



City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, January 29, 2019

4:00 PM

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

Closed Session - 4:00 PM | Recognition - 5:00 PM | Regular Meeting - 5:45 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.

19-127 [Public Employee Performance Evaluation \(CC\)](#)

[Pursuant to Gov. Code § 54957](#)

[Title: City Attorney](#)

19-128 [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 \(Public Safety Non-Sworn Employees Association\)](#)

Convene to Closed Session (Council Conference Room)

5:00 PM Recognition

- 19-052** [Recognition of Adrian Wilcox High School Varsity Football Team for Winning State Championship](#)

5:45 PM COUNCIL REGULAR MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

1. **19-1111** [Action on El Camino Real Specific Plan \(Councilmembers Davis, O'Neill, Watanabe and Mahan are eligible to participate; not eligible are Councilmembers Chahal, Hardy and Mayor Gillmor\)](#)

Recommendation:

1. Accept the draft land use plan and preferred right-of-way alternatives as the basis for CEQA review;
2. Accept that the public outreach for the ECR land use plan has been substantially completed so that project applications may be reviewed by the City Council in reference to the preferred land use plan; and
3. Direct staff to explore formal community benefits criteria to be incorporated into the Specific Plan for future development projects.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS

SPECIAL ORDER OF BUSINESS

- 2.A** **19-1575** [Presentation by Santa Clara Relay for Life](#)
- 2.B** **19-116** [Recognition of Holiday Home Decorating Contest Winners](#)

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 19-716** [Action on the City Council Special Meeting Minutes](#)
Recommendation: Note and file the City Council Special Meeting Minutes of November 29, 2018.
- 3.B 19-019** [Board, Commissions and Committee Minutes](#)
Recommendation: Note and file the Minutes of:
Historical and Landmarks Commission (Revised) - September 6, 2018
Planning Commission - December 12, 2018
- 3.C 19-1593** [Action on Bills and Claims Report \(CC, HA, SOSA\) for the period November 23rd - January 10th](#)
Recommendation: Approve the list of Bills and Claims for November 23, 2018 - January 10, 2019.
- 3.D 19-1641** [Action on Monthly Financial Status and Investment Reports for November 2018](#)
Recommendation: Approve the Monthly Financial Status and Investment Reports for November 2018 as presented.
- 3.E 19-1441** [Action on the Santa Clara Convention Center \(SCCC\) 1st Quarter Financial Status Report](#)
Recommendation: Note and file the Santa Clara Convention Center Financial Status Report for the first quarter ended September 30, 2018, as submitted by the Santa Clara Chamber of Commerce.
- 3.F 19-1230** [Healthier Kids Foundation FY2017-18 Fourth Quarter Report](#)
Recommendation: Note and file the Healthier Kids Foundation FY 2017-18 Fourth Quarter report.
- 3.G 19-1103** [Healthier Kids Foundation - FY2018-19 First Quarter Report](#)
Recommendation: Note and file the Healthier Kids Foundation FY2018-19 First Quarter report.
- 3.H 19-1444** [Action on the Fiscal Operation of the Santa Clara Golf and Tennis Club Report for the 1st quarter ended September 30, 2018](#)
Recommendation: Note and file the Status Report for the Fiscal Operation of the Santa Clara Golf and Tennis Club for the first quarter ended September 30, 2018.

3.I 19-725 [Action on an Agreement with New Image Landscape Company for Landscape Maintenance and Bus Stop Trash Collection](#)

- Recommendation:**
1. Approve and authorize the City Manager to execute an Agreement for landscape maintenance services with New Image Landscape Company for an amount not-to-exceed \$850,000 over a three-year term subject to annual appropriations; and
 2. Authorize the City Manager to make minor modifications to the Agreement, including time extensions involving no increase in costs, if necessary.

3.J 19-1457 [Action on 2019 Legislative Advocacy Positions](#)

- Recommendation:** Adopt the Legislative Advocacy Positions on Affordable Housing and Homelessness; Engagement with Federal Aviation Administration Regarding Airplane Noise; Environmental Regulatory and Conservation Issues; Local Authority over Wireless Telecommunications Facilities and Cable Services; Regional and State-wide Water Supply and Conservation; Regional Transportation Issues; and School Mitigation Fees.

