

**MINUTES OF THE JOINT MEETING  
OF THE CITY OF SANTA CLARA CITY COUNCIL  
AND CIVIL SERVICE COMMISSION  
AND THE REGULAR CONCURRENT MEETING  
OF THE CITY OF SANTA CLARA  
CITY COUNCIL  
SANTA CLARA STADIUM AUTHORITY  
SPORTS AND OPEN SPACE AUTHORITY  
CITY OF SANTA CLARA HOUSING AUTHORITY  
TUESDAY, APRIL 18, 2017**

The City Council and the Civil Service Commission met at 5:00 pm, on the above-mentioned date, in the City Hall Council Chambers for an **Informational Joint City Council and Civil Service Commission Dinner Meeting**.

Present: Council Members Debi Davis, Patrick Kolstad, Patricia M. Mahan, Teresa O'Neill and Kathy Watanabe and Mayor Lisa M. Gillmor. Absent: Council Member Dominic J. Caserta. Present: Civil Service Commissioners John Casey and Carolyn G. McAllister and Chair Mario Bouza. Absent: Civil Service Commissioners Willie D. Brown, Jr. and Pat Staffelbach.

Staff present: City Manager, Interim City Attorney, City Clerk/Auditor, Director of Human Resources and Assistant Director of Human Resources.

Per the Executive Assistant to the Mayor and City Council's informational report, the **Council and the Civil Service Commission proceeded with the Joint Dinner Meeting** for an update on current activities and potential future Commission projects. Chair Bouza reviewed and provided a handout regarding the Commission duties and events. A Council/Commission discussion was held.

With no public comment, the Council, with a quorum present, met at 6:02 pm in the Council Conference Room for a **Closed Session**.

The Council met for a Conference with Labor Negotiators pursuant to Government Code Section 54957.6; City representative: Rajeev Batra, 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); 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; [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](#); and 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.

The City Council, Stadium Authority, Sports and Open Space Authority, and Housing Authority convened at 7:05 pm in the City Hall Council Chambers and the regular Concurrent Meeting was opened with the recitation of the Pledge of Allegiance and Statement of Values.

Present: Members Dominic J. Caserta, Debi Davis, Patrick Kolstad, Patricia M. Mahan, Teresa O'Neill and Kathy Watanabe and Mayor/Chairperson Lisa M. Gillmor.

Staff present: City Manager, Interim City Attorney and City Clerk/Auditor.

**MOTION** was made by Davis, seconded and unanimously carried, that the **Minutes** for the Meeting of **March 7, 2017** be adopted as corrected.

**MOTION** was made by Davis, seconded and unanimously carried, that the **Minutes** for the Meeting of **March 21, 2017** be adopted as written.

**MOTION** was made by Davis, seconded and carried with Caserta and Mahan abstaining (not present at the meeting), that the **Minutes** for the Special Meeting of **March 28, 2017** be adopted as written.

**MOTION** was made by Davis, seconded and unanimously carried, that the Council **consider** earlier than agendaized the following **Written Petitions**: Rhiannon Paterniti submitted on March 16, 2017, Chip Cassin submitted on March 17, 2017 and Marty McCormick on behalf of American Legion Post 419 submitted on March 28, 2017 and **direct** that the Written Petitions be considered at the conclusion of the Consent Calendar.

The City Manager/Executive Director informed the Mayor/Chairperson that Assistant City Manager Shikada's informational report regarding the 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** was approved at the Council/Stadium Authority Special Meeting of April 17, 2017 and could be withdrawn from the agenda. Pursuant to the Mayor/Chairperson's request, the item was not withdrawn.

As a Special Order of Business, the Council proceeded to consider the Executive Assistant to the Mayor and City Council's informational report recognizing **Nancy Biagini** for her many years of dedicated service working on Labor issues with Pacific Telephone & Telegraph and as International Staff for Communications Workers of America. The Mayor outlined Ms. Biagini's work history and the numerous awards she received for community activism and presented her with a City Proclamation in recognition of her many years of

service. Ms. Biagini addressed the Council with words of gratitude and introduced her family who were present in the audience. Photographs were taken with the Council.

