



Draft

City of Santa Clara

Meeting Minutes

Council and Authorities Concurrent Meeting

05/21/2019

3:00 PM

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

Councilmember O'Neill will be attending remotely from the following location:

Best Western Plus Sutter House
1100 H Street – Room #133
Sacramento, CA 95814

3:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Mayor Gillmor called the Closed Session to order at 3:05 PM.

Confirmation of a Quorum

Assistant City Clerk Pimentel confirmed a quorum.

Public Comment

None.

[19-671](#)

Public Employee Performance Evaluation (CC)
Pursuant to Gov. Code § 54957
Title: City Manager

[19-616](#) 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)

[19-617](#) Conference with Legal Counsel-Anticipated Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(2) - Exposure to litigation
Number of potential cases: 1

[19-618](#) Conference with Legal Counsel-Anticipated Litigation (CC)
Pursuant to Gov. Code § 54956.9(a) - Exposure to litigation
Number of potential cases: 1
(Facts and Circumstances)
City as potential defendant: Letter from Gibson Dunn law firm, representing Related Santa Clara LLC, dated September 24, 2018 regarding Force Majeure under DDA

[19-622](#) Conference with Real Property Negotiators (CC)
Pursuant to Gov. Code § 54956.8
Property: 500 Benton Street, APN 230-08-078
City/Authority Negotiator: Deanna J. Santana, City Manager (or designee)
Negotiating Parties: Robert Mendelsohn, Republic Metropolitan
Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property (provisions, price and terms of payment)

[19-670](#) Conference with Legal Counsel-Anticipated Litigation (SA)
Pursuant to Gov. Code § 54956.9(d)(4) - Initiation of litigation
Number of potential cases: 1

Convene to Closed Session (Council Conference Room)

5:00 PM COUNCIL REGULAR MEETING

Call to Order

Mayor Gillmor called the Regular Meeting to order at 5:21 PM.

Pledge of Allegiance and Statement of Values

Roll Call

Present: 7 - Vice Mayor Patricia M. Mahan, Councilmember Teresa O'Neill, Councilmember Kathy Watanabe, Councilmember Karen Hardy, Councilmember Debi Davis, Councilmember Raj Chahal, and Mayor Lisa M. Gillmor

1. [19-104](#) Discussion and Review of User Fees for Cost of Services and Workplan to Evaluate User Fees

City Manager Santana and Courtney Ramos (Vice President, Matrix Consulting Group) presented a PowerPoint.

Public Speaker(s): Public Speaker (1)

2. [19-621](#) Action on Appointment to fill a partial term on the Planning Commission ending June 30, 2019 and approve the newly appointed commissioner to serve a full term from July 1, 2019 ending June 30, 2023

Recommendation: Appoint one candidate to the Planning Commission to serve a partial term ending June 30, 2019 and approve for the newly appointed commissioner to serve a full term from July 1, 2019 ending June 30, 2023.

Candidate(s): Jayapriya Cherukuru
Megan Swartzwelder

Vandana Upadhyay did not attend the meeting.

Council noted to vote till majority is reached for a candidate. **Jayapriya Cherukuru** received five votes from:

Councilmember O'Neill, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor.

Councilmember Chahal and Vice Mayor did not vote this round.

Due to **Jayapriya Cherukuru** receiving a majority, Council entertained a motion.

A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to appoint Jayapriya Cherukuru to the Planning Commission to serve a partial term ending June 30, 2019 and approve Jayapriya Cherukuru to serve a full term from July 1, 2019 ending June 30, 2023.

Aye: 7 - Vice Mayor Mahan, Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

City Attorney Doyle reported that there was no reportable action from Closed Session.

CONTINUANCES/EXCEPTIONS

3. [19-632](#) Request from Mayor Gillmor to Continue Item #15 - Action on a Resolution Establishing the Average Per-Acre Land Values and Parkland In Lieu Fee Schedule for New Residential Development FY2019-20

A motion was made by Councilmember Davis, seconded by Vice Mayor Mahan, to continue to August 2019.

