



City of Santa Clara

Meeting Minutes

Council and Authorities Concurrent Meeting

06/12/2018

4:30 PM

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

Agenda Revision - Moved item under City Manager/Executive Director Report: Note and File - Disposition of Forty Niners Stadium Management Company's Request Regarding the Refinancing of StadCo's Variable

Special Meeting - 4:30 PM | Closed Session - 6:00 PM | Regular Meeting - 7:00 PM

4:30 PM COUNCIL SPECIAL MEETING

Call to Order in the Council Chambers

Vice Mayor Watanabe called the Special Meeting to order at 4:35 PM.

Roll Call

Mayor Gillmor and **Council Member Mahan** recused themselves due to a conflict of interest with the agenda item and were not present.

Present: 4 - Council Member Teresa O'Neill, Council Member Debi Davis, Vice Mayor Kathy Watanabe, and Council Member Patrick Kolstad

Recused: 2 - Council Member Patricia M. Mahan and Mayor Lisa M. Gillmor

[18-468](#)

4:30 PM Special Council Meeting: Consideration of the Key Terms of an Option Agreement with Park Central Apartments L.P. for the Franklin and Washington Street Right-of-Way Easement Acquisition

Recommendation: Alternative

1. Acknowledge the key elements of the option agreement and authorize staff to finalize negotiations and bring forward a final agreement for Council consideration at a future date.

Public Speaker(s):

Donna West	Marie Mayer
Ana Vargas-Smith	Sam A. Saiu
Mary Grizzle	Alyssa Thompson
Tim Thompson	Steven Goldine
Jim Crouch	Mark Kelsey
Dan Ondrasek	Gil Villagran
Adam Thompson	Andrew Davidze
Patricia Leung	Emmy Moore Minister
Jonathan Evans	Charles Viso
Frank Lemmon	Matt Hancock
Dan Bearman	Dawn Thompson
Rob Mayer	Public Speaker (1)
Noreen Carlson	Rod Dunham

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

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

Absent: 2 - Council Member Mahan, and Mayor Gillmor

Public Comment

Adjourn

Vice Mayor Watanabe adjourned to Special Meeting at 6:15 PM.

6:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Vice Mayor Watanabe convened to Closed Session at 6:15 PM.

Confirmation of a Quorum

Acting City Clerk confirmed a quorum.

Public Comment

Public Speaker(s): David Cary

Convene to Closed Session (Council Conference Room)

- [18-831](#) 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)
- [18-832](#) Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8
Property: 4911 Great America Parkway, APN: 104-43-051 (North-South Parcel)
City Negotiator: Deanna J. Santana, City Manager (or designee)
Negotiating Parties: Eastdil Secured LLC
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)
- [18-833](#) Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
Smee v. City of Santa Clara, et al., Santa Clara County Superior Court
Case No. 116CV294244
- [18-834](#) Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
Yumori-Kaku v. City of Santa Clara, et al., Santa Clara County Superior
Court Case No. 17CV319862

7:00 PM COUNCIL REGULAR MEETING

Call to Order

Mayor Gillmor called the Regular Meeting to order at 7:15 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 there were no reportable action from Closed Session.

CONTINUANCES/EXCEPTIONS

A motion was made by Council Member Davis, seconded by Council Member Watanabe, to continue all four items under Continuances/Exceptions, including Item #2.J.

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

[18-807](#)

Public Hearing: Action on a Four Unit Development Project located at 1075 Pomeroy Avenue

Recommendation: Continue the Public Hearing for the Project located at 1075 Pomeroy Avenue to June 26, 2018.

A motion was made by Council Member Davis, seconded by Council Member Watanabe, to continue all four items under Continuances/Exceptions, including Item #2.J.

[18-812](#)

Note and File Regarding Re-Noticing 575 Benton Street Mixed Use Project City Council Public Hearing

Recommendation: Note and File Regarding the Re-Noticing of 575 Benton Street Mixed Use Project for a June 26 City Council Public Hearing.

A motion was made by Council Member Davis, seconded by Council Member Watanabe, to continue all four items under Continuances/Exceptions, including Item #2.J.

