



City of Santa Clara

Meeting Minutes

Council and Authorities Concurrent Meeting

06/23/2020

1:00 PM

City Hall Council Chambers
1500 Warburton Avenue
Santa Clara, CA 95050

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented methods for the public to participate remotely:

- Via Zoom:

- o <https://santaclaraca.zoom.us/j/99706759306>

Meeting ID: 997-0675-9306 or

- o Phone: 1(669) 900-6833

- Via the City's eComment (now available during the meeting)

- Via email to PublicComment@santaclaraca.gov

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

For those individuals that do not have the above access, the City Cafeteria has been set up to accommodate up to 10 people at a time and public comment will be given from that location.

The meeting set-up is in line with the recommendations of the COVID-19 White House Task Force, which notes no more than 10 people gatherings. The Mayor will be present for the meeting with Councilmembers and department heads participating remotely. A limited number of staff will also be present.

1:00 PM COUNCIL REGULAR MEETING

Call to Order

Mayor Gillmor called the Regular Meeting to order 1:09 PM.

Pledge of Allegiance and Statement of Values

Roll Call

Present: 5 - Councilmember Teresa O'Neill, Councilmember Debi Davis, Councilmember Kathy Watanabe, Councilmember Raj Chahal, and Mayor Lisa M. Gillmor

Absent: 1 - Vice Mayor Karen Hardy

CLOSED SESSION

20-645

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

20-646

Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8
Property: 500 Benton Street, APN 230-08-078
City Negotiator: Deanna J. Santana, City Manager (or designee)
Negotiating Parties: Robert Mendelsohn, Republic Metropolitan
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property
(provisions, price and terms of payment)

Public Comment

Public Speaker(s): Adam Thompson (e-Comment) read into the record by Assistant City Clerk Pimentel.

Convene to Closed Session (Council Conference Room)

Mayor Gillmor adjourned to Closed Session at 1:13 p.m.

Mayor Gillmor reconvened the Regular Meeting at 3:08 p.m.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

City Attorney Doyle noted that there was no reportable action from Closed Session.

A motion was made by Councilmember Davis, seconded by Councilmember Chahal, to excuse Vice Mayor Hardy from the meeting.

Aye: 5 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Absent: 1 - Vice Mayor Hardy

CONTINUANCES/EXCEPTIONS

Mayor Gillmor requested to move Special Order of Business Item #3 - Proclamation of June 19, 2020 as Juneteenth up before the Study Session.

A motion was made by Councilmember Davis, seconded by Councilmember Chahal, to move up Item #3 - Proclamation of June 19, 2020 as Juneteenth.

Aye: 5 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Vice Mayor Hardy

[20-661](#) Moment of Silence at the June 23, 2020 Council Meeting Post Meeting Material

Mayor Gillmor offered a moment of silence in memory of **Federal Protective Officer Dave Patrick Underwood** and **Santa Cruz County Deputy Sergeant Damon Gutzwiller**.

1. [20-629](#) Action on Continuing the Public Hearing for Related Santa Clara Development Area Plan 2 to July 13, 2020

Recommendation: Continue the Public Hearing for the Action on Related Santa Clara Development Area Plan (DAP) 2 to July 13, 2020.

A motion was made by Councilmember Watanabe, seconded by Councilmember Davis, to continue the Public Hearing for Action on Related Santa Clara Development Area Plan (DAP) 2 to July 13, 2020.

Aye: 5 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Vice Mayor Hardy

3. [20-278](#) Proclamation of June 19, 2020 as Juneteenth

Mayor Gillmor presented a Proclamation on behalf of the **Council** to **Milan Balinton**, Executive Director of African American Community Services Agency in recognition of June 19, 2020 as Juneteenth.

STUDY SESSION

2. [20-633](#) Presentation On Voter Research Activities Related to Potential Revenue Measures for the November 2020 Ballot

Recommendation: Review and Provide Input on Potential Revenue Measures to be Placed on the November 2020 Ballot.

