



City of Santa Clara

Joint Meeting Minutes

Council and Authorities Concurrent and Santa Clara Stadium Authority Meeting

11/16/2021

4:30 PM

4:30 PM Closed Session

5:30 PM Study Session

8:30 PM Open Session

Pursuant to California Government Code Section 54953(e) and City of Santa Clara Resolution 21-9013, the City Council meeting will be held by teleconference only. No Physical location will be available for this meeting; however, the City of Santa Clara continues to have 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.

4:30 PM CLOSED SESSION

Call to Order

Mayor/Chair Gillmor called the meeting to order at 4:35 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 [21-1590](#) Conference with Legal Counsel-Existing Litigation (CC, SA)
Pursuant to Gov. Code § 54956.9(d)(1)
Forty Niners SC Stadium Company LLC, et al., v. Santa Clara Stadium Authority, Superior Court Action No 19CV355432 (filed 9/20/19), and Forty Niners SC Stadium Company LLC, et al., v. Santa Clara Stadium Authority, Demand for Arbitration through JAMS, filed 09/03/2021, consolidated with JAMS No. 110024318
- 1.B [21-1610](#) Conference with Labor Negotiators (CC)
Pursuant to Gov. Code § 54957.6
City representative: Deanna J. Santana, City Manager (or designee)
Employee Organization(s):
Unit #1-Santa Clara Firefighters Association, IAFF, Local 1171
Unit #2-Santa Clara Police Officer's Association
Unit #3-IBEW Local 1245 (International Brotherhood of Electrical Workers)
Unit #4-City of Santa Clara Professional Engineers
Units #5, 7 & 8-City of Santa Clara Employees Association
Unit #6-AFSCME Local 101 (American Federation of State, County and Municipal Employees)
Unit #9-Miscellaneous Unclassified Management Employees
Unit #9A-Unclassified Police Management Employees
Unit #9B-Unclassified Fire Management Employees
Unit #10-PSNSEA (Public Safety Non-Sworn Employees Association)

Convene to Closed Session

Council convened to Closed Session at 4:36 PM and reconvened the meeting at 5:38 PM.

5:30 PM STUDY SESSION

2. [21-1290](#) Study Session on a Potential Quiet Zone and Vision Zero Policy

Recommendation: There is no staff recommendation.

Director of Public Works Mobeck and Assistant Director of Public Works Liw gave a PowerPoint Presentation on Quiet Zones.

Council questions and comments followed.

Assistant Director of Public Works Liw addressed Council questions.

City Manager Santana requested a recess as there may be a potential conflict of interest with some Councilmembers.

Mayor Gillmor called for a brief recess at 6:00 PM and reconvened the meeting at 6:06 PM.

Councilmember Jain recused himself from discussion on this item due to conflict of interest related to Quiet Zones and left the meeting at 6:06 PM.

Council comments and questions continued.

Assistant Director of Public Works Liw addressed Council questions.

A motion was made by Councilmember Watanabe, seconded by Vice Mayor Chahal, to refer the Potential Quiet Zone discussion to the Council Priority Setting Session in February 2022 and explore any potential funding sources like the Infrastructure Bill or Grant Programs.

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

Recused: 1 - Councilmember Jain

Councilmember Jain rejoined the Study Session at 6:28 PM to participate in the discussion on Vision Zero.

Assistant Director of Public Works Liw gave a PowerPoint Presentation on Vision Zero.

Council comments and questions followed.

Assistant Director of Public Works Liw addressed Council questions.

Public Speaker(s): Kirk Vartan
Gabby Landaveri
Debbie Algieri
Jeff Houston
Diane Harrison

Council comments followed.

A motion was made by Vice Mayor Chahal, seconded by Councilmember Becker, to refer this item (Vision Zero) to Council Priority Setting Session in February 2022 and return to Council with a funding source in the amount of \$315,000 prior to the February 2022 Council Priority Setting Session.

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

6:30 PM JOINT COUNCIL REGULAR/STADIUM AUTHORITY MEETING

Mayor Gillmor called for a recess at 7:11 PM and reconvened the meeting at 7:15 PM.

