Draft

City of Santa Clara

Meeting Minutes

Joint Council and Authorities Concurrent

& Stadium Authority Meeting

10/18/2022 **5:00 PM** **Hybrid Meeting**
City Hall Council Chambers/Virtual
1500 Warburton Avenue
Santa Clara, CA 95050

The City of Santa Clara will be conducting City Council meetings in a hybrid manner (in-person and continues to have methods for the public to participate remotely). Pursuant to Government Code Section 54953(e) and City of Santa Clara Resolution No. 22-9145 Councilmembers may teleconference from remote locations and the City continues to provide 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

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.

Closed Session - 5:00 PM | Regular Meeting - 7:00 PM

5:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Vice Mayor/Chair Jain called the meeting to order at 5:01 PM.

Roll Call

Present: 6 - Council/Boardmember Kathy Watanabe, Council/Boardmember Raj Chahal, Council/Boardmember Karen Hardy, CouncilBoardmember Kevin Park, Vice Mayor/Chair Suds Jain, and Council/Boardmember Anthony Becker

Absent: 1 - Mayor/Chair Lisa M. Gillmor

1.A 22-1274 Conference with Labor Negotiators (CC)
Pursuant to Gov. Code § 54957.6
City representative: City Manager's 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)

1.B 22-1281 Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8
Property: 1601 Civic Center Drive, Santa Clara, CA 95050; APN: 224-49-006
City/Authority Negotiator: Rajeev Batra, City Manager (or designee)
Negotiating Parties: Charities Housing, Kathy Robinson
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms)

Public Comment

None.

Convene to Closed Session (Council Conference Room)

Council convened to Closed Session at 5:02 PM.

Mayor Gillmor joined the meeting during the Closed Session.

7:00 PM JOINT COUNCIL/STADIUM AUTHORITY MEETING

Call to Order

Mayor/Chair Gillmor called the meeting to order at 7:01 PM.

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Chahal recited the Statement of Values.

Assistant City Clerk/Secretary Pimentel recited the AB23 Announcement and Behavioral Standards.

Assistant City Clerk/Secretary Pimentel also noted that any registered Lobbyists must identify themselves and whom they represent.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

Interim City Attorney Ngo reported that there was no reportable action from Closed Session.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

None.

SPECIAL ORDER OF BUSINESS

2.B 22-1116 Proclamation of October 2022 as Community Planning Month

Mayor Gillmor recognized and proclaimed October 2022 as Community Planning Month.

Director of Community Development Crabtree accepted the proclamation and provided comments of gratitude.

Council comments followed.

2.C 22-1221 Recognize the 75th Anniversary of the Silicon Valley Central Chamber of Commerce

Mayor Gillmor recognized the 75th Anniversary of the Silicon Valley Central Chamber of Commerce and presented the Mayoral recognition to **Christian Malesic (President/CEO)**, **John Elwood (Board Chair)**, **Preston Hoopes (Treasurer)**, and **Kawser Jamal (Boardmember).**

2.D 22-1243 Verbal Report from the Chief Emergency Services Officer regarding COVID-19 Pandemic

Chief Emergency Services Officer Schoenthal provided a verbal report regarding the COVID-19 pandemic.

Council comments followed.

City Manager Batra recognized **Jennifer Guzman (Fire Department Management Analyst)** for receiving her certification on Emergency Services certification.

2.A 22-832 Proclaim October 2022 as Hindu American Awareness and Appreciation Month

Mayor Gillmor proclaimed October 2022 as Hindu American Awareness and Appreciation month.

Satish Chandra Vale (Hindu American Foundation) and **Dr. Romesh Japra (Festival of Globe Silicon Valley, Founder)** provided comments of gratitude and accepted the proclamation.

2.E 22-1242 Verbal Report Update from City Manager Regarding the Local Drought Emergency

Assistant Director of Water and Sewer Mehta provided a verbal update on the Local Water Drought Emergency.

Council comments followed.

CONSENT CALENDAR

Mayor Gillmor abstained from Item 3.J as her office is located in Franklin Square Mall.

