City of Santa Clara

Joint Meeting Minutes

Draft

Council and Authorities Concurrent Meeting

Call and Notice of Special Meeting

Santa Clara Stadium Authority

Planning Commission

04/19/2022 | **4:00 PM** | **Hybrid Meeting**
Council Chambers/Virtually
1500 Warburton Avenue
Santa Clara, CA 95050

Closed Session - 4:00 PM | Study Session - 7:30 PM | Regular Meeting - 8:30 PM

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 22-9067, 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 (now available during the meeting)
- Via email to PublicComment@santaclaraca.gov

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.

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 Chair/Mayor calls for a Special Meeting of the Governing Board of the Stadium Authority, and Planning Commission to commence and convene on April 19, 2022 at 4:00 pm for a Special Meeting in the City Hall Council Chambers located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California and by teleconference, to consider the following matter(s) and to potentially take action with respect to them.

4:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Mayor/Chair Gillmor called the meeting to order at 4:03 PM.

Roll Call

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

1.A 22-534 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 22-461 Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
Arturo Arranga Ballesteros v. Stephen Stek, et al., United States District Court, Northern District of California, Case No. 3:20-cv-06207

1.C 22-462 Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
Gloria Zamora & Antonio Zamora v. City of Santa Clara, et al., United States District Court, Northern District of California, Case No. 5:21-cv-05610

1.D 22-491 Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
Marcus Dean Diaz v. City of Santa Clara, et al., United States District Court, Northern District of California, Case No. 5:20-cv-03506

1.E 22-506 Conference with Legal Counsel-Anticipated Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(2) - Exposure to litigation
Number of potential cases: 1
Facts and Circumstances: Pursuant to Gov. Code § 54956.9(e)(1) - Not disclosed on agenda

1.F 22-538 Public Employee Appointment (Gov. Code §§ 54957, 54954.5, subd. (e).)
Title: City Attorney

Public Comment

None.

Convene to Closed Session (Council Conference Room)

Council/Board convened to Closed Session.

7:30 PM JOINT COUNCIL AND PLANNING COMMISSION STUDY SESSION

Call to Order in the Council Chambers

Council reconvened the meeting at 8:01 PM.

Public Presentations

Assistant City Clerk Pimentel noted that Channel 15 was down and the issues are now resolved.

Sandy Myers expressed comments of concern regarding treatment of Unit No. 6 Employees

22-591 Public Comment Post Meeting Material

Planning Commission Roll Call

Commissioner Herro, **Commissioner Saleme**, **Commissioner Huang**, **Commissioner Ikezi**, **Commissioner Bhatnagar**, **Vice Chair Cherukuru**, and **Chair Biagini**

2. 22-260 Joint City Council and Planning Commission Study Session on Housing Element Update

Recommendation: Note and file the report on the Housing Element Update.

Interim City Manager Batra and **Interim City Attorney Sanchez** provided brief comments and expressed their gratitude to serve the City of Santa Clara.

Assistant Director of Community Development Brilliot gave a Powerpoint presentation on the Housing Element Plan.

Council and **Planning Commission** questions and comments followed.

Assistant Director of Community Development Brilliot and **Director of Community Development Crabtree** addressed **Council** and **Commissioner** comments and questions.

Public Speaker(s): Mathew Reed
Alex Shoor

Additional **Council** comments followed.

Public Speaker(s): David Vierra (eComment)

Assistant Director of Community Development Brilliot addressed public comment.

Planning Commission Chair Biagini provided closing remarks.

8:30 PM COUNCIL AND SPECIAL STADIUM AUTHORITY MEETING

Call to Order

Mayor/Chair Gillmor called the open session to order.

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Chahal recited the Statement of Values

Mayor/Chair Gillmor announced that **Council/Boardmember Watanabe** will be absent from the remainder of the meeting due to a death in her family.

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Park, to excuse Council/Boardmember Watanabe from the remainder of the meeting.

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

Absent: 1 - Council/Boardmember Watanabe

Roll Call

Present: 6 - Council/Boardmember Raj Chahal, Council/Boardmember Karen Hardy, Council/Boardmember Kevin Park, Vice Mayor/Chair Suds Jain, Council/Boardmember Anthony Becker, and Mayor/Chair Lisa M. Gillmor

Excused: 1 - Council/Boardmember Kathy Watanabe

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

Assistant City Clerk Pimentel also noted that any registered Lobbyist must identify themselves and whom they represent when speaking at a public meeting.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

Interim City Attorney Sanchez noted that there was no reportable action from Closed Session Items 1.A, 1.B, 1.C, 1.D, and 1.E.

Mayor Gillmor noted that there was no reportable action from Closed Session Item 1.F.

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

City Manager Batra requested Item 4.L be deferred to May 10, 2022.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to defer Item 4.L to May 10, 2022 Council and Authorities Concurrent Meeting.

