



# City of Santa Clara

## Meeting Minutes

### Council and Authorities Concurrent Meeting

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07/06/2021

4:00 PM

Virtual Meeting  
Closed Session 4:00 PM  
Open Session 6:30 PM

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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](mailto:PublicComment@santaclaraca.gov)

As always, the public may view the meetings on [SantaClaraCA.gov](http://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 Gillmor** called the meeting to order at 4:00 PM.

#### **Roll Call**

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

#### **Public Comment**

**Public Speaker(s):** Carolyn McAllister

- 1.A     [21-929](#)     CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Name of case: Buzzell v. City of Santa Clara  
(WCAB Case Nos. ADJ12998780, ADJ14200898, ADJ14260301,  
ADJ14260283, ADJ14322249)
- 1.B     [21-928](#)     Public Employee Performance Evaluation pursuant to Government Code  
Section 54957(b)(1)  
Title: City Attorney

**Convene to Closed Session**

Council convened to Closed Session.

**6:30 PM COUNCIL 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 Behavioral Standards.

**REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS**

Mayor Gillmor noted that there was no reportable action from Closed Session Item 1.B.

City Attorney Doyle noted that there was no reportable action from Closed Session Item 1.A.

**CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS**

**Kelly Macy** requested reconsideration of previous action on June 22, 2021 to Take No Action on the Written Petition on the Republic Metropolitan Project at 500 Benton Street.

A motion was made by **Councilmember Park** (on the Prevailing Side), seconded by **Councilmember Watanabe**, to reconsider the Written Petition on Republic Metropolitan Project.

The following Public Speakers expressed being in favor of reconsideration of Republic Metropolitan Project:

Mike Walke  
Deb  
Jerry Smith  
Steve Kelly  
Brian Gregory

**City Attorney Doyle** reviewed the Reconsideration Policy.

**Council** discussion and questions followed.

**City Manager Santana** addressed **Council** questions.

**A motion was made by Councilmember Park, seconded by Councilmember Watanabe, to place reconsideration of Written Petition of Republic Metropolitan Project at 500 Benton Street on the July 13, 2021 Council and Authorities Concurrent Meeting.**

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

**City Manager Santana** noted that there are time sensitive Items that and must be heard this evening: Items 3.F, 3.G, 3.I, 4.5, 6, 8.C and 8.D.

**SPECIAL ORDER OF BUSINESS**

2.A      **21-812 Action on Silicon Valley Power Logo Temporary Redesign in Recognition of 125th Anniversary**

**Chief Electric Utilities Officer Pineda** gave a verbal presentation on Silicon Valley Power logo redesign in celebration of its 125th Anniversary year.

**Public Speaker(s):** Public Speaker (1)

Recognize Local Youth Author Paarth Bansal

2.B      [21-950](#)

**Mayor Gillmor** presented a Special Mayoral Recognition to local youth author **Paarth Bansal** on his book: *The Amazing World of Magnets*.

**Paarth Bansal** provided an overview on the inspiration of his book.

**Council** expressed comments of encouragement and noted how proud they are his accomplishment.

2.A      [21-812](#)

Action on Silicon Valley Power Logo Temporary Redesign in Recognition of 125th Anniversary

**Recommendation:** Approve and authorize the temporary usage of the alternate Silicon Valley Power logo redesign in celebration of its 125th Anniversary year.

**City Manager Santana** and **Chief Electric Utilities Officer Pineda** presented the temporary Logo in celebration of the 125th Anniversary year.

**Council** questions and comments followed.

**Chief Electric Utilities Officer Pineda** addressed questions.

A motion was made by **Councilmember Hardy**, seconded by **Vice Mayor Chahal**, to approve and authorize the temporary usage of the alternate Silicon Valley Power logo redesign in celebration of its 125th Anniversary year.