[18-838](#)

Continuance of the Agreements related to 2019 College Football Playoff National Championship at Levi's Stadium (Stadium Authority)

Recommendation: Continue the Approval of the Assignment and Assumption Agreement related to 2019 College Football Playoff National Championship at Levi's Stadium to the June 26, 2018 Council and Authorities Concurrent meeting (Stadium Authority).

A motion was made by Council Member Davis, seconded by Council Member Watanabe, to continue all four items under Continuances/Exceptions, including Item #2.J.

[18-840](#)

Continuance of the Action on Adopting Ordinance No. 1981 Amending Section 5.75.210 related to Bingo Regulations

Recommendation: Continue the Action on Adopting Ordinance No. 1981 Amending Section 5.75.210 related to Bingo Regulations to the June 26, 2018 Council and Authorities Concurrent Meeting.

A motion was made by Council Member Davis, seconded by Council Member Watanabe, to continue all four items under Continuances/Exceptions, including Item #2.J.

SPECIAL ORDER OF BUSINESS

1.A [18-537](#)

Recognition of Washington Open Elementary School for Receiving Distinguished School Award and California Exemplary Program Award in Arts Education

1.B [18-729](#)

Proclamation of June 2018 as Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Pride Month

CONSENT CALENDAR

A motion was made by Council Member O'Neill, seconded by Council Member Davis, to approve the balance of the Consent Calendar (excluding 2.M).

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

2.A [18-354](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Board of Library Trustees - April 2, 2018
Audit Committee Meeting - February 26, 2018
Senior Advisory Commission - March 26, 2018
Planning Commission - April 11, 2018

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

2.B [18-691](#) Consider the Establishment of a Council Policy Manual

Recommendation: Adopt a resolution repealing Section C of Resolution No. 6603 to amend the title of "City of Santa Clara Policy and Procedure Manual" to "City of Santa Clara Council Policy Manual" and approving the Council Policy Manual Policy.

A motion was made by Council Member O'Neill, seconded by Council Member Davis, to adopt Resolution No. 18-8535.

2.C [18-692](#) Consider Rescission of Various Council Policies

Recommendation: Adopt a resolution to repeal Resolution No. 6619 in its entirety and to rescind P&P 010 City Council Meetings Video Tapes, P&P 012 Electronic Organizers, P&P 013 Fireworks Display Permit, P&P 021 Public Requests for Photocopies of Agenda Items, P&P 023 Recreational Bonfires, and P&P 026 Sale of Used Fire Helmets or Police Equipment as Mementos.

A motion was made by Council Member O'Neill, seconded by Council Member Davis, to adopt Resolution No. 18-8536.

2.D [18-419](#) Consideration of an Agreement for Design Professional Services with Mott MacDonald, LLC for Sanitary Sewer Condition Assessment Repairs

Recommendation:

1. Approve and authorize the City Manager to execute the Agreement for Design Professional Services with Mott MacDonald, LLC for Sanitary Sewer Condition Assessment Repairs in the amount not-to-exceed \$695,526; and
2. Authorize the City Manager to make minor, non-substantive modifications to the Agreement, if needed.

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

- 2.E [18-430](#) Consideration of a Cost Sharing Agreement with the County of Santa Clara for Widening Improvements on San Tomas Expressway

Recommendation: Approve and authorize the City Manager to execute the Cost Sharing Agreement with the County of Santa Clara for Widening Improvements on San Tomas Expressway between El Camino Real and Homestead Road.

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

- 2.F [18-463](#) Consideration of an Agreement with Schaaf & Wheeler Consulting Civil Engineers for the Westside Retention Basin Stormwater Pump Replacement Project

Recommendation:

1. Approve and authorize the City Manager to execute the Agreement for Design Professional Services with Schaaf & Wheeler Consulting Civil Engineers for the Westside Retention Basin Stormwater Pump Replacement Project in the amount not-to-exceed \$139,183; and
2. Authorize the City Manager to make minor modifications, if needed.

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

- 2.G [18-519](#) Consideration of the Homeridge Park Updated Site Plan and Schematic Design for the Playground Construction Project

Recommendation: Approve the Homeridge Park Updated Site Plan and Schematic Design for the Playground Construction Project.