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 Statement of Behavioral Standards.

Assistant City Clerk Pimentel noted that any Registered Lobbyist speaking in that capacity must identify themselves as a Registered Lobbyist.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

Chief Assistant City Attorney Reuter noted that there was no reportable action from Closed Session.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

City Manager Santana noted the following items are time-sensitive and must be heard this evening: Items 4.E, 4.G, 4.H, 4.I, 4.J, 4.K, and 5.

SPECIAL ORDER OF BUSINESS

3.A [21-1601](#) Verbal Report from City Manager regarding COVID-19 Pandemic

Chief Emergency Services Officer Schoenthal provided the following PowerPoint Presentation on COVID-19 Pandemic:

- Seven day rolling average in Santa Clara County is 178 cases;
- Hospitals currently have sufficient capacity to treat all patients;
- County of Santa Clara and State of California encourage all residents 18 years old and over to receive a booster shot;
- November 10, 2021 State of California extended the state proclamation on COVID-19 Pandemic to March 31, 2022;
- Assembly Bill 361 recommends continue to remote meetings;
- COVID-19 Testing returns to Central Park Library; and
- Remote meetings continued to January 22, 2022.

Council comments and questions followed.

Chief Emergency Services Officer Schoenthal and **City Manager Santana** addressed **Council** questions.

Public Speaker(s): Kirk Vartan

City Manager Santana addressed Public questions.

3.B [21-1602](#) Verbal Report Update from City Manager Regarding the Local Drought Emergency

City Manager Santana gave a PowerPoint Presentation on the Local Drought Emergency.

3.C [21-1619](#) Proclaim Native American Heritage Month

Council proclaimed November as Native American Heritage Month.

Monica Arellano (Tribal Vice Chairwoman - Muwekma Ohlone Tribe of the San Francisco Bay Area) expressed comments of gratitude and provided a verbal report on the Muwekma Ohlone Tribe history.

CONSENT CALENDAR

Public Member Kirk Vartan pulled Item 4.I.

A motion was made by **Council/Becker**, seconded by **Councilmember Jain**, to approve the **Balance of the Consent Calendar (except Item 4.I)**.

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

4.A [21-23](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Youth Commission - October 12, 2021

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

4.B [21-1458](#) Action on Bills and Claims Report (CC, HA, SCSA, SOSA,) for the period September 25th, 2021 - October 29th, 2021

Recommendation: Approve the list of Bills and Claims for September 25, 2021 - October 29, 2021.

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

4.C [21-1040](#) Action on a Purchase Order with Applied Computer Solutions (ACS) for Cisco SmartNet License Renewals

- Recommendation:**
1. Authorize the City Manager to execute the first option to extend the purchase order with Applied Computer Solutions for Cisco SmartNet License Renewals, ending on November 30, 2022, for a total maximum amount not-to-exceed \$105,000, subject to the annual appropriation of funds;
 2. Authorize the City Manager to exercise up to three remaining options to renew the purchase order with Applied Computer Solutions, ending November 30, 2025, assuming all options are exercised, and subject to the annual appropriation of funds; and
 3. Add or delete licenses and services consistent with the scope of the agreement and allow future rate adjustments subject to request and justification by Applied Computer Solutions, approval by the City, and the appropriation of funds.

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

- 4.D [21-1511](#) Action on the Approval of FY 21 Edward Byrne Memorial Justice Assistance Grant Funding and Related Budget Amendment

Recommendation:

1. Accept and approve the FY21 Edward Byrne Memorial Justice Assistance Grant funding of \$15,931;
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 related FY 2021/22 budget amendment in the Police Operating Grant Trust Fund to recognize grant revenue in the amount of \$15,931 and establish an Edward Byrne Memorial Justice Assistance Grant Program 2021 appropriation in the amount of \$15,931 (**five affirmative Council votes required to appropriate additional revenue**);
3. Authorize the City Manager, Finance Director and Management Analyst 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 Becker, seconded by Councilmember Jain, to approve staff recommendation.

