagrams for Phases II and III to reflect the land use designations in the Patrick Henry Drive Specific Plan; and
4. Waive first reading and introduce an ordinance amending the Zoning Code to create a new Chapter 18.27 of the Zoning Code, Regulations for the Patrick Henry Drive Area (PHD) Zoning Districts, including development standards, allowed uses and parking requirements for the following zoning districts: R5 - Very High Density Residential, VR - Village Residential, UV - Urban Village, UC - Urban Center, and HD Flex - High Density Flex, and rezoning the Project Site using the new districts as indicated in the Patrick Henry Drive zoning map, incorporating affordable housing language as follows: 15% affordable units split equally between three affordability levels of 50%, 80%, and 120% AMI.

Director of Community Development Crabtree gave a Powerpoint presentation on the Patrick Henry Drive Specific Plan.

Council questions and comments followed.

Director of Community Development Crabtree and Director of Parks & Recreation Teixeira addressed **Council** questions.

Public Speaker(s): Lee Broughman
Alicia Guerra
#6929
John Dalrymple
Jeff Smith (Registered Lobbyist)
Jan Hintermeister
Brian Pors - UA Local 393
Edmundo - UA Local 393
Erica Valentine
Mary Grizzle (E-Mail)

Michael Seville
Maria Rodriguez
Eric Morley (Registered Lobbyist)
Brian Goldenberg
Yun Lin
Dennis Martin (Registered Lobbyist)
Elaine Breeze (Registered Lobbyist)
Lance Saleme
James Suh

Vice Mayor Jain disclosed that he met with some of the stakeholders.

Council questions and comments followed.

Director of Community Development Crabtree and Assistant City Manager Pineda addressed **Council** comments.

Council comments followed.

Public Speaker(s): Eric Morley (Registered Lobbyist)
Jeff Smith (Registered Lobbyist)
Alicia Guerra
Elaine Breeze (Registered Lobbyist)
James Suh

Council comments followed.

A motion was made by **Councilmember Watanabe**, seconded by **Councilmember Hardy**, to approve Planning Commission recommendations Alternatives 5, 6, 7 and 8 with the following changes: providing the clarifying language: remove the connector road from the final document.

A substitute motion was made by **Vice Mayor Jain**, seconded by **Councilmember Becker**: to approve Planning Commission recommendations Alternatives 5, 6, 7, and 8 with the following changes: (1)

direct staff to have a requirement for project developers to prepare a design evaluation for bird safety based on the projects architecture and location of the projects specific area, (2) add one electrical outlet per ten bicycles, (3) add a bicycle repair station, and (4) staff to return with a proposal for a Patrick Henry Specific Area Plan amendment at a future date to consider a public art fee.

Chief Assistant City Attorney Reuter addressed **Council** questions.

Council comments and questions followed.

Vice Mayor Jain requested **Councilmember Watanabe** to include his changes noted in the substitute motion to her original motion.

Councilmember Watanabe accepted those changes; therefore, the substitute motion is no longer on the floor.

Councilmember Chahal to add to the motion on the floor to include the following: Transportation Management Association shall return to City Council for robust discussion instead of the City Manager.

Council comments and questions followed.

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

Councilmember Park change title of zoning designation in the ordinance for second reading.

Chief Assistant City Attorney Reuter addressed **Council** questions.

A motion was made by **Councilmember Watanabe**, seconded by **Councilmember Hardy**, to approve Planning Commission recommendations **Alternative (5)** adopt Resolution No. 22-9061 approving and certifying the Final EIR prepared for the Patrick Henry Drive Specific Plan (SCH # 2019120515), including CEQA Findings and a statement of overriding considerations.; **Alternative (6)** adopt Resolution No. 22-9062 approving the PHD Specific Plan, a specific plan consistent with Government Code Sections 65450-65457, with the addition of a seventh principle to the Specific Plan: “7. Building a Vibrant Middle Class: Encourage the use of a local construction workforce and local business sourcing in the buildout within the Plan area. The employment of a local construction workforce that pays family-supporting wages will generate sales tax revenue for the City as those wages are

recirculated within the City's business community. The availability of a trained construction workforce is essential for the success in implementing the Plan therefore the employment of apprentices in State of California approved training programs will also be encouraged"; incorporate text in the Alternate Circulation Diagram (4.6.2-ALT: CIRCULATION) "Subject to the Approval of the Mission College Board of Trustees"; and incorporate affordable housing language as follows: 15% affordable units split equally between three affordability levels of 50%, 80%, and 120% AMI.; Alternative (7) adopt Resolution No. 22-9063 approving General Plan text amendments creating the following land use designations: Village Residential (60-149 DU/AC), Urban Village (100-149 DU/AC), Urban Center (120-250 DU/AC), and High Density Flex (60-149 DU/AC, or up to 2.0 FAR), updating the Climate Action Plan to recognize those Land Use Designations, and amending the General Plan Land Use diagrams for Phases II and III to reflect the land use designations in the Patrick Henry Drive Specific Plan; and Alternative (8) waive first reading and introduce Ordinance No. 2045 amending the Zoning Code to create a new Chapter 18.27 of the Zoning Code, Regulations for the Patrick Henry Drive Area (PHD) Zoning Districts, including development standards, allowed uses and parking requirements for the following zoning districts: R5 - Very High Density Residential, VR - Village Residential, UV - Urban Village, UC - Urban Center, and HD Flex - High Density Flex, and rezoning the Project Site using the new districts as indicated in the Patrick Henry Drive zoning map, incorporating affordable housing language as follows: 15%affordable units split equally between three affordability levels of 50%, 80%, and 120% AMI with the following changes: (a) providing the clarifying language: remove the connector road from the final document, (b) direct staff to have a requirement for project developers to prepare a design evaluation for bird safety based on the projects architecture and location of the projects specific area, (c) add one electrical outlet per ten bicycles and add a bicycle repair station, (d) staff to return with a proposal for a Patrick Henry Specific Area Plan amendment at a future date to consider a public art fee, (e) Transportation Management Association shall return to City Council for robust discussion instead of the City Manager, and (f) change title of zoning designation in the ordinance for second reading.

