City of Santa Clara

Joint Meeting Minutes of the Joint City Council and Authorities Concurrent and Santa Clara Stadium Authority Meeting

05/28/2024 **5:30 PM**

Hybrid Meeting
City Hall Council Chambers/Virtual
1500 Warburton Avenue
Santa Clara, CA 95050

Revised Agenda:
Added Item 2.B to Special Order of Business.

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:

- https://santaclaraca.zoom.us/j/99706759306
- Meeting ID: 997-0675-930

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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Closed Session - 5:30 PM | Regular Meeting - 7:00 PM

5:30 PM CLOSED SESSION

Call to Order in the Council Chambers

Mayor Gillmor called the Closed Session to order at 5:33 PM.

Confirmation of Quorum

Assistant City Clerk Pimentel confirmed a quorum.

1. 24-430 Conference with Labor Negotiators (CC)
Pursuant to Gov. Code § 54957.6

City representatives: Jovan D. Grogan, Nadine Nader, Aracely Azevedo, Marco Mercado, Charles Sakai, Glen R. Googins

Employee Organization(s):
Unit #9 Unclassified Miscellaneous Management

Public Comment

None.

Convene to Closed Session (Council Conference Room)

Council convened to Closed Session at 5:34 PM.

7:00 PM JOINT CITY COUNCIL/STADIUM AUTHORITY MEETING

Call to Order in the Council Chambers

Mayor/Chair Gillmor called the meeting to order at 7:04 PM.

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Park recited the Statement of Values.

Assistant City Clerk/Secretary Pimentel recited the AB23 announcement and Statement of Behavioral Standards.

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

Roll Call

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

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

City Attorney Googins reported on May 20, 2024 Special City Council Meeting, no reportable action from the Closed Session. However, there was general direction to proceed to settle terms on outstanding disputes with the San Francisco 49ers on the terms presented with a public announcement and sharing of the settlement agreement itself upon finalization and execution. This occurred on May 23, 2024.

City Attorney Googins reported that there was no reportable actions on the Closed Session matters tonight (May 28, 2024).

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

None.

SPECIAL ORDER OF BUSINESS

2.A 24-330 Recognition of Santa Clara High School Student Athletes

Mayor Gillmor on behalf of the **Council** recognized the Santa Clara High School Student Athletes.

The Santa Clara High School Girls' Varsity Basketball team had a strong 2023-24 season. Coached to victory by **Coach DeeDee Kiyota** and **Assistant Coaches John Smith**, **Mickie Ferrer**, and **Mark Azul**, the team of thirteen girls won their division title in February 2024. Two of the athletes scored their 1,000th career points during this season (**Nina Llamas** and **Mia Talalele**).

Additionally, **Angelinah Sky De Leon** made Santa Clara High School history this season with **Coach Nicholas Garcia** when she placed 1st in Wrestling in the CCS Division and 2nd at the State Meet.

Coach Nicholas Garcia, **Coach DeeDee Kiyota**, and **Principal Shelby** made some comments.

2.B 24-586 Recognition of Wilcox High School Robotics Team

Mayor Gillmor, on behalf of the **Council,** recognized the Wilcox High School Robotics Team known as “Robopocalypse".

Councilmember Hardy and **Councilmember Jain** made a few comments and introduced the team.

This is the first year since its inception that the Robotics team has been able to attend the World Championship FIRST Tech Challenge Robotics Competition. The event is held annually in Houston, Texas. This year, it took place on April 17-20, 2024.

There are two teams at Wilcox High School, and the “Robopocalypse” team of fifteen students attended this year’s World Championship. There were multiple awards presented, and “Robopocalypse” received the THINK and Inspire prizes in the competition.

2.C 24-440 Recognition of the Recipients of the Second Annual Silicon Valley Power Sustainable Futures Scholarship Program in Partnership with Santa Clara University

Mayor Gillmor, on behalf of the **Council,** recognized the recipients of the Second Annual Silicon Valley Power Sustainable Futures Scholarships Program in partnership with Santa Clara University.

Chief Electric Utility Officer Pineda made a few comments and introduced **Wilson Garone** (Santa Clara University Vice President of Finance and Administration) who made a few comments and introduced the Santa Clara University Future Fellows: **Sally Walsh, Emil Chaia,** and **Chrislyn Brandon.**

2.D 24-446 Proclamation of May 2024 as Historic Preservation Month

Mayor Gillmor, on behalf of the **Council,** proclaimed May 2024 as Historic Preservation Month.

