



# City of Santa Clara

## Meeting Agenda

### Council and Authorities Concurrent Meeting

Tuesday, July 16, 2019

3:30 PM

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

Closed Session - 3:30 PM | Ceremony - 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.*

- 19-863** [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 CEREMONY**

Call to Order in the Council Chambers

Friendship City MOU Signing Ceremony with Icheon, Republic of Korea

**6:00 PM COUNCIL REGULAR MEETING**

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

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

**CONTINUANCES/EXCEPTIONS**

1.      19-797      [Defer the Public Hearing: Action on Amendments to the City Code Related to Massage Establishments](#)

**SPECIAL ORDER OF BUSINESS**

2.      19-835      [Friendship City Presentation by Mayor Eom Tai-Joon, Icheon, Republic of Korea](#)

**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      19-427      [Council and Authorities Concurrent Meeting Minutes of June 25, 2019](#)

**Recommendation:** Note and file the Council and Authorities Meeting Minutes of June 25, 2019.

- 3.B      19-031      [Board, Commissions and Committee Minutes](#)

**Recommendation:** Note and file the Minutes of:  
Planning Commission - April 24, 2019  
Senior Advisory Commission - May 20, 2019

**3.C 19-596** [Action on Bills and Claims Report \(CC, SCSA, HA\) for the period May 31st - June 20th](#)

**Recommendation:** Approve the list of Bills and Claims for May 31, 2019 - June 20, 2019.

**3.D 19-385** [Action on Award of Grazing Lease Agreement at the Loyaltan Ranch Property with Darwin Ceresola](#)

**Recommendation:**

1. Authorize the City Manager to execute a Grazing Lease Agreement with Darwin Ceresola for an initial five-year term ending July 31, 2024; and
2. Authorize the City Manager to execute an option to extend the Grazing Lease Agreement for an additional five-year term, ending July 31, 2029.

**3.E 19-478** [Action on Amendment No. 3 to an Agreement with Peninsula Corridor Joint Powers Board for the Santa Clara Train Station Parking Lot](#)

**Recommendation:** Approve and authorize the City Manager to execute Amendment No. 3 to the Agreement with Peninsula Corridor Joint Powers Board to amend the rent schedule and extend the term of the lease to June 30, 2022.

**3.F 19-521** [Action on Amendment No. 1 to Electric Service and Substation Construction Agreement with Vantage Data Centers, LLC for Parker Substation](#)

**Recommendation:** Approve and authorize the City Manager to execute Amendment No. 1 to Electric Service and Substation Construction Agreement with Vantage Data Centers, LLC for Parker Substation.

**3.G 19-592** [Action on How to Present the City Council in City Facilities and on Documents](#)

**Recommendation:** Adopt the Governance and Ethics Committee's recommendations.

**3.H 19-666** [Action on the Appropriation of Asset Forfeiture Funds for Fiscal Year 2019/20 and Related Budget Amendment](#)

**Recommendation:** Approve the Appropriation of Asset Forfeiture Funds in the amount of \$157,000 Pursuant to State and Federal Regulations and Related Budget Amendment.

**3.I 19-668** [Urgency Declaration and Action to Approve Expenditures and Ratify an Agreement with Preston Pipelines, Inc. Related to the Lafayette Street Emergency Sanitary Sewer Pipeline Project](#)

**Recommendation:** Approve the Lafayette Street Emergency Sanitary Sewer Pipeline Project and ratify the agreement in the amount of \$1,452,426.80 with Preston Pipelines Inc., based upon the facts contained in this report.

**3.J 19-677** [Action on the Award of an Agreement with HydroScience Engineers, Inc. for Hydraulic Model Calibration and Support Services](#)

**Recommendation:**

1. Authorize the City Manager to execute an agreement with HydroScience Engineers, Inc. for hydraulic model calibration and support services for an initial term starting on or about July 22, 2019 through July 21, 2022, with a maximum compensation not-to exceed \$405,660 during the initial three-year term; and
2. Authorize the City Manager to execute up to two one-year renewals to the Agreement through July 21, 2024 for ongoing hydraulic model calibration and support services with compensation increases subject to the City Manager's approval and the appropriation of funds.

**3.K 19-740** [Action on an Affordable Housing Agreement with Toll West Coast, LLC for 2961 Corvin Drive](#)

- Recommendation:**
1. Approve and authorize the City Manager to execute the Affordable Housing Agreement with Toll West Coast, LLC (Attachment 1), to execute amendments thereto, and to take any other action necessary to implement the requirement for the provision of four (4) Below Market Purchase homes within a 38-unit townhome project at 2961 Corvin Drive.
  2. Authorize the recordation thereof.

