



# City of Santa Clara

## Meeting Minutes

### Council and Authorities Concurrent Meeting

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06/26/2018

5:00 PM

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

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**Agenda Revisions - All action related to the November 2018 are now under Public Hearing/General Business.**

**Addition - Agenda Item #3: Various Actions on a Purchase and Sale Agreement and Other Documents as Necessary Related to the Sale of the North South Parking Parcel located at 4911 Great America Parkway [APN: 104-43-051] (City Council and Successor Agency to the Former Redevelopment Agency of the City of Santa Clara)**

**Closed Session - 5:00 PM | Study Session - 6:00 PM | Regular Meeting - 7:00 PM**

#### **5:00 PM CLOSED SESSION**

##### **Call to Order in the Council Chambers**

**Vice Mayor Watanabe** called the Closed Session to order at 5:00 PM.

##### **Confirmation of a Quorum**

**Acting City Clerk** confirmed a quorum.

##### **Public Comment**

**None.**

[18-1218](#)

Public Comment Post Meeting Material

(Received via Email)

[18-901](#)

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)

[18-902](#)

Conference with Legal Counsel-Existing Litigation (SA)  
Pursuant to Gov. Code § 54956.9(d)(1)  
Forty Niners Stadium Management Company LLC, et al. v. Santa Clara Stadium Authority, et al., Santa Clara County Superior Court Case No. 17CV304903

[18-903](#)

Conference with Legal Counsel-Existing Litigation (SA)  
Pursuant to Gov. Code § 54956.9(d)(1)  
Forty Niners Stadium Company v. Santa Clara Stadium Authority, in arbitration (JAMS)

**Convene to Closed Session (Council Conference Room)**

Council went into Closed Session at 5:02 PM.

Council returned to open session at 5:20 PM.

**City Attorney** requested to add a Closed Session item on a Court Order received on June 26, 2018 regarding *Yumori-Kaku v. City of Santa Clara, et al.*, Santa Clara County Superior Court Case No. 17CV319862 to the agenda.

**A motion was made by Council Member Mahan, seconded by Council Member Davis, to add the Court Order regarding *Yumori-Kaku v. City of Santa Clara, et al.*, Santa Clara County Superior Court Case No. 17CV319862 to the Closed Session agenda.**

**Aye:** 6 - Council Member Mahan, Council Member O'Neill, Mayor Gillmor, Council Member Davis, Council Member Watanabe, and Council Member Kolstad

## **6:00 PM STUDY SESSION**

### **Call to Order in the Council Chambers**

**Mayor Gillmor** called the Study Session to order at 6:17 PM.

### **Confirmation of a Quorum**

**Acting City Clerk** confirmed a quorum.

[18-842](#)

Study Session on the Tasman East Specific Plan

**Public Speaker(s):** Matthew Reed  
Gita Dev  
Public Speaker (1)

## **7:00 PM COUNCIL REGULAR MEETING**

### **Call to Order**

**Mayor Gillmor** called the Regular Meeting to order at 7:05 PM.

### **Pledge of Allegiance and Statement of Values**

### **Roll Call**

**Present:** 6 - Council Member Patricia M. Mahan, Council Member Teresa O'Neill, Mayor Lisa M. Gillmor, Council Member Debi Davis, Vice Mayor Kathy Watanabe, and Council Member Patrick Kolstad

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

**City Attorney** reported that Council made an action to add a Closed Session item regarding *Yumori-Kaku v. City of Santa Clara, et al.*, Santa Clara County Superior Court Case No. 17CV319862. Council approved the authorization of filing an appeal and possibly a writ on the Courts Order received on June 26, 2018.

**CONTINUANCES/EXCEPTIONS**

**A motion was made by Council Member Davis, seconded by Council Member Watanabe, to add an item to the agenda on *Yumori-Kaku v. City of Santa Clara, et al.*, Santa Clara County Superior Court Case No. 17CV319862 - court order received on June 26, 2018.**

**Aye:** 6 - Council Member Mahan, Council Member O'Neill, Mayor Gillmor, Council Member Davis, Council Member Watanabe, and Council Member Kolstad

**Mayor Gillmor and Council Member Mahan** recused themselves and left the dais. Vice Mayor Watanabe presided over the meeting.

