



# City of Santa Clara

## Council and Authorities Concurrent Meeting

### Call and Notice of Special

### Santa Clara Stadium Authority Meeting

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**Tuesday, June 4, 2019**

**3:30 PM**

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

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NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 ("The Brown Act") and Section 708 of the Santa Clara City Charter, the Mayor calls for a Special Meeting of the Governing Board of the Stadium Authority to commence and convene on June 4, 2019, at 5:00 PM for a Special Meeting in the City Hall Council Chambers located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California, to consider the following matter(s) and to potentially take action with respect to them.

#### **3:30 PM CLOSED SESSION**

**Call to Order in the Council Chambers**

**Confirmation of 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.*

- 19-703** [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 \(Public Safety Non-Sworn Employees Association\)](#)
- 19-704** [Conference with Legal Counsel-Existing Litigation \(CC\)](#)  
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)  
[City of Santa Clara v. Yumori Kaku, et al., California Court of Appeals, Sixth District \(San Jose\) Case No. H046105](#)
- 19-706** [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-06500 NC](#)
- 19-707** [Conference with Legal Counsel-Existing Litigation \(CC\)](#)  
[Pursuant to Gov. Code § 54956.9\(d\)\(1\)](#)  
[Lo, et al., v. City of Santa Clara, et al., United States District Court, Northern District of California Case No. 5:18-cv-03153 NC](#)

**Convene to Closed Session (Council Conference Room)**

**5:00 PM COUNCIL REGULAR MEETING AND SPECIAL STADIUM AUTHORITY MEETING**

**Call to Order**

**Pledge of Allegiance and Statement of Values**

**Roll Call**

1.     **19-303**     [Overview of Current Caltrans Programs in Santa Clara County](#)
2.     **19-701**     [Update on Voter approved Measure N Work Plan and Charter Review Committee appointment process relating to District Elections](#)

**Recommendation:** Accept revised work plan for the potential placement of Charter Amendment language on the March 3, 2020 primary election ballot related to electing Councilmembers by district.

**REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS**

**CONTINUANCES/EXCEPTIONS**

**SPECIAL ORDER OF BUSINESS**

*\*Special Order of Business not to be heard prior to 6:00 PM.*

- 3.A     **19-708**     [Recognition of William G. Kelly, Fire Chief](#)
- 3.B     **19-627**     [Recognition of the NorCal Girls Fire Camp held at Santa Clara Fire Department on May 4 and May 5, 2019](#)
- 3.C     **19-631**     [Recognition of the "Every 15 Minutes" Planning Committee](#)
- 3.D     **19-659**     [Proclamation of Lesbian, Gay, Bisexual, Transgender, and Queer \(LGBTQ\) Pride 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.]*

**4.A 19-028** [Board, Commissions and Committee Minutes](#)

**Recommendation:** Note and file the Minutes of:  
Historical and Landmarks Commission - February 7, 2019  
Planning Commission Revised - March 13, 2019  
Historical and Landmarks Commission - April 4, 2019  
Youth Commission - April 9, 2019  
Parks & Recreation Commission - April 16, 2019  
Senior Advisory Commission - April 22, 2019

**4.B 19-525** [Action on Bills and Claims Report \(CC\) for the period April 26th - May 9th](#)

**Recommendation:** Approve the list of Bills and Claims for April 26, 2019 - May 9, 2019.

**4.C 19-141** [Action on the Fiscal Operation of the Santa Clara Golf and Tennis Club Report for the 2nd quarter ended December 31, 2018](#)

**Recommendation:** Note and file the Status Report for the Fiscal Operation of the Santa Clara Golf and Tennis Club for the second quarter ended December 31, 2018.

**4.D 19-356** [Action on Monthly Financial Status and Investment Reports for March 2019 and Approve Various Budget Amendments](#)

**Recommendation:** Note and file the Monthly Financial Status and Investment Reports for March 2019 as presented and approve various Budget Amendments.

