Draft

City of Santa Clara

Minutes

Call and Notice of Special Council Meeting &

Council and Authorities Concurrent Meeting

07/18/2023 **6:00 PM** **Hybrid Meeting**
City Hall Council Chambers/Virtual
1500 Warburton Avenue
Santa Clara, CA 95050

The City of Santa Clara is conducting City Council meetings in a hybrid manner (in-person and continues to have methods for the public to participate remotely).

• Via Zoom:
  o https://santaclaraca.zoom.us/j/99706759306

    Meeting ID: 997-0675-9306

  o Phone 1(669) 900-6833

How to Submit Written Public Comment Before City Council Meeting:

1. Use the eComment tab located on the City Council Agenda page https://santaclara.legistar.com/Calendar.aspx. eComments are directly sent to the iLegislate application used by City Council and staff, and become part of the public record. eComment closes 15 minutes before the start of a meeting.
2. By email to clerk@santaclaraca.gov by 12 p.m. the day of the meeting. Those emails will be forwarded to the Council and will be uploaded to the City Council Agenda as supplemental meeting material. Emails received after the 12 p.m. cutoff time up through the end of the meeting will form part of the meeting record. Please identify the Agenda Item Number in the subject line of your email.

NOTE: Please note eComments and Emails received as public comment will not be read aloud during the meeting.

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All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk at Santa Clara City Hall, 1500 Warburton Avenue, Santa Clara, CA 95050 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. For the final document, you many contact the Office of the City Clerk at (408) 615-2220 or Clerk@santaclaraca.gov.

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 Mayor calls for a Special Meeting of the City Council of the City of Santa Clara, to commence and convene on July 18, 2023, at 6:00 pm for a Special Council Meeting in the City Hall Council Chambers located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California and virtually to consider the following matter(s) and to potentially take action with respect to them.

Special Council Meeting 6:00 PM | Regular Meeting - 7:00 PM

6:00 PM SPECIAL COUNCIL MEETING

Call to Order in the Council Chambers

Mayor Gillmor called the meeting to order at 6:07 pm.

Roll Call

Present: 7 - Councilmember Kathy Watanabe, Councilmember Raj Chahal, Councilmember Karen Hardy, Vice Mayor Kevin Park, Councilmember Suds Jain, Councilmember Anthony Becker, and Mayor Lisa M. Gillmor

PUBLIC PRESENTATIONS

Mayor Gillmor provided an opportunity to those residents that were present early to give their Public Presentation before the quarterly update by Silicon Valley Power.

Vikas Gupta, Wengie, Nicholas, Leslie, Amanda Pease, Veronica Ospina, Howard Gibbins, Jinwen, Grace Kang, Fred spoke on the need to repair and open the International Swim Center.

James Rowan thanked the **Council** for their support.

City Manager Grogan responded to the comments regarding the International Swim Center.

1. 23-757 Receive Silicon Valley Power Quarterly Update

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

Silicon Valley Power Chief Utility Officer Pineda presented the Silicon Valley Power quarterly update.

Council comments and questions followed.

Chief Utility Officer Pineda responded to **Council** questions.

Public Comment:
Mario Bouza

Mayor Gillmor called for a **Council** recess at 7:09 p.m.

7:00 PM COUNCIL REGULAR MEETING

Call to Order

Mayor Gillmor reconvened the meeting at 7:14 p.m.

Pledge of Allegiance and Statement of Values

Council recited the Pledge of Allegiance.

Councilmember Jain recited the Statement of Values.

Assistant City Clerk Pimentel recited the AB 23 Announcement and Behavioral Standards.

Assistant City Clerk Pimentel also noted that any registered Lobbyist speaking during Public Meeting will need to identify themselves and those they represent.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

There were none.

SPECIAL ORDER OF BUSINESS

2.A 23-898 Recognition of Miss Santa Clara Kimberly Vernon

Mayor Gillmor recognized **Miss Santa Clara Kimberly Vernon.**

Miss Vernon made some remarks.

2.B 23-863 Proclaim Taylor Swift as Honorary Mayor and Name the City of Santa Clara to "Swiftie Clara" for Ceremonial Purposes Only During the Period of July 28, 2023 to July 29, 2023

Mayor Gillmor proclaimed Taylor Swift as Honorary Mayor and name the City of Santa Clara to "Swiftie Clara" for ceremonial purposes only during the period of July 28, 2023 to July 29, 2023.

