Draft

City of Santa Clara

Meeting Minutes

Council and Authorities Concurrent &

Special Stadium Authority

11/01/2022 **4:00 PM** **Hybrid Meeting**
City Hall Council Chambers/Virtual
1500 Warburton Avenue
Santa Clara, CA 95050

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

• Via Zoom:

o https://santaclaraca.zoom.us/j/99706759306

Meeting ID: 997-0675-9306 or

o Phone: 1(669) 900-6833
• Via the City's eComment

As always, the public may view the meetings on SantaClaraCA.gov, Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City's YouTube channel or Facebook page.

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 calls for a Special Meeting of the Governing Board of the Stadium Authority, to commence and convene on November 1, 2022, at 4:00 pm for a Special Meeting to be held virtually and in the City Hall Council Chambers located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California, to consider the following matter(s) and to potentially take action with respect to them.

Closed Session - 4:00 PM | Study Session - 6:00 PM | Regular Meeting - 7:00 PM

4:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Mayor Gillmor called the meeting to order at 4:02 PM.

Roll Call

Councilmember Becker arrived at 4:36 PM.

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

22-1431 Moment of Silence - November 1, 2022 Council Meeting Post Meeting Material

1.A 22-1352 Public Employee Appointment (Government Code §§ 54957, 54954.5, subd. (e))
Title: City Attorney

1.B 22-1353 Public Employment Appointment (Government Code §§ 54957, subd. (b)(1) and 54954.5, subd. (e))
Title: City Manager

1.C 22-1269 Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
Cole v. City of Santa Clara, Workers Compensation Appeals Board Case Numbers ADJ11008641, ADJ7825501, ADJ9489229, ADJ7824961, ADJ11492695, ADJ2074466, ADJ4506124, ADJ9481064, ADJ1772651

1.D 22-1324 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)(2) - Allegation, known to potential plaintiffs, that certain trees caused damage to sound wall adjacent to private property located at southwest corner of Pruneridge Avenue and San Tomas Expressway

Public Comment

Public Comment was received by a speaker.

Convene to Closed Session (Council Conference Room)

The Council went into Closed Session at 4:07 PM and reconvened to Open Session at 6:00 PM.

6:00 PM STUDY SESSION

Call to Order in the Council Chambers

The Study Session was called to order at 6:04 PM.

2. 22-1155 Real Estate and Morse Mansion Study Session

Recommendation: Provide Feedback on Possible Future Options for Morse Mansion

Mayor Gillmor recused herself due to a potential conflict of interest as she owns property within 1,000 feet of the Morse Mansion and left the dais at 6:04 PM. **Vice Mayor Jain** presided over the Study Session.

Assistant City Manager Pineda gave a Powerpoint presentation.

Councilmember Park left the dais at 6:15 PM and returned at 6:51 PM.

Council comments and questions followed.

Public Speaker(s):
Patricia Leung
Public Speaker (2)
Mario Bouza
Kathleen Romano
Nancy Biagini

By consensus, the Council requested that staff look into Option 3: Maintain Morse Mansion for City Use and return to Council with an update in spring 2023.

Vice Mayor Jain adjourned the Study Session at 7:05 PM and went into a five minute recess.

7:00 PM COUNCIL REGULAR/SPECIAL STADIUM AUTHORITY MEETING

The Council Regular/Special Stadium Authority reconvened at 7:13 PM.

Call to Order

Mayor/Chair Gillmor called the meeting to order at 7:13 PM.

Pledge of Allegiance and Statement of Values

Council/Board recited the Pledge of Allegiance.

Council/Boardmember Chahal recited the Statement of Values.

Assistant City Clerk/Secretary Pimentel conducted the roll call again due to technical issues on Zoom and noted that all Council/Boardmembers were present.

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 Public Meeting will need to identify themselves and whom they represent.

