

City of Santa Clara

Joint Meeting Agenda of the City Council and Authorities Concurrent & Santa Clara Stadium Authority Board



Tuesday, June 4, 2024

5:00 PM

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

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

- Via Zoom:
 - o <https://santaclaraca.zoom.us/j/99706759306>
 - o Meeting ID: 997-0675-9306
 - o Phone 1(669) 900-6833

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1. Use the eComment tab located on the City Council Agenda page <https://santaclaraca.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.

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

5:00 PM STUDY SESSION

Call to Order in the Council Chambers

Confirmation of Quorum

- 1.A 24-179** [Presentation of Second Voter Research Survey Results for a Possible November 2024 Ballot Measure to Fund Public Infrastructure and Request for Council Input](#)

Recommendation: Review and provide input on potential revenue measure to be placed on the November 2024 Ballot.

- 1.B 24-321** [Study Session: Review of the Proposed FY 2024/25 & FY 2025/26 Biennial Capital Improvement Program Budget and FY 2024/25 Operating Budget Amendments](#)

Recommendation: Review and provide input on the Proposed FY 2024/25 & FY 2025/26 Biennial Capital Improvement Program Budget and FY 2024/25 Operating Budget Amendments.

7:00 PM JOINT CITY COUNCIL/STADIUM AUTHORITY BOARD MEETING

Call to Order in the Council Chambers

Pledge of Allegiance and Statement of Values

Roll Call

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS/RECONSIDERATIONS

- 2.A 24-508** [Reconsideration of the Council Actions Taken at the April 23, 2024 City Council Meeting Regarding Proposed FY 2024/25 Fees for Non-Profit Youth Sports Field Use in Accordance with Council Policy 42](#)

Recommendation: It is recommended that the City Council confirm Council action taken on April 23, 2024 regarding the field use fees for non-profit youth sports groups to maintain fees at the rates presented and as shown in Attachment 1 for FY 2024/25.

- 2.B 24-593** [Continuance of an Environmental Impact Report, General Plan Amendment Redesignation from High Intensity Office / Research and Development \(R&D\) to Light Industrial, Use Permit, and Architectural Review to Allow the Construction of a New Four-Story, 244,068 Square Foot Data Center with a Substation at 2805 Bowers Avenue](#)

Recommendation: That the City Council approve the continuance request to a date uncertain.

SPECIAL ORDER OF BUSINESS

- 3.A 24-131** [Proclamation of June 2024 as Pride Month in the City of Santa Clara](#)
- 3.B 24-132** [Proclamation of June 19, 2024 as Juneteenth in the City of Santa Clara](#)

CONSENT CALENDAR

[Items listed on the CONSENT CALENDAR are considered routine and will be adopted by one motion. There will be no separate discussion of the items on the CONSENT CALENDAR unless discussion is requested by a member of the Council, staff, or public. If so requested, that item will be removed from the CONSENT CALENDAR and considered under CONSENT ITEMS PULLED FOR DISCUSSION.]

- 4.A 24-10** [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:
Planning Commission Meeting - June 14, 2023
Planning Commission Meeting - March 6, 2024
Planning Commission Special Meeting - April 17, 2024
Parks & Recreation Commission - April 16, 2024

- 4.B 24-468** [Action on City Bills and Claims Report for the period April 6, 2024 - May 3, 2024](#)

Recommendation: Approve the list of Bills and Claims for April 6, 2024 - May 3, 2024.

- 4.C 24-369** [Action on the Santa Clara Convention Center FY 2023/24 3rd Quarter Financial Status Report](#)

Recommendation: Note and file the Santa Clara Convention Center Financial Status Report for the 3rd Quarter ending March 31, 2024, as submitted by OVG.

4.D 24-123 [Action on Purchase Orders with Motorola Solutions, Inc. for New Public Safety Communication System Radios, Related System Components, and Associated Accessories](#)

Recommendation: Authorize the City Manager, or designee, to issue purchase orders to Motorola Solutions, Inc, for the purchase of new public safety communication system radios, related system components, and associated accessories and services under the terms and conditions of the June 2020 Communications Equipment and Services Agreement between Motorola and Silicon Valley Regional Interoperability Authority, with a total cumulative maximum compensation of \$6,058,983.16 plus a ten percent (10%) contingency (\$605,898.32) for a total not to exceed amount of \$6,664,881.48 inclusive of applicable taxes over a seven-year period from the date of the initial purchase, subject to the appropriation of funds and the review and approval as to form by the City Attorney.

