



City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, April 24, 2018

4:00 PM

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

Closed Session - 4:00 PM | Study Session - 5:00 PM | Regular Meeting - 7:00 PM

4:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Confirmation of a Quorum

Public Comment

The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.

- 18-531** [Conference with Legal Counsel-Anticipated Litigation](#)
[Pursuant to Gov. Code § 54956.9\(e\)\(2\) - Exposure to litigation](#)
[Number of potential cases: 1](#)
[\(Facts and Circumstances\)](#)
[City as potential defendant: Extension of Tolling Agreement with Santa Clara Firefighters Association, IAFF, Local 1171](#)
- 18-533** [Conference with Legal Counsel-Anticipated Litigation](#)
[Pursuant to Gov. Code § 54956.9\(e\)\(2\) - Exposure to litigation](#)
[Number of potential cases: 1](#)
[\(FACTS AND CIRCUMSTANCES\)](#)
[Claim of Cindy North filed with the City Clerk's Office 9/5/17](#)
- 18-534** [Conference with Legal Counsel-Existing Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)
[Santa Clara Public Safety Non-Sworn Employees Association v. City of Santa Clara, PERB Charge No. SF-CE-1570-M, filed 03/30/18](#)

- 18-535** [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 \(Public Safety Non-Sworn Employees Association\)](#)
- 18-538** [Conference with Legal Counsel-Anticipated Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(4\) - Initiation of litigation](#)
[Number of potential cases: 1](#)

5:00 PM STUDY SESSION

Call to Order in the Council Chambers

Confirmation of a Quorum

- 18-303** [5:00 PM Discussion on current city infrastructure needs including project options, costs, and possible funding opportunities.](#)
- 18-335** [6:00 PM 2019 College Football Playoff National Championship at Levi's Stadium \(Stadium Authority\)](#)

7:00 P.M. REGULAR MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

SPECIAL ORDER OF BUSINESS

- 1.A 18-216 [Goals for a Cure Fundraising Presentation](#)
- 1.B 18-516 [Proclamation of Autism Awareness Month](#)
- 1.C 18-276 [Cultural Commission Presentation of Upcoming Events in May and June 2018](#)

CONSENT CALENDAR

[Items listed on the CONSENT CALENDAR are considered routine and will be adopted by one motion. There will be no separate discussion of the items on the CONSENT CALENDAR unless discussion is requested by a member of the Council, staff, or public. If so requested, that item will be removed from the CONSENT CALENDAR and considered under CONSENT ITEMS PULLED FOR DISCUSSION.]

- 2.A 18-121 [Stadium Authority Meeting Minutes of February 27, 2018](#)
Recommendation: Note and file Stadium Authority Meeting Minutes of February 27, 2018.
- 2.B 18-348 [Board, Commissions and Committee Minutes](#)
Recommendation: Note and file the Minutes of:
 - Youth Commission Minutes - February 13, 2018
 - Parks & Recreation Commission - February 20, 2018
 - Senior Advisory Commission - February 26, 2018
 - Board of Library Trustees - March 5, 2018
 - City School Liaison Committee - January 10, 2018
 - City School Liaison Committee - February 7, 2018
 - Ad Hoc Stadium Audit Committee - November 25, 2017 (Stadium Authority)
- 2.C 18-227 [Bills and Claims Report \(CC\) for the period March 9th - March 22nd](#)
Recommendation: Approve the list of Bills and Claims for March 9, 2018 - March 22, 2018.
- 2.D 18-384 [Bills and Claims for the month of March 2018 \(Stadium Authority\)](#)
Recommendation: Approve the list of Bills and Claims for March 2018.

2.E 18-417 [Accept a Resignation and Declare a Vacancy on the Cultural Commission](#)

- Recommendation:**
1. Accept the resignation of Kendra Fehrer and declare one vacancy on the Cultural Commission for the partial term ending June 30, 2021.
 2. Set a May 23, 2018 applications deadline.
 3. Schedule the Cultural Commission interviews for Tuesday, June 12, 2018 at 5:00pm.