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

**CONSENT CALENDAR**

A motion was made by **Councilmember Watanabe**, seconded by **Councilmember Jain**, to approve the Balance of the Consent Calendar (except Items 3.E, 3.F, 3.H, and 3.I)

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

3.A [21-932](#) Action on April 6, 2021 Council and Authorities Concurrent Meetings Minutes

**Recommendation:** Approve the Meeting Minutes of:  
Council & Authorities Concurrent Meeting - April 6, 2021

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

3.B [21-14](#) Board, Commissions and Committee Minutes

**Recommendation:** Note and file the Minutes of:  
Parks & Recreation Commission - May 18, 2021  
Historical and Landmarks Commission - May 6, 2021  
Senior Advisory Commission - May 24, 2021

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

3.C [21-845](#) Action on Bills and Claims Report (CC) for the period May 29th, 2021 - June 11th, 2021

**Recommendation:** Approve the list of Bills and Claims for May 29, 2021 - June 11, 2021.

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

3.D [21-234](#) Action on an Agreement with Gates and Associates Landscape Architecture, Inc. for Design Professional Services for the Westwood Oaks Playground Rehabilitation Project

**Recommendation:** 1. Approve and authorize the City Manager to execute an agreement with Gates and Associates Landscape Architecture, Inc. for the Westwood Oaks Playground Rehabilitation Project in the amount not-to-exceed \$92,817; and  
2. Authorize the City Manager to make minor modifications, if needed.

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

- 3.G [21-543](#) Approval of the 2021 Santa Clara County Multi-Jurisdictional Program for Public Information; a program under the Community Rating System of the Federal Emergency Management Agency's National Flood Insurance Program

**Recommendation:** Approve the implementation of the 2021 Santa Clara County Multi-Jurisdictional Program for Public Information 5-Year Plan for the Community Rating System Program.

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

- 3.J [21-938](#) Action on a Resolution Revising the Council and Authorities/Stadium Authority Regular Meeting Dates for the 2021 Calendar Year

**Recommendation:** Adopt a Resolution revising the Council and Authorities/Stadium Authority regular meeting dates for the 2021 calendar year to reflect the cancelation of the August 31, 2021 Council and Authorities regular meeting and to set August 24, 2021 as a Joint Council and Authorities and Stadium Authority regular meeting.

**A motion was made by Councilmember Watanabe, seconded by Councilmember Jain, to adopt Resolution No. 21-8987 revising the Council and Authorities/Stadium Authority regular meeting dates for the 2021 calendar year to reflect the cancellation of the August 31, 2021 Council and Authorities regular meeting and to set August 24, 2021 as a Joint Council and Authorities and Stadium Authority regular meeting.**

#### **PUBLIC PRESENTATIONS**

None.

21-1024 Public Presentations eComment

#### **CONSENT ITEMS PULLED FOR DISCUSSION**

- 3.F      [21-758](#)      Action on Amendment No. 2 to the Agreement with Orchard Commercial, Inc. for Property Management Services for the Santa Clara Convention Center Complex located at 5001, 5101, and 5201 Great America Parkway

**Recommendation:** Authorize the City Manager to execute Amendment No. 2 to the Agreement with Orchard Commercial, Inc. for property management services to increase the amount of the agreement by \$77,400 and to extend the term of the agreement through July 31, 2022 for a revised not-to-exceed maximum compensation of \$472,918, subject to the appropriation of funds.

**Councilmember Jain** pulled this item for further clarification regarding costs for the common areas for the Convention Center.

**Assistant Director of Public Works Liw** addressed **Council** questions.

**A motion was made by Councilmember Jain, seconded by Councilmember Park, to Authorize the City Manager to execute Amendment No. 2 to the Agreement with Orchard Commercial, Inc. for property management services to increase the amount of the agreement by \$77,400 and to extend the term of the agreement through July 31, 2022 for a revised not-to-exceed maximum compensation of \$472,918, subject to the appropriation of funds.**

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

- 3.I [21-735](#) Action on the Award of Purchase Orders with Technology, Engineering & Construction, Inc. and California Hazardous Services, Inc. for Fuel Storage Tank Services

- Recommendation:**
1. Authorize the City Manager to execute a blanket purchase order with Technology, Engineering & Construction, Inc. to provide fuel storage tank compliance services for an initial term starting on July 1, 2021 and ending on June 30, 2022, with maximum compensation not-to-exceed \$60,000;
  2. Authorize the City Manager to execute a blanket purchase order with California Hazardous Services, Inc. to provide fuel maintenance services for an initial term starting on July 1, 2021 and ending on June 30, 2022, with maximum compensation not-to-exceed \$12,000;
  3. Authorize the City Manager to approve contingency amounts of 20 percent, or \$12,000 and \$2,400 on the purchase orders with Technology, Engineering & Construction, Inc. and California Hazardous Services, Inc., respectively, in the event additional or unexpected repairs or compliance services are required during the initial term; and
  4. Authorize the City Manager to exercise up to four one-year options to renew the purchase orders through June 30, 2026, if all options are exercised, and subject to the annual appropriation of funds.

