



City of Santa Clara

Meeting Minutes

Council and Authorities Concurrent and

Call and Notice of Special Meeting

Santa Clara Stadium Authority

01/11/2022

5:00 PM

Virtual Meeting
5:00 PM Closed Session
7:00 PM Open Session

****Revision: Updated Agenda Item Title for Item 7**

Pursuant to California Government Code Section 54953(e) and City of Santa Clara Resolution 21-9038, 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.

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 ("The Brown Act") and Section 708 of the Santa Clara City Charter, the Chair calls for a Special Meeting of the Governing Board of the Stadium Authority, to commence and convene on January 11, 2022 for a Special Meeting to be held virtually via Zoom, to consider the following matter(s) and to potentially take action with respect to them.

5:00 PM CLOSED SESSION

Call to Order

Mayor/Chair Gillmor called the meeting to order at 5:03 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

Michal Healy expressed comments regarding school facilities (Item 1.B) in Santa Clara.

- 1.A [22-05](#) Public Employee Appointment (Gov. Code §§ 54957, 54954.5, subd. (e).)
Title: Executive Recruiter for City Attorney
- 1.B [22-1686](#) Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8
Property: Please see below listing for APNs and addresses
City/Authority Negotiator: Deanna J. Santana, City Manager
Negotiating Parties: Please see below listing for names of negotiating party(ies)
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms)
- 1.C [22-76](#) 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 5:06 PM and reconvened the meeting at 7:12 PM.

7:00 PM COUNCIL REGULAR AND SPECIAL STADIUM AUTHORITY MEETING

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Hardy recited the Statement of Values.

Assistant City Clerk/Secretary Pimentel recited the AB 23 Announcement, Behavioral Standards, and reminded any registered Lobbyist providing testimony to identify themselves as a Lobbyist.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

Chief Assistant City Attorney Reuter noted that there was no reportable action from Closed Session Items 1.B and 1.C.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

Mayor Gillmor moved Item 7 on the agenda up after the Consent Calendar as there are students joining to speak on this item.

City Manager Santana noted that the following items are time sensitive and must be heard this evening:

Items 3.E, 3.F, 3.J, 3.K, 3.L, 3.M, 3.N, 4.A, 4.B, 4.C and 6.

SPECIAL ORDER OF BUSINESS

2.A [22-60](#)

Verbal Report from City Manager regarding COVID-19 Pandemic

City Manager Santana noted that the City Calendars have been mailed out.

Chief Emergency Services Officer Schoenthal provided the following PowerPoint presentation on COVID 19 pandemic:

- County of Santa Clara entered a fifth surge of COVID-19 Pandemic;
- COVID-19 positivity rate 15.9%;
- Hospitalizations have increased;
- City of Santa Clara has encouraged remote work and had to close to the public some City facilities due to staff positive cases;
- County of Santa Clara vaccination rate is 87.7% for 5 years old and older; and
- Testing and Booster appointments are available.

Council questions and comments followed.

Chief Emergency Services Officer Schoenthal addressed **Council** questions.

2.B [22-61](#)

Verbal Report Update from City Manager Regarding the Local Drought Emergency

Chief Emergency Services Officer Schoenthal provided a PowerPoint Presentation on the Local Drought Emergency:

- City continues to work with local agencies on water conservation;
- City continues to communicate with residents regarding water conservation; and
- provided suggestions to reduce water usage.

CONSENT CALENDAR

Councilmember Jain pulled Items 3.G and 3.H.

Councilmember Watanabe pulled Items 4.C1 and 4.C2.

Vice Mayor Chahal pulled Items 3.B, 3.I , and 3.O.

Councilmember Becker pulled Item 3.K.

A motion was made by Council/Boardmember Jain, seconded by Vice Mayor/Chair Chahal, to approve the balance of the Consent Calendar (except Items 3.B, 3.G, 3.H, 3.I, 3.K, 3.O, 4.C1, and 4.C2).