Boardmember Watanabe pulled Item 4.B.

A motion was made by Vice Mayor/Chair Jain, seconded by Council/Boadmember Park, to approve the Balance of Consent Calendar (except Item 4.B).

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

3.A 22-337 Action on the Meeting Minutes of Special City Council Meeting of June 6, 2022, Joint Council & Authorities Concurrent and Stadium Authority Meeting of June 7, 2022, and Special City Council Meeting June 20, 2022

Recommendation: Approve the Meeting Minutes of:
June 6, 2022 Special City Council Meeting;
June 7, 2022 Joint Council & Authorities Concurrent and Stadium Authority Meeting; and
June 20, 2022 Special City Council Meeting

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

3.B 22-29 Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:

Downtown Community Task Force - May 20, 2021
Downtown Community Task Force - June 17, 2021
Downtown Community Task Force - August 18, 2022
Audit Committee - March 14, 2022
Cultural Commission - August 1, 2022

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

3.C 22-375 Overview of the City Auditor's Office Semi-Annual Status Report as of September 30, 2022

Recommendation: Note and file the City Auditor's Office Semi-Annual Status Report as of September 30, 2022 as recommended by the Council Audit Committee.

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

3.D 22-965 Action on a Task Order for Professional and Technical Services for PeopleSoft Enhancements and Configurations with CherryRoad Technologies

Recommendation: Authorize the City Manager to negotiate and execute Task Order No. 22.1 with CherryRoad Technologies for professional and technical services for PeopleSoft Human Capital Management Enhancements and Configurations in the amount of $407,000.

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

3.E 22-165 Action on an Agreement for Services with Guidehouse, Inc. (Guidehouse) to Provide Consulting Services for North American Electric Reliability Corporation (NERC) and Western Electricity Coordinating Council (WECC) Regulatory Compliance

Recommendation: 1. Approve an Agreement for Services with Guidehouse, Inc. to provide consulting services for North American Electric Reliability Corporation (NERC) and Western Electricity Coordinating Council (WECC) Regulatory Compliance for an initial five-year term and up to five additional term years with a maximum compensation not to exceed $700,000 for the initial term and $900,000 for the optional term years for a total maximum compensation of $1.6 million and subject to the appropriation of funds;
2. Authorize the City Manager to execute the Agreement and related documents and to take such actions as reasonable or necessary to implement and administer the Agreement, including exercising options to extend the term of the Agreement; and
3. Authorize the City Manager to make minor changes to the attached Agreement subject to approval by the City Attorney as to form.

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

3.F 22-1063 Action on an Agreement with Silicon Valley/Santa Clara DMO, Inc. d/b/a Discover Santa Clara® for the Administration of the Santa Clara Tourism Improvement District

Recommendation: 1. Approve and authorize the City Manager to execute an Agreement with Silicon Valley/Santa Clara DMO, Inc. d/b/a Discover Santa Clara® for the Administration of the Santa Clara Tourism Improvement District.
2. Authorize the City Manager to exercise the option to extend the Agreement for up to two five-year options to renew; and
3. Authorize the City Manager to make minor and administrative modifications to the Agreement if necessary.

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

3.G 22-1248 Action on the Amendment No. 1 to the Agreement with MIG, Inc. for Consultant Services to Update the City's Adopted Housing Element and Related Budget Amendment

Recommendation:

1. Accept and approve the $102,684 in grant funding from the State of California Department of Housing and Community Development;
2. Authorize the City Manager to execute Amendment No. 1 to the Agreement with MIG, Inc. to provide Housing Element update Consultant Services for a term ending on December 31, 2023, for a maximum compensation not to exceed $233,568;
3. Authorize the City Manager to execute an amendment to increase maximum compensation in the event that additional services are required, subject to the annual appropriation of funds; and
4. Approve the related FY 2022/23 budget amendment in the Engineering Operating Grant Trust Fund to recognize grant revenue in the amount of $102,684 and establish an appropriation in the amount of $102,684 for preparation of the City's Housing Element Update (**five affirmative Council votes required to appropriate additional revenue).**

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

3.H 22-1078 Action on Amendment No. 2 to the Agreement with Townsend Public Affairs, Inc. for Legislative Advocacy Services

Recommendation: Authorize the City Manager to execute Amendment No. 2 to the Agreement with Townsend Public Affairs, Inc. to extend the term of the agreement through January 29, 2024 and increase the total not to exceed amount from $252,000 to $342,000.

