



City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, June 12, 2018

4:30 PM

City Council Special Meeting
(4:30 - 6:00 PM) City Hall Council
Chambers
1500 Warburton Avenue
Santa Clara, CA 95050

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

Roll Call

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 Comment

Adjourn

6:00 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)

- 18-831** [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

Pledge of Allegiance and Statement of Values

Roll Call

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS

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.

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.

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).

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.

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

[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 18-354 [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

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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

Recommendation: Staff makes no recommendation regarding the appointment.

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

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.

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.

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.

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.

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.

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.

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.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

- 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

- 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

- 18-768 [Tentative Meeting Agenda Calendar](#)

ADJOURNMENT

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."