2.F 18-074 [Adoption of a Resolution of Intention for Parking Maintenance District 122 - Franklin Square](#)

Recommendation: Adopt a Resolution of Intention to order that the alternative method for the levy of benefit assessment be made applicable to the City of Santa Clara Parking Maintenance District No. 122; set a hearing date of June 12, 2018 to approve the Director's Report FY 2018/19; and authorize the publication, mailing, and posting of the notice of public hearing as stated in the Resolution of Intention.

2.G 18-113 [Adoption of a Resolution of Intention for Maintenance District 183 - Santa Clara Convention Center Complex](#)

Recommendation: Adopt 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; set a hearing date of June 12, 2018 to approve the Director's Report FY 2018/19; and authorize the publication, mailing, and posting of the notice of public hearing as stated in the Resolution of Intention.

2.H 18-089 [Agreement with Daniel L. Sun Inc. dba Sun-Net Consulting for the Purchase and Configuration of an Electronic Generation Operation Logbook Software](#)

Recommendation: Approve an Agreement for the Performance of Services with Daniel L. Sun Inc. dba Sun-Net Consulting to provide a Generation Module to the integrated Tools and Operations Application (iTOA) Suite in an amount not-to-exceed \$180,400 over a two (2) year term.

2.I 18-091 [Note and File the Parks and Recreation Facilities Condition Assessment Report \(Kitchell, 2017\)](#)

Recommendation: Note and File the Parks and Recreation Facilities Condition Assessment Report (Kitchell, 2017)

2.J 18-170 [Agreement for Services with Precision IceBlast Corporation for Cleaning of Heat Recovery Steam Generators at the Donald Von Raesfeld Power Plant](#)

Recommendation: Approve an Agreement for the Performance of Services with Precision IceBlast Corporation for Cleaning of the Heat Recovery Steam Generators (HRSGs) at the Donald Von Raesfeld Power Plant, in an amount not-to-exceed \$190,000 the first (1) year, with a total not-to-exceed amount of \$401,539 over the three (3) year term.

2.K 18-225 [Monthly Financial Status and Investment Reports for February 2018](#)

Recommendation: Note and file the Monthly Financial Status and Investment Reports for February 2018.

2.L 18-254 [Set a Public Hearing to Consider the Proposed Rate for Small Cell Attachments to City Owned Electric Wooden Utility Poles](#)

Recommendation: Set June 12, 2018 as a public hearing to consider the proposed rate for small cell attachments to City owned electric wooden utility poles.

2.M 18-288 [Accept Kaiser Permanente Donation for Annual Senior Center Health & Wellness Faire and Related Budget Amendment](#)

Recommendation: Accept donation from Kaiser Permanente and approve appropriation of \$500 for the annual Senior Center Health & Wellness Faire, and authorize the transmittal of a letter of appreciation signed by the Mayor and City Manager.

- 2.N 18-389** [Approve the 2017-2020 Memorandum of Understanding between the City of Santa Clara and American Federation of State, County and Municipal Employees \(AFSCME\) Local 101](#)

Recommendation: Approve and authorize the City Manager to execute the Memorandum of Understanding between the City of Santa Clara and AFSCME Local 101 (Unit 6) 2017-2020.

- 2.O 18-438** [Adopt Ordinance No. 1978 Approving Amendment No. 2 to the Development Agreement with SI 55, LLC, for 2200, 2211 and 2231 Lawson Lane](#)

Recommendation: Adopt Ordinance No. 1978 Approving Amendment No. 2 to the Development Agreement with SI 55, LLC, for 2200, 2211 and 2231 Lawson Lane, Santa Clara.

- 2.P 18-440** [Dates and Purpose of Stadium Authority and ManCo Staff for the period January 1, 2018 to March 31, 2018 \(Stadium Authority\)](#)

Recommendation: Note and file the quarterly Stadium Authority and ManCo Staff Meetings for the period of January 1, 2018 to March 31, 2018.

PUBLIC PRESENTATIONS

[This item is reserved for persons to address the Council or authorities on any matter not on the agenda that is within the subject matter jurisdiction of the City or Authorities. The law does not permit action on, or extended discussion of, any item not on the agenda except under special circumstances. The governing body, or staff, may briefly respond to statements made or questions posed, and appropriate body may request staff to report back at a subsequent meeting. Although not required, please submit to the City Clerk your name and subject matter on the speaker card available in the Council Chambers.]