Aye: 7 - Council/Boardmember Watanabe, Vice Mayor/Chair Chahal, Council/Boardmember Hardy, Council/Boardmember Park, Council/Boardmember Jain, Council/Boardmember Becker, and Mayor/Chair Gillmor

- 3.A [22-1778](#) Action on September 28, 2021 Joint Council & Authorities Concurrent and Stadium Authority Meeting, October 5, 2021 Special City Council Meeting, and October 19, 2021 Joint Council & Authorities Concurrent and Stadium Authority Meeting

Recommendation: Approve the Meeting Minutes of:
September 28, 2021 - Joint Council & Authorities Concurrent and Stadium Authority Meeting;
October 5, 2021 Special City Council Meeting; and
October 19, 2021 Joint Council & Authorities Concurrent and Stadium Authority Meeting

A motion was made by Councilmember Jain, seconded by Vice Mayor Chahal, to approve staff recommendation.

- 3.C [22-1594](#) Action on Bills and Claims Report (CC, HA, SCSA,) for the period October 30th, 2021 - December 3rd, 2021

Recommendation: Approve the list of Bills and Claims for October 30, 2021 - December 3, 2021.

**A motion was made by Councilmember/Commissioner/
Boardmember Jain, seconded by Vice Mayor/
Commissioner/Boardmember Chahal, to approve staff
recommendation.**

- 3.D [22-1595](#) Action on Monthly Financial Status and Investment Report for October 2021, Approve Related Budget Amendments, and Approve the Restoration of 1.0 Community Service Officer Position in the Police Department

Recommendation: Note and file the Monthly Financial Status and Investment Reports for October 2021 as Presented, Approve the Restoration of 1.0 Community Service Officer Position in the Police Department, 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 Jain, seconded by Vice Mayor Chahal, to approve staff recommendation.

- 3.E [22-1220](#) Action on Award of Contract for Construction of the South Loop Project to Hotline Construction, Inc. and Related Budget Amendment

Recommendation:

1. Award the Contract for Construction of the South Loop Project (Contract No.2124B) to Hotline Construction, Inc., in the amount of \$18,583,938 and authorize the City Manager to execute any and all documents necessary for the award, completion and acceptance of the Project;
2. Authorize the City Manager to execute change orders up to 15% of the original contract amount, or \$2,787,591, for a total not-to-exceed amount of \$21,371,529 for Contract No. 2124B; and
3. Approve a FY 2021/22 budget amendment in the Electric Utility Capital Fund to increase the Other Revenue estimate by \$6.1 million, increase the Transmission System Reinforcements Capital Improvement Program Project by \$11.8 million, and decrease the Unrestricted Ending Fund Balance by \$5.7 million (**five affirmative Council votes required to appropriate additional revenue and for the use of unused balances**).

A motion was made by Councilmember Jain, seconded by Vice Mayor Chahal, to approve staff recommendation.

- 3.F [22-1726](#) Action on Amendments to Three Professional Service Agreements for the Related Santa Clara Development Project Extending the Terms and Total Contract Amount with Milstone Geotechnical Consulting Services, Environmental Risk Services, and Robert E. Van Heuit

Recommendation: Approve and authorize the City Manager to execute:

1. Amendment No. 5 with Barry Milstone DBA Milstone Geotechnical Consulting Services for the Related Santa Clara Development Project to extend the term through December 31, 2022 and to increase the contract amount by \$50,000 for a total not-to-exceed amount of \$170,000;
2. Amendment No. 5 to the Amended and Restated Agreement with Environmental Risk Services for Consulting Services for the Related Santa Clara Development Project to extend the term through December 31, 2022;
3. Amendment No. 4 to the Amended and Restated Agreement with Robert E. Van Heuit for Consulting Services for the Related Santa Clara Development Project to extend the term through December 31, 2022 and to increase the contract amount by \$100,000 for a total not-to-exceed amount of \$400,000; and,
4. Authorize the City Manager to execute subsequent amendments to extend the terms of the Agreements, without increasing the maximum compensation.

A motion was made by Councilmember Jain, seconded by Vice Mayor Chahal, to approve staff recommendation.

- 3.J [22-1632](#) Action on Adoption of a Resolution Declaring Weeds a Public Nuisance; Approval of the Amended and Restated Agreement between Santa Clara County and the City of Santa Clara for Weed Abatement Services; and Setting February 8, 2022 for Public Hearing

Recommendation:

1. Adopt a Resolution Declaring Weeds a Nuisance;
2. Approve the Amended and Restated Agreement Between The County of Santa Clara and The City of Santa Clara for Weed Abatement Services; and
3. Set February 8, 2022 as the date for the required Public Hearing on the Notice to Destroy Weeds.