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

8. [22-90](#) Public Hearing: Action to Waive First Reading and Introduce an Ordinance Amending Chapter 17.15 “Property Developments” of Title 17 “Development” of the Santa Clara City Code to Add Section 17.15.360 “Patrick Henry Drive Infrastructure Improvement Fee”; and Approve a Resolution Approving the Findings from the Patrick Henry Drive Specific Plan Infrastructure Impact Fee Nexus Study, Adopting the Nexus Study, Setting the Rates for the Infrastructure Impact Fee, and Establishing the Patrick Henry Drive Infrastructure Improvement Fund

Recommendation: Alternatives 1, 2, 3, and 4:

1. Waive First Reading and Approve the Introduction of an Ordinance Amending Chapter 17.15 “Property Development” of Title 17 “Development” of the Santa Clara City Code to Add Section 17.15.360 “Patrick Henry Drive Infrastructure Improvement Fee”;
2. Adopt a Resolution Approving the Findings from the Patrick Henry Drive Specific Plan Infrastructure Impact Fee Nexus Study, Adopting the Nexus Study, and Setting the Rates for the Infrastructure Impact Fee;
3. Approve the Patrick Henry Drive Specific Plan Infrastructure Impact Fee; and adjust fees annually in line with the latest Construction Cost Index for San Francisco, as published by Engineering News Record or equivalent, to keep up with construction costs and inflation; and
4. Approve the establishment of the Patrick Henry Drive Infrastructure Improvement Fund (Fund 542) to account for the impact fee revenues and project expenditures.

Director of Public Works Mobeck introduced the item and **Assistant Director of Public Works Liw** gave a Powerpoint presentation on Patrick Henry Drive Specific Plan Infrastructure Impact fee.

Council comments and questions followed.

Assistant Director of Public Works Liw addressed **Council** questions.

Public Speaker(s): Lance Saleme
Jeff Smith
Eric Morley (Registered Lobbyist)
Elaine Breeze (Registered Lobbyist)

A motion was made by Councilmember Chahal, seconded by Councilmember Park, to close the Public Hearing.

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

A motion was made by Councilmember Chahal, seconded by Councilmember Becker, to approve Alternatives 1, 2, 3, and 4: (1) waive first reading and approve the Introduction of Ordinance No. 2046 Amending Chapter 17.15 "Property Development" of Title 17 "Development" of the Santa Clara City Code to Add Section 17.15.360 "Patrick Henry Drive Infrastructure Improvement Fee"; (2) adopt Resolution No. 22-9064 approving the Findings from the Patrick Henry Drive Specific Plan Infrastructure Impact Fee Nexus Study, Adopting the Nexus Study, and Setting the Rates for the Infrastructure Impact Fee; (3) approve the Patrick Henry Drive Specific Plan Infrastructure Impact Fee; and adjust fees annually in line with the latest Construction Cost Index for San Francisco, as published by Engineering News Record or equivalent, to keep up with construction costs and inflation; and (4) approve the establishment of the Patrick Henry Drive Infrastructure Improvement Fund (Fund 542) to account for the impact fee revenues and project expenditures.

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

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

None.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

None.

[22-419](#) Update on City Council and Stadium Authority Staff Referrals

[22-444](#) Adjournment of the March 22, 2022 City Council and Stadium Authority Meeting Post Meeting Material

ADJOURNMENT

The meeting was adjourned at 11:36 PM in memory of **Donald Payton (34-year City of Santa Clara Electric Dept employee and resident)**.

A motion was made by Council/Boardmember Hardy, seconded by Council/Boardmember Chahal, to adjourn the meeting.

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

The next regular scheduled meeting is on Tuesday, April 5, 2022.

MEETING DISCLOSURES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

AB23 ANNOUNCEMENT: Members of the Santa Clara Stadium Authority, Sports and Open Space Authority and Housing Authority are entitled to receive \$30 for each attended meeting.

Note: The City Council and its associated Authorities meet as separate agencies but in a concurrent manner. Actions taken should be considered actions of only the identified policy body.

LEGEND: City Council (CC); Stadium Authority (SA); Sports and Open Space Authority (SOSA); Housing Authority (HA); Successor Agency to the City of Santa Clara Redevelopment Agency (SARDA); Bayshore North Project Enhancement Authority (BNPEA); Public Facilities Financing Corporation (PFFC)

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

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