Mayor/Chair Gillmor called for a moment of silence to offer condolences to the victims of the crowd surge that occurred in Seoul, South Korea on October 29 as well as the victims of the bridge collapse in Morbi, India that occurred on October 30.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

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

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

Mayor/Chair Gillmor move Agenda Item #11 up to be heard after the Consent Calendar.

Written Petitioner Shprese Head requested that Agenda Item #13 be moved up and the request was granted.

City Manager Batra noted that Agenda Item #4.F will deferred to a future meeting date.

SPECIAL ORDER OF BUSINESS

3.A 22-833 Proclaim November 2022 as Sikh Awareness and Appreciation Month

Mayor/Chair Gillmor recognized and proclaimed November 2022 as Sikh Awareness and Appreciation Month and **Hapreet Singh Kohli and Silicon Valley Gudwara** accepted the Proclamation.

Council comments followed.

3.B 22-1325 Proclaim November 2022 as National Native American Heritage Month

Mayor Gillmor recognized and proclaimed November 2022 as National Native American Heritage Month.

Gloria E. Gomez, Former Tribal Councilwoman, provided remarks and accepted the Proclamation.

Council comments followed.

CONSENT CALENDAR

Vice Mayor/Chair Jain pulled Agenda Items #5.A and #5.C off the Consent Calendar for discussion.

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Park, to adopt the Consent Calendar (except Items 4.F, 5.A, and 5.B).

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

4.A 22-30 Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Youth Commission - September 13, 2022
Historical and Landmarks Commission - September 1, 2022
Bicycle and Pedestrian Advisory Committee - June 27, 2022
Parks & Recreation Commission - September 20, 2022
Senior Advisory Commission - September 26, 2022

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Park, to approve staff recommendation.

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

4.B 22-1192 Action on Bills and Claims Report (CC, HA) for the period September 3, 2022 - September 30, 2022

Recommendation: Approve the list of Bills and Claims for September 3, 2022 - September 30, 2022.

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Park, to approve staff recommendation.

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

4.C 22-1199 Action to Approve the FY 2022/23 California Library Literacy Services (CLLS) Grants for the Library Department's Read Santa Clara Program and Related Budget Amendments

Recommendation: 1. Accept the total California Library Literacy Services grant award of $147,266 for the Read Santa Clara program;
2. Approve the FY 2022/23 budget amendments in the Library Operating Grant Trust Fund to recognize the total grant revenue of $147,266 and increase the FY 2022/23 appropriation by $147,266 **(five affirmative Council votes required to appropriate additional revenue)**.

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Park, to approve staff recommendation.

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

4.D 22-0080 Action on a Resolution Authorizing the Use of City Electric Forces at Various Locations

Recommendation: Determine the proposed actions are exempt from CEQA and adopt a Resolution authorizing the use of City Electric Forces for work detailed in this report located at 2590 Walsh Avenue, Agnew Road and Bassett Street, 3595 MacGregor Lane, 3050 Tasman Drive, 909 Kiely Boulevard, 1834 Worthington Circle, 3379 - 3425 El Camino Real, 2378 Lass Drive, 2760 Homestead Road, and 3401 De La Cruz Boulevard.

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Park, to adopt Resolution No. 22-9149, authorizing the use of City Electric Forces for work detailed in this report located at 2590 Walsh Avenue, Agnew Road and Bassett Street, 3595 MacGregor Lane, 3050 Tasman Drive, 909 Kiely Boulevard, 1834 Worthington Circle, 3379 - 3425 El Camino Real, 2378 Lass Drive, 2760 Homestead Road, and 3401 De La Cruz Boulevard.

