



City of Santa Clara

Meeting Minutes

Council and Authorities Concurrent Meeting

10/16/2018

5:00 PM

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

5:00 PM COUNCIL REGULAR MEETING

**This Meeting has been adjourned from October 9, 2018 to October 16, 2018.*

Call to Order

Mayor Gillmor called the Regular Meeting to order at 5:03 PM.

Pledge of Allegiance and Statement of Values

Roll Call Present: 5 - Council Member Patricia M. Mahan, Council Member Teresa O'Neill, Mayor Lisa M. Gillmor, Council Member Debi Davis, and Vice Mayor Kathy Watanabe

Excused: 1 - Council Member Patrick Kolstad

[18-1475](#) Roll Call Memo Post Meeting Material

A motion was made by Council Member Davis, seconded by Council Member Watanabe, to excuse Council Member Kolstad from the meeting.

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

Excused: 1 - Council Member Kolstad

CONTINUANCES/EXCEPTIONS

A motion was made by Council Member Davis, seconded by Council Member Watanabe, to move items #3 and #4 to after the City Manager/Executive Director Report.

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

Excused: 1 - Council Member Kolstad

CONSENT CALENDAR

A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve the Consent Calendar.

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

Excused: 1 - Council Member Kolstad

1.A [18-973](#) Action on the Council and Authorities Concurrent Meeting Minutes

Recommendation: Note and file the Minutes of:
Joint Council and Authorities Concurrent and Stadium Authority Meeting - July 17, 2018
City Council Special Meeting - July 20, 2018
City Council Special Meeting - July 23, 2018
City Council Special Meeting - July 24, 2018
City Council Special Meeting - August 7, 2018
Joint Council and Authorities Concurrent and Stadium Authority Meeting - August 21, 2018
Council and Authorities Concurrent Meeting - August 28, 2018

A motion was made by Council/Board Member Davis, seconded by Council/Board Member O'Neill, to approve staff recommendation.

Aye: 5 - Council/Board Member Mahan, Council/Board Member O'Neill, Mayor/Chairperson Gillmor, Council/Board Member Davis, and Council/Board Member Watanabe

Excused: 1 - Council/Board Member Kolstad

1.B [18-1419](#) Action on a Resolution Revising the Council and Authorities Regular Meetings Dates for the 2018 Calendar Year

Recommendation: Adopt a Resolution revising the Council and Authorities regular meeting dates for the 2018 calendar year to cancel the October 30, 2018 and November 20, 2018 meetings and set October 16, 2018, November 27, 2018, and December 11, 2018 as Council and Authorities regular meetings.

A motion was made by Council Member Davis, seconded by Council Member O'Neill, adopted Resolution No. 18-8612.

- 1.C [18-1400](#) Action on Adoption of Ordinance No. 1989 Amending Chapter 5.35 (“Taxicabs”) of the Santa Clara City Code to ensure that it is compliant with recent state legislation (AB 1069 and AB 939) and Adopt a Resolution to Amend the FY 2018-19 Municipal Fee Schedule

Recommendation: 1. Adopt Ordinance No. 1989 amending Chapter 5.35 (“Taxicabs”) of the Santa Clara City Code to ensure that it is compliant with recent state legislation (AB 1069 and AB 939).
2. Adopt a resolution to amend the 2018-19 Municipal Fee Schedule to Add Pedi-Cab Fees.

A motion was made by Council Member Davis, seconded by Council Member O’Neill, to adopt Ordinance No. 1989 and Resolution No. 18-8613.

- 1.D [18-1425](#) Action to Extend Existing Agreements with Finish Line Towing Incorporated, Lima Towing, and Unique Towing for towing services on behalf of the City of Santa Clara

Recommendation: Authorize the City Manager to execute amendments to extend the term of the existing Agreements for tow services with Finish Line Towing Incorporated, Lima Towing, and Unique Towing by two months from October 31, 2018 to December 31, 2018.

A motion was made by Council Member Davis, seconded by Council Member O’Neill, to approve staff recommendation.

PUBLIC PRESENTATIONS

Kirk Vartan expressed general comments on housing projects.

Anne Kepner expressed comments regarding Mission College and Measure W.

Daniel Peck expressed comments regarding Mission College and Measure W.

Patrick Schmitt reported on Mission College ratings and Measure W.