Aye: 7 - Vice Mayor Mahan, Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

4. [19-662](#) Continuance Regarding Economic Development, Communications, and Marketing Committee Meeting Minutes

Recommendation: Defer the Economic Development, Communications, and Marketing Committee minutes to the Committee for clarification.

A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to continue this item to a future meeting.

Aye: 7 - Vice Mayor Mahan, Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

CONSENT CALENDAR

Mayor Gillmor abstained from Item 6.G and 6.O.

Vice Mayor Mahan abstained from Item 6.G.

Councilmember Watanabe pulled Item 6.E and Item 6.O.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to approve the balance of the consent calendar (Except Item 6.E and Item 6.O).

Aye: 7 - Vice Mayor Mahan, Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

- 6.A [19-620](#) Action on Council and Authorities Concurrent Meeting Minutes

Recommendation: Approve the Council and Authorities Meeting Minutes of April 23, 2019.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to approve staff recommendation.

6.B [19-027](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Parks & Recreation Commission - March 19, 2019
Senior Advisory Commission - March 25, 2019
Cultural Commission - April 1, 2019
Civil Service Commission - November 19, 2018
Salary Setting Commission - January 8, 2019
Salary Setting Commission - January 17, 2019
Salary Setting Commission - January 30, 2019
Salary Setting Commission - February 21, 2019
Salary Setting Commission - February 28, 2019
Salary Setting Commission - March 14, 2019
Salary Setting Commission - March 28, 2019
Cultural Commission - April 16, 2018
Cultural Commission - May 9, 2018

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to approve staff recommendation.

6.C [19-358](#) Action on Bills and Claims Report (CC) for the period April 12th - April 25th

Recommendation: Approve the list of Bills and Claims for April 12, 2019 - April 25, 2019.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to approve staff recommendation.

6.D [19-003](#) Action on a Resolution Authorizing the Filing of an Application for FY 2019/20 Transportation Development Act Funding for the Lafayette/Bassett Bike Lane Project

Recommendation: Adopt a Resolution Authorizing the Filing of an Application with the Metropolitan Transportation Commission for Allocation of Transportation Development Act Article 3, Pedestrian and Bicycle Project Funding for Fiscal Year 2019/20.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to adopt Resolution No. 19-8702.

- 6.F [19-449](#) Action on Agreements for Materials Testing and Special Inspection Services for Public Works Projects

Recommendation:

1. Approve and authorize the City Manager to execute an agreement for the Performance of Services with Construction Testing Services, Inc. (\$90,000), Ninyo and Moore Geotechnical and Environmental Sciences Consultants (\$90,000) and Quality Assurance Engineering, Inc. (\$90,000) to perform on-call materials testing and special inspection services for a combined amount not-to-exceed \$270,000 over the three-year terms of the agreements;
2. Authorize the City Manager to amend agreement not-to-exceed amounts as long as the cumulative total does not exceed \$270,000 subject to annual appropriations; and
3. Authorize the City Manager to exercise up to two one-year extensions for each agreement with no increase in compensation in the event that the work is not completed by the Agreement end dates and make minor modifications to the agreements, if necessary.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to approve staff recommendation.

- 6.G [19-477](#) Action to Amend a Special Permit for Community Festivals at 1375 Lafayette Street to Reflect the Correct 2019 Dates

Recommendation: Approve the request to amend the Special Permit to reflect the correct 2019 dates for community festivals at 1375 Lafayette Street (PLN2018-13269), subject to conditions.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to approve staff recommendation.

Aye: 5 - Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, and Councilmember Chahal

Abstained: 2 - Vice Mayor Mahan, and Mayor Gillmor

- 6.H [19-606](#) Approval of the 2018-2021 Memorandum of Understanding between the City of Santa Clara and the Santa Clara Police Officers Association (Unit 2)

Recommendation: 1. Approve and authorize the City Manager to execute the Memorandum of Understanding between the City of Santa Clara and Santa Clara Police Officers Association (Unit 2) 2018-2021, with effective dates of December 23, 2018 to December 18, 2021.
2. Adopt a Resolution approving the Salary Schedule for Santa Clara Police Officers Association (Unit 2), effective December 23, 2018.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to (1) approve and authorize the City Manager to execute the Memorandum of Understanding between the City of Santa Clara and Santa Clara Police Officers Association (Unit 2) 2018-2021, with effective dates of December 23, 2018 to December 18, 2021; and (2) adopt Resolution No. 19-8703 approving the Salary Schedule for Santa Clara Police Officers Association (Unit 2), effective December 23, 2018.