- 4.E [21-1067](#) Action on a Resolution Amending Rate Schedules for Electric Service for All Classes of Customers, Effective January 1, 2022

Recommendation: Adopt a Resolution amending Rate Schedules for Electric Services for all classes of customers, effective January 1, 2022.

A motion was made by Councilmember Becker, seconded by Councilmember Jain, to adopt Resolution No. 21-9021 amending Rate Schedules for Electric Services for all classes of customers, effective January 1, 2022.

- 4.F [21-1341](#) Action on Agreement with Motorola Solutions to upgrade the Neptune Intelligence Computer Engineering (NICE) Local Logging Recorder System Including Three Years of Maintenance and Support

Recommendation:

1. Authorize the City Manager to execute an Agreement with Motorola Solutions to upgrade the NICE Local Logging Recorder System, including a maintenance and support contract, for the term starting on or about November 2021 and ending or about November 2024; not to exceed \$115,207; and subject to the appropriation of funds;
2. Approve a contingency amount of up to \$50,000 to cover any unforeseen circumstances that may arise during the software upgrade, subject to the appropriation of funds; and
3. Authorize the City Manager to extend software maintenance and support beyond the initial three-year term, for as long as the software is in use and maintenance and support is required by the City, subject to the appropriation of funds.

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

- 4.G [21-1446](#) Action to Authorize the City Manager to Take All Appropriate Actions Required for Participation in the California Arrearage Payment Program and the California Water and Wastewater Arrearage Payment Program

Recommendation: Authorize the City Manager to take all appropriate actions required for participation in the California Arrearage Payment Program and California Water and Wastewater Arrearage Payment Programs, including but not limited to:

1. Execute agreements with the State Community Services and Development Department and the California State Water Resources Control Board on the terms and conditions of receiving program funds; and/or
2. Attest as to the accuracy of the information.

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

- 4.H [21-1487](#) Action on a Resolution Establishing Silicon Valley Power (SVP) Large Customer Renewable Energy (LCRE) Program - A Voluntary Program for Large Customers to Purchase Additional Renewable Energy Above the Amount of Renewable Energy Already Required in SVP's Energy Delivery Portfolio

Recommendation:

1. Adopt a Resolution of the City of Santa Clara establishing Silicon Valley Power Large Customer Renewable Energy Program to allow large customers to purchase additional Renewable Energy above the amount of Renewable Energy already required in Silicon Valley Power's Energy Delivery Portfolio to be effective January 1, 2022; and
2. Delegate authority to the City Manager, or designee, to revise Program procedures as necessary to assure effective Program operation, make adjustments to the Program language on the forms and agreements as needed or as regulatory conditions change, and to execute on behalf of City all Large Customer Renewable Energy Program-related agreements.

A motion was made by Councilmember Becker, seconded by Councilmember Jain, to adopt Resolution No. 21-9022 establishing Silicon Valley Power Large Customer Renewable Energy Program to allow large customers to purchase additional Renewable Energy above the amount of Renewable Energy already required in Silicon Valley Power's Energy Delivery Portfolio to be effective January 1, 2022 and approve staff recommendation.

- 4.J [21-791](#) Waive First Reading and take Action on Introduction of an Ordinance to add Chapter 8.26, Entitled Edible Food Recovery, to Implement Edible Food Recovery Programs and Require Certain Businesses to Arrange for the Donation of Edible Food That Would Otherwise Go to Waste

Recommendation: Waive First Reading and Approve the Introduction of an Ordinance to add Chapter 8.26, entitled Edible Food Recovery, to Implement Edible Food Recovery Programs and Require Certain Businesses to Arrange for the Donation of Edible Food That Would Otherwise Go to Waste.

A motion was made by Councilmember Becker, seconded by Councilmember Jain, to approve waiving the first reading and Pass to Print Ordinance No. 2035, adding Chapter 8.26, entitled Edible Food Recovery, to Implement Edible Food Recovery Programs and Require Certain Businesses to Arrange for the Donation of Edible Food That Would Otherwise Go to Waste.

