



City of Santa Clara
Special Meeting Minutes
City Council
Sports & Open Space Authority

10/22/2019

5:00 PM

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

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 ("The Brown Act") and Section 708 of the Santa Clara City Charter, the Mayor calls for a Special Meeting of the City Council of the City of Santa Clara and the Governing Board of the Sports and Open Space Authority to commence and convene on October 22, 2019, at 5:00 PM for a Special Meeting in the City Hall Council Chambers located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California, to consider the following matter(s) and to potentially take action with respect to them.

5:00 PM SPECIAL MEETING

Call to Order

Mayor/Chairperson Gillmor called the meeting to order at 5:15 PM.

Pledge of Allegiance and Statement of Values

Roll Call

Present: 6 - Vice Mayor/Vice Chair Patricia M. Mahan, Councilmember/Member Karen Hardy, Councilmember/Member Teresa O'Neill, Councilmember/Member Kathy Watanabe, Councilmember/Member Raj Chahal, and Mayor/Chairperson Lisa M. Gillmor

Absent: 1 - Councilmember/Member Debi Davis

A motion was made by Councilmember/Member Watanabe, seconded by Councilmember/Member Chahal, to excuse Councilmember/Member Davis.

Aye: 6 - Vice Mayor/Vice Chair Mahan, Councilmember/Member Hardy, Councilmember/Member O'Neill, Councilmember/Member Watanabe, Councilmember/Member Chahal, and Mayor/Chairperson Gillmor

Absent: 1 - Councilmember/Member Davis

[19-874](#)

Discussion and Review of User Fees for Cost of Services - Phase II

Director of Finance Lee, Director of Community Development Crabtree and Assistant City Manager Pineda made a PowerPoint presentation.

Public Speaker(s): Dennis Martin (Lobbyist)
Suds Jain

CONTINUANCES/EXCEPTIONS

None.

SPECIAL ORDER OF BUSINESS

1.A [19-1218](#)

Recognition of Local Author Stacey Heather Lee

Councilmember Watanabe acknowledged the many accomplishments of **Author Lee** and her work to advance diversity in reading materials.

Author Lee was invited to speak and thanked **Council** for recognizing her work.

CONSENT CALENDAR

Councilmember Hardy pulled Item 2.C.

Councilmember Watanabe pulled Item 2.E.

A motion was made by Councilmember/Member O'Neill, seconded by Vice Mayor/Vice Chair Mahan, to approve the balance of the Consent Calendar (except Items 2.C and 2.E).

Aye: 6 - Vice Mayor/Vice Chair Mahan, Councilmember/Member Hardy, Councilmember/Member O'Neill, Councilmember/Member Watanabe, Councilmember/Member Chahal, and Mayor/Chairperson Gillmor

Excused: 1 - Councilmember/Member Davis

- 2.A [19-1059](#) Action to Approve New and Modified Class Specifications and to Adopt a Resolution Approving and Adopting the Updated Salary Plan for Two Unclassified Positions

Recommendation: Approve amendments to the City of Santa Clara Salary Plan effective October 29, 2019 to:

1. Approve new class specification for Communications and Outreach Manager and set compensation;
2. Approve modified class specification for Deputy City Clerk; and
3. Adopt a Resolution to approve and adopt the revised salary plan for various unclassified positions to satisfy the requirements of California Code of Regulations Section 570.5.

A motion was made by Councilmember O'Neill, seconded by Vice Mayor Mahan, to: 1) Approve new class specification for Communications and Outreach Manager and set compensation; 2) Approve modified class specification for Deputy City Clerk; and 3) Adopt Resolution No. 19-8764 to approve and adopt the revised salary plan for various unclassified positions to satisfy the requirements of California Code of Regulations Section 570.5.

- 2.B [19-1107](#) Action to Adopt Resolutions Authorizing the Removal of Financing Encumbrances from the Title on Santa Clara Golf & Tennis Property

Recommendation: 1. The Council adopt a Resolution terminating Santa Clara Golf and Tennis Financing Leases, agreeing to accept the property interests being quitclaimed to the City by the Financing Lease Quitclaims, and authorizing the City Manager to execute and record lease terminations, quitclaims, Certificates of Acceptance and other necessary documents to implement the Resolution; and
2. The Council acting as the Sports and Open Space Authority Board adopt a Resolution terminating Santa Clara Golf and Tennis Financing Leases and authorizing the Contract Administrator to execute and record lease terminations, quitclaims and other necessary documents to implement the Resolution.

