



City of Santa Clara

Meeting Minutes

Council and Authorities Concurrent Meeting

12/17/2019

3:00 PM

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

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.

[19-1447](#)

Conference with Labor Negotiators (Part 2) (CC)
Pursuant to Gov. Code § 54957.6
City representative: Mayor Lisa M. Gillmor
Unrepresented employee: City Manager

[19-1448](#)

Conference with Legal Counsel-Existing Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(1)
Gaffney v. City of Santa Clara, et al., United States District Court, Northern
District of California Case No. 5:18-cv-6500

[19-1451](#)

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)

[19-1449](#)

Conference with Legal Counsel-Anticipated Litigation (CC)
Pursuant to Gov. Code § 54956.9(d)(4) - Initiation of litigation
Number of potential cases: 1
Facts and Circumstances: Consideration of recommendations contained in the TAP International Financial Audit Titled "Contract Close Out Review: Convention and Visitor's Bureau"

Convene to Closed Session (Council Conference Room)

4:30 PM COUNCIL REGULAR MEETING

Call to Order

Mayor/Chairperson Gillmor called the meeting to order at 4:42 PM.

Pledge of Allegiance and Statement of Values

Roll Call

Present: 6 - Councilmember/Boardmember Karen Hardy, Councilmember/Boardmember Teresa O'Neill, Councilmember/Boardmember Debi Davis, Councilmember/Boardmember Kathy Watanabe, Councilmember/Boardmember Raj Chahal, and Mayor/Chairperson Lisa M. Gillmor

Absent: 1 - Vice Mayor/Vice Chair Patricia M. Mahan

Director of Information Technology Garg introduced and welcomed **Raj Singh** and **Thusitha Jayawardana** (new Information Technology Services Managers).

STUDY SESSION

[19-1384](#)

Informational Report on Santa Clara Civic Center Master Plan and Utility Building Project Financial Feasibility and Economic Analysis

Chief Electric Utility Officer Pineda presented a PowerPoint Presentation on the staff report in collaboration with consultants Georgia Sarkin (SmithGroup) and **Bill Lee** (Land Econ Group).

[19-1406](#)

Study Session on the City's Community Room Rental Fee Structure and Use Policies

Recommendation: Review and provide input on the City's Community Room Rental Use Policies and Fee Structure.

Public Speaker(s): Public Speaker (1)

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to continue item to January 14, 2020.

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

Absent: 1 - Vice Mayor Mahan

Council took a recess at 5:43 PM and reconvened at 6:05 PM.

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

City Attorney Doyle reported that on Item 19-1449 Council authorized initiation of litigation against Chamber of Commerce relating to the audit with a vote of those present: 5-Aye, 1-Nay.

CONTINUANCES/EXCEPTIONS

None.

City Manager Santana commented on the record concerning Item 1.H, that prior to the execution and recordation of the Conditions, Covenants and Restrictions (CC&Rs) changes will be made to two definitions: 1) Hotel Ground Lease Definition: That certain Hotel Ground Lease ... The lessor's interest under the lease was conveyed to the Successor Agency to the Redevelopment Agency of the City of Santa Clara, a public entity, by that certain quitclaim deed recorded on December 17, 2015 as Instrument No. 23175557 of Official Records; 2) Office Ground Lease definition: That certain Office Ground Lease ... The lessor's interest under the lease was assigned to City of Santa Clara, a chartered municipal corporation by assignment recorded June 23, 2011, as Instrument No. 21216114 of Official Records, and conveyed by the City of Santa Clara to the Successor Agency to the Redevelopment Agency of the City of Santa Clara, a public entity, by quitclaim deed recorded December 17, 2015, as Instrument No. 23175554 of Official Records. The lessee's interest under the lease has been assigned to Hudson Techmart Commerce Center, LLC, a Delaware limited liability company by assignment recorded April 03, 2015, as Instrument No. 22905017 of Official Records.

CONSENT CALENDAR

A motion was made by Councilmember Davis, seconded by Councilmember Wantanabe, to approve the balance of the Consent Calendar (except Items 1.F, 1.G, 1.I, 1.O, 1.U with Mayor Gillmor abstaining from Item 1.R).