Emily Goodwin (Principal, EMC Research) and **Shawn Spano** (Public Disalouge Consortium) gave a PowerPoint Presentation.

SPECIAL ORDER OF BUSINESS

4. [20-637](#) Verbal Report from City Manager regarding COVID-19 Pandemic [Council Pillar: Enhance Community Engagement and Transparency]

City Manager Santana gave a PowerPoint Presentation on the COVID-19 Pandemic.

5. Discussion and action on various items related to the City's Commitment to Action to Review and Change Various Police Policies

Public Speaker(s): Darius Brown

Susan Hinton (e-Comment)

Andrew Knaack (Comments read into the record by Mayor Gillmor)

- B. [20-624](#) Adopt a Resolution in Support of the Commit to Action Initiative

Recommendation: Adopt a Resolution in Support of the Commit to Action Initiative.

A motion was made by Councilmember Davis, seconded by Councilmember Chahal, to adopt Resolution No. 20-8858 in Support of the Commit to Action Initiative.

Aye: 5 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Vice Mayor Hardy

- A. [20-632](#) Adopt a Resolution in Affirming the City's Commitment to Stand in Solidarity with the Black Community

Recommendation: Adopt a Resolution Affirming the City's Commitment to Stand in Solidarity with the Black Community.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to adopt Resolution No. 20-8859 affirming the City's Commitment to Stand in Solidarity with the Black Community.

Aye: 5 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Vice Mayor Hardy

A motion was made by Councilmember Watanabe, seconded by Councilmember Davis, to return at the July 7, 2020 Council meeting to discuss the options for an Ad-Hoc Committee.

Aye: 5 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Vice Mayor Hardy

- C. [20-588](#) Informational Report on the Police Department's Community Engagement Efforts [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

Recommendation: Note and file the Informational Report on the Police Department's Community Engagement Efforts.

Chief of Police Nikolai gave a PowerPoint Presentation.

A motion was made by Councilmember Watanabe, seconded by Councilmember Chahal, to note and file the Informational Report on the Police Department's Community Engagement Efforts.

Aye: 5 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Vice Mayor Hardy

CONSENT CALENDAR

A motion was made by Councilmember Davis, seconded by Council Member O'Neill, to approve the balance of the Consent Calendar (except Items 6.D, 6.U, and 6.X; Mayor Gillmor abstained from 6.F).

Aye: 5 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Vice Mayor Hardy

- 6.A [20-620](#) Action on the Council and Authorities Concurrent Meeting Minutes of April 7 and 28, 2020 and City Council Special Meeting of April 8, 2020 [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation: Approve the Council and Authorities Concurrent Meeting Minutes of April 7 & 28, 2020 and City Council Special Meeting of April 8, 2020.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 6.B [20-12](#) Board, Commissions and Committee Minutes [Council Pillars: Enhance Community Engagement and Transparency]

Recommendation: Note and file the Minutes of:
Historical and Landmarks Commission - March 5, 2020
Planning Commission - January 29, 2020

A motion was made by Councilmember Davis, seconded by Council Member O'Neill, to approve staff recommendation.

- 6.C [20-547](#) Action on Bills and Claims Report (CC, SA, SOSA) for the period May 8th, 2020 - May 29th, 2020 [Council Pillars: Enhance Community Engagement and Transparency]

Recommendation: Approve the list of Bills and Claims for May 8, 2020 - May 29, 2020.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 6.E [20-199](#) Action on Amendment No. 1 to a Subscription License Agreement with Innovative Interfaces, Inc., for Hosting and Maintenance Services [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

Recommendation: Authorize the City Manager to execute Amendment No. 1 to the Agreement with Innovative Interfaces, Inc. to extend the term of the agreement for six years, ending June 30, 2026, for a maximum compensation not to exceed \$757,489.29, and maintain the provision to allow for automatic renewal for five additional one-year terms, subject to the annual appropriation of funds.