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

3.I 22-940 Informational Report on 2022 Q3 Legislative Updates

Recommendation: Note and file the informational report on 2022 Q3 legislative updates.

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

3.J 22-1204 Action on Amendment No. 3 with Wallace Roberts and Todd, LLC (WRT) for the City Hall Relocation Study and Related Budget Amendment

Recommendation: 1. Authorize the City Manager to execute Amendment No. 3 to the Agreement with Wallace Roberts and Todd, LLC (WRT) for the City Hall Relocation Study at a total cost not to exceed $1,331,706.

2. Approve the following FY 2022/23 budget amendments:

a. In the General Government Capital Fund, recognize a transfer of $28,360 from the Electric Utility Capital Fund and increase the Precise Plan for Downtown project by $28,360 (**five affirmative Council votes**); and

b. In the Electric Utility Capital Fund, establish a transfer to the General Government Capital Fund in the amount of $28,360 and reduce the Electric Yard Buildings and Grounds project by $28,360 **(five affirmative Council votes required).**

Mayor Gillmor abstained from Item 3.J as her office is located in Franklin Square Mall.

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

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

Abstained: 1 - Mayor Gillmor

3.K 22-1102 Adopt the Resolution Amending the City of Santa Clara Conflict of Interest Codes for Designated Positions as Required by the Political Reform Act Conflict of Interest Code Biennial Update

Recommendation: Adopt the Resolution amending the City of Santa Clara Conflict of Interest Code required by the Political Reform Act and Regulations of the Fair Political Practices Commission

A motion was made by Vice Mayor Jain, seconded by Councilmember Park, to adopt Resolution No. 22-9146, amending the City of Santa Clara Conflict of Interest Code required by the Political Reform Act and Regulations of the Fair Political Practices Commission.

3.L 22-1121 Action to Authorize the City Manager to Negotiate, Execute, and Administer an Infrastructure Fee Credit and Fee Reimbursement Agreement with 2302 Calle Del Mundo, LLC and USA BH 26 for the Tasman East Specific Plan Area and Related Budget Amendment

Recommendation:

1. Authorize the City Manager to negotiate, execute, and administer a three-party Infrastructure Fee Credit and Fee Reimbursement Agreement with 2302 Calle Del Mundo, LLC and USA BH 26 to allow for a reimbursement of $1,771,716 to 2302 Calle Del Mundo, LLC and $1,423,145 to USA BH 26;
2. Authorize the City Manager to execute any and all documents necessary for or associated with the Infrastructure Fee Credit and Fee Reimbursement Agreement, including payments to 2302 Calle Del Mundo, LLC and USA BH 26; and
3. Approve the FY 2022/23 budget amendment in the Tasman East Infrastructure Improvement Fund to recognize impact fee revenue in the amount of $2,413,605, increase the Tasman East Developer Reimbursement project in the amount of $345,177, and increase the unrestricted ending fund balance in the amount of $2,068,428 (**five affirmative Council votes required to appropriate additional revenue).**

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

3.M 22-1013 Action on Adoption of a Resolution Establishing the Necessary Findings of Fact for Modifications to the California Building Standards; Action on Introduction of an Ordinance Amending Title 15 (“Buildings and Construction”) of “The Code of the City of Santa Clara, California” for the Adoption of the 2022 California Building Standards Code; and Setting November 1, 2022 for a Public Hearing on Adoption of such Ordinance

