



City of Santa Clara

Meeting Minutes

Council and Authorities Concurrent Meeting

01/29/2019

4:00 PM

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

Closed Session - 4:00 PM | Recognition - 5:00 PM | Regular Meeting - 5:45 PM

4:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Mayor Gillmor called the Closed Session to order at 4: 05 PM.

Confirmation of a Quorum

Assistant City Clerk Pimentel confirmed a quorum.

Public Comment

Public Speaker(s): Public Speaker (1)

[19-127](#)

Public Employee Performance Evaluation (CC)
Pursuant to Gov. Code § 54957
Title: City Attorney

19-128

Conference with Labor Negotiators (CC)
Pursuant to Gov. Code § 54957.6
City representative: Deanna J. Santana, 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)

Convene to Closed Session (Council Conference Room)

5:45 PM COUNCIL REGULAR MEETING

Call to Order

Mayor Gillmor called the meeting to order at 5:39 PM.

Pledge of Allegiance and Statement of Values

Roll Call

Present: 7 - Vice Mayor Patricia M. Mahan, Councilmember Teresa O'Neill, Mayor Lisa M. Gillmor, Councilmember Debi Davis, Councilmember Kathy Watanabe, Councilmember Karen Hardy, and Councilmember Raj Chahal

5:00 PM Recognition

19-052

Recognition of Adrian Wilcox High School Varsity Football Team for Winning State Championship

Mayor Gillmor expressed gratitude and recognized the first Santa Clara High School State Football Champions - Wilcox High School Football Team.

Wilcox High School Principal Gonzalez expressed comments of appreciation towards the City Council and the Santa Clara community for their support.

Head Coach Rosa introduced and expressed gratitude for the Coaching staff.

1. 19-1111

Action on El Camino Real Specific Plan (Councilmembers Davis, O'Neill, Watanabe and Mahan are eligible to participate; not eligible are Councilmembers Chahal, Hardy and Mayor Gillmor)

Recommendation: 1. Accept the draft land use plan and preferred right-of-way alternatives as the basis for CEQA review;
2. Accept that the public outreach for the ECR land use plan has been substantially completed so that project applications may be reviewed by the City Council in reference to the preferred land use plan; and
3. Direct staff to explore formal community benefits criteria to be incorporated into the Specific Plan for future development projects.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to defer this item to February 5, 2019 and convert the item to a Study Session.

Aye: 4 - Vice Mayor Mahan, Councilmember O'Neill, Councilmember Davis, and Councilmember Watanabe

Abstained: 3 - Mayor Gillmor, Councilmember Hardy, and Councilmember Chahal

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

City Attorney Doyle noted that there was no reportable action from Closed Session.

CONTINUANCES/EXCEPTIONS

City Manager Santana noted to add to Item #3.J's report information on the Cost of Compact to Legislative Advocacy Positions.

Assistant City Clerk Pimentel noted that the attachment for Item #3.W was revised due to a typographical error.

CONSENT CALENDAR

Councilmember Hardy and Councilmember Chahal abstained from Item #3.A.

Councilmember Watanabe pulled Items #3.T and #3.X.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve the balance of the Consent Calendar (except Item #3.T and #3.X)

Aye: 7 - Councilmember Mahan, Councilmember O'Neill, Mayor Gillmor, Councilmember Davis, Councilmember Watanabe, Councilmember Hardy, and Councilmember Chahal

3.A [19-716](#) Action on the City Council Special Meeting Minutes

Recommendation: Note and file the City Council Special Meeting Minutes of November 29, 2018.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

Aye: 5 - Councilmember Mahan, Councilmember O'Neill, Mayor Gillmor, Councilmember Davis, and Councilmember Watanabe

Abstained: 2 - Councilmember Hardy, and Councilmember Chahal

3.B [19-019](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Historical and Landmarks Commission (Revised) - September 6, 2018
Planning Commission - December 12, 2018