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

- 2.H [18-562](#) Consideration of an Amendment No. 3 to the Agreement with the California Highway Patrol

Recommendation: Approve Amendment No. 3 to the California Highway Patrol Standard Agreement, in the amount of \$1,500,000, for a total not to exceed amount of \$5,924,811, and extending the term of the agreement to June 30, 2020, for traffic management and support services for special events at Levi's Stadium.

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

2.I [18-580](#) Reappointment of Commissioners, Declare Vacancies and Setting of Dates for Interviews and Recognition of Outgoing Commissioners

- Recommendation:**
1. Reappoint the seven eligible commissioners for the term ending June 30, 2022.
 2. Declare one (1) vacancy on the Board of Library Trustees and set the application deadline for August 3, 2018 by 5:00pm with interviews to be held on August 28, 2018.
 3. Declare two (2) vacancies on the Historical and Landmarks Commission and set August 3, 2018 by 5:00pm as the application deadline, with interviews to be held on August 21, 2018.
 4. Set September 18, 2018 as the recognition date for the outgoing commissioners.

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

2.J [18-607](#) Consider an Agreement with Essense Partners, Inc. to Provide Support Marketing, Outreach, Printing and Public Relations Services

- 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 Watanabe, to continue all four items under Continuances/Exceptions, including Item #2.J.

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

2.K [18-627](#) Agreement with Vicki Vanderburg, Inc. dba Power Systems Operations (PSO) for VERA Settlements software application and Cloud Hosting

- Recommendation:** Approve an Agreement for the Performance of Services with Vicki Vanderburg, Inc. dba Power System Operations for VERA Settlements software application and Cloud Hosting in an amount not-to-exceed \$314,600 over a two (2) year period.

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

2.L [18-670](#) Use of City Electric Forces at Various Locations

Recommendation: Adopt a Resolution approving the use of City Electric Forces for the installation of facilities at 2655 Homestead Road; 1055 Helen Avenue, 3801, 3802 and 3804 Mark Spitz Place.

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

2.N [18-790](#) Consider Special Permit request to allow community festivals for a period of two years at 1375 Lafayette Street

Recommendation: Approve the request of a Special Permit for two years to allow for single-day community festivals at 1375 Lafayette Street (PLN2018-13269), subject to conditions.

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

PUBLIC PRESENTATIONS

David Cary expressed comments of concern on the Election process.

Mike Kasperzak invited the City Council to join the National League of Cities.

Steve Chessin expressed comments on Measure A.

Robert Fitch expressed gratitude to the City Council for honoring his son on May 8, 2018.

Susan Tsolinas expressed comments of concern on the City Council endorsing groups.

Bruce Donoghue expressed comments of concern on the Budget.

Aaron Dela Cruz expressed general comments of concern.

Public Speaker expressed gratitude for recognizing the LGBTQ community with the Proclamation.

Public Speaker expressed comments of concern regarding Council Seat 5 vacancy.

Public Speaker expressed comments regarding Council Seat 5 vacancy.

Public Speaker expressed comments regarding Council Seat 5 vacancy.

[18-987](#)

Public Presentation Post Meeting Material

CONSENT ITEMS PULLED FOR DISCUSSION

2.M [18-788](#) Action on Citywide Tree Service Agreements

- Recommendation:**
1. Approve and authorize the City Manager to execute agreements for the Performance of Services with West Coast Arborists, Inc. (\$410,000), Rhino Enterprises, Inc. dba Commercial Tree Care (\$1,273,000), Bay Area Tree Specialists (\$405,000) and Chriso's Tree Trimming (\$225,000) to perform citywide tree trimming, planting, removal, and emergency tree services for a combined amount not-to-exceed \$2,313,000 over the three-year term of the agreements; and
 2. Authorize the City Manager to amend agreement not-to-exceed amounts as long as the cumulative total does not exceed \$2,313,000 subject to annual appropriations and make minor modifications to the agreements, if necessary.

Public Speaker(s): Jason Pinneger

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

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. [18-796](#) Proposed Interview and Appointment Process for the Council Seat #5 Vacancy

Recommendation: Staff makes no recommendation regarding the appointment.