As a Special Order of Business, the Council proceeded to consider the Director of Parks and Recreation's informational report for the presentation of the **Youth Commission Santa Clara's Got Talent Scholarships**. Recreation Coordinator/Youth Commission Liaison Jon Kawada introduced Youth Commission Chair Tamara Pantic, Youth Commission Vice Chair Alicia Luong, and Youth Commissioner and Event Chair Alyssa Riley. Ms. Riley addressed the Council with a brief description of the 6<sup>th</sup> Annual Santa Clara's Got Talent event, thanked event Judges, and presented the following youths with a scholarship: Stephanie Chee (\$50), Anagrace Rodriguez (\$150) and Vedik Jayaraj (\$300). Photographs were taken with the Council. Member Watanabe congratulated the scholarship recipients.

As a Special Order of Business, the Council proceeded to consider the Director of Community Development's report for the promotion of one vacancy on the **Historical and Landmarks Commission**. Brian Johns, Chair of the Commission, gave an electronic presentation regarding the duties and events of the Commission.

As a Special Order of Business, the Council proceeded to consider Management Analyst Jung's informational report regarding **Upcoming Events for the Cultural Commission for April and May 2017**. Eversley Forte, Chair of the Commission, gave an electronic presentation regarding the following upcoming events: Flamenco "Noche De Flamenco" on April 21, 2017 and "The Noodle Cook Off" for the Asian Pacific American Heritage Month Celebration on May 20, 2017.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Chief of Police's report, the Council **approve** setting the **salary of Recruit Police Officer candidate, Mario Fernandez** at Step 3, Salary Grade A-31.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Human Resources' report, the Council **approve** the **revised job description for Director of Public Works**.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Human Resources' report, the Council **approve** the **revised job description and title change from Senior Project Engineer to Utility Operations Engineer**.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Human Resources' report, the Council **approve** 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 though October 28, 2015.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Human Resources' report, the Council **approve** 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.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Acting Director of Finance's report, the Council **note and file the Monthly Financial Status Reports for February 2017 as presented.**

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Fire Chief's report, the Council **authorize and grant authority** by signing Cal OES Form 130 "Designation of Applicant's Agent Resolution for Non-State Agencies", to execute documents and perform such other acts as are necessary on behalf of the City, with respect to matters relating to California Governor's Office of Emergency Services (OES), to the following City officials: City Manager, Fire Chief, and Director of Finance.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Electric Utility's report, the Council **approve 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; North Side of Walsh Avenue, 600' East of Bowers Avenue.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Electric Utility's report, the Council **approve the revised ten year goals for energy efficiency,** as determined by the Incremental Market Potential identified in the Navigant potential study.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Acting Director of Water and Sewer Utilities' report, the Council **approve 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.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Public Works/City Engineer's report, the Council **adopt Resolution No. 17-8421** entitled "A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA OF INTENTION TO ORDER THAT THE ALTERNATIVE METHOD FOR THE LEVY OF BENEFIT ASSESSMENT BE MADE APPLICABLE TO CITY OF SANTA CLARA CONVENTION CENTER COMPLEX MAINTENANCE DISTRICT NO. 183, PROVIDING FOR NOTICE OF HEARING THEREON, APPROVING THE DISTRIBUTION OF THE DIRECTOR'S REPORT, AND PROVIDING FOR NOTICE OF HEARING ON DIRECTOR'S REPORT FOR FISCAL YEAR 2017/18" which sets a Public Hearing on June 6, 2017 to consider the **Director's Report for Fiscal Year 2017/18 for the City of Santa Clara Convention Center Complex Maintenance District No. 183,** which orders 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 **authorize** the publication, mailing, and posting of the notice of public hearing as stated in the Resolution. The City Manager noted an error on the agenda report regarding the cost balance and that the correct amount will be reflected at the June 6, 2017 Public Hearing.

