



City of Santa Clara

Meeting Minutes

Council and Authorities Concurrent Meeting

06/25/2019

5:30 PM

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

Revisions: Item 2.P - Removed Attachment

Item 6 - Replaced Attachment 9 with final version

5:30 PM CLOSED SESSION

Call to Order in the Council Chambers

Assistant City Clerk Pimentel announced at 5:30 PM that the Closed Session was canceled and that the Regular Meeting will begin at 6:00 PM.

Confirmation of a Quorum

Confirmation of a Quorum not taken due to cancellation of Closed Session.

Public Comment

None.

19-801

Conference with Legal Counsel-Existing Litigation (CC, SA)
Pursuant to Gov't Code § 54956.9(d)(1)
Nevarez v. City of Santa Clara, et al., United States District Court, Northern District of California Case No. 5:16-CV-07013 HRL

19-802

Conference with Legal Counsel-Existing Litigation (CC, SA)
Pursuant to Gov. Code § 54956.9(d)(1)
Maranon v. City of Santa Clara, et al., United States District Court, Northern District of California Case No. 5:15-CV-04709 BLF

Convene to Closed Session (Council Conference Room)

6:00 PM COUNCIL REGULAR MEETING

Call to Order

Mayor Gillmor called the Regular Meeting to order at 6:04 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

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

No reports of action due to cancellation of Closed Session.

CONTINUANCES/EXCEPTIONS

19-798 Defer the Public Hearing: Action on the Adoption of Phase I of the Fiscal Year 2019/20 Municipal Fee Schedule to July 16, 2019.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to defer the Public Hearing: Action on the Adoption of Phase I of the Fiscal Year 2019/20 Municipal Fee Schedule to July 16, 2019.

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

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to pull Item 2.KK and Item 2.LL from the Consent Calendar to be heard at after 7:00 PM.

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

SPECIAL ORDER OF BUSINESS

1.B 19-654 Presentation of Cultural Commission Work Plan Updates and Upcoming Events in June & July 2019

Cultural Commission Vice Chair Samara presented a PowerPoint.

CONSENT CALENDAR

A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to approve the balance of the Consent Calendar (except Item 2.H, Item 2.K, Item 2.KK, and Item 2.LL).

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

2.A 19-726 Action on Council and Authorities Concurrent Meeting Minutes

Recommendation: Approve the Council and Authorities Meeting Minutes of May 7 and May 21, 2019.

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

2.B 19-029 Board, Commissions and Committee Minutes

Recommendation: Note and file the Minutes of:
Board of Library Trustees Meeting Minutes - April 1, 2019
Bicycle and Pedestrian Advisory Committee Meeting Minutes - March 26, 2018
Bicycle and Pedestrian Advisory Committee Meeting Minutes - June 25, 2018
Bicycle and Pedestrian Advisory Committee Meeting Minutes - August 27, 2018
Bicycle and Pedestrian Advisory Committee Meeting Minutes - October 22, 2018
Bicycle and Pedestrian Advisory Committee Meeting Minutes - December 21, 2018
Bicycle and Pedestrian Advisory Committee Meeting Minutes - January 28, 2019
Cultural Commission - May 6, 2019
Planning Commission Meeting Minutes - May 22, 2019

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

- 2.C 19-595 Action on Bills and Claims Report (CC) for the period May 10th - May 30th

Recommendation: Approve the list of Bills and Claims for May 10, 2019 - May 30, 2019.

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

- 2.D 19-598 Action on Monthly Financial Status and Investment Reports for April 2019 and Approve the Related Budget Amendments

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

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

- 2.E 19-652 Action to Approve Modified Job Specifications for Six Classified Positions as recommended by the Civil Service Commission on May 13, 2019

Recommendation: Approve modified job specifications for Deputy Fire Marshal I, Deputy Fire Marshal II, Deputy Fire Marshal II, Tree Trimmer II, Senior Permit Technician, and Public Works Inspector.