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

3.C [19-1593](#) Action on Bills and Claims Report (CC, HA, SOSA) for the period November 23rd - January 10th

Recommendation: Approve the list of Bills and Claims for November 23, 2018 - January 10, 2019.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

3.D [19-1641](#) Action on Monthly Financial Status and Investment Reports for November 2018

Recommendation: Approve the Monthly Financial Status and Investment Reports for November 2018 as presented.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

3.E [19-1441](#) Action on the Santa Clara Convention Center (SCCC) 1st Quarter Financial Status Report

Recommendation: Note and file the Santa Clara Convention Center Financial Status Report for the first quarter ended September 30, 2018, as submitted by the Santa Clara Chamber of Commerce.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

3.F [19-1230](#) Healthier Kids Foundation FY2017-18 Fourth Quarter Report

Recommendation: Note and file the Healthier Kids Foundation FY 2017-18 Fourth Quarter report.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

3.G [19-1103](#) Healthier Kids Foundation - FY2018-19 First Quarter Report

Recommendation: Note and file the Healthier Kids Foundation FY2018-19 First Quarter report.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

3.H [19-1444](#) Action on the Fiscal Operation of the Santa Clara Golf and Tennis Club Report for the 1st quarter ended September 30, 2018

Recommendation: Note and file the Status Report for the Fiscal Operation of the Santa Clara Golf and Tennis Club for the first quarter ended September 30, 2018.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 3.I [19-725](#) Action on an Agreement with New Image Landscape Company for Landscape Maintenance and Bus Stop Trash Collection

Recommendation:

1. Approve and authorize the City Manager to execute an Agreement for landscape maintenance services with New Image Landscape Company for an amount not-to-exceed \$850,000 over a three-year term subject to annual appropriations; and
2. Authorize the City Manager to make minor modifications to the Agreement, including time extensions involving no increase in costs, if necessary.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 3.J [19-1457](#) Action on 2019 Legislative Advocacy Positions

Recommendation: Adopt the Legislative Advocacy Positions on Affordable Housing and Homelessness; Engagement with Federal Aviation Administration Regarding Airplane Noise; Environmental Regulatory and Conservation Issues; Local Authority over Wireless Telecommunications Facilities and Cable Services; Regional and State-wide Water Supply and Conservation; Regional Transportation Issues; and School Mitigation Fees.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 3.K [19-1499](#) Action on Agreements with Pump Repair Service Company and Shape, Inc. for Storm Pump Preventative Maintenance Inspection Services

Recommendation:

1. Approve and authorize the City Manager to execute an Agreement for storm pump preventative maintenance inspection services and repair with Pump Repair Service Company for an amount not-to-exceed \$750,000 over a five-year term subject to annual appropriations;
2. Approve and authorize the City Manager to execute an Agreement for storm pump preventative maintenance inspection services and repair with Shape, Inc. for an amount not-to-exceed \$350,000 over a five-year term subject to annual appropriations; and
3. Authorize the City Manager to make minor modifications to the Agreements, if necessary.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

3.L [19-1488](#) Action on a Resolution for the City of Santa Clara to Participate in the Initial Planning for Potential Future Use of the Sunnyvale Materials Recovery and Transfer (SMaRT) Station

Recommendation: Adopt a Resolution for the City of Santa Clara to Participate in the Initial Planning for Potential Future Use of the Sunnyvale Materials Recovery and Transfer (SMaRT) Station.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to adopt Resolution No. 19-8652.

3.M [19-1591](#) Action on Award of Contract for the Bowers and Machado Parks Playground Rehabilitation Project (CE17-18-14)

Recommendation:

1. Award the Public Works Contract for the Bowers and Machado Parks Playground Rehabilitation Project (CE 17-18-14) to the lowest responsive and responsible bidder, Redwood Construction and Equipment, Inc., in the amount of \$1,169,000 and authorize the City Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project; and
2. Authorize the City Manager to execute change orders up to approximately 10% of the original contract price, or \$116,900, for a total not to exceed amount of \$1,285,900.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

3.N [19-1594](#) Action on the Adoption of a Resolution Accepting the AB1600 Report on Development Impact Fees for Fiscal Year Ended June 30, 2018

Recommendation: Adopt a Resolution accepting the status report on the receipt and use of AB1600 Development Impact Fees during fiscal year ending June 30, 2018.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to adopt Resolution No. 19-8653.

