



City of Santa Clara

Draft

Joint Meeting Minutes

Council and Authorities Concurrent Meeting

Santa Clara Stadium Authority

11/17/2020

3:30 PM

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

****Revisions:**

Add Item 2.U (20-1195)

Add Item 2.V (20-1197)

Move Item 20-1057 under Stadium Authority Consent Items

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.

3:30 PM COUNCIL/STADIUM AUTHORITY MEETING

Call to Order in the Council Chambers

Mayor Gillmor called the meeting to order at 3:35 PM.

Roll Call

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

CLOSED SESSION

Public Comment

None.

[20-1186](#)

Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8
Property: Please see below listing for APNs and addresses
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Parties: Please see below listing for names for negotiating party(ies)
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

Convene to Closed Session (Council Conference Room)

Mayor Gillmor adjourned to Closed Session at 3:36 PM and reconvened to Open Session at 4:37 PM.

4:15 PM COUNCIL/STADIUM AUTHORITY REGULAR MEETING

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Davis recited the Statement of Values.

Assistant City Clerk Pimentel recited the AB23 Announcement and the Statement of Behavioral Standards.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

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

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

[20-1181](#) Cancellation of Public Hearing: Consideration of a Proposed Resolution Amending the Rates for Attachments to City Owned Utility Poles by Third Party Communications Providers Continued from October 13, 2020 (RTC 20-693)

Recommendation: Drop public hearing to consider matter on a future date.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to cancel the Public Hearing on the Consideration of a Proposed Resolution Amending the Rates for Attachments to City Owned Utility Poles by Third Party Communications Providers.

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

Off Dias: 1 - Councilmember Chahal

SPECIAL ORDER OF BUSINESS

1.A [20-1126](#) Acknowledge the Winners of the Santa Clara Cultural Commission's 2020 Halloween Home Decoration Contest

Cultural Commission Chair Louis Samara gave a PowerPoint Presentation acknowledging the winners of the Santa Clara Cultural Commission 2020 Halloween Home Decorating Contest.

Public Speaker(s): Public Speaker (1)

1.B [20-1173](#) Verbal Report from City Manager regarding COVID-19 Pandemic

City Manager Santana provided the following verbal update:

- Expressed gratitude to the Department of Public Works for responding to 52 reports of tree damage due to the severe weather and strong winds;
- Santa Clara County has been placed in Purple Tier 1 in the State of California Governor's Blueprint for Safer Economy which will require many businesses to close indoor operations, reduced indoor operations, and/or only provide outdoor operations;
- Santa Clara County strongly urges residents to refrain from traveling during the holiday season to prevent bringing the COVID-19 virus back to the County; and
- City is continuing plans for a Virtual Tree Lighting ceremony.

Chief Emergency Services Officer Schoenthal provided an update on Santa Clara County's case rate hospitalization capacity.

CONSENT CALENDAR

A motion was made by Council/Boardmember O'Neill, seconded by Council/Boardmember Davis, to approve the balance of the Consent Calendar [except Item 2.H, 2.Y(a), 2.Y(b)].

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

- 2.A** [20-902](#) Action on Council and Authorities Concurrent & Special Stadium Authority Meeting, Special City Council, Special City Council, Stadium Authority, Successor Agency to the City of Santa Clara Redevelopment Agency, and Council and Authorities Concurrent Meeting Minutes

Recommendation: Approve the meeting minutes of:

1. Council and Authorities Concurrent and Special Stadium Authority Minutes of October 13, 2020
2. Special City Council Minutes of October 15, 2020
3. Special City Council Minutes of October 21, 2020
4. Council and Authorities Concurrent Meeting of October 27, 2020
5. Special City Council, Stadium Authority, Successor Agency to the Redevelopment Agency of October 29, 2020

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

- 2.B** [20-22](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:

Task Force on Diversity, Equity, and Inclusion - October 8, 2020
Task Force on Diversity, Equity, and Inclusion - October 15, 2020
Task Force on Diversity, Equity, and Inclusion - October 22, 2020
Historical and Landmarks Commission - October 1, 2020

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

- 2.C** [20-1145](#) Action on Approval of the 2019-2024 Memorandum of Understanding Between the City of Santa Clara and the Miscellaneous Unclassified Management Employees (Unit 9)

Recommendation: 1. Approve the Memorandum of Understanding between the City of Santa Clara and the Miscellaneous Unclassified Management Employees (Unit 9) with effective dates of December 15, 2019 to December 31, 2024.