**Vice Mayor Watanabe** opened the Public Hearing.

**Public Speaker(s):** Michael Tsai  
Kirk Vartan  
Public Speaker (2)

**A motion was made by Council Member Davis, seconded by Council Member O'Neill to continue Item# 4.A & 4.B to July 17, 2018.**

**Aye:** 4 - Council Member O'Neill, Council Member Davis, Vice Mayor Watanabe, and Council Member Kolstad

**Recused:** 2 - Council Member Mahan and Mayor Gillmor

**A motion was made by Council Member Mahan, seconded by Council Member O'Neill, to move up Item #9, to be heard right after Item #5.**

**Aye:** 6 - Council Member Mahan, Council Member O'Neill, Mayor Gillmor, Council Member Davis, Council Member Watanabe, and Council Member Kolstad

**A motion was made by Council Member Watanabe, seconded by Council Member Davis, to hear the item on the *Yumori-Kaku v. City of Santa Clara, et al.*, Santa Clara County Superior Court Case No. 17CV319862 after the Consent Calendar.**

**Aye:** 6 - Council Member Mahan, Council Member O'Neill, Mayor Gillmor, Council Member Davis, Council Member Watanabe, and Council Member Kolstad

**SPECIAL ORDER OF BUSINESS**

- 1.A [18-343](#) Cultural Commission Presentation of Upcoming Events in July and August 2018
- 1.B [18-476](#) Proclamation Of July 2018 As Parks & Recreation Month
- 1.C [18-797](#) Recognition of the 2nd Annual Challenge Team Youth Essay Contest Winners

**CONSENT CALENDAR**

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, approve the balance of the Consent Calendar (except Item #2.F).**

**Aye:** 6 - Council Member Mahan, Council Member O'Neill, Mayor Gillmor, Council Member Davis, Council Member Watanabe, and Council Member Kolstad

- 2.A [18-758](#) Board, Commissions and Committee Minutes

**Recommendation:** Note and file the Minutes of:  
Parks & Recreation Commission - April 17, 2018  
Civil Service Commission - May 14, 2018  
Planning Commission - May 9, 2018  
Housing Rehabilitation Loan Committee - May 10, 2018

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

- 2.B [18-632](#) Bills and Claims Report (CC, SA) for the period May 18th - May 31st

**Recommendation:** Approve the list of Bills and Claims for May 18 - May 31, 2018.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

2.C [18-630](#) Note and File the Monthly Financial Status and Investment Reports for April 2018

**Recommendation:** Note and file the Monthly Financial Status and Investment Reports for April 2018 as presented.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

2.D [18-753](#) Healthier Kids Foundation FY2017-18 Third Quarter Report

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

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

2.E [18-590](#) Action on Tentative Parcel Map at 720 Reed Street

**Recommendation:** Adopt Resolution to approve Tentative Parcel Map to combine Parcels 1 through 6 into one legal parcel consistent with the Reed & Grant Sports Park Plan at 720 Reed Street (PLN2017-12764), subject to conditions of approval.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to adopt Resolution No. 18-8546.**

2.G [18-634](#) Note and File the Santa Clara Golf and Tennis Club Report for Quarter Ending March 31, 2018 (Sports and Open Space Authority)

**Recommendation:** Note and file the Status Report for the Fiscal Operation of the Santa Clara Golf and Tennis Club for the third quarter ended March 31, 2018.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

2.H [18-584](#) Consider Approval for Amendment No. 1 to the Agreement for Maintenance of State Highways in the City of Santa Clara

- Recommendation:**
1. Approve and authorize the City Manager to execute Amendment No. 1 to Agreement for Maintenance of State Highways in City of Santa Clara; and
  2. Authorize the City Manager to make minor modifications to the Amendment and execute any and all associated documents.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

2.I [18-879](#) Consideration of Amendment No. 1 to Lease with Eta Lambda Facilities Corporation of Kappa Alpha Theta for Morse Mansion property located at 981 Fremont Street, Santa Clara

- Recommendation:** Approve Amendment No. 1 to Lease with Eta Lambda Facilities Corporation of Kappa Alpha Theta for Morse Mansion property located at 981 Fremont Street, Santa Clara.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

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

**Abstained:** 1 - Council Member Mahan

2.J [18-093](#) Action on an Agreement with Kuehne Construction for Maintenance and Repair Service

