



# City of Santa Clara

## REVISED Meeting Agenda Council and Authorities Concurrent Meeting

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Tuesday, October 8, 2019

4:30 PM

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

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**\*\*Revisions:**

- (1) Removed Closed Session - will be heard at a later date.
- (2) The meeting start time is at 4:30 PM.
- (3) Removed Item #8 - 19.1117.

### 4:30 PM STUDY SESSION

Call to Order in the Council Chambers

Confirmation of a Quorum

- 19-539 [Joint Study Session with Planning Commission on the Zoning Code Comprehensive Update: Uses in Single-Family Districts and Short-Term Rental Regulations](#)

### 6:00 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 19-836 [Recognition of Community and Corporate Partners of the Santa Clara City Library Foundation and Friends](#)
- 1.B 19-1169 [Proclamation of Breast Cancer Awareness Month](#)
- 1.C 19-1170 [Proclamation of Domestic Violence Awareness Month](#)

**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 19-783** [Council and Authorities Concurrent Meeting Minutes of August 27, 2019 and City Council Special Meeting Minutes of September 4, 2019](#)

**Recommendation:** Note and file the Council and Authorities Concurrent Meeting Minutes of August 27, 2019 and City Council Special Meeting Minutes of September 4, 2019.

**2.B 19-036** [Board, Commissions and Committee Minutes](#)

**Recommendation:** Note and file the Minutes of:  
Historical and Landmarks Commission - May 2, 2019  
Planning Commission - August 28, 2019  
Senior Advisory Commission - August 26, 2019

**2.C 19-845** [Action on the Award of a Purchase Order to Charles Electric for Electrical Support Services](#)

**Recommendation:** 1. Authorize the City Manager to execute a purchase order with Charles Electric for an initial term starting on or about November 1, 2019 and ending on October 31, 2020, for a maximum compensation not-to-exceed \$225,500 during the initial term; and  
2. Authorize the City Manager to exercise up to four one-year options to renew the purchase order through October 31, 2024, subject to the annual appropriation of funds.

**2.D 19-963** [Action on the Award of Purchase Order to RWG USA, Inc. for Turbine Engine Major Overhaul Services for Silicon Valley Power](#)

**Recommendation:** 1. Authorize the City Manager to execute a Purchase Order with RWG USA, Inc., for an amount not to exceed \$844,635; and  
2. Authorize the City Manager to execute an option for a major overhaul of the second Alison 501-KB5 gas turbine engine at the Cogeneration Plant, subject to the same terms and the appropriation of funds.

**2.E 19-966** [Action on the Transmission Agency of Northern California Project Agreement No. 6 for Regulatory Engagement in Participating Transmission Owner Cases before the Federal Energy Regulatory Commission](#)

***Recommendation:*** Authorize the City Manager to execute the Transmission Agency of Northern California Project Agreement No. 6 for Regulatory Engagement in Participating Transmission Owner Cases before the Federal Energy Regulatory Commission.

**2.F 19-986** [Action on Amendment No. 1 to Call 17-1 with Nexant, Inc. to Provide the Specialized Commercial and Industrial Operational Optimization Program Third Party Energy Efficiency Program](#)

***Recommendation:*** Authorize the City Manager to execute Amendment No. 1 to Call 19-1 Agreement with Nexant, Inc. to provide the Specialized Commercial and Industrial Operational Optimization Program Third Party Energy Efficiency Program extending the service provided until January 24, 2022 in an amount not-to exceed \$474,000, subject to annual appropriation of funds.

**2.G 19-998** [Update on project located at 2330 Monroe Street with Freebird Development Company, LLC: Status of Disposition and Development Agreement and Project Approvals](#)

***Recommendation:*** Note and File the Informational Memo on the project located at 2330 Monroe Street with Freebird Development Company, LLC.