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

- 2.D [20-468](#) Action on Adoption of a Resolution Approving the 2019 Bay Area Urban Areas Security Initiative Program Grant, and Related Budget Amendment.

Recommendation:

1. Adopt a Resolution Approving the 2019 Bay Area Urban Areas Security Initiative program grant in the amount of \$185,000 (as extended to 2021) for the purchase of backpack portable radiation detection equipment; and
2. Approve the related budget amendment in the Fire Operating Grant Trust Fund to recognize grant revenue in the amount of \$185,000 and establish a 2019 Bay Area Urban Areas Security Initiative program appropriation in the amount of \$185,000.

A motion was made by Councilmember O'Neill, seconded by Councilmember Davis, to adopt Resolution No. 20-8902, approving the 2019 Bay Area Urban Areas Security Initiative Program Grant, and Related Budget Amendment.

- 2.E [20-868](#) Informational Report Regarding Bi-yearly Project Status Report of the GIS Services Program

Recommendation: Note and file the Informational Report regarding the Bi-yearly Project Status Report of the GIS Services Program.

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

- 2.F [20-720](#) Action on an Agreement with Mott MacDonald, Inc. for Design Professional Services for the Lafayette St. Underpass at Subway Pump Station and Related Budget Amendment

Recommendation:

1. Approve and authorize the City Manager to execute an agreement with Mott MacDonald, Inc., for the Lafayette St. Underpass at Subway Pump Station in the amount not-to-exceed \$227,524;
2. Authorize the City Manager to make minor modifications, including time extensions, to the agreement, if needed; and
3. Approve the related FY 2020/21 budget amendment in the Storm Drain Capital Fund to increase the Lafayette St. Underpass at Subway Pump Station Project by \$38,000 and decrease the Westside Retention Basin Pump Replacement Project by \$38,000.

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

- 2.G [20-895](#) Action on Amendment No. 1 to the Agreement with Safe Moves for the Santa Clara Non-Infrastructure Safe Routes to School Phase 2 Project

Recommendation: Approve and authorize the City Manager to execute Amendment No. 1 to the Agreement with Safe Moves for the Santa Clara Non-Infrastructure Safe Routes to School Phase 2 Project.

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

- 2.I [20-908](#) Adopt a Resolution authorizing the City Manager to submit an Application for Proposition 68 Per Capita Program for Maywood Park Rehabilitation and approve a related budget amendment in the amount of \$256,622 for the Project in the Parks and Recreation Capital Fund

Recommendation: 1. Adopt a Resolution authorizing the City Manager to submit an Application for the Proposition 68 Per Capita Program for the Maywood Park Rehabilitation Project; and
2. Approve a related Fiscal Year 2021/22 budget amendment in the Parks and Recreation Capital Fund to recognize grant revenue and increase the Maywood Park Rehabilitation Project appropriation in the amount of \$256,622.

Public Speaker(s): Susan Hinton (eComment)

A motion was made by Councilmember O'Neill, seconded by Councilmember Davis, to adopt Resolution No. 20-8903, authorizing the City Manager to submit an Application for Proposition 68 Per Capita Program and approve staff recommendation.

- 2.J [20-924](#) Action on a Resolution Approving Purchase and Sale Agreements for Easements on the South Loop Reconfigure Project

Recommendation: 1. Adopt the Resolution approving the purchases of overhead electric easements at 840 Comstock Street [224-36-001], 955 Martin Avenue [224-60-004], 1515 Walsh Avenue [224-57-003], and 2495 Lafayette Street [224-35-019]; and
2. Authorize the recordation thereof.

A motion was made by Councilmember O'Neill, seconded by Councilmember Davis, to adopt Resolution No. 20-8904, approving Purchase and Sale Agreements for Easements on the South Loop Reconfigure Project and to approve staff recommendation.

