



City of Santa Clara

Special Meeting Minutes

Council and Authorities Concurrent Meeting

07/13/2020

1:00 PM

Special Meeting - 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.

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 ("The Brown Act") and Section 708 of the Santa Clara City Charter, the Mayor calls for a Special Meeting of the City Council of the City of Santa Clara, the Governing Board of the Stadium Authority, the Governing Board of the Sports and Open Space Authority, the Governing Board of the City of Santa Clara Housing Authority, and the Governing Board of the Successor Agency to the City of Santa Clara Redevelopment Agency to commence and convene on July 7, 2020 at 1:00 p.m. for a Special Meeting in the City Hall Council Chambers located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California, to consider the following matter(s) and to potentially take action with respect to them.

1:00 PM COUNCIL SPECIAL MEETING

Call to Order

Mayor Gillmor called the Special Meeting to order at 1:08 PM.

Pledge of Allegiance and Statement of Values

Roll Call

Present: 6 - Vice Mayor Karen Hardy, Councilmember Teresa O'Neill, Councilmember Debi Davis, Councilmember Kathy Watanabe, Councilmember Raj Chahal, and Mayor Lisa M. Gillmor

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to move Item #8 (Related Santa Clara - DAP 2) following Public Presentations.

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

CONTINUANCES/EXCEPTIONS

None.

STUDY SESSION

1. [20-359](#) Action on the overview of the new Sustainability Program and Provide Feedback on Program Priorities [Council Pillar: Sustainability]

Recommendation: Note and file the overview of Sustainability Program and Provide Feedback on Program Priorities.

Sustainability Manager Templeton gave a PowerPoint presentation.

Public Speaker(s): Suds Jain

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to note and file the overview of Sustainability Program and Provide Feedback on Program Priorities.

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

SPECIAL ORDER OF BUSINESS

2. [20-622](#) Adoption of a Resolution in Support of 2020 Census [Council Pillar:
Community Engagement and Transparency]

Recommendation: Adopt a resolution recognizing the importance of the 2020 Census and committing support to ongoing outreach activities that ensure a complete count and the participation of all Santa Clara residents.

Acting Senior Management Analyst Kendra Davis gave a PowerPoint Presentation.

Public Speaker(s): Suds Jain

A motion was made by Vice Mayor Hardy, seconded by Councilmember Watanabe, to adopt Resolution No. 20-8870 recognizing the importance of the 2020 Census and committing support to ongoing outreach activities that ensure a complete count and the participation of all Santa Clara residents.

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

CONSENT CALENDAR

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve the balance of the Consent Calendar (except Items 3.A, 3.B, and 3.I).

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

3.C [20-641](#)

Action on a Pre-qualified Vendor List, Master Agreements, and Task Orders, for Ongoing PeopleSoft Consulting Services to Support Various Human Resource, Finance and Payroll Initiatives [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

Recommendation:

1. Authorize the City Manager to negotiate and execute Master Agreements with the following vendors with a term ending on or about July 31, 2025: CherryRoad Technologies, Ciber Global Tech, Deloitte Consulting, Graviton Consulting Services, Highstreet, Kastech Software Solutions Group, PRJ Consulting, Smart ERP Solutions, SpearMC Management Consulting;
2. Authorize the City Manager to execute task orders not to exceed \$250,000 per task order without further Council action and subject to the appropriation of funds; and
3. Authorize the City Manager to amend the Agreements to extend the term in the event that task orders are issued during the five-year term of the Master Agreement with a completion timeline that extends beyond the five-year term. New task orders shall not be issued after July 31, 2025.

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve staff recommendation.