- 3.O [19-1617](#) Action on the Ad Hoc Facilities Naming and Honorary Committee Recommendation to Name the Central Park Annex Park as the "Bill Wilson, Jr. Park"

Recommendation: Recommend that Council approve naming the Central Park Annex Park as the "Bill Wilson, Jr. Park".

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 3.P [19-1632](#) Action on a Resolution for the Use of City Electric Forces at Various Locations

Recommendation: Adopt a Resolution approving the use of City Electric Forces for the installation of facilities at 2533 Gallup Drive; 860 Washington Street; 653 Jefferson Street; 2363 Arlene Drive; 1595 Shady Glenn Avenue; 1575 Shady Glen Avenue; 761 Lincoln Street; 2239 Crocker Way; 825 Poplar Street; 2759 Columbus Place; 2367 Arlene Drive; across the street from 1065 Market Street; 3501 Thomas Road; 2594 Pebble Beach Drive; 1916 and 1914 Murguia Avenue; 751 Howell Avenue; Alviso Street at Newhall Street; and 2521-2561 Newhall Street.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to adopt Resolution No. 19-8654.

- 3.Q [19-1670](#) Action on Proclamations issued from October Through December 2018 to Individuals Retiring with 30 or more Years of Service

Recommendation: Note and file the report on Proclamations issued from October through December 2018 to Individuals Retiring with 30 or more Years of Service.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 3.R [19-1710](#) Action on a Reliability Coordinator Services Agreement with the California Independent System Operator Corporation

Recommendation: Approve and authorize the City Manager to execute the Reliability Coordinator Services Agreement with the California Independent System Operator Corporation subject to annual appropriations.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 3.S [19-1713](#) Action to Revise Job Specification for Compliance Manager

Recommendation: Approve the revised job description for Compliance Manager.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

- 3.U [19-049](#) Action on a Resolution Approving the 2019 Historical and Landmarks Commission Calendar of Meetings

Recommendation: Adopt a Resolution approving the 2019 Historical and Landmarks Commission Calendar of Meetings.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to adopt Resolution No. 19-8655.

- 3.V [19-102](#) Action to Adjust Compensation Ranges for Electric Utility Management Positions to Align with the Strategic Plan Implementation

Recommendation: Approve the revised Unclassified/Appointed/Elected Monthly Salary Schedule Resolution which incorporates salary range increases to the classifications of Electric Program Manager, Principal Electric Utility Engineer, Electric Division Manager, Senior Electric Division Manager, Assistant Director of Electric Utility, and the Electric Utility Chief Operating Officer, effective with the beginning of the first full pay period following approval of the new salary schedule.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to adopt Resolution No. 19-8656.

- 3.W [19-1566](#) Action on Appointments and Changes to the Outside Agency Committees for the 2019 calendar year

Recommendation: Approve the appointments to the 2019 Outside Agency Committees.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

CONSENT ITEMS PULLED FOR DISCUSSION

3.T [19-045](#) Action on a Resolution Amending In Part Resolution No. 5195, Setting the Number and Start Time of Regular Meetings of the Board of Library Trustees, and Approving the 2019 Board of Library Trustees Calendar of Meetings

Recommendation: Adopt a Resolution amending in part Resolution No. 5195, setting the number and start time of regular Board of Library Trustees meetings, and approving the 2019 Board of Library Trustees Calendar of Meetings.

Councilmember Watanabe pulled Item #3.T for further clarification.

City Librarian Keith responded to Council questions.

A motion was made by Councilmember Watanabe, seconded by Councilmember O'Neill, to adopt Resolution No. 19-8657.