- 2.K [20-963](#) Action on Monthly Financial Status and Investment Reports for September 2020 Approve the Related Budget Amendments

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

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

- 2.L [20-990](#) Action on a Resolution Amending in Part Resolution No. 5195, Setting the Start Time of Regular Meetings of the Historical and Landmarks Commission and Approving the 2021 Historical and Landmarks Commission Calendar of Meetings

Recommendation: Adopt a Resolution amending in part Resolution No. 5195, setting the start

time of regular Historical and Landmarks Commission meetings, and approving the 2021 Historical and Landmarks Commission of Meetings.

A motion was made by Councilmember O'Neill, seconded by Councilmember Davis, to adopt Resolution No. 20-8905, amending in part Resolution No. 5195, setting the start time of Regular Meetings of the Historical and Landmarks Commission and Approving the 2021 Historical and Landmarks Commission Calendar of Meetings.

2.M [20-999](#)

Action on the Approval of FY 20 Edward Byrne Memorial Justice Assistance Grant Funding and Related Budget Amendment

- Recommendation:**
1. Accept and approve the FY 20 Edward Byrne Memorial Justice Assistance Grant funding of \$12,469;
 2. Approve the related FY 2020/21 budget amendment in the Police Operating Grant Trust Fund to recognize grant revenue in the amount of \$12,469 and establish an Edward Byrne Memorial Justice Assistance Grant Program 2020 appropriation in the amount of \$12,469;
 3. Authorize the City Manager to sign grant-related documents;
 4. Authorize the Mayor to sign the Certifications and Assurances by the Chief Executive of the Applicant Government form; and,
 5. Authorize the City Manager to execute purchase order(s), subject to the appropriation of funds, to purchase the equipment described above.

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

2.N [20-1000](#)

Action to Approve a Municipal Law Enforcement Services Agreement between the Santa Clara Stadium Authority, City of Santa Clara and San Francisco County Sheriff's Office

- Recommendation:**
- Approve a Municipal Law Enforcement Services Agreement between the Santa Clara Stadium Authority, City of Santa Clara, and San Francisco County Sheriff's Office for support services associated with special events at Levi's Stadium.

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

2.O [20-1033](#)

Action on Amendment No. 1 to the Agreement with the California Department of Transportation Division of Rails and Mass Transportation for the Agnew Road At-Grade Crossing Project

- Recommendation:**
1. Approve and authorize the City Manager to execute Amendment No. 1 to the agreement with the California Department of Transportation Division of Rails and Mass Transportation for the Agnew Road At-Grade Crossing Project;
 2. Authorize the City Manager to make minor modifications, including time extensions, to the agreement, if needed; and

3. Authorize the City Manager to execute any and all documents associated with and necessary for administration of the project with the California Department of Transportation Division of Rails and Mass Transportation.

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

- 2.P** [20-1051](#) Amendment to the Covenants, Conditions and Restrictions for the Marriott Center Owners Association

Recommendation: Note and file the proposed amendment to the covenants, conditions and restrictions ("CC&Rs") for the Marriott Center Owners Association regarding the industrial development at 4701 Patrick Henry Boulevard.

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

- 2.Q** [20-1054](#) Action on Agreement with HouseKeys, Inc. for Administration Services for the Below Market Price Purchase Program

Recommendation:

1. Approve and authorize the City Manager to execute an agreement with HouseKeys, Inc. for administration services for the Below-Market Purchase Program and to approve change orders and amendments during the initial term commencing on or about November 18, 2020 and ending on or about November 30, 2023 for a total maximum amount not-to-exceed \$581,250, subject to the appropriation of funds; and
2. Authorize the City Manager to execute up to seven one-year options to extend the term of the agreement after the initial term through November 30, 2030 for ongoing administration services, subject to the appropriation of funds.

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

- 2.R** [20-1063](#) Action on Affordable Housing Agreements with TOD Brokaw, Inc., for a 725 Unit Apartment Project Located at 1205 Coleman Avenue

Recommendation:

1. Approve and authorize the City Manager to execute the Affordable Housing Agreements for Project 1 and Project 2 with TOD Brokaw, Inc., to execute amendments thereto, and to take any other action necessary to implement the requirement for the provision of seventy-three (73) affordable located at 1205 Coleman Avenue; and
2. Authorize the recordation thereof.

