



City of Santa Clara

Joint Meeting Minutes

Council and Authorities Concurrent Meeting

Santa Clara Stadium Authority

06/08/2021

4:00 PM

Virtual Meeting
Closed Session 4:00 PM
Open Session 6:00 PM

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.

4:00 PM CLOSED SESSION

Call to Order

Mayor/Chair Gillmor called the meeting to order at 4:01 PM.

Roll Call

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

Public Comment

None.

1.A [21-784](#)

Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8

Property: 2380 Lafayette Street, APN: 224-63-020
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Party: Dinapoli Family L.P.
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

Property: 965 Shulman Avenue, APN: 224-63-005
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Party: Berto Development
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

Property: 2191 Ronald Street, APN: 224-67-023
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Party: Rossi Survivor's Trust
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

Property: 2222 Ronald Street, APN: 224-66-005
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Party: Portisi Investments LLC
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

Property: 2122 Ronald Street, APN: 224-66-003
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Party: JB Manufacturing, LLC
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

Property: 1040 Di Giulio Avenue, APN: 224-05-093
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Party: Jon P. Anderson (1040 Di Giulio Avenue);
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

Property: 1034 Di Giulio Avenue, APN: 224-05-043
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Party: Curtis L. Che
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

Property: 1024 Di Giulio Avenue, APN: 224-05-044
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Party: Esposo Living Trust
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

Property: 996 Di Giulio Avenue, APN: 224-05-045
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Party: Luth Family Trust
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

Property: 982 Di Giulio Avenue, APN: 224-05-046
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Party: Sunding Brothers, LLC (982 and 962 Di Giulio Avenue);
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

Property: 962 Di Giulio Avenue, APN: 224-05-04
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Party: Sunding Brothers, LLC
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

Property: 942 Di Giulio Avenue, APN: 224-05-048
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)
Negotiating Party: Aaron and Dabbie Smith
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

Property: 934 Di Giulio Avenue, APN: 224-05-04
City/Authority Negotiator: Deanna J. Santana, City Manager/Executive Director (or designee)

Negotiating Party: Timmy Chun

Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property
(provisions, price and terms of payment)

Property: 2200 Lafayette Street, APN: 224-05-050

City/Authority Negotiator: Deanna J. Santana, City Manager/Executive
Director (or designee)

Negotiating Party: Lorene Scott

Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property
(provisions, price and terms of payment)

Property: 2206 Lafayette Street, APN: 224-67-042

City/Authority Negotiator: Deanna J. Santana, City Manager/Executive
Director (or designee)

Negotiating Party: Felix & Remelita Panis

Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property
(provisions, price and terms of payment)

Property: 2222 Lafayette Street, APN: 224-67-048;

City/Authority Negotiator: Deanna J. Santana, City Manager/Executive
Director (or designee)

Negotiating Party: Julia Hashemieh

Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property
(provisions, price and terms of payment)

Property: 2234 Lafayette Street, APN: 224-67-028;

City/Authority Negotiator: Deanna J. Santana, City Manager/Executive
Director (or designee)

Negotiating Party: Posouvat se, LLC

Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property
(provisions, price and terms of payment)

Property: 2265 Lafayette Street, APN: 224-03-080

City/Authority Negotiator: Deanna J. Santana, City Manager/Executive
Director (or designee)

Negotiating Party: SEW, LLC

Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property
(provisions, price and terms of payment)

1.B [21-832](#)

Conference with Legal Counsel-Anticipated Litigation (CC)

Pursuant to Gov. Code § 54956.9(d)(2) - Exposure to litigation

Number of potential cases: 1

Facts and Circumstances: Pursuant to Gov. Code § 54956.9(e)(1)

City as potential defendant

Convene to Closed Session

Council convened to Closed Session at 4:04 PM and reconvened to Open Session at 6:04 PM.

6:00 PM JOINT COUNCIL/STADIUM AUTHORITY REGULAR MEETING

Pledge of Allegiance and Statement of Values

Council recited the Pledge of Allegiance.

Councilmember Hardy recited the Statement of Values.