CONSENT ITEMS PULLED FOR DISCUSSION

PUBLIC HEARING/GENERAL BUSINESS

[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)

3. 18-258 [Continuance of the Appointment of an Applicant to the Planning Commission](#)

Recommendation: Continue the appointment of an applicant to fill the vacancy on the Planning Commission to serve a partial term ending June 30, 2021 to the May 8 Council meeting or the next meeting where a full Council is scheduled to be present.

4. 18-426 [Discussion and Possible Action related to Rajeev Batra's Requested Supplemental Retirement Benefit](#)

Recommendation: Staff makes no recommendation, as the combination of the City Attorney's legal opinion and City Council's legislative record prohibit action (e.g., motion from the evening of March 7, 2017 and Resolution No. 17-8419, which speaks to the entirety of the employment terms and correspondence confirming acceptance of it).

5. 18-451 [Written Petition received by Vivek Khandelwal: Opposition to proposed traffic lights at the intersection of Pruneridge and Cronin](#)

Recommendation: There is no staff recommendation for this issue.

6. 18-226 [Adoption of the Fiscal Year 2018-19 Municipal Fee Schedule and 2018-19 Park In Lieu Fee Schedule for New Residential Development](#)

Recommendation: Alternative 1):
Adopt a resolution for the "City of Santa Clara 2018-19 Municipal Fee Schedule" and a resolution establishing the "2018-19 Parkland In Lieu Fee Schedule for New Residential Development", each of which 1) set new fees, rates, and charges (collectively "fees"), 2) amend existing fees; 3) delete certain fees; and (4) retain unchanged fees for various City departments effective on July 1, 2018.

7. 18-189 [Vesting Tentative Subdivision Map at 2961 Corvin Drive](#)
Recommendation: Adopt Resolution to approve Vesting Tentative Subdivision to create 7 buildable lots and 2 non-buildable lots to allow the development of up to 38 residential condominium units consistent with the Lawrence Station Area Plan at 2961 Corvin Drive (PLN2017-12865), subject to conditions of approval.
8. 18-398 [Approve the Introduction of an Ordinance Regulating Dark Money](#)
Recommendation: Approve Introduction of an Ordinance amending Chapter 2.130 of the Santa Clara City Code to enact regulations regarding contributions influencing local City elections (Dark Money)
- 9A. 18-461 [Action on the Santa Clara Stadium Authority \(SCSA\) Auditor Appointment \(Stadium Authority\)](#)
Recommendation: Alternative 1):
Direct the Executive Director to bring forward for the Board's consideration the appointment of a City employee serving as a Stadium Authority appointee to the position of Stadium Authority Auditor.
- 9B. 18-168 [Options Related to the Position and Compensation of the City Council Appointed City Auditor](#)
Recommendation: Staff makes no recommendation on this issue.
10. 18-499 [Discussion and Council Direction on Assigned Responsibilities and Commensurate Salary Options for Elected City Clerk](#)
Recommendation: Staff makes no recommendation on this issue.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

- 18-416 [Tentative Meeting Agenda Calendar](#)

ADJOURNMENT

The next regular scheduled Council and Authorities Concurrent meeting is on Tuesday evening, May 8, 2018 and the next regular scheduled Stadium Authority meeting is on Tuesday evening, May 29, 2018 in the City Hall Council Chambers.

MEETING DISCLOSURES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

AB23 ANNOUNCEMENT: Members of the Santa Clara Stadium Authority, Sports and Open Space Authority and Housing Authority are entitled to receive \$30 for each attended meeting.

Note: The City Council and its associated Authorities meet as separate agencies but in a concurrent manner. Actions taken should be considered actions of only the identified policy body.

LEGEND: City Council (CC); Stadium Authority (SA); Sports and Open Space Authority (SOSA); Housing Authority (HA); Successor Agency to the City of Santa Clara Redevelopment Agency (SARDA)

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."