- 6.I [19-480](#) Action to Approve New Job Specification, and Set Compensation, for Public Works Supervisor

Recommendation: Approve the job specification for Public Works Supervisor and set the salary range at A-38.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to approve staff recommendation.

- 6.J [19-602](#) Authorize the City Manager to amend and execute the existing Electric Service Agreement with Intel Corporation

Recommendation: Authorize the City Manager to amend and execute the existing Electric Service Agreement with Intel Corporation.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to approve staff recommendation.

- 6.K [19-500](#) Action on a Resolution for the Use of City Water Forces at 815 Comstock Street

Recommendation: Adopt a Resolution approving the use of City Water forces for the service upgrade at 815 Comstock Street.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to adopt Resolution No. 19-8704.

- 6.L [19-522](#) Action on the Appointment of Councilmember Debi Davis to the Bay Area Water Supply and Conservation Agency (BAWSCA) and the San Francisco Bay Area Regional Water System Financing Authority (RFA)

Recommendation: Appoint Councilmember Debi Davis to serve as representative on the Bay Area Water Supply and Conservation Agency (BAWSCA) and the San Francisco Bay Area Regional Water System Financing Authority (RFA)

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to approve staff recommendation.

- 6.M [19-569](#) Action on a Resolution Authorizing the Display of the Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Pride Flag During the Month of June 2019, and Annually Thereafter in the Month of June

Recommendation: Adopt a resolution authorizing the display of the Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Pride flag during the month of June 2019, and annually thereafter in the month of June, unless and until the resolution is rescinded.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to adopt Resolution No. 19-8705.

- 6.N [19-228](#) Action on Agreement and Covenant Running with the Land to Allow Private Improvements within the Public Right-of-Way at 3511 El Camino Real

Recommendation: 1. Approve and authorize the City Manager to execute the Agreement and Covenant Running with the Land with Lawrence Square Shopping Center, LLC to install and maintain three monitoring wells within the public right-of-way [APN 220-03-010 (2018-19); SC 19,136]; and
2. Authorize the recordation thereof.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to approve staff recommendation.

- 6.P [19-594](#) Action on Adoption of Ordinance No. 2000 Amendment to Zoning Code Section 18.102.010 - Commercial Marijuana Activity Prohibited

Recommendation: Adopt Ordinance No. 2000 Amendment to Zoning Code Section 18.102.010 - Commercial Marijuana Activity Prohibited.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to adopt Ordinance No. 2000 Amendment to Zoning Code Section 18.102.010 - Commercial Marijuana Activity Prohibited.

6.Q [19-655](#) Action to Authorize the City Manager to Execute Agreement with Management Partners for Executive Performance Evaluation Facilitation

Recommendation: Authorize the City Manager to execute the agreement with Management Partners for facilitation of the City Manager's performance evaluation process.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to approve staff recommendation.

PUBLIC PRESENTATIONS

Public Speaker expressed concern regarding recycling and garbage rate increase for Non-Profits. By Council Consensus, this was referred to the City Staff for follow-up.

Public Speaker expressed concern regarding traffic on El Camino Real due to the road repaving by the State of California. **City Manager Santana** noted the City will seek more information on timing/scheduling from the State of California and release information on Social Media.

Public Speaker expressed concern regarding rate increase for recycling and garbage.

Public Speaker expressed gratitude towards **City Manager Santana** for the City Manager Blog and distributing information to the community.

Public Speaker expressed gratitude for Dog Parks in Santa Clara.

Public Speaker expressed concern regarding rate increase for recycling and garbage and the Annual Clean-Up Campaign.

A motion was made by Councilmember Davis, seconded by Vice Mayor Mahan, to move Item 12 - Gateway Crossings Project after Special Order of Business.