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

- 2.F 19-723 Action on the New Job Specifications for Performance Auditor I/II, Senior Performance Auditor, and Audit Manager, and Set Salary Ranges for Each

Recommendation: Approve the new job descriptions for Performance Auditor I (with an annual salary range of (\$89,760 - \$116,170), Performance Auditor II (with an annual salary range of (\$107,712 - \$139,404), Senior Performance Auditor (\$126,144 - \$163,236), and Audit Manager (\$148,716 - \$192,456).

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

- 2.G 19-1144 Note and File the Healthier Kids Foundation FY2018-19 Third Quarter Report

Recommendation: Note and file the Healthier Kids Foundation FY2018-19 Third Quarter Report.

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

- 2.I 19-399 Action on Amendment No. 2 to the Amended and Restated Agreement with Environmental Risk Services for Consulting Services Related to the CityPlace Santa Clara Development Project

Recommendation: Approve and authorize the City Manager to execute Amendment No. 2 to the Amended and Restated Agreement with Environmental Risk Services to increase compensation by \$300,000 for a revised not to exceed compensation amount of \$650,000 for Consulting Services Related to the CityPlace Santa Clara Development Project.

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

- 2.J 19-502 Action on the Award of Purchase Order to E.J. Pires Trucking, Inc. for On-Call Trucking and Hauling Services

Recommendation:

1. Authorize the City Manager to execute a Purchase Order with E.J. Pires Trucking, Inc. for an initial term ending on June 30, 2020, for an amount not to exceed \$115,000, and
2. Authorize the City Manager to exercise up to nine one-year options to renew the Purchase Order through June 30, 2029 with compensation increases subject to the City Manager's approval.

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

- 2.L 19-456 Approval of Agreements with 18 Recreational Instruction Providers for Programs and Services through City's Parks & Recreation Department for Five-Year Terms

Recommendation:

1. Authorize the City Manager to execute Agreements with the 18 contractors listed in Table 1, and in the respective amounts listed to provide Recreation Programs and Services for five-year terms ending June 30, 2024, for a maximum aggregate compensation not to exceed \$4,536,000, subject to budget appropriations;
2. Authorize the City Manager to execute individual amendments with the contractors listed to increase or decrease the maximum compensation for each agreement depending on resident demand and actual registration. Increases to agreement compensation shall be limited to fifteen percent (15%) above the agreement maximum compensation, and subject to budget appropriations; and
3. Authorize the City Manager to execute up to five (5), one-year options to extend the term of the Agreements after the initial five-year term through June 30, 2029, subject to budget appropriations.

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

- 2.M 19-302 Action on the Montague Park and Playground Schematic Design Update and Introduction of an Ordinance Approving the Montague Park Schematic Design Update and Playground Schematic Design Option 2 in Accordance with City Charter Section 714.1

Recommendation: Introduce an Ordinance to approve the Montague Park Schematic Design Update and Playground Schematic Design Option 2 for the Montague Park Rehabilitation Project.

A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to introduce Ordinance No. 2002 to approve the Montague Park Schematic Design Option 2 for the Montague Park Rehabilitation Project.

- 2.N 19-499 Action on Approval of an Agreement with Peninsula Gymnastics Training Center for Recreation Programs and Services

Recommendation:

1. Authorize the City Manager to execute an Agreement with Peninsula Gymnastics Training Center to provide Gymnastics Programs and Services for a five-year term ending June 30, 2024, for a maximum compensation not to exceed \$2,250,000 for the five-year term, subject to budget appropriations; and
2. Authorize the City Manager to make minor modifications and execute amendments to increase or decrease the maximum compensation for the agreement, depending on the number of enrollments. Increases to agreement compensation shall be limited to fifteen percent (15%) of the agreement's maximum compensation, and subject to budget appropriations; and
3. Authorize the City Manager to execute five, one-year options to extend the term of the Agreement after the five-year term through June 30, 2029, subject to the budget appropriations.

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

- 2.O 19-426 Action on Legislative Advocacy Positions and Quarterly Legislative Update

Recommendation: Adopt the Public Safety Legislative Advocacy Position and the amended Environmental Regulatory and Conservation Issues and Regional and State-Wide Water Supply and Conservation Legislative Advocacy Positions.

