



City of Santa Clara

Meeting Minutes

City Council Special Meeting

12/20/2018

3:00 PM

City Hall City Manager's Office
Staff Conference Room
1500 Warburton Avenue
Santa Clara, CA 95050

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 20, 2018, at 3:00 PM for a Special Meeting in the CMO Staff Conference Room 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.

3:00 PM COUNCIL SPECIAL MEETING

Call to Order

Mayor Gillmor called the Special Meeting to order at 3:24 PM.

Pledge of Allegiance and Statement of Values

Roll Call

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

PUBLIC HEARING/GENERAL BUSINESS

1. [18-1688](#) Action on a Resolution Approving Revised Salary Schedule for As-Needed (Temporary) Employees

Recommendation: Adopt Resolution approving the revised salary schedule for As-Needed (Temporary) Employees.

A motion was made by Councilmember Mahan, seconded by Councilmember O'Neill, to adopt Resolution No. 18-8643.

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

2. [18-1689](#) Consider Ordinances Establishing a Temporary Moratorium on Motorized Scooter and Bicycle Share Programs.

Recommendation:

1. Adopt an Emergency Ordinance Establishing a Temporary Moratorium on Motorized Scooter and Bicycle Share Programs
2. Introduce an Ordinance Establishing a Temporary Moratorium on Motorized Scooter and Bicycle Share Programs

Public Speaker(s): Marty Fatooh
Public Speaker (1)

A motion was made by Councilmember Davis, seconded by Councilmember Mahan, to adopt emergency Ordinance No. 1994 and introduce Ordinance No. 1995.

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

PUBLIC PRESENTATIONS

None.

Convene to Closed Session immediately following Open Session

Convened into Closed Session at 4:00 PM.

CLOSED SESSION

Public Comment

None.

3. [18-1687](#) Conference with Legal Counsel-Anticipated Litigation (CC)
Pursuant to Gov. Code § 54956.9(a) - Exposure to litigation
Number of potential cases: 1
(Facts and Circumstances)
City as potential defendant: Letter from Gibson Dunn law firm, representing Related Santa Clara LLC, dated September 24, 2018 regarding Force Majeure under DDA

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

City Attorney Doyle reported that there was no reportable action.

CITY MANAGER/EXECUTIVE DIRECTOR REPORTS**ADJOURNMENT**

The meeting was adjourned at 4:44 PM.

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

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

The next regular scheduled meeting is on Tuesday evening, January 15, 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."