Recommendation: 1. Introduce an Ordinance amending Chapter 15.05 ("Administrative Code"), Chapter 15.15 (“Building Code”), Chapter 15.17 (“Residential Code”), Chapter 15.18 ("Property Maintenance Code"), Chapter 15.20 (“Electrical Code”), Chapter 15.30 (“Mechanical Code”), Chapter 15.35 (“Plumbing Code”), Chapter 15.36 (“Energy Code”), Chapter 15.37 (“Historical Building Code”), Chapter 15.38 (“Green Building Code”), and Chapter 15.75 ("Existing Building Code") of Title 15 (“Buildings and Construction”) of “The Code of the City of Santa Clara, California” for the adoption of the 2022 California Building Standards Code;
2. Adopt a Resolution Making Findings of Fact Necessary for the Specified Modifications to the 2022 California Building Code and 2022 California Residential Code Reflected in the Proposed Ordinance; and
3. Set a public hearing on November 1st, 2022 pursuant to California Government Code Section 50022.3 for adoption of the Ordinance.

A motion was made by Vice Mayor Jain, seconded by Councilmember Park, to pass to print Ordinance No. 2053 amending Chapter 15.05 ("Administrative Code"), Chapter 15.15 (“Building Code”), Chapter 15.17 (“Residential Code”), Chapter 15.18 ("Property Maintenance Code"), Chapter 15.20 (“Electrical Code”), Chapter 15.30 (“Mechanical Code”), Chapter 15.35 (“Plumbing Code”), Chapter 15.36 (“Energy Code”), Chapter 15.37(“Historical Building Code”), Chapter 15.38 (“Green Building Code”), and Chapter 15.75 ("Existing Building Code") of Title 15 (“Buildings and Construction”) of “The Code of the City of Santa Clara, California” for the adoption of the 2022 California Building Standards Code; to adopt Resolution No. 22-9147 Making Findings of Fact Necessary for the Specified Modifications to the 2022 California Building Code and 2022 California Residential Code Reflected in the Proposed Ordinance; and to approve staff recommendation.

3.N 22-1020 Action to Adopt a Resolution Establishing the Necessary Findings of Fact for Amendments to the California Building Standards; Action to Waive First Reading and Approve Introduction of an Ordinance Adopting the 2022 California Fire Code, as Amended, as the 2022 Santa Clara Municipal Fire and Environmental Code (SCCC Chapter 15.60); and Setting November 1, 2022 for a Public Hearing on Adoption of Said Ordinance

Recommendation: 1. Waive first reading and approve introduction of an ordinance amending Chapter 15.60 of the Santa Clara City Code ("Santa Clara Municipal Fire and Environmental Code") to adopt the 2022 California Fire Code, as amended;
2. Adopt a Resolution establishing the findings of fact necessary for the specified amendments to the 2022 California Fire Code reflected in the proposed Ordinance, as a subset of the California Building Standards; and
3. Set a public hearing on November 1, 2022, for final adoption of the ordinance amending Chapter 15.60 of the Santa Clara City Code ("Santa Clara Municipal Fire and Environmental Code") to adopt the 2022 California Fire Code, as amended.

A motion was made by Vice Mayor Jain, seconded by Councilmember Park, to pass to print Ordinance No. 2054 amending Chapter 15.60 of the Santa Clara City Code ("Santa Clara Municipal Fire and Environmental Code") to adopt the 2022 California Fire Code, as amended; to adopt Resolution No. 22-9148, establishing the findings of fact necessary for the specified amendments to the 2022 California Fire Code reflected in the proposed Ordinance, as a subset of the California Building Standards; and to approve staff recommendation.

3.O 22-1106 Action on the Introduction of a Draft Ordinance (All-Electric Building Electrification Reach Codes Including EV Charging)

Recommendation: Staff recommend that City Council:

1. Introduce an Ordinance updating the 2022 Reach Code of Santa Clara to the 2022 California Code Cycle and
2. Set a public hearing on November 1st, 2022, pursuant to Government Code Section 50022.3, for adoption of the Ordinance.

A motion was made by Vice Mayor Jain, seconded by Councilmember Park, to pass to print Ordinance No. 2056 updating the 2022 Reach Code of Santa Clara to the 2022 California Code Cycle; and to approve staff recommendation.