A motion was made by Councilmember/Member O'Neill, seconded by Vice Mayor/Vice Chair Mahan, that: 1) Council adopt Resolution No. 19-8765 terminating Santa Clara Golf and Tennis Financing Leases, agreeing to accept the property interests being quitclaimed to the City by the Financing Lease Quitclaims, and authorizing the City Manager to execute and record lease terminations, quitclaims, Certificates of Acceptance and other necessary documents to implement the Resolution; and 2) Council acting as the Sports and Open Space Authority Board adopt Resolution No. 19-2 (SOSA) terminating Santa Clara Golf and Tennis Financing Leases and authorizing the Contract Administrator to execute and record lease terminations, quitclaims and other necessary documents to implement the Resolution.

- 2.D [19-1096](#) Action on Amendment No. 1 to the Amended and Restated Agreement for Services with Robert E. Van Heuit, for consulting services associated with the Related Santa Clara Development Project

Recommendation: Approve and authorize the City Manager to execute Amendment No. 1 to the Amended and Restated Agreement with Robert E. Van Heuit to extend the term to December 31, 2020 and increase compensation by \$80,000 for a revised not-to-exceed compensation amount of \$250,000 for technical advice and assistance to the Santa Clara County Department of Environmental Health (County) for its review of the Related Santa Clara project.

A motion was made by Councilmember O'Neill, seconded by Vice Mayor Mahan, to approve staff recommendation.

PUBLIC PRESENTATIONS

Suds Jain expressed comments regarding World Polio Day.

CONSENT ITEMS PULLED FOR DISCUSSION

2.C [19-094](#) Action on a Multimodal Improvement Plan Funding Agreement with Related Santa Clara, LLC for the Related Santa Clara Project and Related Budget Amendment

Recommendation: 1. Approve and authorize the City Manager to execute the Multimodal Improvement Plan Funding Agreement with Related Santa Clara, LLC for the Related Santa Clara Project;
2. Authorize the City Manager to make minor modifications to the MIP Funding Agreement and execute any and all associated documents; and
3. Approve the Related Budget Amendment to transfer existing funds from the Transportation Environmental Mitigation and Regional Traffic Mitigation Fee Deposit Funds to the Streets and Highways Fund and appropriate the funds to the Related California Multimodal Improvement Plan - Phase 1 Improvements Project.

Councilmember Hardy pulled this item for further clarification.

Director of Public Works Mobeck and **Assistant Director of Public Works Liw** addressed **Council** comments and questions.

Public Speaker(s): Public Speaker (1)

A motion was made by Vice Mayor Mahan, seconded by Councilmember Hardy, to approve staff recommendation.

Aye: 6 - Vice Mayor Mahan, Councilmember Hardy, Councilmember O'Neill, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Councilmember Davis

- 2.E [19-1030](#) Action on Amendment No. 1 to the Agreement with MuniServices, LLC for Sales and Use Tax Auditing Services

Recommendation: 1. Authorize the City Manager to execute Amendment No. 1 to the Agreement with MuniServices, LLC for Sales and Use Tax Auditing Services to extend the term of the agreement by two years ending June 30, 2021 and increase compensation by \$700,000 for a total maximum not-to-exceed amount of \$2,433,985; and
2. Authorize the City Manager to execute amendments during the amended term of the contract in the event actual sales and use tax revenues recovered for which the City pays 15% contingency fee exceeds estimated amounts.

Councilmember Watanabe pulled this item for more information.

Director of Finance Lee addressed **Council** questions.

A motion was made by Councilmember Watanabe, seconded by Councilmember O'Neill, to approve staff recommendation.

Aye: 6 - Vice Mayor Mahan, Councilmember Hardy, Councilmember O'Neill, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Councilmember Davis

PUBLIC HEARING/GENERAL BUSINESS

3. [19-847](#) Action on Direction to Proceed with Placemaking Activities for the Mission Branch Library and City Plaza Park

Recommendation: Alternative 1:
Accept the recommendations in the Mission Branch Library City Plaza Park: Placemaking Pilot Project Analysis and Recommendations Draft Report and direct staff to work with PPS to finalize the report.