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

Absent: 1 - Councilmember Watanabe

4.L 22-424 Action on a Resolution Authorizing the Use of City Electric Forces Along Magellan Avenue

Recommendation: Adopt a Resolution authorizing the use of City Electric Forces at various pole locations along Magellan Avenue.

City Manager Batra noted the following items are time sensitive and must be heard this evening: Items 4.G, 4.K, 4.M, 4.O, 5.B 1 & 2, 6 and 7.

City Manager Batra noted that there was a request to move Item 10 up after Consent Calendar.

Vice Mayor Jain requested to move Items 8 and 9 after Public Presentation.

SPECIAL ORDER OF BUSINESS

3. 22-507 Proclamation of Earth Day/Arbor Day

Mayor Gillmor proclaimed April 28, 2022 as Earth Day/Arbor Day in the City of Santa Clara.

Council comments followed.

CONSENT CALENDAR

Mayor Gillmor pulled Items 5.C 1 & 2 and noted for the record that she would abstain from Item 4.J due to a potential conflict interest as her office is in Franklin Square Mall.

Mayor Gillmor updated the public that due to the Emergency Water Drought declaration only allows that residents water their lawns 2 days a week instead of 3 (Item 4.M).

Mayor Gillmor registered a no vote on Item 5.D.

Councilmember Hardy abstained from Item 4.N due to a potential conflict of interest as her property is within 1,000 ft of subject property.

Vice Mayor Jain pulled Items 4.I, 4.J, and 4.Q.

Michelle Schmitz (public) requested to pull Item 4.E.

Assistant City Manager Bojorquez addressed public comments.

Assistant City Clerk Pimentel noted for the record that there were 93 e-comments received (96% in support and 4% opposed).

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve the balance of the Consent Calendar (except Items 4.E, 4.I, 4.J, 4.Q, and 5.C 1 & 2)

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

Absent: 1 - Councilmember Watanabe

4.A 22-450 Action on February 1, 2022 City Council Special Meeting Minutes

Recommendation: Approve the February 1, 2022 City Council Special Meeting Minutes.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

4.B 22-17 Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Cultural Commission - March 7, 2022
Board of Library Trustees - March 7, 2022
Youth Commission - March 8, 2022

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

4.C 22-410 Action on Monthly Financial Status and Investment Report for January 2022 and Approve the Related Budget Amendments

Recommendation: Note and file the Monthly Financial Status and Investment Reports for January 2022 as presented and Approve Related Budget Amendments in various funds requiring five affirmative votes and consistent with **City Charter Section 1305**, "*At any meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by the* ***affirmative votes of at least five members*** *so as to authorize the transfer of unused balances appropriated for one purpose to another purpose, or to appropriate available revenue not included in the budget,"* as noted for each individual item in Attachment 3.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

4.D 22-113 Action on an Agreement with Revel Environmental Manufacturing, Inc. for the Purchase and Installation of Full Trash Capture Catch Basin Inserts

Recommendation:
1. Authorize the City Manager's Office to execute an Agreement with Revel Environmental Manufacturing, Inc. for the purchase and installation of 470 full trash capture catch basin inserts for a one-year term, with maximum compensation not-to-exceed $301,000 (including a 10 percent contingency); and
2. Authorize the City Manager's Office to execute up to four one-year options to extend the term of the Agreement, subject to the appropriation of funds.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

4.F 22-238 Action on a Vesting Tentative Parcel Map for 2302 Calle Del Mundo

Recommendation: Adopt a resolution to approve the Vesting Tentative Parcel Map to create a single lot subdivision for one residential condominium unit and three commercial condominium units at the property located at 2302 Calle Del Mundo.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to adopt Resolution No. 22-9072 approving the Vesting Tentative Parcel Map to create a single lot subdivision for one residential condominium unit and three commercial condominium units at the property located at 2302 Calle Del Mundo.

4.G 22-34 Action on a Resolution Approving an Amendment to the Restated Water Supply Agreement (WSA) between the City and County of San Francisco and Wholesale Customers in Alameda County, San Mateo County and Santa Clara County to Allow a Minimum Purchase Transfer Among Wholesale Customers and a Transfer from the City of Mountain View to the City of East Palo Alto

Recommendation:
1. Approve the attached Resolution Approving an Amendment to the Restated Water Supply Agreement (WSA) between the City and County of San Francisco and Wholesale Customers in Alameda County, San Mateo County and Santa Clara County to Allow a Minimum Purchase Transfer; and
2. Approve the attached Resolution Approving a Minimum Purchase Transfer from the City of Mountain View to the City of East Palo Alto.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to 1) adopt Resolution No. 22-9073 approving an Amendment to the Restated Water Supply Agreement (WSA) between the City and County of San Francisco and Wholesale Customers in Alameda County, San Mateo County and Santa Clara County to Allow a Minimum Purchase Transfer and 2) adopt Resolution No. 22-9074 approving a Minimum Purchase Transfer from the City of Mountain View to the City of East Palo Alto.

