



City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, November 27, 2018

5:30 PM

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

Closed Session - 5:30 PM | Regular Meeting - 6:00 PM

5:30 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.

18-1564 [Public Employee Performance Evaluation \(CC\)](#)
[Pursuant to Gov. Code § 54957](#)
[Title: City Manager](#)

Convene to Closed Session (Council Conference Room)

6:00 PM COUNCIL REGULAR MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

1. **18-217** [Study Session: Potential Amendments to the Existing Massage Ordinance](#)

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS

SPECIAL ORDER OF BUSINESS (TO BE HEARD AT 7:00 P.M. OR SOMETIME THEREAFTER)

- 2.A **18-1335** [Presentation on New Hazardous Materials Vehicle for the Fire Department](#)

2.B 18-1340 [Action on a Donation from the Santa Clara City Library Foundation and Friends and Related Budget Amendment](#)

Recommendation: Accept a Santa Clara City Library Foundation and Friends donation in the amount of \$100,000 and approve the related Budget Amendment to appropriate the funds for future Library-related expenditures

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.]

3.A 18-1413 [Action on Bills and Claims Report \(CC\) for the period October 19th - October 25th](#)

Recommendation: Approve the list of Bills and Claims for October 19, 2018 - October 25, 2018.

3.B 18-205 [Action on a Resolution Revising the Council and Authorities/Stadium Authority Regular Meetings Dates for the 2019 Calendar Year](#)

Recommendation: Adopt a Resolution revising the Council and Authorities/Stadium Authority regular meeting dates for the 2019 calendar year to reflect the cancelation of the January 22, 2019 meeting and to set January 15, 2019 as a Council and Authorities regular meeting.

3.C 18-1315 [Action on Monthly Financial Status and Investment Reports for September 2018](#)

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

3.D 18-1039 [Action on Amendment No. 2 to the Agreement for Services with GEI Consulting, Inc. to Provide Project Management Support for the Bucks Creek Project Relicensing](#)

Recommendation: Approve Amendment No. 2 to a Professional Agreement with GEI Consultants, Inc. to increase the not-to-exceed amount by \$138,431, for a total contract not-to-exceed amount of \$1,028,841 to provide continued Project Management support for the Bucks Creek Relicensing and to extend the term of the Agreement one additional year until April 30, 2021

3.E 18-1017 [Action on Adoption of Silicon Valley Power's 2018 Integrated Resources Plan](#)

Recommendation: 1) Adopt Silicon Valley Power's 2018 Integrated Resource Plan in substantial form and for submittal to the California Energy Commission; and
2) Authorize the City Manager to submit the final Integrated Resource Plan prior to April 30, 2019.

3.F 18-1434 [Action on a Procurement Agreement with Wireless Structures Consulting, Inc. dba Western Utility Telecom, Inc. for the purchase of steel poles for Parker Substation](#)

Recommendation: Approval of the Procurement Agreement with Wireless Structures Consulting, Inc. dba Western Utility Telecom, Inc. in an amount not to exceed \$240,676 for the purchase of steel poles for the development of Parker Substation

3.G 18-1450 [Action on Bills and Claims for the month of October 2018 \(Stadium Authority\)](#)

Recommendation: Approve the list of Bills and Claims for October 2018.

3.H 18-005 [Action on Rezone and Variance for the property located at 130 Serena Way](#)

Recommendation: 1. Adopt a resolution approving the rezoning of the property at 130 Serena Way from Agricultural (A) to Single-Family Zoning District (R1-6L) and;
2. Adopt a resolution approving a Variance for an existing substandard side yard setback of two feet and two inches and a 648 square foot detached accessory building.

3.I 18-835 [Action on Agreements with Finish Line Towing Incorporated, Lima Towing, and Unique Towing for towing services and Amendment of the FY 2018-19 Municipal Fee Schedule regarding Towing Rates](#)

Recommendation: 1. Approve and authorize the City Manager to execute an Agreement for towing services with Finish Line Towing Incorporated, Lima Towing, and Unique Towing;
2. Authorize the City Manager to add a tow service operator(s) at any time during the term of the Agreement using a substantially similar form of agreement; and
3. Authorize the City Manager to make minor modifications to the Agreement, including rate adjustment(s), if necessary, subject to the appropriation of funds.
4. Adopt a resolution to amend the 2018-19 Municipal Fee Schedule to eliminate the annual Tow Driver Renewal Fee, adopt new tow fees and charges, and authorize annual Consumer Price Index adjustments of these tow fees and charges.

3.J 18-1561 [Action on Adoption of Ordinance No. 1990 Extending the Temporary Ban of All Commercial Cannabis Activity until June 30, 2019](#)

Recommendation: Adopt Ordinance No. 1990 Extending the Temporary Ban of All Commercial Cannabis Activity until June 30, 2019.

3.K 18-1562 [Action on Adoption of Ordinance No. 1991 Prohibiting Certain Activities within a Protected Area \(Clean Zone\)](#)

Recommendation: Adopt Ordinance No. 1991 Prohibiting Certain Activities within a Protected Area (Clean Zone).