Assistant City Clerk Pimentel recited the AB23 Announcement and 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

City Manager Santana noted the petitioner for Item 8 requested that item be deferred to June 22, 2021 if it cannot be heard early on the agenda and requested it be listed earlier on the next agenda.

8. [21-789](#) Public Hearing: Action on a Resolution of Necessity to Acquire Certain Real Property Interests on 890 Walsh Avenue, Santa Clara, California, from L.A.W., LLC

Recommendation: Alternative 1: Adopt a Resolution of Necessity to Acquire Certain Real Property Interests on 890 Walsh Avenue, Santa Clara, California, from L.A.W., LLC. **(Five affirmative votes required [California Code of Civil Procedure section 1245.245]).**

Public Speaker(s): Phil

A motion was made by Councilmember Hardy, seconded by Vice Mayor Chahal, to continue Item 8 - Public Hearing: Action on a Resolution of Necessity to Acquire Certain Real Property Interests on 890 Walsh Avenue, Santa Clara, California, from L.A.W., LLC to June 22, 2021.

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

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

City Manager Santana reported that there are items that are time sensitive to be heard this evening: Item 4.F, 4.G, 4.H, 4.K, 4.M, 4.R, 5, 6, 7, 10.

Public Speaker(s): Gabriela Garzon Gupta

A motion was made by Councilmember Hardy, seconded by Councilmember Jain, to move Item 12 to be heard before Item 5.

Aye: 5 - Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, and Councilmember Becker

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

Mayor Gillmor wished **Santa Clara High School Boys Varsity Basketball team** good luck as they are in the Basketball Playoffs.

Mayor Gillmor wished the **Wilcox High School Boys Varsity Basketball team** good luck and congratulations on winning their first Playoff game.

SPECIAL ORDER OF BUSINESS

2.A Actions on Youth Commission

A. [21-680](#) Recognition of Outgoing Youth Commission Members FY2020/21

Council recognized the seven outgoing Youth Commissioners and acknowledged them for their service.

Youth Commissioner Staff Liason Jon Kawada announced all seven outgoing Youth Commissioners and expressed gratitude for their years of service:

Name	Years of Commission Service
1. Adrienne Krivokapic-Zhou	3
2. Colin Lim	2
3. Kayla Phan	4
4. Kavya Sriram	2
5. Smrithi Suresh	3
6. Natasha Yen	3
7. Amy Zuo	2

B. [21-679](#) Action on Appointment of Youth Commissioners for the FY2021/22 Term

Recommendation: It is recommended that the City Council take the following actions related to the FY2021/22 Youth Commission: a) reappoint Aarva Gupta, Ahmad Ismail, Jasmine Kelly-Tanti, Khadeejah Khan, Rajvi Khanjan Shroff, Riya Mehta, Palak Parikh, and Sarah Zuo as Commission members; b) appoint Mitchell Blanda, Kaitlyn Butcher, Mitali Gaidhani, Rishith Gopiseti, Malia Martin, Hiranya Parekh, and Samarth Suresh as Commission members, and c) appoint Fatimah Ismail and Kira Liang as conditional alternates.

Mayor Gillmor announced the new appointments and re-appointments to the Youth Commission.

Youth Commission Staff Liaison Jon Kawada noted the Youth Commission Recruitment process and announced the recommended candidates to be appointed and reappointed.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve the recommended appointments to the FY2021/22 Youth Commission: a) reappoint Aarva Gupta, Ahmad Ismail, Jasmine Kelly-Tanti, Khadeejah Khan, Rajvi Khanjan Shroff, Riya Mehta, Palak Parikh, and Sarah Zuo as Commission members; b) appoint Mitchell Blanda, Kaitlyn Butcher, Mitali Gaidhani, Rishith Gopiseti, Malia Martin, Hiranya Parekh, and Samarth Suresh as new Commission members, and c) appoint Fatimah Ismail and Kira Liang as conditional alternates.

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

2.B [21-769](#) Proclamation of June 2021 as Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month

Mayor Gillmor proclaimed June 2021 as Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month.

Gabrielle Antolovich (Board President, Billy DeFrank LGBTQ+ Community Center) expressed gratitude for the continued support from City Council and accepted the Proclamation on behalf of the Billy DeFrank LGBTQ+ Community Center.

