

City of Santa Clara

Joint Meeting Agenda

Council and Authorities Concurrent

Stadium Authority

Bayshore North Project Enhancement Authority

Successor Agency to the City of Santa Clara Redevelopment Agency



Tuesday, November 5, 2019

3:30 PM

City Hall Council Chambers

1500 Warburton Avenue

Santa Clara, CA 95050

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.

19-1293 [Public Employee Performance Evaluation \(CC\)](#)

[Pursuant to Gov. Code § 54957](#)

[Title: City Manager](#)

19-1294 [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 \(Public Safety Non-Sworn Employees Association\)](#)

- 19-1283 [Conference with Legal Counsel - Anticipated Litigation Significant Exposure to Litigation Pursuant to Government Code § 54956.9\(d\)\(2\) \(1\) Item of Anticipated Litigation](#)

Convene to Closed Session (Council Conference Room)

5:00 PM REGULAR MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

STUDY SESSION

- 19-1005 [Overview and Update on Proposed Changes to the City's Transportation Analysis Methodology and Processes to Comply with State Law](#)

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS

SPECIAL ORDER OF BUSINESS

- 1.A 19-1242 [Acknowledge Winners of the Santa Clara Cultural Commission 2019 Halloween Home Decoration Contest](#)

Recommendation: Recognize the annual Halloween Home Decoration Contest awardees for 2019: "Kellog Way "Zombies" theme in the category of "Scariest"; Mesuite Drive's "Haunted Pirate Ship" in the category of "Most Original" and, the "People's Choice" winner Nobili Avenue's "Dia De Los Muertos" theme.

- 1.B 19-1291 [Proclamation of November 2019 as Sikh Appreciation and Awareness Month and 550th Anniversary](#)

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 19-1201 [Council and Authorities Concurrent Meeting Minutes of September 24, 2019](#)

Recommendation: Note and file the Council and Authorities Concurrent Meeting Minutes of September 24, 2019.

2.B 19-038 [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:
Planning Commission - September 25, 2019
Charter Review Committee - September 21, 2019
Charter Review Committee - September 26, 2019

2.C 19-341 [Action on Adoption of a Resolution Amending Resolution No. 6047 Regarding the Youth Commission](#)

Recommendation: Action on Adoption of a Resolution Amending Resolution No. 6047 Regarding the Youth Commission

2.D 19-875 [Action on Adoption of a Resolution Establishing the Necessary Findings of Fact for Modifications to the California Building Standards; Action on Introduction of an Ordinance Amending and Adding Chapters to Title 15 \(“Buildings and Construction”\) of “The Code of the City of Santa Clara, California” for the Adoption of the 2019 California Building Standards Code; and Setting November 19, 2019 for a Public Hearing on Adoption of such Ordinance](#)

Recommendation:

1. Introduce an Ordinance adding a new Chapter 15.18 ("International Property Maintenance Code") and a new Chapter 15.39 ("Expedited Permitting Process for Electric Vehicle Charging Stations"), and amending Chapter 15.05 ("Administrative Code"), Chapter 15.15 ("Building Code"), Chapter 15.17 ("Residential Code"), Chapter 15.20 ("Electric Code"), Chapter 15.30 ("Mechanical Code"), Chapter 15.35 ("Plumbing Code"), Chapter 15.36 ("Energy Code"), Chapter 15.37 ("Historical Building Code"), Chapter 15.38 ("Green Building Standards Code"), and Chapter 15.75 ("Existing Building Code") of Title 15 ("Buildings and Construction") of "The Code of the City of Santa Clara, California" for the adoption of the 2019 California Building Standards Code;
2. Adopt a Resolution Making Findings of Fact Necessary for the Specified Modifications to the 2019 California Building Code and 2019 California Residential Code Reflected in the Proposed Ordinance; and
3. Set a public hearing on November 19th, 2019 pursuant to California Government Code Section 50022.3 for adoption of the Ordinance.

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- 2.E 19-964** [Action on Adoption of a Resolution Establishing the Necessary Findings of Fact for Amendments to the California Building Standards; Action on Introduction of an Ordinance Adopting the 2019 California Fire Code, as Amended, as the 2019 Santa Clara Municipal Fire and Environmental Code and Setting November 19, 2019 for a Public Hearing on Adoption of said Ordinance.](#)

Recommendation: 1. Approve introduction of an ordinance amending Chapter 15.60 of the Santa Clara City Code (“Santa Clara Municipal Fire and Environmental Code”) to adopt the 2019 California Fire Code, as amended;
2. Adopt a Resolution establishing the findings of fact necessary for the specified amendments to the 2019 California Fire Code reflected in the proposed Ordinance, as a subset of the California Building Standards; and
3. Set a public hearing on November 19, 2019, for final adoption of the ordinance amending Chapter 15.60 of the Santa Clara City Code (“Santa Clara Municipal Fire and Environmental Code”) to adopt the 2019 California Fire Code, as amended.

- 2.F 19-1008** [Action on Introduction of an Ordinance Extending a Temporary Moratorium on Motorized Scooter and Bicycle Share Programs](#)

Recommendation: Introduce an Ordinance Extending the Temporary Moratorium on Motorized Scooter and Bicycle Share Programs.