Christine Lawson made some comments about **Taylor Swift.**

Public Comment:
Howard Gibbins
Public Speaker (1)
TaylorSwift13
Michael Barclay

eComment:
John Galt

CONSENT CALENDAR

Mayor Gillmor stated she will abstain from voting on Item 3.G for the Liberty Towers item, and Item 3.H as her property and business is located within 1,000 feet.

Councilmember Jain stated he will abstain from voting on Item 3.G for the Liberty Towers item only as his property is located within 1,00 feet.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve the Consent Calendar.

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

3.A 23-17 Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Historical and Landmarks Commission - May 17, 2023
Historical and Landmarks Commission - June 1, 2023
Downtown Community Task Force - March 14, 2023
Downtown Community Task Force - April 20, 2023

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to note and file the minutes of the May 17, 2023 Historical and Landmarks Commission meeting; June 1, 2023 Historical and Landmarks Commission meeting; the March 14, 2023 Downtown Community Task Force meeting; and April 20, 2023 Downtown Community Task Force meeting.

3.B 23-844 Action to Ratify Purchase Orders Greater than $250,000, with an Aggregate Amount of $3,389,254 for Finance Department Central Warehouse Purchases to Replenish Silicon Valley Power Inventory Funded by the Electric Operating Fund

Recommendation: 1. Ratify the purchase order for Hitachi Energy USA, Inc for electric transformers in an amount not to exceed $529,398, funded by the Electric Operating Fund and Electric Utility Capital Fund, subject to appropriation of funds.
2. Ratify the purchase order for Trayer Engineering Corp for electric switches in an amount not to exceed $2,362,246, funded by the Electric Operating Fund and Electric Utility Capital Fund, subject to appropriation of funds.
3. Ratify the purchase order for Elster Solutions LLC for electric meters in an amount not to exceed $497,610, funded by the Electric Operating Fund and Electric Utility Capital Fund, subject to appropriation of funds.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to ratify the purchase order for Hitachi Energy USA, Inc for electric transformers in an amount not to exceed $529,398, funded by the Electric Operating Fund and Electric Utility Capital Fund, subject to appropriation of funds; to ratify the purchase order for Trayer Engineering Corp for electric switches in an amount not to exceed $2,362,246, funded by the Electric Operating Fund and Electric Utility Capital Fund, subject to appropriation of funds; and ratify the purchase order for Elster Solutions LLC for electric meters in an amount not to exceed $497,610, funded by the Electric Operating Fund and Electric Utility Capital Fund, subject to appropriation of funds.

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

3.C 23-690 Action on an Agreement with Bellecci & Associates, Inc. for Design Professional Services for Creek Trail Pavement Maintenance and Rehabilitation Projects

Recommendation:

1. Approve and authorize the City Manager to execute an agreement with Bellecci & Associates, Inc. for Creek Trail Pavement Maintenance and Rehabilitation Projects in the amount not-to-exceed $494,110 for design professional services required for the creek trail pavement maintenance and rehabilitation projects, in a final form approved by the City Attorney; and
2. Authorize the City Manager to make minor, non-substantive modifications, including time extensions, to the agreement, if needed in a final form approved by the City Attorney.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve and authorize the City Manager to execute an agreement with Bellecci & Associates, Inc. for Creek Trail Pavement Maintenance and Rehabilitation Projects in the amount not-to-exceed $494,110 for design professional services required for the creek trail pavement maintenance and rehabilitation projects, in a final form approved by the City Attorney; and to authorize the City Manager to make minor, non-substantive modifications, including time extensions, to the agreement, if needed in a final form approved by the City Attorney.

