



City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, March 26, 2019

3:30 PM

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

Closed Session - 3:30 PM | Joint Dinner - 5:00 PM | Regular Meeting - 6:00 PM

3:30 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.

- 19-367** [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 \(Public Safety Non-Sworn Employees Association\)](#)

- 19-370** [Conference with Legal Counsel-Existing Litigation \(CC\)
Pursuant to Gov. Code § 54956.9\(d\)\(1\)
Gaffney, et al. v. City of Santa Clara, United States District
Court, Northern District of California Case No. 5:18-cv-6500-NC](#)

Convene to Closed Session (Council Conference Room)

5:00 PM JOINT DINNER

Call to Order in the Council Chambers

Confirmation of a Quorum

- 19-1072** [5:00 P.M. Informational Joint Dinner Meeting with the Bicycle
Pedestrian Advisory Committee](#)

6:00 PM COUNCIL REGULAR MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

1. **19-071** [Consideration of Silicon Valley Power Quarterly Strategic Plan
Update](#)
Recommendation: Note and file the SVP Quarterly Strategic Plan
Update.
2. **19-313** [Action on Selecting Relay for Life City Team Name for the 2019
American Cancer Society fundraiser](#)
Recommendation: There is no staff recommendation.

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.*

3. **19-130** [Introductory Remarks from Santa Clara County District 4
Supervisor Susan Ellenberg](#)

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.]

4.A 19-020 [Council and Authorities Concurrent Meeting Minutes](#)

Recommendation: Note and file the Council and Authorities Concurrent Meeting Minutes of February 19, 2019 and March 5, 2019.

4.B 19-023 [Board, Commissions and Committee Meeting Minutes](#)

Recommendation: Note and file the Minutes of:

1. Parks & Recreation Commission Minutes - September 18, 2018
2. Parks & Recreation Commission Minutes - October 16, 2018
3. Parks & Recreation Commission Minutes - November 20, 2018
4. Parks & Recreation Commission Minutes - December 18, 2018
5. Youth Commission Minutes - November 13, 2018
6. Youth Commission Minutes - December 11, 2018
7. Audit Committee Minutes - December 3, 2018
8. Planning Commission Minutes - January 9, 2019
9. Planning Commission Minutes - February 27, 2019
10. Historical and Landmarks Commission Minutes - November 1, 2018
11. Historical and Landmarks Commission Minutes - January 3, 2019

4.C 19-142 [Action on Bills and Claims Report \(CC\) for the period February 15th - February 28th](#)

Recommendation: Approve the list of Bills and Claims for February 15, 2019 - February 28, 2019.

4.D 19-1659 [Action on the Santa Clara Convention Center 2nd Quarter Financial Status Report](#)

Recommendation: Note and file the Santa Clara Convention Center Financial Status Report for the second quarter ended December 31, 2018, as submitted by the Santa Clara Chamber of Commerce.

4.E 19-150 [Action on Monthly Financial Status and Investment Reports for January 2019](#)

Recommendation: Note and file the Monthly Financial Status and Investment Reports for January 2019 as presented.

4.F 19-264 [Action to Revise Job Specification for Human Resources Division Manager](#)

Recommendation: Approve the revised job description for Human Resources Division Manager.

4.G 19-1209 [Action on Agreements for On-Call Construction Management and Inspection Services for Public Works Projects](#)

Recommendation:

1. Approve and authorize the City Manager to execute agreements for the Performance of Services with Propcon Corp. (\$325,000) and CSG Consultants, Inc. (\$325,000) to perform on-call construction management and inspection services for a combined amount not-to-exceed \$650,000 over the three-year terms of the agreements;
2. Authorize the City Manager to amend agreement not-to-exceed amounts as long as the cumulative total does not exceed \$650,000 subject to annual appropriations; and
3. Authorize the City Manager to exercise up to two one-year extensions for each agreement with no increase in compensation in the event that the work is not completed by the Agreement end dates and make minor modifications to the agreements, if necessary.

4.H 19-1410 [Action on an Agreement for Services with e-Builder, Inc. for a Capital Projects Management System and Approve Related Budget Amendment](#)

Recommendation: Approve and authorize the City Manager to execute an Agreement for Services with e-Builder, Inc. for a capital projects management system, in an amount not-to-exceed \$1,015,490 and approve Related Budget Amendment.

4.I 19-1578 [Action on the Award of the Public Works Contract for the Caltrain Pole Replacement Project](#)

Recommendation: 1. Award the Public Works Contract for the Caltrain Pole Replacement Project (Contract No. 2421) to the lowest responsive and responsible bidder, Hot Line Construction, Inc., in the amount of \$1,631,958 and authorize the City Manager to execute any and all documents 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 \$163,196, for a total not-to-exceed amount of \$1,795,154 for Contract No. 2421.

4.J 19-1602 [Action on the Investment Policy: Annual Statement and Annual Investment Policy Review and Approval](#)

Recommendation:

1. Adopt a resolution to amend Council Policy 017 Investment Policy: Annual Statement; and
2. Approve the Investment Policy for the City of Santa Clara, its agencies and corporations.

4.K 19-1656 [Action on the Single Audit Report for Fiscal Year 2017/18](#)

Recommendation: Note and file the City of Santa Clara Single Audit Report for the year ended June 30, 2018, as recommended by the Council Audit Committee.

4.L 19-018 [Action on a Design Professional Services Agreement with W-Trans for the Warburton Avenue - Civic Center Drive Area Parking Analysis and Related Budget Amendment](#)

- Recommendation:**
1. Award the Design Professional Services Agreement for the Warburton Avenue - Civic Center Drive Area Parking Analysis to Whitlock & Weinberger Transportation, Inc., a California corporation doing business as W-Trans, in the not-to-exceed amount of \$66,156 including additional services up to 10% of the contract amount and up to \$200 reimbursable expenses; and
 2. Approve the related budget amendment transferring \$66,156 from the General Fund Contingency Reserves - Budget Stabilization Reserve to the General Fund - Public Works-Traffic Contractual Services for the Warburton Avenue - Civic Center Drive Area Parking Analysis.

