



City of Santa Clara

REVISED

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, February 19, 2019

5:00 PM

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

**** Revisions:**

- (1) Change the start time to 5:00 PM.**
- (2) Closed Sessions canceled and removed from Agenda.**

Council Member Hardy will be attending remotely from the following location:

418 Phoenix Circle
Lincoln, CA 95648

5:00 PM JOINT DINNER

Call to Order in the Council Chambers

Confirmation of a Quorum

19-1073 [Informational Joint Dinner Meeting with the Planning Commission](#)

6:00 PM COUNCIL REGULAR MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

STUDY SESSION

19-682 [Presentation by the California High-Speed Rail Authority on the Status and Next Steps on the California High-Speed Rail Project](#)

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS

SPECIAL ORDER OF BUSINESS

**Special Order of Business not to be heard prior to 7:00 PM.*

- 1.A 19-1660 [Recognition of Mr. Tino Silva, Mr. Fred Maguire, and the Santa Clara Youth Soccer League for \\$2,999.85 donation of K-9 Protective Vests to support the Police Department's Canine Program](#)
- 1.B 19-105 [Recognition of Outgoing Commissioner: Former Planning Commissioner Raj Chahal](#)
- 1.C 19-233 [Proclamation of Black History 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 19-174 [Action on the Council and Authorities Concurrent Meeting Minutes](#)

Recommendation: Note and file the Council and Authorities Minutes of January 15, 2019 and January 29, 2019.

2.B 19-021 [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:

- Parks & Recreation Commission Meeting Minutes - May 15, 2018
- Parks & Recreation Commission Meeting Minutes - June 19, 2018
- Senior Advisory Commission Meeting Minutes - August 27, 2018
- Senior Advisory Commission Meeting Minutes - September 24, 2018
- Youth Commission Meeting Minutes - April 10, 2018
- Youth Commission Meeting Minutes - August 28, 2018
- Planning Commission Meeting Minutes - September 26, 2018
- Planning Commission Meeting Minutes - October 24, 2018
- Planning Commission Meeting Minutes - November 14, 2018
- Board of Library Trustees Meeting Minutes - December 3, 2018
- Board of Library Trustees Meeting Minutes - January 14, 2019
- Housing Rehabilitation Loan Committee Meeting Minutes - November 15, 2018
- Audit Committee Meeting Minutes - August 27, 2018

2.C 19-1657 [Action on Bills and Claims Report \(CC\) for the period January 18th - January 31st](#)

Recommendation: Approve the list of Bills and Claims for January 18, 2019 - January 31, 2019.

- 2.D 19-206** [Action on a Resolution Amending in Part Resolution 5195, Approving the 2019 Cultural Commission Calendar of Meetings, and Setting the Number and Start Time of the Regular Meetings of the Cultural Commission](#)

Recommendation: Adopt a Resolution amending in part Resolution 5195, approving the 2019 Cultural Commission Calendar of Meetings, and setting the number and start time of regular Cultural Commission meetings.

- 2.E 19-1243** [Action on an Agreement with SEL Engineering Services, Inc. to Provide Protection Engineering Support Services for Substation Upgrades](#)

Recommendation: Approve and authorize the City Manager to execute an Agreement for Services with SEL Engineering Services, Inc. to provide protection engineering support services for substation upgrades an amount not to exceed \$387,074

- 2.F 19-177** [Action on Revised Salary Schedule for the Santa Clara Firefighters, International Association of Firefighters \(IAFF\), Local 1171 \(Unit 1\) and Related Budget Amendment](#)

Recommendation: Adopt a resolution approving the revised 2018 Salary Schedule for the Santa Clara Firefighters, International Association of Firefighters (IAFF), Local 1171 (Unit 1), effective December 16, 2018 and Approve the Related Budget Amendment to increase the Fire Department budget by \$300,000 in the General Fund.

2.G 19-1403 [Action on Award of Contract for the Homestead Road and Lick Mill Boulevard Signal Timing Project and Related Budget Amendment](#)

- Recommendation:**
1. Award the Public Works Contract for the Homestead Road and Lick Mill Boulevard Signal Timing Project (CE 17-18-11) to the lowest responsive and responsible bidder, Bear Electric Solutions, Inc., in the amount of \$873,295, and authorize the City Manager to execute and all documents associated with and necessary for the award, completion and acceptance of the Project;
 2. Authorize the City Manager to execute change orders up to approximately 10% of the original contract price, or \$87,330, for a total not-to-exceed amount of \$960,625; and
 3. Approve the related budget amendment transferring \$172,000 from the CIP Santa Clara Citywide ITS Project 1 (533-1385) and \$30,000 from the Traffic Signal Controller Replacement Project (533-1223) to the Homestead Road and Lick Mill Boulevard Signal Timing Project.