A motion was made by Councilmember Davis, seconded by Council Member O'Neill, to approve staff recommendation.

- 6.F [20-635](#) Adoption of a Resolution extending the Moratorium on Evictions for the Non-payment of Rent and No-Fault Evictions for Tenants with Incomes Affected by the Novel Coronavirus (COVID-19) [Council Pillar: Promote and Enhance Economic and Housing Development]

Recommendation: Adopt a resolution extending the moratorium on residential evictions for the nonpayment of rent, as set forth in Chapter 8.65 of Title 8 of the Code of the City of Santa Clara to be in effect through the earlier of (1) the date of any Governor's Executive Order that suspends state law to impose substantive limits on residential or commercial evictions, or (2) August 31, 2020.

Mayor Gillmor abstained from this item due to a potential conflict of interest with owning rental properties in the City of Santa Clara.

A motion was made by Councilmember Davis, seconded by Council Member O'Neill, to adopt Resolution No. 20-8860 extending the moratorium on residential evictions for the nonpayment of rent, as set forth in Chapter 8.65 of Title 8 of the Code of the City of Santa Clara to be in effect through the earlier of (1) the date of any Governor's Executive Order that suspends state law to impose substantive limits on residential or commercial evictions, or (2) August 31, 2020.

Aye: 4 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, and Councilmember Chahal

Excused: 1 - Vice Mayor Hardy

Abstained: 1 - Mayor Gillmor

- 6.G [20-355](#) Action on an Agreement with Mott MacDonald Group, Inc. for Annual Sanitary Sewer Condition Assessment Repair Projects (2021, 2022, and 2023 Projects) [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

Recommendation:

1. Approve and authorize the City Manager to execute an agreement with Mott MacDonald Group, Inc. for Annual Sanitary Sewer Condition Assessment Repairs (2021, 2022, and 2023 Projects) for an initial term in the amount not-to-exceed \$878,163 for sanitary sewer repair contracts to be constructed in 2021;
2. Approve and authorize the City Manager to execute two contract extension options to extend the term of the agreement to provide services for future 2022 and 2023 sanitary sewer repair contracts in the maximum amounts of \$560,000 for the first extension option, and \$600,000 for the second extension option, subject to the annual appropriation of funds; and
3. Authorize the City Manager to make minor, non-substantive modifications, including time extensions, to the Agreement, if needed.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 6.H [20-454](#) Action on Approval of Amendment No. 4 to the Agreement with the California Highway Patrol [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

Recommendation: Action on Approval of Amendment No. 4 to the Agreement with the California Highway Patrol in the amount of \$2,500,000, for a total not to exceed amount of \$8,424,811, and extending the term of the agreement to June 30, 2022, for traffic management and support services for special events at Levi's Stadium.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 6.I [20-491](#) Action on Monthly Financial Status and Investment Reports for April 2020 and Approve the Related Budget Amendments [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation: Note and file the Monthly Financial Status and Investment Reports for April 2020 as presented and Approve Related Budget Amendments.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 6.J [20-506](#) Action on Amendment No. 1 to the Agreement with the County of Santa Clara for the Senior Nutrition Program at the Santa Clara Senior Center and Related Budget Amendment [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

Recommendation: 1. Approve and authorize City Manager to execute Amendment No. 1 to the Agreement with the County of Santa Clara for the Senior Nutrition Program to provide meals at the Santa Clara Senior Center for a revised amount not to exceed \$240,405.81 for FY 2019/20 and FY 2020/21, and to execute as needed any additional County modifications to the Agreement as Amended pertaining to the Senior Nutrition Program for the remainder of the Fiscal Year 2020/21, subject to the appropriation of funds; and

2. Approve the related budget amendment in the Parks and Recreation Operating Grant Trust Fund to increase the Other Agencies Revenue and the Senior Nutrition Program by \$18,410 in FY 2019/20; in FY 2020/21, decrease the Other Agencies Revenue and the Senior Nutrition Program by \$9,765.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 6.K [20-508](#) Action on Agreement with Sedgwick Claims Management Services, Inc., for Third Party Administrator (TPA) Services in Support of the City's Self-Insured Workers' Compensation Program [Council Pillar: Manage Strategically Our Workforce Capacity and Resources]