Aye: 7 - Councilmember Mahan, Councilmember O'Neill, Mayor Gillmor, Councilmember Davis, Councilmember Watanabe, Councilmember Hardy, and Councilmember Chahal

3.X [19-075](#) Action on confirmation of the boundary of the Downtown Precise Plan planning area

Recommendation: Note and file the change to the Downtown Precise Plan planning area boundary.

Councilmember Mahan and **Mayor Gillmor** recused themselves and left the dais due to conflict of interest.

Councilmember Davis presided over the meeting.

Councilmember Watanabe pulled Item #3.X for further clarification.

Community Development Director Crabtree responded to Council questions.

A motion was made by Councilmember Watanabe, seconded by Councilmember Chahal, to note and file the change to the Downtown Precise Plan planning area boundary.

Aye: 5 - Councilmember O'Neill, Councilmember Davis, Councilmember Watanabe, Councilmember Hardy, and Councilmember Chahal

Recused: 2 - Councilmember Mahan, and Mayor Gillmor

GENERAL BUSINESS

5. [19-1676](#) Action on an Amendment No. 2 to an Agreement with Recology South Bay, dba Recology Santa Clara and Related Budget Amendment

Recommendation: Alternatives 1., 2., and 3.:

1. Approve and authorize the City Manager to execute Amendment No. 2 with Recology to extend the term of the agreement for residential curbside recycling services until December 31, 2021 and adjust the monthly tariff to \$4.34 per unit, effective February 1, 2019;
2. Approve a budget amendment to transfer \$251,000 from the Solid Waste Fund (096) ending fund balance to the FY 2018/19 Solid Waste Fund's Payment for Recycling and Garbage Collection and Disposal Services;
3. Authorize the City Manager to make minor modifications to the Amendment, if necessary.

Deputy Director of Public Works Staub presented a PowerPoint.

A motion was made by Councilmember O'Neill, seconded by Councilmember Hardy, to approve Alternatives #1, 2, & 3.

Aye: 7 - Councilmember Mahan, Councilmember O'Neill, Mayor Gillmor, Councilmember Davis, Councilmember Watanabe, Councilmember Hardy, and Councilmember Chahal

7. Actions related to Scooter and Bicycle Share Programs

Assistant City Manager Pineda presented a PowerPoint.

Public Speaker(s): Kirk Vartan

Public Speakers (2)

- A. [19-050](#) Consider Adopting an Emergency Ordinance Extending the Temporary Moratorium on Motorized Scooter and Bicycle Share Programs

Recommendation: Adopt the Emergency Ordinance extending the moratorium to December 19, 2019.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to adopt an Emergency Ordinance No. 1997 extending the moratorium to Decemeber 19, 2019.

Aye: 7 - Councilmember Mahan, Councilmember O'Neill, Mayor Gillmor, Councilmember Davis, Councilmember Watanabe, Councilmember Hardy, and Councilmember Chahal

- B. [19-103](#) Presentation of the Workplan for Developing New Ordinances and Regulations for Motorized Scooter and Bicycle Share Programs

Recommendation: Alternative 1: Proceed with the development of Citywide ordinances and regulations.

A motion was made by Councilmember Davis, seconded by O'Neill to approve the Alternative 1: Proceed with the development of Citywide ordinances and regulations.

Aye: 6 - Councilmember O'Neill, Mayor Gillmor, Councilmember Davis, Councilmember Watanabe, Councilmember Hardy, and Councilmember Chahal

Nay: 1 - Councilmember Mahan

SPECIAL ORDER OF BUSINESS

- 2.A [19-1575](#) Presentation by Santa Clara Relay for Life
Santa Clara Relay for Life team presented a PowerPoint.

- 2.B [19-116](#) Recognition of Holiday Home Decorating Contest Winners
Parks & Recreation Senior Center Supervisor Herb made a presentation.

PUBLIC PRESENTATIONS

None.

