



City of Santa Clara

Revised Agenda

Council and Authorities Concurrent Meeting

Tuesday, June 26, 2018

5:00 PM

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

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

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.

Convene to Closed Session (Council Conference Room)

- 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 \(JAMS\)](#)

6:00 PM STUDY SESSION

Call to Order in the Council Chambers

Confirmation of a Quorum

- 18-842** [Study Session on the Tasman East Specific Plan](#)

7:00 PM COUNCIL REGULAR MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS

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

[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 18-758 [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
- 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.
- 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.

- 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.
- 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.
- 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).
- 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.
- 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.

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.

2.J 18-093 [Consider 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.

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.

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.

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.

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).

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.

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.

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.

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.

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.

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)].

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.

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.

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.

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.

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.

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.

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

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.

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.

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

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.

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)

7. Actions Related to November 2018 Election:

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.

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.

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.

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

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.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

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).

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.

18-827 [City policies and practices regarding harassment prevention training for employees, elected officials, and appointed members of boards and commissions](#)

18-908 [Tentative Meeting Agenda Calendar](#)

ADJOURNMENT

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>> 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."