Public Speaker(s): William Davis
David Cary
Sarah McDermott
Public Speaker (1)

A motion was made by Council Member Davis, seconded by Council Member Mahan, to approve staff recommendation on the appointment process and to include non-verified applicants.

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

Nay: 1 - Council Member Kolstad

Applicants (5 minute Introduction):

David Anderson	Kevin McMahon
Nancy A. Biagini	Mohammed Nadeem
Andrew Chan	Vincent Navarro
Christina Cielusniak	Kevin Park
Noah Clemons	Lara Ruffolo
Abhik Dutta	Frederick A. Shaul
Eversley Forte	Chris Stampolis
Hosam Haggag	Susan B. Tsolinas
Kevin Heller	Sara Yoders
Sudhanshu Jain	

A motion was made by Council Member Watanabe, seconded by Council Member Kolstad, to rank the top eight candidates.

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

Council went into recess as they filled out their ranking sheet.

Council returned to report out their top 8 rankings.

Council Member Mahan: Nancy Biagini
Mohammed Nadeem
Kevin Park
Sudhanshu Jain
Andrew Chan
David Anderson
Chris Stampolis
Hosam Haggag

Council Member O'Neill: Eversley Forte
Hosam Haggag
Sudhanshu Jain
Kevin Park
Mohammed Nadeem
Nancy Biagini
Vincent Navarro
Andrew Chan

Mayor Gillmor: Hosam Haggag
Nancy Biagini
Eversley Forte
Kevin Park
Sudhanshu Jain
Abhik Dutta
Mohammed Nadeem
David Anderson

Council Member Davis: Hosam Haggag
Nancy Biagini
Eversley Forte
Abhik Dutta
Vincent Navarro
Kevin Park
Andrew Chan
Mohammed Nadeem

Council Member Watanabe: Hosam Haggag
Eversley Forte
Nancy Biagini
Vincent Navarro
Abhik Dutta
Christina Cielusniak
Kevin Park
Andrew Chan

Council Member Kolstad: Nancy Biagini

Sudhanshu Jain
Kevin Park
Lara Ruffalo
Susan Tsolinas
Christina Cielusniak
Frederick Shaul
Kevin McMahon

Acting City Clerk announced the top candidates that received four or more votes to determine which candidates would proceed in the interview process. Interviews were conducted with the following candidates:

Eversley Forte
Nancy Biagini
Hosam Haggag
Sudshanshu Jain
Kevin Park
Mohammed Nadeem
Andrew Chan

Public Speaker(s): Public Speaker (1)

By consensus, **Council** ranked their top three candidates.

Council Member Mahan: Nancy Biagini
Sudhanshu Jain
Kevin Park

Council Member O'Neill: Hosam Hagagg
Kevin Park
Eversley Forte

Mayor Gillmor: Eversley Forte
Hosam Hagagg
Nancy Biagini

Council Member Davis: Eversley Forte
Hosam Hogagg
Kevin Park

Council Member Watanabe: Eversley Forte
Hosam Hagagg
Sudhanshu Jain

Council Member Kolstad: Nancy Biagini
Sudhanshu Jain
Kevin Park

Acting City Clerk announced the ranking (Council had three votes each):

Eversley Forte
Nancy Biagini
Hosam Hagagg
Sudhanshu Jain
Kevin Park

Appointment to Council Seat #5 requires a 5-Council Vote.

A motion was made by Council Member Davis, seconded by Council Member O'Neill, to appoint Eversley Forte to Council Seat #5.

Aye: 4 - Council Member O'Neill, Mayor Gillmor, Council Member Davis,
and Council Member Watanabe

Nay: 2 - Council Member Mahan and Council Member Kolstad

Motion Failed.

A motion was made by Council Member O'Neill, seconded by Council Member Davis, to appoint Hosam Hagagg to Council Seat #5.

Aye: 4 - Council Member O'Neill, Mayor Gillmor, Council Member Davis, and Council Member Watanabe

Nay: 2 - Council Member Mahan and Council Member Kolstad

Motion Failed.

