



# **City of Santa Clara**

## **Call and Notice of Special Meeting**

### **Council and Authorities Concurrent Meeting**

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**Tuesday, March 24, 2020**

**2:00 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 City Council of the City of Santa Clara to commence and convene on March 24, 2020, at 2:00 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.

#### **2:00 PM COUNCIL MEETING**

**Call to Order**

**Pledge of Allegiance and Statement of Values**

**Roll Call**

#### **CONTINUANCES/EXCEPTIONS**

#### **CLOSED SESSION**

- 20-67**     [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 \(Public Safety Non-Sworn Employees](#)  
[Association\)](#)

## **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.]*

- 1.A     20-403**     [Action on Council and Authorities Concurrent Meeting Minutes](#)  
[of February 11, 2020 and February 25, 2020 \[Council Pillar:](#)  
[Enhance Community Engagement and Transparency\] Deferred](#)  
[from March 17, 2020](#)

**Recommendation:** Note and file Council and Authorities Concurrent  
Meeting Minutes of February 11, 2020 and February  
25, 2020.

- 1.B 20-406** [Action on the City Auditor's Office Semi-Annual Status Report as of December 31, 2019 and the Contract Audit of the Public Affairs and Media Relation Services \[Council Pillar: Enhance Community Engagement and Transparency and Ensure Compliance with Measure J and Manage Levi's Stadium\] Continued from March 17, 2020](#)

**Recommendation:** Note and file the City Auditor's Office Semi-Annual Status Report as of December 31, 2019 and the Contract Audit of the Public Affairs and Media Relation Services as recommended by the Council Audit Committee.

- 1.C 20-409** [Action on a Resolution Revising the Council and Authorities/Stadium Authority Regular Meetings Dates for the 2020 Calendar Year \[Council Pillar: Enhance Community Engagement and Transparency\] Continued from March 17, 2020](#)

**Recommendation:** Adopt a Resolution revising the Council and Authorities/Stadium Authority regular meeting dates for the 2020 calendar year to reflect the cancelation of the April 14, 2020 and April 21, 2020 Council and Authorities regular meetings and to set April 7, 2020 and April 28, 2020 as Council and Authorities regular meetings.

- 1.D 20-410** [Action on the Police Department's Recommendation to Name the Police Building's Temporary Holding Facility as the "Carla Munoz Temporary Holding Facility" \[Council Pillar - Deliver and Enhance High Quality Efficient Services and Infrastructure\] Continued from March 17, 2020](#)

**Recommendation:** Approve the naming of the Police Building's Temporary Holding Facility as the "Carla Munoz Temporary Holding Facility".

- 1.E     20-411     [Action on a Resolution Delegating Authority to enter into Confirmation Agreements for Electric Industry Related Commodities \[Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure\] Continued from March 17, 2020](#)

**Recommendation:** Adopt a Resolution authorizing the City Manager, or designee, to execute Confirmation Agreements and all related documents for Electric Industry Related Commodities for up to a 5 year term.

- 1.F     20-412     [Action to the Introduction of an Ordinance Amending Chapter 9.30 of the City Code \("Trespassing"\) Related to the Storage and Removal of Personal Property from Public Property \[Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure\] Continued from March 17, 2020](#)

**Recommendation:** Approve the Introduction of an Ordinance Amending Chapter 9.30 of the City Code ("Trespassing") Related to the Storage and Removal of Personal Property from Public Property.

- 1.G     20-413     [Action on a Resolution in Support of Worker Cooperatives \[Council Pillar: Promote and Enhance Economic and Housing Development\] Continued from March 17, 2020](#)

**Recommendation:** Adopt a Resolution in Support of Worker Cooperatives.

- 1.H     20-414     [Action on a request for a Special Permit to allow a temporary sales trailer at 3305 Kifer Road from April 2020 to April 2021 \(File No. PLN2020-14281\) \[Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure\] Deferred from March 17, 2020](#)

**Recommendation:** Approve the request of a Special Permit to allow a temporary sales trailer at 3305 Kifer Road from April 1, 2020 to April 30, 2021 (PLN2020-14281), subject to conditions.

