



City of Santa Clara

Joint Meeting Agenda

Council and Authorities Concurrent and Stadium Authority Meeting

Tuesday, July 17, 2018

4:30 PM

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

Closed Session - 4:30 PM | Joint Dinner - 5:00 PM | Special Meeting - 6:00 PM | Regular Meeting - 7:00 PM

Call and Notice of Special 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 Mayor calls for a Special Meeting of the City Council of the City of Santa Clara to commence and convene on July 17, 2018, at 6:00 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, to consider the following matter(s) and to potentially take action with respect to them.

4:30 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.

- 18-1012** [Conference with Legal Counsel-Existing Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)
[Luciano v. City of Santa Clara, et al., Santa Clara County](#)
[Superior Court Case No. 16CV295994](#)
- 18-1013** [Conference with Legal Counsel-Existing Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)
[Yumori-Kaku v. City of Santa Clara, et al., Santa Clara County](#)
[Superior Court Case No. 17CV319862](#)

Convene to Closed Session (Council Conference Room)

5:00 PM JOINT DINNER

Call to Order in the Council Chambers

Confirmation of a Quorum

18-185 [Informational Joint Dinner Meeting with the Civil Service Commission](#)

6:00 PM SPECIAL MEETING

(only four non-conflicted Council Members to participate)

Call to Order

Roll Call

A. 18-866 [Action on Authorizing the City Manager to Enter Into Two Option Agreements with Park Central Apartments L.P. \(Prometheus\) for the Franklin and Washington Street Right-of-Way Easement Acquisition](#)

Recommendation: Alternative 1: Authorize the City Manager to enter into two Option Agreements with Park Central Apartments L.P. for the Franklin and Washington Street Right-of-Way Easement Acquisition

B. 18-488 [Public Hearing: Action on 575 Benton Street Mixed Use Project](#)

Recommendation: Alternatives 1-5:

1. Adopt a Resolution Approving Addendum #1 to the Mission Town Center Final Environmental Impact Report (FEIR).
2. Adopt a Resolution Approving a General Plan Amendment (GPA) to change the property's General Plan land use designation from Santa Clara Station High Density Residential to Santa Clara Station Very High Density Residential.
3. Adopt a Resolution approving the rezoning from Light Industrial (ML), Single-Family (R1-6L), Duplex (R2-7L) and Thoroughfare Commercial (CT) to Planned Development (PD) to allow the development of 355 apartment units, 22,000 square feet of retail space including retail in proximity at the northeast corner of The Alameda and Benton Street, and approximately 6,000 square feet of amenity and leasing space, and thereby increasing the amount of retail space from 19,985 square feet.
4. Introduce an Ordinance to approve the Development Agreement.
5. Adopt a Resolution Approving the Vesting Tentative Parcel Map.

7:00 PM COUNCIL REGULAR MEETING

Call to Order

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 18-056 [Recognition of Outgoing D.A.R.E. Officer Stephanie Knight](#)

1.B 18-873 [Recognition of Intel's 50th Anniversary](#)

- 1.C 18-017 [Recognition of Visala Tallavarjula as the California Recipient of the Stockholm Junior Water Prize](#)
- 1.D 18-950 [Proclamation of Muslim Appreciation and Awareness Month](#)
- 1.E 18-937 [Cultural Commission Presentation of Upcoming Events in August and September 2018](#)

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 18-331 [Action on Certification of the Final Results of the Special Municipal Election Held on June 5, 2018](#)
Recommendation: Adopt a Resolution reciting the fact of the Special Municipal Election held on June 5, 2018 regarding a proposed City Charter amendment to establish district Council elections and the voting method (Measure A).
- 2.B 18-760 [Action on Bills and Claims Report \(CC, SA\) for the period June 15th - June 21st](#)
Recommendation: Approve the list of Bills and Claims for June 15 - 21, 2018.
- 2.C 18-633 [Action on Bills and Claims for the month of May 2018 \(Stadium Authority\)](#)
Recommendation: Approve the list of Bills and Claims for May 2018.
- 2.D 18-755 [Action on Report of Dates and Purpose of Stadium Authority and ManCo Meetings for the period April 1, 2018 to June 30, 2018 \(Stadium Authority\)](#)
Recommendation: Note and file the quarterly report on Stadium Authority and ManCo Meetings for the period of April 1, 2018 to June 30, 2018.