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

Absent: 1 - Vice Mayor Mahan

- 1.A [19-0201](#) Action on Joint Council and Authorities Concurrent & Stadium Authority Meeting Minutes of October 29, 2019

Recommendation: Note and file the Joint Council and Authorities Concurrent & Stadium Authority Meeting Minutes of October 29, 2019.

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

- 1.B [19-041](#) Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Board of Library Trustees Meeting Minutes - October 7, 2019
Board of Library Trustees Special Meeting Minutes - October 15, 2019

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

- 1.C [19-1241](#) Action on Bills and Claims Report (CC, SOSA) for the period November 8th - November 21st

Recommendation: Approve the list of Bills and Claims for November 8, 2019 - November 21, 2019.

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

- 1.D [19-1312](#) Action on Monthly Financial Status and Investment Reports for October 2019 and Approve the Related Budget Amendments

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

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

- 1.E [19-1045](#) Action on Amendment No. 1 to the Agreement with Raimi & Associates, Inc., for preparation of the El Camino Real Specific Plan

Recommendation: Approve and authorize the City Manager to execute Amendment No. 1 to the Agreement for the Performance of Services with Raimi & Associates, Inc., for preparation of the El Camino Precise Plan to extend the term of the Agreement.

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

- 1.H [19-1432](#) Action on Resolutions Approving and Authorizing Execution of Conditions, Covenants and Restrictions on the Convention Center Common Area and Other Documents as Necessary to Implement the Land Purchase of Convention Center Parcels Pursuant to the 2016 Successor Agency Settlement Agreement [APNs: 104-55-012, -013, -016, -017 and 104-43-025] and Approve Related Budget Amendment

- Recommendation:**
1. That the City Council acting as the governing board of the Successor Agency to the Redevelopment Agency of the City of Santa Clara adopt a Resolution approving and authorizing the Executive Officer to execute and record Conditions, Covenants and Restrictions on the Convention Center Common Area and Other Documents as necessary to implement the purchase of Convention Center and Convention Center Common Area parcels;
 2. That the City Council adopt a Resolution approving and authorizing the City Manager to execute a Compensation Agreement and other documents as necessary to implement the 2016 Settlement Agreement for the purchase of the Convention Center Parcel and the Convention Center Common Area; and,
 3. Approve the Related FY 2019/20 Budget Amendment to allocate \$4,108,395 from the General Fund Land Sale Reserve to the Non-Departmental - Land Purchase category.

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

1. That the City Council acting as the governing board of the Successor Agency to the Redevelopment Agency of the City of Santa Clara adopt Resolution No. 19-8786 approving and authorizing the Executive Officer to execute and record Conditions, Covenants and Restrictions (CC&Rs) on the Convention Center Common Area and Other Documents as necessary to implement the purchase of Convention Center and Convention Center Common Area parcels;
2. That the City Council adopt Resolution No. 19-8787 approving and authorizing the City Manager to execute a Compensation Agreement and other documents as necessary to implement the 2016 Settlement Agreement for the purchase of the Convention Center Parcel and the Convention Center Common Area; and,
3. Approve the Related FY 2019/20 Budget Amendment to allocate \$4,108,395 from the General Fund Land Sale Reserve to the Non-Departmental - Land Purchase category; and duly noted that prior to the execution and recordation of the Conditions, Covenants and Restrictions (CC&Rs) changes will be made to two definitions:
 - 1) Hotel Ground Lease Definition: That certain Hotel Ground Lease ...The lessor's interest under the lease was conveyed to the

Successor Agency to the Redevelopment Agency of the City of Santa Clara, a public entity, by that certain quitclaim deed recorded on December 17, 2015 as Instrument No. 23175557 of Official Records; 2) Office Ground Lease definition: That certain Office Ground Lease ...The lessor's interest under the lease was assigned to City of Santa Clara, a chartered municipal corporation by assignment recorded June 23, 2011, as Instrument No. 21216114 of Official Records, and conveyed by the City of Santa Clara to the Successor Agency to the Redevelopment Agency of the City of Santa Clara, a public entity, by quitclaim deed recorded December 17, 2015, as Instrument No. 23175554 of Official Records. The lessee's interest under the lease has been assigned to Hudson Techmart Commerce Center, LLC, a Delaware limited liability company by assignment recorded April 3, 2015, as Instrument No. 22905017 of Official Records.