Councilmember Jain pulled this item for further clarification on expenses for Fuel Storage Tanks.

Assistant Director of Public Works Liw addressed Council questions.

Public Speaker(s): Name Not Required

A motion was made by Councilmember Jain, seconded by Councilmember Hardy, to (1) authorize the City Manager to execute a blanket purchase order with Technology, Engineering & Construction, Inc. to provide fuel storage tank compliance services for an initial term starting on July 1, 2021 and ending on June 30, 2022, with maximum compensation not-to-exceed \$60,000; (2) authorize the City Manager to execute a blanket purchase order with California Hazardous Services, Inc. to provide fuel maintenance services for an initial term starting on July 1, 2021 and ending on June 30, 2022, with maximum compensation not-to-exceed \$12,000; (3) authorize the City Manager to approve contingency amounts of 20 percent, or \$12,000 and \$2,400 on the purchase orders with Technology, Engineering & Construction, Inc. and California Hazardous Services, Inc., respectively, in the event additional or unexpected repairs or compliance services are required during the initial term; and (4) authorize the City Manager



to exercise up to four one-year options to renew the purchase orders through June 30, 2026, if all options are exercised, and subject to the annual appropriation of funds.

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

**PUBLIC HEARING/GENERAL BUSINESS**

4. [21-899](#) Adopt a Resolution Establishing an Independent Redistricting Commission to Conduct Public Engagement and Adoption of City Council District Election Map as a Result of the 2020 U.S. Census

**Recommendation:** Staff recommends City Council adopt a Resolution Establishing and Independent Redistricting Commission to Conduct Public Engagement and Adoption of City Council District Election Map as a Result of the 2020 U.S. Census

**City Clerk Haggag** gave a PowerPoint Presentation.

**Council** comments and questions followed.

**City Clerk Haggag** and **City Manager Santana** addressed **Council** questions.

A motion was made by **Councilmember Jain**, seconded by **Councilmember Hardy**, to adopt the proposed Resolution with the following adjustments: (1) each applicant be required to live in their district for a minimum of one year; (2) allow the Redistricting Commissioner to serve on a City commission upon completion of service; (3) apply a \$150 stipend for each public hearing meeting attended by Commissioner; and (4) approve the selection process as presented by **City Clerk Haggag**.

**Councilmember Watanabe** requested a friendly amendment to the motion to change the stipend to \$25 for each public hearing meeting.

**Councilmember Jain** did not accept the friendly amendment.

**Council** comments and questions followed.

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

**Public Speaker(s):** Betsy Megas  
Name Not Required  
Ben  
Chadwick  
Steve Kelly  
Lee  
Linda

**Council** comments followed.

**Mayor Gillmor** requested a friendly amendment to the motion to change the stipend to \$50 for each public hearing meeting.

**Councilmember Jain** did not accept the friendly amendment.

**Public Speaker(s):** Lee  
Linda

**Council** comments followed.

A motion was made by **Councilmember Jain**, seconded by **Councilmember Hardy**, to adopt the proposed Resolution with the following adjustments: (1) each applicant be required to live in their district for a minimum of one year; (2) allow the Redistricting Commissioner to serve on a City commission upon completion of service; (3) apply a \$150 stipend for each public hearing meeting attended by Commissioner; and (4) approve the selection process as presented by City Clerk Haggag.

**Aye:** 3 - Vice Mayor Chahal, Councilmember Hardy, and Councilmember Jain

**Nay:** 4 - Councilmember Watanabe, Councilmember Park, Councilmember Becker, and Mayor Gillmor

**Motion Fails.**

A motion was made by **Councilmember Park**, seconded by **Vice Mayor Chahal**, to adopt the proposed resolution with the following adjustments: (1) each applicant be required to live in their district for a minimum of one year; (2) allow the Redistricting Commissioner to serve on a City Commission upon completion of service; (3) apply a \$50 stipend for each public hearing meeting attended by Commissioner and a \$50 bonus upon completion of service; and (4) approve the selection process as presented by City Clerk Haggag.