4.E 24-1511 [Action on Award of Agreement to Tucker Construction, Inc. for Encampment Cleanup Services](#)

Recommendation:

1. Determine the proposed actions are exempt from CEQA pursuant to Sections 15301 (Existing Facilities), 15304 (Minor Alterations to Land), and 15321 (Enforcement Actions by Regulatory Agencies) of Title 14 of California Code of Regulations;
2. Authorize the City Manager to execute an agreement with Tucker Construction, Inc. for homeless encampment cleanup services for an initial one-year term starting on or around July 1, 2024 and ending on or around June 30, 2025, with a not-to-exceed maximum compensation of \$110,000, in a final form approved by the City Attorney; and
3. Authorize the City Manager to exercise up to four one-year options to extend the term of the agreement through June 31, 2029 and to approve annual reasonable market price adjustments, subject to the appropriation of funds, in a final form approved by the City Attorney.

4.F 24-291 [Action on an Agreement with the Santa Clara Valley Transportation Authority for 2016 Measure B Funding of the Bowers Avenue Class IV Bikeway Study and Related Budget Amendment](#)

- Recommendation:**
1. Approve and authorize the City Manager to execute the funding agreement between the City of Santa Clara and Santa Clara Valley Transportation Authority for the Bowers Avenue Class IV Bikeway Study in final form approved by the City Attorney; and
 2. Approve a FY 2023/24 budget amendment in the Streets and Highways Capital Fund to increase the Other Agencies revenue estimate in the amount of \$154,000 to recognize Measure B grant funding, decrease the Pedestrian and Bicycle Enhancement Facilities Project in the amount of \$146,000, and establish an appropriation for the new Project - Bowers Avenue Class IV Bikeway Study in the amount of \$300,000 (**five affirmative Council votes required to appropriate additional revenue**).

4.G 24-311 [Action on an Agreement with CSG Consultants, Inc. for Design Professional Services for Annual Street Pavement Maintenance and Rehabilitation Projects \(2025-2027 Projects\)](#)

- Recommendation:**
1. Approve and authorize the City Manager to execute an agreement with CSG Consultants, Inc. for Design Professional Services for the Annual Street Pavement Maintenance and Rehabilitation Projects (2025-2027 Projects) for an initial term ending December 31, 2027 in the amount not-to-exceed \$805,373 for services required for annual street pavement maintenance and rehabilitation projects to be constructed in 2025, in a final form approved by the City Attorney;
 2. Approve and authorize the City Manager to execute up to two extension options to extend the term and increase the compensation amount of the agreement to provide services for future 2026 and 2027 annual street pavement maintenance and rehabilitation construction contracts, up to a maximum term limit ending December 31, 2029 and up to a total maximum not-to-exceed compensation limit in the amount of \$7,000,000, inclusive of the initial term and all extension options, if exercised, subject to budget appropriations;
 3. Approve and authorize the City Manager to amend the agreement to add, remove, or modify services and compensation amounts, including adjusting services and compensation amounts between the initial term and extension options or other actions as necessary to provide design services for 2025, 2026, and 2027 annual street pavement maintenance and rehabilitation projects, subject to the maximum term and compensation limits, budget appropriations, and approval as to form by the City Attorney; and
 4. Authorize the City Manager to make minor modifications, including time extensions, to the agreement, if needed.

4.H 24-340 [Action on an Agreement for Design Professional Services with BKF Engineers for the Anna Drive Neighborhood Flood Protection Project](#)

- Recommendation:**
1. Approve and authorize the City Manager to execute an Agreement for Design Professional Services with BKF Engineers for the Anna Drive Neighborhood Flood Protection Project in the not-to-exceed amount of \$586,003, in a final form approved by the City Attorney; and
 2. Authorize the City Manager to make minor modifications to the Agreement including term extensions, if needed, in a final form approved by the City Attorney.

4.I 24-352 [Action on Agreements with the County of Santa Clara for the Countywide AB 939 Implementation Fee and Countywide Household Hazardous Waste Collection Program](#)

- Recommendation:**
1. Approve and Authorize the City Manager to execute the Agreement for Countywide AB 939 Implementation Fee to collect and distribute the AB 939 Implementation Fee over the three-year term of the agreement, in a final form approved by the City Attorney;
 2. Approve and authorize the City Manager to execute the Agreement for Countywide Household Hazardous Waste Collection Program with the County of Santa Clara to enable residents to participate in the Countywide Household Hazardous Waste Collection Program for a three-year term, in a final form approved by the City Attorney;
 3. Authorize the City Manager to execute future amendments to the Agreement for Countywide Household Hazardous Collection Program with the County of Santa Clara to adjust the annual augmentation over the baseline 4 percent participation level, in final forms approved by the City Attorney; and
 4. Authorize the City Manager to execute future license agreements with the County of Santa Clara that enable drop-off events to be conducted on the Public Works Corporation Yard premises, in final forms approved by the City Attorney.