Historical and Landmarks Commission Chair Ana Vargas-Smith provided comments on Historic Preservation Month - People Saving Places (theme).

2.E 24-488 Proclamation of May as Affordable Housing Month and Recognition of the Freebird Development Company for the successful Completion of the Monroe Commons Affordable Housing Development

Mayor Gillmor, on behalf of the **Council,** proclaimed May as Affordable Housing Month.

Council recognized Freebird Development Company for the successful completion of the Monroe Commons Affordable Housing Development.

Robin Zimbler (Founder and Manager Freebird Development Company) provided comments on Monroe Commons.

CONSENT CALENDAR

Councilmember Chahal recused himself from Items 3.D and 3.G due to owning property near these items subject address.

A motion was made by Council/Boardmember Hardy, seconded by Vice Mayor/Chair Becker, to approve the Consent Calendar.

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

3.A 24-09 Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Historical and Landmarks Commission - February 1, 2024
Historical and Landmarks Commission - April 4, 2024
Cultural Commission - April 1, 2024
Board of Library Trustees - April 1, 2024
Youth Commission - March 12, 2024
Civil Service Commission - February 8, 2024

A motion was made by Councilmember Hardy, seconded by Vice Mayor Becker, to note and file the Minutes of: Historical and Landmarks Commission - February 1, 2024, Historical and Landmarks Commission - April 4, 2024, Cultural Commission - April 1, 2024, Board of Library Trustees - April 1, 2024, Youth Commission - March 12, 2024, and Civil Service Commission - February 8, 2024.

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

3.B 24-460 Actions authorizing the County of Santa Clara to allocate up to $409,950 of the City's 2020 Permanent Local Housing Allocation (PLHA) Funds to rehabilitate and preserve the Belovida Santa Clara Senior Apartments located at 1820 Main Street.

Recommendation: 1. Direct the County of Santa Clara (PLHA fund administrator) to allocate up to $409,950 from the City's 2020 Permanent Local Housing Allocation (PLHA) , which includes the reallocation of $8,000 from a PLHA homelessness activity to a PLHA rehabilitation activity to help fund repairs at the Belovida Santa Clara Senior Apartments as part of a long-term repositioning of the project. This funding commitment shall be contingent upon National Environmental Policy Act (NEPA) clearance from HUD, if required.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Becker, to direct the County of Santa Clara (PLHA fund administrator) to allocate up to $409,950 from the City's 2020 Permanent Local Housing Allocation (PLHA) , which includes the reallocation of $8,000 from a PLHA homelessness activity to a PLHA rehabilitation activity to help fund repairs at the Belovida Santa Clara Senior Apartments as part of a long-term repositioning of the project. This funding commitment shall be contingent upon National Environmental Policy Act (NEPA) clearance from HUD, if required.

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

3.C 24-99 Action on Award of Purchase Order to Canon Solutions America, Inc. for Citywide Leases and Maintenance Services for Copier/Multi-Function Devices (MFDs)

Recommendation:

1. Authorize the City Manager to execute a Purchase Order with Canon Solutions America Inc. for Citywide Leases and Maintenance Services for Copier/Multi-Function Devices under the Master Agreement with lead public agency University of California through OMNIA Partners for an initial five-year term through June 30, 2029, with maximum compensation not-to-exceed $1,110,000 subject to the appropriation of funds and in a final form approved by the City Attorney;
2. Authorize the City Manager to execute change orders for a not-to-exceed contingency amount of $166,500 in the event additional equipment is required and/or usage increases during the initial term, subject to appropriation of funds and in a final form approved by the City Attorney; and
3. Authorize the City Manager to execute up to five one-year options to extend the purchase order after the initial term through June 30, 2034, pursuant to the terms of the cooperative solicitation, subject to the appropriation of funds, and in a final form approved by the City Attorney.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Becker, to (1) authorize the City Manager to execute a Purchase Order with Canon Solutions America Inc. for Citywide Leases and Maintenance Services for Copier/Multi-Function Devices under the Master Agreement with lead public agency University of California through OMNIA Partners for an initial five-year term through June 30, 2029, with maximum compensation not-to-exceed $1,110,000 subject to the appropriation of funds and in a final form approved by the City Attorney; (2) authorize the City Manager to execute change orders for a not-to-exceed contingency amount of $166,500 in the event additional equipment is required and/or usage increases during the initial term, subject to appropriation of funds and in a final form approved by the City Attorney; and (3) authorize the City Manager to execute up to five one-year options to extend the purchase order after the initial term through June 30, 2034, pursuant to the terms of the cooperative solicitation, subject to the appropriation of funds, and in a final form approved by the City Attorney.

