



**CITY COUNCIL  
STADIUM AUTHORITY  
SPORTS AND OPEN SPACE AUTHORITY  
HOUSING AUTHORITY**

**February 09, 2016**

**4:30 PM SPECIAL MEETING  
City Hall Council Chambers**

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)

A complete agenda packet is available on the City's website and in the City Clerk's Office beginning the Friday evening before the Tuesday 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.

- 1. 4:30 PM CLOSED SESSION CALL TO ORDER:**
  - A. Confirmation of Quorum. CC**
- 2. ANNOUNCEMENT OF CLOSED SESSION:**
  - A. Public Employee Performance Evaluation; Pursuant to Government Code Section 54957; Title: City Manager. CC**
- 3. PUBLIC COMMENT REGARDING CLOSED SESSION:**
- 4. RECESS TO CLOSED SESSION (Council Conference Room):**
- 5. ADJOURNMENT:**
  - A. The next regular scheduled meeting is on Tuesday evening, CC SA SOSA HA**

**February 9, 2016**, in the City Hall Council Chambers.



# City of Santa Clara

The Center of What's Possible

AGENDA ITEM # 2A  
CALL & NOTICE OF  
SPECIAL CLOSED SESSION  
MEETING

**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 undersigned calls for a Special Meeting of the City Council of the City of Santa Clara to commence and convene on **Tuesday, February 9, 2015, at 4:30 p.m.**, in the City Hall Council Chambers for a Closed Session in the Council Conference Room 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.

The following business is to be conducted at said closed session:

**A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

**CC**

Pursuant to Gov. Code § 54957

Title: City Manager

Dated: February 8, 2016

JAMIE L. MATTHEWS  
Mayor

2/9/2016 - Special

2A.

**Jashma Kadam**

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**From:** Hyrax Adventures <hyraxadventures@gmail.com>  
**Sent:** Tuesday, February 09, 2016 1:58 PM  
**To:** Mayor and Council; Teresa O'Neill  
**Subject:** URGENT: Public Comment for closed session regarding performance review of City Manager Julio Fuentes

Please see that these comments are provided to the City Council members prior to the closed session.

Dear Santa Clara City Council Members,

I have made multiple complaints to you regarding the performance of City Manager Julio Fuentes in the past, and have always felt that they have fallen on deaf ears.

I am pleased to hear that you are finally taking seriously the issues that esteemed and respected members of our community have been voicing for almost three years now.

I am saddened that it had to get this extremely egregious before you decided to listen to the people who elected you.

When Mr. Fuentes first came to the city, he was welcomed with open arms by both the City Council members and the community. It appeared at first glance as if he was an ally to the neighborhood and to the community.

We soon realized that nothing could be further from the truth. When it became apparent that he was working against the community at every turn in favor of special interest groups behind closed doors, many of us assumed he was following your direction in doing so.

As a person who has been in conflict with the City of Santa Clara since 2012, and who has been active politically, and in neighborhood groups, I have had the unique opportunity to have many many interactions with Mr. Fuentes and see how he operates when dealing with the public and also behind closed doors.

He has done many things, only some of which you may be aware of:

1. He has failed repeatedly to deliver information to City Council members in an honest and truthful fashion, frequently altering the truth to benefit himself and hurt the community.
2. He orchestrated a Flint Michigan-style cover up of a neighborhood that was contaminated with lead. Note: Area is still contaminated. This lead to a lawsuit against the city.
3. He has censored and edited information that was supposed to get to City Council members so that various situations would appear different from reality.
4. He has orchestrated deals with developers worth tens of millions of dollars behind closed doors that were never approved by council, nor did City Council authorize or direct him to do so. (I am willing to sign a legal affidavit about this)

**POST MEETING MATERIAL**

5. He has organized groups of henchmen made up of City code enforcement, police, etc. to carry out personal agendas and threaten/harass/and physically attack members of the community who were opposed to his ideas. He referred to them as "Task forces". This led to a second lawsuit, and potentially a third.
6. He has appeared in public pretending to support community efforts to benefit the neighborhood, but has been "all talk" and no action.
7. He has exposed the city to numerous legal actions by choosing to escalate every situation in which he had the opportunity to negotiate a cease fire. He also requested that members of the public file lawsuits against the City. He also refused to participate in mediations that were ordered by City Council, and then lied to council about his participation.
8. He has blatantly and obviously defied instructions and orders from City Council, instead acting as if he were a demigod or dictator. This has led to a serious breakdown in democracy in the City.
9. He claims racial discrimination at a time when there is significant evidence that he has opposed affordable housing efforts which would largely support Hispanic families in the area, and taken actions behind closed doors that would deny these same persons access to government. He has supported and enhanced policies of institutionalized racism against working families of color.
10. He has created a hostile environment within the city offices, not only for his staff, but also for members of the community. He has also assisted in orchestrating false claims by his staff against community members who were trying to include public comments into the record.
11. He has allowed creation of an exemption from City Codes, in direct violation of State Laws and Federal Laws, for special interest groups that were orchestrated in secret meetings.

You have a moral and ethical obligation to remove this City Manager before he is allowed to do more damage in your name.

If you would like detailed information about any of the above, I will be happy to provide it in the form of a legal affidavit, a written or verbal testimony, or factual documents to back up the accusations above.

Best regards,

Sarah Doty