- 3.L 18-1563 [Action on Adoption of Ordinance No. 1992 Amending the Zoning Code to create the Transit Neighborhood Zoning District including a minimum density of 100 DU/AC and maximum density of 350 DU/AC, creating standards for uniformly sized parking spaces \(unistalls\), rezoning the Project Site to the new district, and establishing affordable housing requirements and an additional affordability incentive based on density](#)

Recommendation: Adopt Ordinance No. 1992 Amending the Zoning Code to create the Transit Neighborhood Zoning District including a minimum density of 100 DU/AC and maximum density of 350 DU/AC, creating standards for uniformly sized parking spaces (unistalls), rezoning the Project Site to the new district, and establishing affordable housing requirements and an additional affordability incentive based on density.

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

4. 18-1554 [Action on Appointment to fill a June 30, 2020 partial term vacancy on the Senior Advisory Commission](#)

Recommendation: 1. Appoint one candidate to the Senior Advisory Commission to serve a partial term ending June 30, 2020.

5. 18-1235 [Action on Resolution Establishing New Electric Rate Schedules for Large Customers](#)

Recommendation: Adopt a Resolution of the City of Santa Clara Establishing City Electric Utility Rate Schedules CB-6, CB-7 and CB-8.

6. Santa Clara Convention Center/Convention-Visitors Bureau

- A. 18-769 [Action on the Santa Clara Chamber of Commerce/Convention-Visitors Bureau Response to Performance Audit Titled "Santa Clara Convention Center and Convention-Visitors Bureau: Restructuring Operations Can Strengthen Accountability, Performance and Revenue"](#)

Recommendation: Action on the Santa Clara Chamber of Commerce Response to TAP International Performance Audit titled "Santa Clara Convention Center and Convention-visitors Bureau: Restructuring Operations Can Strengthen Accountability, Performance and Revenue"

- B. 18-699 [Action on the Response by TAP International, Inc. to Santa Clara Chamber of Commerce "Response to Audit Findings and Concerns with City Actions"](#)

Recommendation: Action on the November 18, 2018 TAP International response to Santa Clara Chamber of Commerce "Response to Audit Findings and Concerns with City Actions"

- C. 18-1372 [Action on Responses to City Council Questions related to the Performance Audit entitled "Santa Clara Convention Center and Convention-Visitors Bureau: Restructuring Operations Can Strengthen Accountability, Performance and Revenue"](#)

Recommendation: Note and File Responses to City Council Questions related to the Performance Audit entitled "Santa Clara Convention Center and Convention-Visitors Bureau: Restructuring Operations Can Strengthen Accountability, Performance and Revenue"

- D. 18-1361 [Action on the City's Response to the Performance Audit "Santa Clara Convention Center and Convention-Visitors Bureau: Restructuring Operations Can Strengthen Accountability, Performance and Revenue" and Analysis of the Chamber's Response](#)

Recommendation: Action on 1) the City's Response to and 2) Analysis of the Chamber's Response related to the Performance Audit "Santa Clara Convention Center and Convention-Visitors Bureau: Restructuring Operations Can Strengthen Accountability, Performance and Revenue"

- E. 18-889 [Action on Performance Audit Titled "Santa Clara Convention Center and Convention-Visitors Bureau: Restructuring Operations Can Strengthen Accountability, Performance and Revenue"](#)

Recommendation: Action on Performance Audit Titled "Santa Clara Convention Center and Convention-Visitors Bureau: Restructuring Operations Can Strengthen Accountability, Performance and Revenue."

7. Tourism Improvement District Audit:

- A. 18-1166 [Action on Presentation by TAP International, Inc. of "City of Santa Clara Tourism Improvement District - Governance, Internal Controls and Oversight Need Attention"](#)

Recommendation: Action on the audit "City of Santa Clara Tourism Improvement District - Governance, Internal Controls and Oversight Need Attention"

- B. 18-1571 [Action on Presentation from Santa Clara Chamber of Commerce/Convention-Visitors Bureau in Response to Audit Titled "City of Santa Clara Tourism Improvement District - Governance, Internal Controls and Oversight Need Attention"](#)

Recommendation: Action on Santa Clara Chamber of Commerce/Convention-Visitors Bureau Response to the TAP International audit titled "City of Santa Clara Tourism Improvement District - Governance, Internal Controls and Oversight Need Attention" dated November 19, 2018.

- C. 18-1371 [Action on Presentation from the City on the Audit by TAP International titled "City of Santa Clara Tourism Improvement District - Governance, Internal Controls and Oversight Needed"](#)

Recommendation: Action on City Response to Audit titled "City of Santa Clara Tourism Improvement District - Governance, Internal Controls and Oversight Needed"

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

8. 18-1536 [Note and File a Status Report on the Harvey M. Rose Measure J Compliance Audit of the Santa Clara Stadium Authority](#)

Recommendation: Note and File a Status Report on the Harvey M. Rose Measure J Compliance Audit of the Santa Clara Stadium Authority.

9. 18-1232 [Informational Santa Clara Stadium Authority Annual Report \(Stadium Authority\)](#)

Recommendation: Note and File the Informational Santa Clara Stadium Authority Annual Report

- 18-1580 [Tentative Meeting Agenda Calendar](#)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, December 4, 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."