A motion was made by Councilmember Jain, seconded by Vice Mayor Chahal, to adopt Resolution No. 22-9054 declaring weeds a nuisance and approve staff recommendations.

- 3.L [22-44](#) Action to Waive Second Reading and Adopt Ordinance No. 2038 for the Regulation of Shared Mobility Devices (Bicycles and Motorized Scooters)

Recommendation: Waive Second Reading and Adopt Ordinance No. 2038 establishing Chapter 10.35 of the Santa Clara Municipal Code instituting Shared Mobility Regulations.

A motion was made by Councilmember Jain, seconded by Vice Mayor Chahal, waiving the second reading and adopting Ordinance No. 2038 establishing Chapter 10.35 of the Santa Clara Municipal Code instituting Shared Mobility Regulations.

- 3.M [22-45](#) Action to Waive Second Reading and Adopt Ordinance No. 2040 to Amend Chapter 2.120, Entitled Boards and Commissions, to Update Boards and Commission Members Qualifications

Recommendation: Waive Second Reading and Adopt Ordinance No. 2040 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.

A motion was made by Councilmember Jain, seconded by Vice Mayor Chahal, waiving second reading and adopting Ordinance No. 2040 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.

- 3.N [22-46](#) Action to Waive Second Reading and Adopt Ordinance No. 2039 Amending Chapter 13.10 "Sewers" of Title 13 "Public Services" of the City of Santa Clara Code to Modify Regulations Regarding Pretreatment Programs to Conform with Recent Updates to the Regional Wastewater Facility Requirements

Recommendation: Waive Second Reading and Adopt Ordinance No. 2039 amending City of Santa Clara Code Chapter 13.10 (Sewers) of Title 13 "Public Services" of the City of Santa Clara Code to modify regulations regarding pretreatment programs to conform with recent updates to the Regional Wastewater Facility Requirements.

A motion was made by Councilmember Jain, seconded by Vice Mayor Chahal, waiving second reading and adopting Ordinance No. 2039 amending City of Santa Clara Code Chapter 13.10 (Sewers) of Title 13 "Public Services" of the City of Santa Clara Code to modify regulations regarding pretreatment programs to conform with recent updates to the Regional Wastewater Facility Requirements.

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

4.A Action on Request Submitted by Stadium Manager to Execute Agreements with R. Brothers Painting Inc. for Rust Prevention Mitigation CapEx Project; Bear Electrical Solutions, Inc. for Gold Lot 4 and 5 Lighting CapEx Project and Approve Related Budget Amendment; and Ample Electric, Inc. for Mechanical and Electrical Closet Lighting CapEx Project; and Approve Budget Amendment Related to Stadium Insulation CapEx Project

1. [22-1702](#) Request from Stadium Manager to Execute Agreements with R. Brothers Painting Inc. for Rust Prevention Mitigation CapEx Project; Bear Electrical Solutions, Inc. for Gold Lot 4 and 5 Lighting CapEx Project and Approve Related Budget Amendment; and Ample Electric, Inc. for Mechanical and Electrical Closet Lighting CapEx Project; and Approve Budget Amendment Related to Stadium Insulation CapEx Project

2. [22-1739](#) Report from the Stadium Authority Regarding Stadium Manager's Request to Execute Agreements with R. Brothers Painting Inc. for Rust Prevention Mitigation CapEx Project; Bear Electrical Solutions, Inc. for Gold Lot 4 and 5 Lighting CapEx Project and Approve Related Budget Amendment; and Ample Electric, Inc. for Mechanical and Electrical Closet Lighting CapEx Project; and Approve Budget Amendment Related to Stadium Insulation CapEx Project

Recommendation:

1. Approve the Stadium Manager's request to execute an agreement with R. Brothers Painting Inc. to prepare and paint the existing steel structure along the 300 level concourse of Levi's Stadium (Rust Prevention Mitigation CapEx Project) in the amount of \$17,223; authorize the Executive Director to approve the execution of any and all documents associated with, and necessary for the award, completion, and acceptance of the project; authorize the Executive Director to approve the execution of change orders up to approximately 10% of the contract cost, or \$1,722, for a total not to exceed amount of \$18,945; and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager;
2. Approve the Stadium Manager's request to execute an agreement with Ample Electrical, Inc. for replacement of existing light fixtures in the Levi's Stadium Electrical Rooms and Telecom Rooms with new LED light fixtures (Mechanical and Electrical Closet Lighting CapEx Project) in the amount of \$101,780; authorize the Executive Director to approve the execution of any and all documents associated with, and necessary for the award, completion, and acceptance of the project; authorize the Executive Director to approve the execution of change orders up to approximately 10% of the contract cost, or \$10,178, for a total not to exceed amount of \$111,958; and authorize the Executive Director to approve and process the reimbursement of such costs related to lighting fixtures in non-Tenant Exclusive Areas upon receiving final invoices and supporting documentation from the Stadium Manager;
3. Approve a budget amendment to update the Gold Lot 4 and 5 Lighting CapEx Project title to "Loading Dock Lighting" and corresponding project description to include loading dock area as part of the scope of work, and increase the budget for the project by \$12,559 to a total of \$65,059 from Capital Expense Reserves;
4. Approve the Stadium Manager's request to execute an agreement with Bear Electrical Solutions, Inc. for removal and disposal of existing wall mounted luminaire fixtures, and furnishing and installation of new wall mounted luminaires in the Levi's Stadium loading dock area; (Loading Dock Lighting CapEx Project) in the amount of \$59,145; authorize the Executive Director to approve the execution of any and all documents associated with, and necessary for the award, completion, and

- acceptance of the project; authorize the Executive Director to approve the execution of change orders up to approximately 10% of the contract cost, or \$5,914, for a total not to exceed amount of \$65,059; and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager; and
5. Approve the Stadium Manager's request for a budget amendment to increase the budget for the Stadium Insulation CapEx project by \$360,000 to a total of \$517,500 from Capital Expense Reserves.

A motion was made by Boardmember Jain, seconded by Vice Chair Chahal, to approve staff recommendation.

4.B Action on Request Submitted by Stadium Manager to Execute Agreement with Bartley Pump PM, LLC for Lift Station CapEx Project

1. [22-1707](#) Request from Stadium Manager to Execute Agreement with Bartley Pump PM, LLC for Lift Station CapEx Project
2. [22-1708](#) Report from the Stadium Authority Regarding Stadium Manager's Request to Execute Agreement with Bartley Pump PM, LLC for Lift Station CapEx Project

Recommendation:

1. Approve the Stadium Manager's request to execute an agreement with Bartley Pump PM, LLC for the replacement of pumps, floats, and controls at sewage ejector lift stations in Quadrants A, B, C, and D on the 100 level at Levi's Stadium (Lift Station CapEx line item) in an amount not to exceed \$188,000, and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager;
2. Authorize the Executive Director to approve the execution of any and all documents associated with, and necessary for the award, completion, and acceptance of the project; and
3. Authorize the Executive Director to approve the execution of change orders up to approximately 10% of the contract cost, or \$18,800, for a total not to exceed amount of \$206,800.

A motion was made by Boardmember Jain, seconded by Vice Chair Chahal, to approve staff recommendation.

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

7. [22-68](#) Action on a Council Written Request (Council Policy 030) Submitted by Councilmember Jain Requesting to Place an Agenda Item at a Future Council Meeting to Discuss making the Youth Soccer Park Parking Lot available when there are no events at the Youth Soccer Park (soccer gets absolute priority) in order to Generate Revenue for the City

Recommendation: Staff makes no recommendation.

Councilmember Jain provided a verbal report on his Written Petition request.

Council comments followed.

A motion was made by **Councilmember Becker**, seconded by **Councilmember Hardy**, to place the written petition request on a future council agenda for consideration.