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

- 2.S** [20-1068](#) Action on an Agreement Containing Covenants and Restrictions with Benton and El Camino, LP, for Project located at 575 Benton Street

Recommendation: 1. Approve and authorize the City Manager to execute the Agreement

Containing Covenants and Restrictions with Benton and El Camino, LP to execute amendments thereto, and to take any other action necessary to implement the requirement for the provision of thirty-six (36) affordable units within a 355 unit rental apartment complex at 575 Benton Street; and

2. Authorize the recordation thereof.

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

2.T [20-1168](#) Note and File Informational Report on a Proposed Shared Mobility Permit Program and Updates to State Law

Recommendation: Note and file the Informational Report on a Proposed Shared Mobility Permit Program and Updates to State Law.

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

2.U [20-1195](#) Action on Approval of a Tentative Parcel Map for 5407 and 5409 Stevens Creek Boulevard (Continued from November 10, 2020 Council Meeting)

Recommendation: Alternative 1:
Adopt a resolution to approve the Tentative Parcel Map to subdivide the existing parcel into two lots at the property located at 5407 and 5409 Stevens Creek Boulevard.

A motion was made by Councilmember O'Neill, seconded by Councilmember Davis, to adopt Resolution No. 20-8906, approving the Tentative Parcel Map to subdivide the existing parcel into two lots at the property located at 5407 and 5409 Stevens Creek Boulevard.

2.V [20-1197](#) Public Hearing: Action on a Tentative Parcel Map for 2250 Lawson Lane (Continued from November 10, 2020 Council Meeting)

Recommendation: Alternative 1:
Adopt a resolution to approve the Tentative Parcel Map to create a single lot subdivision for commercial condominium purposes at the property located at 2250 Lawson Lane.

A motion was made by Councilmember O'Neill, seconded by Councilmember Davis, to adopt Resolution No. 20-8907, approving the Tentative Parcel Map to create a single lot subdivision for commercial condominium purposes at the property located at 2250 Lawson Lane.

STADIUM AUTHORITY CONSENT ITEMS

- 2.W** [20-988](#) Action on Stadium Authority Bills and Claims for the Month of September 2020

Recommendation: Approve the list of Stadium Authority Bills and Claims for September 2020.

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

- 2.X** [20-1057](#) Action to Purchase and/or Award Purchase Orders for Public Safety Supplies and Equipment and Approve Miscellaneous Purchases Incurred Between June 5 and October 31, 2020

Recommendation: Alternatives 1, and 2.

1. Authorize the Executive Director to purchase and/or execute purchase orders with specified vendors for the public safety supplies and equipment outlined in the report (Radiation Detector; Rope Rescue Gear; Stadium Personal Protective Equipment; and 2-Way CAD/24-7 Link), pursuant to Chapters 2.105 and 17.30 of the Santa Clara City Code and in an amount not-to-exceed \$230,912, the budgeted amount in the Stadium Authority FY 2020/21 CapEx Budget for the items; and
2. Approve the miscellaneous expenses detailed in Attachment 2 that were incurred by or invoiced to the Stadium Authority and the City on behalf of the Stadium Authority (to be reimbursed by the Stadium Authority) between June 5 and October 31, 2020.

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

- 2.Z** [20-1056](#) Informational Report on Dates and Purpose of Stadium Authority and Stadium Manager Meetings and Corresponding Minutes for the Period July 1, 2020 to September 30, 2020

Recommendation: Note and file the quarterly report on Stadium Authority and Stadium Manager Meetings and Corresponding Minutes for the period of July 1, 2020 to September 30, 2020.

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

PUBLIC PRESENTATIONS

None.

CONSENT ITEMS PULLED FOR DISCUSSION

- 2.H** [20-748](#) Action on a Design Professional Services Agreement with Alta Planning + Design for the Pruneridge Avenue Complete Streets Plan Project and Related Budget Amendments

Recommendation:

1. Approve and authorize the City Manager to execute the Agreement for Design Professional Services with Alta Planning + Design for the Pruneridge Avenue Complete Streets Plan in the amount not-to-exceed \$416,347;
2. Approve a FY 2020/21 budget amendment in the Streets and Highways

Capital Fund to establish an appropriation for the new Project - Pruneridge Avenue Complete Streets Plan project in the amount of \$416,347, increase the revenue estimate in the amount of \$326,077 to recognize the Caltrans Sustainable Communities Grant, and decrease the Pedestrian and Bicycle Enhancement Facilities Project by \$90,270; and

3. Authorize the City Manager to make minor modifications, including time extensions, to the Agreement, if necessary.

Mayor Gillmor pulled this item for further discussion.