Councilmember Becker expressed comments of gratitude for Council's support for LGBTQ+ Pride Month, support he has received, and that this is just the beginning in tackling challenges and helping the community.

2.C [21-732](#) Verbal Report from City Manager regarding COVID-19 Pandemic

City Manager Santana expressed gratitude and farewell to **Deputy City Clerk Simrat Dhadli** for her contributions to the City of Santa Clara.

City Manager Santana provided a PowerPoint Presentation regarding COVID-19 Pandemic:

- Santa Clara County remains in Yellow Tier;
- California anticipated to fully reopen June 15, 2021;
- California will adopt CDC Mandate that fully vaccinated residents do not need to wear a mask;
- 66.5% of residents 12 years or older are fully vaccinated;
- 73% of residents 50 years or older are fully vaccinated; and
- Bookmobile has established a full schedule for the summer.

Chief Emergency Services Officer Schoenthal provided an update from the Board of Supervisors meeting.

Council comments and questions followed.

City Manager Santana and **Acting City Librarian Bojorquez** addressed **Council** questions.

STUDY SESSION

3. [21-525](#) Joint Study Session to review Proposed FY 2021/22 and FY 2022/23 Biennial Operating Budget and FY 2021/22 Capital improvement Program Budget Adjustments and to review the Proposed FY 2021/22 Municipal Fee Schedule

- Recommendation:**
1. Review and provide input on the Proposed FY 2021/22 and FY 2022/23 Biennial Operating Budget and FY 2021/22 Capital Improvement Program Amendments;
 2. Review and provide input on the Proposed FY 2021/22 Municipal Fee Schedule;
 3. Provide direction on the implementation of a Transient Occupancy Tax rate increase that received voter approval in November 2020;
 4. Provide direction to the City Manager to return to Council with a Parks and Recreation fee cost recovery policy for Council consideration; and
 5. Provide direction to the City Manager for potential revenue tax measures for the November 2022 ballot and to return with the appropriate schedule and workplan for successfully placing measures on the ballot.

Director of Finance Lee gave a Powerpoint Presentation.

Council comments and questions followed.

Director of Finance Lee, City Manager Santana, City Attorney Doyle, and **Deputy Fire Chief Ray** addressed **Council** questions.

Public Speaker(s): Mike A
Anthony Pascoal
AL
Lee
Bob O'Keefe
Sally SC (eComment)

Council comments and questions followed.

City Manager Santana and **Director of Finance Lee** addressed **Council** questions.

CONSENT CALENDAR

Public Speaker(s): Shiraz

A motion was made by Councilmember Watanabe, seconded by Councilmember Jain, to approve the Consent Calendar.

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

4.A [21-12](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:

Parks & Recreation Commission - April 20, 2021
Santa Clara Tourism Improvement District - April 30, 2021
Youth Commission - April 6, 2021
Senior Advisory Commission - April 26, 2021

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

4.B [21-665](#) Action on March 10, 2021 Special City Council Meeting, March 16 & 23, 2021 Council and Authorities Concurrent & Special Stadium Authority Meetings, and April 1, 2021 Special City Council Meeting

Recommendation: Approve the Meeting Minutes of:
Special City Council Meeting - March 10, 2021
Council & Authorities Concurrent and Special Stadium Authority Meeting - March 16, 2021
Council & Authorities Concurrent and Special Stadium Authority Meeting - March 23, 2021
Special City Council Meeting - April 1, 2021

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

4.C [21-733](#) Action on Bills and Claims Report (CC, SA) for the period April 24th, 2021 - May 7th, 2021

Recommendation: Approve the list of Bills and Claims for April 24, 2021 - May 7, 2021.

A motion was made by Council/Boardmember Watanabe, seconded by Council/Boardmember Jain, to approve staff recommendation.

- 4.D [21-575](#) Action on Monthly Financial Status and Investment Reports for March 2021 and Approve Related Budget Amendments

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

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

- 4.E [21-576](#) Action on the Santa Clara Convention Center FY 2020/21 3rd Quarter Financial Status Report

Recommendation: Note and file the Santa Clara Convention Center Financial Status Report for the 3rd Quarter ending March 31, 2021, as submitted by Spectra.

