



City of Santa Clara

Draft

Special Meeting Minutes

City Council

Santa Clara Stadium Authority

12/01/2020

3:30 PM

Virtual Meeting held via Zoom
Zoom link available on the Agenda

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.

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/Chairperson calls for a Special Meeting of the City Council of the City of Santa Clara and the Governing Board of the Stadium Authority to commence and convene on December 1, 2020, at 3:30 PM for a Special Meeting to be held virtually via Zoom, to consider the following matter(s) and to potentially take action with respect to them.

3:30 PM CLOSED SESSION

Call to Order

Assistant City Clerk Pimentel noted at 3:30 PM that the Closed Session has been canceled and that the Special Stadium Authority Meeting would begin at 4:00 PM.

Public Comment

None.

[20-1231](#)

Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8
Property: Pond A18, APN: 015-32-042, 015-32-043
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Parties: City of San Jose, City of Santa Clara, and Santa Clara Valley Water District
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

4:00 PM SPECIAL MEETING

Call to Order

Mayor/Chair Gillmor called the meeting to order at 4:02 PM.

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Davis recited the Statement of Values.

Roll Call

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

Assistant City Clerk Pimentel recited the AB23 Announcement.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

None. (Closed Session Item was canceled)

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

A motion was made by Councilmember Davis, seconded by Vice Mayor Hardy, to add the COVID-19 Update to the agenda.

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

Chief Emergency Services Officer Schoenthal provided an update on the Confirmed COVID-19 cases and reviewed the new directives from Santa Clara County.

Chief Emergency Services Officer Schoenthal addressed Council questions.

PUBLIC PRESENTATIONS

None.

PUBLIC HEARING/GENERAL BUSINESS

1. [20-756](#) Action on the Santa Clara Stadium Authority Financial Status Report for Quarter Ending June 30, 2020

Recommendation: Note and file the Santa Clara Stadium Authority Financial Status Report for the Quarter Ending June 30, 2020.

Stadium Authority Treasurer Lee gave a PowerPoint Presentation.

Stadium Authority Treasurer Lee, Stadium Authority Counsel Doyle, and **Executive Director Santana** addressed Board questions.

A motion was made by Boardmember Davis, seconded by Boardmember O'Neill, to note and file the Santa Clara Stadium Authority Financial Status Report for the Quarter Ending June 30, 2020.

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

2. [20-1129](#) Accept the Report on the Santa Clara Stadium Authority's Non-NFL Events' Documents by JS Held, LLC and Possible Action by the Stadium Authority Board

Recommendation: Accept the Report on the Santa Clara Stadium Authority's Non-NFL Events' Documents by JS Held, LLC and Possible Action by the Stadium Authority Board

Executive Director Santana and Timothy Gillihan - Forensic Auditor (Senior Vice President, JS Held, LLC) gave PowerPoint Presentation.

Stadium Authority Counsel Doyle, Executive Director Santana, Stadium Authority Treasurer Lee, and Forensic Auditor Consultant Gillihan addressed Board questions.

A motion was made by Boardmember O'Neill, seconded by Boardmember Davis, to (1) authorize the Executive Director to amend the agreement with JS Held, LLC., to incorporate the recommendations as presented during their presentation to return to the Stadium Authority Board to continue their analytical compliance review of the financial records from the non-NFL events at Levi's Stadium, including fiscal year 2016 and subsequent years following 2017, and (2) invite ManCo to a future Stadium Authority Board meeting to share how they will enhance transparency and visibility in its stadium operations, like the new accounting system.

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

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

None.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

Executive Director Santana expressed her gratitude to staff and JS Held, LLC for their assistance in providing Report (Item 20-1129) to the Stadium Authority Board.

ADJOURNMENT

The meeting was adjourned at 8:57 p.m.

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

[20-1249](#)

Adjournment of the December 1, 2020 City Council and Stadium Authority 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."