Director of Public Works Mobeck gave a PowerPoint Presentation and responded to Council questions.

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

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

2.Y Report and Action on the Stadium Manager's Request to Execute an Agreement with the Silicon Valley Business Journal and the Stadium Authority's Response

Boardmember Davis pulled Items 2.Y (a) and (b) for further discussion.

Items 2.Y (a) and (b) were considered together.

Executive Director Santana, Stadium Authority Counsel, and Stadium Authority Treasurer provided a verbal update.

- a. [20-1036](#) Request from the Stadium Manager for Authority to Execute an Agreement with Silicon Valley Business Journal for Non-NFL Catered Events Advertising

No action taken on this item.

- b. [20-1043](#) Report from the Stadium Authority Regarding the Stadium Manager's Request to Execute an Agreement with Silicon Valley Business Journal for Non-NFL Catered Events Advertising

Recommendation: Alternative 1: Approve the Stadium Manager's request for authority to execute an agreement with SVBJ in an amount not to exceed \$10,800 for two e-blasts campaigns focused on Non-NFL Events bookings.

A motion was made by Vice Chair Hardy, seconded by Boardmember Chahal, to approve Alternative 1: approve the Stadium Manager's request for authority to execute an agreement with SVBJ in an amount not to exceed \$10,800 for two e-blasts campaigns focused on Non-NFL Events bookings.

Aye: 4 - Vice Chair Hardy, Boardmember O'Neill, Boardmember Chahal, and Chair Gillmor

Nay: 2 - Boardmember Davis, and Boardmember Watanabe

PUBLIC HEARING/GENERAL BUSINESS

3. [20-744](#) Public Hearing: Actions on Amendments to the Tasman East Specific Plan (TESP) to replace a proposed street extension for Calle Del Sol with a pedestrian and bicycle paseo, allow for alternate methods of trip reduction, and correct a clerical error in the Plan regarding the affordable housing requirement; to amend the Transit Neighborhood Zoning District to allow certain non-residential uses within the first three floors of mixed use buildings and to correct an error regarding permissible density ranges; and to override an Airport Land Use Commission (ALUC) determination of inconsistency with the SJC Airport Comprehensive Land Use Plan (CLUP)

Recommendation: Alternatives 1, 2, 3 & 5:

1. Adopt a resolution to adopt the Addendum to the 2018 Final Environmental Impact Report Tasman East Specific Plan;
2. Adopt a resolution to override the Airport Land Use Commission's determination of inconsistency to the San Jose Mineta International Airport's Comprehensive Land Use Plan for the Tasman East Specific Plan Amendment #1;
3. Adopt a resolution to amend the Tasman East Specific Plan (Amendment #1) to replace a proposed street extension for Calle Del Sol with a multimodal paseo, allow for alternate methods of trip reduction, and correct a clerical error in the Plan regarding the affordable housing requirements; and
5. Introduce an ordinance to amend the Transit Neighborhood Zoning District to allow certain non-residential uses within the first three floors of a mixed-use building and to correct an error regarding permissible density ranges.

Mayor Gillmor opened the Public Hearing.

Planning Manager Brilliot gave a PowerPoint Presentation and addressed Council questions.

A motion was made by Councilmember Watanabe, 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 Watanabe, seconded by Councilmember O'Neill, to approve Alternative (1): adopt Resolution No. 8908 to adopt the Addendum to the 2018 Final Environmental

Impact Report Tasman East Specific Plan; Alternative (2): adopt Resolution No. 8909 to override the Airport Land Use Commission's determination of inconsistency to the San Jose Mineta International Airport's Comprehensive Land Use Plan for the Tasman East Specific Plan Amendment #1; Alternative (3): adopt Resolution No. 8910 to amend the Tasman East Specific Plan (Amendment #1) to replace a proposed street extension for Calle Del Sol with a multimodal paseo, allow for alternate methods of trip reduction, and correct a clerical error in the Plan regarding the affordable housing requirements; and Alternative (5): introduce Ordinance No. 2025 to amend the Transit Neighborhood Zoning District to allow certain non-residential uses within the first three floors of a mixed-use building and to correct an error regarding permissible density ranges.