**Council** comments followed.

**Councilmember Park** removed his recommendation of a \$50 bonus upon completion of service.

A motion was made by **Councilmember Park**, seconded by **Vice Mayor Chahal**, to adopt the proposed Resolution No. 21-8988 with the following adjustments: (1) each applicant be required to live in their district for a minimum of one year; (2) allow the Redistricting Commissioner to serve on a City Commission upon completion of service; (3) apply a \$50 stipend for each public hearing meeting attended by Commissioner; and (4) approve selection process as presented by City Clerk Haggag.

**Aye:** 4 - Vice Mayor Chahal, Councilmember Park, Councilmember Jain, and Mayor Gillmor

**Nay:** 3 - Councilmember Watanabe, Councilmember Hardy, and Councilmember Becker

**Mayor Gillmor** called a recess at 8:55 PM and reconvened the meeting at 9:06 PM.

5. [21-887](#) Direction on the Next Steps for the El Camino Real Specific Plan.

**Recommendation:** 2. Prepare an alternative form of the Specific Plan that reduces densities from the prior draft Specific Plan, but maintains an overall average density greater than 35 units per acre.

**Director of Community Development Crabtree** gave a PowerPoint Presentation on the El Camino Real Specific Plan.

**Council** comments and questions followed.

**Director of Community Development Crabtree** and **City Attorney Doyle** addressed questions and concerns.

<b>Public Speaker(s):</b> Jeff Houston	Justin Wang
Tom Quaglia	Xinyu Zhao
Ksinai	Name Not Required
Lee	Samiullah Memon
Atisha Varshney	Miten Patel
Betsy Megas	Steve Kelly
Joey Penniman	Zainab
Kathy Robinson	Linda Zazzarra (E-Mail)

**Director of Community Development Crabtree** addressed Public comments.

**Council** questions and comments followed.

**Director of Community Development Crabtree** addressed **Council** questions.

**A motion was made by Councilmember Hardy, seconded by Councilmember Jain, to approve Alternative 2: Prepare an alternative form of the Specific Plan that reduces densities from the prior draft Specific Plan, but maintains an overall average density greater than 35 units per acre.**

**Aye:** 3 - Councilmember Hardy, Councilmember Park, and Councilmember Jain

**Nay:** 4 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Becker, and Mayor Gillmor

**Motion Fails.**

A motion was made by Councilmember Watanabe, seconded by Vice Mayor Chahal, to approve Alternative 1: proceed with modification of the Specific Plan to include the height limits directed by the City Council and described above in terms of the resulting development types and densities. Appropriate funding (\$200,000) from the General Fund to support preparation of a VMT analysis and recirculation of the EIR, economic feasibility analysis, and the rewriting of development standards.

**Aye:** 3 - Councilmember Watanabe, Vice Mayor Chahal, and Mayor Gillmor

**Nay:** 4 - Councilmember Hardy, Councilmember Park, Councilmember Jain, and Councilmember Becker

**Motion Fails.**

Council questions and comments followed.

**City Manager Santana and Director of Community Development** addressed **Council** questions.

A motion was made by Councilmember Becker, seconded by Councilmember Jain, to reconsider the previous action take on Alternative 1: proceed with modification of the Specific Plan to include the height limits directed by the City Council and described above in terms of the resulting development types and densities and appropriate funding (\$200,000) from the General Fund to support preparation of a VMT analysis and recirculation of the EIR, economic feasibility analysis, and the rewriting of development standards.

**Aye:** 5 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Becker, and Mayor Gillmor

**Nay:** 2 - Councilmember Park, and Councilmember Jain

**Motion Passes.**

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to approve Alternative #1: proceed with modification of the Specific Plan to include the height limits directed by the City Council and described above in terms of the resulting development types and densities and appropriate funding (\$200,000) from the General Fund to support preparation of a VMT analysis and recirculation of the EIR, economic feasibility analysis, and the rewriting of development standards.

