



City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, December 11, 2018

4:15 PM

City Hall Council Chambers

1500 Warburton Avenue

Santa Clara, CA 95050

4:15 PM COUNCIL REGULAR MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

1. **18-1094** [Adopt a Resolution Declaring the Results of the Canvass of Returns of the Consolidated Special Municipal Election held on November 6, 2018 with the Statewide General Election](#)

Recommendation: Adopt a resolution reciting the facts of the Consolidated Special Municipal Election held on November 6, 2018 with the Statewide General Election and declare the following candidates elected: Lisa M. Gillmor for Mayor for a full term of four years ending 2022; Raj Chahal for Councilmember for District 2 for a full term of four years ending 2022; Karen A. Hardy for Councilmember for District 3 for a full term of four years ending 2022; and Hosam Haggag for City Clerk for a partial term ending 2020.

4:30 PM CLOSED SESSION

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.

2. **18-1652** [Conference with Legal Counsel-Existing Litigation \(CC, SA, SOSA, HA, SARDA\)](#)
[Pursuant to Gov't Code § 54956.9\(d\)\(1\)](#)
[Sharma, et al. v. Successor Agency to the Redevelopment Agency, et al., Sacramento Superior Case No. 34-2013-80001396](#)

Convene to Closed Session (Council Conference Room)

5:00 PM STUDY SESSION

3. 18-1349 [Presentation and Discussion on City Retirement Costs by Bartel & Associates LLC](#)

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS

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

- 4.A 18-495 [Recognition of City of Santa Clara Employee Lindsay Mibach for receiving an International Award for her work supporting the Law Enforcement Torch Run for Special Olympics](#)
- 4.B 18-1285 [Recognition of Air Products Foundation for \\$5,000 donation to support the City's Community Emergency Response Team \(CERT\) Program](#)
- 4.C 18-1595 [Recognition of John C. Roukema, Chief Electric Utility Officer](#)

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.]

- 5.A 18-1449 [Action on Bills and Claims Report \(CC, SOSA\) for the period November 9th - November 22nd](#)

Recommendation: Approve the list of Bills and Claims for November 9, 2018 - November 22, 2018.

5.B 18-315 [Action on a Resolution Ordering the Vacation of a General Purpose Easement, Utility Easement, Underground Electric Easement, and Anchor Easement at 2041 Mission College Boulevard](#)

- Recommendation:**
1. Adopt a Resolution ordering the vacation of the General Purpose Easement, Utility Easement, Underground Electric Easement, and Anchor Easement at 2041 Mission College Boulevard [APN 104-38-005 and 006 (2017-18); SC 19,060]; and
 2. Authorize the recordation thereof.

5.C 18-1620 [Action on a Resolution Delegating Authority to the City Manager for Special Permits for Temporary Uses Related to the College Football Playoff National Championship](#)

- Recommendation:** Adopt a Resolution delegating authority to the City Manager, or her designee, for Special Permits for temporary uses and structures related to the College Football Playoff National Championship

5.D 18-1423 [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 1475 Lewis Street and 3045 Stender Way.

5.E 18-1458 [Action to Approve the Park Agreement with SummerHill Lawrence Station, LLC et al. for Construction of Park Improvements within the Lawrence Station Area Plan](#)

- Recommendation:** Approve and authorize the City Manager to execute the Park Agreement by and between the City of Santa Clara and SummerHill Lawrence Station, LLC et al.

5.F 18-1468 [Action on Amendment No. 3 to the Agreement with the City of San Jose for Materials Testing Services](#)

Recommendation: 1. Approve and authorize the City Manager to execute Amendment No. 3 to the Agreement for Materials Testing Services with the City of San Jose; and
2. Authorize the City Manager to make minor modifications to the Amendment and execute any and all associated documents; and
3. Authorize the City Manager to execute future amendments to the Agreement only to extend the termination date and revise the fee schedule.

5.G 18-1469 [Action on the Ad Hoc Facilities Naming and Honorary Committee Recommendation to Name the San Tomas & Monroe Neighborhood Park as the "Everett N. "Eddie" Souza Park"](#)

Recommendation: Recommend that Council name the San Tomas & Monroe Neighborhood Park as the "Everett N. "Eddie" Souza Park".

5.H 18-1486 [Action on Amendment No. 4 to the Agreement with Metropolitan Planning Group for the Performance of Code Enforcement Services](#)

Recommendation: Approve and authorize the City Manager to execute Amendment No. 4 to the Agreement for the Performance of Services with Metropolitan Planning Group for Code Enforcement Services with an increase of \$87,500 for a total contract cost not to exceed \$1,285,600.