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

- 4.F [21-229](#) Action on Approval of a Purchase Order with Dasher Technologies for Hewlett-Packard Enterprise Hardware Maintenance and Support Services

Recommendation:

1. Authorize the City Manager to execute a Purchase Order with Dasher Technologies Hewlett-Packard Enterprise hardware maintenance and support services, for an initial term starting on or about July 1, 2021 and ending on June 30, 2022 for total maximum amount not-to-exceed \$162,930, subject to the annual appropriation of funds; and
2. Authorize the City Manager to execute one twelve-month option to extend the services using a purchase order, ending June 30, 2023, subject to the annual appropriation of funds.

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

4.G [21-226](#)

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

1. Execute Amendment No. 1 to an Agreement for the Performance of Services with SPX Transformer Solutions, Inc to provide power transformer parts, equipment, repair, and related services;
2. Execute Amendment No. 1 to an Agreement for the Performance of Services with Art Alger, Inc. dba Peninsula Crane & Rigging to provide operated crane, rigger, and related services;
3. Execute Amendment No. 2 to an Agreement for Services with Rosendin Electric, Inc. for specialized electrical services; and
4. Add or delete services consistent with the scopes of the agreements, and allow future rate adjustments subject to request and justification by contractor, approval by the City, and the appropriation of funds

Recommendation:

1. Authorize the City Manager to execute Amendment No. 1 to the Agreement for the Performance of Services with SPX Transformer Solutions, Inc to extend the term of the Agreement through October 31, 2023 and increase maximum compensation to \$1,500,000;
2. Authorize the City Manager to execute Amendment No. 1 to the Agreement for the Performance of Services with Art Alger, Inc. dba Peninsula Crane & Rigging to increase maximum compensation from \$129,000 to \$300,000;
3. Execute Amendment No. 2 to the Agreement for Services with Rosendin Electric, Inc. to extend the term of the Agreement through September 14, 2023, increase maximum compensation from \$329,765 to \$600,000; and
4. Add or delete services consistent with the scopes of the agreements, and allow future rate adjustments subject to request and justification by contractor, approval by the City, and the appropriation of funds.

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

- 4.H [21-491](#) Action on the Award of Agreements to Bay Area Tree Specialists and West Coast Arborists, Inc. for City Tree Maintenance Services

Recommendation:

1. Authorize the City Manager to execute an agreement with Bay Area Tree Specialists to provide tree pruning, tree removal and emergency tree services for an initial term starting on July 1, 2021 and ending on June 30, 2022, with maximum compensation not-to-exceed \$1,049,000 during the initial term, subject to the appropriation of funds;
2. Authorize the City Manager to execute an agreement with West Coast Arborists, Inc. to provide tree planting and emergency tree services, and optionally tree pruning and tree removal services, for an initial term starting on July 1, 2021 and ending on June 30, 2022, with maximum compensation not-to exceed \$230,000, subject to the appropriation of funds;
3. Authorize the City Manager to amend the not-to-exceed amounts in the agreements provided the cumulative compensation does not exceed \$1,279,000 during the initial one-year term; and
4. Authorize the City Manager to execute up to four one-year options to extend the agreements after the initial one-year term, with the final term ending on June 30, 2026 if all options are exercised, and subject to the appropriation of funds.

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

- 4.I [21-536](#) Action on Amendment No. 1 to the Agreement for Professional Services with MTH Engineers, Inc. to Provide Substation Engineering Services

Recommendation:

1. Authorize the City Manager to execute Amendment No. 1 to the Agreement for Professional Services with MTH Engineers, Inc., to extend the term of the agreement to June 24, 2023, with no increase to the maximum compensation; and
2. Authorize the City Manager execute subsequent amendments to further extend the term of the agreement, with no increase in the maximum compensation, if needed to complete the following projects: construction of Oaks Junction Substation, construction of San Tomas Junction Substation, construction of Esperanca Substation, expansion of Fairview Substation, expansion and the rebuild of Serra Substation.