- Recommendation:**
1. Approve and authorize the City Manager to execute an Agreement with Kuehne Construction to provide on-call general contractor repair and maintenance services at various City buildings for an amount not-to-exceed \$300,000 over the three year term of the Agreement; and
  2. Authorize the City Manager to make minor modifications to the Agreement, if necessary.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

**2.K**     [18-501](#)     Adoption of a Resolution Ordering the Vacation of Electric Easements at 1525 Alviso Street

- Recommendation:**
1. Adopt a resolution ordering the vacation of the electric easement located at 1525 Alviso Street [APN 224-29-012, 032, and 034 (2017-18); SC 19,047]; and
  2. Authorize the recordation of the Resolution.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation and adopt Resolution No. 18-8547.**

**2.L**     [18-431](#)     Consider an Agreement for Sanitary Sewer Hydraulic Modeling As-Needed Support Services

- Recommendation:**
1. Approve and authorize the City Manager to execute the Agreement for Design Professional Services with Woodard and Curran, Inc. for Sanitary Sewer Hydraulic Modeling As-Needed Support in the amount of \$300,000 over the three-year initial term of the Agreement at the start of FY 2018-2019;
  2. Authorize the City Manager to exercise the option to extend the Agreement for up to two additional terms of one year each; and
  3. Authorize the City Manager to make minor modifications to the Agreement, if necessary.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

**2.M**     [18-144](#)     Consideration of a Design Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Bowers Avenue Traffic Signal Interconnect and Coordination Project (CE-17-18-13)

- Recommendation:**
1. Approve and authorize the City Manager to execute the Agreement for Design Professional Services with Kimley-Horn and Associates, Inc. for the Bowers Avenue Traffic Signal Interconnect and Coordination Project in the amount not-to-exceed \$106,500; and
  2. Authorize the City Manager to make minor, non-substantive modifications to the Agreement, if needed.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**



- 2.N [18-787](#) Action on the New Job Specifications for Risk Manager, Contracts Manager, and Public Records Manager, and Set Salary Ranges for Each

**Recommendation:** Approve the new job descriptions for Risk Manager (with a monthly salary range of \$11,916 to \$15,421), Contracts Manager (with a monthly salary range of \$11,142 to \$14,418), and Public Records Manager (with a monthly salary range of \$8,631 to \$11,170).

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

- 2.O [18-851](#) Consideration of Amendment No. 4 to the Agreement with Montoy Law Corporation for Legal Services for the Santa Clara Oversight Board (Successor Agency)

**Recommendation:** Approve Amendment No. 4 to the Agreement with Montoy Law Corporation for legal services for the Santa Clara Oversight Board increasing the maximum total not to exceed to \$235,000.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

- 2.P [18-856](#) Note and File Correction to June 12 Motion for Item #7 - Small Cell Attachment Rate on City Owned Wooden Electric Utility Poles

**Recommendation:** Note and file the correction to the June 12, 2018 motion for Item #7 - Small Cell Attachment Rate on City Owned Wooden Electric Utility Poles.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

- 2.Q [18-894](#) Consideration to Approve an Agreement (Call No. 18-1) with Essense Partners, Inc. to Provide Electric Utility Advertising, Marketing, Printing and Communication Services for Silicon Valley Power

**Recommendation:** Approve Call No. 18-1 with Essense Partners Inc. for Professional Services to Support Marketing, Outreach, Printing and Public Relation Services in an amount not-to-exceed \$305,000.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

- 2.R [18-750](#) Consideration of a Grant Agreement with Abode Services to administer the City's Tenant-Based Rental Assistance Program (TBRA)

**Recommendation:** Approve and authorize the City Manager to execute the Public Service Grant Agreement with Abode Services to administer the City's Tenant-Based Rental Assistance Program in an amount not to exceed \$1,258,000, and all related documents for the provision of administrative services for the TBRA Program effective July 1, 2018.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

- 2.S [18-715](#) Consideration of an Agreement for Administrative Services with Housing Trust Silicon Valley for the City's Below Market Purchase Program

**Recommendation:** Approve and authorize the City Manager to execute the Agreement for the Performance of Services with Housing Trust Silicon Valley in an amount not to exceed \$172,000, and all related documents for the provision of administrative services for the Below Market Purchase Program effective July 1, 2018.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

2.T [18-514](#) Resolution Ordering the Summary Vacation of a Portion of Monroe Street at 1313 Franklin Street and Consideration of a Final Map for Tract No. 10310