**MOTION** was made by Davis, seconded and carried with Gillmor abstaining (owns building in subject area), that, per the Director of Public Works/City Engineer's report, the Council **adopt Resolution No. 17-8422** entitled "A RESOLUTION OF THE CITY OF

SANTA CLARA, CALIFORNIA 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, PROVIDING FOR NOTICE OF HEARING THEREON, APPROVING THE DIRECTOR'S REPORT FOR DISTRIBUTION, AND PROVIDING FOR NOTICE OF HEARING ON DIRECTOR'S REPORT FOR FISCAL YEAR 2017/18", which orders that the alternative method for the levy of benefit assessment be made applicable to City of Santa Clara Parking Maintenance District No. 122 and **set a hearing date for June 6, 2017** to approve the Fiscal Year 2017/18 Director's Report and **authorize** the publication and posting of the notice of hearing as stated in the Resolution.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Public Works/City Engineer's report, the Council **approve** the **Final Map for Tract No. 10370**; **authorize** the City Manager to make minor modifications, if necessary; and **authorize** recordation of the Final Map of Tract No. 10370 subdividing three parcels into 1 condominium lot for the Planned Development of 40 condominium units on an approximately 2.07-acre parcel located at **1525 Alviso Street** [APN 224-29-012, 032, and 034 (2016-17)] by Pulte Home Company, LLC.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Public Works/City Engineer's report, the Council **approve** the **Final Map for Tract No. 10381**; **authorize** the City Manager to make minor modifications, if necessary; and **authorize** recordation of Final Map of Tract No. 10381, a single lot subdivision for 4 buildable lots for attached townhome purpose 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** [APN 213-37-006 (2016-2017)] by Kash Limited Partnership.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Public Works/City Engineer's report, the Council **accept** 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 FY 2016-17 (CE 16-17-01); and **authorize** recordation of a Notice of Completion with the County Recorder.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Public Works/City Engineer and Director of Parks and Recreation's report, the Council **approve** and **authorize** the City Manager to execute all documents necessary 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.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Public Works/City Engineer's report, the Council **approve** the **Plans and Specifications for the Police Facility Security Improvements Project (CE 16-17-06)**; **authorize** the City Manager to make minor modifications, if necessary; and **authorize** the advertisement for bids.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the

Director of Public Works/City Engineer's report, the Council **approve** the **Project Plans and Specifications for the Sanitary Sewer Repairs Project (CE 16-17-11)**; **authorize** the City Manager to make minor modifications, if necessary; and **authorize** the advertisement for bids.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Electric Utility's report, the Council **approve** the **Specifications for the Electric Utility Overhead Facilities Master Construction Agreement (Contract No. 2420A)**; **authorize** the City Manager to make minor modifications, if necessary; and **authorize** the advertisement for bids.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director Parks and Recreation's report, the Council **accept** the donation from Raymond G. Gamma in the amount of \$1,000 to help support the Raymond G. Gamma Dog Park; **approve** an appropriation of \$1,000 for the Raymond G. Gamma Dog Park; and **authorize** the transmittal of a letter of appreciation signed by the Mayor and City Manager.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Electric Utility's report, the Council **approve** and **authorize** the City Manager to execute **Call No. 17-1** for Professional Services with Richman, 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.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Electric Utility's report, the Council **approve** and **authorize** the City Manager to execute **Amendment No. 1** to the **Electric Service Agreement** with Nvidia Corporation to extend the term of this Agreement for an additional six months to October 31, 2017.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Electric Utility's report, the Council **approve** and **authorize** the City Manager to execute **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.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Electric Utility's report, the Council **approve** and **authorize** the City Manager to execute **an Agreement for Performance of Services with Environmental Technical Services, Inc. (ETS)** in an amount not to exceed \$30,000 for Fiscal Year 2016-2017, with a total not to exceed \$500,000 over the five-year term, for industrial hygiene services.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Public Works/City Engineer's report, the Council **approve** and the **authorize** the City Manager to execute **State of California Standard Agreement No. HSR16-86** with the **State of California High-Speed Rail Authority** for reimbursement of an amount not-to-exceed \$150,644 for the High Speed Rail Project; and **authorize** the City Manager to make minor, non-substantive modifications to the Agreement, if necessary.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the