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

4.E 22-170 Authorize the City Manager to Negotiate and Execute an Amendment to the Agreement between the City of Santa Clara and Delta Star, Inc., to Upgrade Transformers at the Juliette Substation, and Related Budget Amendment

Recommendation:

1. Authorize the City Manager to negotiate and execute an Amendment to the Agreement for services between the City of Santa Clara and Delta Star, Inc. to increase maximum compensation by $1,922,420 for a total maximum compensation of $2,000,000;
2. Authorize the City Manager to negotiate and execute amendments with Delta Star, Inc. for transformer equipment and services at various substations, increase total maximum compensation by up to an additional $2,000,000 for a revised maximum compensation up to $4,000,000 over a five-year period ending on June 30, 2027 and subject to the appropriation of funds; and
3. Approve the FY 2022/23 budget amendment in the Electric Utility Capital Fund to increase the estimate for Other Revenue in the amount of $1,172,500 and the Juliette Substation Transformer Rerate and Installation Project in the same amount **(five affirmative Council votes required to appropriate additional revenue)**.

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Park, to approve staff recommendation.

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

4.F 22-882 Action authorizing the City Manager to Negotiate and Execute an Amendment to the City's Loan Agreement with Monroe Street Housing Partners, L.P by an Increased Amount Not to Exceed $3.0 Million to Upgrade Approximately 1,860 Lineal Feet of Water Main to Support the Construction of a Residential Affordable Housing Project at 2330 Monroe Street and Related Budget Amendment

Recommendation: 1. Adopt a resolution, Attachment 3, authorizing the City Manager to negotiate and execute an amendment to the City's loan agreement with Monroe Street Housing Partners, L.P by an increased amount not to exceed $3.0 million to support the construction of a Residential Affordable Housing Project at 2330 Monroe Street; to make modifications to the Loan Agreement and attachments consistent with the Term Sheet and as reviewed by the City Attorney for form and consistency; to execute all documents necessary to implement the Loan Agreement and close escrow; and
2. Approve the FY 2022/23 budget amendment in the City Affordable Housing Fund to appropriate $3.0 million to the Monroe Water Main Upgrade and reduce the unrestricted ending fund balance (**five affirmative Council votes required for the use of unused balances**).

This item was deferred to a future Council and Authorities Concurrent meeting.

4.G 22-1251 Action on Removal of Commissioner Jennifer Garcia-Vega from the Cultural Commission and Declare a Vacancy

Recommendation: Action on Removal of Commissioner Jennifer Garcia-Vega from the Cultural Commission and Declare a Vacancy.

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Park, to approve staff recommendation.

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

4.H 22-1309 Authorize the City Manager to execute the 2023-2025 Memorandum of Understanding Between the City of Santa Clara and the Unclassified Fire Management Employees ("Unit 9B") that incorporates the terms of the Tentative Agreement and Related Budget Amendment

Recommendation:

1. Authorize the City Manager to execute the 2023-2025 Memorandum of Understanding Between the City of Santa Clara and the Unclassified Fire Management Employees ("Unit 9B") that incorporates the terms of the Tentative Agreement.
2. Approve the related FY 2022/23 budget amendment in the General Fund to increase the Fire Department budget by $143,000 and decrease the Land Sale Reserve by $143,000 (**five affirmative votes required for the use of unused fund balances**).

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Park, to approve staff recommendation.

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

4.I 22-1311 Authorize the City Manager to execute the 2021-2025 Memorandum of Understanding Between the City of Santa Clara and the Public Safety Non-Sworn Employees Association ("Unit 10") that incorporates the terms of the Mediated Tentative Agreement and Related Budget Amendment

Recommendation:

1. Authorize the City Manager to execute the 2021-2025 Memorandum of Understanding Between the City of Santa Clara and the Public Safety Non-Sworn Employees Association ("Unit 10") that incorporates the terms of the Mediated Tentative Agreement.
2. Approve the related FY 2022/23 budget amendment in the General Fund to increase the Fire Department budget by $34,000, increase the Police Department budget by $446,000, and decrease the Land Sale Reserve by $480,000 (**five affirmative votes required for the use of unused balances).**

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Park, to approve staff recommendation.