- Recommendation:**
1. Adopt a Resolution ordering the summary vacation of a portion of Monroe Street public right-of-way at 1313 Franklin Street [APN269-20-078 (2017-18); SC 19,033];
  2. Approve the Tract No. 10310 Final Map;
  3. Authorize the City Manager to make minor modifications to the Final Map if necessary prior to recordation; and
  4. Authorize the recordation of the Resolution ordering the summary vacation of a portion of Monroe Street to 1313 Franklin, LLC and the Final Map for Tract No. 10310, which combines three parcels into one condominium lot located at 1313 Franklin Street [APN269-20-076, 077, and 078 (2017-18)].

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation and adopt Resolution No. 18-8548 as part of the Consent Calendar.**

**Aye:** 5 - Council Member Mahan, Council Member O'Neill, Council Member Davis, Council Member Watanabe, and Council Member Kolstad

**Abstained:** 1 - Mayor Gillmor

2.U [18-539](#) Resolution Ordering the Vacation of the Underground Electric Easements at 3255 Scott Boulevard

- Recommendation:**
1. Adopt a Resolution Ordering the Vacation of the Underground Electric Easements at 3255 Scott Boulevard [APN 216-45-023 (2017-18); SC 18,941]; and
  2. Authorize the recordation of the Resolution.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation and adopt Resolution No. 18-8549 as part of the Consent Calendar.**

2.V [18-726](#) Consider adoption of a resolution approving the Water Supply Assessment for the project located at 3625 Peterson Way

- Recommendation:** Adopt a Resolution approving the Water Supply Assessment for the project located at 3625 Peterson Way.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to adopt Resolution No. 18-8550.**

**2.W**     [18-764](#)     Consideration of Agreement with ELB US Inc. for Upgrades of the Audio-Visual Systems in the Library and City Hall

**Recommendation:** Approve Call No. 18.1 with ELB US Inc. for Professional Services for Upgrades of the Audio-Visual Systems in the Library and City Hall in an amount not-to-exceed \$442,311.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

**2.X**     [18-635](#)     Amendment No. 1 to Services Agreement with Siemens Industry, Inc. for Transformer Assembly and Commissioning

**Recommendation:** Approve Amendment No. 1 to an Agreement for the Performance of Services with Siemens Industry, Inc. for Transformer Assembly and Commissioning in an amount not to exceed \$16,059.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

**2.Y**     [18-869](#)     Consider Acceptance of Santa Clara County Fireworks Grant of \$5,000 for Annual All-City Picnic & Fireworks Extravaganza Event and Approve Related Budget Amendment

**Recommendation:** Accept the Santa Clara County Fireworks Grant in the amount of \$5,000 and approve related Budget Amendment to appropriate the funds for the 2018 All-City Picnic & Fireworks Extravaganza Event.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

2.Z [18-829](#) Consideration of Amendment No. 3 to the Agreement for the Performance of Services with Metropolitan Planning Group for the Code Enforcement Services

**Recommendation:** Approve and authorize the City Manager to execute Amendment No. 3 to the Agreement for the Performance of Services with Metropolitan Planning Group for Code Enforcement Services with an increase of \$87,500 for a total contract cost not to exceed \$1,198,100.00.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve staff recommendation as part of the Consent Calendar.**

[18-1217](#) Court Order Regarding Current Election System

**Public Speaker(s):** Public Speakers (10)

**A motion was made by Council Member O'Neill, seconded by Council Member Davis, to direct the City Manager to (1) outreach to the Ad hoc Advisory Districting Committee and, if unavailable, outreach to the Charter Review Committee to serve or, if needed, comprise a panel of voting residents or members of the public in attendance at the meeting; (2) appropriate the funds in the amount of \$600,000; (3) authorize the City Manager to appoint members and if needed be, back-fill the panel with one Council Member; and (4) execute related agreements.**

**Aye:** 6 - Council Member Mahan, Council Member O'Neill, Mayor Gillmor, Council Member Davis, Council Member Watanabe, and Council Member Kolstad

**18-935** Response to Court Order Regarding Current Election System

**PUBLIC PRESENTATIONS**

**Vickie Fairchild** expressed comments of concern on appointment of a Council Member to Seat #5 Vacancy.

**Robert Sherman** expressed comments of concern on airport noise in North Santa Clara.

By consensus, Council directed the City Manager to return with a report to support San Jose Roundtable Initiative and allocate \$100,000 approved in the recent budget at Council discretion.