4.H 22-442 Action on Amendment No. 1 to the Agreement with Gates and Associates Landscape Architecture, Inc. for Design Professional Services for the Westwood Oaks Playground Rehabilitation Project

Recommendation:

1. Approve and authorize the Office of the City Manager or designee to execute Amendment No. 1 to the Agreement for Design Professional Services with Gates and Associates Landscape Architecture, Inc. for the Westwood Oaks Playground Rehabilitation Project in the amount not-to-exceed $275,472; and
2. Authorize the Office of the City Manager or designee to make minor modifications to the agreement if needed.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

4.K 22-498 Action on a Resolution Authorizing the Use of City Electric Forces at Various Locations

Recommendation: Adopt a Resolution authorizing the use of City Electric Forces at 2233 Calle Del Mundo, 3401 Victor Street, 3580 La Rambla Place, Ryder Street east of Lawrence Expressway, 2300 Calle De Luna, 3350 Scott Boulevard, 3740 El Camino Real, 3201 Scott Boulevard, 2175 Martin Avenue, 2305 Mission College, 1313 Memorex Drive, 4200 Great America Parkway, and 1111 Comstock Avenue.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to adopt Resolution No. 22-9075 authorizing the use of City Electric Forces at 2233 Calle Del Mundo, 3401 Victor Street, 3580 La Rambla Place, Ryder Street east of Lawrence Expressway, 2300 Calle De Luna, 3350 Scott Boulevard, 3740 El Camino Real, 3201 Scott Boulevard, 2175 Martin Avenue, 2305 Mission College, 1313 Memorex Drive, 4200 Great America Parkway, and 1111 Comstock Avenue.

4.M 22-435 Action to amend Resolution 21-8989, “Proclamation of a Local Emergency Due to Extreme Drought Conditions in the City of Santa Clara” to Restrict Outdoor Watering to a Maximum of Two (2) Days per Week to Address the Severe Drought Emergency.

Recommendation: Alternative 1: Amend Resolution 21-8989 “Proclamation of a Local Emergency Due to Extreme Drought Conditions in the City of Santa Clara” to Restrict Outdoor Watering to a Maximum of Two (2) Days per Week to Address the Severe Drought Emergency.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to adopt Resolution No. 22-9077 amending Resolution No. 21-8989 “Proclamation of a Local Emergency Due to Extreme Drought Conditions in the City of Santa Clara” to Restrict Outdoor Watering to a Maximum of Two (2) Days per Week to Address the Severe Drought Emergency.

4.N 22-346 Action on Final Map for Tract 10566 at 3035 El Camino Real

Recommendation:
1. Approve Final Map for Tract 10566;
2. Authorize the Office of the City Manager and/or Designee to make minor modifications, if necessary, prior to recordation; and
3. Authorize the recordation of Final Map for Tract 10566, located at 3035 El Camino Real [APN 220-32-059 (2021-22)].

Councilmember Hardy abstained this item due to a potential conflict of interest as her property is within 1,000 ft.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to approve staff recommendation.

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

Excused: 1 - Councilmember Watanabe

Abstained: 1 - Councilmember Hardy

4.O 22-80 Action on Resolution Establishing the Political Campaign Voluntary Expenditure Limit and Campaign Contribution Limits for the November 8, 2022 Municipal Election

Recommendation: Adopt a Resolution establishing the Political Campaign Voluntary Expenditure Limit and Campaign Contribution Limit for the November 8, 2022 General Municipal Election with:
the voluntary expenditure limit set to $47,580 based on CPI adjustments for city-wide contests and sets a separate voluntary expenditure limit for district-based contests not to exceed $25,730 (with future adjustments based on CPI). City Council sets the individual campaign contributions based on CPI adjustments as:

- $650 for candidates who accept the voluntary expenditure limit
- $320 for candidates who do not accept the voluntary expenditure limit

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to adopt Resolution No. 22-9078 establishing the Political Campaign Voluntary Expenditure Limit and Campaign Contribution Limit for the November 8, 2022 General Municipal Election with: the voluntary expenditure limit set to $47,580 based on CPI adjustments for city-wide contests and sets a separate voluntary expenditure limit for district-based contests not to exceed$25,730 (with future adjustments based on CPI). City Council sets the individual campaign contributions based on CPI adjustments as: $650 for candidates who accept the voluntary expenditure limit and $320 for candidates who do not accept the voluntary expenditure limit.