2.H 19-1002 [Approve City Position on Proposed League of California Cities' 2019 Annual Conference Resolutions](#)

**Recommendation:** Approve "Take No Position" positions for the proposed Resolution #1, Call on the California Public Utilities Commission to Amend Rule 20A to Add Projects in Very High Fire Hazard Severity Zones to the List of Eligible Criteria and to Increase Funding Allocations for Rule 20A Projects, and Resolution #2, Call Upon the Federal and State Governments to Address the Devastating Impacts of International Transboundary Pollution Flows into the Southernmost Regions of California and the Pacific Ocean, and authorize the City's voting delegate/alternate to cast votes consistent with the City Council's adopted positions.

2.I 19-1051 [Action on the Appointment of Additional Members to the Tourism Improvement District \(TID\) Advisory Board](#)

**Recommendation:** Appoint Additional Members Representing AC Hotel and Element Santa Clara Hotel to the Tourism Improvement District (TID) Advisory Board.

2.J 19-1075 [Action on Amendment No. 1 to the Agreement with FIS AvantGard LLC \("FIS"\), formerly known as SunGard AvantGard LLC, for an Investment Management and Portfolio Accounting Solution](#)

**Recommendation:** Authorize the City Manager to execute Amendment No. 1 to the Agreement with FIS AvantGard LLC for APS2 SaaS/WEB investment and portfolio accounting software for a term of two years ending September 30, 2021, with the option of an additional two-year term.

**2.K 19-1084** [Adoption of a Resolution Calling and Giving Notice of a Special Municipal Election to be held on Tuesday, March 3, 2020 for the Office of Elected Chief of Police; Requesting that the Board of Supervisors of the County of Santa Clara Consolidate the Special Election with the Statewide Presidential Primary Election; and Adopt Regulations for Candidate Statements of Qualifications Submitted to the Voters and Levying a Share of the Cost of the Candidates' Statements](#)

***Recommendation:*** Adopt a Resolution Calling and Giving Notice of a Special Municipal Election to be held on Tuesday, March 3, 2020 for the Office of Elected Chief of Police; Requesting that the Board of Supervisors of the County of Santa Clara Consolidate the Special Election with the Statewide Presidential Primary Election; and Adopt Regulations for Candidate Statements of Qualifications Submitted to the Voters and Levying a Share of the Cost of the Candidates' Statements.

**2.L 19-1098** [Resolution Establishing the Political Campaign Voluntary Expenditure Limit and Campaign Contribution Limit for March 3, 2020](#)

***Recommendation:*** Adoption of a Resolution establishing the Political Campaign Voluntary Expenditure Limit and Campaign Contribution Limit for the March 3, 2020 Special Municipal Election.

**2.M 19-1106** [Action on Adoption of Ordinance No. 2006 Amending Chapter 5.40 \(“Massage Services And Massage Establishments”\) of Title 5 \(“Business Licenses And Regulations”\), and Chapters 18.34 \(“Regulations For CN-Neighborhood Commercial Zoning Districts”\), 18.36 \(“Regulations For CC-Community Commercial Zoning Districts”\), 18.42 \(“Regulations For CP-Commercial Park Zoning Districts”\), 18.56 \(“Planned Development-Master Community Zoning Districts”\), 18.70 \(“Use Regulations Applicable To Specified Regulated Businesses”\) and 18.104 \(“Massage Establishments”\) of Title 18 \(“Zoning”\) of “The Code of The City of Santa Clara, California” to Amend Regulations Relating To Massage Establishments](#)

**Recommendation:** Adopt Ordinance No. 2006, Amending Chapter 5.40 (“Massage Services And Massage Establishments”) of Title 5 (“Business Licenses And Regulations”), and Chapters 18.34 (“Regulations For CN-Neighborhood Commercial Zoning Districts”), 18.36 (“Regulations For CC-Community Commercial Zoning Districts”), 18.42 (“Regulations For CP-Commercial Park Zoning Districts”), 18.56 (“Planned Development-Master Community Zoning Districts”), 18.70 (“Use Regulations Applicable To Specified Regulated Businesses”) and 18.104 (“Massage Establishments”) of Title 18 (“Zoning”) of “The Code of The City of Santa Clara, California” to Amend Regulations Relating To Massage Establishments.