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

3.D 24-522 Action to Authorize the City Manager to Negotiate and Execute Agreements and/or Amendments to Existing Agreements as Required to Complete Emergency Transformer Replacement at Juliette Substation and Approve Related Budget Amendment

Recommendation:

1. Determine the proposed actions are exempt from CEQA pursuant to Sections 15301 (Class 1 -Existing Facilities) and 15302 (Class 2 - Replacement or Reconstruction) of Title 14 of the California Code of Regulations;
2. Authorize the City Manager to negotiate and execute agreements and/or amendments to existing agreements to complete the transformer replacements at Juliette Substation with a maximum compensation of $15,000,000, subject to approval as to form by the City Attorney;
3. Authorize the City Manager to take any actions as necessary to implement and administer the agreements and to negotiate and execute amendments as needed to complete the Juliette Substation transformer replacements, subject to the total maximum authorization of $15,000,000 and review and approval as to form by the City Attorney;
4. Approve the following FY 2023/24 budget amendments:
   A. In the Electric Utility Fund, increase the transfer to the Electric Utility Capital Fund and decrease the Unrestricted Ending Fund Balance in the amount of $15.0 million **(five affirmative Council votes required for the use of unused balances)**; and
   B. In the Electric Utility Capital Fund, recognize a transfer from the Electric Utility Fund and increase the Juliette Substation Transformer Rerate and Installation Project in the amount of $15.0 million **(five affirmative Council votes required to appropriate additional revenue)**.

Councilmember Chahal recused himself from Item 3.D due to owning property near this items subject address.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Becker, to (1) determine the proposed actions are exempt from CEQA pursuant to Sections 15301 (Class 1-Existing Facilities) and 15302 (Class 2 - Replacement or Reconstruction) of Title 14 of the California Code of Regulations; (2) to authorize the City Manager to negotiate and execute agreements and/or amendments to existing agreements to complete the transformer replacements at Juliette Substation with a maximum compensation of $15,000,000, subject to approval as to form by the City Attorney; (3) to authorize the City Manager to take any actions as necessary to implement and administer the agreements and to negotiate and execute amendments as needed to complete the Juliette Substation

transformer replacements, subject to the total maximum authorization of $15,000,000 and review and approval as to form by the City Attorney; (4 approve the following FY 2023/24 budget amendments: A. In the Electric Utility Fund, increase the transfer to the Electric Utility Capital Fund and decrease the Unrestricted Ending Fund Balance in the amount of $15.0 million (five affirmative Council votes required for the use of unused balances); and B. In the Electric Utility Capital Fund, recognize a transfer from the Electric Utility Fund and increase the Juliette Substation Transformer Rerate and Installation Project in the amount of $15.0 million.

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

Recused: 1 - Councilmember Chahal

3.E 24-38 Action on an Agreement for Services with CRMOrbit, Inc. dba energyOrbit for a Rebate Processing System for Silicon Valley Power

Recommendation:

1. Authorize the City Manager to execute the proposed Agreement for Services (Agreement) with CRMOrbit, Inc. dba energyOrbit for a Rebate Processing System for a three-year term beginning on or around June 1, 2024, with a maximum compensation not to exceed $350,000, subject to the annual appropriation of funds funded by Silicon Valley Power's Public Benefit's Program in the Electric Operating Grant Trust Fund; and
2. Authorize the City Manager to take any actions as necessary to implement and administer the Agreement and to negotiate and execute amendments to the Agreement to (a) increase the maximum compensation by up to an additional $100,000 for a total maximum compensation not to exceed $450,000 in the event that SVP requires additional training, licenses, or features, and (b) exercise options to extend the term to align with the term of the Agreement with the lead agency, Turlock Irrigation District, subject to the appropriation of funds and review and approval as to form by the City Attorney.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Becker, to (1) authorize the City Manager to execute the proposed Agreement for Services (Agreement with CRMOrbit, Inc. dba energyOrbit for a Rebate Processing System for a three-year term beginning on or around June 1, 2024, with a maximum compensation not to exceed $350,000, subject to the annual appropriation of funds funded by Silicon Valley Power's Public Benefit's Program in the Electric Operating Grant Trust Fund; and (2 authorize the City Manager to take any actions as necessary to implement and administer the Agreement and to negotiate and execute amendments to the Agreement to (a increase the maximum compensation by up to an additional $100,000 for a total maximum compensation not to exceed $450,000 in the event that SVP requires additional training, licenses, or features, and (b exercise options to extend the term to align with the term of the Agreement with the lead agency, Turlock Irrigation District, subject to the appropriation of funds and review and approval as to form by the City Attorney.