**Howard Myers** expressed comments on traffic in Santa Clara.

**Bodhi Das** expressed comments of concern on airport noise in Santa Clara.

**Teresa Sulcer** expressed comments of concern on appointment of a Council Member to Seat #5 Vacancy and requested a censure policy at a future meeting.

**Kirk Vartan** expressed comments on developments in Santa Clara.

**David Cary** expressed comments concern on Rank Choice Voting.

**Public Speaker** expressed comments of concern on appointment of a Council Member to Seat #5 Vacancy.

**Public Speaker** expressed comments of concern on appointment of a Council Member to Seat #5 Vacancy.

**CONSENT ITEMS PULLED FOR DISCUSSION**

- 2.F     [18-906](#)     Request to Set July 17, 2018 for a Public Hearing to Consider Two Appeals Submitted in Relation to 2305 Mission College Boulevard Data Center Project (PLN2017-12535 & CEQ2017-01034)

**Recommendation:** Set July 17, 2018 for a public hearing to consider the appeals submitted by California Unions for Reliable Energy and Laborers International Union of North America, Local Union 270 in relation to 2305 Mission College Boulevard Data Center Project (PLN2017-12535 & CEQ2017-01034).

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to set July 17, 2018 for a public hearing to consider the appeals.**

**Aye:** 6 - Council Member Mahan, Council Member O'Neill, Mayor Gillmor, Council Member Davis, Council Member Watanabe, and Council Member Kolstad

**PUBLIC HEARING/GENERAL BUSINESS**

3. [18-888](#) Various Actions on a Purchase and Sale Agreement and Other Documents as Necessary Related to the Sale of the North-South Parking Parcel located at 4911 Great America Parkway [APN: 104-43-051] (City Council and Successor Agency to the Redevelopment Agency of the City of Santa Clara)

**Recommendation:** That the Council:

- 1) Adopt a Resolution:
  - a) Approving and ratifying the City Manager's execution of a Purchase and Sale Agreement with the Successor Agency to the Redevelopment Agency of the City of Santa Clara to purchase the North South Parcel property located at 4911 Great America Parkway (APN: 104-43-051) at a price of \$7,468,500 from the Land Use Reserve; and
  - b) Approving and authorizing the City Manager to execute minor amendments to the Agreement as necessary in coordination with the City Attorney and all documents and corresponding budget adjustments necessary to accomplish the transfer.
- 2) Approve the use of \$7,468,500 from the Land Sale Reserve, leaving a fund balance of \$21,616,901.

Council acting as the governing body of the Successor Agency to the Redevelopment Agency of the City of Santa Clara adopt a Resolution:

- 1) Approving the sale and transfer to the City of Santa Clara the North South Parcel property located at 4911 Great America Parkway (APN: 104-43-051) at the sale price of \$7,468,500 and authorizing the City Manager/Executive Officer to execute a Purchase and Sale Agreement with the City of Santa Clara for the purchase; and
- 2) Approving and authorizing the City Manager/Executive Officer to execute minor amendments to the Agreement as necessary in coordination with the City Attorney and all documents necessary to accomplish the transfer.

**A motion was made by Council Member O'Neill, seconded by Council Member Davis, to approve staff recommendation and adopt Resolution No. 18-8551 and No. 18-8552.**

**Aye:** 6 - Council Member Mahan, Council Member O'Neill, Mayor Gillmor, Council Member Davis, Council Member Watanabe, and Council Member Kolstad

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

**Aye:** 6 - Board Member Mahan, Board Member O'Neill, Chairperson Gillmor, Board Member Davis, Board Member Watanabe, and Board Member Kolstad

**4.A**     [18-590](#)     Action on Tentative Parcel Map at 720 Reed Street

**Recommendation:** Adopt Resolution to approve Tentative Parcel Map to combine Parcels 1 through 6 into one legal parcel consistent with the Reed & Grant Sports Park Plan at 720 Reed Street (PLN2017-12764), subject to conditions of approval.