- 1.J [19-1367](#) Action to Amend Resolution No. 19-8664 to Set the Day of Regular Parks & Recreation Commission Meetings and the Regular Schedule of Meeting Dates for 2020

Recommendation: Approve a Resolution to Amend Resolution No. 19-8664 to Set the Day (Third Tuesday of each month) of the Regular Parks & Recreation Commission Meetings and the Regular Schedule of Meeting Dates for 2020.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to adopt Resolution No. 19-8788 to amend Resolution No. 19-8664 to Set the Day (Third Tuesday of each month) of the Regular Parks & Recreation Commission Meetings and the Regular Schedule of Meeting Dates for 2020.

- 1.K [19-1399](#) Action on a Resolution Approving the 2020 Civil Service Commission Calendar of Meetings, and Setting the Number and Start Time of Regular Meetings of the Civil Service Commission

Recommendation: Adopt a Resolution approving the 2020 Civil Service Commission Calendar of Meetings, and setting the number and start time of regular Civil Service Commission meetings.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to adopt Resolution No. 19-8789 approving the 2020 Civil Service Commission Calendar of Meetings, and setting the number and start time of regular Civil Service Commission meetings.

- 1.L [19-1386](#) Actions to Approve Various Modified Class Specifications, Adopt a Resolution Approving and Adopting Updated Salary Plans for Various Classified, Unclassified, and As-Needed Positions, and Approve the Related Budget Amendment

Recommendation:

1. Approve modifications to various class specifications: Revise the Equipment Operator Class Specification, Revise the Office Specialist II Class Specification, Revise the Permit Technician Class Specification, Revise the Staff Aide I Class Specification, Revise the Tree Trimmer II Class Specification, Revise the Water and Sewer Operations Manager Class Specification, and Revise and retitle the Water and Sewer Superintendent Class Specification;
2. Adopt a Resolution to approve the revised salary plans for various classified, unclassified, and as-needed positions to satisfy the requirements of California Code of Regulations Section 570.5; and
3. Approve the related budget amendment to increase the FY 2019/20 Fire Department General Fund budget by \$688,000 and decrease the General Fund Budget Stabilization Reserve by \$688,000.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to approve staff recommendation: 1. Approve modifications to various class specifications: Revise the Equipment Operator Class Specification, Revise the Office Specialist II Class Specification, Revise the Permit Technician Class Specification, Revise the Staff Aide I Class Specification, Revise the Tree Trimmer II Class Specification, Revise the Water and Sewer Operations Manager Class Specification, and Revise and retitle the Water and Sewer Superintendent Class Specification; 2. Adopt Resolution No. 19-8790 to approve the revised salary plans for various classified, unclassified, and as-needed positions to satisfy the requirements of California Code of Regulations Section 570.5; and 3. Approve the related budget amendment to increase the FY 2019/20 Fire Department General Fund budget by \$688,000 and decrease the General Fund Budget Stabilization Reserve by \$688,000.

- 1.M [19-1252](#) Action on Approval of a Side Letter Agreement Between the City of Santa Clara and International Association of Fire Fighters Local 1171

Recommendation: Approve the Side Letter between the City of Santa Clara and International Association of Fire Fighters Local 1171 (Unit 1) to implement a 48/96 Work Schedule Pilot Program for Fire Suppression employees for a twelve-month period, and ratify the City Manager's execution of same.

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

- 1.N [19-1174](#) Action to Approve a Resolution of Intention to Reimburse for Debt Financing of Capital Improvements at the San José-Santa Clara Regional Wastewater Facility (RWF)

Recommendation: Approve a Resolution of Intention to Reimburse for Debt Financing of Capital Improvements at the San José-Santa Clara Regional Wastewater Facility (RWF).