PUBLIC HEARING/GENERAL BUSINESS

4. [19-1592](#) Public Hearing: Adoption of a Resolution Ordering the Abatement of a Nuisance Consisting of Growing Weeds in Association with the County Weed Abatement Program for 2018-2019

Recommendation: Adopt a resolution ordering the abatement of a nuisance consisting of growing weeds in the City.

Fire Chief Kelly presented a PowerPoint.

Public Speaker(s): Public Speaker (1)

A motion was made by Councilmember Davis, seconded by Councilmember Mahan, to close the Public Hearing.

Aye: 7 - Councilmember Mahan, Councilmember O'Neill, Mayor Gillmor, Councilmember Davis, Councilmember Watanabe, Councilmember Hardy, and Councilmember Chahal

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to adopt Resolution No. 19-8658.

Aye: 7 - Councilmember Mahan, Councilmember O'Neill, Mayor Gillmor, Councilmember Davis, Councilmember Watanabe, Councilmember Hardy, and Councilmember Chahal

- 6. [19-1168](#) Public Hearing: Actions on Project Approvals Related to the Agrihood Project with Core Affordable Housing for the development of up to 361 multi-family residential units and 1.5 acres of open space at 1834 Worthington Circle/90 North Winchester (former BAREC site)

Recommendation:

1. Adopt a resolution approving and certifying the Final Environmental Impact Report (FEIR) and adopting CEQA Findings, a Statement of Overriding Considerations (SOC) and the Mitigation Monitoring and Reporting Program (MMRP)
2. Adopt a resolution approving the rezoning from Planned Development (PD) to Planned Development (PD) to allow the development of 165 affordable senior apartments, 160 multi-family mixed-income apartments, and 36 townhouses
3. Adopt a resolution approving the Vesting Tentative Subdivision Map
4. Adopt a resolution approving and authorizing the City Manager to negotiate and execute a Disposition and Development Agreement with Core Affordable Housing LLC for the development of the Agrihood Project located at 90 N. Winchester Boulevard/ 1834 Worthington Circle and further authorizing the City Manager to execute all other agreements (including a Ground Lease, Loan Agreements, Deeds of Trust, Promissory Notes, and Affordable Housing Agreement) in a form consistent with the DDA and all other documents necessary or convenient to close escrow and implement the purposes and terms of the DDA

Assistant City Manager Ruth Shikada, Community Development Director Andrew Crabtree, and Housing Manager Jonathan Veach presented a PowerPoint.

Public Speaker(s): Applicant	Vikas Gupta
Craig Mizushima	Alex Shodr
Fred Buzo	Alrie Middlebrook
Michael Tsai	Pat Sunseri
Kirk Vartan	Nick Kaspar
Francis McVey	Sandy Robertson
Karita Hummer	Manna Teclemariam
Mathew Reed	Miguel Lepoutre
Roma Dawson	Rose Margaret
Mitchell Mankin	Darian Lee
Josue Garcia	Emmy Mooreminiter
Ryan Sebastian	Daniel Mendoza
Matthew Quevedo	Zach Litoff
Nancy Biagini	Public Speaker(1)

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to close the Public Hearing.

Aye: 7 - Councilmember Mahan, Councilmember O'Neill, Mayor Gillmor, Councilmember Davis, Councilmember Watanabe, Councilmember Hardy, and Councilmember Chahal

A motion was made by Councilmember Mahan, seconded by Councilmember O'Neill to add the following additional conditions: (1) retail space be increased to 5,000 square feet, (2) 20,000 programmable space be memorialized for use, and (3) staff to explore with the developer to hold at least 52 events a year.

