



## Legislation Details (With Text)

**File #:** 21-295      **Version:** 1      **Name:**

**Type:** Public Hearing/General Business      **Status:** Agenda Ready

**File created:** 2/11/2021      **In control:** City Council and Authorities Concurrent

**On agenda:** 2/23/2021      **Final action:**

**Title:** Action on a Written Petition submitted by Aryeh Korthamar Requesting a Discussion and Consideration of Encroachment of APN 290-35-048

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Policy and Procedure 030 - Adding an Item on the Agenda, 2. Written Petition dated Oct 6, 2020 from Aryeh Korthamar.pdf, 3. Clarification Response from Aryeh Korthamar.pdf, 4. POST MEETING MATERIAL

Date	Ver.	Action By	Action	Result
2/23/2021	1	City Council and Authorities Concurrent	Approved	Pass

## REPORT TO COUNCIL

### SUBJECT

Action on a Written Petition submitted by Aryeh Korthamar Requesting a Discussion and Consideration of Encroachment of APN 290-35-048

### COUNCIL PILLAR

Enhance Community Engagement and Transparency

### BACKGROUND

Council Policy 030 - *Adding an Item on the Agenda* (Attachment 1) sets forth the procedure for written petitions. Any member of the public may submit a written request raising any issue or item within the subject matter jurisdiction of the Council. Per the policy, the written request will be submitted on the agenda, in the form substantially provided by the requestor, without any staff analysis, including fiscal review, legal review and policy review. If a simple majority of the City Council supports further study of the request, then a full staff analysis shall be prepared within thirty (30) days, unless otherwise directed by the City Council.

### DISCUSSION

The City Clerk’s Office has received a Written Petition for Council consideration from Mr. Aryeh Korthamar dated October 6, 2020 (Attachment 1) indicating the City of Santa Clara has encroached on APN 290-10-048. Assistant City Clerk Pimentel reach out to the Mr. Korthamar requesting clarification on his Written Petition. On January 25, 2021, the City Clerk’s Office received a clarification response from Mr. Korthamar.

### FISCAL IMPACT

There is no fiscal impact associated with considering the request to be placed on a future agenda

except for staff time.

### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a administrative activity that will not result in direct or indirect physical changes to the environment.

### **PUBLIC CONTACT**

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 report to council may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>>.

### **ALTERNATIVES**

1. Set a future Council meeting date to take action on the Written Petition received.
2. Take no action.
3. Any other City Council Action, as determined by the City Council.

### **RECOMMENDATION**

Staff makes no recommendation.

Reviewed by: Nora Pimentel, Assistant City Clerk

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Policy and Procedure 030 - Adding an Item on the Agenda
2. Written Petition dated October 6, 2020 from Aryeh Korthamar
3. Clarification Response from Aryeh Korthamar