- 1.I      20-415      [Action on Final Map for Tract 10515 for the Catalina II Residential Development Project located at 1433-1493 El Camino Real \[Council Pillar: Promote and Enhance Economic and Housing Development\] Continued from March 17, 2020](#)

**Recommendation:** 1. Approve Final Map for Tract 10515;  
2. Authorize the City Manager to make minor modifications, if necessary, prior to recordation; and,  
3. Authorize the recordation of Final Map for Tract 10515, which subdivides the site into nine lots located at 1433-1493 El Camino Real [APN 224-48-004, 005, and 006 (2019-20)].

- 1.J      20-416      [Action on a Resolution of Intention to Establish the Santa Clara Tourism Improvement District under the Property and Business Improvement District Law of 1994 \[Council Pillar: Promote and Enhance Economic and Housing Development\] Continued from March 17, 2020](#)

**Recommendation:** Alternative 1: Adopt a Resolution of Intention declaring the City's intent to establish the Santa Clara Tourism Improvement District (SCTID) for 5 years starting July 1, 2020.

- 1.K      20-417      [Action on Resolutions Ordering the Vacation of Underground Electric Easements at 3303 Octavius Drive and 3326 Scott Boulevard \[Council Pillar: Promote and Enhance Economic and Housing Development\] Continued from March 17, 2020](#)

**Recommendation:** 1. Adopt a Resolution Ordering the Vacation of Underground Electric Easement at 3303 Octavius Drive [APN 216-45-053 (2019-20); SC 19,154];  
2. Adopt a Resolution Ordering the Vacation of Underground Electric Easements at 3326 Scott Boulevard [APN 216-29-053 (2019-20); SC19,155]; and  
3. Authorize the recordation of the Resolutions.

- 1.L 20-418 [Action on a Resolution Ordering the Vacation of a Water Easement at 5405 Stevens Creek Boulevard \[Council Pillar: Promote and Enhance Economic and Housing Development\] Continued from March 17, 2020](#)

**Recommendation:** 1. Adopt a Resolution Ordering the Vacation of a Water Easement at 5405 Stevens Creek Boulevard [APN 316-19-031 (2019-20); SC 19,241]; and  
2. Authorize the recordation of the Resolution.

- 1.M 20-419 [Board, Commissions and Committee Minutes \[Council Pillar: Enhance Community Engagement and Transparency\] Continued from March 17, 2020](#)

**Recommendation:** Note and file the Minutes of:

Cultural Commission - January 6, 2020  
Parks & Recreation Commission - January 21, 2020  
Senior Advisory Commission - January 27, 2020  
Cultural Commission - February 3, 2020  
Audit Committee - December 9, 2019  
Planning Commission - January 29, 2020  
Historical and Landmarks Commission - January 2, 2020

- 1.N 20-420 [Authorization to enter into a Memorandum of Understanding for Building Permit Review with the City of San Jose for the Property at located at the southwest corner of Coleman Avenue and Champions Way \[Council Pillar: Promote and Enhance Economic and Housing Development\] Continued from March 17, 2020](#)

**Recommendation:** Alternative: 1.  
Authorize the City Manager to enter into a Memorandum of Understanding with San Jose for San Jose to administer Building Permit and related inspection activities for the proposed commercial development at the southwest corner of Coleman Avenue and Champions Way.

**1.O 20-421** [Action on the Single Audit Report for Fiscal Year 2018/19 \[Council Pillar: Enhance Community Engagement and Transparency\] Continued from March 17, 2020](#)

**Recommendation:** Note and file the City of Santa Clara Single Audit Report for the year ended June 30, 2019, as recommended by the Council Audit Committee.

**1.P 20-422** [Action on an Agreement with the Santa Clara Valley Transportation Authority Congestion Management Program Transportation Fund for Clean Air Grants for Fiscal Year 2019/20 and Related Budget Amendments \[Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure\] Continued from March 17, 2020](#)

**Recommendation:**

1. Approve and authorize the City Manager to execute the Santa Clara Valley Transportation Authority Congestion Management Program Transportation Fund for Clean Air Agreement FY 2019/20 to receive \$175,500 from the TFCA Program Manager Funds; and
2. Approve budget amendments in the Streets and Highways Fund to recognize grant funding in the amount of \$175,500, establish a new project appropriation for the Scott Boulevard Signal Timing Phase II project in the amount of \$165,500, establish a new project appropriation for the Saratoga Avenue Bicycle Lanes project in the amount of \$71,000, reduce the Traffic Signal Controller Upgrade Project by \$28,500, and reduce the Pedestrian and Bicycle Enhancement Facilities Project by \$32,500.