**3.L 19-743** [Action on a Power Purchase and Sale Agreement with The Olcese Water District](#)

- Recommendation:**
1. Authorize the City Manager to execute a renewable Power Purchase and Sales Agreement for a five-year term with an option to extend for an additional five years, in substantially similar form as presented, and subject to final review and approval by the City Attorney;
  2. Authorize the City Manager to execute all necessary documents, subject to final review and approval by the City Attorney, to effectuate the purchases of power from The Olcese Water District in accordance with the agreement

**3.M 19-756** [Proclamations issued to City Employees from April through June 2019](#)

- Recommendation:** Note and File Proclamations Issued to City Employees from April through June 2019.

**3.N 19-758** [Action on a Joint Resolution Delegating Authority to the City Manager/Executive Officer for Santa Clara Stadium Authority/Contract Administrator for Sports and Open Space Authority/Executive Director for Housing Authority During the Council Recess from July 17, 2019 to August 20, 2019](#)

**Recommendation:** That the City Council/Sports and Open Space Authority/Housing Authority/Successor Agency:

Adopt a Joint Resolution delegating authority to the City Manager/Executive Officer for Santa Clara Stadium Authority/Contract Administrator for Sports and Open Space Authority/Executive Director for Housing Authority to approve project related documents during the Council recess from July 17, 2019 to August 20, 2019 and requiring the City Manager/Executive Director/Contract Administrator to submit a report on actions taken during the Council recess at a City Council/Stadium Authority/Sports and Open Space Authority/Housing Authority meeting in September 2019.

**3.O 19-759** [Action to Authorize the City Manager to Negotiate and Execute Change Orders for the Raymond G. Gamma Dog Park, Increase Change Order Authority for the Reed & Grant Streets Sports Park Project and Related Budget Amendment](#)

**Recommendation:**

1. Authorize the City Manager to negotiate and execute change orders up to \$2,230,000 to implement the Council-approved schematic design for the Raymond G. Gamma Dog Park;
2. Increase the City Manager's authority to execute change orders to the Reed Street - Grant Street Sports Park contract with O.C. Jones and Sons, Inc. from \$2,019,500 to \$4,249,500;
3. Approve the budget amendment of \$2,230,000; and
4. Find that the Dog Park service area is the entire Santa Clara community and the construction of the improvements will provide for additional park use to serve the residents of the projects from which funds were collected.

**3.P 19-764** [Action on the New Job Specifications for Assistant Fire Chief and Senior Management Analyst, and Set Salary Ranges for Each](#)

**Recommendation:** Approve the new job descriptions for Assistant Fire Chief (with an annual salary range of \$247,356 - \$320,124) and Senior Management Analyst (with an annual salary range of \$118,483 - \$153,344).

**3.Q 19-825** [Action on Adoption of Ordinance No. 2002 Approving the Montague Park Schematic Design Update and Playground Schematic Design Option 2 in Accordance with City Charter Section 714.1](#)

**Recommendation:** Adopt Ordinance No. 2002 Approving the Montague Park Schematic Design Update and Playground Schematic Design Option 2 for the Montague Park Rehabilitation Project.

**3.R 19-842** [Action on Second Amendment to the Exclusive Negotiations Agreement with Republic Metropolitan LLC for the site located at 500 Benton Street \[APN: 230-08-061\]](#)

**Recommendation:** Approve and Authorize the City Manager to Execute the Second Amendment to the Exclusive Negotiations Agreement with Republic Metropolitan LLC for the site located at 500 Benton Street [APN: 230-08-061] after approval by the VTA Board as well.

**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.     **19-735**     [Action on an Agreement with Ovations Food Services dba Spectra Food Services & Hospitality for Interim Food & Beverage Operations at the Santa Clara Convention Center](#)

**Recommendation:** Alternative 1:

1. Approve and authorize the City Manager to execute an Agreement with Ovations Food Services dba Spectra Food Services & Hospitality for Interim Food & Beverage Operations at the Santa Clara Convention Center.

5.     **19-1603**     [Public Hearing: Action on the Adoption of Phase I of the Fiscal Year 2019/20 Municipal Fee Schedule \(Not to be Heard prior to 7:00 PM\)](#)

**Recommendation:** Alternative 1:

Adopt a resolution for the "City of Santa Clara 2019/20 Municipal Fee Schedule" which (1) sets new fees, rates and charges (collectively "fees"); (2) amends existing fees; (3) deletes certain fees; and (4) retains unchanged fees for various City departments effective on August 1, 2019.

6.     **19-626**     [Public Hearing: Action on a Resolution Confirming the 2019 Weed Abatement Program and Assessment \(Not to be Heard prior to 7:00 PM\)](#)

**Recommendation:** Adopt a Resolution confirming the 2019 Weed Abatement Program Assessment Report and Assessment.

**REPORTS OF MEMBERS AND SPECIAL COMMITTEES**

**CITY MANAGER/EXECUTIVE DIRECTOR REPORT**

- 19-697**     [Tentative Meeting Agenda Calendar](#)

**ADJOURNMENT**

The next regular scheduled meeting is on Tuesday evening, August 20, 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.