A motion was made by Council Member O'Neill, seconded by Council Member Davis, to appoint Kevin Park to Council Seat #5.

Aye: 4 - Council Member O'Neill, Mayor Gillmor, Council Member Davis, and Council Member Watanabe

Nay: 2 - Council Member Mahan and Council Member Kolstad

Motion Failed.

A motion was made by Council Member Davis, seconded by Council Member O'Neill, to appoint Sudhanshu Jain to Council Seat #5.

Aye: 4 - Council Member O'Neill, Mayor Gillmor, Council Member Davis, and Council Member Watanabe

Nay: 2 - Council Member Mahan and Council Member Kolstad

Motion Failed.

A motion was made by Council Member O'Neill, seconded by Council Member Davis, to appoint Mohammed Nadeem to Council Seat #5.

Aye: 4 - Council Member O'Neill, Mayor Gillmor, Council Member Davis, and Council Member Watanabe

Nay: 2 - Council Member Mahan and Council Member Kolstad

Motion Failed.

No appointment was made to fill the partial term for Council Seat 5 Vacancy.

Public Speaker(s): Public Speaker (5)

4. ADOPTION OF VARIOUS ACTIONS RELATED TO THE PROPOSED FY 2018-19 RATE SCHEDULES

4.A [18-277](#) Public Hearing: Consideration of the City of Santa Clara's Annual Operating Budget, Biennial Capital Improvement Program (CIP) Budget, and Ten-Year Financial Plan

Recommendation: That the City Council, and City Council acting as the Governing Boards of the Sports and Open Space Authority and Housing Authority, take the following actions:

- 1) Approve the City of Santa Clara FY 2018/19 Annual Operating Budget of \$860,896,605 (including the adjustments as noted in the Summary of Changes to Proposed Budget detailed in Attachment 4);
- 2) Approve the City of Santa Clara FY 2018/19 & FY 2019/20 Biennial Capital Improvement Program Budget of \$216,399,514 (including the adjustments as noted in the Summary of Changes to Proposed Budget detailed in Attachment 4), and the 2017/18 estimated CIP carryover of \$137,743,307;
- 3) Approve the Housing Authority 2018/19 Budget of \$288,989 (amount is included in the City's Operating Budget);
- 4) Approve the Sports and Open Space Authority 2018/19 Budget of \$2,557,729 (amount is included in the City's Operating Budget);
- 5) Approve the 2019/20 through 2028/29 Ten-Year Financial Plan; and
- 6) Approve the Resolution changing the name of the Working Capital Reserve to the Budget Stabilization Reserve

Public Speaker(s): Public Speaker (1)

A motion was made by Council Member Mahan, seconded by Council Member Davis, 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 Mahan, seconded by Council Member O'Neill to approve staff recommendation and adopt Resolution No. 18-8538. (Mayor Gillmor and Council Member Mahan abstained on action related to Downtown Master Plan)

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

4.B [18-638](#) Consideration of Fiscal Year 2018/19 Appropriation Limit

Recommendation: Adopt a Resolution establishing the City's fiscal year 2018/19 appropriations limit of \$459,684,534.

A motion was made by Council Member Mahan, seconded by Council Member O'Neill to adopt Resolution No. 18-8539.

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

4.C [18-070](#) Public Hearing: Adoption of a Resolution Setting the Rates for the Storm Drain Environmental Compliance Fee

Recommendation: 1. Adopt a Resolution setting the rates for the Storm Drain Environmental Compliance Fee, effective for the utility bills issued on and after July 1, 2018.

A motion was made by Council Member Mahan, seconded by Council Member O'Neill to adopt Resolution No. 18-8540.

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

4.D [18-071](#) Public Hearing: Adoption of a Resolution Setting Overall Solid Waste Services, Annual Clean-up Campaign, and Household Hazardous Waste in the Exclusive Franchise Area

Recommendation: 1. Adopt a Resolution setting the overall rates to be charged to customers for the collection and disposal of garbage, refuse, Clean Green, recycling, annual Clean-up Campaign, and household hazardous waste in the exclusive franchise area, effective for the utility bills issued on and after July 1, 2018.