2.E 18-998 [Informational Report on Status of the Stadium Authority Financial Status Report through the Quarter and Fiscal Year Ending March 31, 2018](#)

Recommendation: Note and file the Status of the Stadium Authority Financial Status Report through the Quarter and Fiscal Year Ending March 31, 2018.

2.F 18-766 [Action on a Joint Resolution Delegating Authority to the City Manager/Executive Officer for Santa Clara Stadium Authority/Contract Administrator for Sports and Open Space Authority/Executive Director for Housing Authority During the Council Recess from July 20, 2018 to August 20, 2018](#)

Recommendation: That the City Council/Sports and Open Space Authority/Housing Authority/Successor Agency:

Adopt a Joint Resolution delegating authority to the City Manager/Executive Officer for Santa Clara Stadium Authority/Contract Administrator for Sports and Open Space Authority/Executive Director for Housing Authority to approve project related documents during the Council recess from July 20, 2018 to August 20, 2018 and requiring the City Manager/Executive Director/Contract Administrator to submit a report on actions taken during the Council recess at a City Council/Stadium Authority/Sports and Open Space Authority/Housing Authority meeting in September 2018.

2.G 18-561 [Action on Monthly Financial Status and Investment Reports for May 2018](#)

Recommendation: Note and file the Monthly Financial Status and Investment Reports for May 2018 as presented.

2.H 18-909 [Action on the Yamaha Motor Finance Corporation, U.S.A. Equipment Lease for Golf Carts for Santa Clara Golf & Tennis Club \(SCG&TC\)](#)

Recommendation: Authorize the Contract Administrator for the Sports and Open Space Authority to execute the Yamaha Motor Finance Corporation, U.S.A. lease for a not to exceed amount of \$257,280 to provide 80 golf carts for SCG&TC.

- 2.I 18-487 [Action on Adoption of Ordinance No. 1983 Assigning Professional Responsibilities from the Elected City Clerk to the Assistant City Clerk and Setting the Salary of the Elected City Clerk Commensurate with the Stipend and Benefits of Council Members](#)

Recommendation: Adopt Ordinance No. 1983 Assigning Professional Responsibilities from the Elected City Clerk to the Assistant City Clerk and Setting the Salary of the Elected City Clerk Commensurate with the Stipend and Benefits of Council Members.

- 2.J 18-512 [Action on an Agreement for the Performance of Services with Syserco, Inc. for Heating, Ventilation, and Air Conditioning Systems](#)

Recommendation:

1. Approve and authorize the City Manager to execute an Agreement for the Performance of Services with Syserco, Inc. to provide preventative maintenance and additional repairs at various City buildings for an amount not-to-exceed \$115,590 over a 3 year term; and
2. Authorize the City Manager to make minor modifications to the Agreement, if necessary.

2.K 18-647 [Action on Patrick Henry Drive and Freedom Circle Specific Plan Consultant Contracts and Funding Agreements](#)

- Recommendation:**
1. Authorize the City Manager to execute a professional services contract with MIG, Inc. for the Patrick Henry Drive Specific Plan for a not-to-exceed amount of \$811,502, subject to execution of a funding agreement between the Patrick Henry Drive developers and the City.
 2. Authorize the City Manager to execute a funding agreement with the Patrick Henry Drive developers, in substantially the form attached hereto, subject to minor modifications approved by the City Manager.
 3. Authorize the City Manager to execute a professional services contract with MIG, Inc. for the Freedom Circle Specific Plan for a not-to-exceed amount of \$840,497, subject to execution of a funding agreement between the Freedom Circle developers and the City.
 4. Authorize the City Manager to execute a funding agreement with the Freedom Circle developers, in substantially the form attached hereto, subject to minor modifications approved by the City Manager.