3.K 19-1499 [Action on Agreements with Pump Repair Service Company and Shape, Inc. for Storm Pump Preventative Maintenance Inspection Services](#)

- Recommendation:**
1. Approve and authorize the City Manager to execute an Agreement for storm pump preventative maintenance inspection services and repair with Pump Repair Service Company for an amount not-to-exceed \$750,000 over a five-year term subject to annual appropriations;
 2. Approve and authorize the City Manager to execute an Agreement for storm pump preventative maintenance inspection services and repair with Shape, Inc. for an amount not-to-exceed \$350,000 over a five-year term subject to annual appropriations; and
 3. Authorize the City Manager to make minor modifications to the Agreements, if necessary.

3.L 19-1488 [Action on a Resolution for the City of Santa Clara to Participate in the Initial Planning for Potential Future Use of the Sunnyvale Materials Recovery and Transfer \(SMaRT\) Station](#)

Recommendation: Adopt a Resolution for the City of Santa Clara to Participate in the Initial Planning for Potential Future Use of the Sunnyvale Materials Recovery and Transfer (SMaRT) Station.

3.M 19-1591 [Action on Award of Contract for the Bowers and Machado Parks Playground Rehabilitation Project \(CE17-18-14\)](#)

Recommendation:

1. Award the Public Works Contract for the Bowers and Machado Parks Playground Rehabilitation Project (CE 17-18-14) to the lowest responsive and responsible bidder, Redwood Construction and Equipment, Inc., in the amount of \$1,169,000 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 \$116,900, for a total not to exceed amount of \$1,285,900.

3.N 19-1594 [Action on the Adoption of a Resolution Accepting the AB1600 Report on Development Impact Fees for Fiscal Year Ended June 30, 2018](#)

Recommendation: Adopt a Resolution accepting the status report on the receipt and use of AB1600 Development Impact Fees during fiscal year ending June 30, 2018.

3.O 19-1617 [Action on the Ad Hoc Facilities Naming and Honorary Committee Recommendation to Name the Central Park Annex Park as the "Bill Wilson, Jr. Park"](#)

Recommendation: Recommend that Council approve naming the Central Park Annex Park as the "Bill Wilson, Jr. Park".

3.P 19-1632 [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 2533 Gallup Drive; 860 Washington Street; 653 Jefferson Street; 2363 Arlene Drive; 1595 Shady Glenn Avenue; 1575 Shady Glen Avenue; 761 Lincoln Street; 2239 Crocker Way; 825 Poplar Street; 2759 Columbus Place; 2367 Arlene Drive; across the street from 1065 Market Street; 3501 Thomas Road; 2594 Pebble Beach Drive; 1916 and 1914 Murguia Avenue; 751 Howell Avenue; Alviso Street at Newhall Street; and 2521-2561 Newhall Street.

3.Q 19-1670 [Action on Proclamations issued from October Through December 2018 to Individuals Retiring with 30 or more Years of Service](#)

Recommendation: Note and file the report on Proclamations issued from October through December 2018 to Individuals Retiring with 30 or more Years of Service.

3.R 19-1710 [Action on a Reliability Coordinator Services Agreement with the California Independent System Operator Corporation](#)

Recommendation: Approve and authorize the City Manager to execute the Reliability Coordinator Services Agreement with the California Independent System Operator Corporation subject to annual appropriations.

3.S 19-1713 [Action to Revise Job Specification for Compliance Manager](#)

Recommendation: Approve the revised job description for Compliance Manager.

3.T 19-045 [Action on a Resolution Amending In Part Resolution No. 5195, Setting the Number and Start Time of Regular Meetings of the Board of Library Trustees, and Approving the 2019 Board of Library Trustees Calendar of Meetings](#)

Recommendation: Adopt a Resolution amending in part Resolution No. 5195, setting the number and start time of regular Board of Library Trustees meetings, and approving the 2019 Board of Library Trustees Calendar of Meetings.

3.U 19-049 [Action on a Resolution Approving the 2019 Historical and Landmarks Commission Calendar of Meetings](#)

Recommendation: Adopt a Resolution approving the 2019 Historical and Landmarks Commission Calendar of Meetings.