Director of Public Works/City Engineer's report, the Council **approve** and the **authorize** the City Manager to execute 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.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Community Development's report, the Council **approve** and **authorize** the City Manager or designee to execute the **Affordable Housing Agreement (AHA) with Plute Home Company, LLC**, to execute amendments thereto and to take any other action necessary to implement the agreement for the provision of four (4) Below Market Purchase (BMP) homes within a 40-unit housing project at 1525 Alviso Street.

**MOTION** was made by Davis, seconded and unanimously carried, that the Council/Authorities **approve** the payment of **Bills and Claims and Progress Payments**.

**MOTION** was made by Davis, seconded and unanimously carried, that the Council **note and file** the **Minutes** of the **Historical and Landmark's Commission** for the meeting of **February 2, 2017**; **Parks and Recreation Commission** for the meeting of **February 21, 2017**; and **Board of Library Trustees** for the meeting of **March 6, 2017**.

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Community Development's report, the Council **approve** the request for a **Special Permit to allow a temporary modular office located at 4517 Stevens Creek Boulevard**, subject to conditions (PLN2017-12539, APN 296-37-032).

**MOTION** was made by Davis, seconded and unanimously carried, that, per the Director of Community Development's report, the Council **approve** the request for a **Special Permit** to allow a temporary Cell on Wheels located at the parking lot at **2600 Tasman Drive**, subject to conditions (PLN2017-12577, APN 104-43-052).

The Council proceeded to consider the **Written Petition** submitted on March 16, 2017 by **Rhiannon Paterniti**. Ms. Paterniti addressed the Council and reviewed her petition requesting to extend the City's goal of "Enhancing Community Sports and Recreational Assets" to help address the substantial lack of designated **cricket facilities** with the City of Santa Clara. The Director of Parks and Recreation provided information regarding cricket facilities in the City and future plans for additional facilities. By Council consensus, the Council referred the matter to the City Manager.

The Council proceeded to consider the **Written Petition** submitted on March 17, 2017 by **Chip Cassin**. Mr. Cassin addressed the Council and reviewed his petition requesting information on how **Police Department criminal matters are handled through better de-escalation techniques**. Deborah Bress addressed the Council with general comments. A Council discussion followed. By Council consensus, the Council referred the matter to the City Manager.

The Council proceeded to consider the **Written Petition** submitted on March 28, 2017 by **Marty McCormick**, on behalf of American Legion Post 419, requesting a waiver

of Encroachment Permit fees of \$1,150 for the annual Car Show on June 10, 2017 and for future shows. Mr. McCormick addressed the Council, reviewed his petition, and provided a handout regarding Post 419. By Council consensus, the Council referred the matter to the City Manager to return at the next Council meeting with a report addressing the request.

Under **Public Presentations**, Brian Johns expressed comments regarding Silicon Valley Power Infrastructure. Stephen Hazel expressed general comments of concern. Howard Myers expressed concerns and gave an electronic presentation regarding Santa Clara 4 Smart Growth. Deborah Bress and Chuck Brown expressed general comments of concern. A Council discussion followed and the Interim City Attorney responded to questions.

