



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

April 18, 2017

**5:00 PM JOINT CITY COUNCIL/
CIVIL SERVICE COMMISSION MEETING
6:00 PM CLOSED SESSION
7:00 PM REGULAR 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, or at the public information desk at any City of Santa Clara public library.

- 1. 5:00 PM JOINT CITY COUNCIL/CIVIL SERVICE COMMISSION MEETING:**
 - A. Confirmation of Quorum. CC

- 2. MONTHLY INFORMATIONAL JOINT CITY COUNCIL/CIVIL SERVICE COMMISSION DINNER MEETING:**
 - A. [Civil Service Commission will provide the City Council with an update on current activities and potential future projects.](#) CC

- 3. [6:00 PM CLOSED SESSION CALL TO ORDER:](#)**
 - A. [Confirmation of Quorum.](#) CC

4. ANNOUNCEMENT OF CLOSED SESSION:

- A. Conference with Labor Negotiators pursuant to Government Code Section 54957.6; City representative: Rajeev Batra, Interim City Manager (or designee); Employee Organization(s): Unit #1 - Santa Clara Firefighters Association, IAFF, Local 1171; Unit #2 - Santa Clara Police Officer's Association; Unit #3 - IBEW Local 1245 (International Brotherhood of Electrical Workers); Unit #4 - City of Santa Clara Professional Engineers; Units #5, 7 & 8 - City of Santa Clara Employees Association; Unit #6 - AFSCME Local 101 (American Federation of State, County and Municipal Employees); Unit #9 - Miscellaneous Unclassified Management Employees; Unit #9A - Unclassified Police Management Employees; Unit #9B - Unclassified Fire Management Employees; Unit #10 - PSNSEA (Public Safety Non-Sworn Employees Association). **CC**
- B. Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(d)(1), *Harmon v. City of Santa Clara, et al.*, United States District Court, Northern District of California Case No. 5:16-cv-04228 EJD. **CC**
- C. Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(d)(1), *City of San Jose v. City of Santa Clara*, San Mateo County Superior Court Case No. 16-CIV-02303. **CC**
- D. Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(d)(1), *City of Santa Clara v. City of San Jose*, San Mateo County Superior Court Case No. 17-CIV-00547. **CC**

5. PUBLIC COMMENT REGARDING CLOSED SESSION:

6. RECESS TO CLOSED SESSION (Council Conference Room):

7. 7:00 PM REGULAR MEETING CALL TO ORDER:

8. PLEDGE OF ALLEGIANCE AND STATEMENT OF VALUES:

9. APPROVAL OF MINUTES:

- A. March 7, 2017. **CC SA SOSA HA**
- B. March 21, 2017. **CC SA SOSA HA**
- C. March 28, 2017 - Special Meeting. **CC**

10. ROLL CALL:

11. CONTINUANCE/EXCEPTIONS:

12. SPECIAL ORDER OF BUSINESS:

- A. [Presentation of a Proclamation to Nancy Biagini in recognition of her many years of dedicated service working on labor issues with Pacific Telephone & Telegraph Company and as International Staff for Communications Workers of America.](#) **CC**
- B. [Presentation of the Youth Commission's "Santa Clara's Got Talent" Scholarships.](#) **CC**
- C. [Promotion of a vacancy on the Historical and Landmarks Commission.](#) **CC**
- D. [Cultural Commission Presentation of Upcoming Events for April and May 2017.](#) **CC**

13. 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.]

A. Departmental Reports

- 1. [Approval to set the salary of Recruit Police Officer candidate Mario Fernandez at Step 3, Salary Grade A-31.](#) **CC**
- 2. [Approval of the revised job description for Director of Public Works.](#) **CC**
- 3. [Approval of the revised job description and title change from Senior Project Engineer to Utility Operations Engineer.](#) **CC**
- 4. [Approval of the Compromise and Release as recommended by the City's Workers' Compensation legal counsel to settle the claims for the injuries that Dojoon Bahk, Retired Fire Captain, sustained on January 31, 2014, October 28, 2015 and cumulatively through October 28, 2015.](#) **CC**
- 5. [Approval of the Compromise and Release as recommended by the City's Workers' Compensation legal counsel to settle the claim for the injury that Michael Ryan, retired Battalion Chief, sustained cumulatively through October 28, 2013.](#) **CC**
- 6. [Note and file the Monthly Financial Status Reports for February 2017.](#) **CC**