4.J 24-530 [Action to Authorize the City Manager to Negotiate and Execute Amendments to Agreements for Environmental Health and Safety Consulting and Training Services with Electrical Safety Consultants, Inc., doing business as ESCI, Inc., and BSI America Professional Services, Inc. to Extend the Term, Increase Maximum Compensation, and Add Additional Services for Silicon Valley Power](#)

- Recommendation:**
1. Authorize the City Manager to negotiate and execute amendments to the agreements with Electrical Safety Consultants, Inc., doing business as ESCI, Inc. and BSI America Professional Services, Inc. (BSI), to increase the aggregate maximum compensation by \$900,000 for a new aggregate maximum compensation of \$2,000,000, subject to the review and approval as to form by the City Attorney; and
 2. Authorize the City Manager or designee to take any actions as necessary to implement and administer the agreements as amended and negotiate and execute amendments to (a) add or delete services consistent with the scope of services; (b) adjust future rates to account for reasonable changes in labor and materials rates; (c) exercise options to extend the term of the agreements for up to five years in any increment through January 31, 2032; and (d) increase the maximum compensation for an additional \$1,000,000 for a total aggregate maximum compensation not to exceed \$3,000,000 over a ten-year period for both agreements, subject to the appropriation of funds and the review and approval as to form by the City Attorney.

4.K 24-355 [Action on Amendment No. 1 to the Agreement with TruePoint Solutions, LLC for Professional Services to Support the Accela Civic Platform and Approve the Related Budget Amendments](#)

- Recommendation:**
1. Authorize the City Manager to negotiate and execute Amendment No. 1 to the Agreement with TruePoint Solutions, LLC for software support services for the Accela Civic Platform permitting system to extend the term by three years through June 30, 2027 and increase the maximum compensation by \$1,359,094 for a revised maximum compensation amount of \$2,445,094, subject to the appropriation of funds and approval as to form by the City Attorney;
 2. Authorize the City Manager to execute future amendments to add and/or delete services and extend the agreement through June 30, 2029, subject to the maximum compensation limit and approval as to form by the City Attorney; and
 3. Approve the following FY 2023/24 budget amendments:
 - a. In the General Fund, increase the transfer to the Fire Department Capital Fund in the amount of \$200,000, increase the transfer to the General Government Capital Fund in the amount of \$270,000 and decrease the Technology Fee Reserve in the amount of \$470,000 (**five affirmative Council votes required for the use of unused balances**);
 - b. In the Building Development Services Fund, increase the transfer to the General Government Capital Fund in the amount of \$880,094 and decrease the unrestricted ending fund balance in the amount of \$880,094 (**five affirmative Council votes required for the use of unused balances**);
 - c. In the Fire Department Capital Fund, increase the transfer from the General Fund in the amount of \$200,000 and increase the Fire Department Accela Implementation Project in the amount of \$200,000 (**five affirmative Council votes required to appropriate additional revenue**); and

- d. In the General Government Capital Fund, increase the transfer from the General Fund in the amount of \$270,000, increase the transfer from the Building Development Services Fund in the amount of \$880,094, and increase the Permit Information Systems Project in the amount of \$1,150,094 (**five affirmative Council votes required to appropriate additional revenue**).

4.L 24-463 [Action to Authorize the Use of City Electric Forces for New Dark Fiber Installations 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 located at 6001 America Center Drive to 3080 Raymond Street, 1100 Space Park Drive to 2972 Stender Way, 3080 Raymond Street to 6201 America Center Drive, 5101 Lafayette Street to 6201 America Center Drive, 5020 Stars and Stripes Drive to 1990 Walsh Avenue, 881 Martin Avenue to 1100 Space Park Drive, and 2905 Stender Way 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 consistent with this authorization.

4.M 24-523 [Action on Authorizing the Use of City Electric Forces for Projects Located 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 located at 2913 Cabrillo Avenue, 2880 Scott Boulevard, and 2950 Patrick Henry Avenue 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 consistent with this authorization.