The Council proceeded to consider the Director of Parks and Recreation's report recommending the retroactive acceptance of the **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. A Council discussion followed and the City Manager and Director of Parks and Recreation answered questions. **MOTION** was made by Davis, seconded and unanimously carried, that the Council **accept** the donation of the flag pole and installation, valued at \$5,200 from the Rotary Club of Santa Clara to be placed at Central Park Fatjo Field and **authorize** the transmittal of a letter of appreciation signed by the Mayor and City Manager.

**PUBLIC HEARING:** The Mayor declared the hearing open for consideration of the Acting Director of Finance's report recommending adoption of a Resolution which adopts the **City of Santa Clara Municipal Fee Schedule 2017-18** effective July 1, 2017, which a) imposes new fees, rates and charges; b) amends existing fees; and c) retains unchanged fees for various City departments. The City Manager introduced the item and the Acting Director of Finance gave an electronic presentation summarizing the Schedule. A Council discussion followed and the City Manager, Acting Director of Finance, Chief of Police, City Clerk, Director of Community Development and the Director of Parks and Recreation answered questions. The Council noted an email (4/15/17) from James Curylo in opposition to utility increases. The following individuals addressed the Council with general comments: Howard Myers, Deborah Bress, Hosam Haggag and Mark Apton. The City Manager provided additional information regarding the Schedule. [*Member Kolstad stepped off the dais.*] With no further public input, **MOTION** was made by Davis, seconded and unanimously carried (Kolstad absent), that the Council **adopt Resolution No. 17-8423** entitled "A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA ADOPTING THE 'CITY OF SANTA CLARA MUNICIPAL FEE SCHEDULE 2017-18' WHICH IMPOSES NEW FEES, AMENDS EXISTING FEES AND RETAINS UNCHANGED FEES FOR VARIOUS CITY DEPARTMENTS" which a) imposes new fees, rates and charges; b) amends existing fees; and c) retains unchanged fees for various City departments, effective July 1, 2017 and **direct** the City Manager to return with possible amendments to the Resolution based upon the direction of Council's concerns on specific fees.

Member Kolstad returned to the Council dais.

The Council proceeded to consider the Director of Community Development's report recommending the approval of an Agreement for the Performance of Services with **Raimi & Associates, Inc.** to prepare the El Camino Real Specific Focus Area Plan (Specific Plan) and Environmental Impact Report (EIR) at a cost not to exceed \$910,000, subject to modifications as agreed to by the City Manager in coordination with the City Attorney and requesting direction to the City Manager regarding the processing of pending El Camino Real Planning applications. The City Manager introduced the item. The Director of Community Development addressed the Council and gave an electronic presentation summarizing the General Plan vision for the El Camino Real to be transformed to a tree-lined, pedestrian-oriented and transit-oriented corridor with a mix of residential and retail uses. A Council discussion followed and the Director of Community Development answered questions. The following individuals addressed the Council with concerns: Martin Bell (provided photograph), Elaine Breeze with SummerHill Apartment Communities, Mark Apton, Howard Myers, Richard Bonito and Deborah Bress. Hosam Haggag addressed the Council with general comments. The Council noted a letter (4/18/17) from Elaine Breeze (SummerHill Apartment Communities). **MOTION** was made by Mahan, seconded and unanimously carried, that the Council **approve** and authorize the City Manager to execute the **Agreement for the Performance of Services** with **Raimi & Associates, Inc.** to prepare the El Camino Real Focus Area Plan and the Environmental Impact Report (EIR) at a cost not to exceed \$910,000, subject to modifications as agreed to by the City Manager in coordination with the City Attorney. The Mayor recused herself from discussion on the Vidovich El Camino Real project due to a possible financial conflict and she stepped off the dais. Vice Mayor Caserta called for Council discussion on the item. A Council discussion followed and the Interim City Attorney answered questions. Deborah Bress, Hosam Haggag, Howard Myers, Joe Siecinski and Mark Apton addressed the Council with concerns. **MOTION** was made by Mahan, seconded and carried with Gillmor abstaining (possible financial conflict with the Vidovich project located at 3402 El Camino Real), that the Council **defer** for six to ten months consideration of new projects along the El Camino Real requiring General Plan or zoning amendments until the initial community outreach is completed for the Specific Plan. **MOTION** was made by Mahan, seconded and carried with Gillmor abstaining (possible financial conflict with the Vidovich project located at 3402 El Camino Real), that the Council **approve** the following current pending rezoning projects to move forward for future Council action prior to completion of the initial Specific Plan community outreach as long as they do not require a General Plan Amendment: 2490-2500 El Camino Real (Mariani); 1530-1540 Pomeroy Avenue (RidgeCrest/Shakeri); 3402 El Camino Real (Vidovich); and 2232-2240 El Camino Real (SummerHill Apartment Communities).

