



City of Santa Clara

Joint Meeting Agenda

Council and Authorities Concurrent

Santa Clara Stadium Authority Meeting

Tuesday, May 29, 2018

6:00 PM

City Hall Council Chambers
1500 Warburton Avenue
Santa Clara, CA 95050

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

6:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Confirmation of a Quorum

Public Comment

The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.

Convene to Closed Session (Council Conference Room)

- 18-668** [Conference with Legal Counsel-Existing Litigation \(CC, SA\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)
[Nevarez v. City of Santa Clara, et al., U.S. District Court,](#)
[Northern District of California Case No. 5:16-CV-07013 HRL](#)
- 18-771** [Conference with Legal Counsel-Existing Litigation \(CC, SA\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)
[Maranon v. City of Santa Clara, et al., U.S. District Court,](#)
[Northern District of California Case No. 5:15-CV-04709 BLF](#)

7:00 PM COUNCIL REGULAR 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

SPECIAL ORDER OF BUSINESS

- 1.A 18-289** [Accept Santa Clara Women's League Donation for the Senior Center Health & Wellness Program and Related Budget Amendment](#)

Recommendation: Accept donation from the Santa Clara Women's League, approve a budget amendment in the amount of \$15,000 for the Senior Center Health & Wellness Program, and authorize the transmittal of a letter of appreciation signed by the Mayor and City Manager.
(FIVE COUNCIL VOTES)

- 1.B 18-767** [Wilcox High School Robotics Team Update](#)

- 1.C 18-435** [Triton Museum of Art Update on the Austen D. Warburton Collection of Native Art and Artifacts](#)

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.]

- 2.A 18-353** [Council and Authorities Concurrent Meeting Minutes of March 6, 2018](#)

Recommendation: Note and file the Minutes of March 6, 2018.

- 2.B 18-385** [Bills and Claims for the month of April 2018 \(Stadium Authority\)](#)

Recommendation: Approve the list of Bills and Claims for April 2018.

- 2.C 18-631** [Bills and Claims Report \(CC, SA, HA\) for the period April 27th - May 17th](#)

Recommendation: Approve the list of Bills and Claims for April 27 - May 17, 2018.

2.D 18-228 [Action on Services Agreement with SWA Services Group, Inc. for Janitorial Cleaning Services at City Facilities](#)

- Recommendation:**
1. Award an agreement for the Performance of Services, in substantially the same format as Attachment 1 to the report and in the amount of \$2,473,164 to SWA Services Group, Inc. for janitorial cleaning services over the three year term of the Agreement, and authorize the City Manager to execute the contract when all the necessary conditions have been met;
 2. Approve a 10% contract contingency in the amount of \$247,316 for the project;
 3. Authorize the City Manager to make minor, non-substantive modifications to the Agreement; and
 4. Authorize the City Manager to approve two optional one-year extensions including a 10% contingency pending satisfactory service, for an additional total not-to-exceed \$2,084,267.

2.E 18-293 [Approve Public Benefits Program of the Electric Utility Through Fiscal Year 2023](#)

Recommendation: Approve the Public Benefit Programs as outlined in the Public Benefits Program Proposal for FY 2018-2019 through 2022-2023 based on 2.85% of annual utility sales subject to annual budget appropriations, and grant the City Manager authority to make programmatic changes as necessary during the program period.

2.F 18-549 [Consideration of an Affordable Housing Agreement with Legend SantaClara, LLC](#)

Recommendation: Approve and authorize the City Manager to execute the Affordable Housing Agreement (AHA) with Legend SantaClara, LLC, to execute amendments thereto, and to take any other action necessary to implement the requirement for the provision of five (5) Below Market Purchase (BMP) units and payment of the BMP in-lieu fee for a fractional unit within a 56-unit housing project at 1890 El Camino Real.

2.G 18-434 [Action on the Introduction of an Ordinance Amending Section 5.75.210 related to Bingo Regulations](#)

Recommendation: Alternative 1:
Approve the introduction of an Ordinance amending Section 5.75.210 (“Maximum amount of prizes - Paid receipt required for payout”) of Chapter 5.75 (“Bingo”) of Title 5 (“Business Licenses and Regulations”) of “The Code of the City of Santa Clara.”

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

3. Consideration of Revenue Opportunities:

3.A 18-388 [Discussion and Review of Potential General Fund Revenue Opportunities and Budget Amendment](#)

Recommendation:

1. Review and Provide direction on the Potential General Fund Revenue Opportunities
2. Authorize the City Manager to enter into contracts to conduct the required community research and outreach.
3. Approve the appropriation of \$250,000 from the General Fund Budget Stabilization Reserve to the City’s Clerk’s operating budget

3.B 18-778 [Supplemental Information: Summary of Legislation Related to Tax Ballot Measures](#)

3.C 18-418 [Report on Work Effort Related to New City Cannabis Regulations: Health & Safety Ordinance; Regulatory Fee and Tax Proposal; and Land Use Ordinance](#)

Recommendation: Review and provide feedback on the framework for the establishment of a commercial cannabis policy and a corresponding fee and tax structure.

3.D 18-287 [Review of Various Infrastructure Improvement Needs and Funding Levels for Consideration as Part of a Potential November 2018 Infrastructure Ballot Measure and Approval of a Related Budget Amendment](#)

Recommendation: Alternatives 1, 2, & 3:

1. Select a conceptual project option (Option 1, Option 2, or a different Council option) and continue the process of developing a November 2018 Ballot Measure.
2. Approve the appropriation of \$300,000 in the Budget Amendment to the International Swim Center, CRC, ISHOF (CIP 3172), and authorize the City Manager to execute Amendment No. 1 in substantially the same form with PFAL in the amount of up to \$300,000.

4. 18-432 [Public Hearing: Action on 3402 El Camino Real Mixed Use Project The Deck](#)

Recommendation:

1. Adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the 3402 El Camino Real Mixed Use (The Deck) Project; and
2. Approve a rezone from Thoroughfare Commercial (CT) to Planned Development (PD) to allow a mixed-use development of 66 apartment units over 9,900 square feet of commercial space.

5. 18-474 [Determination of Eligibility for Historical or Architectural Listing for the properties located at 1411 Lewis & 1444 Madison Street](#)

Recommendation:

1. Find that the duplex residence at 1444 Madison Street and the single-family residence at 1411 Lewis Street are not eligible for listing on the Historical Resource Inventory as they are not contributing historical or architectural resources.

JOINT CITY COUNCIL/STADIUM AUTHORITY ITEMS

6. 18-747 [Action on a Public Safety Agreement between City and Stadium Authority](#)

Recommendation:

1. Approve the Public Safety Agreement, and
2. Authorize the City Manager/Stadium Director to execute the Agreement on behalf of the City and Stadium Authority.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

18-779 [Tentative Meeting Agenda Calendar](#)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, June 12, 2018 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)

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."