4.P 22-179 Action on the Waiver of the First Reading and Introduction of an Ordinance Approving the Westwood Oaks Park Master Plan Update and Preferred Playground Schematic Design, in Accordance with City Charter Section 714.1

Recommendation: Waive first reading and introduce an ordinance approving the Westwood Oaks Park Master Plan Update and the preferred Playground Schematic Design in accordance with City Charter Section 714.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to pass to print Ordinance No. 2047, approving the Westwood Oaks Park Master Plan Update and the preferred Playground Schematic Design in accordance with City Charter Section 714.

4.R 22-537 Action to Approve Various Revisions to the As-Needed Salary Plan

Recommendation: Adopt a Resolution to approve revisions to the As-Needed Salary Plan for various classifications to satisfy the requirements of California Code of Regulations Section 570.5 effective May 1, 2022.

A motion was made by Councilmember Hardy, seconded by Councilmember Becker, to adopt Resolution No. 22-9079 approving revisions to the As-Needed Salary Plan for various classifications to satisfy the requirements of California Code of Regulations Section 570.5 effective May 1, 2022.

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

5.A 22-364 Action on Stadium Authority Bills and Claims for the Month of January 2022

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

A motion was made by Boardmember Hardy seconded by Boardmember Becker, to approve staff recommendation.

5.B 22-271 Action on the Santa Clara Stadium Authority Financial Status Report for Quarter Ending December 31, 2021 and Related Budget Amendment

Recommendation:
1. Note and file the Santa Clara Stadium Authority Financial Status Report for the Quarter Ending December 31, 2021;
2. Approve a budget amendment to include the Rope Rescue Gear Project in the Stadium Authority FY 2021/22 CapEx Budget in the amount of $27,054 from Stadium Authority Capital Expense Reserve;
3. Approve a budget amendment to include the Stadium Personal Protective Equipment Project in the Stadium Authority FY 2021/22 CapEx Budget in the amount of $14,886 from Stadium Authority Capital Expense Reserve; and
4. Approve a budget amendment to include the Public Safety Command Post Dispatch System Project in the Stadium Authority FY 2021/22 CapEx Budget in the amount of $85,000 from Stadium Authority Capital Expense Reserve.

A motion was made by Boardmember Hardy, seconded by Boardmember Becker, to approve staff recommendation.

5.D Action on Request Submitted by the Stadium Manager to Incur Charges for the June 15-18, 2022 Event and Arena Marketing Conference in Minneapolis, MN and Travel for the May 28-29 Grupo Firme Concerts at SoFi Stadium in Inglewood, CA

1. 22-509 Request from the Stadium Manager to Incur Charges for the June 15-18, 2022 Event and Arena Marketing Conference in Minneapolis, MN and Travel for the May 28-29 Grupo Firme Concerts at SoFi Stadium in Inglewood, CA

2. 22-510 Report from the Stadium Authority for Action on Request from the Stadium Manager to Incur Charges for the June 15-18, 2022 Event and Arena Marketing Conference in Minneapolis, MN and Travel for the May 28-29, 2022 Grupo Firme Concerts at SoFi Stadium in Inglewood, CA

Recommendation:

1. Approve the Stadium Manager's request to incur charges up to $4,800 for the June 15-18, 2022 Event and Arena Marketing Conference in Minneapolis, MN to cover registration fees, travel expenses, and potential client entertainment for one Stadium Manager employee; and
2. Approve the Stadium Manager's request to incur charges up to $2,900 to cover travel expenses and potential client entertainment, for two Stadium Manager employees to travel between May 28-30, 2022 for the May 28-29 Grupo Firme concerts at SoFi Stadium in Inglewood, CA.

A motion was made by Boardmember Hardy, seconded by Boardmember Becker, to approve staff recommendation.

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

Nay: 1 - Chair Gillmor

Excused: 1 - Boardmember Watanabe

10. 22-532 Action on a Written Petition (Council Policy 030) Submitted by Mary Grizzle on behalf of the Members of Reclaiming our Downtown are Requesting to Place an Agenda Item at a Future Council Meeting to Discuss and Vote on the Current Downtown Urban Planning Firm WRT to Study the following 4 Financial Benefits of Moving City Hall to a Location within the 8 Blocks of the Original Downtown (Lafayette Benton Monroe Homestead):
1. The financial benefits and construction savings of moving city hall to an 8+ story mixed-use (offices) building;
2. An updated and complete analysis of the advantages of selling the acreage used by city hall on its current location on Warburton;
3. The substantial increase in private investment after a city hall has been brought back to Downtown as evidenced by several other American cities studied by Reclaiming our Downtown;
4. Financial benefit of a “completed Downtown” to the tax revenue of Santa Clara

Recommendation: Staff makes no recommendation.

Mayor Gillmor recused herself from this item due to a potential conflict of interest as her office is in Franklin Square Mall.

Vice Mayor Jain recused himself from this item due to potential conflict of interest as he owns property near Franklin Square Mall.

Councilmember Hardy presided over this item.

Mary Grizzle gave a verbal presentation on her Written Petition.