**MOTION** was made by Caserta, seconded and unanimously carried, that, per the Deputy City Manager's report, the Council **approve** and authorize the City Manager to execute **Amendment No. 1** to the **Agreement for the Performance of Services** 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 appropriate funds in the amount of \$170,000 to the Convention Center Enterprise Contractual Services account.

The Stadium Authority proceeded to consider Assistant City Manager Shikada's informational report with respect to the Stadium Authority's action taken at the Special

Meeting of April 17, 2017 in adopting **Resolution No. 17-4 (STADIUM AUTHORITY) which consents to the Service Agreement between the Forty Niners Stadium Management Company and Landmark Event Staffing Services, Inc.** for security services at Levi's® Stadium. The Executive Director reviewed the terms of the Agreement and noted that the two 1-year extensions were not approved. The Acting Stadium Authority Counsel answered questions. The following individuals addressed the Stadium Authority with concerns: Hosam Haggag, Deborah Bress and Stephen Hazel.

After the City Manager briefly reviewed the Director of Public Works/City Engineer's report, **MOTION** was made by O'Neill, seconded and unanimously carried, that the Council; **award** the 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; **authorize** the City Manager to execute any and all documents associated with, and necessary for the award, completion and acceptance of the Project, and to execute change orders up to approximately 10% of the original contract price or \$483,149.40 for a total not to exceed amount of \$5,314,800; and **approve** appropriations in the amount of \$2,625,000 of Unallocated Gas Tax monies to the Annual Street Maintenance and Rehabilitation Program.

Member O'Neill provided a brief report regarding a meeting with Santa Clara County Health Department and Breathe California representatives concerning the effects of second hand smoke illnesses and asked for Council's support in updating City's ordinances dealing with exposure to smoke. She also noted a recent visit to the new Bay Area Rapid Transit (BART) Milpitas Station and Berryessa Station that are nearing completion.

The City Manager announced the following; the next monthly "Chat with the Chief meeting" will be on April 26, 2017 at Maywood Park at 7:00 pm, and upcoming PlaceMaking workshops, posted on the City's website, will be on April 20 and 27, 2017 and May 4, 11 and 15, 2017.

The Interim City Attorney reported that the Council would trail for a **Closed Session** in the Council Conference Room for a Conference with Labor Negotiators pursuant to Government Code Section 54957.6; City representative: Rajeev Batra, 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); 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; 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; and 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.

There being no further business, **MOTION** was made by O'Neill, seconded and unanimously carried, to **adjourn** the meeting at 10:35 pm, in **Memory** of **George G. Netto** (lifetime Santa Clara resident and Navy Veteran) to the next regular scheduled meeting on Tuesday evening, **May 9, 2017** in the City Hall Council Chambers. The Council, with a quorum present, then met in the Council Conference Room for the Closed Session as outlined above. The Council reconvened in the City Hall Council Chambers at 11:30 pm and the Interim City Attorney reported that there was no reportable action. The meeting stood adjourned.

ATTEST: \_\_\_\_\_  
City Clerk/Secretary/Clerk

APPROVE: \_\_\_\_\_  
Mayor/Chairperson