2.H 19-167 [Action to Add an Electric Program Manager to Manage and Support the State and City Goals to Reduce Greenhouse Gas Emissions](#)

- Recommendation:** Add one (1) Electric Program Manager Position in the Electric Utility's Electric Operating Grant Trust Fund

2.I 19-1583 [Action on Award of Contract for the Lafayette Street Signal Timing Project and Related Budget Amendment](#)

- Recommendation:**
1. Award the Public Works Contract for the Lafayette Street Signal Timing Project (CE 17-18-15) to the lowest and responsive bidder, Daleo, Inc., in the amount of \$772,856, and authorize the City Manager to execute all documents associated with and necessary for the award, completion and acceptance of the Project;
 2. Authorize the City Manager to execute change orders up to 10% of the original contract price, or \$77,285, for a total not-to-exceed amount of \$850,141; and
 3. Approve the budget amendment transferring \$429,000 from Street and Highways Funds - Replacement of Traffic Signals in ECR-Lafayette St.-Newhall St.-Scott Blvd. Area (533-1224) to the Lafayette Street Signal Timing Project.

2.J 19-061 [Action on Summary of the December 13, 2018 City Council Governance Session](#)

- Recommendation:** Note and file Reports related to the December 13, 2018 City Council Governance Session

2.K 19-1607 [Action on an Agreement for Services with Packet Fusion, Inc. to provide Support and Maintenance on the City's Telephony System.](#)

- Recommendation:** Authorize the City Manager to execute a five-year agreement for Telephone System Support and Maintenance Services with Packet Fusion, Inc. for a maximum compensation amount not-to-exceed \$326,670 and subject to the appropriation of funds over the five year term of the agreement.

2.L 19-1626 [Action on California Library Literacy Services Grant and Related Budget Amendment](#)

Recommendation: Accept the California Library Literacy Services grant award of \$48,072 into the Library Adult Literacy Grant Fund and approve the related budget amendment to appropriate the funds to Adult Literacy accounts for As-Needed Salary, Salary Overtime, Contractual Services and Operating Supplies. (Requires five affirmative votes by the City Council)

2.M 19-1649 [Action on Award of Contract for the Agnew Road-De La Cruz Boulevard Signal Timing Project and Related Budget Amendment](#)

Recommendation:

1. Award the Public Works Contract for the Agnew Road-De La Cruz Boulevard Signal Timing Project (CE 18-19-02) to the lowest responsive and responsible bidder, Daleo, Inc., in the amount of \$786,053, and authorize the City Manager to execute all documents associated with and necessary for the award, completion, and acceptance of the Project;
2. Authorize the City Manager to execute change orders up to 10% of the original contract amount, or \$78,605, for a total not-to-exceed amount of \$864,658; and
3. Approve the related budget amendment transferring \$85,000 from the Streets and Highway Fund in the Traffic Signal Enhancement Program (533-1219), \$78,000 from the Streets and Highway Fund in the Controller Replacement Program (533-1223) and \$260,000 from the Streets and Highway Fund in the Traffic Signal Controller Upgrade Program (533-1357) to the Agnew Road-De La Cruz Boulevard Signal Timing Project.

2.N 19-012 [Action on an Affordable Housing Agreement with SHAC LS Apartments II, LLC for 3580 Rambla Place Building A \(APN# 216-59-001\)](#)

Recommendation: Approve and authorize the City Manager to execute the Affordable Housing Agreement with SHAC LS Apartments II, LLC, to execute amendments thereto, and to take any other action necessary to implement the requirement for the provision of fifty-two (52) affordable rental units at 3580 Rambla Place Building A (APN# 216-59-001)

2.O 19-013 [Action on an Affordable Housing Agreement with SHAC LS Apartments I, LLC for 3560 Rambla Place Building B \(APN# 216-59-003\)](#)

Recommendation: Approve and authorize the City Manager to execute the Affordable Housing Agreement with SHAC LS Apartments I, LLC, to execute amendments thereto, and to take any other action necessary to implement the requirement for the provision of forty-six (46) affordable rental units at 3560 Rambla Place Building B (APN# 216-59-003).