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

- 4.J [21-580](#) Action on Amendments to Agreements with Crown Castle/ATT LLC for Cellular Ground Antenna Leases on Water & Sewer Utilities Sites

Recommendation: Authorize the City Manager to amend the Agreements for Cellular Ground Antenna Leases on Water and Sewer Utilities sites and further authorize her or her designee to make minor adjustments as needed to execute those agreements.

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

- 4.K [21-490](#) Adoption of a Resolution Authorizing the City Manager to Execute the San Francisco Bay Water Quality Improvement Fund Grant Agreement with the City of Palo Alto for the Bowers Park Parking Lot Improvement Project for Fiscal Year 2021/22

Recommendation: Adopt a Resolution authorizing the City Manager to execute the San Francisco Bay Water Quality Improvement Fund Grant Agreement with the City of Palo Alto for the Bowers Park Parking Lot Improvement project for Fiscal Year 2021/22.

A motion was made by Councilmember Watanabe, seconded by Councilmember Jain, to adopt Resolution No. 21-8966 authorizing the City Manager to execute the San Francisco Bay Area Water Quality Improvement Fund Grant Agreement with the City of Palo Alto for the Bowers Park Parking Lot Improvement project for Fiscal Year 2021/22.

- 4.L [21-718](#) Note and File the City of Santa Clara Electric Department dba Silicon Valley Power 2021 Wildfire Mitigation Plan

Recommendation: Note and file the 2021 Silicon Valley Power Wildfire Mitigation Plan.

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

- 4.M** [21-790](#) Adopt a resolution approving the California Statewide Communities Development Authority ("CSCDA") issuance of tax-exempt bonds relating to the financing of 165 Affordable Housing Units at 1834 Worthington Circle, Santa Clara

Recommendation:

1. Hold a Tax Equity and Fiscal Responsibility Act public hearing for the issuance of up to \$60,000,000 in tax-exempt private-activity bonds by the California Statewide Communities Development Authority for the benefit of Core Affordable Housing, LLC; and
2. Adopt the resolution approving the issuance of the Bonds by the California Statewide Communities Development Authority not to exceed \$60,000,000, for the benefit of Core Affordable Housing, LLC, to provide financing for the acquisition, construction and development of a 165-unit multifamily rental housing project generally known as Agrihood Senior Apartments.

A motion was made by Councilmember Watanabe, seconded by Councilmember Jain, to adopt Resolution No. 21-8967 approving the issuance of the Bonds by the California Statewide Communities Development Authority not to exceed \$60,000,000, for the benefit of Core Affordable Housing, LLC, to provide financing for the acquisition, construction and development of a 165-unit multifamily rental housing project generally known as Agrihood Senior Apartments.

- 4.N** [21-711](#) Urgency Declaration and Action to Approve Expenditures and Ratify an Agreement with SAK Construction, LLC for Emergency Sanitary Sewer Repairs on Great America Parkway

Recommendation: Make a declaration of urgent necessity, approve the Great America Parkway Emergency Sanitary Sewer Repair Project and ratify the agreement with SAK Construction, LLC in the amount of \$387,320 plus 16% contingency in the amount of \$62,680 for a total not-to-exceed amount of \$450,000.

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

PUBLIC PRESENTATIONS

Bob O'Keefe expressed comments of gratitude to **Deputy City Clerk Simrat Dhadli** for her service to the City of Santa Clara.

Lee expressed comments of gratitude to **Deputy City Clerk Simrat Dhadli** for her service to the City of Santa Clara.

Mayor Gillmor called for a recess at 8:47 PM and reconvened the meeting at 9:02 PM.

MAY 25, 2021 CONSENT ITEMS PULLED FOR DISCUSSION

- 4.O** [21-802](#) Written Petition submitted by Amrit S. Kulkarni requesting the City Council hear appeals regarding permit and environmental process determinations regarding three Use Permit Applications for Bloom Fuel Cell Power System projects filed for 2960 Corvin Drive, 2970/3000 Corvin Drive, and 2200 Mission College Boulevard (Continued from May 25, 2021)

Recommendation: Staff recommends that no action be taken.