4.M 19-091 [Action on Resolutions of the City of Santa Clara Amending Rate Schedules for Electric Service for All Classes of Customers Effective April 1, 2019 and Authorizing the City Manager to Amend City Rate Schedules for the Electric Utility Service for changes of the State Surcharge](#)

- Recommendation:**
1. Adopt a Resolution of the City of Santa Clara Amending Rate Schedules for Electric Service for all Classes of Customers Effective April 1, 2019; and
 2. Adopt a Resolution of the City of Santa Clara Authorizing City Manager to amend City Rate Schedules for Electric Utility Service for changes of the State Surcharge.

4.N 19-154 [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 3800 Bassett Street, 737 Matthew Street, Reed Street at Grant Street, west side of Grant Street south of Reed Street, Agate Drive at Calabazas Creek, 3045 Stender Way, and Scott Boulevard at Montgomery Drive.

4.O 19-101 [Action on Designating the Assistant City Clerk as the Clerk or Secretary of the Housing Authority, Sports and Open Space Authority, and Public Financing Facilities Corporation](#)

Recommendation: 1. Adopt a Housing Authority Resolution amending Housing Authority Resolution No. 11-3 Designating the Assistant City Clerk as the Clerk of the Housing Authority;
2. Adopt a Sports and Open Space Authority Resolution amending Sports and Open Space Authority Resolution No. 94-1 Designating the Assistant City Clerk as the Ex-Officio Secretary of the Sport and Open Space Authority; and
3. Adopt a Public Facilities Financing Corporation Resolution amending Public Facilities Financing Corporation Resolution No. 97-1 Designating the Assistant City Clerk as Secretary

4.P 19-227 [Action on Amendment No. 3 to the Agreement with EBIX, Inc., BPO Division \(EBIX BPO\) for Insurance Compliance Tracking Services](#)

Recommendation: 1. Authorize the City Manager to execute Amendment No. 3 to the Agreement with EBIX, Inc. to extend the term of the agreement by two years ending on March 27, 2021, and increase compensation by \$96,000 for a total maximum amount not-to-exceed \$342,334.
2. Authorize the City Manager to execute amendments not-to-exceed \$10,000 as contingency, in the event actual usage exceeds estimated usage, subject to the appropriation of funds.

4.Q 19-272 [Action on the Fourth Amendment to the Joint Exercise of Powers Agreement for the Santa Clara Stadium Authority Designating Assistant City Clerk as the Secretary of the Stadium Authority](#)

- Recommendation:**
1. Adopt a Resolution approving the Fourth Amendment to the Joint Exercise of Powers Agreement for the Santa Clara Stadium Authority amending Section 3.2 designating the Assistant City Clerk as the Secretary of the Stadium Authority.
 2. City Council acting as the governing board of the Successor Agency to the former Redevelopment Agency of the City of Santa Clara adopt a Resolution approving the Fourth Amendment to the Joint Exercise of Powers Agreement for the Santa Clara Stadium Authority amending Section 3.2 designating the Assistant City Clerk as the Secretary of the Stadium Authority.
 3. The Board of the Bayshore North Project Enhancement Authority adopt a Resolution approving the Fourth Amendment to the Joint Exercise of Powers Agreement for the Santa Clara Stadium Authority amending Section 3.2 designating the Assistant City Clerk as the Secretary of the Stadium Authority.

4.R 19-292 [Action on a Resolution Approving the Salary Setting Commission 2019 Additional Meeting Schedule](#)

- Recommendation:** Adopt a Resolution approving the 2019 Salary Setting Commission additional meeting dates for April and May 2019.

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

5. 19-316 [Action on Cancellation of the Public Hearing for the Gateway Crossings Project located at 1205 Coleman Avenue and direction to renote when the project is ready to be heard](#)

Recommendation: Cancel the Public Hearing for the Gateway Crossings Project located at 1205 Coleman Avenue and direction to renote when the project is ready to be heard.

6. 19-015 [Public Hearing: FY 2019/2020 Draft Annual Action Plan for the use of Federal Housing and Urban Development Grant Funds](#)

Recommendation: Approve the FY 2019/2020 Draft Annual Action Plan, and direct staff to incorporate all public comments into the final version, which shall be presented to City Council on May 7, 2019.

7. 19-317 [Action on Resolutions Approving a Purchase and Sale Agreement and Other Documents as Necessary Related to the Sale of the Great America Theme Park Parcels located at 1 Great America Parkway \[APNs: 104-42-014 and 104-42-019\]](#)

Recommendation: 1. That the City Council acting as the governing board of the Successor Agency to the Redevelopment Agency of the City of Santa Clara adopt a Resolution approving the Purchase and Sale Agreement between the Successor Agency to the Redevelopment Agency of the City of Santa Clara and Cedar Fair Southwest, Inc. for the Great America Theme Park Parcels located at 1 Great America Parkway (APNs: 104-42-014 and 104-42-019) at a purchase price of \$150,250,000 and authorizing the City Manager to execute all documents necessary, including minor modifying amendments, to implement the Purchase and Sale Agreement and close escrow.

2. That the City Council adopt a Resolution authorizing the City Manager to negotiate and execute a Parking Agreement and Easement for the Main Lot and a Sign Agreement for an electronic sign with Cedar Fair Southwest, Inc.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

19-318 [Tentative Meeting Agenda Calendar](#)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, April 9, 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."