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

4.J 22-1341 Action on a Resolution Extending AB 361 Implementation to Allow City Legislative Bodies to Hold Public Meetings Solely by Teleconference or Otherwise Electronically During the Governor's Proclaimed COVID State of Emergency

Recommendation: Adopt a Resolution finding the existence of the need to extend AB 361 implementation to allow the City's legislative bodies to hold public meetings solely by teleconference or otherwise electronically pursuant to AB 361.

A motion was made by Council/Boardmember Becker, seconded by Council/Boardmember Park, to adopt Resolution No. 22-9150 finding the existence of the need to extend AB 361 implementation to allow the City's legislative bodies to hold public meetings solely by teleconference or otherwise electronically pursuant to AB 361.

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

SANTA CLARA STADIUM AUTHORITY CONSENT CALENDAR

5.B 22-1253 Action on Amendments to Agreements for the Financial Management System for the Stadium Authority

Recommendation:

1. Authorize the Stadium Authority Executive Director to execute Amendment No. 1 to the Agreement with Armanino, LLP for implementation and support services for the Stadium's Financial Management System, to extend the term of the agreement to October 31, 2025 and increase compensation by $75,978 for a revised not to exceed amount of $274,438, and to execute future amendments as may be required to add/delete support services during the term of the agreement, subject to the appropriation of funds; and
2. Authorize the Stadium Authority Executive Director to execute Amendment No. 1 to the Agreement with InTWO, Inc. for Microsoft Dynamics Great Plains software subscription and cloud/hosting services, to increase the one-time setup fee to $5,969 and annual fee to $56,532, and to execute future service orders and/or amendments to add/delete software services and extend the term for as long as the system is used by the Stadium Authority, subject to the appropriation of funds.

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

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

PUBLIC HEARING/GENERAL BUSINESS

11. 22-1256 Action on a Written Petition (030) Related to the Possibility of Acquiring 1601 Civic Center Drive for the Purpose of Establishing a City Park

Recommendation: Note and file report.

Assistant City Manager Bojorquez provided a presentation.

Council comments and questions followed.

Parks and Recreation Director Texiera and Assistant City Manager Bojorquez responded to Council questions.

Public Speaker(s):

Morteza	Kirk Vartan
Keyhan Sinai	Phil
Jean Song	Reshma Kotwal
Jamie	Brenda Collins
Sunil R.	Tahir Naim Wesley
Sabina	Mukoyama
Sundar	Cy
Simon	Harshad
Deepa	Public Speaker (1)
Linda K.	

Council comments and questions followed.

A motion was made by Councilmember Hardy, seconded by Vice Mayor Jain, to accept staff recommendation. The motion failed.

Aye: 2 - Councilmember Hardy, and Vice Mayor Jain

Nay: 5 - Councilmember Watanabe, Councilmember Chahal, Councilmember Park, Councilmember Becker, and Mayor Gillmor

By consensus, the Council agreed to discuss options in Closed Session.

13. 22-1344 Action on a Written Petition (Council Policy 030), Submitted by Shprese Head Requesting to Place an Agenda Item on a Future Council Meeting for Council to Discuss what the City of Santa Clara is doing to help get BMX riders back to Racing under USA BMX Sanction

Recommendation: Staff makes no recommendation.

Written Petitioner Shprese Head provided comments on her written petition requesting Council to discuss what the City is doing to help get BMX riders back to racing under USA BMX Sanction.

Assistant City Manager Bojorquez responded and stated this item is scheduled to be considered at the December 6 Council meeting.

Mayor Gillmor called for a recess at 9:44 PM.

Mayor Gillmor reconvened the meeting at 9:58 PM with all Councilmembers present.

PUBLIC PRESENTATIONS

Kirk Vartan provided comments on the amount of money being spent on campaigning for the November 8, 2022 election.

Lori Garmany provided comments on Kirk Vartan's presentation.

