



**City of Santa Clara**  
**Meeting Minutes**  
**Santa Clara Stadium Authority Meeting**  
**Special City Council**

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12/03/2019

5:00 PM

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

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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 December 3, 2019, at 5:00 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.

**5:00 PM CLOSED SESSION**

**Call to Order in the Council Chambers**

**Mayor/Chairperson Gillmor** called Closed Session to order at 5:01 PM.

**Confirmation of a Quorum**

**Assistant City Clerk Pimentel** confirmed a quorum.

**Public Comment**

**None.**

[19-1380](#)

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)**

**6:00 PM STADIUM AUTHORITY & SPECIAL MEETING**

**Call to Order**

**Mayor/Chairperson Gillmor** called the meeting to order at 6:05 PM.

**Pledge of Allegiance and Statement of Values**

**Roll Call**

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

**REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS**

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

**CONTINUANCES/EXCEPTIONS**

**None.**

**SPECIAL ORDER OF BUSINESS**

1. [19-1342](#) Recognition of Santa Clara University Students' Downtown Plan Scroll Concept
- Council** recognized **Eleanore Lammers-Lewis** and **Vidya Pingali** (Santa Clara University Students) for their efforts on the Downtown Plan Scroll Concept.
- [19-7408](#) 41st Annual Santa Clara Historic Home Tour Post Meeting Material
- Nancy Biagini** (Chair of Santa Clara Historic Home Tour) gave a PowerPoint presentation on the 41st annual Santa Clara Historic Home Tour.

### **CONSENT CALENDAR**

**A motion was made by Councilmember/Boardmember Davis, seconded by Councilmember/Boardmember Hardy, to approve the Consent Calendar.**

**Aye:** 7 - Vice Mayor/Vice Chair Mahan, Councilmember/Boardmember Hardy, Councilmember/Boardmember O'Neill, Councilmember/Boardmember Davis, Councilmember/Boardmember Watanabe, Councilmember/Boardmember Chahal, and Mayor/Chairperson Gillmor

- 2.A [19-1205](#) Action on Bills and Claims for the month of September 2019

**Recommendation:** Approve the list of Bills and Claims for September 2019.

**A motion was made by Boardmember Davis, seconded by Boardmember Hardy, to approve staff recommendation.**

- 2.B [19-934](#) Action on an Agreement with HSQ Technology for the Upgrade of an Existing MISER Supervisory Control and Data Acquisition (SCADA) Core System

**Recommendation:** Authorize the City Manager or designee to negotiate and execute an agreement with HSQ Technology to upgrade the SCADA system used to monitor and control Water, Sewer, and Storm Infrastructure for a not-to-exceed amount of \$452,353 plus an additional 10% of the final negotiated not-to-exceed amount as contingency to cover any unanticipated costs that may result due to changes in final configuration or issues encountered during the implementation phase.

**A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to approve staff recommendation.**

- 2.C [19-1217](#) Action on an Affordable Housing Agreement with LS-Santa Clara, LLC for Project located at 1433-1493 El Camino Real

**Recommendation:** 1. Approve and authorize the City Manager to execute the Affordable Housing Agreement with LS-Santa Clara, LLC (Attachment 1), to execute amendments thereto, and to take any other action necessary to implement the requirement for the provision of four (4) Below Market Purchase homes within a 39-unit townhome project at 1433-1493 El Camino Real; and  
2. Authorize the recordation thereof.

**A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to approve staff recommendation.**

- 2.D [19-1264](#) Action on Appointment of Members to the Bicycle and Pedestrian Advisory Committee

**Recommendation:** Appoint Betsy Megas, Diane Harrison, and Yury Perzov to serve three-year terms on the Bicycle and Pedestrian Advisory Committee, expiring on December 31, 2022.

**A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to approve staff recommendation.**

- 2.E [19-1296](#) Action on Confirmation 0144 under NCPA Support Services Agreement for Efficiency Services Group, LLC to Provide the Commercial Refrigeration Direct Install Program

**Recommendation:** Authorize the City Manager to execute Confirmation Number 0144 under the NCPA Support Services Agreement Efficiency Services Group, LLC to provide the Commercial Refrigeration Direct Install Program until June 30, 2021 in an amount not-to exceed \$815,000, subject to annual appropriation of funds.

**A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to approve staff recommendation.**

### **PUBLIC PRESENTATIONS**

None.

### **CONSENT ITEMS PULLED FOR DISCUSSION**

None.