- 2.G 19-1058** [Action on Mills Act Contract for 908 Fremont Street](#)

Recommendation: Authorize the City Manager to execute a Mills Act contract and adopt the 10-Year Restoration and Maintenance Plan associated with the Historic Property Preservation Agreement for the property at 908 Fremont Street with applicants Todd and Kristy Rosenbaum; PLN2019-13897.

2.H 19-1089 [Action on Amendment No. 1 to an Agreement with Advantage Office Solutions, Inc. for On-Call Furniture Moving and Cubicle Installation and Reconfiguration](#)

Recommendation: 1. Approve and authorize the City Manager to execute Amendment No. 1 with Advantage Office Solutions, Inc. for on-call furniture and cubicle installation services for an amount not-to-exceed \$290,000, subject to future budget appropriations; and
2. Authorize the City Manager to make minor modifications to Amendment No. 1, if necessary; and
3. Authorize the City Manager to extend the term of the agreement with no increase in compensation in the event that the work is not completed by the agreement end date.

2.I 19-1091 [Action on Amendment No. 1 to an Agreement with Fairway Painting, Inc., for On-Call Painting Services with Fairway Painting, Inc.](#)

Recommendation: 1. Approve and authorize the City Manager to execute Amendment No. 1 with Fairway Painting, Inc., for on-call painting services for an amount not-to-exceed \$400,000, subject to future budget appropriations;
2. Authorize the City Manager to make minor modifications to Amendment No. 1, if necessary; and
3. Authorize the City Manager to extend the term of the agreement with no increase in compensation in the event that the work is not completed by the agreement end date.

2.J 19-1167 [Action on Resolution Approving the Annexation of Two Hotel Parcels \(AC Hotel located at 2950 Lakeside Drive and Element Hotel located at 1950 Wyatt Drive\) into Community Facilities District No. 2010-1](#)

Recommendation: 1. Adopt a Resolution approving the annexation of the Hotel Parcels into the CFD; and
2. Approve Amendment No. 1 to the Notice of Special Tax Lien and the Amended Boundary Map - CFD 2010-1, and authorize recordation thereof.

2.K 19-1222 [Action on Amendment No. 1 to an Agreement for Services with Rosendin Electric, Inc. for Specialized Electrical Services to Support SVP's Generation Facilities.](#)

Recommendation: Authorize the City Manager to execute Amendment No. 1 to an Agreement for Services with Rosendin Electric, Inc. to increase the not-to-exceed compensation amount by \$200,000 to \$329,764.89 to support the Donald Von Raesfeld Steam Turbine Major Overhaul Project.

2.L 19-1232 [Approval of Fifth Amendment to Joint Exercise of Powers Agreement; Resolution declaring the necessity of board approval prior to entering into Stadium Authority contracts](#)

Recommendation:

1. Approve the Fifth Amendment to Joint Exercise of Powers Agreement to eliminate the authority of Executive Director to enter into Stadium Authority contracts without prior Board approval; and
2. Adopt Resolution declaring the necessity of Stadium Authority Board approval prior to entering into Stadium Authority contracts.

2.M 19-1258 [Action on a Resolution Approving Application\(s\) for "Per Capita" Grant Funds from the California State Department of Parks and Recreation](#)

Recommendation: Adopt a Resolution authorizing the City Manager and/or designee to submit the City's Application and Administer Per Capita grant funds.

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

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3. 19-1104 [Discussion of, and Possible Direction On, Review of Potential General Fund Revenue Opportunities for the November 2020 Ballot; Authorize the City Manager to Negotiate and Execute Contracts for Community Research and Outreach](#)

Recommendation:

1. Review and provide direction on the Potential General Fund Revenue Opportunities for the November 2020 Ballot; and
2. Authorize the City Manager to negotiate and execute agreements with contractors to conduct the required community research and outreach within appropriated funds.

4. 19-907 [Action on FY 2018/19 Budget Year-End Report, Approve Seven New Positions, and Approve the Related Budget Amendments](#)

Recommendation: Alternatives 1, 2, 3 and 4:

1. Note and file the FY 2018/19 Budget Year-End Report;
2. Approve the Budget Amendments set forth in the Budget Year-End Report (five affirmative Council votes required for revenue actions only);
3. Approve the addition of one Sr. Management Analyst, one Utility Services Technician, one Customer Service Supervisor, one Contracts Manager, and two Customer Service Representatives in the Finance Department and one Meter Data Analyst in the Electric Utility Department, and
4. Approve the related FY 2018/19 and FY 2019/20 Budget Amendments as set forth in this Report (five affirmative Council votes required for revenue actions only).

5. 19-1004 [Approval of Charter Review Committee Recommendations Regarding District Elections](#)

Recommendation: Staff does not have a recommendation on this item. This is a recommendation from the Charter Review Committee and staff requests Council direction on language to include in a draft charter amendment.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

19-424 [Informational Report on City Council Referral regarding The Mercury News Article](#)

Recommendation: Note and file the Informational Report on City Council Referral regarding The Mercury News Article.

19-1157 [Monthly Update on City Council and Stadium Authority Staff Referrals, Both Open and Closed](#)

19-441 [Tentative Meeting Agenda Calendar \(TMAC\)](#)

ADJOURNMENT

The next scheduled meeting is on Tuesday evening, November 12, 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."