Public Speaker(s): Dan Ondrasek
Connie Costa
Donna West (E-Mail)
Jim McNamee (E-Mail)
Jonathan Evans (E-Mail)
Frank Lemmon (eComment)

A motion was made by Councilmember Becker, seconded by Councilmember Park, to agendize the Written Petition (Council Policy 030) on a discussion and vote on the Current Downtown Urban Planning Firm WRT to Study the following 4 Financial Benefits of Moving City Hall to a Location within the 8 Blocks of the Original Downtown (Lafayette Benton Monroe Homestead): (1) the financial benefits and construction savings of moving city hall to an 8+ story mixed-use (offices) building; (2) an updated and complete analysis of the advantages of selling the acreage used by city hall on its current location on Warburton Avenue; (3) the substantial increase in

private investment after a city hall has been brought back to Downtown as evidence by several other American cities studied by Reclaiming our Downtown; and (4) financial benefit of a"completed Downtown" to the tax revenue of Santa Clara.

Aye: 4 - Councilmember Chahal, Councilmember Hardy, Councilmember Park, and Councilmember Becker

Excused: 1 - Councilmember Watanabe

Abstained: 2 - Vice Mayor Jain, and Mayor Gillmor

Council adjourned to a recess at 10:04 PM and reconvened the meeting at 10:06 PM.

PUBLIC PRESENTATIONS

Gary Ferraris expressed comments of concern regarding negotiations and compensation discussions with the City of Santa Clara and Unit No. 6 Local 101 AFSCME and encouraged Council to save the BMX Track.

Charles Allen expressed comments of concern regarding negotiations and compensation discussions with the City of Santa Clara and Unit No. 6 Local 101 AFSCME.

Cliff Myers expressed comments of concern regarding negotiations and compensation discussions with the City of Santa Clara and Unit No. 6 Local 101 AFSCME.

Sylvia Vasquez expressed comments of concern regarding negotiations and compensation discussions with the City of Santa Clara and Unit No. 6 Local 101 AFSCME.

Public Speaker expressed comments of concern regarding the treatment of Unit No. 6 Local 101 AFSCME employees.

Torrie Ferraris expressed comments of concern regarding the treatment of Unit No. 6 Local 101 AFSCME employees.

Public Speaker expressed comments in support for Unit No. 6 Local 101 AFSCME.

Mary Grizzle expressed comments in support for Unit No. 6 Local 101 AFSCME.

WRITTEN PETITION (COUNCIL POLICY 030) REQUESTS SUBMITTED BY THE PUBLIC/COUNCIL

8. 22-480 Action on a Response to a Written Request to Cover the Costs of City Services in Support of the Santa Clara Parade of Champions and the Cost of Facilitron Parking Fees

Recommendation: Staff makes no recommendation

Assistant City Manager Bojorquez gave a verbal report on the request to Cover the Costs of City Services in Support of the Santa Clara Parade of Champions and the Cost of Facilitron Parking Fees.

Ana Vargas-Smith (Written Petitioner) gave a Powerpoint presentation regarding Santa Clara Parade of Champions (Mike Walke and Nancy Biagini conceded their time to Ana).

Council comments and questions followed.

Ana Vargas-Smith addressed **Council** questions.

A motion was made by Councilmember Becker, seconded by Councilmember Hardy, to approve an in-kind contribution in an amount of up to $60,000 to support the cost of City services related to the 2022 Parade of Champions event.

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

Excused: 1 - Councilmember Watanabe

9. 22-531 Action on a Written Petition (Council Policy 030) Submitted by Nick Valencia Requesting to Place an Agenda Item at a Future Council Meeting to Discuss the future of the BMX track located on city property at 5451 Lafayette Street

Recommendation: Staff makes no recommendation.

Written Petitioner Nick Valencia provided comments on his request to discuss the future of the BMX track located on city property at 5451 Lafayette Street.

Council questions followed.

Assistant City Manager Bojorquez addressed the **Council** questions.

A motion was made by **Councilmember Becker**, seconded by **Councilmember Hardy,** to approve the written petition to return to Council within 90 days.

Public Speaker(s):

Sebastian Rodriguez	Adam Thompson
Mia Reyna	Zack Thompson
Ryder Poirier	Public Speakers (5)
Teresa Perez	Melanie Harris
Sherry Head	Anne Feng
Mike Walke	Kimberly Brown
Cassandra Caron	Pixel 4A
Jason Perkins	Leilani De La Cruz (E-Mail)
Justin Travis	Nisha Thomas
Ryan Polli	

Council comments and questions followed.

Assistant City Manager Bojorquez and **Mike Walke (Police Activities League - PAL Board)** addressed **Council** questions.

Councilmember Becker withdrew his motion.