A motion was made by Council Member Mahan, seconded by Council Member O'Neill to adopt Resolution No. 18-8541.

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

- 4.E [18-152](#) Public Hearing: Action on Resolutions Approving Water, Recycled Water and Sewer Rates to be Effective July 1, 2018

Recommendation: Adopt Resolutions Establishing Water Rate Schedule 2018-01, Recycled Water Rate Schedule 2018-02, and Sewer Rate Schedule S-18.

A motion was made by Council Member Mahan, seconded by Council Member O'Neill to adopt Resolution No. 18-8542.

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

5. [18-076](#) Public Hearing: Adoption of a Resolution Overruling Protests and Ordering that the Alternative Method for the Levy of Benefit Assessment be Made Applicable to the City of Santa Clara Parking Maintenance District No. 122 - Franklin Square

Recommendation: Alternative 1:
Adopt a Resolution overruling any protests and ordering that the alternative method for the levy of benefit assessment be made applicable to the City of Santa Clara Parking Maintenance District No. 122 and approving, confirming, and adopting the Director's Report for FY 2018/19.

Mayor Gillmor recused herself from this item due to a conflict of interest and stepped off the dias.

Vice Mayor Watanabe opened the Public Hearing.

A motion was made by Council Member Davis, seconded by Council Member O'Neill, to close the Public Hearing.

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

Recused: 1 - Mayor Gillmor

A motion was made by Council Member Kolstad, seconded by Council Member Davis, to adopt Resolution No. 18-8544.

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

Recused: 1 - Mayor Gillmor

6. [18-112](#) Public Hearing: Resolution Overruling Any Other Protests and Ordering that the Alternative Method for the Levy of Benefit Assessment be Made Available to the Santa Clara Convention Center Maintenance District No. 183

Recommendation: Alternative 1:
Adopt a resolution overruling any other protests; and ordering that the alternative methods of levy of special benefit assessment be made applicable to the Santa Clara Convention Center Maintenance District #183, and approving, confirming and adopting the Director's Report for FY 2018/19.

Mayor Gillmor opened the Public Hearing.

A motion was made by Council Member Watanabe, seconded by Council Member Davis, 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 O'Neill, seconded by Council Member Davis, to adopt Resolution No. 18-8545.

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

7. [18-262](#) Public Hearing: Small Cell Attachment Rate on City Owned Wooden Electric Utility Poles

Recommendation: Hold public hearing on proposed Resolution setting small cell attachment rate to City owned wooden electric utility poles, and set August 21, 2018 for the adoption of the Resolution.

Mayor Gillmor opened the Public Hearing.

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 O'Neill, seconded by Council Member Davis, to approve the resolution.

(Action corrected at the June 26, 2018 Meeting)

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

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

None.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

City Manager reported on the two informational reports included under City Manager/Executive Director Reports. City Manager also reported that there would be two Special Meetings on June 21, 2018 at 11:00 AM and 5:00 PM.

[18-839](#)

Update on Council Direction to City Manager on Convention Center and on Status of Agreement with Convention-Visitors Bureau

Recommendation: Note and File report updating Council on the May 22, 2018 direction regarding the Convention Center and on the status of the FY18/19 Convention-Visitors Bureau Agreement

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

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

[18-743](#)

Note and File - Disposition of the Forty Niners Stadium Management Company's Request Regarding the Refinancing of StadCo's Variable Debt

Recommendation: Note and File - Disposition of Forty Niners Stadium Management Company's Request Regarding the Refinancing of StadCo's Variable Debt

City Manager announced that the funds are not refunded, however if the Stadium Authority budget can absorb the cost, it will return to a future meeting.

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

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

[18-768](#)

Tentative Meeting Agenda Calendar

ADJOURNMENT

A motion was made by Council Member O'Neill, seconded by Council Member Davis, 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

[18-986](#)

Adjournment

The meeting was adjourned at 2:30 AM on June 13, 2018 in **Memory of Eleanor Catherine Schuermann** (Santa Clara University School of Law Alum) and **Mary Pat St. Marie** (long-time Santa Clara resident).

The next regular scheduled meeting is on Tuesday evening, June 26, 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."