



City of Santa Clara

Call and Notice of Special Meeting

City Council

Tuesday, November 12, 2019

5:00 PM

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

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 City Council of the City of Santa Clara to commence and convene on November 12, 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.

5:00 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.

19-1333 [Conference with Legal Counsel-Anticipated Litigation \(CC\)](#)
[Pursuant to Gov. Code § 54956.9\(d\)\(4\) - Initiation of litigation](#)
[Number of potential cases: 1](#)

Convene to Closed Session (Council Conference Room)

6:00 PM SPECIAL MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS

SPECIAL ORDER OF BUSINESS

- 1.A 19-1276 [Recognition of Parade of Champions Committee](#)
- 1.B 19-1280 [Presentation on the 2019 USA BMX Summer Nationals](#)
- 1.C 19-1287 [Presentation by Santa Clara Sister Cities Association on Student-Exchange Visit to Izumo, Japan](#)

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 19-1165 [Action on Second Amendment to the Exclusive Negotiations Agreement with Republic Metropolitan LLC for the site located at 500 Benton Street \[APN: 230-08-078\]](#)

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

- 2.B 19-1298 [Healthier Kids Foundation FY2019/20 First Quarter Report](#)

Recommendation: Note and file the Healthier Kids Foundation First Quarter Report FY2019/20.

- 2.C 19-450 [Action on the Santa Clara Convention Center 4th Quarter Financial Status Report](#)

Recommendation: Note and file the Santa Clara Convention Center Financial Status Report for the fourth quarter ended June 30, 2019, as submitted by Spectra.

2.D 19-1009 [Action to Award Master Agreements to Various Consultants to Provide Plan Check Review and Field Inspection Consulting Services for the Related Santa Clara Project and other City Projects As-Needed](#)

Recommendation: 1. Adopt a Resolution authorizing the City Manager to execute Master Agreements with the 12 consultants listed below to provide plan check review and field inspection services, in support of the Related Santa Clara Development Project for an initial five-year term ending November 30, 2024, for a maximum aggregate compensation not to exceed \$5,000,000 for all 12 Master Agreements.

Consultant Name

- 1) 4Leaf, Inc.
- 2) APC International, Inc.
- 3) Bureau Veritas North America
- 4) CSG Consultants, Inc.
- 5) David L. Gates & Associates, Inc.
- 6) Interwest Consulting Group, Inc.
- 7) Jason Addison Smith Consulting Services, Inc.
- 8) Metropolitan Planning Group, Inc.
- 9) NV5, Inc.
- 10) Shums Coda Associates, Inc.
- 11) TRB and Associates, Inc.
- 12) West Coast Code Consultants, Inc.

2. Authorize the City Manager to execute a five-year option to extend the term of the Agreements after the initial term through November 30, 2029.

3. Authorize the City Manager to negotiate and execute separate agreements with the 12 consultants to provide plan check review and field inspection services for other City projects, for an initial five-year term ending November 30, 2024, for a maximum compensation not to exceed \$300,000 per agreement, subject to the annual appropriation of funds.

2.E 19-1113 [Action on Priority Project Permit Processing Cost Agreement with Related Santa Clara, Establishment of Eight New Staff Positions, Establishment of a Related Santa Clara Developer Fund, Establishment of Related General Administration and Related Permit Work Projects in the Related Santa Clara Developer Fund, and Approve the Related Budget Amendments](#)

- Recommendation:**
1. Approve and authorize the City Manager to execute the Priority Project Permit Processing Cost Agreement with Related Santa Clara, LLC;
 2. Approve the addition of one Senior Civil Engineer, one Associate Civil Engineer, one Public Works Inspector, one Senior Plans Examiner, one Senior Inspector, one Fire Protection Engineer, and one Deputy Fire Marshal II;
 3. Approve the addition of one Deputy City Manager, fully funded by the original Development Agreement approved by the City Council in June 2016;
 4. Establish the new Related Santa Clara Developer Fund;
 5. Establish the Related General Administration project and the Related Permit Work project in the Related Santa Clara Developer Fund; and
 6. Approve the Related Budget Amendments decreasing the General Fund cost in the amount of \$298,584 in FY 2019/20 and the amount of \$316,788 in FY 2020/21 to reflect the shift of costs to the Related Santa Clara Developer Fund; approve the Budget Amendment in the Related Santa Clara Developer Fund in the amount of \$1,522,833 for FY 2019/20 and in the amount of \$2,281,214 for FY 2020/21 to fund eight (seven new) permit staff positions to support the permit review process and one position for general administration for the Related Santa Clara project.(Requires 5 Council Affirmative Votes).

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. 19-920 [Discussion and Direction on the Conversion of the Santa Clara Tourism Improvement District \(TID\) Established Under the Parking and Business Improvement Area Law of 1989 to a TID Established under the Property and Business Improvement District Law of 1994](#)

Recommendation: 1. Alternative 1: Provide direction to proceed with the conversion of the Santa Clara Tourism Improvement District (TID) established under the Parking and Business Improvement Area Law of 1989 to a TID established under the Property and Business Improvement District Law of 1994; and
2. Alternative 3: Provide direction regarding the District assessment formula.

4. 19-1257 [Update on the Formation of the New Destination Marketing Organization \(DMO\) Entity](#)

Recommendation: Note and file the November 2019 report on the update on the formation of the Santa Clara Destination Marketing Organization.

5. 19-1318 [Presentation, Discussion and Direction on the TAP International Financial Audit Titled "Contract Close Out Review: Convention and Visitor's Bureau"](#)

Recommendation: It is recommended that Council receive and file the TAP International Financial Audit Titled "Contract Close Out Review: Convention and Visitor's Bureau" and refer any Council direction to Closed Session under Anticipated Litigation.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES**CITY MANAGER/EXECUTIVE DIRECTOR REPORT**

- 19-1047 [Informational Memo on the Beta Website Launch Update](#)

Recommendation: Note and file the Beta Website Launch Update.

19-1332 [Verbal Report on the International Association of Science Parks and Areas of Innovation Conference in France](#)

19-1301 [Update on City Council and Stadium Authority Staff Referrals](#)

19-1228 [Tentative Meeting Agenda Calendar \(TMAC\)](#)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, November 19, 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."