Annika McClure announced and encouraged participation in the Silicon Valley Turkey Trot.

- [18-1476](#) Public Presentation Post Meeting Material

CONSENT ITEMS PULLED FOR DISCUSSION

PUBLIC HEARING/GENERAL BUSINESS

2. [18-1383](#) Appointment of Acting City Clerk until the elected City Clerk is sworn-in at the December 18, 2018 Council meeting

Recommendation: Alternative 1:
Appoint Assistant City Manager Nadine Nader as Acting City Clerk until the elected City Clerk is sworn-in at the December 18, 2018 Council meeting.

Public Speaker(s): Public Speaker (1)

A motion was made by Council Member Davis, seconded by Council Member Mahan, to appoint Assistant City Manager Nadine Nader as Acting City Clerk until the elected City Clerk is sworn-in at the December 18, 2018 Council Meeting.

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

Excused: 1 - Council Member Kolstad

5. [18-1032](#) Interviews and Appointment to the Planning Commission

Recommendation: Appoint one applicant to fill the vacancy on the Planning Commission to serve a partial term ending June 30, 2019.

1st Round of Votes (each Council Member received one vote):

Council Member Mahan: Shawn Williams

Council Member O'Neill: Qian Huang

Council Member Davis: Linda Arms

Council Member Watanabe: Shawn Williams

Mayor Gillmor: Qian Huang

2nd Round of Votes (each Council Member received one vote to break the tie):

Council Member Mahan: Shawn Williams

Council Member O'Neill: Qian Huang

Council Member Davis: Shawn Williams

Council Member Watanabe: Shawn Williams

Mayor Gillmor: Shawn Williams

A motion was made by Council Member Mahan, seconded by Council Member Watanabe, to appoint Shawn Williams to the Planning Commission to serve a partial term ending June 30, 2019.

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

Excused: 1 - Council Member Kolstad

3. [18-1034](#) Interviews and Appointment to Senior Advisory Commission

Recommendation: Appoint one candidate to the Senior Advisory Commission to serve a partial term ending June 30, 2021.

A motion was made by Council Member Davis, seconded by Council Member O'Neill, to appoint Deena Brocket to the Senior Advisory Commission to serve a partial term ending June 30, 2021.

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

Excused: 1 - Council Member Kolstad

4. [18-1108](#) Interviews and Appointment to Board of Library Trustees

Recommendation: Appoint one applicant to the Board of Library Trustees for a term ending June 30, 2022.

A motion was made by Council Member Davis, seconded by Council Member Mahan, to appoint Debbie Tryforos to the Board of Library Trustees for a term ending June 30, 2022.

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

Excused: 1 - Council Member Kolstad

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Mayor Gillmor requested **City Librarian Hilary Keith** to report out on the Comic Con at the library. **City Librarian** gave a presentation on the Comic Con.

Council Member O'Neill reported on her attendance at League of California Cities Annual Conference & Expo.

Council Member Watanabe reported on her attendance at the Children's Business Fair on Sunday at Live Oak Park.

- [18-1516](#) Reports of Members and Special Committees Post Meeting Material

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

City Manager reported on the following:

1. Two Management Analysts and one Staff Analyst will be attending the Municipal Management Association of Northern California.
2. The City is conducting an Human Resources review of City departments and the functions of the positions and will report on the results during the Priority Setting Session in January.
3. The City issued a press release regarding compliants made against the City of Santa Clara to the California Fair Political Practices Commission (FPPC) and California Public Employees' Retirement System (CalPERS).

[18-1477](#)

City Manager/Executive Director Report Post Meeting Material

[18-1427](#)

California Fair Political Practices Commission (FPPC), California Public Employees' Retirement System (CalPERS) reject complaints against the City of Santa Clara; City cleared in anonymous allegations made to FPPC and CalPERS

A motion was made by Council Member Davis, seconded by Council Member Watanabe, to note and file the report.

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

Excused: 1 - Council Member Kolstad

ADJOURNMENT

The meeting was adjourned at 9:25 PM in **memory of Peter Moran** (longtime Santa Clara business owner).

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

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

Excused: 1 - Council Member Kolstad

[18-1478](#)

Adjournment Post Meeting Material

The next regular scheduled meeting is on Tuesday evening, November 13, 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."