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to adopt Resolution No. 19-8791 of Intention to Reimburse for Debt Financing of Capital Improvements at the San José-Santa Clara Regional Wastewater Facility (RWF).

- 1.P [19-1365](#) Action on Approval of the 2018-2021 Memorandum of Understanding Between the City of Santa Clara and the Engineers of the City of Santa Clara (Unit 4), and a Resolution to Approve and Adopt the Associated Updated Salary Plan for Classifications represented by the Engineers of the City of Santa Clara

Recommendation:

1. Approve and authorize the City Manager to execute the Memorandum of Understanding between the City of Santa Clara and Engineers of the City of Santa Clara (Unit 4) with effective dates of December 23, 2018 to December 19, 2021; and
2. Adopt a Resolution approving the updated salary plan for all classifications represented by the City of Santa Clara (Unit 4), 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 Engineers of the City of Santa Clara (Unit 4) with effective dates of December 23, 2018 to December 19, 2021; and 2. Adopt Resolution No. 19-8792 approving the updated salary plan for all classifications represented by the City of Santa Clara (Unit 4), effective December 23, 2018.

- 1.Q [19-1307](#) Action on Appointments to City Committees and Area Wide/Outside Agency Committees for the 2020 Calendar Year

Recommendation: Approve the appointments to the City and Area Wide/Outside Agency Committees and the 2020 City Committee meeting dates.

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

- 1.R [19-1371](#) Note and File the replacement of a Downtown Community Task Force (DCTF) Member

Recommendation: Note and file the replacement of one of the student members on the Downtown Community Task Force.

Mayor Gillmor abstained from this item due to her real estate office being downtown.

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

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

Absent: 1 - Vice Mayor Mahan

Abstained: 1 - Mayor Gillmor

- 1.S [19-1389](#) Action to Adopt a Resolution Authorizing the City to Access State and Federal Summary Criminal History Background Information for New Employees and Volunteers Through the California Department of Justice and Federal Bureau of Investigation

Recommendation: Adopt a Resolution Authorizing the City to Access Federal Summary Criminal History Background Information for New Employees and Volunteers Through the California Department of Justice and Federal Bureau of Investigation

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to adopt Resolution No. 19-8793 Authorizing the City to Access Federal Summary Criminal History Background Information for New Employees and Volunteers Through the California Department of Justice and Federal Bureau of Investigation.

- 1.T [19-1356](#) Action on Substation Service Agreement with RagingWire Data Centers, LLP for Oaks Junction Substation and to Approve the Related Budget Amendment

Recommendation:

1. Authorize the City Manager to execute the Substation Service Agreement with RagingWire Data Centers, LLP to allow SVP to design, procure equipment, and construct 60kV facilities to serve Oaks Junction Substation to meet an ultimate capacity of 27 MVA of permanent electric service to 1150 Walsh Avenue;
2. Delegate authority to the City Manager to approve long lead time material procurement agreements and purchase orders;
3. Direct Finance Department to create a new CIP project number for the Oaks Junction Substation Project; and
4. Approve a budget amendment to appropriate \$450,000 into the Oaks Junction Substation Project as a part of the implementation of this Substation Service Agreement to accumulate the Developer Contributions and resulting charges.

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

- 1.V [19-1397](#) Action on Amendment No. 2 to an Agreement with GFI Entertainment, LLC for Citywide Special Events

Recommendation: Authorize the City Manager to execute Amendment No. 2 to the Agreement with GFI Entertainment, LLC in the amount of \$453,870 for sound, lighting, equipment, talent, production and stage management services.

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

- 1.W** [19-1036](#) Adoption of a Resolution Nominating the Establishment of the following Six New ABAG/MTC Priority Development Areas in the City of Santa Clara:
- 1) Tasman East Specific Plan Area;
 - 2) Lawrence Station Area Plan Area;
 - 3) Patrick Henry Drive Specific Plan Area;
 - 4) Freedom Circle Area;
 - 5) Lawrence Station Focus Area Phase II; and
 - 6) Related Santa Clara Project Area.