Aye: 7 - Vice Mayor Mahan, Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

SPECIAL ORDER OF BUSINESS

5. Actions in Support of the Youth Commission

- A. [19-417](#) Action on Resolution No. 6047 Relating to the Youth Commission Selection Process and Action on Appointment of Youth Commissioners for the 2019-20 Term

Recommendation:

1. Adopt a resolution amending Resolution No. 6047 to change the Youth Commission selection process; and,
2. Reappoint nine returning Youth Commissioners, appoint six new Commissioners, and appoint two alternates to serve on the 2019-20 City of Santa Clara Youth Commission based on the selection panel's recommendations.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to adopt Resolution No. 19-8706 amending Resolution No. 6047 to change the Youth Commission selection process.

Aye: 7 - Vice Mayor Mahan, Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

- B. [19-418](#) Recognition of Outgoing Youth Commission Members

Youth Commission Staff Liaison Kawada introduced and recognized the Outgoing Youth Commission Members.

- C. [19-419](#) 2019 Youth Commission Community Service Scholarship

Youth Commission Chair Caroline Kloes and **Vice Chair Ria Grewal** presented scholarships to Emma Mustovic and Khue Vo.

Youth Commission Staff Liaison Kawada introduced returning and new Youth Commissioners.

A motion was made by Councilmember Davis, seconded by Councilmember Chahal, to reappoint nine returning Youth Commissioners, appoint six new Commissioners, and appoint two alternates to serve on the 2019-20 City of Santa Clara Youth Commission based on the selection panel's recommendations (as listed in the agenda report).

Aye: 7 - Vice Mayor Mahan, Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

5.D [19-497](#) Proclamation of National Public Works Week

Mayor Gillmor and Councilmembers presented a Proclamantion to Director of Public Works Mobeck and Public Works Staff.

5.E [19-523](#) Presentation by Girl Scout Troop 61413

Girl Scout Troup 61413 gave a verbal presentation on saving butterflies and growing milkweed at Ulistac Natural Area.

Councilmember Watanabe expressed her gratitude and encouragement to the Girl Scout Troup 61413 for taking action for the environment.

5.F [19-634](#) Proclamation for Lupus Awareness Month

Christine Von Raeseld (on behalf of More Than Lupus and the Lupus and Allied Diseases Association) accepted the City Proclamation, proclaiming the month of May 2019 as Lupus Awareness Month.

Cassandra Langer (Congressman Ro Khanna's Office) and **Simeone Chen** (Assemblymember Kansen Chu's Office) expressed comments of encouragement for Lupus Awareness Month.

13. [19-1634](#) Public Hearing: Actions on Gateway Crossings project located at 1205 Coleman Avenue including General Plan Amendment to Santa Clara Station Very High Density Residential (51-120 du/ac) with a minimum commercial Floor Area Ratio (FAR) of 0.20, revision to the Climate Action Plan to add Transportation Demand Management (TDM) goals for the new land use designation, creation of a new Very High Density Mixed Use Zoning District and Rezoning to that District, Vesting Tentative Subdivision Map, Development Agreement, Environmental Impact Report (EIR), and Mitigation Monitoring and Reporting Program (MMRP)

Recommendation: Alternatives 1, 2, 4, 6, and 7:

1. Adopt a resolution to approve and Certify an Environmental Impact Report (EIR) and adopt CEQA Findings and a Statement of Overriding Considerations (SOC) and the Mitigation Monitoring and Reporting Program (MMRP);
2. Adopt a resolution to approve the General Plan Amendment #87 from Regional Commercial, High Density Residential and Very High Density Residential to Very High Density Residential with a minimum commercial FAR of 0.2; amendment to the General Plan Land Use Map for the Santa Clara Station Focus Area to reflect the General Plan change; and revision to the Climate Action Plan to add TDM goals for the new land use designation
4. Introduce an ordinance to approve the Rezone from Light Industrial (ML) to Very High Density Mixed Use (VHDMU) to allow phased construction of a mixed use development consisting of 1,600 residential units, 162,000 square foot hotel, 25,000 square feet of supporting retail, park and open space, surface and structured parking facilities, private streets, and site improvements; subject to conditions that include additional pedestrian, decorative paving and landscape enhancements to the 30-foot wide north - south private street on the west side of the public park and Building 2 that connects Brokaw Road to Champions Way;
6. Adopt a resolution to approve the Vesting Tentative Subdivision Map for the purpose of developing four mixed use parcels, two commercial parcels, two dedicated park parcels, and six common lots for site access/circulation and utility corridors to serve the development; and
7. Introduce an Ordinance to approve the Development Agreement.