4.N 24-289 [Action on a Resolution Authorizing the Filing of an Application with the Metropolitan Transportation Commission for Allocation of Transportation Development Act Article 3, Pedestrian and Bicycle Project Funding for Fiscal Year 2024/25](#)

Recommendation: Adopt a Resolution Authorizing the Filing of an Application with the Metropolitan Transportation Commission for Allocation of Transportation Development Act Article 3, Pedestrian and Bicycle Project Funding for Fiscal Year 2024/25.

4.O 24-353 [Action on Memorandum of Understanding Among Local Public Agencies in Santa Clara County for Countywide Food Recovery Program](#)

Recommendation: Approve and authorize the City Manager to execute a Memorandum of Understanding Among Local Public Agencies in Santa Clara County for Countywide Food Recovery Program, in a final form approved by the City Attorney.

- 4.P 24-571** [Authorize the City Manager to execute the 2024-2027 Memorandum of Understanding Between the City of Santa Clara and the Santa Clara Employees' Association \(hereafter, "Unit 578"\), which incorporates the terms of the Tentative Agreement, and Adoption of a Resolution to Update the Classified Salary Plan for Classifications represented by Unit 578.](#)

Recommendation: 1. Authorize the City Manager to execute the Memorandum of Understanding between the City of Santa Clara and the Santa Clara Santa Clara Employees' Association (Unit 578) with effective dates of January 1, 2024 - December 31, 2027, that incorporates the terms of the Tentative Agreement in a final form approved by the City Attorney; and

2. Adoption of a Resolution to approve the revised salary plan for various classified positions to satisfy the requirements of California Code of Regulations Section 570.5.

- 4.Q 24-337** [Action on a Resolution Revising the Regular Meeting Date for the Parks & Recreation Commission](#)

Recommendation: Adopt a Resolution revising the Parks & Recreation Commission regular meeting date and time to the third Monday of each month at 7 p.m.

SANTA CLARA STADIUM AUTHORITY BOARD CONSENT CALENDAR

- 5. 24-485** [Action on Stadium Authority Bills and Claims for the Month of March 2024](#)

Recommendation: Approve the list of Stadium Authority Bills and Claims for March 2024.

PUBLIC PRESENTATIONS

[This item is reserved for persons to address the Council or authorities on any matter not on the agenda that is within the subject matter jurisdiction of the City or Authorities. The law does not permit action on, or extended discussion of, any item not on the agenda except under special circumstances. The governing body, or staff, may briefly respond to statements made or questions posed, and appropriate body may request staff to report back at a subsequent meeting. Although not required, please submit to the City Clerk your name and subject matter on the speaker card available in the Council Chambers.]

CONSENT ITEMS PULLED FOR DISCUSSION

PUBLIC HEARING/GENERAL BUSINESS (COUNCIL/STADIUM)

6. **24-591** [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 \(DEFERRED FROM MAY 28, 2024\)](#)

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**).

7. **24-1598** [Public Hearing: Action on a Resolution Setting Rates for Overall Solid Waste Service and Annual Clean-up Campaign in the Exclusive Franchise Area](#)

Recommendation: Alternative 1: Adopt a Resolution setting the overall rates to be charged to rate payers for the collection and disposal of garbage, refuse, yard trimmings, recycling, and annual Clean-up Campaign in the exclusive franchise area, effective for the utility bills issued for services rendered on and after July 1, 2024.

8. 24-74 [Public Hearing: Adoption of a Resolution Approving the Levy of Benefit Assessment Upon Maintenance District No. 183 - Santa Clara Convention Center Complex](#)

Recommendation: Alternative 1: Adopt a resolution approving the levy of benefit assessment upon the Santa Clara Convention Center Complex - Maintenance District No. 183, and approving, confirming, and adopting the Director's Report for FY 2024/25.

9. 24-1602 [Public Hearing: Action on a Resolution Approving the Levy of Benefit Assessment upon the City of Santa Clara Parking Maintenance District No. 122 - Franklin Square](#)

Recommendation: Alternative 1: Adopt a Resolution approving the levy of benefit assessment upon the City of Santa Clara Parking Maintenance District No. 122 and approving, confirming, and adopting the Director's Report for FY 2024/25.

REPORTS OF MEMBERS, SPECIAL COMMITTEES AND COUNCILMEMBER 030 REQUESTS

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

ADJOURNMENT

The next regular scheduled meeting is on Tuesday, June 25, 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.

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

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

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

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

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

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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."

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.