Councilmember Jain pulled this item for future discussion from the May 25, 2021 Council and Authorities Concurrent Meeting.

Councilmember Jain and **Councilmember Becker** noted that they each individually had discussions with folks at Bloom Energy.

Public Speaker(s): Shiraz

City Manager Santana noted the written petition process.

City Attorney Doyle addressed the public comments and provided a verbal report on the appeal.

A motion was made by Councilmember Becker, seconded by Councilmember Jain, to note and file the written petition submitted by Amrit S. Kulkarni requesting the City Council hear appeals regarding permit and environmental process determinations regarding three Use Permit Applications for Bloom Fuel Cell Power System projects filed for 2960 Corvin Drive, 2970/3000 Corvin Drive, and 2200 Mission College Boulevard.

Aye: 6 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

Nay: 1 - Councilmember Park

4.P [21-803](#) Report from the City Attorney on California Voter Rights Act (CVRA) Litigation (Continued from May 25, 2021)

Recommendation: Note and file report.

Councilmember Jain pulled this item for future discussion from the May 25, 2021 Council and Authorities Concurrent Meeting.

Councilmember Jain noted that the report provided was in the City Attorney's perspective of what occurred and that there are possible omissions of key details from the timeline.

Council comments and questions followed.

City Clerk Haggag expressed comments regarding timeline of events that occurred relating to the California Voting Rights Act.

City Attorney Doyle addressed **Council** comments and added additional notes to the timeline of events that occurred relating to the California Voting Rights Act.

Public Speaker(s): Wesley K Mukoyama

City Attorney Doyle recommended each Councilmember send him what they feel should be included in the report.

A motion was made by Councilmember Park, seconded by Vice Mayor Chahal, to return with an updated report from the City Attorney on California Voter Rights Act (CVRA) Litigation to include the Councilmembers recommended historical events additions.

Aye: 6 - Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, Councilmember Jain, Councilmember Becker, and Mayor Gillmor

Nay: 1 - Councilmember Watanabe

4.Q [21-811](#) Informational Report Regarding Bi-yearly Project Status Report of the GIS Services Program (Continued from May 25, 2021)

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

Councilmember Jain pulled this item for future discussion from the May 25, 2021 Council and Authorities Concurrent Meeting.

Councilmember Jain pulled this item to request that the GIS system assist the City Attorney's Office to determine potential conflict of interest.

City Attorney Doyle and **City Manager Santana** addressed **Council** comments and questions.

Director of Information Technology Garg addressed **Council** comments and questions.

A motion was made by Councilmember Jain, seconded by Councilmember Hardy, note and file the Informational Report regarding the Bi-yearly Project Status Report of the GIS Services Program.

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

4.R Request from the Stadium Manager for Approval to Add Stadium Builder Licenses to Field Seating in the North and South Endzones of Levi's Stadium (Continued from May 25, 2021)

- A. [21-801](#) Request from the Stadium Manager for Approval to Add Stadium Builder's Licenses to Temporary Field Seats in the North and South Endzones of Levi's Stadium (Continued from May 25, 2021)

Boardmember Jain pulled this item for future discussion from the May 25, 2021 Council and Authorities Concurrent Meeting.

Boardmember Jain pulled this item for further discussion.

Executive Director Santana gave a PowerPoint Presentation.

Board comments and questions followed.

Executive Director Santana, Assistant City Manager Shikada, and Stadium Authority Counsel Doyle addressed **Board** questions and comments.

- B. [21-800](#) Stadium Authority Response Regarding the Stadium Manager's Proposal to Add Stadium Builder's Licenses to Temporary Field Seats in the North and South Endzones of Levi's Stadium (Continued from May 25, 2021)

Recommendation: Alternatives 1 and 2:

1. Take no action on the Stadium Manager's proposal to add Stadium Builder Licenses to the 64 temporary field seats in the North and South endzones of Levi's Stadium; and
2. Direct the Stadium Manager to present revenue options, based on previous direction, within three months for the Board to consider.