- 3.D [20-549](#) Action on a Joint Resolution Delegating Authority to the City Manager/Contract Administrator for Sports and Open Space Authority/Executive Director for Housing Authority During the Council Recess from July 15, 2020 to August 14, 2020 [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

Recommendation: That the City Council/Sports and Open Space Authority/Housing Authority/Successor Agency:

Adopt a Joint Resolution delegating authority to the City Manager/Contract Administrator for Sports and Open Space Authority/Executive Director for Housing Authority to approve project related documents during the Council recess from July 15, 2020 to August 14, 2020 and requiring the City Manager/Executive Director/Contract Administrator to submit a report on actions taken during the Council recess at a City Council/Sports and Open Space Authority/Housing Authority/Successor Agency meeting in September 2020.

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, that the City Council/Sports and Open Space Authority/Housing Authority/Successor Agency: to adopt Joint Resolution No. 20-8871 delegating authority to the City Manager/Contract Administrator for Sports and Open Space Authority/Executive Director for Housing Authority to approve project related documents during the Council recess from July 15, 2020 to August 14, 2020 and requiring the City Manager/Executive Director/Contract Administrator to submit a report on actions taken during the Council recess at a City Council/Sports and Open Space Authority/Housing Authority/Successor Agency meeting in September 2020.

- 3.E [20-474](#) Action on Amendment No. 1 to an Agreement for the Performance of Services with Soudi Consultants, Inc. to Provide Engineering Consulting Services [Council Pillar: Deliver and Enhance Quality Efficient Services and Infrastructure]

- Recommendation:**
1. Authorize the City Manager to execute Amendment No. 1 to the Agreement for the Performance of Services with Soudi Consultants, Inc.;
 2. Authorize the City Manager to make minor modifications to the agreement, if necessary; and
 3. Authorize the City Manager to add or delete electric protection engineering services consistent with the scope of the agreement and extend the agreement for projects initiated before the expiration date of the agreement subject to the appropriation of funds.

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve staff recommendation.

- 3.F [20-304](#) Action on Fund Transfer from Silicon Valley Power to General Fund for Use of City-Owned Property at 2975 Lafayette Street for Electric Utility Use and Related Budget Amendment [APN: 224-36-056 (Portion)] [Council Pillar: Deliver and Enhance Quality Efficient Services and Infrastructure]

- Recommendation:**
1. Approve the Electric Utility transfer of funds to the City General Fund for the City Property at 2975 Lafayette Street;
 2. Approve the transfer of \$580,000 to the City's General Fund from Electric CIP project Distributed Antenna System Development (No. 2413) for the land at the appraised value; and
 3. Approve the FY 2020/21 budget amendment in the Electric Utility Capital Fund to increase the Beginning Fund Balance and the Construction - Distributed Antenna System Development project by \$580,000 to reflect the carryover of unspent funds from FY 2019/20 and the subsequent reduction of the Construction - Distributed Antenna System Development project to fund the transfer to the General Fund in the amount of \$580,000; in the General Fund, recognize the transfer from the Electric Utility Capital Fund of \$580,000 and allocate the funding to Land Sale Reserve.

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve staff recommendation.

3.G [20-800](#)

Action on Amendment No. 1 to the Agreement for Services with Power Systems Professionals, Inc. dba Power Pros to provide Commission and Testing Services 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 the Performance of Services with Power Systems Professionals, Inc. dba Power Pros to extend the term of the Agreement for two additional years through August 2022;
 2. Authorize the City Manager to make minor modifications to Amendment No 1, if necessary; and
 3. 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 Vice Mayor Hardy, to approve staff recommendation.

3.H [20-639](#)

Action on the Award of the Public Works Contract for the Fairview Substation Expansion Project [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

- Recommendation:**
1. Award the Public Works Contract for the Fairview Substation Expansion Project (Contract No. 2403H) to the lowest responsive and responsible bidder, Tri Technic, Inc. in the amount of \$454,950 and authorize the City Manager to execute any and all documents necessary for the award, completion and acceptance of the Project; and
 2. Authorize the City Manager to execute change orders up to 10% of the original contract amount, or \$45,495, for a total not-to-exceed amount of \$500,445 for Contract No. 2403H.