**Aye:** 4 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Becker, and Mayor Gillmor

**Nay:** 3 - Councilmember Hardy, Councilmember Park, and Councilmember Jain

**Mayor Gillmor** called for a recess at 10:55 PM and reconvened the meeting at 11:06 PM.

**City Manager Santana** confirmed that budget for Item #5 will return with action for appropriate budget allocation.

6. [21-757](#) Action on Amendment No. 4 to the Agreement for Professional Services with Perkins + Will for the Tasman East Specific Plan and Related Budget Amendment

**Recommendation:** 1. 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,*" approve the FY 2021/22 budget amendment in the Other City Departments Operating Grant Trust Fund to recognize grant revenue in the amount of \$310,000 and establish a Planning Grants Program appropriation in the amount of \$310,000 (five affirmative council votes required to appropriate additional revenue); and

2. Authorize the City Manager to execute Amendment No. 4 to the Agreement with Perkins + Will for professional services to prepare the Amendment to the Tasman East Specific Plan to allow up to 1,500 additional units in the Tasman East area, along with preparation of the associated environmental clearance by increasing the amount of the agreement by \$275,000 and extending the term of the agreement through June 30, 2022 for a revised not-to-exceed maximum compensation of \$1,461,432.

**City Manager Santana** made introductory comments regarding the consideration of this item.

**Director of Community Development Crabtree** gave a PowerPoint Presentation.

**Council** comments and questions followed.

**Public Speaker(s):** Name Not Required

A motion was made by Councilmember Watanabe, seconded by Councilmember Jain, to approve (1) 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, approve the FY 2021/22 budget amendment in the Other City Departments Operating Grant Trust Fund to recognize grant revenue in the amount of \$310,000 and establish a Planning Grants Program appropriation in the amount of \$310,000 (five affirmative council votes required to appropriate additional revenue); and (2) authorize the City Manager to execute Amendment No. 4 to the Agreement with Perkins + Will for professional services to prepare the Amendment to the Tasman East Specific Plan to allow up to 1,500 additional units in the Tasman East area, along with preparation of the associated environmental clearance by increasing the amount of the agreement by \$275,000 and extending the term of the agreement through June 30, 2022 for a revised not-to-exceed maximum compensation of \$1,461,432.

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

#### **8. Written Petition's Submitted**

- A. [21-912](#) Action on a Written Petition (Council Policy 030) submitted by Gabriela Landaveri Requesting the City of Santa Clara Adopt a "Vision Zero" Policy (Deferred from June 22, 2021)

**Recommendation:** Staff makes no recommendation.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to defer this item to the August 17, 2021 Council and Authorities Concurrent Meeting.

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

- B. [21-891](#) Action on a Written Petition (Council Policy 030) Submitted by Councilmember Jain Requesting to Place an Agenda Item at a Future Meeting to have a Policy Discussion on Data Centers (Deferred from June 22, 2021)

**Recommendation:** Staff has no recommendation and seeks Council direction.

A motion was made by Councilmember Becker, seconded by Councilmember Jain, to defer this item to the August 17, 2021 Council and Authorities Concurrent Meeting.

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

7. [21-197](#) Consideration of Silicon Valley Power Quarterly Strategic Plan Update

**Recommendation:** Note and file the Silicon Valley Power Quarterly Strategic Plan Update.

**A motion was made by Councilmember Becker, seconded by Councilmember Jain, to continue this item to July 13, 2021 Council and Authorities Concurrent Meeting.**

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

- 3.E [21-660](#) Action on Agreements with DKS Associates, Kimley-Horn and Associates, Inc., and W-Trans for Traffic Engineering Consulting Support

**Recommendation:**

1. Approve and authorize the City Manager to execute an agreement with DKS Associates for traffic engineering consulting support services, for a term ending on or about July 1, 2023 for a total amount not-to exceed \$83,300, subject to the appropriation of funds;
2. Approve and authorize the City Manager to execute an agreement with Kimley-Horn and Associates, Inc. for traffic engineering consulting support services, for a term ending on or about July 1, 2023 for a total amount not-to exceed \$83,300, subject to the appropriation of funds;
3. Approve and authorize the City Manager to execute an agreement with Whitelock & Weinberger Transportation, Inc., dba W-Trans, for traffic engineering consulting support services, for a term ending on or about July 1, 2023 for a total amount not-to exceed \$83,300, subject to the appropriation of funds;
4. Authorize the City Manager to make minor modifications to the agreements, including amending the not-to-exceed amounts, as long as the cumulative compensation of all three agreements does not exceed \$250,000 for the initial two-year term, if necessary; and
5. Authorize the City Manager to exercise up to two one-year options to extend the agreements after the initial two-year term, with the final term ending on July 1, 2025 if all options are exercised, and subject to the appropriation of funds.