2.L 18-775 [Action on the Appropriation of Asset Forfeiture Funds for Fiscal Year 2018/19](#)

- Recommendation:** Approve the Appropriation of Asset Forfeiture Funds in the amount of \$129,500 Pursuant to State and Federal Regulations.

2.M 18-825 [Action on an Amendment to Joint Use Agreement with Santa Clara Unified School District for Buchser Tennis Court Project and Related Budget Amendment](#)

- Recommendation:** Authorize the City Manager to execute an Amendment to the Joint Use Agreement, subject to final approval by the City Attorney's Office, with Santa Clara Unified School District to share the cost of the construction of the Buchser Tennis Court Project and Approve an appropriation of Mitigation Fee Act funds in the amount of \$591,400.

2.N 18-847 [Action on an Amendment No. 1 to Agreement with Arini Geographics, LLC for Enterprise GIS Services to extend the term of the agreement by ten months with no additional contract funding required.](#)

Recommendation: Approve an Amendment to the Agreement with Arini Geographics, LLC by extending the term by ten months, from August 30, 2018 through June 30, 2019.

2.O 18-876 [Action on the California Energy Commission Electric Vehicle Ready Communities Blueprint Grant Agreement and Authority to Negotiate and Execute an Agreement with Siemens Industry, Inc. with a Related Budget Amendment](#)

Recommendation:

1. Approve the California Energy Commission EV-Ready Communities Blueprint Grant Agreement accepting the grant award of \$199,280;
2. Approve and authorize the City Manager to negotiate and execute an Agreement for Services with Siemens Industry, Inc., subject to final review by the City Attorney, in an amount not to exceed \$235,413; and
3. Approve the appropriation of funds in CIP 2398 - Clean Energy and Carbon Reduction in the amount of \$199,280 from the California Energy Commission on a reimbursement basis.

2.P 18-922 [Action to Add a Senior Electrical Estimator Position for Silicon Valley Power](#)

Recommendation: Approve the addition of one (1) Senior Electrical Estimator position for Silicon Valley Power within existing FY 2018/19 budget appropriations.

2.Q 18-938 [Action on Participating in the Proposed Santa Clara/Santa Cruz County Community Roundtable to Serve as an Aircraft Noise Mitigation Entity](#)

Recommendation:

1. Adopt Resolution (Attachment 4) for the City to participate in the Santa Clara/Santa Cruz Airport Community Roundtable and appoint a representative.
2. Approve the appropriation of funds in an amount up to \$62,000, depending on jurisdictional participation, from the City Council Contingency Fund for the City's participation in the Roundtable.
3. Authorize the City Manager and/or designee to execute all documents necessary for participation in the Roundtable.

2.R 18-956 [Action on Reimbursement Agreements for Consultant Planning Services](#)

Recommendation:

Authorize the City Manager to execute Reimbursement Agreements, subject to minor non-substantive revisions, with the following developer entities:

- a) Ensemble Investments, LLC;
- b) Tasman 2278 Calle De Luna, LLC;
- c) NASH - Holland Calle De Luna Investors, LLC;
- d) Tasman East Urban Housing, LLC;
- e) Tasman East Parcel 56 Owner, LLC and Tasman East Parcel 57 Owner, LLC;
- f) SummerHill Apartment Communities; and
- g) St. Anton Communities, LLC

2.S 18-966 [Action on the Request from Santa Clara PAL-GAL Softball for Reimbursement of Eligible Expenses from the Championship Team Fund](#)

Recommendation: Approve Santa Clara PAL-GAL Softball's request for reimbursement of \$2,514 for eligible expenses, subject to audit, from the Championship Team Fund for participation in the 2018 California State Games USA Softball C-Region 14 Championship Tournament in San Diego County, CA on July 13-15, 2018 and authorize the City Manager to negotiate and execute a Contribution Agreement in a final form subject to the approval of the City Attorney.