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

- 2.P** 19-225 Action on an Agreement with Emerson Process Management Power & Water Solutions, Inc. for the Donald Von Raesfeld Power Plant Control System Upgrade Project

Recommendation: 1. Authorize the City Manager to negotiate and execute an agreement for the Donald Von Raesfeld Power Plant Control System Upgrade Project with Emerson Process Management Power & Water Solutions, Inc., subject to final review by the City Attorney, for a term starting on or about July 1, 2019 and ending on or about June 30, 2025 for total maximum amount not-to-exceed \$2,704,552; and
2. Authorize the City Manager to execute amendments not-to-exceed \$500,000 for contingencies related to implementation and system requirements, subject to the appropriation of funds.

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

- 2.Q** 19-265 Action on the California Energy Commission Electric Vehicle Ready Communities Blueprint

Recommendation: Approve the Electric Vehicle Ready Communities Blueprint for submittal to the California Energy Commission.

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

- 2.R** 19-059 Action on Award of Grazing Lease with Five Dot Land & Cattle Company for the Benicia Ranch Property

Recommendation: 1. Approve and authorize the City Manager to execute a Grazing Lease with Five Dot Land & Cattle Company providing grazing cattle at the Benicia Ranch Property, for an initial five-year term ending June 30, 2024 and,
2. Approve and authorize the City Manager to execute five one-year options to extend the term of the Grazing Lease after the initial term, with the final term ending on June 30, 2029 assuming all options are exercised.

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

- 2.S** 19-386 Action on Call No. 19-1 Agreement for Professional Services with Essense Partners, Inc. to Provide Electric Utility Advertising, Marketing, Printing and Communication Services for Silicon Valley Power

Recommendation: Approve and authorize the City Manager to execute Call No. 19-1 Agreement for Professional Services with Essense Partners Inc. for Professional Services to Support Marketing, Outreach, Printing and Public Relation Services for Silicon Valley Power.

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

- 2.T 19-387 Action on Amendment No. 6 to Contract 89-SAO-50003 with Western Area Power Administration (WAPA, a non-profit agency of the United States Department of Energy) to Provide Additional Inspections on the City's Grizzly Powerhouse 115 kV Transmission Line

Recommendation: Approve Amendment No. 6 to Contract 89-SAO-50003 with Western Area Power Administration to provide additional inspections on transmission lines to generation facilities.

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

- 2.U 19-448 Action on Award of Contract for the Police Building Chiller Replacement Project and Related Budget Amendment

Recommendation:

1. Award the Public Works Contract for the Police Building Chiller Replacement Project (CE 18-19-03) to the lowest responsive and responsible bidder, Environmental Systems, Inc., in the amount of \$417,000 and authorize the City Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project; and
2. Authorize the City Manager to execute change orders up to approximately 15 percent of original contract price, or \$62,550, for a total not-to-exceed amount of \$479,550, and
3. Approve the FY 2018/19 and FY 2019/20 related budget amendments to accelerate \$260,000 funding from for the HVAC Chiller Unit project and appropriate an additional \$77,550 from the General Fund Capital Projects Reserve for a total of \$337,550 into the Public Buildings Capital Fund for the project.

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

- 2.V 19-724 Action on Amendment No.1 with Healthier Kids Foundation to increase Agreement amount by \$35,000 for additional services through December 31, 2019

Recommendation: Approve Amendment No. 1 with the Healthier Kids Foundation in the amount of \$35,000 for additional services through December 31, 2019.

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

- 2.W** 19-481 Action on Amendment No. 5 to the Agreement with Metropolitan Planning Group for the Performance of Code Enforcement Services

Recommendation: Approve and authorize the City Manager to execute Amendment No. 5 to the Agreement for the Performance of Services with Metropolitan Planning Group for Code Enforcement Services with an increase of \$87,500 for a total contract cost not to exceed \$1,373,100.

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

- 2.X** 19-546 Action on Amendment No. 2 to Master Agreement with Questica, Inc. for Budget and Financial Planning System

Recommendation: Authorize the City Manager to execute Amendment No. 2 to the Master Agreement with Questica, Inc. to extend the term of the agreement through August 25, 2024 and increase compensation by \$356,038 for a total maximum amount not-to-exceed \$877,038 for Budget and Financial Planning System.