Councilmember Chahal recused himself from this item due to previously voting on this item as a Planning Commissioner and left the dais.

Assistant City Manager Pineda presented a PowerPoint.

Derek K. Hunter Jr. (President, Hunter Storm; Developer) presented a PowerPoint.

Public Speaker(s): Tino Silva	Mark Kelsey
Mike Walke	Todd Waltz
John Elwood	Rob Mayer
Dustin Harber	Adam Thompson
Ian Champeny	Laura Esber
Kevin	Emmy Mooreminister
Casey Hiatt	Jonathan Evans
Amy Peabody Ingram	Marie Mayer
Michal Healy	Janet Stevensen
Dan Ondrasek	Patricia Leung
Isau Amous	Kathleen Romano
Eric McDowell	Noreen Carlson
Matthew McNamara	Suds Jain
Public Speakers (6)	

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to close the Public Hearing.

Aye: 6 - Vice Mayor Mahan, Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, and Mayor Gillmor

Recused: 1 - Councilmember Chahal

A motion was made by Councilmember Watanabe, seconded by Vice Mayor Mahan, to re-open the public hearing and continue the Public Hearing to July 9, 2019.

Aye: 6 - Vice Mayor Mahan, Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, and Mayor Gillmor

Recused: 1 - Councilmember Chahal

Councilmember Chahal returned to the dais.

CONSENT ITEMS PULLED FOR DISCUSSION

- 6.E [19-311](#) Approval of a High Intensity Activated Crosswalk Beacon on Lick Mill Boulevard at East River Parkway and Related Budget Amendment

Recommendation:

1. Approve the installation of a High Intensity Activated Crosswalk Beacon (HAWK) on Lick Mill Boulevard at East River Parkway;
2. Approve the addition of the new CIP Project - High Intensity Activated Crosswalk Beacon on Lick Mill Boulevard at East River Parkway - to the FY 2018/19 CIP Budget; and
3. Approve the related budget amendment transferring \$750,000 from the General Fund- Capital Projects Reserve to the Streets and Highways Fund for the High Intensity Activated Crosswalk Beacon on Lick Mill Boulevard at East River Parkway (533-New Project).

Councilmember Watanabe pulled this item for further clarification.

Vice Mayor Mahan left the meeting.

Director of Public Works Mobeck responded to Council questions.

A motion was made by Councilmember Watanabe, seconded by Councilmember Davis, to approve staff recommendation.

Aye: 6 - Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

Absent: 1 - Vice Mayor Mahan

- 6.O** [19-398](#) Action on the Raymond G. Gamma Dog Park Schematic Design Update with Synthetic Turf, and the Larry J. Marsalli Park Site Plan Update to include the Off Leash Dog Areas and Introduction of an Ordinance Approving the Raymond G. Gamma Dog Park Schematic Design Update in Accordance with City Charter Section 714.1

Recommendation: Alternatives 1 and 2:

1. Introduce an ordinance to approve the Raymond G. Gamma Dog Park Schematic Design Update Option B with Synthetic Turf, and
2. Update the Larry J. Marsalli Park Site Plan to include the Off-Leash Dog Areas.

Mayor Gillmor recused herself from Item 6.O due to her property in proximity of this item and left the dais.

Councilmember Davis presided over the meeting.

Councilmember Watanabe pulled this item for further clarification.

Director of Parks and Recreation Teixeira presented the report and responded to Council questions.

A motion was made by Councilmember Watanabe, seconded by Councilmember Chahal, to (1) introduce Ordinance No. 2001 to approve the Raymond G. Gamma Dog Park Schematic Design Update Option B with Synthetic Turf; and (2) update the Larry J. Marsalli Park Site Plan to include the Off-Leash Dog Areas.