A motion was made by **Boardmember Watanabe**, seconded by **Chair Gillmor**, to approve Alternative 1: take no action on the Stadium Manager's proposal to add Stadium Builder Licenses to the 64 temporary field seats in the North and South endzones of Levi's Stadium.

Chair Gillmor made a friendly amendment to the motion on the table for the Stadium Authority to support the higher ticket price proposed by Executive Director to maximize the revenue.

Public Speaker(s): Kirk Vartan
Edward Strine

Boardmember Chahal proposed a new motion to return with this item in two weeks to allow ManCo to provide a proposal.

Board comments and questions followed.

Executive Director Santana addressed **Board** questions.

A motion was made by **Boardmember Watanabe**, seconded by **Chair Gillmor**, for the Stadium Authority to support the higher ticket price proposed by Executive Director to maximize the revenue.

Aye: 2 - Boardmember Watanabe, and Chair Gillmor

Nay: 5 - Vice Chair Chahal, Boardmember Hardy, Boardmember Park, Boardmember Jain, and Boardmember Becker

Motion Fails.

A motion was made by **Boardmember Jain** to grant the Executive Director to engage in discussions with Stadium Management Company over pursuing SBL's, provide alternative scheme for licenses and also engage in a discussion how to maximize the reserve price for 64 seats.

Vice Chair Chahal proposed a friendly amendment to request to return with the proposal in two weeks.

Boardmember Jain did not accept the friendly amendment.

Chair Gillmor proposed a friendly amendment that the proposal provided by ManCo should be in writing.

Boardmember Jain accepted the friendly amendment.

Boardmember Hardy seconded the motion.

A motion was made by Boardmember Jain, seconded by Boardmember Hardy, to grant the Executive Director to engage in discussions with Stadium Management Company over pursuing SBL's, provide alternative scheme for licenses and also engage in a discussion how to maximize the reserve price for 64 seats, and that proposal from ManCo be in writing.

Aye: 6 - Boardmember Watanabe, Vice Chair Chahal, Boardmember Hardy, Boardmember Park, Boardmember Jain, and Chair Gillmor

Nay: 1 - Boardmember Becker

CONSENT ITEMS PULLED FOR DISCUSSION

None.

PUBLIC HEARING/GENERAL BUSINESS

7. [21-822](#) Council Discussion and Direction on the 2021 Redistricting Process Based Receipt of 2020 Census Data (Continued from May 4, 2021)

Recommendation: Staff recommends City Council discuss the key elements of a redistricting process and provide direction to staff on items that will inform an ordinance establishing a public process for redistricting that will be brought back to City Council for consideration at a future meeting.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to defer the Council Discussion and Direction on the 2021 Redistricting Process Based Receipt of 2020 Census Data to June 15, 2021.

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

10. [21-598](#) Action on a Rezone from Planned Development (PD) to Planned Development (PD) of a property located at 2905 Stender Way to allow development of a four-story Data Center building (CoreSite SV9)

Recommendation: Alternatives 1 and 2): That the City Council adopt resolutions for the 2905 Stender Way Project to:

1. Approve a Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the 2905 Stender Way project; and
2. Approve a rezoning from Planned Development (PD) to Planned Development (PD) to allow development of a 250,000 square-foot four-story data center, a new substation, equipment yards and onsite improvements (SV9).

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to defer the Council Discussion and Direction on the 2021 Redistricting Process Based Receipt of 2020 Census Data to June 15, 2021.

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

12. [21-824](#) Action on Censure of Councilmember Watanabe and Admonishment of Mayor Gillmor

Recommendation: Staff has no recommendation.

Councilmember Hardy gave a verbal report on her request to censure **Councilmember Watanabe** and the admonishment of **Mayor Gillmor**.

Council discussion followed.

Public Speaker(s): Will Kennedy	MyLinh Pham
Paul Fong	Gabriela Garzon Gupta
Rose Amador LeBeau	Kirk Vartan
Bob O'Keefe	Hosam Haggag
Wesley K Mukoyama	Sally SC (eComment)
Harbir Bhatia	Lee Broughman
Edward Strine	Mike Kaku
Qian	LaDonna Yamuri
Richard Konda	Mary Gloner
Craig Pasqua	My Linh Pham
Karanbir S. Sekhon	

Council discussion followed.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Chahal, to accept Resolution No. 21-8968 to censure Councilmember Watanabe based on the City of Santa Clara Code of Ethics.