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

- 2.Y** 19-555 Action on Resolution Ordering the Vacation of a Portion of a Public Utility Easement at 500 El Camino Real

Recommendation:

1. Adopt a Resolution ordering the vacation of a Portion of a Public Utility Easement at 500 El Camino Real [APN 230-10-003 (2018-19); SC 19,124]; and
2. Authorize the recordation of the Resolution after the City receives the final consent letter from PG&E, agreeing to the vacation.

A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to (1) adopt Resolution No. 19-8718 ordering the vacation of a Portion of a Public Utility Easement at 500 El Camino Real [APN 230-10-003 (2018-19); SC 19,124]; and (2) authorize the recordation of the Resolution after the City receives the final consent letter from PG&E, agreeing to the vacation.

- 2.Z** 19-262 Action on an Agreement for Professional Services with Hyas Group, LLC to provide consulting services related to the Deferred Compensation Plan

Recommendation:

1. Approve and authorize the City Manager to execute the Agreement for Professional Services with Hyas Group, LLC to provide consulting services related to the Deferred Compensation Plan in the amount not-to-exceed \$202,000; and
2. Authorize the City Manager to make minor, non-substantive modifications to the Agreement, if needed.

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

- 2.AA 19-568 Action on Call No. 19-1 Agreement for Professional Services with Energy & Resource Solutions, Inc. to Provide Business Energy Efficiency Program Management Services

Recommendation: Approve and authorize the City Manager to execute Call No. 19-1 Agreement for Professional Services with Energy & Resource Solutions, Inc. to provide Business Energy Efficiency Program Management Services for a not to exceed amount of \$1,604,589.

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

- 2.BB 19-727 Action on a Resolution for the Use of City Water Forces at 5302 Betsy Ross Drive and 3096 Mauricia Avenue

Recommendation: Adopt a Resolution approving the use of City Water forces for the service upgrades at 5302 Betsy Ross Drive and 3096 Mauricia Avenue.

A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to adopt Resolution No. 19-8719 approving the use of City Water forces for the service upgrades at 5302 Betsy Ross Drive and 3096 Mauricia Avenue.

- 2.CC 19-570 Action on Amendment No. 1 to the Agreement with Global Edge HBS, Inc., (doing business as eRecordsUSA) for document scanning services

Recommendation: Approve and authorize the City Manager to execute Amendment No. 1 to the Agreement with Global Edge HBS, Inc. (doing business as eRecordsUSA) for document scanning services with an increase of \$140,000 for a total contract cost not to exceed \$210,000.

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

- 2.DD 19-605 Action on an Amendment No. 3 to Agreement with Avasant, LLC for Management Consulting for IT Services to extend the term of the agreement by 12 months with no additional contract funding required

Recommendation: Approve Amendment No.3 to the Agreement with Avasant, LLC for Outsourcing Advisory Services, by extending the term by 12 months, from July 1, 2019 through June 30, 2020 for outsourcing advisory services with no additional funding required.

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

- 2.EE** 19-641 Action on Authorizing the City Manager to Enter into Agreements with Magical Bridge Foundation and Groundswell Landscape Architects for the Design of a Magical Bridge All-Inclusive Playground and Licensing, Community Outreach, and Fundraising
- Recommendation:** Authorize the City Manager to enter into an Agreement with Magical Bridge in the amount of \$500,000 and an Agreement with Groundswell Landscape Architects in the amount of \$479,500 for the Design of a Magical Bridge All-Inclusive Playground and Fundraising, and to make minor, non-substantive modifications to the Agreements, if needed.
- A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to approve staff recommendation.**
- 2.FF** 19-644 Action on Amendment No. 1 to the Agreement for Services with Housing Trust Silicon Valley for the City's Below Market Purchase Program
- Recommendation:** Approve and authorize the City Manager to execute Amendment No. 1 to the Agreement for the Performance of Services with Housing Trust Silicon Valley in an amount not to exceed \$200,000, and all related documents for the provision of administrative services for the Below Market Purchase Program effective July 1, 2019.
- A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to approve staff recommendation.**
- 2.GG** 19-645 Action on the Second Amendment to the Revenue Agreement with the County of Santa Clara for the Santa Clara Intensive Case Management and Homeless Prevention program to extend the Agreement by 1 year and \$175,000
- Recommendation:** Approve and authorize the City Manager to execute a Second Amendment to the Revenue Agreement with the County of Santa Clara for the Santa Clara Intensive Case Management and Homeless Prevention program to extend the Agreement by 1 year and \$175,000.
- A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to approve staff recommendation.**