6. 22-1101 Public Hearing: Action to Waive Second Reading and Adopt Ordinance No. 2053 Amending Title 15 (“Buildings and Construction”) of “The Code of the City of Santa Clara, California” for the Adoption of the 2022 California Building Standards Code, with local amendments

Recommendation: Waive Second Reading and Adopt Ordinance No. 2053 Amending Title 15 (“Buildings and Construction”) of “The Code of the City of Santa Clara, California” for the Adoption of the 2022 California Building Standards Code, with local amendments.

Community Development Director Crabtree responded to **Council** questions and comments.

A motion was made by Councilmember Becker, seconded by Councilmember Watanabe, to close the Public Hearing.

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

A motion was made by Councilmember Park, seconded by Councilmember Becker, to waive second reading and adopt Ordinance No. 2053 amending Title 15 ("Buildings and Construction") of "The Code of the City of Santa Clara, California" for the adoption of the 2022 California Building Standards Code, with local amendments.

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

7. 22-1021 Public Hearing: Action to Waive Second Reading and Adopt Ordinance No. 2054 Amending Chapter 15.60 of the Santa Clara City Code ("Santa Clara Municipal Fire and Environmental Code") to Adopt the 2022 California Fire Code, as Amended

Recommendation: Waive Second Reading and Adopt Ordinance No. 2054 amending Chapter 15.60 of the Santa Clara City Code ("Santa Clara Municipal Fire and Environmental Code") to adopt the 2022 California Fire Code, as amended.

A motion was made by Councilmember Becker, seconded by Councilmember Park, to close the Public Hearing.

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

A motion was made by Councilmember Becker, seconded by Councilmember Chahal, to waive second reading and adopt Ordinance No. 2054 amending Chapter 15.60 of the Santa Clara City Code ("Santa Clara Municipal Fire and Environmental Code") to adopt the 2022 California Fire Code, as amended.

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

8. 22-1346 Public Hearing: Action to Waive Second Reading and Adopt Ordinance No. 2056 updating the 2021 Reach Code of Santa Clara to Conform to the 2022 California Building Standards Code

Recommendation: Waive Second Reading and Adopt Ordinance No. 2056 updating the 2021 Reach Code of Santa Clara to Conform to the 2022 California Building Standards Code

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

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

A motion was made by Councilmember Becker, seconded by Vice Mayor Jain, to waive second reading and adopt Ordinance No. 2056 updating the 2021 Reach Code of Santa Clara to conform to the 2022 California Building Standards Code.

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

9. 22-1124 Public Hearing: Action to Accept the 2022 Report on the City's Water Quality Relative to Public Health Goals

Recommendation: Accept the 2022 Report on the City's Water Quality Relative to Public Health Goals.

Water and Sewer Director Welling gave a Powerpoint presentation.

Council comments and questions followed.

A motion was made by Councilmember Becker, seconded by Councilmember Watanabe, to close the Public Hearing.

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

A motion was made by Councilmember Hardy, seconded by Vice Mayor Jain, to adopt staff recommendation.

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

10. 22-150 Receive Silicon Valley Power Quarterly Update

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

Chief Electric Utility Officer Pineda provided a presentation.

Council comments and questions followed and **Chief Electric Utility Officer Pineda** provided a response.

A motion was made by Councilmember Becker, seconded by Vice Mayor Jain, to adopt staff recommendation.

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

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

12. 22-1340 Action on a Written Petition (Council Policy 030), Submitted by Kirk Vartan Requesting to Place an Agenda Item on a Future Council Meeting for Council to Discuss the New Parking Permit Ordinance and Rules

Recommendation: Staff makes no recommendation.

Written Petitioner Kirk Vartan provided comments on his Written Petition to discuss the New Parking Permit Ordinance and Rules.

City Manager Batra responded that a report will come to a future Council and Authorities Concurrent meeting to address this issue at a future City Council meeting.

Council comments followed.