Councilmember Jain read his questions into the record for staff to return with responses.

| | |
|--------------------------------------|-----------------------------|
| Public Speaker(s): Burt Field | Susan Hinton (e-Comment) |
| Gabe Foo | Matthew Heintz (e-Comment) |
| Kirk Vartan | Teresa O'Neill (e-Comment) |
| Debbie Algieri | Maria Muhkar (e-Mail) |
| Lee Broughman | Mary Ellen Stewart (e-Mail) |
| Robert Hines II | Alice Naughton (e-Mail) |
| Mike Walke | Deana Wynne (e-Mail) |
| Sophia Mendoza | Linda Zazzara (e-Mail) |
| Dominic Peters | Michelle Mui (e-Mail) |
| Jeff Houston | Brian Doyle (e-Mail) |

Council comments followed.

Councilmember Jain added additional questions into the record for staff to return with responses.

Mayor Gillmor provided questions for staff to return with responses as well.

A motion was made by **Councilmember Becker**, seconded by **Councilmember Hardy**, to place the written petition on a future agenda for consideration.

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

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

PUBLIC PRESENTATIONS

Vice Mayor Chahal left the meeting due to technical difficulties and will be rejoining.

Kirk Vartan inquired if there was a resolution to potential leak of information to San Francisco 49ers.

CONSENT ITEMS PULLED FOR DISCUSSION

3.G [22-1692](#) Update on Review and Monitoring of Transportation Demand Management Measures

Recommendation: Note and file report.

Councilmember Jain pulled this item for comments and questions.

Director of Community Development Crabtree addressed Council questions.

Vice Mayor Chahal rejoined the meeting.

A motion was made by Councilmember Jain, seconded by Councilmember Becker, to (1) note and file the report and (2) have the RFP include support for online reporting of the TDM reports.

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

Nay: 1 - Councilmember Watanabe

3.B [22-1751](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Youth Commission - May 11, 2021
Senior Advisory Commission - May 24, 2021 Amended Minutes

Vice Mayor Chahal pulled this item for further clarification.

City Manager Santana addressed Council questions.

A motion was made by Vice Mayor Chahal, seconded by Councilmember Hardy, to approve staff recommendation.

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

- 3.H [22-1066](#) Action to Adopt a Resolution approving the Water Supply Assessment for the Proposed Office Complex at 2901 Tasman Drive

Recommendation: Adopt a Resolution approving the Water Supply Assessment for the Proposed Office Complex at 2901 Tasman Drive.

Councilmember Jain pulled this item for further clarification.

Director of Water & Sewer Utilities Welling addressed **Council** questions.

A motion was made by Councilmember Jain, seconded by Councilmember Becker, to adopt Resolution No. 22-9041 approving the Water Supply Assessment for the Proposed Office Complex at 2901 Tasman Drive.

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

- 3.I [22-12589](#) Approval of a Fraud, Waste and Abuse Policy; Authorization of a Whistleblower Hotline; Delegation of Signature Authority to City Auditor for Vendor Agreements Related to the Whistleblower Hotline

Recommendation:

1. Approve the attached Fraud, Waste, and Abuse Policy;
2. Authorize the establishment of a whistleblower hotline to be contracted out to an independent third party; and
3. Delegate signature authority to the City Auditor to negotiate and execute third party vendor agreement(s) to establish and operate the whistleblower hotline.

Vice Mayor Chahal pulled this item for further clarification.

Audit Manager Noce gave a verbal presentation on the Fraud, Waste and Abuse Policy and the Whistleblower Hotline.

City Manager Santana addressed **Council** questions.

Chief Assistant City Attorney Reuter provided comments regarding Alternative #3 because there is not a City Auditor.

A motion was made by Vice Mayor Chahal, seconded by Councilmember Park, to (1) approve the attached Fraud, Waste, and Abuse Policy; (2) authorize the establishment of a whistleblower hotline to be contracted out to an independent third party; and (3) delegate signature authority to the City Audit Manager to negotiate and execute third party vendor agreement(s) to establish and operate the whistleblower hotline.

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

3.K [22-1775](#) 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.

Councilmember Becker pulled this item for further clarification on reopening Council Chambers.

City Manager Santana addressed **Council** questions.

A motion was made by Councilmember Becker, seconded by Councilmember Jain, to adopt Resolution No. 22-9042 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

3.O [22-1763](#) Action on Annual Appointment of Vice Mayor and Chaplain

Recommendation: Appoint Councilmember Sudhanshu "Suds" Jain as Vice Mayor and appoint Vice Mayor Raj Chahal as Chaplain for approximately one year until the appointment of a successor Vice Mayor and successor Chaplain in January 2023.

