



City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, July 10, 2018

4:00 PM

City Hall Council Chambers

1500 Warburton Avenue

Santa Clara, CA 95050

Interviews - 4:00 PM | Closed Session - 4:45 PM | Study Session - 5:00 PM | Regular Meeting - 7:00 PM

4:00 PM INTERVIEWS

Call to Order in the Council Chambers and Conduct Interviews in the Staff Conference Room

18-505 [Cultural Commission Interviews and Appointment for a Partial Term Ending June 30, 2021](#)

Recommendation: Staff recommends conducting interviews and appointing a candidate to allow for a full Commission.

4:45 PM CLOSED SESSION

Call to Order in the Council Chambers

Confirmation of 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)

18-970 [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

18-457 [Study Session: Short-Lived Climate Pollutants Regulations and Future Solid Waste Processing and Collections Options](#)

18-286 [Study Session on the Zoning Code Comprehensive Update](#)

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

- 18-927** [Continuance Regarding the Public Hearing: Action on the Multimodal Improvement Plan and a Resolution Approving the Multimodal Improvement Plan and the new Multimodal Improvement Plan Traffic Impact Fee](#)

Recommendation: Continue the Item - Action on the Multimodal Improvement Plan and a Resolution Approving the Multimodal Improvement Plan and the new Multimodal Improvement Plan Traffic Impact Fee - to a future Council meeting after proper notice and publication of hearing.

- 18-928** [Continuance Regarding the Public Hearing: Action on a Resolution Approving the Findings from the Traffic Impact Fee Report and Setting the Rates for the Traffic Impact Fee, and Action on an Ordinance Making Corresponding Revisions to SCCC Section 17.15.330](#)

Recommendation: Open the Public Hearing and then Immediately Continue the Item - Action on a Resolution Approving the Findings from the Traffic Impact Fee Report and Setting the Rates for the Traffic Impact Fee, and Action on an Ordinance Making Corresponding Revisions to SCCC Section 17.15.330 - to July 17, 2018.

SPECIAL ORDER OF BUSINESS

- 1.A 18-819** [Presentation of 2018 City of Santa Clara/Silicon Valley Power Scholarships](#)

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 18-356 [Action on Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:
Planning Commission - May 23, 2018

2.B 18-759 [Action on Bills and Claims Report \(CC, SA, SOSA\) for the period June 1st - June 14th](#)

Recommendation: Approve the list of Bills and Claims for June 1 - 14, 2018.

2.C 18-069 [Action on a Service Agreement with Prime Mechanical Service, Inc.](#)

Recommendation: 1) Approve and authorize the City Manager to execute an Agreement for the Performance of Services with Prime Mechanical Service, Inc. to perform annual boiler preventative maintenance and on-call boiler repairs for an amount not-to-exceed \$200,000 over the three year term of the agreement; and
2) Authorize the City Manager to make minor modifications to the agreement, if necessary.

2.D 18-374 [Action on a Substation Expansion Agreement with CoreSite Real Estate Limited Partnerships on Coronado Drive and Stender Way and Approval of Budget Amendment](#)

Recommendation: 1.) Approve the Substation Expansion Agreement with CoreSite Real Estate Limited Partnerships to increase the amount of electric capacity to be made available from 50 MVA to 80 MVA.
2.) Delegate authority to the City Manager to approve long lead material procurement agreements.
3.) Approve the budget amendment to appropriate \$8.49M into the Install Fairview Substation project (CIP 591-2403) as a part of the implementation of this Agreement to accumulate the Developer Contributions and resulting charges.

2.E 18-521 [Action on the Agnew Park Updated Site Plan and Schematic Design for the Playground Construction Project](#)

Recommendation: Approve the Agnew Park Updated Site Plan and Schematic Design for the Playground Construction Project.

2.F 18-582 [Action on an Agreement with Pacific Water Art, Inc.](#)

Recommendation: 1) Approve and authorize the City Manager to execute an Agreement for the Performance of Services with Pacific Water Art, Inc. for an amount not-to-exceed \$125,615 over a three year term of the Agreement; and
2) Authorize the City Manager to make minor modifications to the Agreement, if necessary.

2.G 18-594 [Action on an Agreement with The Edelman Corporation](#)

- Recommendation:**
1. Make a determination that the security improvements under this project are an urgent necessity and as such the project does not need to be advertised for bids in accordance with Section 1310 of the City Charter based upon the following facts:
 - A. Numerous doors to City hall are uncontrolled and are open to anyone during the work day because they are on a keyed lock system.
 - B. Once keys are distributed to employees there is no way to revoke access unless the key is physically returned.
 - C. There is no way to know if unofficial copies of keys have been made and distributed.
 - D. There is no way to determine who may be accessing City Hall after hours.
 - E. During the past several months there have been security issues which could have been mitigated through the use of cameras, card readers and a new badging system. During one of those events staff had to perform an emergency rekey of the locks at the City Hall campus and reissue new keys to employees.
 2. Approve and authorize the City Manager to execute an Agreement for the Performance of Services with The Edelman Corporation to provide security improvements at the City Hall Complex in an amount not-to-exceed \$158,835 over the one year term of the Agreement; and
 3. Authorize the City Manager to make minor modifications to the Agreement, if necessary.