Director of Community Development Crabtree made a PowerPoint presentation.

Public Speaker(s): Public Speakers (4)

A motion was made by Vice Mayor Mahan, seconded by Councilmember Chahal, to approve staff recommendation.

Aye: 6 - Vice Mayor Mahan, Councilmember Hardy, Councilmember O'Neill, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Councilmember Davis

1.B [19-1221](#) Proclamation of World Polio Day

Council presented a Proclamation of World Polio Day (October 24, 2019) to the Rotary Club of Santa Clara.

Public Speaker(s): Lou Ann Alexander (past Rotary Club President)
Colleen Noll (current Rotary Club President)

4. [19-1173](#) Action on a Resolution Approving an Affordable Housing Agreement with ZAEN Partners, LLC for the Project Located at 2310 Calle Del Mundo

Recommendation: 1. Adopt a Resolution approving and authorizing the City Manager to execute the Affordable Housing Agreement with ZAEN Partners, LLC, and authorizing the City Manager to negotiate, execute, and record any documents necessary to implement the terms of the Affordable Housing Agreement consistent with this Report including amendments to the Affordable Housing Agreement, to implement the terms, covenants, and restrictions associated with the provision of thirty (30) very low-income units at 2310 Calle Del Mundo (APN# 097-05-059); and,
2. Authorize the recordation thereof.

Housing & Community Services Division Manager Veach made a PowerPoint Presentation.

Public Speaker(s): Public Speakers (2)

A motion was made by Vice Mayor Mahan, seconded by Councilmember Hardy, to: 1) Adopt Resolution No. 19-8766 approving and authorizing the City Manager to execute the Affordable Housing Agreement with ZAEN Partners, LLC, and authorizing the City Manager to negotiate, execute, and record any documents necessary to implement the terms of the Affordable Housing Agreement consistent with this Report including amendments to the Affordable Housing Agreement, to implement the terms, covenants, and restrictions associated with the provision of thirty (30) very low-income units at 2310 Calle Del Mundo (APN# 097-05-059); and 2) Authorize the recordation thereof.

Aye: 6 - Vice Mayor Mahan, Councilmember Hardy, Councilmember O'Neill, Councilmember Watanabe, Councilmember Chahal, and Mayor Gillmor

Excused: 1 - Councilmember Davis

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Mayor Gillmor reported that she attended the League of California Cities Annual Conference & Expo along with **Councilmember Watanabe** and will report out on their trip at the next Council meeting.

Vice Mayor Mahan reported on her attendance at the Neighborhood - University Relations Committee (NURC) meeting held on October 21, 2019.

Councilmember O'Neill reported on her attendance at the October 11, 2019, Inauguration Ceremony of **Father O'Brien** as Santa Clara University's 29th president.

Councilmember Chahal reported on his attendance at the NURC meeting held on October 21, 2019.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

City Manager Santana reported on the following:

- The City's online public records portal NextRequest made its debut on the City's website October 21, 2019 and expressed gratitude to the City staff that assisted with implementating this new technology.
- The public beta testing will begin tomorrow for the City's new website and the final proposed website will be launched by the end of the year.
- At the beginning of the new year the City of Santa Clara will be recognized by Business View Magazine will showcase the City of Santa Clara.
- Recognized the Comic Con Event and acknowledged the efforts of the Library staff.

[19-1235](#)

Tentative Meeting Agenda Calendar (TMAC)

ADJOURNMENT

The meeting was adjourned at 7:45 PM.

A motion was made by Councilmember/Member O'Neill, seconded by Councilmember/Member Hardy, to adjourn the meeting.

Aye: 6 - Vice Mayor/Vice Chair Mahan, Councilmember/Member Hardy, Councilmember/Member O'Neill, Councilmember/Member Watanabe, Councilmember/Member Chahal, and Mayor/Chairperson Gillmor

Excused: 1 - Councilmember/Member Davis

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>> 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."

ATTEST:



Assistant City Clerk/Secretary

APPROVE:



Mayor/Chairperson