



City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, May 15, 2018

5:00 PM

City Hall Council Chambers

1500 Warburton Avenue

Santa Clara, CA 95050

Closed Session - 5:00 PM | Interviews - 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)

18-259 [Conference with Legal Counsel-Existing Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)
[Salinas-Ibarra v. City of Santa Clara, et al., U.S. District Court,](#)
[Northern District of California Case No. 5:17-cv-01137 HRL](#)

18-422 [Conference with Legal Counsel-Existing Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)
[Trimark Associates, Inc. v. City of Santa Clara, et al., Santa](#)
[Clara County Superior Court Case No. 18CV322294](#)

6:00 PM PARKS & RECREATION COMMISSION INTERVIEWS

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 18-428 [Appointment to the Parks and Recreation Commission](#)

Recommendation: Staff makes no recommendation regarding the appointment of an applicant to fill the vacancy on the Parks and Recreation Commission to serve a partial term ending June 30, 2019.

1.B 18-566 [Promotion of "Be Strong, Live Long" Health & Wellness Fair on Friday, May 18, 2018.](#)

1.C 18-342 [Cultural Commission Presentation of Upcoming Events in June and July 2018](#)

1.D 18-393 [Proclamation of Affordable Housing Week](#)

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 18-350 [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:
Parks & Recreation Commission - March 20, 2018
Planning Commission - March 28, 2018

2.B 18-408 [Bills and Claims Report \(CC\) for the period April 13th - April 19th](#)

Recommendation: Approve the list of Bills and Claims for April 13 - 19, 2018.

2.C 18-407 [Monthly Financial Status and Investment Reports for March 2018](#)

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

2.D 18-436 [Action on the New Job Specification and Set Salary Range for Electric Utility Chief Operating Officer](#)

Recommendation: Approve the new unclassified job description for Electric Utility Chief Operating Officer and establish the unclassified monthly salary range to \$18,697 to \$24,196.

- 2.E 18-604** [Adopt Ordinance No. 1979 Amending Chapter 2.130 of the Santa Clara City Code to enact regulations regarding contributions influencing local City elections \(Dark Money\)](#)

Recommendation: Adopt Ordinance No. 1979 amending Chapter 2.130 of the Santa Clara City Code to enact regulations regarding contributions influencing local City elections (Dark Money).

- 2.F 18-485** [Action on a Reimbursement Agreement for the Tasman East Specific Plan](#)

Recommendation: Authorize the City Manager to execute the Reimbursement Agreement for the Tasman East Specific Plan, in substantially the form attached hereto, subject to minor changes approved by the City Manager.

- 2.G 18-122** [Adoption of a Resolution Ordering the Vacation of Utility Easements at 2788 San Tomas Expressway](#)

Recommendation: 1) Adopt a Resolution ordering the vacation of the underground electric easements, water utility easements, and sanitary sewer easements at 2788 San Tomas Expressway [APN 224-11-068 (2017-180); SC 19,024]; and
2) Authorize the recordation thereof.

- 2.H 18-129** [Accept Sewer Pump Station, Lift Station and Well Site Equipment Upgrades Project \(WA 30305\)](#)

Recommendation: Accept the work performed by Anderson Pacific Engineering Construction, Inc. for a final contract price of \$548,900 for the Sewer Pump Station, Lift Station and Well Site Equipment Upgrades Project and authorize the City Manager to record the Notice of Completion with the County of Santa Clara Recorder.

2.I 18-251 [Mills Act Contract for 653 Jefferson Street](#)

Recommendation: 1. Approve the addition of the property at 653 Jefferson Street to the City of Santa Clara Historic Resource Inventory (HRI);
2. Approve placement of a historic oval plaque for the property at 653 Jefferson Street, with the year “1895” appearing as the year of construction; and,
3. Authorize the City Manager to execute a Historic Property Preservation Agreement (Mills Act Contract) and adopt the 10-Year Restoration and Maintenance Plan associated with the Historic Property Preservation Agreement for the property at 653 Jefferson Street with Applicants Arlene Pineda Juntado and Edward Scott Sympson; PLN2017-12937.]

2.J 18-405 [Amendment to the Covenants, Conditions and Restrictions for the Woodsborough Homes Association](#)

Recommendation: Note and file the proposed amendment to the covenants, conditions and restrictions (“CC&Rs”) for the Woodsborough Homeowners Association regarding the residential development at 990 Kiely Boulevard.

2.K 18-412 [3315 Scott Boulevard Tentative Parcel Map](#)

Recommendation: Approve the requested Tentative Parcel Map to subdivide the subject property into two parcels to subdivide the 6.95 acre project site into two parcels for 3315 Scott Boulevard.

2.L 18-511 [Acceptance of the Work Performed by Anderson Dragline, Inc. for the Black Butte Re-Regulation Erosion Project \(Contract No. 2416\) and Authorization for the Recordation of a Notice of Completion](#)

Recommendation: Accept the work performed by Anderson Dragline, Inc. for the Black Butte Re-Regulation Erosion Repair Project (Contract No. 2416) and authorize the recordation of a Notice of Completion with the County Recorder.

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. **18-667** [Consideration of Actions in Response to City Council Member's Conduct](#)

 Recommendation: There is no staff recommendation for this issue.
4. **18-592** [Written Petition received by Vivek Khandelwal: Opposition to proposed traffic lights at the intersection of Pruneridge and Cronin](#)

 Recommendation: There is no staff recommendation for this issue.
5. **18-624** [Action on Sponsorship of the American Legion Santa Clara Post 419's Annual Car Show on June 9, 2018](#)

 Recommendation: There is no staff recommendation for this issue.
6. **18-654** [Appointment of an Applicant to the Planning Commission](#)

 Recommendation: Alternative 1: Appointment of an applicant to fill the vacancy on the Planning Commission to serve a partial term ending June 30, 2021.
7. **18-432** [Public Hearing: Action on 3402 El Camino Real Mixed Use Project The Deck](#)

 Recommendation: 1. Adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the 3402 El Camino Real Mixed Use (The Deck) Project; and
 2. Approve a rezone from Thoroughfare Commercial (CT) to Planned Development (PD) to allow a mixed-use development of 66 apartment units over 9,900 square feet of commercial space.

8. **18-433** [Public Hearing: Action on a Four Unit Development Project located at 1075 Pomeroy Avenue](#)

Recommendation: 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.

9. **18-685** [Direction on the Management Fee for the Santa Clara Chamber of Commerce & Convention-Visitors Bureau for Management of the Santa Clara Convention Center](#)

Recommendation: Staff makes no recommendation on any of options for payment of a management fee, as all options presented are feasible; however, staff does make a recommendation that an option be selected so that if there is a desire to continue in this arrangement, there is a legitimate agreement that authorizes the City Manager to issue public funds for this purpose, which is not the case right now.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

- 18-469** [Tentative Meeting Agenda Calendar](#)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, May 22, 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."