Aye: 5 - Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, and Councilmember Chahal

Absent: 1 - Vice Mayor Mahan

Recused: 1 - Mayor Gillmor

Mayor Gillmor returned to the dais.

PUBLIC HEARING/GENERAL BUSINESS

7. [19-440](#) Public Hearing: Action on a Resolution to Levy an Annual Assessment for the Santa Clara Tourism Improvement District (TID) for Fiscal Year 2019/20

Recommendation: Alternative 1:
Adopt a Resolution to levy an annual assessment for the Santa Clara Tourism Improvement District (TID) for Fiscal Year 2019/20 if there is no legally sufficient protest.

Assistant City Manager Shikada presented a PowerPoint.

Public Speaker(s): Suds Jain

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to close the Public Hearing.

Aye: 6 - Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

Absent: 1 - Vice Mayor Mahan

A motion was made by Councilmember Watanabe, seconded by Councilmember Davis, to adopt Resolution No. 19-8707 to levy an annual assessment for the Santa Clara Tourism Improvement District (TID) for Fiscal Year 2019/20 if there is no legally sufficient protest.

Aye: 6 - Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

Absent: 1 - Vice Mayor Mahan

8. [19-547](#) Update and Action on the Formation of a New Destination Marketing Organization (DMO) entity and Appointment of a Board of Directors

Recommendation: Direct the City Manager to proceed with the formation of the new DMO entity including causing the appointment of the initial Board of Directors as set forth in Table 1.

City Manager Santana presented a PowerPoint.

Public Speaker(s): Owen Murphy
Leo Wandling

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to (1) direct the City Manager to proceed with the formation of the new DMO entity including causing the appointment of the initial Board of Directors as set forth in Table 1, (2) include two additional seats for a total of nine seats and (3) set the first additional seat as a representative from a labor organization and the second additional seat as a representative from a Technology Company.

Aye: Councilmember O'Neill, Councilmember Watanabe, Councilmember 6 - Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

Absent: 1 - Vice Mayor Mahan

9. [19-548](#) Update on Santa Clara Convention Center Transition Activities and Work Efforts

Recommendation: Note and file the May 2019 Information Report on Santa Clara Convention Center transition activities.

Assistant City Manager Shikada presented a PowerPoint.

Public Speaker(s): Suds Jain

A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to note and file the May 2019 Informational Report on Santa Clara Convention Center transition activities.

Aye: 6 - Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

Absent: 1 - Vice Mayor Mahan

10. [19-1387](#) Public Hearing to Approve Non-Exclusive Franchise Agreements for Hauling of Industrial Refuse and Recyclables with 12 Applicants

Recommendation: 1. Adopt a Resolution to Grant Non-Exclusive Franchise Agreements for Hauling of Industrial Refuse and Recyclables; and
3. Approve and authorize the City Manager to execute Non-Exclusive Franchise Agreements for Hauling of Industrial Refuse and Recyclables with 12 applicants.

Deputy Director of Public Works Staub presented a PowerPoint.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to close the Public Hearing.

Aye: 6 - Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

Absent: 1 - Vice Mayor Mahan

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to (1) adopt Resolution No. 19-8708 to Grant Non-Exclusive Franchise Agreements for Hauling of Industrial Refuse and Recyclables; and (2) approve and authorize the City Manager to execute Non-Exclusive Franchise Agreements for Hauling of Industrial Refuse and Recyclables with 12 applicants and (3) direct staff to initiate communication outreach to public.

Aye: 6 - Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

Absent: 1 - Vice Mayor Mahan

11. [19-009](#) Public Hearing: Adoption of a Resolution Setting Rates for Overall Solid Waste Services, Annual Clean-up Campaign, and Household Hazardous Waste in the Exclusive Franchise Area

Recommendation: Alternative 1:
Adopt a Resolution setting the overall rates to be charged to customers for the collection and disposal of garbage, refuse, Clean Green, recycling, annual Clean-up Campaign, and household hazardous waste in the exclusive franchise area, effective for the utility bills issued for services rendered on and after July 1, 2019.

Deputy Director of Public Works Staub presented a PowerPoint.