7. [Authorization to sign Cal OES Form 130 "Designation of Applicant's Agent Resolution for Non-State Agencies" granting authority to the City Manager, Fire Chief and Director of Finance to execute documents and perform such other acts as are necessary on behalf of the City with respect to matters relating to the California Governor's Office of Emergency Services \(OES\) and the Federal Emergency Management Agency \(FEMA\) for disaster recovery funds.](#) **CC**
8. [Approval for the use of City Electric forces for the installation of facilities on both sides of Augustine Drive from Santa Clara Square retail area to Octavius Drive and on the north side of Walsh Avenue 600' east of Bowers Avenue.](#) **CC**
9. [Approval of the revised ten year goals for energy efficiency as determined by the Incremental Market Potential identified in the Navigant potential study.](#) **CC**
10. [Approval of the use of City Water Utility forces to install a new 1" water service and relocate existing 5/8" water service at 1142 Warburton Avenue.](#) **CC**
11. [Adoption of a Resolution of Intention to order that the alternative method for the levy of benefit assessment be made applicable to the Santa Clara Convention Center Complex Maintenance District No. 183 and sets a hearing date for June 6, 2017 for approval of the Director's Report for Fiscal Year 2017/18.](#) **CC**
12. [Adoption of a Resolution of Intention to order that the alternative method for the levy of benefit assessment be made applicable to City of Santa Clara Parking Maintenance District No. 122 and sets June 6, 2017 for approval of the Director's Report for Fiscal Year 2017/18.](#) **CC**
13. [Approval of Final Map for Tract No. 10370 subdividing three parcels into one condominium lot for the Planned Development of 40 condominium units on an approximately 2.07-acre parcel located at 1525 Alviso Street by Pulte Home Company, LLC and authorization to make minor modifications and to record the Map \[APN 224-29-012, 032 and 034 \(2016-17\)\].](#) **CC**
14. [Approval of the Final Map for Tract 10381, a single lot subdivision for 4 buildable lots for attached townhome purposes and one common lot for use as a private street and utility corridor to serve the individual lots on an approximately 0.232-acre parcel located at 1055 Helen Avenue by Kash Limited Partnership and authorization to make minor modifications and to record the Map \[APN 213-37-006 \(2016-2017\)\].](#) **CC**
15. [Acceptance of the work performed by JJR Construction, Inc. for a final contract price of \\$360,792.61 for the Removal of Barriers to the Physically Challenged Project Fiscal Year 2016-17 \(CE 16-17-01\).](#) **CC**

- 16. [Approval for the procurement of one Compact Crawler Boom Lift and Trailer for the Parks and Recreation Department from H & E Equipment Services in an amount not to exceed \\$125,617.](#) CC
- 17. [Approval of Plans and Specifications for the Police Facility Security Improvements Project and authorization to make minor modifications and to advertise for bids \(CE 16-17-06\).](#) CC
- 18. [Approval of Project Plans and Specifications for the Sanitary Sewer Repairs Project and authorization to make minor modifications and to advertise for bids \(CE 16-17-11\).](#) CC
- 19. [Approval of Specifications for the Electric Utility Overhead Facilities Master Construction Agreement \(Contract No. 2420A\) and authorization to make minor modifications and to advertise for bids.](#) CC
- 20. [Acceptance and approval to appropriate a donation from Raymond G. Gamma in the amount of \\$1,000 to help support the Raymond G. Gamma Dog Park.](#) CC
- 21. [Acceptance of a donation of a flag pole and installation valued at \\$5,200 from The Rotary Club of Santa Clara to be placed at Central Park Fatjo Field.](#) CC

B. Agreements

- 1. [Approval of Call No. 17-1 for Professional Services with Reichman, Karten, Sword, Inc., dba RKS Research & Consulting, in an amount not to exceed \\$25,000 for California Municipal Utilities Association 2017 Statewide Survey of Business and Key Account Customers Served by Municipal Utilities.](#) CC
- 2. [Approval of Amendment No. 1 to the Electric Service Agreement with Nvidia Corporation to extend the term of the Agreement for an additional six months to October 31, 2017.](#) CC
- 3. [Approval of Call No. 17-1 for Professional Services with Energy & Resource Solutions, Inc. in an amount not to exceed \\$594,498 for management and administration of the Business Energy Efficiency Public Benefit Programs.](#) CC
- 4. [Approval of an Agreement for Performance of Services with Environmental Technical Services, Inc. for industrial hygiene services in an amount not to exceed \\$30,000 for Fiscal Year 2016-2017 with a total not to exceed amount of \\$500,000 over the five-year term.](#) CC
- 5. [Approval of a Reimbursement Agreement \(No. HSR 16-86\) with the California High-Speed Rail Authority in an amount not to exceed \\$150,644 for the High-Speed Rail Project and authorization for the City Manager to make minor, non-substantive modifications to the Agreement.](#) CC

- 6. [Approval of a three-year Agreement for the Performance of Services with Revel Environmental Manufacturing, Inc. for the purchase, installation and maintenance of full trash capture devices for an amount not to exceed \\$411,085 over the three-year term, subject to budget appropriations.](#) CC
- 7. [Approved an Affordable Housing Agreement with Pulte Home Company, LLC for provision of four Below Market Purchase homes within a 40-unit housing project at 1525 Alviso Street and authorization to execute amendments thereto and take any other action necessary.](#) CC