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

3.D 23-737 Action to Delegate Authority to the City Manager to Negotiate and Execute Amendments to Agreements for Design Professional Services for Silicon Valley Power's System Capacity Expansion Planning Including Development of a Twenty-Year Long-Term Strategy Plan for System Growth, Master Agreements for Plan Implementation Services, and Master Agreements for General Consulting Services

Recommendation:

1. Authorize the City Manager to negotiate and execute an amendment to the Agreement for Design Professional Services with Electrical Consultants, Inc (ECI Agreement) for additional services associated with the System Expansion Plan increasing the maximum compensation to $1,500,000 and extending the term of the agreement until December 31, 2025, funded by the Electric Utility Capital Fund;
2. Authorize the City Manager to negotiate and execute amendments to the following Agreements for Design Professional Services (Master Agreements) for Silicon Valley Power's System Expansion Plan with an additional aggregate maximum compensation of $30 million for a new aggregate maximum compensation of $80 million funded by the Electric Utility Capital Fund and allocated as SVP may require, subject to the appropriation of funds: (A) general consulting services with; (i) Advisian Worley Group; (ii) TRC Solutions, Inc.; (iii) Leidos Engineering LLC; (iv) Flynn Resource Consultants, Inc.; and (v) EN Engineering LLC; and (B) For plan implementation services with: (i) Burns & McDonnell Engineering Company, Inc. (formerly 1898 & Co.); (ii) TRC Solutions, Inc.; (iii) ECI; (iv) AECOM Technical Services, Inc.; and (v) Stantec Consulting Services Inc
3. Authorize the City Manager to take any actions as necessary to implement and administer the ECI Agreement and Master Agreements and to negotiate and execute amendments to those agreements to (a) add or delete services consistent with their scope of services; (b) adjust future rates; and (c) extend their term of the agreement to complete projects initiated during the authorized term; and
4. All amendments included in this authorization shall be subject to the review and approval as to form by the City Attorney.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to authorize the City Manager to negotiate and execute an amendment to the Agreement for Design Professional Services with Electrical Consultants, Inc (ECI Agreement) for additional services associated with the System Expansion Plan increasing the maximum compensation to $1,500,000 and extending the term of the agreement until December 31, 2025, funded by the Electric Utility Capital Fund; to authorize the City Manager to negotiate and execute amendments to the following Agreements for Design Professional Services (Master Agreements) for Silicon Valley Power's System Expansion Plan with an additional

aggregate maximum compensation of $30 million for a new aggregate maximum compensation of $80 million funded by the Electric Utility Capital Fund and allocated as SVP may require, subject to the appropriation of funds: (A) general consulting services with; (i) Advisian Worley Group; (ii) TRC Solutions, Inc.; (iii) Leidos Engineering LLC; (iv) Flynn Resource Consultants, Inc.; and (v) EN Engineering LLC; and (B) For plan implementation services with: (i) Burns & McDonnell Engineering Company, Inc. (formerly 1898 & Co.); (ii) TRC Solutions, Inc.; (iii) ECI; (iv) AECOM Technical Services, Inc.; and (v) Stantec Consulting Services Inc.; to authorize the City Manager to take any actions as necessary to implement and administer the ECI Agreement and Master Agreements and to negotiate and execute amendments to those agreements to (a) add or delete services consistent with their scope of services; (b) adjust future rates; and (c) extend their term of the agreement to complete projects initiated during the authorized term; and all amendments included in this authorization shall be subject to the review and approval as to form by the City Attorney.

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

3.E 23-136 Action on Accepting a Grant Award from the EnergIIZE Commercial Vehicles Project to Fund Medium-Duty and Heavy-Duty (MD/HD) Zero-emission Vehicles (ZEVs) Charging Infrastructure at the City's Street Corporation Yard/Utility Yard at 1715 Martin Avenue

Recommendation:

1. Accept EnergIIZE Project grant funds for an amount of $177,487 (EnergIIze Grant) or such additional amount as may be awarded from the EnergIIZE Project to fund medium-duty and heavy-duty zero-emission vehicles charging infrastructure at the City's Street Corporation Yard/Utility Yard at 1715 Martin Avenue or other eligible locations with required matching funds from Greenhouse Gas Reduction Funds (Fund 191); and
2. Authorize the City Manager, or designee, to negotiate and execute an agreement (Agreement) with CALSTART for the EnergIIze Grant and related documents, subject to the review and approval as to form by the City Attorney, and to take all actions necessary to administer and implement the EnergIIze Grant and Agreement.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to accept EnergIIZE Project grant funds for an amount of $177,487 (EnergIIze Grant) or such additional amount as may be awarded from the EnergIIZE Project to fund medium-duty and heavy-duty zero-emission vehicles charging infrastructure at the City's Street Corporation Yard/Utility Yard at 1715 Martin Avenue or other eligible locations with required matching funds from Greenhouse Gas Reduction Funds (Fund 191); and authorize the City Manager, or designee, to negotiate and execute an agreement (Agreement) with CALSTART for the EnergIIze Grant and related documents, subject to the review and approval as to form by the City Attorney, and to take all actions necessary to administer and implement the EnergIIze Grant and Agreement.