Public Speaker(s): Suds Jain

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to close the Public Hearing.

Aye: 6 - Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

Absent: 1 - Vice Mayor Mahan

Assistant City Clerk Pimentel noted that there was a total of 11 protests received: nine written protests and two verbal protests under public comment.

A motion was made by Councilmember O'Neill, seconded by Councilmember Chahal, to adopt Resolution No. 19-8709 setting the overall rates to be charged to customers for the collections and disposal of garbage, refuse, Clean Green, recycling, annual Clean-up Campaign, and household hazardous waste in the exclusive franchise area, effective for the utility bills issued for services rendered on and after July 1, 2019.

Aye: 6 - Councilmember O'Neill, Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

Absent: 1 - Vice Mayor Mahan

12. [19-1685](#) Public Hearing: Action on Resolutions Approving Water, Sewer and Recycled Water Rates to be Effective July 1, 2019

Recommendation: Alternative 1:
Adopt Resolutions Establishing Water Rate Schedule 2019-01, Recycled Water Rate Schedule 2019-02, and Sewer Rate Schedule S-19.

Councilmember O'Neill (calling in) left the meeting.

Director of Water and Sewer Welling presented a PowerPoint.

Public Speaker(s): Public Speaker (1)

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to close the Public Hearing.

Aye: 5 - Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

Absent: 2 - Vice Mayor Mahan, and Councilmember O'Neill

A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to (1) adopt Resolution No. 19-8710 establishing Water Rate Schedule 2019-01 and (2) adopt Resolution No. 19-8711 establishing Recycled Water Rate Schedule 2019-02, and Sewer Rate Schedule S-19.

Aye: 5 - Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

Absent: 2 - Vice Mayor Mahan, and Councilmember O'Neill

14. [19-590](#) Action on Councilmember O'Neill's Request Related to the City's Participation in an "Innovation Zone"

Recommendation: Staff makes no recommendation.

Councilmember O'Neill (calling in) left the meeting - call dropped.

A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to continue this item to the next Council meeting.

Aye: 5 - Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

Absent: 2 - Vice Mayor Mahan, and Councilmember O'Neill

15. [19-517](#) Action on a Resolution Establishing the Average Per-Acre Land Values and Parkland In Lieu Fee Schedule for New Residential Development FY2019-20

Recommendation: Alternatives 2 and 4:

2. Adopt a Resolution Establishing the Average Per-Acre Land Values and Parkland In Lieu Fee Schedule for New Residential Development for FY2019-20 In Accordance with Title 17 ("Development") Chapter 35 ("Park and Recreational Land") of the Code of the City of Santa Clara with the exception that the total allowable amount for increases in park improvement values will be phased in over a three year period at 25% per year and the land appraisal will be conducted annually as required per City Code 17.35 and new fees effective July 1 of each year.

4. Conduct a Feasibility of Residential Development Study that will evaluate the effects of total development fee levels on developer's feasibility to provide housing of various types.

This item was continued to a future meeting in August 2019.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Councilmember Hardy reported on her attendance to the Neighborhood-University Relations Committee meeting with **Councilmember Chahal** and **Vice Mayor Mahan**.

Councilmember Davis noted a gift (book) for **Mayor Gillmor** from Read Santa Clara and reported on her attendance at the Annual Read Santa Clara event and Parade of Champions Crabfeed.

Councilmember Watanabe reported on her attendance at the Comprehensive County Expressway Planning Study Policy Advisory Board Meeting.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

None.

[19-255](#) Tentative Meeting Agenda Calendar

[19-698](#) Adjournment of the May 21, 2019 Meeting Post Meeting Material

ADJOURNMENT

The meeting was adjourned at 11:45 PM in **memory** of **Raymond Camacho** (Retired Assistant Director of Electric Utility-Resource Management, Electric Department).

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to adjourn the meeting.

Aye: 5 - Councilmember Watanabe, Councilmember Hardy, Councilmember Davis, Councilmember Chahal, and Mayor Gillmor

Absent: 2 - Vice Mayor Mahan, and Councilmember O'Neill

The next regular scheduled meeting is on Tuesday evening, June 4, 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."