2.T 18-969 [Action on the Interconnection Agreement between City of Santa Clara dba Silicon Valley Power and Pacific Gas & Electric Company and related Joint Offer of Settlement Agreement](#)

Recommendation: 1. Approve and authorize the execution of the Revised 2017 Interconnection Agreement between the City of Santa Clara, doing business as SVP, and PG&E; and 2. Approve and authorize the execution of the Joint Offer of Settlement between the City of Santa Clara, doing business as SVP, including authorizing the expenditure of \$3,000,000 related to (a) the cost of reconductoring, and (b) a one-time, lifetime, payment of operation and maintenance costs - of a certain PG&E-owned transmission line as set forth in that Joint Offer of Settlement.

2.U 18-996 [Action on the Request from the CalDI Team for Reimbursement of Eligible Expenses from the Championship Team Fund](#)

Recommendation: Approve the request of Smrithi Suresh, Sanjana Yerramaneni, Sahithi Karumudi, and Sahaana Padayathil (CalDI Team) for reimbursement of \$912 for eligible expenses from the Championship Team Fund for participation in the Destination Imagination Global Finals in Knoxville, TN, May 23-26, 2018 and authorize the City Manager to negotiate and execute Contribution Agreements in a final form subject to the approval of the City Attorney.

2.V 18-1000 [Action on Job Specification for Classified Position and Revised Minutes Brought to Civil Service Commission on July 9, 2018.](#)

- Recommendation:**
1. Approve the modified job specification for Library Program Coordinator - Youth Services,
 2. Note and File the Revised Civil Service Commission Minutes of November 13, 2017, and
 3. Approve the related job title change from "Maintenance Systems Specialist" to "Utility Business Systems Specialist".

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. 18-1002 [Consideration of Written Petitions Received from Jerry Patrignani requesting a permanent build-in Club House for the Santa Clara Lawn Bowls Club and by Teresa Sulcer Requesting Censure of Council Members Kolstad and Mahan](#)

Recommendation: There is no staff recommendation for this issue.

4. 18-907 [Public Hearing: Action on Appeal of Planning Commission Approval of a Mitigated Negative Declaration and Architectural Review for a Data Center Project Located at 2305 Mission College Boulevard](#)

- Recommendation:** Alternatives 1 & 2:
1. Overrule the appeal and uphold the Planning Commission's adoption of the Mitigated Negative Declaration and Mitigation Monitoring or Reporting Program
 2. Overrule the appeal and uphold the Planning Commission's approval of the architectural review for the data center project located at 2305 Mission College Boulevard, subject to conditions.

5. 18-126 [Public Hearing: Action on a Resolution Approving the Findings from the Traffic Impact Fee Nexus Study and Setting the Rates for the Traffic Impact Fee, and Action on the Introduction of an Ordinance Making Corresponding Revisions to Santa Clara City Code Section 17.15.330](#)

Recommendation: Alternative 1, 2 and 3:

1. Approve Option 5 from the Traffic Impact Fee Nexus Study which expands the fee area to Citywide; includes retail and residential land uses into the TMIF; exempts retail establishments below 50,000 square feet and any affordable housing units built as part of a development; and adjust fees annually in line with the latest Construction Cost Index for San Francisco, as published by Engineering News Record or equivalent, in order to keep up with construction costs and inflation;
2. Adopt a Resolution Approving the Findings from the Traffic Impact Fee Nexus Study and Setting the Rates for the Traffic Impact Fee; and
3. Approve the Introduction of an Ordinance making corresponding revisions to Santa Clara City Code Section 17.15.330.

STADIUM AUTHORITY ITEMS

6. 18-441 [Action on Agreement related to College Football Playoff 2019 National Championship at Levi's Stadium \(Stadium Authority\)](#)

Recommendation: Alternative 1:

1. Approve the Assignment and Assumption Agreement for the CFP 2019 National Championship Game Agreement.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

- 18-1023 [Tentative Meeting Agenda Calendar](#)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, August 21, 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."