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

4. [20-787](#) Public Hearing: Action on a Resolution Approving the Findings from the Tasman East Specific Plan Infrastructure Impact Fee Nexus Study and Setting the Rates for the Infrastructure Impact Fee, Action on the Introduction of an Ordinance Adding Section 17.15.350 to Chapter 15 of Title 17 of the Santa Clara City Code, and Establishment of the Tasman East Infrastructure Improvement Fund and Related Budget Actions

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

1. Approve the Tasman East 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, in order to keep up with construction costs and inflation;
2. Adopt a Resolution Approving the Findings from the Tasman East Specific Plan Infrastructure Impact Fee Nexus Study and Setting the Rates for the Infrastructure Impact Fee;
3. Approve the Introduction of an Ordinance adding subsection 17.15.350 to the Santa Clara City Code; and
4. Approve the establishment of the Tasman East Infrastructure Improvement Fund (Fund 541) to account for the impact fee revenues and project expenditures; and establish a FY 2020/21 impact fee revenue estimate in the amount of \$175,757 and appropriate those funds to support Fee Administration (\$23,757), Sanitary Sewer Engineering Studies (\$132,000), and the Nexus Study (\$20,000).

Mayor Gillmor opened the Public Hearing on this item.

Assistant Director of Public Works Liw gave a PowerPoint Presentation and responded to Council questions.

A motion was made by Councilmember Watanabe, 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 Watanabe, seconded by Councilmember Chahal, to approve Alternative (1) approve the Tasman East 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, in order to keep up with construction costs and inflation; Alternative (2) adopt Resolution No. 8911 Approving the Findings from the Tasman East Specific Plan Infrastructure Impact Fee Nexus Study and Setting the Rates for the Infrastructure Impact Fee; Alternative (3) introduce Ordinance No. 2026 adding subsection 17.15.350 to the Santa Clara City Code; and Alternative (4) approve the establishment of the Tasman East Infrastructure Improvement Fund (Fund 541) to account for the impact fee revenues and project expenditures; and establish a FY 2020/21 impact fee revenue estimate in the amount of \$175,757 and appropriate those funds to support Fee Administration (\$23,757), Sanitary Sewer Engineering Studies (\$132,000), and the Nexus Study (\$20,000).

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

Mayor Gillmor called for a recess at 7:11 PM and reconvened the meeting at 7:26 PM.

5. [20-1096](#) Public Hearing: Action on a Resolution of Necessity to Acquire Certain Real Property Interests on 925 Walsh Avenue, Santa Clara, California, from PSB Northern California Industrial Portfolio LLC, a Delaware Limited Liability Company

Recommendation: Alternative 1: Adopt a Resolution of Necessity to Acquire Certain Real Property Interests on 925 Walsh Avenue, Santa Clara, California, from PSB Northern California Industrial Portfolio LLC, a Delaware limited liability company.

City Attorney Doyle provided an overview on the process for Hearings on Resolution of Necessity to Acquire Certain Real Property Interests.

Mayor Gillmor opened the Public Hearing.

Chief Electric Utility Officer Pineda gave a PowerPoint Presentation.

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

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

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve Alternative 1: adopt Resolution No. 8912 of Necessity to Acquire Certain Real Property Interests on 925 Walsh Avenue, Santa Clara, California, from PSB Northern California Industrial Portfolio LLC, a Delaware limited liability company.

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

6. [20-1098](#) Public Hearing: Action on a Resolution of Necessity to Acquire Certain Real Property Interests on 1401 Martin Avenue, Santa Clara, California, from Diana J. Alman, Trustee et al

Recommendation: Alternative 1: Adopt a Resolution of Necessity to acquire Certain Real Property Interests on 1401 Martin Avenue, Santa Clara, California, from Diana J. Alman, Trustee et al.

Mayor Gillmor opened the Public Hearing.

Chief Electric Utility Officer Pineda gave a PowerPoint Presentation.

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, Watanabe, Councilmember Chahal, and Mayor Gillmor

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve Alternative 1: adopt Resolution No. 8913 of Necessity to acquire Certain Real Property Interests on 1401 Martin Avenue, Santa Clara, California, from Diana J. Alman, Trustee et al.