**A motion was made by Councilmember Becker, seconded by Councilmember Jain, to continue this item to July 13, 2021 Council and Authorities Concurrent Meeting.**

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

3.H [21-629](#) Action on the Appropriation of Asset Forfeiture Funds for FY 2021/22 and Related Budget Amendment

**Recommendation:**

1. Approve the appropriation of Asset Forfeiture Funds in the amount of \$182,500 pursuant to State and federal Regulations; and
2. 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,*" approve the following FY 2021/22 budget amendments:
  - A. In the Expendable Trust Fund, recognize Beginning Fund Balance of \$182,500 from asset forfeiture funds received and establish a Transfer to the Police Operating Grant Trust Fund (**five affirmative Council votes required for the use of unused balances**); and
  - B. In the Police Operating Grant Trust Fund, establish a Transfer from the Expendable Trust Fund and establish a Seized Asset Funds appropriation in the amount of \$182,500 (**five affirmative Council votes required to appropriate additional revenue**).

**A motion was made by Councilmember Becker, seconded by Councilmember Jain, to continue this item to July 13, 2021 Council and Authorities Concurrent Meeting.**

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

8. Written Petition's Submitted

- C. [21-926](#) Action on a Written Petition (Council Policy 030) submitted by Ana Vargas-Smith on June 28, 2021 to add an agenda item to consider financial and in-kind support for the Santa Clara Parade of Champions Plan A (Live Parade) or Plan B (Virtual Parade)

**Recommendation:** Staff makes no recommendation.

**City Manager Santana** provided comments about the time sensitivity of this item.

**Ana Vargas-Smith** provided comments regarding her Written Petition for the Parade of Champions in-kind and financial support.

**Public Speaker(s):** Mary Grizzle

Mike Walke

Taylor Amarante (E-Mail)

Andy Ratermann (E-Mail)

Skip Pearson (E-Mail)

Nancy Biagini (E-Mail)

Allen Loomis (E-Mail)

Patti Allmon (E-Mail)

Karen Ardizzzone (E-Mail)

Teresa Sulcer (E-Mail)

**A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to agendize this item for the July 13, 2021 Council and Authorities Concurrent Meeting.**

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

- D. [21-953](#) Action on a Written Petition (Council Policy 030) Submitted by Councilmember Watanabe Requesting to Place an Agenda Item at a Future Meeting to Discuss Preparation of a Letter from Mayor and Council to the California Citizens Redistricting Commission

**Recommendation:** Staff has no recommendation and seeks Council direction.

**Councilmember Watanabe** provided comments on her Written Petition request for preparation of a Letter from Mayor and Council to the California Citizens Redistricting Commission.

**A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to agendize this item for the July 13, 2021 Council and Authorities Concurrent Meeting.**

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

**REPORTS OF MEMBERS AND SPECIAL COMMITTEES**

**Councilmember Hardy** reported on the water main break on Warburton Avenue and Pomeroy Avenue and wanted to expressed gratitude for the Water & Sewer Utilities Department for restoring the water.

**CITY MANAGER/EXECUTIVE DIRECTOR REPORT**

**None.**

[21-889](#) Update on City Council and Stadium Authority Staff Referrals

[21-955](#) Tentative Meeting Agenda Calendar (TMAC)

**ADJOURNMENT**

The meeting was adjourned at 12:22 AM.

**A motion was made by Councilmember Jain, seconded by Councilmember Watanabe, to adjourn the meeting.**

**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, July 13, 2021.**

## MEETING DISCLOSURES

The time limit within which to commence any lawsuit or legal challenge to any quasi-judicative 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-judicative 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@santacruz.gov](mailto:clerk@santacruz.gov) <<mailto:clerk@santacruz.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."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.

ATTEST:



Assistant City Clerk/Secretary

APPROVE:



Mayor/Chairperson