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

3.F 24-222 Action on an Agreement with Kimley-Horn and Associates, Inc. for Professional Services for the Santa Clara Vision Zero Plan

Recommendation:

1. Authorize the City Manager to negotiate and execute an agreement with Kimley-Horn and Associates, Inc. (Agreement) to provide professional services for the Santa Clara Vision Zero Plan project with a maximum compensation not-to-exceed $556,536 over a two-year term, in a final form approved by the City Attorney; and
2. Authorize the City Manager to take any actions necessary to implement and administer the Agreement and negotiate and execute amendments to the Agreement to extend the term and modify the scope of services, in final forms approved by the City Attorney.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Becker, to (1) authorize the City Manager to negotiate and execute an agreement with Kimley-Horn and Associates, Inc. (Agreement to provide professional services for the Santa Clara Vision Zero Plan project with a maximum compensation not-to-exceed $556,536 over a two-year term, in a final form approved by the City Attorney; and (2 authorize the City Manager to take any actions necessary to implement and administer the Agreement and negotiate and execute amendments to the Agreement to extend the term and modify the scope of services, in final forms approved by the City Attorney.

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

3.G 24-521 Action to Authorize the City Manager to Negotiate and Execute Agreements and/or Amendments to Existing Agreements as Required to Complete Unanticipated Internal Inspection and Re-rate Engineering Study for Transformer Upgrades at the Kifer Receiving Station (KRS) and Scott Receiving Station (SRS) and Approve Related Budget Amendment

Recommendation:

1. Subject to compliance with Chapter 2.105 of the City Code, as applicable, and review and approval as to form by City Attorney, authorize the City Manager to negotiate and execute new agreements and/or amendments to existing agreements with various vendors to complete unanticipated internal inspections, and re-rate engineering studies, at the Kifer Receiving Station (KRS) and Scott Receiving Station (SRS) with a total aggregate authorization not to exceed $500,000;
2. Authorize the City Manager or designee to take any actions as necessary to implement and administer the agreements and to negotiate and execute further amendments to the agreements as needed to complete inspections and studies at KRS and SRS, subject to the maximum authorization of $500,000 and approval as to form by the City Attorney; and
3. Approve the following FY 2023/24 budget amendments:
   A. In the Electric Utility Fund, increase the transfer to the Electric Utility Capital Fund and decrease the Unrestricted Ending Fund Balance in the amount of $500,000 (**five affirmative Council votes required for the use of unused balances**); and
   B. In the Electric Utility Capital Fund, recognize a transfer from the Electric Utility Fund in the amount of $500,000, increase the KRS Rebuild and Replacement project (CIP 2453) by $250,000, and increase the SRS Rebuild and Replacement project (CIP 2456) by $250,000 **(five affirmative Council votes required to appropriate additional revenue).**

Councilmember Chahal recused himself from Item 3.G due to owning property near this items subject address.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Becker, to (1) subject to compliance with Chapter 2.105 of the City Code, as applicable, and review and approval as to form by City Attorney, authorize the City Manager to negotiate and execute new agreements and/or amendments to existing agreements with various vendors to complete unanticipated internal inspections, and re-rate engineering studies, at the Kifer Receiving Station (KRS and Scott Receiving Station (SRS with a total aggregate authorization not to exceed $500,000; (2 authorize the City Manager or designee to take any actions as necessary to implement and administer the

agreements and to negotiate and execute further amendments to the agreements as needed to complete inspections and studies at KRS and SRS, subject to the maximum authorization of $500,000 and approval as to form by the City Attorney; and (3 approve the following FY 2023/24 budget amendments: A. In the Electric Utility Fund, increase the transfer to the Electric Utility Capital Fund and decrease the Unrestricted Ending Fund Balance in the amount of $500,000 and B. In the Electric Utility Capital Fund, recognize a transfer from the Electric Utility Fund in the amount of $500,000, increase the KRS Rebuild and Replacement project (CIP 2453) by $250,000, and increase the SRS Rebuild and Replacement project (CIP 2456) by $250,000 (five affirmative Council votes required to appropriate additional revenue).

