



City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, May 22, 2018

4:00 PM

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

Closed Session - 4:00 PM | Study Session - 5:00 PM | Regular Meeting - 7:00 PM

4:00 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)

18-730 [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 \(provisions, price and terms of payment\)](#)

18-738 [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](#)

5:00 PM STUDY SESSION

Call to Order in the Council Chambers

Confirmation of a Quorum

18-274 [Review the FY 2018/19 Proposed Annual Operating Budget and Ten-Year Financial Plan](#)

Recommendation: Review and provide input on the FY 2018/19 Proposed Annual Operating Budget and Ten-Year Financial Plan.

18-327 [Review of Water and Sewer Rate Study Draft Report](#)

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 18-459 [Recognition of Outgoing Youth Commission Members](#)

1.B 18-429 [Appointment of Youth Commissioners for the 2018-19 Term](#)

Recommendation: Appoint seven incoming Commissioners, appoint two alternates, and confirm the reappointment of eight returning Commissioners to serve on the 2018-19 Santa Clara Youth Commission.

1.C 18-460 [2018 Youth Commission Community Service Scholarship](#)

1.D 18-465 [Presentation of Awards for Santa Clara Sculpture Exhibition "Out of the Darkness, Light"](#)

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 18-409 [Bills and Claims Report \(CC\) for the period April 20th - April 26th](#)

Recommendation: Approve the list of Bills and Claims for April 20 - 26, 2018.

2.B 18-629 [Action on a Revised Job Title and Description for Electric Utility Risk Control Analyst](#)

Recommendation: Approve the revised job title and description for Electric Utility Risk Control Analyst.

2.C 18-585 [Approval of Various Job Specifications for Classified Positions Brought to Civil Service Commission on May 14, 2018](#)

Recommendation: Approve modified job specifications for Firefighter I, Firefighter II, Driver Engineer, Fire Captain, Assistant Training Officer, Electric Utility Engineer, Time and Material Clerk, Street Maintenance Foreperson, Park Foreperson, and Utility Field Services Worker.

2.D 18-097 [Agreement with Schaaf & Wheeler, Consulting Civil Engineers for Water Mains at Bridge Crossings](#)

Recommendation: Award the Water and Sewer Utilities contract to provide design professional services for the Water Mains at Bridge Crossings Project to Schaaf & Wheeler, Consulting Civil Engineers for an amount not to exceed \$246,061. Authorize the City Manager to execute agreement and to make minor, non-substantive modifications, if necessary.

2.E 18-375 [Action on single family use at 1141 Main Street](#)

Recommendation: Approve the rezoning of the property at 1141 Main Street from Downtown Commercial (CD) to Single Family Zoning District (R1-6L).

2.F 18-340 [Consideration of the Countywide AB 939 Implementation Fee Agreement](#)

Recommendation: 1. Approve the Countywide AB 939 Implementation Fee Agreement; and
2. Authorize the City Manager to execute the Agreement for Countywide AB 939 Implementation Fee with the County of Santa Clara to collect and distribute the AB 939 Implementation Fee in the amount of \$4.10 per ton of waste over a three-year term.

2.G 18-341 [Consideration of the Countywide Household Hazardous Waste Collection Program Agreement](#)

- Recommendation:**
1. Approve and authorize the City Manager to execute the Agreement for Countywide Household Hazardous Waste Collection Program with the County of Santa Clara to enable residents to participate in the Countywide Household Hazardous Waste Collection Program for a three-year term, and
 2. Authorize the City Manager to execute future amendments to the agreement to adjust the annual augmentation over the baseline 4% participation level, and
 3. Authorize the City Manager to execute future license agreements with the County of Santa Clara that enable drop-off events to be conducted on the Public Works Corporation Yard premises.

2.H 18-376 [Amendment No. 2 to Special Facilities Agreement with CoreSite Real Estate Limited Partnerships on Coronado Drive and Stender Way](#)

- Recommendation:**
- Approve Amendment No. 2 to the Special Facilities Agreement with CoreSite Real Estate 2901 Coronado, L.P., CoreSite Real Estate 3001 Coronado, L.P., CoreSite Real Estate 3032 Coronado, L.P., CoreSite Real Estate 2950 Stender, L.P. and CoreSite Real Estate 2972 Stender, L.P. (as successors-in-interest to CoreSite Coronado Stender, L.L.C. and CoreSite Real Estate 2901 Coronado L.L.C.) to increase the amount of electric capacity to be made available from 40 MVA to 50 MVA.

2.I 18-391 [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. (\$210,000), 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 \$2,113,000 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 \$2,113,000 subject to annual appropriations and make minor, non-substantive modifications to the Agreements, if necessary.

2.J 18-401 [Consideration of Amendment No. 2 to the Cooperative Funding Agreement with Santa Clara Valley Transportation Authority](#)

Recommendation:

Approve and authorize the City Manager to execute Amendment No. 2 to the Cooperative Funding Agreement with the Santa Clara Valley Transportation Authority for the Limited 323 Bus Signal Priority Upgrades to extend the Term of Agreement to June 30, 2018.

2.K 18-458 [Consideration of Final Tract Map No. 10436 for 1890 El Camino Real](#)

Recommendation:

1. Approve the Tract No. 10436 Final Map;
2. Authorize the City Manager to make minor modifications, if necessary; and
3. Authorize the recordation of the Tract No. 10436 Final Map, which combines two parcels into one residential condominium lot located at 1890 El Camino Real [APN: 269-01-081 and 082 (2017-18)].