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

3.F 23-510 Action on Authorizing the Use of City Electric Forces at Various Locations

Recommendation: In accordance with Section 713 of the City Charter, the City Council hereby resolves as follows:

1. Determine the proposed action is exempt from CEQA pursuant to Sections 15302(c) (Class 2 - Replacement or Reconstruction) and 15303 (Class 3 - New Construction or Conversion of Small Structures) of Title 14 of the California Code of Regulations; and
2. Declare and determine that the public works located at 2300 Calle De Luna, 2920 Scott Boulevard, 2330 Monroe Street, and 3941 Stevens Creek Boulevard are better performed by the City with its own employees based on the information set forth in this Report to Council.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to determine the proposed action is exempt from CEQA pursuant to Sections 15302(c) (Class 2 - Replacement or Reconstruction) and 15303 (Class 3 - New Construction or Conversion of Small Structures) of Title 14 of the California Code of Regulations; and to declare and determine that the public works located at 2300 Calle De Luna, 2920 Scott Boulevard, 2330 Monroe Street, and 3941 Stevens Creek Boulevard are better performed by the City with its own employees based on the information set forth in this Report to Council.

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

3.G 23-764 Action to Authorize the City Manager to Execute Agreements for Two HUD CDBG-funded Capital Improvement Projects: 1) Santa Clara Methodist Retirement Foundation - Liberty Tower (Elevator Upgrades); and 2) Rebuilding Together Silicon Valley (Minor Home Repair Program); (Categorical Exemption per the California Environmental Quality Act (CEQA) section 15301 (e)(1), Existing Facilities)

Recommendation:

1. Authorize the City Manager to execute agreements with: 1) Santa Clara Methodist Retirement Foundation - Liberty Tower to fund up to $750,000 for elevator upgrades and related work; 2) Rebuilding Together Silicon Valley, to fund up to $100,000 for the administration of the City's Minor Home Repair program subject to the availability of Community Development Block Grant funds, on the terms presented, in final forms approved by the City Attorney.

Mayor Gillmor abstained from voting on the Liberty Towers item of this agenda as the propoerty is located within 1,000 feet of her business.

Councilmember Jain abstained from voting on the Liberty Towers item of this agenda item as the property is located within 1,000 feet from his residence.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to authorize the City Manager to execute agreements with: 1) Santa Clara Methodist Retirement Foundation - Liberty Tower to fund up to $750,000 for elevator upgrades and related work; 2) Rebuilding Together Silicon Valley, to fund up to $100,000 for the administration of the City's Minor Home Repair program subject to the availability of Community Development Block Grant funds, on the terms presented, in final forms approved by the City Attorney.

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

Abstained: 2 - Councilmember Jain, and Mayor Gillmor

3.H 23-840 Action on a Special Permit to Allow up to Four Two-day Community Festivals per Year for a Period of Two Years at 1375 Lafayette Street, S.E.S. Portuguese Hall of Santa Clara

Recommendation:

1. Determine the proposed action is categorically exempt pursuant to CEQA Guidelines section 15304(e) (Class 4 - “Minor Alterations to Land”); and
2. Approve the request of a Special Permit for two years to allow up to four two-day community festivals per year at 1375 Lafayette Street, S.E.S Hall Portuguese Hall of Santa Clara subject to conditions.

Mayor Gillmor abstained from this item as her property and business is located within 1,000 feet.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to determine the proposed action is categorically exempt pursuant to CEQA Guidelines section 15304(e) (Class 4 - "Minor Alterations to Land"); and to approve the request of a Special Permit for two years to allow up to four two-day community festivals per year at 1375 Lafayette Street, S.E.S Hall Portuguese Hall of Santa Clara subject to conditions.