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

Recused: 1 - Councilmember Chahal

3.H 24-453 Action Authorizing the City Manager to Negotiate and Execute Agreement(s) with Vendor(s) for the Purchase of High Voltage Disconnect Switches, Station Service Voltage Transformers, Voltage Transformers and Capacitive Voltage Transformers, and Combination Revenue Metering Transformers to be Funded by the Electric Utility Capital Fund

Recommendation:

1. Subject to compliance with Chapter 2.105 of the City Code, review and approval as to form by the City Attorney, and appropriation of funds, authorize the City Manager or designee to negotiate and execute agreement(s) or purchase order(s) with vendors for the four purchases listed below, subject to a total maximum aggregate compensation amount of $17,400,000 plus a fifteen percent (15%) contingency ($2,610,000) for a total not to exceed amount of $20,100,000, as follows:
   (a) High Voltage Disconnect Switches for an approximately three-year agreement term and a two-year warranty period;
   (b) Station Service Voltage Transformers for an approximately three-year agreement term and a two-year warranty period;
   (c) Voltage Transformers and Capacitive Voltage Transformers for an approximately three-year agreement term and a two-year warranty period;
   (d) Combination Revenue Metering Transformers for an approximately three-year agreement term and a two-year warranty period; and

2. Authorize the City Manager or designee to (a) take any actions as necessary to implement and administer the agreement(s) and/or purchase orders, and (b) negotiate and execute amendments to the agreement(s) and/or purchase order(s) for (i) design changes, (ii) any unanticipated issues, (iii) extensions of the term, or (iv) the purchase of additional High Voltage Disconnect Switches, Station Service Voltage Transformers, Voltage Transformers and Capacitive Voltage Transformers, and Combination Revenue Metering Transformer, up to the $20,100,000 amount and subject to the review and approval as to form by the City Attorney.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Becker, to (1) subject to compliance with Chapter 2.105 of the City Code, review and approval as to form by the City Attorney, and appropriation of funds, authorize the City Manager or designee to negotiate and execute agreement(s) or purchase order(s) with vendors for the four purchases listed below, subject to a total maximum aggregate compensation amount of $17,400,000 plus a fifteen percent (15% contingency ($2,610,000 for a total not to exceed amount of $20,100,000, as follows: (a High Voltage Disconnect Switches for an approximately three-year agreement term and a two-year warranty period;

(b) Station Service Voltage Transformers for an approximately three-year agreement term and a two-year warranty period; (c) Voltage Transformers and Capacitive Voltage Transformers for an approximately three-year agreement term and a two-year warranty period; (d) Combination Revenue Metering Transformers for an approximately three-year agreement term and a two-year warranty period; and (2) authorize the City Manager or designee to (a) take any actions as necessary to implement and administer the agreement(s) and/or purchase orders, and (b) negotiate and execute amendments to the agreement(s) and/or purchase order(s) for (i) design changes, (ii) any unanticipated issues, (iii) extensions of the term, or (iv) the purchase of additional High Voltage Disconnect Switches, Station Service Voltage Transformers, Voltage Transformers and Capacitive Voltage Transformers, and Combination Revenue Metering Transformer, up to the $20,100,000 amount and subject to the review and approval as to form by the City Attorney.

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

3.I 24-384 Action to Authorize the Use of City Electric Forces for New Dark Fiber Installations at 6001 America Center Drive - 3080 Raymond Street

Recommendation:

1. Determine the proposed action is exempt from CEQA pursuant to Section 15303 (Class 3 - New Construction or Conversion of Small Structures) of Title 14 of the California Code of Regulations; and
2. Declare and determine in accordance with Section 1310 of the City Charter that the public works located at 6001 America Center Drive to 3080 Raymond Street are better performed by the City with its own employees based on the information set forth in this Report to Council and authorize the performance of this public work consistent with this authorization.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Becker, to (1) determine the proposed action is exempt from CEQA pursuant to Section 15303 (Class 3 - New Construction or Conversion of Small Structures of Title 14 of the California Code of Regulations; and (2 declare and determine in accordance with Section 1310 of the City Charter that the public works located at 6001 America Center Drive to 3080 Raymond Street are better performed by the City with its own employees based on the information set forth in the Report to Council and authorize the performance of this public work consistent with this authorization.