3.P 22-1230 Action on Adoption of a Resolution of Intention to Approve an Amendment to the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City Council of the City of Santa Clara to Eliminate a Clause Relating to Temporary Employees; and to Waive First Reading and Approve the Introduction of an Ordinance Amending the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City Council of the City of Santa Clara to Eliminate a Clause Relating to Temporary Employees

Recommendation: 1. Adopt Resolution of Intention to Approve an Amendment to the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City Council of the City of Santa Clara to Eliminate a Clause Relating to Temporary Employees;
2. Waive First Reading and Approve the Introduction of an Ordinance Amending the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City Council of the City of Santa Clara to Eliminate a Clause Relating to Temporary Employees; and
3. Authorize City Manager to Execute Amendment to the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City Council of the City of Santa Clara.

A motion was made by Vice Mayor Jain, seconded by Councilmember Park, to adopt the Resolution of Intention to Approve an Amendment to the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City Council of the City of Santa Clara to Eliminate a Clause Relating to Temporary Employees; pass to print Ordinance No. 2055 amending the Contract Between the Board of Administration of the California Public Employees' Retirement System and the City Council of the City of Santa Clara to Eliminate a Clause Relating to Temporary Employees; and to approve staff recommendation.

3.Q 22-1279 Action to Waive Second Reading and Adopt Ordinance No. 2051 Approving the Schematic Design for the Central Park Entrance, Accessibility, and Parking Improvements Project, in Accordance with City Charter Section 714.1

Recommendation: Waive Second Reading and Adopt Ordinance No. 2051 Approving the Schematic Design for the Central Park Entrance, Accessibility, and Parking Improvements Project, in Accordance with City Charter Section 714.1

A motion was made by Vice Mayor Jain, seconded by Councilmember Park, to adopt Ordinance No. 2051 approving the Schematic Design for the Central Park Entrance, Accessibility, and Parking Improvements Project, in Accordance with City Charter Section 714.1.

3.R 22-1293 Action to Waive Second Reading and Adopt Ordinance No. 2052 Amending Chapter 12.35 (“Trees and Shrubs”) of Title 12 (“Streets, Sidewalks and Public Places”) of “The Code of the City of Santa Clara, California” to Modify the Process for Violation Appeals

Recommendation: Waive Second Reading and Adopt Ordinance No. 2052 Amending Chapter 12.35 (“Trees and Shrubs”) of Title 12 (“Streets, Sidewalks and Public Places”) of “The Code of the City of Santa Clara, California” to Modify the Process for Violation Appeals.

A motion was made by Vice Mayor Jain, seconded by Councilmember Park, to adopt Ordinance No. 2052 amending Chapter 12.35 (“Trees and Shrubs”) of Title 12 (“Streets, Sidewalks and Public Places”) of “The Code of the City of Santa Clara, California” to Modify the Process for Violation Appeals.

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

4.A 22-1087 Action on Stadium Authority Bills and Claims for the Month of July 2022

Recommendation: Approve the list of Stadium Authority Bills and Claims for July 2022.

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

PUBLIC PRESENTATIONS

Public Speaker expressed comments of concern regarding the illegal food vendors at Levi's Stadium.

Betsy Megas expressed comments of concern regarding election mailers she has received.

Public Speaker expressed comments regarding the election and California Voting Rights Act.

CONSENT ITEMS PULLED FOR DISCUSSION

4.B 22-1103 Adopt the Stadium Authority's Resolution Amending the Conflict of Interest Code for Designated Positions as Required by the Political Reform Act and Regulations of the Fair Political Practices Commission

Recommendation: Adopt the Resolution amending the Stadium Authority Conflict of Interest Code required by the Political Reform Act and Regulations of the Fair Political Practices Commission.

Boardmember Watanabe pulled this item for clarification.

Executive Director Batra addressed **Board** questions.

Board questions followed.

Interim Stadium Authority Counsel Ngo address **Board** questions.

Public Speaker(s): Kirk Vartan
Harold (eComment)
Monica (eComment)

A motion was made by Boardmember Watanabe, seconded by Boardmember Park, to adopt Stadium Authority's Resolution No. 22-1 amending the Conflict of Interest Code for Designated Positions as Required by the Political Reform Act and Regulations of the Fair Political Practices Commission.