Vice Mayor Chahal pulled this item to publicize that **Councilmember Jain** will be the new **Vice Mayor**.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to appoint Councilmember Sudhanshu "Suds" Jain as Vice Mayor and appoint Vice Mayor Raj Chahal as Chaplain for approximately one year until the appointment of a successor Vice Mayor and successor Chaplain in January 2023.

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

4.C Action on Request Submitted by Stadium Manager for Approval to Incur Charges for the February 7-9, 2022 Pollstar Live Conference and Award Purchase Orders to Benjamin Litho Inc for Stadium Builders Licenses Invoices and Incident Cards

Boardmember Watanabe pulled this item for further clarification.

Executive Director Santana addressed Board questions.

1. [22-1738](#) Request from Stadium Manager for Approval to Incur Charges for the February 7-9, 2022 Pollstar Live Conference and Award Purchase Orders to Benjamin Litho Inc for Stadium Builders Licenses Invoices and Incident Cards
2. [22-1746](#) Report from the Stadium Authority Regarding Stadium Manager's Request for Approval to Incur Charges for the February 7-9, 2022 Pollstar Live Conference and Award Purchase Orders to Benjamin Litho Inc for Stadium Builders Licenses Invoices and Incident Cards

- Recommendation:**
1. Approve the Stadium Manager's request to incur charges up to \$6,000 in registration fees (\$1,700), travel expenses (\$3,300) and client entertainment (\$1,000), including the purchase of alcohol with public funds, for two Stadium Manager employees to attend the February 7-9, 2022 Pollstar Live Conference in Los Angeles, CA;
 2. Approve the Stadium Manager's request to award a purchase order to Benjamin Litho Inc in the amount of \$8,199 plus applicable sales tax for printing and mailing 2022 SBL invoices; and
 3. Approve the Stadium Manager's request to award a purchase order to Benjamin Litho Inc in the amount of \$1,299 for printing incident cards for the Stadium Manager.

A motion was made by Boardmember Watanabe, seconded by Chair Gillmor, to (1) approve the Stadium Manager's request to incur charges up to \$6,000 in registration fees (\$1,700), travel expenses (\$3,300) and client entertainment (\$1,000), including the purchase of alcohol with public funds, for two Stadium Manager employees to attend the February 7-9, 2022 Pollstar Live Conference in Los Angeles, CA; (2) approve the Stadium Manager's request to award a purchase order to Benjamin Litho Inc in the amount of \$8,199 plus applicable sales tax for printing and mailing 2022 SBL invoices; (3) approve the Stadium Manager's request to award a purchase order to Benjamin Litho Inc in the amount of \$1,299 for printing incident cards for the Stadium Manager; and (4) in addition a report on the conference attendance should be brought from the Pollstar Conference at the Marketing Plan at the end of March.

Aye: 7 – Boardmember Watanabe, Boardmember Chahal, Boardmember Hardy, Boardmember Park, Vice Chair Jain, Boardmember Becker, and Chair Gillmor

Mayor/Chair Gillmor called for a recess at 9:12 PM and reconvened the meeting at 9:25 PM.

PUBLIC HEARING/GENERAL BUSINESS

5. [22-199](#) Consideration of Silicon Valley Power Quarterly Update

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

Chief Electric Utilities Officer Pineda gave a PowerPoint presentation.

Council comments and questions followed.

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

A motion was made by Councilmember Hardy, seconded by Vice Mayor Jain, to note and file the Silicon Valley Power Quarterly Update.