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

3.J 24-427 Action on Recommendations from Governance and Ethics Committee to Amend Council Policy 046 entitled “Mayor and Council Public Records Policy” and Amend Email Retention from 90 days to two years for City Councilmembers

Recommendation: Adopt a Resolution approving the recommendations from the Governance and Ethics Committee to Amend Council Policy 046 entitled “Mayor and Council Public Records Policy” to include amending email retention from 90 days to two years.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Becker, to adopt Resolution No. 24-9320 approving the recommendations from the Governance and Ethics Committee to Amend Council Policy 046 entitled “Mayor and Council Public Records Policy” to include amending email retention from 90 days to two years.

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

3.K 24-436 Action on Authorizing the Use of City Electric Forces for Public Works Projects at Various Locations

Recommendation:

1. Determine the proposed action is exempt from CEQA pursuant to Section 15303 (Class 3 - New Construction or Conversion of Small Structures) of Title 14 of the California Code of Regulations; and
2. Declare and determine in accordance with Section 1310 of the City Charter that the public works projects proposed at 2865 Uranium Drive, 2991 Jerald Avenue, 2310 Calle Del Mundo, 3193 Cabrillo Avenue, 3345 Cabrillo Avenue, 3061 Monroe Street, 1821 Bowers Avenue, and 1962 Lafayette Street are better performed by the City with its own employees based on the information set forth in this Report to Council and authorize the performance of these public works by City electric utility forces consistent with this authorization.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Becker, (1 determine the proposed action is exempt from CEQA pursuant to Section 15303 (Class 3 - New Construction or Conversion of Small Structures of Title 14 of the California Code of Regulations; and (2 declare and determine in accordance with Section 1310 of the City Charter that the public works projects proposed at 2865 Uranium Drive, 2991 Jerald Avenue, 2310 Calle Del Mundo, 3193 Cabrillo Avenue, 3345 Cabrillo Avenue, 3061 Monroe Street, 1821 Bowers Avenue, and 1962 Lafayette Street are better performed by the City with its own employees based on the information set forth in the Report to Council and authorize the performance of these public works by City electric utility forces consistent with this authorization.

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

3.L 24-231 Action on Appointing a City of Santa Clara Bicycle and Pedestrian Advisory Committee Member to Serve as the City's Representative on the Santa Clara Valley Transportation Authority Bicycle Pedestrian Advisory Committee

Recommendation: Appoint the City of Santa Clara Bicycle and Pedestrian Advisory Committee member Betsy Megas to serve as the City's representative on the Santa Clara Valley Transportation Authority Bicycle and Pedestrian Advisory Committee.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Becker, to appoint the City of Santa Clara Bicycle and Pedestrian Advisory Committee member Betsy Megas to serve as the City's representative on the Santa Clara Valley Transportation Authority Bicycle and Pedestrian Advisory Committee.

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

3.M 24-487 Action to Approve Revisions to the Existing Staff Analyst I Class Specification; Approve a New Senior Counsel for Silicon Valley Power Class Specification; Approve a Resolution Adopting the Amended Unclassified Salary Plan

Recommendation:

1. Approve revisions to the existing Staff Analyst I (Job Code 796) class specification to clarify the acceptable level of educational units for the position;
2. Approve the creation of the Senior Counsel for Silicon Valley Power (Job Code 179) class specification; And
3. Approve the Resolution Adopting the Amended Unclassified Salary Plan to reflect the new Senior Counsel for Silicon Valley Power position.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Becker, to (1) approve revisions to the existing Staff Analyst I (Job Code 796) class specification to clarify the acceptable level of educational units for the position; (2) approve the creation of the Senior Counsel for Silicon Valley Power (Job Code 179) class specification; and (3) adopt Resolution No. 24-9325 adopting the Amended Unclassified Salary Plan to reflect the new Senior Counsel for Silicon Valley Power position.

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

SANTA CLARA STADIUM AUTHORITY BOARD CONSENT CALENDAR

4.A 24-364 Informational Report on Stadium Authority and Stadium Manager Meetings for the Period of January 1 to March 31, 2024

Recommendation: Note and file the quarterly report on Stadium Authority and Stadium Manager staff meetings and corresponding summaries for the period of January 1 to March 31, 2024.

A motion was made by Boardmember Hardy, seconded by Vice Chair Becker, note and file the quarterly report on Stadium Authority and Stadium Manager staff meetings and corresponding summaries for the period of January 1 to March 31, 2024.

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

4.B 24-401 Action on Amendment No. 1 to the Agreement with KPMG LLP for Auditing and Consulting Services for the Santa Clara Stadium Authority

Recommendation: Authorize the Executive Director or designee to execute an Amendment No. 1 to the Agreement with KPMG LLP for audit and consulting services to increase the compensation by $100,000 from $754,554 to $854,554 in a final form approved by the City Attorney.