- 4.K [21-1023](#) Waive First Reading and Take Action on the Introduction of the Ordinance Amending Chapter 12.35 "Trees and Shrubs" of the Code of the City of Santa Clara to Incorporate New Best Practices and Regulations to Preserve the Urban Forest

Recommendation: Waive First Reading and Approve the introduction of the Ordinance amending Chapter 12.35, entitled "Trees and Shrubs" to incorporate new best practices and regulations to preserve the urban forest.

A motion was made by Councilmember Becker, seconded by Councilmember Jain to approve Waiving the First Reading and Pass to Print Ordinance No. 2036, amending Chapter 12.35, entitled "Trees and Shrubs" to incorporate new best practices and regulations to preserve the urban forest.

PUBLIC PRESENTATIONS

None.

CONSENT ITEMS PULLED FOR DISCUSSION

- 4.I [21-1535](#) Action on a Resolution Extending AB 361 Implementation to Allow City Legislative Bodies to Hold Public Meetings Solely by Teleconference or Otherwise Electronically During the Governor's Proclaimed COVID State of Emergency

Recommendation: Adopt a Resolution finding the continued existence of the need to extend AB 361 implementation to allow the City's legislative bodies to hold public meetings solely by teleconference or otherwise electronically pursuant to AB 361.

Public Member Kirk Vartan pulled this item for further clarification that the Council consider codifying that all **Councilmembers** make themselves visible during virtual meetings.

A motion was made by Councilmember Watanabe, seconded Vice Mayor Chahal, to adopt Resolution No. 21-9023 finding the continued existence of the need to extend AB 361 implementation to allow the City's legislative bodies to hold public meetings solely by teleconference or otherwise electronically pursuant to AB 361.

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

PUBLIC HEARING/GENERAL BUSINESS

5. Action on All-Electric Reach Code Items

- A. [21-1568](#) Public Hearing: Waive Second Reading and take Action on the Adoption of an All-Electric Reach Code Ordinance No. 2034, including Electric Vehicle (EV) Charging, that Amends Chapter 15.36 (Energy Code) and Chapter 15.38 (Green Building Code) of Title 15 (Buildings and Construction) of the Santa Clara City Code

Recommendation: 1. Waive Second Reading and Adopt Ordinance No. 2034 to amend Chapter 15.36 (Energy Code) and Chapter 15.38 (Green Building Standards Code) of Title 15 (Buildings and Construction) of "The Code Of The City Of Santa Clara, California" to adopt provisions of the 2019 California Energy Code and the 2019 California Green Building Standards Code with certain exceptions, modifications, and additions to increase building efficiency and increase requirements related to electric vehicle charging stations.

Director of Community Development Crabtree gave a verbal report on an All-Electric Reach Codes Ordinance.

Public Speaker(s): Dashiell Leeds
Alexis Tan
Daniel Martinez
Sindhu Saggeri
Rosie Chen

A motion was made by Councilmember Watanabe, seconded by Councilmember Jain, to Waive Second Reading and Adopt Ordinance No. 2034 to amend Chapter 15.36 (Energy Code) and Chapter 15.38 (Green Building Standards Code) of Title 15 (Buildings and Construction) of "The Code of The City of Santa Clara, California" to adopt provisions of the 2019 California Energy Code and the 2019 California Green Building Standards Code with certain exceptions, modifications, and additions to increase building efficiency and increase requirements related to electric vehicle charging stations.

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

- B. [21-1561](#) Resolution Establishing an Effective Date of January 1, 2022, for Ordinance No. 2034 (All-Electric Building Electrification Reach Codes Including EV Charging)

Recommendation: Staff recommend that City Council adopt the proposed resolution, as written, of the City of Santa Clara, California establishing a timeline for implementation of an all-electric building electrification reach code ordinance including electric vehicle (EV) charging.

Director of Community Development Crabtree gave a verbal report on implementation of an All-Electric Building Electrification Reach Code ordinance including Electric Vehicle (EV) charging.

Council comments and questions followed.

Director of Community Development Crabtree addressed Council questions.