Recommendation: Approve and authorize the City Manager to execute the Agreement for TPA services supporting the City's Self-Insured Workers' Compensation Program with Sedgwick Claims Management Services, Inc. for the not-to-exceed compensation amount of \$1,854,579.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 6.L [20-551](#) Action on a Resolution Adopting a Transportation Policy Establishing Vehicle Miles Traveled as the Methodology for Analyzing Transportation Environmental Impacts in Compliance with State Law [Council Pillar: Promote and Enhance Economic and Housing Development]

Recommendation: Alternative 1: Adopt a resolution adopting a transportation policy establishing Vehicle Miles Traveled as the methodology for analyzing transportation environmental impacts in compliance with State Law.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve Alternative 1: adopt Resolution No. 20-8861 adopting a transportation policy establishing Vehicle Miles Traveled as the methodology for analyzing transportation environmental impacts in compliance with State Law.

- 6.M** [20-559](#) Action on a Memorandum of Understanding with the County of Santa Clara Crime Laboratory for Major Case Work [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

Recommendation: Approve the Memorandum of Understanding with the County of Santa Clara Crime Laboratory for Major Case Work.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 6.N** [20-564](#) Action on Various Operating Contracts for Silicon Valley Power [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

Recommendation:

1. Authorize the City Manager to execute Amendment No. 1 to the Agreement for Performance of Services with Advanced Chemical Transport, Inc.;
2. Authorize the City Manager to execute Amendment No. 1 to the Agreement for Performance of Services with Daleo, Inc.;
3. Authorize the City Manager to execute Amendment No. 1 to the Agreement for Performance of Services with Bay Valve Service and Engineering, LLC;
4. Authorize the City Manager to execute Amendment No. 2 to the Agreement for Services with SOS, Intl, LLC;
5. Authorize the City Manager to extend service with Dasher Technology, Inc. for Storage Area Network support; and
6. Authorize the City Manager to add or delete services consistent with the scope of the agreements and allow future rate adjustments subject to request and justification by contractor or consultant and approval by the City, subject to the appropriation of funds.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 6.O** [20-573](#) Action on a Revenue Agreement with the County of Santa Clara for the Santa Clara Intensive Case Management and Homeless Prevention Program [Council Pillar: Promote and Enhance Economic, Housing, and Transportation Development]

Recommendation: Approve and authorize the City Manager to execute a Revenue Agreement with the County of Santa Clara for the Santa Clara Intensive Case Management and Homeless Prevention Program for two years not to exceed \$400,000.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 6.P** [20-576](#) Action on Amendment No. 2 to the Agreement with Mintier Harnish, LP, for preparation of the Zoning Code Update and Approval of Related Budget Amendment [Council Pillar: Promote and Enhance Economic, Housing and Transportation Development]

Recommendation:

1. Approve and authorize the City Manager to execute Amendment No. 2 to the Agreement for the Performance of Services with Mintier Harnish, LP, for preparation of the Zoning Code Update with an increase of \$75,440 for a total contract cost not to exceed \$323,690; and
2. Approve the related FY 2019/20 budget amendment in the General Fund to reduce the General Fund Advanced Planning Reserve and increase the transfer to the General Government Capital Fund by \$36,367; in the General Government Capital Fund, increase the transfer from the General Fund and the Zoning Code Update Capital Improvement Project by \$36,367.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 6.Q** [20-592](#) Adoption of Ordinance No. 2020 Repealing Section 2.105.015 ("Performance of City Auditor Functions"), Adding a New Chapter 2.29 ("Office of the City Auditor"), and Amending Chapter 2.30 ("Independent Auditor") of the City Code to Change the Title to Independent External Auditor and Create the Independent Office of the City Auditor, and Adopt a Resolution Approving and Adopting a Class Specification for the Position of City Auditor [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation: Adopt Ordinance No. 2020 repealing Section 2.105.015 ("Performance of City Auditor Functions") and creating a new Chapter 2.29 ("Office of the City Auditor") and amending Section 2.30 ("Independent Auditor") of the Code of the City of Santa Clara.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to adopt Ordinance No. 2020 repealing Section 2.105.015 ("Performance of City Auditor Functions") and creating a new Chapter 2.29 ("Office of the City Auditor") and amending Section 2.30 ("Independent Auditor") of the Code of the City of Santa Clara.