A motion was made by Boardmember Hardy, seconded by Vice Chair Becker, to authorize the Executive Director or designee to execute an Amendment No. 1 to the Agreement with KPMG LLP for audit and consulting services to increase the compensation by $100,000 from $754,554 to $854,554 in a final form approved by the City Attorney.

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

PUBLIC PRESENTATIONS

None.

CONSENT ITEMS PULLED FOR DISCUSSION

None.

Mayor Gillmor noted that Item #8 would be moved up and heard after Item #5.

PUBLIC HEARING/GENERAL BUSINESS (COUNCIL/STADIUM AUTHORITY BOARD)

5. 24-201 Public Hearing: Action on Resolutions Approving Water, Sewer and Recycled Water Amended Rates to be Effective July 1, 2024

Recommendation: Alternative 1: Adopt the Proposed Resolutions Establishing Water Rate Schedule 2024-01, Recycled Water Rate Schedule 2024-02 and Sewer Rate Schedule S-24

Mayor Gillmor opened the public hearing.

City Manager Grogan made a few remarks and introduced **Director of Water and Sewer Utlities Welling** who gave a Powerpoint Presentation on the Action on resolutions approving Water, Sewer, and Recycled Water amended rates to be effective July 1, 2024.

Council comments and questions followed.

Director of Water and Sewer Welling addressed **Council** questions and concerns.

Public Speakers: John Haggerty
Vikas Gupta

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to close the Public Hearing.

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

Assistant City Clerk Pimentel noted that at the as the conclusion of the public hearing, the City received 14 written Water/Recycled Water protests, 14 Sewer written protests, and zero verbal protests during the public hearing and therefore the number of protests does not amount to majority protests of identified parcel owners subject to the fee under Proposition 218, and that Council may proceed with considering the resolution.

A motion was made by Councilmember Hardy, seconded by Councilmember Jain, to approve Alternative 1: adopt Resolution No. 24-9326 Establishing Water Rate Schedule 2024-01, and establishing Recycled Water Rate Schedule 2024-02 and Resolution No. 24-9327 establishing Sewer Rate Schedule S-24.

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

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

8. 24-579 Update on the George F. Haines International Swim Center (ISC)

Recommendation: It is recommended that the City Council:

1. Note and file the report.

City Manager Grogan provided a brief verbal update on the George F. Haines International Swim Center.

Council questions followed.

A request to return to **Council** with an action on the costs on re-opening the Swim Center.

City Manager Grogan addressed **Council** questions and concerns.

Public Speaker(s: Public Speakers (2)
Vikas Gupta

Council comments continued.

A motion was made by Vice Mayor Becker, seconded by Councilmember Chahal, to note and file the report.

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

6. 24-578 Action on Amendment No. 2 to the Ground Lease, and Amendment No. 1 to the Restated and Amended Stadium Lease, to Implement the Settlement Agreement and Mutual Release (Buffet and Public Safety Cost Arbitration) with Forty Niners SC Stadium Company LLC and Forty Niners Stadium Management Company LLC, and Approve Related Budget Amendments

Recommendation:

1. Authorize the City Manager, on behalf of the City, and the Executive Director, on behalf of the Stadium Authority, to execute a First Amendment to the Ground Lease with the Santa Clara Stadium Authority to in substantially the form presented, in final forms approved by Agency Counsel/City Attorney.
2. Authorize the Executive Director to execute a First Amendment to the Amended and Restated Stadium Lease Agreement with Forty Niners SC Stadium Company, LLC to in substantially the forms presented, in final forms approved by Agency Counsel/City Attorney.
3. Authorize the City Manager, on behalf of the City, and Executive Director, on behalf of Stadium Authority, to negotiate and execute modifications to such other agreements as may be necessary to implement the terms of the Settlement Agreement, in final forms approved by Agency Counsel/City Attorney.
4. Approve the following FY 2024/25 net budget amendments in the Santa Clara Stadium Authority Operating Budget:
    a. Increase the revenue estimate and corresponding payment to the City for Senior and Youth fees by $35,000, and
    b. Increase the Performance-Based Rent expense to the City by $9,600,000, increase the Public Safety Cost expense by $6,473,000, increase the transfer to the City's General Fund by $3,073,000, increase the SBL Complementary Buffet expense by $900,000, offset by the elimination of Legal Contingency Reserves in the amount of $14,747,526 and a decrease to the Renovation/Demolition Reserve by $5,298,474.