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve staff recommendation.

PUBLIC PRESENTATIONS

None.

8. [20-628](#) Action on Related Santa Clara Development Area Plan (DAP) 2 for Phase 2 of the Related Santa Clara Project, located on Vacant Parcels North of Stars and Stripes Drive (Former Municipal Golf Course) [Council Pillar: Promote and Enhance Economic, Housing and Transportation Development]

Assistant City Manager Shikada and Director of Community Development Crabtree gave a PowerPoint Presentation.

Developer Steve Imer gave a PowerPoint Presentation.

Public Speaker(s): Suds Jain

Harbir Bhatia

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to approve Alternative #1 and #2: adopt Resolutions for the Related Santa Clara (City Place) Phase I Development Area Plan application located at 5155 Stars and Stripes Drive to: (1) adopt Resolution No. 20- 8872 adopting the EIR Addendum for DAP 2 for the Related Santa Clara project; and (3) adopt Resolution No. 20-8873 approving the DAP 2 Application for the Related Santa Clara project, subject to conditions.

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

Mayor Gillmor left the dais and meeting at 3:50 PM.

Vice Mayor Hardy Presided over the remainder of the meeting and called for recess.

Vice Mayor Hardy reconvened the meeting at 4:03 PM.

CONSENT ITEMS PULLED FOR DISCUSSION

- 3.A** [20-666](#) Adopt a Resolution Authorizing the Closure of Centennial Boulevard and a Portion of Stars and Stripes Drive in Accordance with California Vehicle Code Section 21101(a)(1) and the California Street and Highways Code Section 891.8 [Council Pillar: Enhance Economic, Housing and Transportation Development]

Recommendation: Adopt a Resolution authorizing the closure of Centennial Boulevard and a portion of Stars and Stripes Drive in accordance with California Vehicle Code Section 21101(a)(1) and California Street and Highways Code Sections 891.8 and 5610.

Councilmember Watanabe pulled this item to provide awareness to the Community regarding the road closure.

A motion was made by Councilmember Watanabe, seconded by Councilmember Chahal, to adopt Resolution No. 20-8874 authorizing the closure of Centennial Boulevard and a portion of Stars and Stripes Drive in accordance with California Vehicle Code Section 21101(a)(1) and California Street and Highways Code Sections 891.8 and 5610.

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

Absent: 1 - Mayor Gillmor

- 3.B** [20-634](#) Action on Amendment No. 5 to Western Area Power Administration and Bureau of Reclamation Contract No. 96-SNR-00110 Agreement for the Funding of Operation and Maintenance for Central Valley Project Power Facilities [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

Recommendation: Authorize the City Manager to execute Amendment No. 5 to Western Area Power Administration and Bureau of Reclamation Contract No. 96-SNR-00110 Agreement for the Funding of Operation and Maintenance for Central Valley Project Power Facilities.

Vice Mayor Hardy pulled this item for further clarification.

Chief Electric Utility Officer Pineda addressed Council questions.

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

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

Absent: 1 - Mayor Gillmor

- 3.I [20-686](#) Actions Related to a Temporary Road Maintenance Agreement with Related Santa Clara for a New Road Extending Stars & Stripes Drive to Great America Parkway Through the former Santa Clara Golf & Tennis Club Property and Naming the New Road Extension Stars & Stripes Drive [Council Pillar: Promote and Enhance Economic, Housing and Transportation Development]

Recommendation: 1. Approve and authorize the City Manager to execute a Temporary Road Maintenance Agreement with Related Santa Clara regarding maintenance obligations for a new public road extending Stars & Stripes Drive to Great America Parkway.
2. Adopt a Resolution naming the new public road Stars & Stripes Drive.

Councilmember Watanabe pulled this item for comments.

