



## Agenda Report

21-1478

Agenda Date: 10/19/2021

### REPORT TO COUNCIL

#### SUBJECT

Action on a Written Petition (Council Policy 030) submitted by Morteza Shafiei, as representative of HOAs on October 7, 2021 to add an Agenda Item to a future Council Agenda to Consider the Purchase of lot at 1601 Civic Center Drive

#### 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 Morteza Shafiei, as representative of HOAs dated September 7, 2021 (Attachment 2) requesting to agendize on a future agenda a discussion to purchase the lot at 1601 Civic Center Drive, Santa Clara, in order to establish a park for the benefit of our Citizens and neighborhood. On 9-27-2021 our community of over 170 homes and 4 HOAs submitted a letter to the City Council detailing our concerns for the planned development of 1601 Civic Center Drive (Charities Housing) and requested that this Citizen Proposal be considered on equal footing with any other proposals.

#### 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 an 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 7, 2021 submitted by Morteze Shafiei