- 6.R [20-594](#) Adoption of a Resolution Calling and Giving Notice of a General Municipal Election to be held on Tuesday, November 3, 2020 for the Election of Four Councilmembers one for each Council District 1, 4, 5 and 6, one Chief of Police and one City Clerk; Requesting that the Board of Supervisors of the County of Santa Clara Consolidate the General Municipal Election with the Statewide General Election; and Adopt Regulations for Candidate Statements of Qualifications Submitted to the Voters and Levying a Share of the Cost of the Candidates' Statements [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation: Adopt a Resolution Calling and Giving Notice of a of a General Municipal Election to be held on Tuesday, November 3, 2020 for the Election of Four Councilmembers one for each Council District 1, 4, 5 and 6, One Chief of Police and One City Clerk; Requesting that the Board of Supervisors of the County of Santa Clara Consolidate the General Municipal Election with the Statewide General Election; and Adopt Regulations for Candidate Statements of Qualifications Submitted to the Voters and Levying a Share of the Cost of the Candidates' Statements.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to adopt Resolution No. 20-8862 Calling and Giving Notice of a General Municipal Election to be held on Tuesday, November 3, 2020 for the Election of Four Councilmembers one for each Council District 1, 4, 5 and 6, One Chief of Police and One City Clerk; Requesting that the Board of Supervisors of the County of Santa Clara Consolidate the General Municipal Election with the Statewide General Election; and Adopt Regulations for Candidate Statements of Qualifications Submitted to the Voters and Levying a Share of the Cost of the Candidates' Statements.

- 6.S [20-541](#) Action on Amendment No. 1 to the Agreement with Jana Sokale Environmental Planning for the Creek Trail Network Expansion Master Plan [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

Recommendation: 1. Approve and Authorize the City Manager to execute Amendment No. 1 to the Agreement with Jana Sokale Environmental Planning for the Creek Trail Network Expansion Master Plan Project; and
2. Authorize the City Manager to make minor modifications to the Agreement, including future time extensions, as necessary.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 6.T [20-609](#) Action on Amendment No. 1 to the Agreement for Professional Services with Hyas Group, LLC to provide consulting services related to the City's Deferred Compensation Plan [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation:

1. Approve and authorize the City Manager to execute Amendment No. 1 to the Agreement for Professional Services with Hyas Group, LLC to provide consulting services related to the Deferred Compensation Plan in the amount not-to-exceed \$202,000 over the five-year potential contract period; and
2. Authorize the City Manager to make minor, non-substantive modifications to the Agreement, if needed and execute subsequent options over the five-year potential contract period.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 6.V [20-570](#) Action on Amendment No. 1 to the Public Service Grant Agreements with Abode Services and Bill Wilson Center City's Tenant-Based Rental Assistance Program [Council Pillar: Promote and Enhance Economic, Housing, and Transportation Development]

Recommendation:

1. Approve and authorize the City Manager to execute Amendment No. 1 to the Public Service Grant Agreement with Abode Services for an amount not to exceed \$1,130,923 to administer the City's Tenant-Based Rental Assistance Program, and all related documents for the provision of administrative services for the TBRA Program effective July 1, 2020 through June 30, 2021 with an option for a third year, contingent upon available funding and appropriation, to extend the terms; and
2. Approve and authorize the City Manager to execute Amendment No. 1 to the Public Service Grant Agreements with Bill Wilson Center for an amount not to exceed \$916,932 to administer the City's Tenant-Based Rental Assistance Program, and all related documents for the provision of administrative services for the TBRA Program effective July 1, 2020 through June 30, 2021, with an option for a third year, contingent upon available funding and appropriation, to extend the terms.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 6.W [20-143](#) Accept the 2019 General Plan Annual Progress Report [Council Pillar: Promote and Enhance Economic, Housing and Transportation Development]

Recommendation: Alternative 1:
Accept the General Plan Annual Progress Report as presented by staff.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

PUBLIC PRESENTATIONS

None.

CONSENT ITEMS PULLED FOR DISCUSSION

- 6.D [20-621](#) Action on Reappointment of Commissioners, Declaring Commissioner Vacancies, and Setting Dates for Recruitment and Interviews [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation:

1. Reappoint the nine (9) eligible commissioners for the term ending June 30, 2024;
2. Declare vacancies for full-term appointments to the following: 1) Civil Service Commission; 2) Parks and Recreation Commission; 3); and Planning Commission, with an application deadline of July 31, 2020; and
3. Set August 17, 2020 as the date to conduct interviews.

Councilmember Davis pulled this item for further clarification.

City Manager Santana/City Attorney Doyle addressed Council questions.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

Aye: 5 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Vice Mayor Hardy

- 6.U** [20-516](#) Action to Authorize the City Manager to Execute Amendment No. 2 With Dillingham & Associates in the Amount of \$84,343 for Construction Support and Contingency for the Raymond G. Gamma Dog Park Improvements and Related Budget Amendment [Council Pillar: Enhance Community Sports, Recreation, and Arts Assets]

- Recommendation:**
1. Approve the FY 2019/20 budget amendment in the Parks and Recreation Capital Fund to decrease the Ending Fund Balance - Unallocated Quimby Act Fees and increase the Youth Soccer Fields & Athletic Facilities - Reed & Grant Street capital project appropriation in the amount of \$84,343; and
 2. Authorize the City Manager execute Amendment No. 2 with Dillingham & Associates in the amount of \$84,343 for construction support and contingency related to the Raymond G. Gamma Dog Park improvements design.

Councilmember Chahal pulled this item for further clarification.

Director of Parks and Recreation Teixeira and **Director of Public Works Mobeck** addressed Council questions.

Public Speaker(s): Susan Hinton (eComment) read into the record by Assistant City Clerk Pimentel.

A motion was made by Councilmember Chahal, seconded by Councilmember Davis, to approve staff recommendation.

Aye: 5 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Vice Mayor Hardy

- 6.X [20-380](#) Public Hearing: Action on a Rezone of the Property Located at 2200 Lawson Lane [Council Pillar: Promote and Enhance Economic, Housing and Transportation Development]

Recommendation: Alternatives 1 and 2:

1. Adopt a resolution adopting the Addendum to the 2008 Final Environmental Impact Report and 2013 Initial Study/Mitigated Negative Declaration for the Lawson Lane West Campus Expansion Project.
2. Adopt a resolution approving a rezoning from Planned Development (PD) to Planned Development (PD) to construct a 241,419 square foot five-story office building and 670 square foot addition to a common building and expand a six-story parking garage to provide a total of 1,445 parking spaces on the West Lawson Lane Campus located at 2200 Lawson Lane.

Councilmember Chahal pulled this item for further clarification.

Vice Mayor Hardy joined the meeting at 5:21 PM.

Mayor Gillmor called a recess at 5:21 PM and reconvened the meeting at 5:31 PM.