### **PUBLIC HEARING/GENERAL BUSINESS**

3. [19-1382](#) Action on Councilmember Watanabe's Request Related to Airport Noise Monitoring

**Recommendation:** Staff makes no recommendation.

**Council** directed **City Manager Santana** to expedite the request to install a noise monitor across Montague Expressway and return with a verbal report at the December 10th meeting to meet the January 13 deadline. (No Motion Taken)

**Public Speaker(s):** Public Speaker (1)

4. [19-806](#) Public Hearing: Action on a Successor Agreement with Recology South Bay, dba Recology Santa Clara for Residential Curbside Recycling Services and Related Budget Amendment

**Recommendation:**

1. Approve and authorize the City Manager to execute a successor agreement with Recology South Bay, dba Recology Santa Clara for residential curbside recycling services;
2. Authorize the City Manager to make minor modifications to the proposed agreement, if necessary; and
3. Approve the Related FY 2020/21 Budget Amendment increasing the Solid Waste Fund appropriations and revenues in the amount of \$199,860.

**Deputy Director of Public Works Staub** presented a PowerPoint Presentation on the staff report.

**City Attorney Doyle** addressed Council comments and questions.

**Public Speaker(s):** John Bouchard  
Tom Freitas

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

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

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

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

5. [19-1355](#) Action on Substation Service Agreement with Related Santa Clara, LLC for Esperanca Substation

- Recommendation:**
1. Approve the Substation Service Agreement with Related Santa Clara, LLC to allow the City to design, procure equipment, and construct Esperanca Substation to provide permanent electric service to City Place; and
  2. Delegate authority to the City Manager to approve long lead time material procurement agreements and purchase orders.

**Chief Electric Utility Officer Pineda** presented a PowerPoint Presentation on the staff report.

**A motion was made by Councilmember Davis, seconded by Vice Mayor Mahan, to approve staff recommendation.**

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

6. [19-074](#) Consideration of Silicon Valley Power Quarterly Strategic Plan Update

**Recommendation:** Note and file the SVP Quarterly Strategic Plan Update.

**Chief Electric Utility Officer Pineda** presented a PowerPoint Presentation on the staff report.

**A motion was made by Councilmember Davis, seconded by Vice Mayor Mahan, to note and file the SVP Quarterly Strategic Plan Update.**

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

7. [19-1383](#) Discussion and Possible Action on Report from City Attorney on Taking Action by Council Consensus

**Recommendation:** Note and file the report.

**City Attorney Doyle** presented the staff report.

**Council** comments and questions followed.

**A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to direct staff to return to a future meeting with an amended Policy 030 by removing "Consensus" and replace with "Action" and place the amended Policy 030 on a future agenda.**

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

#### **REPORTS OF MEMBERS AND SPECIAL COMMITTEES**

**Councilmember Davis** reported that at the Marketing Committee, Butch Coyne (Director, Santa Clara University Presents) spoke on their 20th Annual Festival of Lights to be held on December 6, 2019 thru December 7, 2019.

**Vice Mayor Mahan** reported on her attendance at the Triton Museum Board Meeting.

#### **CITY MANAGER/EXECUTIVE DIRECTOR REPORT**

**City Manager Santana** reported on the following:

- December 5, 2019 at the Central Park Library will be the first community meeting to talk about the Civic Center rehabilitation/build-up project to engage with the community to gather input on future development;
- Details on the December 6, 2019 annual Tree Lighting Ceremony; and
- Acknowledged the efforts and hard work of City staff during the recent storms.

[19-1315](#) Update on City Council and Stadium Authority Staff Referrals

[19-320](#) Tentative Meeting Agenda Calendar (TMAC)

## **ADJOURNMENT**

The meeting was adjourned at 8:22 PM in Memory of **Janice (Jan) Lieberman** (long-term Santa Clara resident, former City of Santa Clara employee and former Board of Library Trustee member).

**A motion was made by Councilmember/Boardmember Davis, seconded by Vice Mayor/Vice Chair Mahan, to adjourn the meeting.**

**Aye:** 7 - Vice Mayor/Vice Chair Mahan, Councilmember/Boardmember Hardy, Councilmember/Boardmember O'Neill, Councilmember/Boardmember Davis, Councilmember/Boardmember Watanabe, Councilmember/Boardmember Chahal, and Mayor/Chairperson Gillmor

[19-1412](#)

Adjournment of the December 3, 2019 City Council Meeting Post Meeting Material

The next regular Council and Authorities Concurrent meeting is scheduled on Tuesday evening, December 10, 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) <<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."