**A motion was made by Council Member Davis, seconded by Council Member O'Neill to continue Item# 4.A & 4.B to July 17, 2018.**

**Aye:** 4 - Council Member O'Neill, Council Member Davis, Council Member Watanabe, and Council Member Kolstad

**Recused:** 2 - Council Member Mahan and Mayor Gillmor

**4.B**     [18-919](#)     Conflict of Interest Memo Regarding 575 Benton Street

**A motion was made by Council Member Davis, seconded by Council Member O'Neill to continue Item# 4.A & 4.B to July 17, 2018.**

**Aye:** 4 - Council Member O'Neill, Council Member Davis, Council Member Watanabe, and Council Member Kolstad

**Recused:** 2 - Council Member Mahan and Mayor Gillmor

**5.**       [18-786](#)     Public Hearing: Action on a Four Unit Development Project located at 1075 Pomeroy Avenue

**Recommendation:** Alternatives 1 & 2:  
1. Approve the rezoning from Low-Density Multiple Dwelling (R3-18D) to Planned Development (PD); and  
2. Approve a Tentative Parcel Map to subdivide the subject property to four parcels.

**Public Speaker(s):** Bonnie Bamberg (Applicant's Consultant)  
Shalini Venkatesh  
Ken Kratz  
Peggy Parkin  
Prasad Kommoju  
Nicholas Rossi  
Diane Harrison  
Public Speaker (1)

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



**Aye:** 6 - Council Member Mahan, Council Member O'Neill, Mayor Gillmor, Council Member Davis, Council Member Watanabe, and Council Member Kolstad

**A motion was made by Council Member Watanabe, seconded by Council Member Kolstad, to approve staff recommendations and adopt Resolution No. 18-8553 and No. 18-8554.**

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

**Nay:** 1 - Council Member Mahan

9. [18-868](#) Discussion and Direction to the City Manager on an Agreement for Convention and Visitor Services with Santa Clara Chamber of Commerce for Convention-Visitors Bureau (CVB) or Other Provider

**Recommendation:** Recommend approval of either:

1. Alternative #2: Allow Agreement to Expire and Direct the City Manager to Seek Another Provider for These Services and Execute Contracts; OR
2. Alternative #3: Direct City Manager to Negotiate and Execute a Bridge Agreement to:
  - (a) Transition to another provider; or
  - (b) Determine Long Term Agreement Terms with the Chamber

There is very little information for the City Manager to make an informed decision for renewing the contract for another year. Preliminary observations, as mentioned in this report, illustrate that major improvement relative to oversight and management of these services is required. Additionally, delays have already adversely impacted the continuation of these services and there will be disruption in services, as detailed above.

Public Speaker(s): Public Speaker (2)  
Nick Kaspar  
Public Speaker (19)

**A motion was made by Council Member Kolstad, seconded by Council Member Mahan, to direct the City Manager to (1) fund a 60 day extension for the sole purpose of funding salaries and specific related costs for up to 60 days; (2) retain consultant, JLL, to immediately to look at options; and (3) return reserve to the City to draw down from for the sole purpose of funding salaries.**

**Aye:** 6 - Council Member Mahan, Council Member O'Neill, Mayor Gillmor, Council Member Davis, Council Member Watanabe, and Council Member Kolstad

8. [18-811](#) Consideration of an Ordinance Assigning the City Auditor Function to the Assistant Finance Director

**Recommendation:** Approve the Introduction of an Ordinance Repealing Section 2.20.050, "Performance of City Auditor's Functions" and Amending Section 2.105 to include Performance of City Auditor Functions by Assistant Finance Director

**A motion was made by Council Member Davis, seconded by Council Member Watanabe, to approve staff recommendation.**

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

**Off Dias:** 1 - Council Member Mahan

7. **Actions Related to November 2018 Election:**

**A motion was made by Council Member Davis, seconded by Council Member Watanabe, to approve staff recommendations related to November 2018 Election.**

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

**Off Dias:** 1 - Council Member Mahan

- A. [18-427](#) Resolutions Calling a Special Election to be held on Tuesday, November 6, 2018 for the Election of the City Clerk for the Partial Term Ending November 2020

**Recommendation:**

1. Adopt a Resolution Calling a Special Municipal Election to be held on Tuesday, November 6, 2018 for the election of the City Clerk for the partial term ending November 2020.
2. Adopt a Resolution requesting that the Santa Clara County Board of Supervisors consolidate the election with the Statewide General Election to be held on November 6, 2018; and
3. Adopt a Resolution adopting regulations for Candidate Statements of Qualifications submitted to the voters and levying a share of the cost of the Candidate's Statement on the candidates.