Aye: 7 - Councilmember Mahan, Councilmember O'Neill, Mayor Gillmor, Councilmember Davis, Councilmember Watanabe, Councilmember Hardy, and Councilmember Chahal

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to (1) adopt Resolution No. 19-8659 approving and certifying the Final Environmental Impact Report (FEIR) and adopting CEQA Findings, a Statement of Overriding Considerations (SOC) and the Mitigation Monitoring and Reporting Program (MMRP), (2) adopt Resolution No. 19-8660 approving the rezoning from Planned Development (PD) to Planned Development (PD) to allow the development of 165 affordable senior apartments, 160 multi-family mixed-income apartments, 36 townhouses, (3) adopt Resolution No. 19-8661 approving the Vesting Tentative Subdivision Map, and (4) adopt Resolution No. 19-8662 approving and authorizing the City Manager to negotiate and execute a Disposition and Development Agreement with Core Affordable Housing LLC for the development of the Agrihood Project located at 90 N. Winchester Boulevard/ 1834 Worthington Circle and further authorizing the City Manager to execute all other agreements (including a Ground Lease, Loan Agreements, Deeds of Trust, Promissory Notes, and Affordable Housing Agreement) in a form consistent with the DDA and all other documents necessary or convenient to close escrow and implement the purposes and terms of the DDA.

Aye: 7 - Councilmember Mahan, Councilmember O'Neill, Mayor Gillmor, Councilmember Davis, Councilmember Watanabe, Councilmember Hardy, and Councilmember Chahal

Mayor Gillmor called for a recess at 11:09 PM and reconvened the meeting at 11:19 PM.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Councilmember Chahal reported on his attendance with **Councilmember Hardy** at the League of California Cities Conference for Newly Elected Officials.

Councilmember Hardy shared her experience with the attendance at the League of California Cities Conference for Newly Elected Officials.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

City Manager Santana announced the following:

- Council received their packets for the Council Strategic Session and will be discussing unfunded liabilities and ten-year forecast;
- The Cannabis Study Session will be moved to the February 19, 2019 Agenda;
- In 2021, the Santa Clara Convention Center will be hosting the International Association Science Parks (IASP) Conference; and
- The Governance Workshop has garnished attention and will be presented at the WestCoast International City Managers Association Conference.

8. [19-054](#) Action on an Update regarding the Santa Clara/Santa Cruz Counties Airport/Community Roundtable

Recommendation: Note and File Update on Santa Clara/Santa Cruz Counties Airport/Community Roundtable.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to note and file the report.

Aye: 7 - Councilmember Mahan, Councilmember O'Neill, Mayor Gillmor, Councilmember Davis, Councilmember Watanabe, Councilmember Hardy, and Councilmember Chahal

9. [19-1631](#) Update on Settlement Agreements with the City of San José regarding development projects (e.g., Santana West and CityPlace)

Recommendation: Note and file this report regarding City of San Jose Settlement Agreements.

Assistant Director of Public Works Liw made a verbal update to the staff report.

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to note and file the report.

Aye: 7 - Councilmember Mahan, Councilmember O'Neill, Mayor Gillmor, Councilmember Davis, Councilmember Watanabe, Councilmember Hardy, and Councilmember Chahal

- [19-135](#) Tentative Meeting Agenda Calendar

ADJOURNMENT

The meeting was adjourned at 11:48 PM in **memory of Delores "Dolly" Gendreau** (Longtime Santa Clara Resident), **Linda K. Smith** (Lifelong Santa Clara Resident), **Eugene Salvatore Sanfilippo** (Longtime Santa Clara Resident), and **Delphine "Del" Fontana** (1st Miss Santa Clara and Lifelong Santa Clara Resident).

A motion was made by Councilmember Davis, seconded by Councilmember Mahan, to adjourn the meeting.

Aye: 7 - Councilmember Mahan, Council Member O'Neill, Mayor Gillmor, Council Member Davis, Councilmember Watanabe, Council Member Hardy, and Council Member Chahal

- [19-132](#) Adjournment Post Meeting Material

The next regular scheduled meeting is on Tuesday evening, February 5, 2019 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."

ATTEST:

Assistant City Clerk/Secretary/Clerk

APPROVE:

Mayor/Chairperson