A motion was made by **Vice Mayor Jain**, seconded by **Councilmember Becker**, to place the Written Petition on a future agenda within 30 days for an update and discussion and provide a report within 30 days (May 24, 2022) with a status of the audit, USA BMX willingness to work with PAL, whether Parks & Recreation Department take lease and operate the BMX track, and the status of the PayPal accounts.

Council comments followed.

A motion was made by Vice Mayor Jain, seconded by Councilmember Becker, to place the Written Petition on a future agenda within 30 days for an update and discussion and provide a report within 30 days (May 24, 2022) with a status of the audit, USA BMX willingness to work with PAL, whether Parks & Recreation Department can operate the BMX track, and the status of the PayPal accounts.

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

Excused: 1 - Councilmember Watanabe

PUBLIC HEARING/GENERAL BUSINESS

6. 22-302 Action on a Resolution Establishing the Average Per-Acre Land Values in order to set the Parkland In-Lieu Fees for FY2022/23 for New Residential Development

Recommendation: Adopt a Resolution to establish the Average Per-Acre Land Values in order to set the Parkland In-Lieu Fees for FY2022/23 for New Residential Development in accordance with Title 17 ("Development") Chapter 35 ("Park and Recreational Land") of the City Code using the December 31, 2021 land valuation report.

Director of Parks and Recreation Teixeira gave a Powerpoint presentation.

Council comments and questions followed.

Director of Parks and Recreation Teixeira addressed the **Council** questions.

Public Speaker(s): Elaine Breeze (Lobbyist)
Jeff Smith (Lobbyist)
Jimmy Park

Council comments and questions followed.

A motion was made by **Councilmember Chahal**, seconded by **Vice Mayor Jain**, to adopt a resolution to establish the Average Per-Acre Land Values in order to set the Parkland In-Lieu Fees for FY2022/23 for New Residential Development in accordance with Title 17 ("Development") Chapter 35 ("Park and Recreational Land") of the City Code using the December 31, 2021 land valuation report.

Councilmember Hardy requested a friendly amendment to parse out the fees to remain the same for one year for Patrick Henry Specific Plan Area.

Director of Parks and Recreation Teixeira and **Interim City Attorney Sanchez** addressed the **Council** questions and comments.

Councilmember Chahal and **Vice Mayor Jain** accepted the friendly amendment.

Council comments followed.

A motion was made by Councilmember Chahal, seconded by Vice Mayor Jain, to (1) adopt Resolution No. 22-9080 to establish the

Average Per-Acre Land Values in order to set the Parkland In-Lieu Fees for FY2022/23 for New Residential Development in accordance with Title 17 ("Development") Chapter 35 ("Park and Recreational Land") of the City Code using the December 31, 2021 land valuation report and (2) parse out Patrick Henry Specific Plan area at current value for one Fiscal year (July 1, 2022 thru June 30, 2023) and then value will increase after the one year.

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

Excused: 1 - Councilmember Watanabe

7. 22-99 Public Hearing: Action on the Adoption of the Proposed FY 2022/23 Municipal Fee Schedule and Parks & Recreation Cost Recovery Policy

Recommendation: Alternative 1 and 2:

1. Adopt a resolution for the "City of Santa Clara 2022/23 Municipal Fee Schedule" which (1) sets new fees, rates and charges (collectively "fees"); (2) amends existing fees; (3) deletes certain fees; and (4) retains unchanged fees for various City departments effective on July 1, 2022; and
2. Adopt a resolution approving the Parks & Recreation Cost Recovery Policy used to set fees for the Parks and Recreation Department.

Director of Finance Lee gave a Powerpoint presentation on the User and Regulatory Fee Update and Parks and Recreation Cost Recovery Policy.

Council comments and questions followed.

Director of Parks and Recreation Teixeira addressed **Council** questions.

Public Speaker(s): Elaine Breeze

Director of Parks and Recreation Teixeira addressed **public** questions.

Council comments and questions followed.

Director of Parks and Recreation Teixeira addressed **Council** questions.

A motion was made by Councilmember Hardy, seconded by Councilmember Chahal, to close the Public Hearing.

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

Excused: 1 - Councilmember Watanabe

A motion was made by Councilmember Hardy, seconded by Councilmember Park, to approve Alternative 1 and 2: 1- adopt Resolution No. 22-9081 for the "City of Santa Clara 2022/23 Municipal Fee Schedule" which (1) sets new fees, rates and charges (collectively "fees"); (2) amends existing fees; (3) deletes certain fees;and (4) retains unchanged fees for various City departments effective on July 1, 2022; 2 - adopt Resolution No. 22-9082 approving the Parks & Recreation Cost Recovery Policy used to set fees for the Parks and Recreation Department; and with the exceptions to leave the current fees in place for the Patrick Henry Specific Plan Area set at the 2020 land value and 2017 75% improvement value for one fiscal year.