**4.E 19-431** [Action on a Resolution Acknowledging Receipt by City Council of a State-Mandated Compliance Report on Required Annual Fire Inspections of Certain Occupancies](#)

**Recommendation:** Adopt a Resolution acknowledging receipt of a report made by the Fire Chief of the Santa Clara Fire Department regarding the inspection of certain occupancies requiring annual inspections in such occupancies pursuant to sections 13146.2 and 13146.3 of the California Health and Safety Code.

- 4.F 19-673** [Action on a Resolution to Approve and Adopt the 27 Separate Salary Schedules for Classified and Unclassified Positions for the Period of 2012-2019 Per California Code of Regulations 570.5](#)

**Recommendation:** Adopt a Resolution to approve and adopt the 27 salary schedules for unclassified and classified positions for the period of 2012-2019 in accordance with California Code of Regulations 570.5.

- 4.G 19-479** [Action on Amendment No. 1 to the Agreement with Sedgwick Claims Management Services, Inc., for Third Party Administrator \(TPA\) Services in Support of the City's Self-Insured Workers' Compensation Program](#)

**Recommendation:** Authorize the City Manager to execute Amendment No. 1 to the Agreement with Sedgwick Claims Management Services, Inc. to extend the term of the agreement by one year ending June 30, 2020.

- 4.H 19-684** [Action on Adoption of Ordinance No. 2001 Approving the Raymond G. Gamma Dog Park Schematic Design Update with Synthetic Turf in Accordance with City Charter Section 714.1](#)

**Recommendation:** Adopt Ordinance No. 2001 Approving the Raymond G. Gamma Dog Park Schematic Design Update with Synthetic Turf in Accordance with City Charter Section 714.1.

**4.I 19-532** [Action on Amendment No. 1 to the Agreement with Business Recovery Services, Inc. dba Bank Up Corporation for Remittance Processing and Utility Payment Lockbox Services to extend the term and increase compensation](#)

**Recommendation:** 1. Authorize the City Manager to execute Amendment No. 1 to the Agreement with Business Recovery Services, Inc. dba Bank Up Corporation for Remittance Processing and Utility Payment Lockbox Services to extend the term of the agreement by two years ending on June 30, 2021 and increase compensation by \$84,000 for a total maximum not-to-exceed amount of \$214,000.  
2. Authorize the City Manager to execute amendments over the amended term of the contract not-to-exceed \$10,000 as contingency, in the event actual usage exceeds estimated usage, subject to the appropriation of funds.

**4.J 19-563** [Action on Approving SVP's Continuing Sponsorship of Annual Events and Activities and Delegation of Authority to City Manager to Approve Additional Sponsorships of up to \\$10,000](#)

**Recommendation:** 1. Approve Silicon Valley Power continuing annual sponsorship support of the events and activities listed in Attachment 2; and  
2. Delegate authority to the City Manager to approve additional sponsorships of up to \$10,000 per event that meet the criteria set forth in this Report, and the formal process and application to be developed by SVP.

**4.K 19-588** [Action on an Amendment No. 2 to Agreement with Arini Geographics, LLC for Enterprise GIS Services to extend the term of the agreement](#)

**Recommendation:** Approve Amendment No. 2 to the Agreement with Arini Geographics, LLC to extend the term by four months, from July 1, 2019 through October 31, 2019 and to modify the not to exceed amount to \$3,550,000 to provide Enterprise GIS services that includes data gathering, analysis, mapping, and reporting citywide to extend the term by four months, from July 1, 2019 through October 31, 2019 and to modify the not to exceed amount to \$3,550,000.

**4.L 19-609** [Adopt a Resolution approving the California Municipal Finance Authority's Issuance of Tax-Exempt Bonds for the Purpose of Refinancing Indebtedness of Santa Clara University](#)

**Recommendation:** 1. Hold a Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing for the issuance of up to \$4,900,000 in tax-exempt private-activity bonds by California Municipal Finance Authority (CMFA) for the benefit of Santa Clara University; and

2. Adopt a Resolution approving the issuance of the Bonds by the CMFA for the benefit of Santa Clara University as Borrower to refinance its indebtedness that was incurred to finance and refinance improvements and equipping of educational facilities and authorizing the City Manager to execute documents as necessary to facilitate the Borrower's refinancing.