A motion was made by Councilmember Jain, seconded by Councilmember Park, to adopt Resolution No. 21-9024 establishing a timeline for implementation of an All-Electric Building Electrification Reach Code Ordinance No. 2034 including electric vehicle (EV) charging.

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

6. [21-13270](#) Council Discussion and Potential Action on Levi's Stadium's Condition of Approval P22(c) Regarding Nighttime Outdoor Non-NFL Events

Recommendation: Staff recommends that any action taken by the Council should result in the Stadium Manager curing existing legal agreements violations and that the parameters of a Draft Council Policy should address improved compliance, financial performance, improved neighborhood mitigations, and improved coordination with the Stadium Authority.

City Manager Santana and Director of Community Development Crabtree gave a PowerPoint Presentation on the potential action on Levi's Stadium's condition of approval P22(c) regarding nighttime outdoor non-NFL events.

Council comments and questions followed.

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

Public Speaker(s):

Kirk Vartan	Sean Truesdale (Letter)
Ravinder Lal	Sylvia Kahn (Letter)
Edward Strine	Armando Muela (Letter)
Michael Greco (E-Mail)	Tom Galante (Letter)
Christopher Sullivan (E-Mail)	Ralph Sands (Letter) Andre
Linda Sellers (E-Mail)	Glanville (Letter) Dean
Jodi (E-Mail)	Hayes (Letter) Emily
Pat Lemucchi (Letter)	Matthews (E-Mail) Derrick
Joe Prowse (Letter)	Seaver (E-Mail) Daniel
Mindy Moss (Letter)	Herzstein (E-Mail) Rodney
Axel Sang (Letter)	Fong (Letter)
James Williams (E-Mail)	

Council comments followed.

A motion was made by **Councilmember Becker**, seconded by **Councilmember Hardy**, to (1) direct the City Manager to provide exemptions under Conditions of Approval P22(c) for up to five weeknight concerts per year, including pyrotechnics, that are scheduled to end no later than 11:00 PM Sunday through Thursday; (2) direct the City Manager to provide those exemptions within 48 hours of a request to the Stadium Manager when requested; and (3) if there are additional requests for an exemption beyond those five exemptions, direct the City Manager to bring the requests to Council for consideration where the Council will weigh the pros and cons.

City Manager Santana addressed **Council** comments.

Council comments and questions followed.

City Manager Santana addressed **Council** questions.

Councilmember Watanabe requested a friendly amendment to the motion to change the curfew to 11:00 PM for all City of Santa Clara districts.

Councilmember Becker rejected the friendly amendment.

Mayor Gillmor proposed a substitute motion, seconded by **Councilmember Watanabe**: to (1) direct the City Manager to provide exemptions under Conditions of Approval P22(c) for up to five weeknight concerts per year, including pyrotechnics, that are scheduled to end no later than 11:00 PM Sunday through Thursday; (2) direct the City Manager to provide those exemptions within 48 hours of a request to the Stadium Manager when requested; and (3) if there are additional requests for an exemption beyond those five exemptions, direct the City Manager to bring the requests to Council for consideration where the Council will weigh the pros and cons subject to:

- (1) before a new curfew policy or pilot program goes into effect, the Stadium Manager must adhere to all legal agreement violations;
- (2) before a new curfew policy or pilot program goes into effect, the Stadium Manager must demonstrate that they have complied with all State and Local labor laws, including Wage Theft violation;
- (3) curfew violations shall result in fines that should be sufficient to deter curfew violations and shall be increased for repeat violations - City Staff should research effective fines and policies to enforce curfew;
- (4) three curfew violations shall result to the original curfew policy for one year to demonstrate that the Stadium Manager can effectively manage these events;
- (5) the Stadium Manager cannot book money losing events or events that

are a financial burden for the Stadium Authority, the City General Fund, and the City of Santa Clara taxpayers; and
(6) the Stadium Manager must pay for specific Public Safety resources for all events so all Santa Clara neighborhoods do not see a reduction in Police patrol during Stadium events.

Assistant City Clerk Pimentel noted that a motion to consider the substitute motion would need to occur.