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

6. [22-1041](#) Action on a Resolution Authorizing the City Manager to Award and Execute Agreements, Amendments, Purchase Orders, and Change Orders, with Various Vendors as Required to Complete Emergency Repairs, Corrective and Preventative Maintenance at the Gianera Generating Station, Including Purchase of a Spare Rotor; Increasing Previous Authorization to an Aggregate Amount Not-to-Exceed \$12,000,000 and Related Budget Amendment

- Recommendation:**
1. Adopt a Resolution authorizing the City Manager to negotiate, award and execute agreements, amendments, purchase orders, and change orders with various vendors as required to complete emergency repairs, corrective and preventative maintenance including the purchase of a spare rotor at the Gianera Generating Station increasing previous authorization to an aggregate amount not-to-exceed \$12,000,000 and directing staff to provide Council with a report on contracts awarded and work performed once the repairs have been completed; and
 2. Approve the following FY 2021/22 budget amendments:
 - A. In the Electric Utility Capital Fund, recognize a transfer of \$6,700,000 from the Electric Utility Operating Fund, and increase the Major Engine Overhaul and Repair capital project by \$6,700,000 **(five affirmative Council votes required to appropriate additional revenue)**.
 - B. In the Electric Utility Operating Fund, increase the transfer to the Electric Utility Capital Fund by \$6,700,000 and reduce the unrestricted ending fund balance by \$6,700,000 **(five affirmative Council votes required for the use of unused balances)**.

Chief Electric Utilities Officer Pineda gave a PowerPoint presentation.

Council comments and questions followed.

Chief Electric Utilities Officer Pineda addressed Council questions.

A motion was made by Councilmember Becker, seconded by Councilmember Park, to (1) adopt Resolution No. 22-9043 authorizing the City Manager to negotiate, award and execute agreements, amendments, purchase orders, and change orders with various vendors as required to complete emergency repairs, corrective and preventative maintenance including the purchase of a spare rotor at the Gianera Generating Station increasing previous authorization to an aggregate amount not-to-exceed \$12,000,000 and directing staff to provide Council with a report on contracts awarded and work performed once the repairs have been completed; and (2) approve the following FY 2021/22 budget amendments: (A) In the Electric Utility Capital Fund, recognize a transfer of \$6,700,000 from the Electric Utility Operating Fund, and increase the Major Engine

Overhaul and Repair capital project by \$6,700,000 (five affirmative Council votes required to appropriate additional revenue); and (B) In the Electric Utility Operating Fund, increase the transfer to the Electric Utility Capital Fund by \$6,700,000 and reduce the unrestricted ending fund balance by \$6,700,000 (five affirmative Council votes required for the use of unused balances).

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

8. [22-77](#) Action on a Written Petition (Council Policy 030) Submitted by Keith Stattenfield Requesting to Place an Agenda Item at a Future Council Meeting to Discuss requirements from the Office of the City Attorney on Approving an Update to the CC&R's of the Casa del Rey Homeowner's Association Bylaws

Recommendation: Staff makes no recommendation.

Keith Stattenfield (Written Petitioner) gave a verbal report on his request to discuss requirements from the Office of the City Attorney on Approving an Update to the CC&R's of the Casa del Rey Homeowner's Association Bylaws.

Council comments and questions followed.

Chief Assistant City Attorney Reuter addressed **Council** questions.

A motion was made by Councilmember Watanabe, seconded by Councilmember Park, to add this Written Petition to a future agenda for consideration.

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

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Boardmember Becker reported that he toured Stadium operations on January 2, 2022 and noted that he paid for his parking and game ticket.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

City Manager Santana noted that the City Calendars have been mailed out.

ADJOURNMENT

The meeting was adjourned at 10:10 PM in memory of **Gregoria Reyes (Mother of Agustin a/k/a Augie Reyes, Director of Event at the Santa Clara Convention Center)**.

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Park, to adjourn the meeting.

Aye: 7 - Council/Boardmember Watanabe, Council/Boardmember Chahal, Council/Boardmember Hardy, Council/Boardmember Park, Vice Mayor/Chair Jain, Council/Boardmember Becker, and Mayor/Chair Gillmor

[22-97](#)

Adjournment of the January 11, 2022 City Council and Stadium Authority Meeting Post Meeting Material

The next regular scheduled meeting is on Tuesday, January 25, 2022.

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@santacalaraca.gov <<mailto:clerk@santacalaraca.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.

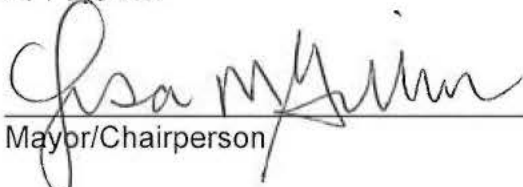
Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

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