Recommendation: Adopt a resolution for each of the following new PDAs to nominate their establishment in the City of Santa Clara: 1) Tasman East Specific Plan Area; 2) Patrick Henry Drive Specific Plan Area; 3) Freedom Circle Area; 4) Lawrence Station Plan Area; 5) Lawrence Station Phase II Focus Area; and 6) Related Santa Clara Project Area.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to adopt Resolution No. 19-8794 for each of the following new Priority Development Areas (PDAs) to nominate their establishment in the City of Santa Clara: 1) Tasman East Specific Plan Area; 2) Patrick Henry Drive Specific Plan Area; 3) Freedom Circle Area; 4) Lawrence Station Plan Area; 5) Lawrence Station Phase II Focus Area; and 6) Related Santa Clara Project Area.

- 1.X** [19-1404](#) Action on the Formation of an Ad-Hoc Committee in Response to the June 2019 Santa Clara County Civil Grand Jury Report: "Inquiry into Governance of the Valley Transportation Authority"

Recommendation: Approve the formation of an Ad Hoc Committee to comply with Recommendations 1c, 1d, and 1e of the June 2019 Santa Clara County Civil Grand Jury Report: "Inquiry into Governance of the Valley Transportation Authority" and approve the Mayor's recommendation to appoint Councilmember Debi Davis, Councilmember Karen Hardy, and herself to the Ad Hoc Committee.

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

PUBLIC PRESENTATIONS

Robert Sandoval requested that Council reconsider the action from December 10, 2019 Council and Authorities Concurrent Meeting regarding Waste Processing.

CONSENT ITEMS PULLED FOR DISCUSSION

- 1.F** [19-1363](#) Action on an Amendment with Golder Associates, Inc. for Operation, Maintenance, Monitoring, and Compliance Services for the Closed All Purpose Landfill and Technical and Construction Support for the Related Santa Clara City Place Project

Recommendation: Approve and authorize the City Manager to execute an Amendment with Golder Associates, Inc. for operation, maintenance, monitoring, and compliance services for the closed All Purpose Landfill and technical and construction support for the Related Santa Clara City Place project.

Councilmember Chahal pulled this item for further clarification.

Director of Public Works Mobeck addressed Council questions.

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

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

Absent: 1 - Vice Mayor Mahan

- 1.G** [19-1361](#) Action on Amendment No. 1 to an Agreement for the Performance of Services with Flynn Resource Consultants Inc. to Provide Consulting Services Related to Transmission Analysis Support, California Independent System Operator (CAISO) Issues, Pacific Gas and Electric Company (PG&E) Issues, Congestion Revenue Rights (CRRs) and Litigation Support

Recommendation: Authorize the City Manager to execute Amendment No. 1 to an Agreement for the Performance of Services with Flynn Resource Consultants, Inc. to extend the term until December 31, 2020 and increase the not-to-exceed compensation amount by \$750,000 to \$2,670,000 for consulting services related to Transmission Analysis Support, California Independent System Operator (CAISO) issues, Pacific Gas and Electric Company (PG&E) issues, Congestion Revenue Rights (CRRs) and Litigation Support.

Councilmember Chahal pulled this item for further clarification.

Chief Electric Utility Officer Pineda addressed Council questions.

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

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

Absent: 1 - Vice Mayor Mahan

- 1.I [19-1308](#) Action on Amendment No. 2 to the Agreement with Iteris, Inc. for the Changeable Message Signs Project

Recommendation: 1. Approve and authorize the City Manager to execute Amendment No. 2 to the Agreement with Iteris, Inc. for the Changeable Message Signs Project; and
2. Authorize the City Manager to make minor modifications to the Agreement, including future time extensions, as necessary.

Councilmember Chahal pulled this item for further clarification.

Director of Public Works Mobeck addressed **Council** questions.

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

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

Absent: 1 - Vice Mayor Mahan

- 1.O [19-1248](#) Action on Tentative Parcel Map for the property located at 486 N. Winchester Boulevard and 3051 Stevens Creek Boulevard

Recommendation: Adopt a Resolution to approve the Tentative Parcel Map to subdivide the existing parcel into two parcels for the property located at 486 N. Winchester Boulevard and 3051 Stevens Creek Boulevard.