A motion was made by Councilmember Watanabe, seconded by Councilmember Chahal, to (1) approve and authorize the City Manager to execute a Temporary Road Maintenance Agreement with Related Santa Clara regarding maintenance obligations for a new public road extending Stars & Stripes Drive to Great America Parkway and (2) adopt a Resolution No. 20-8875 naming the new public road Stars & Stripes Drive.

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

Absent: 1 - Mayor Gillmor

PUBLIC HEARING/GENERAL BUSINESS

4. [20-648](#) Action on a Written Petition submitted by Hansol Kim requesting changes to the Zoning Code for Massage [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation: Staff makes no recommendation.

Public Speaker(s): Hansol Kim
Beverly May

City Manager Santana and **Chief of Police Nikolai** addressed Council questions.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to not agendize this item and refer Mr. Kim to work with Chief of Police Nikolai.

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

Absent: 1 - Mayor Gillmor

5. [20-683](#) Action on a Written Petition submitted by Joseph Ducato requesting changes to City Code Chapter 13.10 - Sewers [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation: Staff makes no recommendation.

Public Speaker(s): Assistant City Clerk Pimentel read into the record Joseph Ducato's email

A motion was made by Councilmember O'Neill, seconded by Councilmember Davis, to deny the petition and request petitioner to clarify request and resubmit the petition.

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

Absent: 1 - Mayor Gillmor

6. Action of Legislative Items

- B. [20-612](#) Action on 2020 Q1 and Q2 Legislative Update [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation: Note and file 2020 Q1 and Q2 Legislative Update.

Casey Elliott (Townsend Public Affairs) gave a PowerPoint Presentation.

A motion was made by Councilmember Watanabe, seconded by Councilmember O'Neill, to note and file 2020 Q1 and Q2 Legislative Update.

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

Absent: 1 - Mayor Gillmor

- A. [20-649](#) Action on Request for Letter of Support for AB 398: COVID-19 Local Government and School Recovery and Relief Act [Council Pillar: Enhance Community Engagement and Transparency]

Recommendation: Staff has no recommendation on this item.

A motion made by Councilmember O'Neill, seconded by Councilmember Davis, to approve Alternative 3 : take no action on the AB 398 support letter.

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

Absent: 1 - Mayor Gillmor

7. [20-493](#) Action on Agreements to Provide Comprehensive Banking Services to the City [Council Pillar: Manage Strategically Our Workforce Capacity and Resources]

Recommendation:

1. Approve and authorize the City Manager to continue negotiating the terms and conditions of the agreements and execute final agreements with JPMorgan Chase Bank, N.A. for General Banking, Merchant Card Processing, and Commercial Card Services for an initial five-year term starting on or about August 1, 2020 and ending on or about July 31, 2025, subject to the appropriation of funds;
2. Approve and authorize the City Manager to continue negotiating the terms and conditions and execute a final agreement with Wells Fargo Bank for Custody Services for an initial five-year term starting on or about August 1, 2020 and ending on or about July 31, 2025, subject to the appropriation of funds; and
3. Authorize the City Manager to execute a five-year option to extend the term of the Agreements through on or about July 31, 2030, subject to the appropriation of funds, with JP Morgan Chase and Wells Fargo Bank, respectively.

Finance Director Lee gave a PowerPoint Presentation.

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

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

Absent: 1 - Mayor Gillmor

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Vice Mayor Hardy noted that the Bicycle Pedestrian Advisory Committee received a status report on the tasks City Staff are working on.

Councilmember O'Neill noted that there have been 2-3 NCPA meetings via Zoom with Congressional staff regarding new technology for Electric Resources.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

City Manager Santana noted that she will provide an update at the July 14, 2020 meeting on the Shelter-in-Place new State of California order and how it will impact Santa Clara related to salons, gyms and religious worship.

ADJOURNMENT

The meeting was adjourned at 5:59 PM.

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

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

Absent: 1 - Mayor Gillmor

The next regular scheduled meeting is on Tuesday evening, July 14, 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."