- 2.HH 19-646 Action on Grant Agreements with Abode Services and Bill Wilson Center to administer the City's Tenant-Based Rental Assistance Program

Recommendation: 1. Approve and authorize the City Manager to execute a Public Service Grant Agreement with Abode Services for an amount not to exceed \$850,000 to administer the City's Tenant-Based Rental Assistance Program, and all related documents for the provision of administrative services for the TBRA Program effective July 1, 2019 through June 30, 2020, with an option to extend the terms of this agreement for a second year.

2. Approve and authorize the City Manager to execute the Public Service Grant Agreements with Bill Wilson Center for an amount not to exceed \$490,000 to administer the City's Tenant-Based Rental Assistance Program, and all related documents for the provision of administrative services for the TBRA Program effective July 1, 2019 through June 30, 2020, with an option to extend the terms of this agreement for a second year.

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

- 2.II 19-755 Action on Approval of (1) the 2018-2021 Memorandum of Understanding Between the City of Santa Clara and the Unclassified Police Management Association Unit 9A, and (2) a Resolution to Approve and Adopt the Associated Salary Schedule and Unclassified/Elected Salary Plan

Recommendation: 1. Approve and authorize the City Manager to execute the Memorandum of Understanding between the City of Santa Clara and Unclassified Police Management Association Unit 9A 2018-2021, with effective dates of December 23, 2018 to December 25, 2021.

2. Adopt a Resolution to approve and adopt the Salary Schedule for Unclassified Police Management Association Unit 9A, effective December 23, 2018, and the updated Unclassified/Elected Salary Plan with an approved date of June 25, 2019.

A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to (1) approve and authorize the City Manager to execute the Memorandum of Understanding between the City of Santa Clara and Unclassified Police Management Association Unit 9A 2018-2021, with effective dates of December 23, 2018 to December 25, 2021; and (2) adopt Resolution No. 19-8720 to approve and adopt the Salary Schedule for Unclassified Police Management Association Unit 9A, effective December 23, 2018, and the updated Unclassified/Elected Salary Plan with an approved date of June 25, 2019.

- 2.JJ 19-1616 Action on Authorization for City Manager to Negotiate and Execute an Exclusive Agreement with City of Sunnyvale to Provide Golf Programs and Services

Recommendation: Authorize the City Manager to negotiate and execute a five-year contract, subject to final approval by the City Attorney, exclusively with the City of Sunnyvale and authorize the City Manager to execute up to five one-year extensions of the term of the Agreement, and make appropriate modifications as necessary.

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

- 2.MM 19-648 Action on Trust and Plan Adoption Documents with Gallagher Benefit Services, Inc. to Facilitate Administration of the HealthInvest Health Reimbursement Arrangement in Support of the City's Voluntary Employee Beneficiary Association

Recommendation: Authorize the City Manager to execute the Trust and Plan Adoption documents.

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

PUBLIC PRESENTATIONS

Public Speaker requested Council to consider reinstating a Cross at Memorial Cross Park at De La Cruz Boulevard. By Council consensus, referred to staff for review.

CONSENT ITEMS PULLED FOR DISCUSSION

- 2.K 19-452 Action on Amendment No. 2 to an Agreement for Services with SCI Consulting Group for the Development of a Commercial Cannabis Regulatory Program

Recommendation: Approve and authorize the City Manager to execute Amendment No. 2 to the Agreement with SCI Consulting Group for the Development of a Commercial Cannabis Regulatory Program extending the term to June 30, 2020.

Councilmember Hardy pulled Item 2.K for further clarification.

Assistant City Manager Shikada answered Council questions.