Mayor Gillmor pulled this item for further clarification.

Community Development Director Crabtree presented a PowerPoint presentation on the staff report.

Zefferino 'Zef' Jimenez (Representative for Applicant, Macy's West Store) was called to speak.

Public Speaker(s): Kirk Vartan

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to adopt Resolution No. 19-8795 to approve the Tentative Parcel Map to subdivide the existing parcel into two parcels for the property located at 486 N. Winchester Boulevard and 3051 Stevens Creek Boulevard.

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

Absent: 1 - Vice Mayor Mahan

- 1.U [19-1393](#) Authorization for City Manager to Negotiate an Amendment with Healthier Kids Foundation for Services through June 30, 2020

Recommendation: Alternatives 2 and 3:

2. Authorize City Manager to Negotiate and execute an Amendment with Healthier Kids Foundation in an amount not to exceed \$35,000 for additional six months of services through June 30, 2020; and
3. Authorize City Manager to explore an agreement with SCUSD to provide an enhanced district program of vision, dental, hearing screenings, healthy family education, and case management services for the new Fiscal Year July 1, 2020 to June 30, 2021 and return to Council with update.

Councilmember Davis pulled this item for further clarification.

Public Speaker(s): Sunny Ochoa
Kathleen King

A motion was made by Councilmember Davis, seconded by Councilmember O'Neill, to approve staff recommendation.

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

Absent: 1 - Vice Mayor Mahan

PUBLIC HEARING/GENERAL BUSINESS

2. [19-1225](#) Public Hearing: Action on Proposed 48 Residential Condominium Project at 3035 El Camino Real

Recommendation: Alternatives 1, 2 and 3:

1. Adopt a resolution to adopt the Mitigated Negative Declaration and the Mitigation Monitoring or Reporting Program for the 3035 El Camino Real Residential Project;
2. Adopt a resolution to approve a rezoning from Thoroughfare Commercial (CT) to Planned Development (PD) to allow development of 48 condominium units, a private street, landscaped open space, surface parking and site improvements; and
3. Adopt a resolution to approve the Tentative Subdivision Map to subdivide the existing parcel into a single lot subdivision with 48 condominium units.

Councilmember Hardy recused herself due to her home being in close proximity to this property (left the dais at 6:38 PM).

Director of Community Development Crabtree presented a PowerPoint presentation on the staff report.

Public Speaker(s): Erik Hayden (Applicant, Hayden Land Company LLC)
Gregory Skylar
Public Speaker (1)

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

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

Absent: 1 - Vice Mayor Mahan

Recused: 1 - Councilmember Hardy

A motion was made by Councilmember Chahal, seconded by Councilmember Davis, to approve: Alternatives 1, 2 and 3: (1) Adopt Resolution No. 19-8796 to adopt the Mitigated Negative Declaration and the Mitigation Monitoring or Reporting Program for the 3035 El Camino Real Residential Project; (2) Adopt Resolution No. 19-8797 to approve a rezoning from Thoroughfare Commercial (CT) to Planned Development (PD) to allow development of 48 condominium units, a private street, landscaped open space, surface parking and site improvements; and (3) Adopt Resolution No. 19-8798 to approve the Tentative Subdivision Map to subdivide the existing parcel into a single lot subdivision with 48 condominium units.

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

Absent: 1 - Vice Mayor Mahan

Abstained: 1 - Councilmember Hardy

STADIUM AUTHORITY ITEMS

Councilmember/Boardmember Hardy returned to the dais at 7:06 PM.

3. [19-1081](#) Action on the Stadium Authority Financial Status Report for the Quarter and Fiscal Year Ending March 31, 2019

Recommendation: Note and file the Santa Clara Stadium Authority Financial Status Report for the Quarter and Fiscal Year Ending March 31, 2019.

Treasurer Lee presented a PowerPoint presentation on the staff report.