**A motion was made by Council Member Davis, seconded by Council Member Watanabe, to adopt Resolution No. 18-8555, 18-8556, and 18-8557.**

- B. [18-883](#) Adoption of Resolutions Calling a General Municipal Election to be held on Tuesday, November 6, 2018

**Recommendation:** 1. Adopt a Resolution Calling a General Municipal Election to be held on Tuesday, November 6, 2018 for the purpose of filling elective offices for City Council Seat Nos. 2 and 5 and Mayor, each for full terms;  
2. Adopt a Resolution requesting that the Santa Clara County Board of Supervisors consolidate the election with the Statewide General Election to be held on November 6, 2018; and  
3. Adopt a Resolution adopting regulations for Candidate Statements of Qualifications submitted to the voters and levying a share of the cost of the Candidate's Statement on the candidates.

**A motion was made by Council Member Davis, seconded by Council Member Watanabe, to adopt Resolution No. 18-8558, 18-8559, and 18-8560.**

- C. [18-884](#) Resolution Establishing the Political Campaign Voluntary Expenditure Limit and Campaign Contribution Limit

**Recommendation:** Adoption of a Resolution establishing the Political Campaign Voluntary Expenditure Limit and Campaign Contribution Limit.

**A motion was made by Council Member Davis, seconded by Council Member Watanabe, to adopt Resolution No. 18-8561.**

6. [18-103](#) Discussion and Council Direction on Assigned Responsibilities and Commensurate Salary Options for Elected City Clerk

**Recommendation:** Council action on:  
1. Setting the responsibilities of the elected City Clerk (staff makes no recommendation)  
2. Setting the salary for the elected City Clerk (staff makes no recommendation)  
3. Setting the benefits (staff makes no recommendation)  
4. Alternative #3 to discontinue providing any accrued time off to align this position to an elected status (staff recommends this option)

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

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to approve Alternative #1; set the salary stipend at \$2,000 with same benefits as the current Council Members; and draft an Ordinance to include review with the Salary Setting Commission.**

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

**Nay:** 1 - Council Member Mahan

**REPORTS OF MEMBERS AND SPECIAL COMMITTEES**

None.

**CITY MANAGER/EXECUTIVE DIRECTOR REPORT**

**A motion was made by Council Member O'Neill, seconded by Council Member Davis, to note and file the City Manager/Executive Director reports.**

**Aye:** 6 - Council Member Mahan, Council Member O'Neill, Mayor Gillmor, Council Member Davis, Council Member Watanabe, and Council Member Kolstad

[18-896](#)

Note and File - Update on Agreements related to 2019 College Football Playoff National Championship at Levi's Stadium (Stadium Authority)

**Recommendation:**

Note and File - Update on Agreements related to 2019 College Football Playoff National Championship at Levi's Stadium (Stadium Authority).

**A motion was made by Council Member O'Neill, seconded by Council Member Davis, to note and file the City Manager/Executive Director reports.**

[18-897](#)

Note and File - Update on Worker Retention Efforts during Concessionaire Transition at Levi's Stadium (Stadium Authority)

**Recommendation:**

Note and File the Update on Concessionaire Transition related to the City's Worker Retention Ordinance at Levi's Stadium.

**A motion was made by Council Member O'Neill, seconded by Council Member Davis, to note and file the City Manager/Executive Director reports.**

[18-827](#)

City policies and practices regarding harassment prevention training for employees, elected officials, and appointed members of boards and commissions

**A motion was made by Council Member O'Neill, seconded by Council Member Davis, to note and file the City Manager/Executive Director reports.**

[18-908](#)

Tentative Meeting Agenda Calendar

**Mayor Gillmor** announced that a special certificate was sent to Norma Hackston on behalf of the City Council in recognition of her 22 years of service as a City of Santa Clara Crossing Guard.

## **ADJOURNMENT**

**A motion was made by Council Member Davis, seconded by Council Member O'Neill, to adjourn the meeting.**

**Aye:** 6 - Council Member Mahan, Council Member O'Neill, Mayor Gillmor, Council Member Davis, Council Member Watanabe, and Council Member Kolstad

The meeting was adjourned at 1:29 AM on June 27, 2018.

The next regular scheduled meeting is on Tuesday evening, July 10, 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) <<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."