A motion was made by Mayor Gillmor, seconded by Councilmember Watanabe, to consider the substitute motion made proposed by Mayor Gillmor and Councilmember Watanabe.

Aye: 2 - Councilmember Watanabe and Mayor Gillmor

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

Motion Fails.

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

Council comments ensued.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to (1) direct the City Manager to provide exemptions under Conditions of Approval P22(c) for up to five weeknight concerts per year, including pyrotechnics, that are scheduled to end no later than 11:00 PM Sunday through Thursday; (2) direct the City Manager to provide those exemptions within 48 hours of the request by the Stadium Manager; and (3) if there are additional requests for an exemption beyond those five exemptions, direct the City Manager to bring the requests to Council for consideration where the Council will weigh the pros and cons.

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

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

Mayor Gillmor called for a recess at 10:48 PM and reconvened the meeting at 11:01 PM.

8. WRITTEN PETITION (POLICY 030) SUBMITTED BY THE PUBLIC/COUNCIL

- A. [21-1611](#) Action on a Written Petition (Council Policy 030) Submitted by Brian Doyle Requesting to Place an Agenda Item at a Future Council Meeting to Discuss FIFA Negotiations (Deferred from November 9, 2021)

Recommendation: Staff makes no recommendation.

Assistant City Clerk Pimentel read Written Petitioner Brian Doyle's email request into the record.

Council comments followed.

Public Speaker(s): Kirk Vartan

Council comments followed.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to deny the Written Petition request.

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

Nay: 2 - Councilmember Watanabe and Mayor Gillmor

- B. [21-1623](#) Action on a Council Written Petition (Council Policy 030) Submitted by Councilmember Hardy to Place an Item on a Future Council Meeting to Consider a Resolution to Support the Bid to FIFA for the 2026 World Cup and Related Events

Recommendation: Staff makes no recommendation.

Councilmember Hardy gave a verbal report on her Written Petition request.

Council comments followed.

City Manager Santana read a document into the record related to the 2026 FIFA World Cup.

Public Speaker(s): Kirk Vartan

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to place the Written Petition from Councilmember Hardy on a future agenda for discussion.

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

7. Action on Approval of Various Board, Commissions and Committee Governance Items

- B. [21-1613](#) Waive First Reading and take Action on the Introduction of Ordinance to Amend Chapter 2.120, Entitled Boards and Commissions, to Update Boards and Commission Members Qualifications and Create the City's Housing Commission and Establish the Powers, Functions, and Duties of the Commission; Direction About the Formation of a Homelessness Taskforce (Deferred from November 9, 2021)

Recommendation:

1. Direct Staff on the formation of an Ad Hoc Homelessness Taskforce; and
2. Waive First Reading and Approve the Introduction of an Ordinance to amend Chapter 2.120, entitled Boards and Commissions, to add the City's Housing Commission and establish the powers, functions, and duties of the commission with the Commission to begin activity after conclusion of the Ad Hoc Homelessness Taskforce.

Director of Community Development Crabtree gave a PowerPoint Presentation.

Council comments and questions followed.

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

A motion was made by **Councilmember Park**, seconded by **Councilmember Hardy**, to (1) create an Ad-Hoc Homelessness Task Force responsive to **Council** interest; (2) to "cross the bridge" on the Housing Commission at a later date; and (3) and direct staff to return with a funding source for Homebase or any other provider to facilitate meetings.

Council comments and questions followed.

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

Councilmember Jain proposed a friendly amendment to the motion on the floor to add direction to staff to return with a funding source for Homebase or any other provider to facilitate meetings.

Councilmember Park accepted the friendly amendment from **Councilmember Jain**.

Vice Mayor Chahal proposed a friendly amendment to the motion on the floor to waive First Reading and Approve the Introduction of an Ordinance to amend Chapter 2.120, entitled Boards and Commissions, to add the City's Housing Commission and establish the powers, functions, and duties of the commission with the Commission to begin activity after conclusion of the Ad Hoc Homelessness Task Force.

Councilmember Park did not accept the friendly amendment from **Vice Mayor Chahal**.