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

Excused: 1 - Councilmember Watanabe

CONSENT ITEMS PULLED FOR DISCUSSION

4.E 22-225 Action on an Agreement Between the Santa Clara Unified School District and the City of Santa Clara Pertaining to the Operation, Maintenance and Improvement for Public Recreational Purposes of Buildings and Open Space Areas at Cabrillo Middle School

Recommendation: Authorize the City Manager to negotiate and execute an Agreement Between the Santa Clara Unified School District (SCUSD) and the City of Santa Clara Pertaining to the Operation, Maintenance and Improvement for Public Recreational Purposes of Buildings and Open Space Areas located at Cabrillo Middle School and to make minor amendments as needed.

Michelle (Public) pulled this item for further clarification.

Director of Parks and Recreation Teixeira gave a verbal report.

Council comments and questions followed.

Assistant City Clerk Pimentel addressed **Council** questions.

A motion was made by Councilmember Chahal, seconded by Councilmember Becker, to authorize the City Manager to negotiate and execute an Agreement Between the Santa Clara Unified School District (SCUSD) and the City of Santa Clara Pertaining to the Operation, Maintenance and Improvement for Public Recreational Purposes of Buildings and Open Space Areas located at Cabrillo Middle School and to make minor amendments as needed.

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

Excused: 1 - Councilmember Watanabe

4.I 22-226 Adoption of a Resolution of Intention for Santa Clara Convention Center Complex - Maintenance District No. 183

Recommendation: 1. Adopt a Resolution of Intention to order that the alternative method for the levy of benefit assessment be made applicable to the Santa Clara Convention Center Complex Maintenance District No. 183;
2. Set a hearing date of June 7, 2022 to approve the Director's Report FY 2022/23; and
3. Authorize the publication, mailing, and posting of the Notice of Public Hearing as stated in the Resolution of Intention.

Vice Mayor Jain pulled this item for further clarification.

City Manager Batra addressed **Council** questions.

A motion was made by Vice Mayor Jain, seconded by Councilmember Becker, to (1) adopt Resolution No. 22-9083 of Intention to order that the alternative method for the levy of benefit assessment be made applicable to the Santa Clara Convention Center Complex Maintenance District No. 183; (2) set a hearing date of June 7, 2022 to approve the Director's Report FY 2022/23; and (3) authorize the publication, mailing, and posting of the Notice of Public Hearing as stated in the Resolution of Intention.

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

Excused: 1 - Councilmember Watanabe

4.J 22-223 Adoption of a Resolution of Intention for Parking Maintenance District No. 122 - Franklin Square

Recommendation:
1. Adopt a Resolution of Intention to order that the alternative method for the levy of benefit assessment be made applicable to the City of Santa Clara Parking Maintenance District No. 122;
2. Set a hearing date of June 7, 2022 to approve the Director's Report FY 2022/23; and
3. Authorize the publication, mailing, and posting of the Notice of Public Hearing as stated in the Resolution of Intention.

Mayor Gillmor recused herself from this item due to her office being in Franklin Square Mall and left the dais at 12:55 AM.

Vice Mayor Jain presided over this item.

Vice Mayor Jain pulled this item for further clarification and provided a verbal report.

Council comments and questions followed.

Interim City Attorney Sanchez addressed **Council** comments.

A motion was made by **Councilmember Jain**, seconded by **Councilmember Hardy**, to deny staff recommendation and direct staff to return at a future meeting for consideration of dissolution.

Deputy Director of Public Works Staub and **Assistant City Manager Pineda** addressed **Council** comments and questions.

Council comments and questions followed.

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

Council comments followed.

Councilmember Jain revised his motion, seconded by **Councilmember Hardy**, to (1) adopt a Resolution of Intention to order that the alternative method for the levy of benefit assessment be made applicable to the City of Santa Clara Parking Maintenance District No. 122; (2) Set a hearing date of June 7, 2022 to approve the Director's Report FY 2022/23; and (3) authorize the publication, mailing, and posting of the Notice of Public Hearing as stated in the Resolution of Intention; and direct staff to return at a future meeting for consideration of dissolution.

Council comments and questions followed.

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

Vice Mayor Jain withdrew his motion.

A motion was then made by Councilmember Park, seconded by Councilmember Chahal, to (1) adopt Resolution No. 22-9084 of Intention to order that the alternative method for the levy of benefit assessment be made applicable to the City of Santa Clara Parking Maintenance District No. 122; (2) Set a hearing date of June 7, 2022 to approve the Director's Report FY 2022/23; and (3) authorize the publication, mailing, and posting of the Notice of Public Hearing as stated in the Resolution of Intention; and (4) direct staff to return within 60 days detailing how to recover costs or other methods to enhance revenue for the City from the properties.

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

Excused: 1 - Councilmember Watanabe

Abstained: 1 - Mayor Gillmor

Mayor Gillmor returned to the dais and presided over the remainder of the meeting.