14. 22-1348 Action on a Written Petition (Council Policy 030), Submitted by Lori Garmany Requesting to Place an Agenda Item on a Future Council Meeting for Council to Consider the Censure of Mayor Lisa Gillmor for the Leaking of Confidential Closed Session Settlement Information to the Press as well as Writing a Letter to Governor Newson

Recommendation: Staff makes no recommendation.

Lori Garmany presented her Written Petition.

Public Speaker(s):
Kirk Vartan
Lee Broughman
Name Voter Not Required

A motion was made by Vice Mayor Jain, seconded by Councilmember Park, to agendize the written petition request to a future meeting.

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

Nay: 2 - Councilmember Watanabe, and Mayor Gillmor

Mayor Gillmor called the meeting to recess at 9:44 PM and reconvened at 9:54 PM with all Councilmembers present.

CONSENT ITEMS PULLED FOR DISCUSSION

5.A 22-1084 Action on the Stadium Authority Financial Status Report for the Quarter and Fiscal Year Ending March 31, 2022 and Related Budget Amendments

Recommendation:

1. Note and file the Santa Clara Stadium Authority Financial Status Report for the Quarter and Fiscal Year Ending March 31, 2022;
2. Approve various FY 2021/22 Santa Clara Stadium Authority budget amendments based on actual year-end performance in the Operating Fund from reserves and recognizing additional fee revenues; and
3. Approve various FY 2021/22 Santa Clara Stadium Authority budget amendments based on actual year-end performance in the Debt Service Fund from Debt Service Reserve.

Vice Chair Jain pulled this item for clarification

Treasurer Lee responded to council questions.

Board comments and questions followed.

Public Speaker(s):
Name voter Not
Lori Garmany

A motion was made by Vice Chair Jain, seconded by Boardmember Park, to approve staff's recommendation . The motion carried by the following vote:

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

5.C 22-1090 Report on the Audited Santa Clara Stadium Authority Fiscal Year 2021/22 Annual Financial Statements

Recommendation: Note and file the Santa Clara Stadium Authority Fiscal Year 2021/22 Annual Financial Statements.

Vice Chair Jain pulled item 5.C for questions and clarification.

Treasurer Lee responded to Vice Chair Jain's questions.

Public Speaker(s)
Name Voter Not Required

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

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

22-1430 Adjournment of the November 1, 2022 City Council and Special Stadium Authority Meeting Post Meeting Material

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Councilmember Hardy reported that water restrictions due to the drought are still in force.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

City Manager Batra stated there was nothing to report.

22-904 Update on City Council and Stadium Authority Staff Referrals

22-1354 Tentative Meeting Agenda Calendar (TMAC)

ADJOURN INTO CLOSED SESSION (Council Conference Room)

The Open Session meeting was adjourned in memory of Santa Clara resident John D. Chavez.

A motion was made by Councilmember Park, seconded by Councilmember Chahal, to adjourn the Open Session at 12:17 AM and reconvene to Closed Session.

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

15. 22-1315 Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8
Property: 1601 Civic Center Drive, Santa Clara, CA 95050; APN: 224-49-006
City/Authority Negotiator: Rajeev Batra, City Manager (or designee)
Negotiating Parties: Charities Housing, Kathy Robinson
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday, November 15, 2022 in the City Hall Council Chambers.

MEETING DISCLOSURES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

AB23 ANNOUNCEMENT: Members of the Santa Clara Stadium Authority, Sports and Open Space Authority and Housing Authority are entitled to receive $30 for each attended meeting.

Note: The City Council and its associated Authorities meet as separate agencies but in a concurrent manner. Actions taken should be considered actions of only the identified policy body.

LEGEND: City Council (CC); Stadium Authority (SA); Sports and Open Space Authority (SOSA); Housing Authority (HA); Successor Agency to the City of Santa Clara Redevelopment Agency (SARDA); Bayshore North Project Enhancement Authority (BNPEA); Public Facilities Financing Corporation (PFFC)

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <mailto:clerk@santaclaraca.gov> or at the public information desk at any City of Santa Clara public library.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.