5.I 18-1494 [Action on Award of Contract for the Mission College Boulevard Bike Lane Project and Related Budget Amendments](#)

- Recommendation:**
1. Award a contract to the lowest responsive and responsible bidder, O'Grady Paving, Inc., in the amount of \$415,098 and authorize the City Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project;
 2. Authorize the City Manager to execute change orders up to approximately 10% of the original contract price, or \$41,510, for a total not to exceed amount of \$456,608; and
 3. Approve the related budget amendment transferring \$101,355 from the Streets and Highway Fund - Pedestrian & Bicycle Enhancement Facilities to the Mission College Boulevard Bike Lane Project

5.J 18-1508 [Action on an Exclusive Negotiation Agreement \(ENA\) with Freebird Development Company for 2330 Monroe Street](#)

- Recommendation:** Approve and authorize the City Manager to execute an Exclusive Negotiation Agreement (ENA) with Freebird Development Company for the development of 2330 Monroe Street in a form as approved by the City Attorney

5.K 18-1514 [Action on Approval of Amendment No. 1 to the Agreement with National Plant Services, Inc. for the Sanitary Sewer Main Assessment Phase I Project](#)

- Recommendation:** Approve and authorize the City Manager to execute Amendment No. 1 to the Agreement for Professional Services with National Plant Services, Inc.

5.L 18-1284 [Action on an Agreement with Smart Energy Systems LLC dba Smart Energy Water, for a Customer Self-Service Portal for Utility Services](#)

Recommendation: Approve an Agreement for Services with Smart Energy Systems LLC dba Smart Energy Water to provide software subscription and credit card transaction services to replace the City's Utility Customer Self Service Platform, with a total not-to-exceed amount of \$1,257,149 over a three-year term subject to annual appropriation of funds.

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

6. 18-1429 [Update and Potential Action on Lawn Bowl Clubhouse Project](#)

Recommendation: Alternative 1.:
Note and file the report, and continue with current approved renovation of the existing Clubhouse in current location in an amount up to \$175,000.

This alternative provides a certain level of improvement for the Lawn Bowls facility and also maintains other available funds for other projects such as playgrounds, dog parks, and shower repairs at the Swim Center.

7. 18-1623 [Action on Resolution of Necessity to Acquire Leasehold at 5131 Stars & Stripes Drive, Santa Clara, California from D.E.II Restaurants for a Public Project and Directing the Filing of Eminent Domain Proceedings](#)

Recommendation:

Alternative 1

Adopt Resolution of Necessity to Acquire Property Interests at 5131 Stars & Stripes Drive, Santa Clara from D.E.II Restaurants for a Public Project and Directing the Filing of Eminent Domain Proceedings

8. 18-1629 [Action on Resolution of Necessity to Acquire Recreation Facilities Rights from Leasehold Located at 5105 Great America Parkway, Santa Clara, California from IA Lodging Santa Clara LLC for a Public Project and Directing the Filing of Eminent Domain Proceedings](#)

Recommendation: Alternative 1.:

Adopt Resolution of Necessity to Acquire Property Interests at 5105 Great America Parkway, Santa Clara as it relates to the use and operation of the Santa Clara Golf and Tennis facility from IA Lodging Santa Clara for a Public Project and Directing the Filing of Eminent Domain Proceedings.

9. 18-1622 [Action on the Appointment of the Tourism Improvement District \(TID\) Advisory Board and Authorize the City Manager with Approval Authority to Pay TID Invoices](#)

Recommendation: Alternatives 1 and 2:

1. Appoint the Tourism Improvement District (TID) Advisory Board
2. Authorize the City Manager with the Approval Authority to pay TID invoices

10. 18-1581 [Action on Vice Mayor \(Mayor Pro Tempore\) and Chaplain Appointment for Calendar Year 2019](#)

Recommendation: Staff makes no recommendation.

STADIUM AUTHORITY ITEMS

11. 18-1157 [Informational Report on Planning for the College Football Playoff National Championship at Levi's Stadium on January 7, 2019 \(Stadium Authority\)](#)

Recommendation: Note and File - Update on Planning for College Football Playoff National Championship at Levi's Stadium on January 7, 2019.

12. 18-1439 [Action on the Santa Clara Stadium Authority Financial Status Report for Quarter Ending September 30, 2018](#)

Recommendation: 1. Note and file the Santa Clara Stadium Authority Financial Status Report for the Quarter Ending September 30, 2018.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

- 18-1576 [Tentative Meeting Agenda Calendar](#)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, December 18, 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.