**4.M 19-650** [Action to Approve Resolution Approving the June 2019 Salary Setting Commission Additional Meeting Schedule](#)

**Recommendation:** Adopt a Resolution approving the June 2019 Salary Setting Commission additional meeting dates.

**4.N 19-476** [Action on Early Consideration of a General Plan Amendment from Right of Way to Medium Density Residential for the 2.47 Acre Property Located at 2330 Monroe Street \(Affordable Housing Project\)](#)

**Recommendation:** City Council direct staff to continue processing the subject General Plan Amendment from Right of Way to Medium Density Residential for the 2.47 Acre Property located at 2330 Monroe Street.

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**Stadium Authority Consent Calendar**

- 4.O     19-683**     [Action on an Agreement for Professional Services with KPMG, LLC to provide auditing services for the Santa Clara Stadium Authority](#)

**Recommendation:** Approve and authorize the Executive Director to execute an agreement for professional services between the Santa Clara Stadium Authority and KPMG LLP to perform the annual financial audit for the Santa Clara Stadium Authority for FY 2018/19 and FY 2019/20 in the amount not-to-exceed \$208,000.

- 4.P     19-601**     [Action on Bills and Claims for the months of March and April 2019](#)

**Recommendation:** Approve the list of Bills and Claims for March and April 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.     **19-1609**   [Joint Study Session to Review Proposed FY 2019/20 and FY 2020/21 Biennial Operating Budget and Capital Improvement Program Budget Adjustments and Review the FY 2019/20 Convention Center Budget \(City Council, Sports and Open Space Authority, Housing Authority and Public Facilities Financing Corporation\)](#)

**Recommendation:** Review and provide input on the Proposed FY 2019/20 and FY 2020/21 Biennial Operating Budget and Capital Improvement Program Budget Adjustments including the FY 2019/20 Proposed Convention Center Budget.

6.     **19-709**     [Action on Councilmember O'Neill's Request Related to the City's Participation in an "Innovation Zone"](#)

**Recommendation:** Staff makes no recommendation.

7.     **19-373**     [Council Consideration of Options for the Development of a Bicycle and Scooter Share Program for the Purpose of Establishing Regulations](#)

**Recommendation:** Review and provide input on the overall bicycle and scooter share program.

8.     **19-095**     [Public Hearing: Adoption of a Resolution Overruling Protests and Ordering that the Alternative Method for the Levy of Benefit Assessment be Made Available to the Santa Clara Convention Center Maintenance District No. 183 \(Not to be Heard prior to 7:00 PM\)](#)

**Recommendation:** Alternative 1:  
Adopt a resolution overruling any other protests; and ordering that the alternative methods of levy of special benefit assessment be made applicable to the Santa Clara Convention Center Maintenance District No. 183, and approving, confirming and adopting the Director's Report for FY 2019/20.

9.      19-238      [Public Hearing: Adoption of a Resolution Overruling Protests and Ordering that the Alternative Method for the Levy of Benefit Assessment be Made Applicable to the City of Santa Clara Parking Maintenance District No. 122 - Franklin Square \(Not to be Heard prior to 7:00 PM\)](#)

**Recommendation:** Alternative 1:  
Adopt a Resolution overruling any protests and ordering that the alternative method for the levy of benefit assessment be made applicable to the City of Santa Clara Parking Maintenance District No. 122 and approving, confirming, and adopting the Director's Report for FY 2019/20.

#### **REPORTS OF MEMBERS AND SPECIAL COMMITTEES**

##### **CITY MANAGER/EXECUTIVE DIRECTOR REPORT**

- 19-457      [Update and Direction to Staff on the Parade of Champions Non-Profit Status and Fundraising Efforts](#)

**Recommendation:** Staff has no recommendation; however, if there is direction to prepare to fund this event, staff requests to return on June 25 2019 with the appropriate action to fund the City's portion of sponsorship from the Budget Stabilization Fund.

- 19-985      [Tentative Meeting Agenda Calendar](#)

- 19-283      [Monthly Update on City Council and Stadium Authority Staff Referrals](#)

#### **ADJOURNMENT**

The next regular scheduled meeting is on Tuesday evening, June 25, 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) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.