4.Q 22-65 Action on 2022 Legislative Advocacy Positions

Recommendation: Alternative 1: Adopt the 2022 Legislative Advocacy Positions on Broadband, Cable Services, and Wireless Telecommunications Facilities; COVID-19 Legislation; Energy Legislation, Regulations and Issues; Housing; Human Resources and Public Sector Employment; Public Safety; Regional Issues and Collaboration; Sustainability and Environmental Protection; Transportation Issues; and Water Supply and Conservation.

A motion was made by Councilmember Becker, seconded by Councilmember Park, to defer this item to the next Council and Authorities Concurrent meeting.

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

Excused: 1 - Councilmember Watanabe

5.C Action on Request Submitted by Stadium Manager to Execute Agreements Execute Second Amendment to Agreement with Bear Electrical Solutions Inc., for Levi's Naming Rights Existing Signage Lighting and Driver Repair CapEx Project and Agreements with HY Floor and Gameline Painting, Inc. for Club Space Flooring CapEx Project and Bear Insulation, Inc. for Stadium Insulation CapEx Project and Approve Related Budget Amendment

A motion was made by Boardmember Becker, seconded by Boardmember Park, to defer this item to the next Council and Authorities Concurrent meeting.

Aye: 6 - Boardmember Chahal, Boardmember Hardy, Boardmember Park, Vice Chair Jain, Boardmember Becker, and Chair Gillmor

Excused: 1 - Boardmember Watanabe

1. 22-484 Request from Stadium Manager to Execute Agreements Execute Second Amendment to Agreement with Bear Electrical Solutions Inc., for Levi's Naming Rights Existing Signage Lighting and Driver Repair CapEx Project and Agreements with HY Floor and Gameline Painting, Inc. for Club Space Flooring CapEx Project and Bear Insulation, Inc. for Stadium Insulation CapEx Project and Approve Related Budget Amendment

2. 22-485 Report from the Stadium Authority for Action Regarding Stadium Manager's Request to Execute Second Amendment to Agreement with Bear Electrical Solutions, Inc. for Levi's Naming Rights Existing Signage Lighting and Driver Repair CapEx Project and Agreements with HY Floor and Gameline Painting, Inc. for Club Space Flooring CapEx Project and Bear Insulation, Inc. for Stadium Insulation CapEx Project and Approve Related Budget Amendment

Recommendation:

1. Approve the Stadium Manager's request to execute an Amendment No. 2 to the agreement with Bear Electrical Solutions, Inc. to increase the not to exceed amount from $250,000 to $670,000 for the second year of the agreement term to cover the cost of the interim repairs (for a total not to exceed amount of $1.42 million over the initial three-year term), subject to budget appropriations for every contract year, and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager;
2. Approve the Stadium Manager's request to execute a one-time agreement with HY Floor and Gameline Painting, Inc. for refinishing engineered hardwood flooring surfaces in both BNY Mellon East Club and BNY West Club at Levi's Stadium (Club Space Flooring CapEx Project) in the amount of $48,300; authorize the Executive Director to approve the execution of any and all documents associated with, and necessary for the award, completion, and acceptance of the project; authorize the Executive Director to approve the execution of change orders up to approximately 10% of the contract cost, or $4,830, for a total not to exceed amount of $53,130; and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager;
3. Approve a budget amendment to include the Stadium Insulation CapEx Project in the Stadium Authority FY 2022/23 CapEx Budget in the amount of $517,500 from Stadium Authority Capital Expense Reserve; and
4. Approve the Stadium Manager's request to execute a one-time agreement with Bear Insulation, Inc. to furnish and install new insulation sheeting at Levi's Stadium (Stadium Insulation CapEx Project) in the amount of $505,023; authorize the Executive Director to approve the execution of any and all documents associated with, and necessary for the award, completion, and acceptance of the project; authorize the Executive Director to approve the execution of change orders up to $12,477, for a total not to exceed amount of $517,500; and authorize the Executive Director to approve and process the reimbursement of such costs upon receiving final invoices and supporting documentation from the Stadium Manager.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Deferred to next Council and Authorities Concurrent Meeting.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

Public Presentations

Victor Ojakian expressed comments urging the City of Santa Clara to adopt a Suicide Prevention Program.

22-634 Public Presentations Post Meeting Material

ADJOURNMENT

The meeting was adjourned at 1:35 AM in memory of **Kenneth J. Carolan (beloved Brother of Councilmember Kathy Watanabe).**

A motion was made by Council/Boardmember Park, seconded by Council/Boardmember Becker, to adjourn the meeting.

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

Excused: 1 - Council/Boardmember Watanabe

22-602 Adjournment of the April 19, 2022 City Council and Special Stadium Authority Meeting Post Meeting Material

The next regular scheduled meeting is on Tuesday, May 10, 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.

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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.