**1.Q 20-423** [Action on Bills and Claims Report \(CC, SA\) for the period January 31st, 2020 - February 20th, 2020 \[Council Pillar: Enhance Community Engagement and Transparency\] Continued from March 17, 2020](#)

**Recommendation:** Approve the list of Bills and Claims for January 31, 2020 - February 20, 2020.

- 1.R 20-424** [Action on the Santa Clara Convention Center FY 2019/20 2nd Quarter Financial Status Report \[Council Pillars: Promote and Enhance Economic and Housing Development, Enhance Community Engagement and Transparency, and Sustainability\] Continued from March 17, 2020](#)

**Recommendation:** Note and file the Santa Clara Convention Center Financial Status Report for the second quarter ended December 31, 2019, as submitted by Spectra.

- 1.S 20-425** [Action on Monthly Financial Status and Investment Reports for December 2019 and Approve the Related Budget Amendments \[Council Pillar: Enhance Community Engagement and Transparency\] Continued from March 17, 2020](#)

**Recommendation:** Note and file the Monthly Financial Status and Investment Reports for December 2019 as presented and Approve Related Budget Amendments.

- 1.T 20-404** [Action on a Resolution for the Use of City Water Forces at 809 Aldo Avenue \[Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure\] Continued from March 17, 2020](#)

**Recommendation:** Adopt a Resolution approving the use of City Water forces for water and fire service upgrades at 809 Aldo Avenue.

- 1.U 20-405** [Actions to Adopt a Resolution Approving and Adopting Updated Salary Plans for Various Classified and Unclassified Positions, and Approve the Related Budget Amendment \[Council Pillar: Enhance Community Engagement and Transparency\] Continued from March 17, 2020](#)

**Recommendation:**

1. Adopt a Resolution to approve the revised salary plans for various classified and unclassified positions to satisfy the requirements of California Code of Regulations Section 570.5; and
2. Approve the related budget amendment to increase the FY 2019/20 Police Department General Fund budget by \$60,000 and decrease the General Fund Budget Stabilization Reserve by \$60,000.



## **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.      **20-408**      [Related Santa Clara Development Area Plan \(DAP\) 1 located on Vacant Parcels at Tasman Drive and Centennial Boulevard \(Council Pillar: Promote and Enhance Economic and Housing Development\) Continued from March 17, 2020 - TO BE HEARD AT 3:00 PM](#)

**Recommendation:** Alternatives 1 and 2:  
Adopt resolutions for the Related Santa Clara (City Place) Phase I Development Area Plan application located at 5155 Stars and Stripes Drive to:  
1. Adopt the EIR Addendum for DAP 1 for the Related Santa Clara project; and  
2. Approve the DAP 1 Application for the Related Santa Clara project, subject to conditions.

4.      20-430      [Action on an Urgency Ordinance Establishing a Temporary 45-day Moratorium on Evictions for the Non-payment of Rent and No-Fault Evictions for Residential Tenants with incomes affected by the novel coronavirus \(COVID-19\), approval of an Ordinance to establish the eviction regulations for a longer term and Related Budget Amendment](#)

- Recommendation:**
1. Adopt an Urgency Ordinance Establishing a Temporary Moratorium on Evictions for the Non-payment of Rent and No-Fault Evictions for Tenants affected by the novel coronavirus (COVID-19).
  2. Introduce an Ordinance Establishing a Temporary Moratorium on Evictions for the Non-payment of Rent and No-Fault Evictions for tenants affected by COVID-19.
  3. Approve the related FY 2019/20 budget amendment in the General Fund to increase the Housing and Community Services Division Contractual Services budget by \$100,000 and decrease the Budget Stabilization Reserve by \$100,000.
  4. Authorize the City Manager to enter into agreements as needed to address the administrative, tenant support and enforcement efforts of the proposed ordinances up to a maximum of \$100,000.

5.      20-432      [Report and Possible Action on City Small Business Relief Program in Response to COVID-19 and Related Budget Amendment](#)

- Recommendation:**
1. Direct the City Manager to develop a COVID-19 Small Business Relief Program for Council consideration.
  2. Approve the related FY 2019/20 budget amendment in the General Fund to increase the City Manager's Office budget by \$250,000 and decrease the Budget Stabilization Reserve by \$250,000.

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

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

## **ADJOURNMENT**

The next regular scheduled meeting is on Tuesday evening, March 31, 2020 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.

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."