Aye: 4 - Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, and Councilmember Becker

Nay: 3 - Councilmember Watanabe, Councilmember Jain, and Mayor Gillmor

Councilmember Hardy gave a verbal report on her request to admonish **Mayor Gillmor**.

Council discussion followed.

Public Speaker(s): Kirk Vartan
Edward Strine
Qian
Wesley K Mukoyama

A motion was made by Councilmember Hardy, seconded by Vice Mayor Chahal, to accept Resolution No. 21-8969 to admonish Mayor Gillmor for not speaking up against Councilmember Watanabe's action and not keeping the Code of Ethics with the removing the incorrect quote.

Aye: 4 - Vice Mayor Chahal, Councilmember Hardy, Councilmember Park, and Councilmember Becker

Nay: 3 - Councilmember Watanabe, Councilmember Jain, and Mayor Gillmor

5. [21-804](#) Public Hearing: Action on a Resolution Establishing the Average Per-Acre Land Values and Updating the Parkland In-Lieu Fee Schedule for FY2021/22 for New Residential Development (Continued from May 25, 2021)

Recommendation: Adopt a Resolution to Establish the Parkland In-Lieu Fee Schedule for New Residential Development for FY2021/22 In Accordance with Title 17 ("Development") Chapter 35 ("Park and Recreational Land") of the City Code using the December 31, 2020 land valuation report.

This meeting has been adjourned to June 10, 2021 to consider Items 5, 6, 9, and 11.

6. [21-810](#) Public Hearing: Adoption of a Resolution Setting Rates for Overall Solid Waste Services and Annual Clean-up Campaign in the Exclusive Franchise Area (Continued from May 25, 2021)

Recommendation:

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, 2021;
3. Authorize the City Manager to incorporate the transfer of \$33,600 from the General Fund to the Solid Waste Fund into Biennial FY 2021/22 and FY 2022/23 Operating Budget and each subsequent operating budget; and
4. Direct the City Manager to bring forward an amendment to the Proposed Biennial FY 2021/22 and 2022/23 Operating Budget that allocates \$75,000 from the Solid Waste Fund unrestricted ending fund balance in FY 2021/22 to hire a consultant to develop alternatives to the current annual Clean-up Campaign format and conduct a customer survey.

This meeting has been adjourned to June 10, 2021 to consider Items 5, 6, 9, and 11.

9. [21-1167](#) Public Hearing: Adoption of a Resolution Approving the Levy of Benefit Assessment Upon the Santa Clara Convention Center Complex - Maintenance District No. 183

Recommendation: Alternative 1:
Adopt a resolution approving the levy of benefit assessment upon the Santa Clara Convention Center Complex - Maintenance District No. 183, and approving, confirming, and adopting the Director's Report for FY 2021/22.

This meeting has been adjourned to June 10, 2021 to consider Items 5, 6, 9, and 11.

11. [21-647](#) Action on a Written Petition Submitted by Councilmember Becker Requesting a Public Apology to the Residents of Santa Clara for the CVRA Lawsuit

Recommendation: Staff has no recommendation and seeks Council direction.

This meeting has been adjourned to June 10, 2021 to consider Items 5, 6, 9, and 11.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

This meeting has been adjourned to June 10, 2021 to consider Items 5, 6, 9, and 11.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

This meeting has been adjourned to June 10, 2021 to consider Items 5, 6, 9, and 11.

[21-797](#)

Update on City Council and Stadium Authority Staff Referrals

[21-835](#)

Tentative Meeting Agenda Calendar (TMAC)

ADJOURNMENT

The meeting was adjourned at 1:51 AM.

A motion was made by Councilmember Watanabe, seconded by Councilmember Park, to adjourn the meeting to June 10, 2021 to consider Items 5, 6, 9, and 11.

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

The next regular scheduled meeting is on Tuesday evening, June 22, 2021.

MEETING DISCLOSURES

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

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

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

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

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

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

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