3.V 19-102 [Action to Adjust Compensation Ranges for Electric Utility Management Positions to Align with the Strategic Plan Implementation](#)

Recommendation: Approve the revised Unclassified/Appointed/Elected Monthly Salary Schedule Resolution which incorporates salary range increases to the classifications of Electric Program Manager, Principal Electric Utility Engineer, Electric Division Manager, Senior Electric Division Manager, Assistant Director of Electric Utility, and the Electric Utility Chief Operating Officer, effective with the beginning of the first full pay period following approval of the new salary schedule.

3.W 19-1566 [Action on Appointments and Changes to the Outside Agency Committees for the 2019 calendar year](#)

Recommendation: Approve the appointments to the 2019 Outside Agency Committees.

3.X 19-075 [Action on confirmation of the boundary of the Downtown Precise Plan planning area](#)

Recommendation: Note and file the change to the Downtown Precise Plan planning area boundary.

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. **19-1592** Public Hearing: Adoption of a Resolution Ordering the Abatement of a Nuisance Consisting of Growing Weeds in Association with the County Weed Abatement Program for 2018-2019

Recommendation: Adopt a resolution ordering the abatement of a nuisance consisting of growing weeds in the City.

5. **19-1676** Action on an Amendment No. 2 to an Agreement with Recology South Bay, dba Recology Santa Clara and Related Budget Amendment

Recommendation: Alternatives 1., 2., and 3.:

1. Approve and authorize the City Manager to execute Amendment No. 2 with Recology to extend the term of the agreement for residential curbside recycling services until December 31, 2021 and adjust the monthly tariff to \$4.34 per unit, effective February 1, 2019;
2. Approve a budget amendment to transfer \$251,000 from the Solid Waste Fund (096) ending fund balance to the FY 2018/19 Solid Waste Fund's Payment for Recycling and Garbage Collection and Disposal Services;
3. Authorize the City Manager to make minor modifications to the Amendment, if necessary.

6. 19-1168 [Public Hearing: Actions on Project Approvals Related to the Agrihood Project with Core Affordable Housing for the development of up to 361 multi-family residential units and 1.5 acres of open space at 1834 Worthington Circle/90 North Winchester \(former BAREC site\)](#)

Recommendation:

1. Adopt a resolution approving and certifying the Final Environmental Impact Report (FEIR) and adopting CEQA Findings, a Statement of Overriding Considerations (SOC) and the Mitigation Monitoring and Reporting Program (MMRP)
2. Adopt a resolution approving the rezoning from Planned Development (PD) to Planned Development (PD) to allow the development of 165 affordable senior apartments, 160 multi-family mixed-income apartments, and 36 townhouses
3. Adopt a resolution approving the Vesting Tentative Subdivision Map
4. Adopt a resolution approving and authorizing the City Manager to negotiate and execute a Disposition and Development Agreement with Core Affordable Housing LLC for the development of the Agrihood Project located at 90 N. Winchester Boulevard/ 1834 Worthington Circle and further authorizing the City Manager to execute all other agreements (including a Ground Lease, Loan Agreements, Deeds of Trust, Promissory Notes, and Affordable Housing Agreement) in a form consistent with the DDA and all other documents necessary or convenient to close escrow and implement the purposes and terms of the DDA

7. **Actions related to Scooter and Bicycle Share Programs**

- A. 19-050 [Consider Adopting an Emergency Ordinance Extending the Temporary Moratorium on Motorized Scooter and Bicycle Share Programs](#)

Recommendation: Adopt the Emergency Ordinance extending the moratorium to December 19, 2019.

- B. 19-103 [Presentation of the Workplan for Developing New Ordinances and Regulations for Motorized Scooter and Bicycle Share Programs](#)

Recommendation: Alternative 1: Proceed with the development of Citywide ordinances and regulations.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

8. 19-054 [Action on an Update regarding the Santa Clara/Santa Cruz Counties Airport/Community Roundtable](#)

Recommendation: Note and File Update on Santa Clara/Santa Cruz Counties Airport/Community Roundtable.

9. 19-1631 [Update on Settlement Agreements with the City of San José regarding development projects \(e.g., Santana West and CityPlace\)](#)

Recommendation: Note and file this report regarding City of San Jose Settlement Agreements.

ADJOURNMENT

- 19-135 [Tentative Meeting Agenda Calendar](#)

The next regular scheduled meeting is on Tuesday evening, February 5, 2019 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."