2.L 18-529 [Consideration of an Affordable Housing Agreement with Toll West Coast, LLC for 3305 Kifer Road](#)

Recommendation: Approve and authorize the City Manager to execute the Affordable Housing Agreement with Toll West Coast, LLC, to execute amendments thereto, and to take any other action necessary to implement the requirement for the provision of four Below Market Purchase homes within a 45-unit housing project at 3305 Kifer Road.

2.M 18-546 [Update on the VTA's Santa Clara Bart Station Community Working Group](#)

2.N 18-603 [Action on a Resolution for the 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 the north side of Stevens Creek Boulevard at Valley Fair Mall street frontage; 3075 Olcott Street; and 725 Mathew Street.

2.O 18-688 [Action on a Special Permit to Allow a Car Show at 958 Homestead Road](#)

Recommendation: Approve a Special Permit to allow two car shows at 958 Homestead Road (PLN2018-13240), to be held prior to June 30, 2019 subject to conditions.

2.P 18-690 [Action on Payment of Settlement to Austin Calhoun and his Attorney and Related Budget Amendment](#)

Recommendation:

1. Approve payment of \$1.55 million from the Special Liability Insurance Fund to plaintiff Austin Calhoun and his attorney; and
2. Approve Transfer of \$1.55 million from the Special Liability Reserve Fund to the Special Liability Insurance Fund.

2.Q 18-261 [Adoption of a Resolution to Authorize Application Filing for Fiscal Year 2018/19 Transportation Development Act Funding](#)

Recommendation: Adopt a Resolution Authorizing the Filing of an Application with the Metropolitan Transportation Commission for Allocation of Transportation Development Act Article 3, Pedestrian and Bicycle Project Funding for Fiscal Year 2018-19.

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. 18-719 [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.

4. 18-717 [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.

5. 18-744 [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.

6. 18-410 [Santa Clara Convention Center and Convention-Visitors Bureau \(SCCC-CVB\) 3rd Quarter Financial Status Report](#)

Recommendation: Note and file the Santa Clara Convention Center and Convention-Visitors Bureau Financial Status Report for Third Quarter Ended March 31, 2018, as submitted by the Santa Clara Chamber of Commerce and Convention-Visitors Bureau.

7. 18-124 [Action on a Contract for the Reed Street - Grant Street Sports Park Project and Related Budget Amendment](#)

Recommendation: Alternative 1, 2 and 3:
1. Award the Public Works Contract for the Reed Street-Grant Street Sports Park Project (CE 16-17-13) to the lowest responsive and responsible bidder, O.C. Jones and Sons, Inc., in the amount of \$20,195,000 and authorize the City Manager to execute any and all documents associated with and necessary for the award, completion, and acceptance of this Project; and
2. Authorize the City Manager to execute change orders up to approximately 10% of the original contract price, or \$2,019,500, for a total not-to-exceed amount of \$22,214,500 (Five Affirmative Council Votes Required); and
3. Approve the budget amendment transferring \$10,214,500 from the Land Sale Reserve to Youth Soccer Field & Athletic Facilities Program (CIP 532-3177) to be repaid with future Mitigation Fee Act revenue.

8. 18-714 [City Charter Options for Vacant Council Seat](#)

Recommendation: Staff does not make any recommendation.

9. 18-676 [Adopt Ordinance No. 1980 Establishing District Boundaries and Sequencing related to Implementing By-District Elections in Santa Clara](#)

Recommendation: Adopt Ordinance No. 1980 Establishing District Boundaries and Sequencing related to Implementing By-District Elections in Santa Clara.

10. 18-425 [Public Hearing: Action on Catalina Residential Project located at 1375 El Camino Real](#)

Recommendation: Alternatives 1 & 3:

1. Adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Catalina Residential Development Project.
3. Adopt the staff recommendation and approve the rezoning from Thoroughfare Commercial (CT) to Planned Development (PD) to allow development of 52 townhouse units, including 8 live-work units, with an additional 1,475 square feet of amenity and open space and approve the Vesting Tentative Subdivision Map to subdivide one lot into 10 lots.

11. 18-454 [Public Hearing: Approve a General Plan Amendment, Rezoning, and Vesting Tentative Subdivision Map and Adopt the Mitigated Negative Declaration for the Moonlite Lanes Townhomes Project located at 2780 El Camino Real](#)

Recommendation: Alternatives 1, 2, 3, & 5:

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring or Reporting Program for the Moonlite Lanes Townhome Project;
2. Approve General Plan Amendment #85 from Regional Mixed Use to Medium Density Residential;
3. Approve the Rezone from Community Commercial (CC) to Planned Development (PD) to allow the construction of a 58 residential townhome development, including revised conditions of rezoning approval E24, C25, C27, and C28; and
5. Approve the Vesting Tentative Subdivision Map to create 58 for-sale residential lots and 13 common lots for use as a private street and utility corridors.

12. 18-748 [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 \[APN: 104-43-051\] \(City Council and Successor Agency to the Former Redevelopment Agency of the City of Santa Clara\)](#)

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

18-352 [Tentative Meeting Agenda Calendar](#)

ADJOURNMENT

The next Joint Council and Authorities and Stadium Authority meeting is on Tuesday evening, May 29, 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."