A substitute motion was made by **Councilmember Watanabe**, seconded by **Mayor Gillmor**, to (1) direct staff on the formation of an Ad Hoc Homelessness Task Force; and (2) waive First Reading and Approve the Introduction of an Ordinance No. 2037 to amend Chapter 2.120, entitled Boards and Commissions, to add the City's Housing Commission and establish the powers, functions, and duties of the commission with the Commission to begin activity after conclusion of the Ad Hoc Homelessness Task Force; and (3) direct staff to return with a funding source for meeting facilitation.

Public Speaker(s): Jeff Houston
Caprice

A motion was made by **Councilmember Watanabe**, seconded by **Mayor Gillmor**, to accept the substitute motion.

- Aye:** 4 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Becker, and Mayor Gillmor
- Nay:** 3 - Councilmember Hardy, Councilmember Park, and Councilmember Jain

Motion Passes.

A motion was made by **Councilmember Watanabe**, seconded by **Mayor Gillmor**, to (1) direct staff on the formation of an Ad Hoc Homelessness Taskforce; and (2) waive First Reading and Approve the Introduction of an Ordinance to amend Chapter 2.120, entitled Boards and Commissions, to add the City's Housing Commission and establish the powers, functions, and duties of the commission with the Commission to begin activity after conclusion of the Ad Hoc Homelessness Taskforce; and (3) direct staff to return with a funding source to for meeting facilitation.

- Aye:** 6 - Councilmember Watanabe, Vice Mayor Chahal, Councilmember Hardy, Councilmember Jain, Councilmember Becker, and Mayor Gillmor
- Nay:** 1 - Councilmember Park

A motion was made by Councilmember Watanabe, seconded by Vice Mayor Chahal, to defer the remainder of the agenda items to a future meeting.

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

- A. [21-1612](#) Information and Update on the Ad Hoc Committee on the Apology Letter Relating to the City's California Voting Rights Act Litigation (Deferred from November 9, 2021)

Recommendation:

1. Review expanded scope and provide direction on staff resources to support the committee; and
2. Review the provided history and background and provide feedback on what should be posted on the Open City Hall survey as a history.

This item was deferred to a future meeting.

- C. [21-1615](#) Action on Formalization of the Bicycle and Pedestrian Advisory Committee (Deferred from November 9, 2021)

Recommendation: Alternatives 1, 3, 5, 8 and 9:

1. Modify BPAC membership eligibility to require that applicants must be at least 18 years of age and live or work in the City;
3. Reduce the number of BPAC members from the current maximum of nine members to seven members and phase in this change so no current member loses their position during the current term;
5. Modify how BPAC members are interviewed and appointed similar to other Boards and Commissions by having Council interview applicants and make selections;
8. Remove the requirement that a Councilmember chair the BPAC and allow the BPAC to select its own chair in July 2025 once all members of the BPAC are comprised of those who were interviewed by Council; and
9. Direct staff to bring an ordinance and revised BPAC Policy Guidelines formalizing the BPAC for Council consideration.

This item was deferred to a future meeting.

- D. [21-1616](#) Waive First Reading and take Action on the Introduction of Ordinance to Amend Chapter 2.120, Entitled Boards and Commissions, to Update Boards and Commission Members Qualifications (Deferred from November 9, 2021)

Recommendation: Waive First Reading and Approve the Introduction of an Ordinance to amend Chapter 2.120, entitled Boards and Commissions, to update Boards and Commissions qualifications to be residents of the City instead of qualified electors.

This item was deferred to a future meeting.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Mayor Gillmor noted that Wilcox High School's Football team won their first game of the playoffs and will be playing their next game on Friday, November 19, 2021.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

None.

ADJOURNMENT

The meeting was adjourned at 12:20 AM.

A motion was made by Councilmember Becker, seconded by Vice Mayor Chahal, to adjourn the meeting.

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

[21-1624](#) Tentative Meeting Agenda Calendar (TMAC)

The next regular scheduled meeting is on Tuesday evening, December 7, 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@santadaraca.gov <<mailto:clerk@santadaraca.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