2.P 19-078 [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 1705 Wyatt Drive, 125 Tyler Street, 952 Maryann Drive, 477 Washington Street, 830 & 840 Civic Center Drive and 1530 Alviso Street, 917 Warburton Avenue, Zeno Substation, and 1110 El Camino Real.

2.Q 19-006 [Action on Proposed Amendments to Water Supply Agreement with the City and County of San Francisco](#)

Recommendation: Adopt a resolution approving amendments to the 2009 Water Supply Agreement with the City and County of San Francisco.

- 2.R 19-201** [Action on Adoption of an Ordinance to add section 12.25.230 \("Pavement Preservation"\) to Chapter 12.25 \("Excavation and Use of City Rights-of-Way"\) of Title 12 \("Streets, Sidewalks, and Public Places"\) of "The Code of the City of Santa Clara, California"](#)

Recommendation: Adopt Ordinance No. 1998 to add section 12.25.230 ("Pavement Preservation") to Chapter 12.25 ("Excavation and Use of City Rights-of-Way") of Title 12 ("Streets, Sidewalks, and Public Places") of "The Code of the City of Santa Clara, California"

STADIUM AUTHORITY CONSENT ITEMS

- 2.S 19-1644** [Action on Bills and Claims for the month of December 2018 \(Stadium Authority\)](#)

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

- 2.T 19-057** [Action on Report of Dates and Purpose of Stadium Authority and ManCo Meetings for the Period October 1, 2018 to December 31, 2018 \(Stadium Authority\)](#)

Recommendation: Note and file the quarterly report on Stadium Authority and ManCo Meetings for the period of October 1, 2018 to December 31, 2018.

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. 19-1229 [Public Hearing: Action on a Rezone and Tentative Parcel Map for the Development of Three Single-family Dwellings Located at 1444 Madison Street and 1411 Lewis Street](#)

Recommendation: Alternatives 1. and 2.:

1. Approve the Rezone from Medium-density Multiple Dwelling (R3-36D) to Planned Development (PD) for the development of three detached single-family dwellings on three individual lots on the property located at 1444 Madison Street.
2. Approve the Tentative Parcel Map to subdivide one parcel into three individual parcels.

4. 19-131 [Action on Loan Agreement with Allied 2904 Corvin, LP for a Loan of up to \\$5,000,000 to Support the Construction of 145 Affordable Housing Units at 2904 Corvin Drive and Approve the Related Budget Amendment](#)

Recommendation: Alternative 1 and 2.:

Adopt a resolution approving and authorizing the City Manager execute a Loan Agreement with Allied 2904 Corvin, LP for a loan of up to \$5,000,000 to support the construction of 145 affordable housing units located at 2904 Corvin Drive; to make modifications to the Loan Agreement and attachments consistent with the Term Sheet and as reviewed by the City Attorney for form and consistency; to execute all documents necessary (including Deeds of Trust, Promissory Notes, and Affordable Housing Agreements) to implement the Loan Agreement and close escrow and Approve the Related Budget Amendment.

5. 19-1149 [Commercial Cannabis Policy Implementation Update](#)

Recommendation: Provide direction to staff regarding cannabis regulations.

STADIUM AUTHORITY GENERAL BUSINESS ITEM

6. **19-1666** [Corrective Action to Cure Violation of Section 2.1 of the First Amendment to the Stadium Management Agreement, Stadium Procurement Contracts by Retroactive Approval of an Agreement for NEx Systems for Stadium Floor Improvements and Stadium Manager Disclosure of Contracts Issued Through Delegated Authority from \\$100,000 to \\$250,000](#)

Recommendation: Alternative 1:
Corrective Action to Cure Violation of Section 2.1 of the First Amendment to the Stadium Management Agreement, Stadium Procurement Contracts by Retroactive Approval of an Agreement for NEx Systems for Stadium Floor Improvements and Stadium Manager Disclosure of Contracts Issued Through Delegated Authority from \$100,000 to \$250,000

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

- 19-229** [Tentative Meeting Agenda Calendar](#)

ADJOURNMENT

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