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

7. [20-1101](#) Public Hearing: Action on a Resolution of Necessity to Acquire Certain Real Property Interests on 800 Mathew Street, Santa Clara, California, from Patel Jitendra G. and Shashi J. Trustee

Recommendation: Alternative 1: Adopt a Resolution of Necessity to acquire Certain Real Property Interests on 800 Mathew Street, Santa Clara, California, from Patel Jitendra G. and Shashi J. Trustee.

Mayor Gillmor opened the Public Hearing.

Chief Electric Utility Officer Pineda gave a PowerPoint Presentation.

Public Speaker(s): Roshni Patel
J P

F. Gayle Conner [Miller, Starr, Regaglia (Outside Counsel)] addressed Public Comment and Council questions.

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 approve Alternative 1: adopt Resolution No. 8914 of Necessity to acquire Certain Real Property Interests on 800 Mathew Street, Santa Clara, California, from Patel Jitendra G. and Shashi J. Trustee.

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

8. [20-1097](#) Public Hearing: Action on a Resolution of Necessity to Acquire Certain Real Property Interests on 2908 Lafayette Street, Santa Clara, California, from Dollinger Lafayette Associates, a California General Partnership

Recommendation: Alternative 1: Adopt a Resolution of Necessity to acquire Certain Real Property Interests on 2908 Lafayette Street, Santa Clara, California, from Dollinger Lafayette Associates, a California general partnership.

Mayor Gillmor opened the Public Hearing.

Chief Electric Utility Officer Pineda gave a PowerPoint Presentation.

Public Speaker(s): Michael Dollinger

Alan Sozio [Burke, Williams, and Sorensen (Outside Counsel)]
addressed Public Comment and Council questions.

A motion was made by Councilmember Watanabe, 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 O'Neill, seconded by Councilmember Davis, to approve Alternative 1: adopt Resolution No. 8915 of Necessity to acquire Certain Real Property Interests on 2908 Lafayette Street, Santa Clara, California, from Dollinger Lafayette Associates, a California general partnership.

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

9. [20-1189](#) Approval of no cost of living and merit compensation increases for the City Manager and City Attorney and approval to apply the benefit changes for the City Manager and City Attorney, unless stated otherwise in the employment agreement, as included in the new Miscellaneous Unclassified Management Employees (Unit 9) Memorandum of Understanding

Recommendation: Approve to make no Cost of Living or Merit Pay Adjustments to the City Manager and City Attorney compensation effective December 15, 2019 to December 25, 2021; no merit increase adjustments effective January 1, 2021 to December 31, 2022; extend the Unit 9 benefit changes to the City Manager and City Attorney as articulated in this staff report.

City Attorney Doyle and **City Manager Santana** recused themselves from the discussion on this item and left the meeting.

Director of Human Resources Azevedo gave verbal report on the item and addressed Council questions.

A motion was made by Councilmember Watanabe, seconded by Vice Mayor Hardy, to approve to make no Cost of Living or Merit Pay Adjustments to the City Manager and City Attorney compensation effective December 15, 2019 to December 25, 2021; no merit increase adjustments effective January 1, 2021 to December 31, 2022; extend the Unit 9 benefit changes to the City Manager and City Attorney as articulated in this staff report.

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

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Mayor Gillmor noted her attendance with **Councilmember O'Neill** at the ribbon cutting at Bloom Eatery and Spirits.

Councilmember Watanabe reported on her attendance at the recent Regional Housing Needs Allocation (RHNA) zoom meeting discussing the housing needs in the region during the Pandemic.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

None.

[20-1141](#) Update on City Council and Stadium Authority Staff Referrals

[20-871](#) Tentative Meeting Agenda Calendar (TMAC)

ADJOURNMENT

The meeting was adjourned at 8:23 PM in memory of **John Fontana** (Former Planning Commissioner and Life-long resident of Santa Clara) and **Ray Augustine Russo, Sr.** (Long-term Santa Clara resident and former head Groundskeeper at Santa Clara City Hall).

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

Aye: 6 - Vice Mayor/Chair Hardy, Council/Boardmember O'Neill, Council/Boardmember Davis, Council/Boardmember Watanabe, Council/Boardmember Chahal, and Mayor/Chair Gillmor

[20-1217](#) Adjournment of the November 17, 2020 City Council Meeting Post Meeting Material

The next regular scheduled meeting is on Tuesday evening, December 8, 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."