**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. 19-1042** [Presentation and Possible Action on the 2019 Employee Survey Findings](#)

**Recommendation:** Note and File 2019 Employee Survey Findings.

4. 19-1006 [Action on the Award of Agreement to Wallace Roberts & Todd, LLC for Downtown Precise Plan Consultant Services and Related Budget Amendment](#)

**Recommendation:** 1. Authorize the City Manager to execute an agreement with Wallace Roberts & Todd, LLC to provide Downtown Precise Plan Consultant Services for an initial three-year term ending September 30, 2022, for a maximum compensation not to exceed \$578,346, subject to the annual appropriation of funds;

2. Approve the related budget amendment recognizing appropriations of an additional \$268,346 in FY 2019/20 in the Downtown Master Plan Capital Improvement Project for the development of a Downtown Precise Plan funded by the General Fund Advanced Planning Reserve; and

3. Authorize the City Manager to execute an amendment to extend the Agreement for an additional three-year period ending September 30, 2025 and increase maximum compensation in the event that additional services are required, subject to the annual appropriation of funds.

5. 19-1101 [Direction on Santa Clara's Participation in Collaborative Efforts by the Cities Association of Santa Clara County to Address the Regional Housing Need Allocation](#)

**Recommendation:** Alternative 1:  
Direct staff to work with the Cities Association RHNA Task Force on a planning collaborative.

6. Action on Stadium Authority Items:

A. 19-1121 [Report on Letter from attorney for Forty-Niners Stadium Management Co. and ratification of Stadium Authority Counsel's issuance of Notice of Termination](#)

**Recommendation:** Ratify the Stadium Authority Counsel's issuance of the Notice of Termination.

- B. 19-1110 [Action on Adoption of Ordinance No. 2005 Amending Sections 17.30.080 \("Best Value Selection Procedures"\), 17.30.090 \("Formal Bidding Procedure"\), And 17.30.120 \("Service Contracts-Signature Authority"\) Of Title 17 \("Development"\) Of "The Code Of The City Of Santa Clara, California"](#)

***Recommendation:*** Adopt Ordinance No. 2005 Amending Sections 17.30.080 ("Best Value Selection Procedures"), 17.30.090 ("Formal Bidding Procedure"), And 17.30.120 ("Service Contracts-Signature Authority") Of Title 17 ("Development") Of "The Code Of The City Of Santa Clara, California".

7. 19-1172 [Deferral on Amendment to Resolution No. 19-8749 to establish the Park In-Lieu Fee Schedule for New Residential Development and to determine the Park Improvement Cost to be used in Fee Calculations](#)

***Recommendation:*** Note and File this report.

#### **REPORTS OF MEMBERS AND SPECIAL COMMITTEES**

#### **CITY MANAGER/EXECUTIVE DIRECTOR REPORT**

8. 19-911 [Informational Report to Council on the Implementation of an Unmanned Aircraft System Program](#)
9. 19-1057 [Monthly Update on City Council and Stadium Authority Staff Referrals](#)

#### **ADJOURNMENT**

The next regular scheduled meeting is on Tuesday evening, October 29, 2019 in the City Hall Council Chambers.

#### **MEETING DISCLOSURES**

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

AB23 ANNOUNCEMENT: Members of the Santa Clara Stadium Authority, Sports and Open Space Authority and Housing Authority are entitled to receive \$30 for each attended meeting.

Note: The City Council and its associated Authorities meet as separate agencies but in a concurrent manner. Actions taken should be considered actions of only the identified policy body.

LEGEND: City Council (CC); Stadium Authority (SA); Sports and Open Space Authority (SOSA); Housing Authority (HA); Successor Agency to the City of Santa Clara Redevelopment Agency (SARDA)

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<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."