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

Aye: 5 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Vice Mayor Hardy

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve Alternatives 1 & 2: (1) adopt a Resolution No. 20-8863 adopting the Addendum to the 2008 Final Environmental Impact Report and 2013 Initial Study/Mitigated Negative Declaration for the Lawson Lane West Campus Expansion and (2) adopt a Resolution No. 20-8864 approving a rezoning from Planned Development (PD) to Planned Development (PD) to construct a 241,419 square foot five-story office building and 670 square foot addition to a common building and expand a six-story parking garage to provide a total of 1,445 parking spaces on the West Lawson Lane Campus located at 2200 Lawson Lane.

Aye: 6 - Vice Mayor Hardy, Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

PUBLIC HEARING/GENERAL BUSINESS

7. Fiscal Year 2020/21 and 2021/22 Budget Action Items

- A. [20-175](#) Public Hearing: Action on the Adoption of the Proposed FY 2020/21 & FY 2021/22 Biennial Capital Improvement Program Budget and FY 2020/21 Operating Budget Changes [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation: That the City Council, and the City Council acting as the Governing Boards of the Housing Authority and the Sports and Open Space Authority take the following actions (requires 5 affirmative votes):

1. Approve the City of Santa Clara FY 2020/21 & FY 2021/22 Biennial Capital Improvement Program Budget and FY 2020/21 Operating Budget Changes, including the recommended revisions detailed in Attachment 2;
2. Approve the Appropriation Schedule for capital funds totaling \$338,187,422 in FY 2020/21 and \$137,340,498 in FY 2021/22 and the FY 2020/21 Appropriation Schedule for operating funds totaling \$1,057,311,794 as detailed in Attachment 3;
3. Approve the FY 2020/21 Transfer Schedule for capital and operating funds and the FY 2021/22 Transfer Schedule for capital funds as detailed in Attachment 4;
4. Approve the Housing Authority FY 2020/21 expenditure budget of \$552,222 as presented in the Operating Budget;
5. Approve the Sports and Open Space Authority FY 2020/21 expenditure budget of \$9,540 as described in Attachment 2;
6. Approve the revised Budget and Fiscal Policies as described in Attachment 5; and
7. Approve an exception to the Budget and Fiscal Policies and allow the FY 2020/21 Budget Stabilization Reserve to drop below 25% of the Operating Budget expenditures to 20%, drawing down the reserve by \$22,659,619 from \$80,369,307 to \$57,709,688.

Finance Director Lee gave a PowerPoint Presentation.

Public Speaker(s): Rob Jerdonek (email read into the record by Assistant City Clerk Pimentel)

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

Aye: 5 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Vice Mayor Hardy

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

Aye: 5 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Vice Mayor Hardy

- B. [20-478](#) Action on a Resolution Establishing the Fiscal Year 2020/21 Appropriations Limit [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation: Adopt a Resolution establishing the City's FY 2020/21 appropriations limit of \$503,467,316.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to adopt Resolution No. 20-8865 establishing the City's FY 2020/21 appropriations limit of \$503,467,316.

Aye: 5 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Vice Mayor Hardy

8. [20-227](#) Public Hearing: Action on a Resolution to Levy an Annual Assessment for the Santa Clara Tourism Improvement District for Fiscal Year 2020/21 [Council Pillar: Promote and Enhance Economic and Housing Development]

Recommendation: Alternative 1: Adopt a Resolution to levy an annual assessment for the Santa Clara Tourism Improvement District (TID) for Fiscal Year 2020/21 if there is no legally sufficient protest.

Assistant City Manager Shikada gave a PowerPoint Presentation.

Public Speaker(s): Rochelle Fernandez

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to close the Public Hearing.

Aye: 6 - Vice Mayor Hardy, Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to adopt Resolution No. 20-8866 to levy an annual assessment for the Santa Clara Tourism Improvement District (TID) for Fiscal Year 2020/21 as there is no legally sufficient protest.

Aye: 6 - Vice Mayor Hardy, Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

9. [20-127](#) Public Hearing: Action on Resolutions Approving Water, Sewer and Recycled Water Rates to be Effective July 1, 2020 [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure] Not to be heard prior to 6:00 PM

Recommendation: Alternative 1:
Adopt Resolutions Establishing Water Rate Schedule 2020-01, Recycled Water Rate Schedule 2020-02, and Sewer Rate Schedule S-20.