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

PUBLIC HEARING/GENERAL BUSINESS

5. Items related to Civil Grand Jury Reports

City Manager Batra and **Interim City Attorney Ngo** provided a brief verbal report on the transmittal of two Civil Grand Jury reports he submitted to the **Council**.

Council comments and questions followed.

Interim City Attorney Ngo and **City Manager Batra** addressed **Council** questions.

Vice Mayor Jain provided a verbal report on his Council Policy 030 request (Item 5.C).

Council discussion continued.

Mayor Gillmor provided a verbal report on her Council Policy 030 request (Item 5.B).

Council discussion ensued.

Interim City Attorney Ngo responded to **Council** questions.

A motion was made by **Councilmember Park**, to set a schedule to discuss and respond to the Grand Jury report; and deny Item 5.B and 5.C.

Council comments ensued.

Motion failed due to lack of a second.

A motion was made by **Councilmember Watanabe**, seconded by **Mayor Gillmor**, to request an Ethics Commission be formed to work with **Council** and staff to go over findings and recommendations and return with recommendations and Council having the ultimate decision on the response submitted to the Grand Jury.

A substitute motion was made by **Councilmember Becker**, seconded by **Councilmember Hardy**, to direct staff to schedule special meetings for Council feedback and consideration of Grand Jury findings and recommendations, and deny Items 5.B and 5.C.

Public Speaker(s): Public Speakers (4)
#8830
Name Voter Not required

Council discussion on the motion continued.

Interim City Attorney Ngo addressed **Council** questions.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to consider the substitute motion.

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

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

5.A 22-1294 Transmittal Report on Grand Jury Reports (For Information Only):
1. "If You Only Read the Ballot, You're Being Duped," dated October 7, 2022
2. "Unsportsmanlike Conduct: Santa Clara City Council," dated October 10, 2022

Recommendation: Staff makes no recommendation.

Council comments followed.

Public Speaker(s): Nancy Biagini (E-Mail)

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to direct staff to schedule special meetings for Council feedback and consideration of Grand Jury findings and recommendations, and deny Items 5.B and 5.C.

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

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

5.B 22-1290 Action on a Council Written Request (Council Policy 030) Submitted by Mayor Gillmor Requesting to Place an Agenda Item at a Future Council Meeting to Take Action on the Mayor's proposal for a Santa Clara Anti-Corruption Reform Plan in response to the Santa Clara County Grand Jury Report titled "Unsportsmanlike Conduct: Santa Clara City Council"

Recommendation: Staff makes no recommendation.

Item 5.B and 5.C were considered under Item 5.A.

5.C 22-1289 Action on a Council Written Request (Council Policy 030) Submitted by Vice Mayor Jain Requesting to Place an Agenda Item at a Future Council Meeting to Discuss:
The Grand Jury Report and how to respond to the Findings and Recommendations and how the City might implement some of the Recommendations and Discuss Workplan and Schedule for the Governance and Ethics Committee

Recommendation: Staff makes no recommendation.

Item 5.B and 5.C were considered under Item 5.A.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Mayor Gillmor noted that ComicCon is coming to Central Park Library on Saturday, October 22, 2022.

Councilmember Park encouraged attendance at ComicCon and reported that there is a showing at the Triton Museum of Art on Thursday, October 20, 2022.

Mayor Gillmor also noted there was a successful family day at the Fire House and expressed gratitude to the Fire Department for hosting the event.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

City Manager Batra reported that the City was the recipient of the MISAC Award for Excellence in Technology and congratulated the Information Technology (IT) team on their accomplishment.

22-1280 Tentative Meeting Agenda Calendar (TMAC)

ADJOURNMENT

The meeting was adjourned at 9:33 PM.

A motion as made by Council/Boardmember Becker, seconded by Council/Boardmember Hardy, 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

The next regular scheduled meeting is on Tuesday, November 1, 2022 in the City Hall Council Chambers.

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@santaclaraca.gov <mailto:clerk@santaclaraca.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.