City Manager/Executive Director Grogan, **Director of Finance/Stadium Treasurer Lee**, and **Stadium Authority Counsel/City Attorney Googins** gave a Powerpoint Presentation.

Council/Board comments and questions followed.

City Manager/Executive Director Grogan, **Director of Finance/Stadium Treasurer Lee**, and **Stadium Authority Counsel/City Attorney Googins** addressed **Council/Board** questions.

Public Comment: Jihad Beauchmann given additional time by Jennifer Castillo to speak.

Steve Kelly
Danny Mangan
Vikas Gupta
Ruben Camacho
Brian Goldenberg
John Haggerty
Kirk Vartan
Lori Garmany
Public Speaker (1)

Council/Board comments on the motion followed.

A motion was made by Council/Boardmember Hardy, seconded by Council/Boardmember Jain, to (1) authorize the City Manager, on behalf of the City, and the Executive Director, on behalf of the Stadium Authority, to execute a First Amendment to the Ground Lease with the Santa Clara Stadium Authority to in substantially the form presented, in final forms approved by Agency Counsel/City Attorney; (2) authorize the Executive Director to execute a First Amendment to the Amended and Restated Stadium Lease Agreement with Forty Niners SC Stadium Company, LLC to in substantially the forms presented, in final forms approved by Agency Counsel/City Attorney; (3) authorize the City Manager, on behalf of the City, and Executive Director, on behalf of Stadium Authority, to negotiate and execute modifications to such other agreements as may be necessary to implement the terms of the Settlement Agreement, in final forms approved by Agency Counsel/ City Attorney; (4) approve the following FY 2024/25 net budget amendments in the Santa Clara Stadium Authority Operating Budget: (a) increase the revenue estimate and corresponding payment to the City for Senior and Youth fees by $35,000, and (b) increase the Performance-Based Rent expense to the City by $9,600,000, increase the Public Safety Cost expense by $6,473,000, increase the transfer to the City's General Fund by $3,073,000, increase the SBL Complementary Buffet expense by $900,000, offset by the elimination of Legal Contingency Reserves in the amount of $14,747,526 and a decrease to the Renovation/Demolition Reserve by $5,298,474.

Aye: 5 - Council/Boardmember Chahal, Council/Boardmember Hardy, Council/Boardmember Park, Council/Boardmember Jain, and Vice Mayor/Chair Becker

Nay: 2 - Council/Boardmember Watanabe, and Mayor/Chair Gillmor

7. 24-549 Action on an Initial Grant Funding Agreement with Forty Niners SC Stadium Company LLC to Provide $200,000 Annually in Grant Funding for an Initial Three Years to the Santa Clara Community and Santa Clara Organizations and Approve the Related Budget Amendments

Recommendation:

1. Authorize the City Manager to enter into an Initial Grant Funding Agreement with Forty Niners SC Stadium Company LLC (StadCo) to provide for 1) the distribution of $200,000 annually over three years (Years 1-3) to non-profit organizations and community projects serving the Santa Clara community, as further described in the report and agreement, and 2) a process to develop a program, to be formalized through subsequent funding agreement(s) with StadCo, for the remaining grant distribution, in the amount of $200,000 annually for the subsequent years during StadCo's 20 -year commitment term, in a final form approved by the City Attorney; and
2. Approve the FY 2023/24 budget amendments in the General Fund to recognize other revenue in the amount of $200,000 and increase the Non-Departmental Community Grants Program allocation in the amount of $200,000 **(five affirmative Council votes required to appropriate additional revenue)**.

This item was deferred to June 4, 2024 City Council and Authorities Concurrent Meeting.

REPORTS OF MEMBERS, SPECIAL COMMITTEES AND COUNCILMEMBER 030 REQUESTS

None.

ADJOURNMENT

The meeting was adjourned at 12:45 AM.

A motion was made by Vice Mayor/Chair Becker, seconded by Council/Boardmember Chahal, to adjourn the meeting.

Aye: 6 - Council/Boardmember Watanabe, Council/Boardmember Chahal, Council/Boardmember Hardy, Council/Boardmember Jain, Vice Mayor/Chair Becker, and Mayor/Chair Gillmor

Nay: 1 - Council/Boardmember Park

The next regular scheduled meeting is on Tuesday, June 4, 2024 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.

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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)

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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."

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