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

Abstained: 1 - Mayor Gillmor

3.I 23-795 Action to Adopt Resolution to Rescind Stage 2 of the Water Shortage Contingency Plan, While Continuing to Implement State Water Resources Control Board (SWRCB) Water Use Restrictions

Recommendation: Adopt a Resolution Rescinding Stage 2 of the City’s Water Shortage Contingency Plan While Continuing to Implement SWRCB Water Use Restrictions.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to adopt a Resolution 23-9249 rescinding Stage 2 of the City’s Water Shortage Contingency Plan while continuing to implement SWRCB water use restrictions.

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

3.J 23-873 Action on Deleting an Electric Program Manager Position and Adding an Electric Division Manager Position at Silicon Valley Power and Related Budget Amendment

Recommendation:
1. Approve the addition of one Electric Division Manager and deletion of one Electric Program Manager position in the Electric Utility Department funded by the Electric Utility Fund; and
2. Approve the following FY2023/24 budget amendment in the Electric Utility Fund to increase the Electric Department appropriation by $38,000 and reduce the Unrestricted Ending Fund Balance by $38,000 **(five affirmative Council votes required for the use of unused balances)**.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve the addition of one Electric Division Manager and deletion of one Electric Program Manager position in the Electric Utility Department funded by the Electric Utility Fund; and to approve the FY2023/24 budget amendment in the Electric Utility Fund to increase the Electric Department appropriation by $38,000 and reduce the Unrestricted Ending Fund Balance by $38,000.

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

PUBLIC PRESENTATIONS

Wesley K. Muokyama requested that **Councilmember Becker** not resign from City Council.

Al Gonzales spoke on pedestrian and bicycle safety in the City.

23-930 Public Presentations

CONSENT ITEMS PULLED FOR DISCUSSION

There were none.

PUBLIC HEARING/GENERAL BUSINESS

4. 23-747 Action on a Rezone from PD - Planned Development to MH - Heavy Industrial for the Properties Located at 700 Mathew Street to Allow Reestablishment of Industrial Use for the Property for a Metal Fabrication and Spinning Business

Recommendation:

1. Determine that the Project is categorically exempt under Section 15301 (Class 1Existing Facilities) of the CEQA Guidelines;
2. Adopt a resolution approving the Rezone from Planned Development (PD) to Heavy Industrial (MH) for the property located at 700 Mathew Street, subject to conditions of approval.

City Manager Grogan introduced the agenda item.

Community Development Director Crabtree presented the staff report.

Council comments and questions followed.

Community Development Director Crabtree and **Applicant Brian Brown with HPC Architecture** responded to **Council** questions.

A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to determine that the Project is categorically exempt under Section 15301 (Class 1Existing Facilities) of the CEQA Guidelines; and adopt Resolution 23-9250 approving the Rezone from Planned Development (PD) to Heavy Industrial (MH) for the property located at 700 Mathew Street, subject to conditions of approval.

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

5. 23-824 Action on Appointments Related to a Charter Review Committee and Direction to Study Charter Amendment Alternatives Related to the Positions of Police Chief and City Clerk for Possible Placement on a March 2024 ballot.

Recommendation: Alternative : Staff makes no recommendation

City Manager Grogan introduced the item and turned it over to **Assistant City Manager Bojorquez** who gave a Powerpoint presentation on appointments related to a Charter Review Committee and direction to study Charter amendment alternatives related to the positions of Chief of Police and City Clerk.

Council comments and questions followed.

A motion was made by Councilmember Jain, seconded by Councilmember Hardy, to appoint the seven nominees to the Charter Review Committee.

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

A motion was made by Vice Mayor Park, seconded by Councilmember Becker, to direct that the Charter Review Committee, in the their scope of work, determine if the positions of Chief of Police and City Clerk should be appointed positions by either the City Council/City Manager or continue to be elected; look into the specifications and qualifications of each role comparable to other cities; and recommend additional qualifications as it relates to the positions.