C. Bills and Claims/Progress Payments

- 1. [Approval of Bills and Claims and Progress Payments.](#) CC SA SOSA HA

D. Reports for Information and Possible Action

E. Minutes to Note and File

- 1. [Historical and Landmarks Commission - February 2, 2017.](#) CC
- 2. [Parks and Recreation Commission - February 21, 2017.](#) CC
- 3. [Board of Library Trustees - March 6, 2017.](#) CC

F. Routine Written Petitions for Approval

- 1. [Sean Bardes on behalf of Gidel and Kocal Construction: Request for a Special Permit to allow a temporary modular office located at 4517 Stevens Creek Boulevard \(PLN2017-12539\). Staff Recommendation: Approval, subject to conditions.](#) CC
- 2. [Marisa Davis on behalf of Forza Telecom: Request for approval of a Special Permit to allow a temporary Cell on Wheels located at the parking lot for 2600 Tasman Drive \(PLN2017-12577\). Staff Recommendation: Approval, subject to conditions.](#) CC

14. PUBLIC PRESENTATIONS:

[This item is reserved for persons to address the Council/Stadium Authority/Sports and Open Space Authority/Housing Authority 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 speaker cards available in the Council Chambers.]

15. CONSENT ITEMS PULLED FOR DISCUSSION:

16. UNFINISHED BUSINESS:

[Possible Reconsideration of Actions Taken at Immediately Preceding Meeting. (See Summary of Actions for potential reconsideration, which is in the Agenda Packet Binder in the Council Chambers.)]

17. ITEMS SET FOR HEARING:

[Planning Commission items not being appealed, or which are not related to an appeal, will be heard under REPORTS FOR ACTION.] If you challenge a City Council land use decision in court, you may be limited to raising only those issues you or someone else raised at this hearing before the City Council or in written correspondence delivered to the City at, or prior to, the City Council hearing on the matter. (California Government Code Section 65009)

- A. [Adoption of a Resolution adopting the City of Santa Clara Municipal Fee Schedule 2017-18 which imposes new fees, rates and charges, amends existing fees and retains unchanged fees for various City departments, effective July 1, 2017.](#) **CC**

18. REPORTS FOR ACTION:

- A. [Approval of a Professional Services Agreement with Raimi + Associates Inc. to prepare the El Camino Real Focus Area Plan and Environmental Impact Report \(EIR\) at a cost not to exceed \\$910,000 and request for direction regarding the processing of pending El Camino Real Planning applications.](#) **CC**

- B. [Approval of Amendment No. 1 to the Agreement with Jones Lang LaSalle Americas, Inc. for Engagement of Stakeholders and Development Plan for New Operation Model for the Santa Clara Convention Center and Convention-Visitors Bureau and appropriation of funds in the amount of \\$170,000.](#) **CC**

19. STADIUM AUTHORITY ITEMS:

- A. [Informational Report: Adoption of a Resolution consenting to the Service Agreement between the Forty Niners Stadium Management Company and Landmark Event Staffing Services, Inc. for security services at Levi's Stadium is agendized for Monday, April 17, 2017 Special Meeting.](#) **SA**

20. WRITTEN PETITION:

- A. [Rhiannon Paterniti: Request to extend the City's goal of "Enhancing Community Sports and Recreational Assets" to help address the substantial lack of designated cricket facilities within the City of Santa Clara.](#) **CC**

- B. [Chip Cassin: Request for information regarding how Police Department criminal matters are handled through better de-escalation techniques.](#) **CC**

- C. [Marty McCormick, American Legion Post 419: Request for waiver of Encroachment Permit fees of \\$1,150 for the annual Car Show on June 10, 2017 and for future shows.](#) CC

21. BIDS AND PROPOSALS:

- A. [Award of Public Works Contract for the 2017 Pavement Resurfacing Project \(CE 16-17-08\) to the lowest responsive and responsible bidder, Granite Construction Company, in the amount of \\$4,831,650.60 and authorization to execute change orders up to approximately 10% of the original contract price for a total not-to-exceed amount of \\$5,314,800 and approval of an appropriation in the amount of \\$2,625,000 of Unallocated Gas Tax monies to cover the cost.](#) CC

22. REPORTS OF MEMBERS AND SPECIAL COMMITTEES (CC SA SOSA HA):

- A. Reports regarding conference attendance, if any.

23. CITY MANAGER/EXECUTIVE DIRECTOR REPORTS:

24. REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS:

25. ADJOURNMENT:

- A. The next regular scheduled meeting is on Tuesday evening, May 9, 2017, in the City Hall Council Chambers.