Public Speaker(s): Kirk Vartan

A motion was made by Boardmember Davis, seconded by Boardmember O'Neill, to note and file the Santa Clara Stadium Authority Financial Status Report for the Quarter and Fiscal Year Ending March 31, 2019.

Aye: 6 - Boardmember Hardy, Boardmember O'Neill, Boardmember Davis, Boardmember Watanabe, Boardmember Chahal, and Chairperson Gillmor

Absent: 1 - Vice Chair Mahan

4. Item #4 - Intentionally Not Used

5. [19-1440](#) Request from the Stadium Manager for Delegated Authority for the Executive Director to execute contracts for the Redbox Bowl

Executive Director Santana presented a PowerPoint presentation on Item 5.B as there was representation from ManCo to present on their requested item 5.A.

Boardmember comments and questions followed.

Public Speaker(s): Public Speaker (2)

5.A Action on Delegation of Authority to the Santa Clara Stadium Authority Executive Director to execute contracts from December 17, 2019 to December 30, 2019 as necessary to implement the Redbox Bowl to be held at Levi's Stadium on December 30, 2019

5.B Note and File Executive Director's Report on the Stadium Manager's Request to Seek Delegated Authority for the "Santa Clara Stadium Authority Executive Director to execute contracts from December 17, 2019 to December 30, 2019 as necessary to implement the Redbox Bowl to be held at Levi's Stadium on December 30, 2019"

A motion was made by Boardmember Davis, seconded by Boardmember Watanabe, to authorize the Executive Director to execute contracts if ManCo provides proper proof of procurement and free of Conflict of Interest.

Aye: 6 - Boardmember Hardy, Boardmember O'Neill, Boardmember Davis, Boardmember Watanabe, Boardmember Chahal, and Chairperson Gillmor

Absent: 1 - Vice Chair Mahan

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Councilmember O'Neill reported on her attendance at an Islamic Circle of North America (ICNA) event.

Councilmember Hardy reported on her attendance at the Apple Open House event and requested clarification concerning the reconsideration process.

Councilmember Watanabe reported on her attendance alongside **Mayor Gillmor**, **Councilmember O'Neill** and **Councilmember Chahal** at the December 16, 2019 Calabazas Community Apartment ground breaking event.

Councilmember Chahal reported on:

- His attendance at the December 16, 2019 Calabazas Community Apartment ground breaking event.
- His attendance at the Apple Open House event.
- He shared that Valley Transportation Authority (VTA) is offering free rides from December 28 through December 31, 2019.

City Attorney Doyle addressed **Councilmember Hardy** to clarify her reconsideration concerns.

[19-1480](#)

Discussion of City of Santa Clara Council Meeting December 10, 2019 - Agenda Item #4 Post Meeting Material

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

City Manager Santana announced that the City calendar and the Inside Santa Clara issue will be distributed soon.

[19-1317](#)

Update on City Council and Stadium Authority Staff Referrals

[19-1427](#)

Tentative Meeting Agenda Calendar (TMAC)

ADJOURNMENT

A motion was made by Councilmember/Boardmember Chahal, seconded by Councilmember/Boardmember Hardy, to excuse Vice Mayor/Vice Chair Mahan.

Aye: 5 - Councilmember/Boardmember Hardy, Councilmember/Boardmember O'Neill, Councilmember/Boardmember Davis, Councilmember/Boardmember Chahal, and Mayor/Chairperson Gillmor

Nay: 1 - Councilmember/Boardmember Watanabe

Absent: 1 - Vice Mayor/Vice Chair Mahan

The meeting was adjourned at 9:10 PM in memory of **Hermelinda Romero Carbajal** (Santa Clara Valley Resident, Mother of Frank Carbajal long-term City of Santa Clara resident).

A motion was made by Councilmember/Boardmember O'Neill, seconded by Councilmember/Boardmember Hardy, to adjourn the meeting.

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

Excused: 1 - Vice Mayor/Vice Chair Mahan

[19-1482](#)

Adjournment of the December 17, 2019 City Council Meeting Post Meeting Material

The next regular scheduled meeting is on Tuesday evening, January 14, 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>> 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."