2.H 18-643 [Action on Tobacco Law Enforcement Grant Program funding from the California Department of Justice and Related Budget Amendment](#)

Recommendation: 1. Authorize the City Manager to execute a Memorandum of Understanding with the California Department of Justice, substantially similar to the attached form; and
2. Approve a budget amendment in the amount of \$227,175 to the Police Grants - Patrol Program (7752).

2.I 18-710 [Action on Donations Received in Support of the 2018 Arbor Day/Earth Day Celebration](#)

Recommendation: Authorize the City Manager to acknowledge and accept the donations received in support of the 2018 Arbor Day/Earth Day Celebration.

2.J 18-780 [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 2908 El Camino Real; Scott Boulevard and Coronado Drive; 390 N. Winchester Boulevard; N/Side Scott Boulevard, W/Side Octavius Drive and S/Side Augustine Drive; Montgomery Drive between Scott Boulevard and Augustine Drive; 3220 Scott Boulevard; (former) Gordon Road and Kifer Road; 1098 Lexington Street at south side of Mission Library Remodel Project; 1701 Lawrence Road; Pruneridge Avenue and Cronin Drive; 960 Pomeroy Avenue; Agate Drive at Calabazas Creek; 161 N. Cypress Avenue.

2.K 18-785 [Action on Amendment No. 1 to an Agreement with Project for Public Spaces](#)

Recommendation: Authorize the City Manager to execute Amendment No. 1 to the Agreement for the Performance of Services with Project for Public Spaces, Inc., to continue progress on the Santa Clara Placemaking series.

2.L 18-810 [Action on Response to the 2017-2018 Civil Grand Jury Report entitled, "Police and the Mentally Ill: Improving Outcomes"](#)

Recommendation: Authorize Mayor Gillmor to send the City's response to the Civil Grand Jury Report to the Honorable Patricia Lucas, Presiding Judge, Santa Clara County Superior Court, 191 North First Street, San Jose, CA 95113, no later than Tuesday, August 7, 2018.

2.M 18-952 [Action on Adoption of Ordinance No. 1982 Assigning the City Auditor Function to the Assistant Finance Director](#)

Recommendation: Adopt Ordinance No. 1982 Assigning the City Auditor Function to the Assistant Finance Director.

2.N 18-500 [Action on an Ordinance amending Title 18 of "The Code of the City of Santa Clara, California" to add parking ratios for data centers and self-storage facilities to Chapter 18.74, Parking Regulations](#)

Recommendation: Approve the introduction of an Ordinance amending Title 18 of "The Code of the City of Santa Clara, California" to add parking ratios for data centers and self-storage facilities to Chapter 18.74, Parking Regulations.

2.O 18-728 [Action on a Rezoning and Minor Modification located at 554 Saratoga Avenue](#)

Recommendation: 1. Approve the rezoning and approve a Minor Modification of the property at 554 Saratoga Avenue from Professional Office (OA) to Single Family Zoning District (R1-6L), subject to conditions of approval.

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.]

PUBLIC HEARING/GENERAL BUSINESS

3. **18-965** [Action on a Written Petition Submitted by Korean American Chamber of Commerce of Silicon Valley: Request to be placed on future agenda to discuss Korea Day](#)

Recommendation: There is no staff recommendation for this issue.

4. **18-154** [Presentation and Discussion of Results from My90 Satisfaction Survey of the Santa Clara Police Department](#)

Recommendation: Note and file the My90 Satisfaction Survey and direct the City Manager to provide periodic updates on the implementation of the community engagement plan.

5. **18-522** [Public Hearing: Action on Residential Townhouse Project at 1900 Warburton Avenue](#)

Recommendation: Alternatives 1, 2 and 3:
1. Adopt a Resolution approving the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the 1900 Warburton Residential Project;
2. Adopt a Resolution approving the rezoning from General Office (OG) to Planned Development (PD);
3. Adopt a Resolution approving the Tentative Condominium Map to allow development of 12 townhouse units.

6. **18-536** [Public Hearing: Action on a Resolution Confirming the 2018 Weed Abatement Program and Assessment](#)

Recommendation: 1. Adopt a Resolution confirming the 2018 Weed Abatement Program Assessment Report and Assessment

7. **18-874** [Action on Designating a Voting Delegate for League of California Cities 2018 Annual Business Meeting](#)

Recommendation: Designate a member of the City Council or a City official to serve as a voting delegate, and up to two alternates, to serve as the voting delegate in the event that the designated voting delegate is unable to serve in that capacity, to represent the City of Santa Clara at the League of California Cities 2018 Annual Business Meeting.

8. 18-878 [Action on Resignation of Planning Commissioner; Declare a Vacancy on the Planning Commission; and Set Process for Filling the Vacancy](#)

Recommendation: Alternative 1, Staff makes no recommendation regarding Alternatives 2 or 3 for the filling of the Planning Commission vacancy:

1. Accept the resignation of Michael O'Halloran and declare one vacancy on the Planning Commission for the partial term ending June 30, 2019.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

18-802 [Tentative Meeting Agenda Calendar](#)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, July 17, 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@santacalaraca.gov <<mailto:clerk@santacalaraca.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."