Director of Water & Sewer Utilities Welling gave a PowerPoint Presentation.

Public Speaker(s): Suds Jain
Rochelle Fernandez

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to close the Public Hearing.

Aye: 6 - Vice Mayor Hardy, Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to approve Alternative 1: adopt Resolution No. 20-8867 Establishing Water Rate Schedule 2020-01, and Recycled Water Rate Schedule 2020-02, and Resolution No. 20-8868 Sewer Rate Schedule S-20.

Aye: 6 - Vice Mayor Hardy, Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

10. [20-134](#) Public Hearing: Adoption of a Resolution Setting Rates for Overall Solid Waste Services, Annual Clean-up Campaign, and Household Hazardous Waste in the Exclusive Franchise Area [Council Pillars: 1) Deliver and Enhance High Quality Efficient Services and Infrastructure; 2) Sustainability] Not to be heard prior to 6:00 PM

Recommendation: Alternative: 1

Adopt a Resolution setting the overall rates to be charged to rate payers for the collection and disposal of garbage, refuse, yard trimmings, recycling, annual Clean-up Campaign, and household hazardous waste in the exclusive franchise area, effective for the utility bills issued for services rendered on and after July 1, 2020.

Public Works Director Mobeck and Deputy Director Staub gave a PowerPoint Presentation.

Councilmember Chahal gave PowerPoint Presentation.

Public Speaker(s): Clifford Burnett & Adolfo Garcia submitted a letter to be read into the record by Assistant City Clerk Pimentel.

John Brooks

Lav Jovanovic

Chirag

Suds Jain

Rochelle Fernandes

Phone Number #4907

Ajaipal Chahal

Harbir Bhatia

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to close the Public Hearing.

Aye: 6 - Vice Mayor Hardy, Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Assistant City Clerk Pimentel noted that the City received 41 written protests to the proposed Solid Waste Increase. The number of protests received does not amount to a majority number of protests in accordance with Prop 218.

A motion was made by Councilmember O'Neill, seconded by Councilmember Watanabe, to continue this item to no later than July 7 or 14, 2020 to clarify the data for the Council and Community and return with information on garbage fees assistance program.

Aye: 5 - Vice Mayor Hardy, Councilmember O'Neill, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Nay: 1 - Councilmember Davis

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Councilmember Davis was unable to attend the State of the City, therefore she read into the record her nomination of COVID-19 Community Heroes.

Councilmember O'Neill expressed comments of concern from residents regarding the use of illegal fireworks.

Councilmember Watanabe reported that she spoke with Chief of Police Nikolai regarding the use of illegal fireworks.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

City Manager Santana reported that communication will go out to the community on the City's strategy, today was a success for COVID-19 testing at Northside Library.

[20-590](#) Update on City Council and Stadium Authority Staff Referrals [Council Pillar: Enhance Community Engagement and Transparency]

[20-577](#) Tentative Meeting Agenda Calendar (TMAC) [Council Pillar: Enhance Community Engagement and Transparency]

ADJOURNMENT

The meeting was adjourned at 9:27 PM in memory of **George E. Farfan** (Life-long Santa Clara Resident), **Blanca Estela Miller-Colunga** (Santa Clara Resident), **Emma Fontana Kaliterna** (Life-long Santa Clara resident).

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to adjourn the meeting.

Aye: 6 - Vice Mayor Hardy, Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

[20-659](#) Adjournment of the June 23, 2020 City Council Meeting Post Meeting Material

The next regular scheduled meeting is on Tuesday evening, July 7, 2020 in the City Hall Council Chambers.

MEETING DISCLOSURES

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

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

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

LEGEND: City Council (CC); Stadium Authority (SA); Sports and Open Space Authority (SOSA); Housing Authority (HA); Successor Agency to the City of Santa Clara Redevelopment Agency (SARDA)

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."