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

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

6. 23-726 Action to Approve Introduction of an Ordinance Amending the Santa Clara City Code to Create a Limited-Term Pilot Project Regulating Vending Upon Certain Public Sidewalks and Pedestrian Paths Surrounding Levi's Stadium on Event Days Including the Waiver of Certain Business and Permit Fees

Recommendation:

1. Waive first reading and approve introduction of an ordinance amending Chapter 5.05 (Solicitors and Peddlers) and Section 9.05.165 (Activities and Conduct Prohibited in Parking Facilities Adjacent to the Stadium or Parking Facilities Used for Stadium Events) of the Santa Clara City Code to Create a Limited-Term Pilot Project Regulating Vending Upon Certain Public Sidewalks and Pedestrian Paths Surrounding Levi's Stadium on Event Days Pursuant to SB 946; and,
2. Waive fees and taxes for all required City business licenses and permits, for qualified sidewalk vendors operating at stadium events during the pilot program period (September 21, 2023 through January 31, 2024) on a first come first serve basis in an amount not to exceed $30,000; and authorize the City Manager to develop administrative guidelines to implement the fee waiver program.

City Manager Grogan introduced the agenda item.

Police Captain Martin, City Attorney Googins, and Assistant Chief of Police Kazeem provided the PowerPoint presentation.

Council comments and questions followed.

Public Comment:
Howard Gibbins
Mark Kelsey
Edward Strine

Mayor Gillmor called for a recess at 9:32 p.m.

Mayor Gillmor reconvened the meeting at 9:41 p.m.

A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to waive first reading and approve introduction of an ordinance amending Chapter 5.05 (Solicitors and Peddlers) and Section 9.05.165 (Activities and Conduct Prohibited in Parking Facilities Adjacent to the Stadium or Parking Facilities Used for Stadium Events) of the Santa Clara City Code to Create a Limited-Term Pilot Project Regulating Vending Upon Certain Public

Sidewalks and Pedestrian Paths Surrounding Levi's Stadium on Event Days Pursuant to SB 946; and to waive fees and taxes for all required City business licenses and permits, for qualified sidewalk vendors operating at stadium events during the pilot program period (September 21, 2023 through January 31, 2024) on a first come first serve basis in an amount not to exceed $30,000; and authorize the City Manager to develop administrative guidelines to implement the fee waiver program.

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

7. 23-913 Action on a Written Petition (Council Policy 030) Submitted by Councilmember Jain to Appropriate Funds to Support the Work of the Charter Review Committee as well as Strategic Policy Analysis, Voter Research, Community Engagement and Other Related Costs Associated with Election Activities and Potential Ballot Measures in 2024

Recommendation: 1. Alternative 1: Provide direction, and approval of a FY 2023/24 budget amendment in the General Fund, if appropriate, to increase the City Clerk's Office budget by $72,000, increase the City Manager's Office budget by $358,355, and decrease the FY 2023/24 Budget Balancing Reserve by $430,455 to support strategic policy analysis, voter research, community engagement (including support for the Charter Review Committee) as well as related costs for potential March and November 2024 ballot items. **(five affirmative Council votes required for the use of unused balances)**.

City Manager Grogan introduced the item and turned it over to **Assistant City Manager Bojorquez** who gave a Powerpoint presentation to appropriate funds to support the work of the Charter Review Committee as well as strategic policy analysis, voter research, community engagement and other related costs associated with election activities and potential ballot measures in 2024.

Council comments and questions followed.

City Attorney Googins, City Manager Grogan, and **Assistant City Manager Bojorquez** responded to **Council** questions.

Council discussion ensued.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve Alternative 1: Provide direction, and approval of a FY 2023/24 budget amendment in the General Fund, if appropriate, to increase the City Clerk's Office budget by $72,000, increase the City Manager's Office budget by $358,355, and decrease the FY 2023/24 Budget Balancing Reserve by $430,455 to support strategic policy analysis, voter research, community engagement (including support for the Charter Review Committee) as well as related costs for potential March and November 2024 ballot items.

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

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Councilmember Watanabe acknowledged the City's Police Department regarding their help during an incident in the Rivermark Community.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

There were none.

23-922 Tentative Meeting Agenda Calendar (TMAC)

ADJOURNMENT

A motion was made by Councilmember Becker, seconded by Vice Mayor Park, to adjourn the meeting at 10:41 p.m.

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

The next regular scheduled meeting is on Tuesday, August 22, 2023 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.

STREAMING SERVICES: 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.

Note: The public cannot participate in the meeting through these livestreaming methods; livestreaming capabilities may be disrupted at times, viewers may always view and participate in meetings in-person and via Zoom as noted on the agenda.

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.