A motion was made by Councilmember Hardy, seconded by Councilmember Davis, to approve and authorize the City Manager to execute Amendment No. 2 to the Agreement with SCI Consulting Group for the Development of a Commercial Cannabis Regulatory Program extending the term to June 30, 2020.

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

- 2.H 19-211 Action on the 2019 Evaluation Report of the Local Hazard Mitigation Plan

Recommendation: Note and File the 2019 Evaluation Report of the Local Hazard Mitigation Plan.

Councilmember Davis pulled Item 2.H for further clarification.

Emergency Services Coordinator Schoenthal addressed Council questions.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to note and file the 2019 Evaluation Report of the Local Hazard Mitigation Plan.

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

4. 19-160 Action on Approval and Adoption of the City of Santa Clara Electric Department, dba Silicon Valley Power (SVP), Wildfire Mitigation Plan

Recommendation: Alternative 1: Approve and adopt the 2019 Silicon Valley Power Wildfire Mitigation Plan.

Electric Utility Chief Operating Officer Kolnowski presented a PowerPoint.

A motion was made by Councilmember Davis, seconded by Councilmember Watanabe, to approve and adopt the 2019 Silicon Valley Power Wildfire Mitigation Plan.

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

Due to the remaining agenda items that were legally noticed for 7:00 PM, **Council** took at recess at 6:40 PM and reconvened at 7:02 PM.

- 1.A 19-542 Presentation of 2019 City of Santa Clara/Silicon Valley Power Scholarships

Chief Electric Utility Officer Pineda presented the 2019 City of Santa Clara/Silicon Valley Power Scholarships to three applicants.

- 1.C 19-466 Recognition of the Santa Clara Women's League donation of \$15,000 to support the Senior Center Health & Wellness Case Management Program and the "Be Strong, Live Long" Health & Wellness Fair

Santa Clara Women's League President Marti Ragone presented a \$15,000 check to the City of Santa Clara in support of the Senior Center Health & Wellness Case Management Program and the "Be Strong, Live Long" Health & Wellness Fair.

Public Speaker(s): Public Speakers (2)

- 2.KK** 19-469 Action on a Resolution Considering the Information in the Altamont Pass Wind Resource Area Program Environmental Impact Review and on the CEQA Checklist Prepared for the Rooney Ranch Wind Repowering Project

Recommendation: 1. Adopt a resolution considering the information in the Altamont Pass Wind Resource Area Program Environmental Impact Report (SCH #2010082063) and the CEQA Checklist prepared for the Rooney Ranch LLC Wind Repowering Project, making CEQA Findings, and adopting a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program ; and
2. Approve the Notice to Proceed for the Rooney Ranch LLC project.

A motion was made by Councilmember Davis, seconded by Vice Mayor Mahan, to (1) adopt Resolution No. 19-8721 considering the information in the Altamont Pass Wind Resource Area Program Environmental Impact Report (SCH #2010082063) and the CEQA Checklist prepared for the Rooney Ranch LLC Wind Repowering Project, making CEQA Findings, and adopting a State of Overriding Considerations and Mitigation Monitoring and Reporting Program; and (2) approve the Notice to Proceed for the Rooney Ranch LLC Project.

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

- 2.LL** 19-580 Action on Vesting Tentative Subdivision Map for 2780 El Camino Real

Recommendation: Adopt a resolution to approve the Vesting Tentative Subdivision Map to subdivide the existing parcel into seven condominium lots and 13 common lots at the property located at 2780 El Camino Real.

A motion was made by Councilmember Davis, seconded by Vice Mayor Mahan, to adopt Resolution No. 19-8722 to approve the Vesting Tentative Subdivision Map to subdivide the existing parcel into seven condominium lots and 13 common lots at the property located at 2780 El Camino Real.

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

PUBLIC HEARING/GENERAL BUSINESS

3. ADOPTION OF ACTIONS RELATED TO THE PROPOSED BUDGET

Assistant Director of Finance Lee presented a PowerPoint.

Public Speaker(s): Public Speaker(1)

- A. 19-1610 Public Hearing: Action on the Adoption of the Proposed Biennial Operating Budget, Budget and Fiscal Policies, and Changes to the Capital Improvement Program (Not to be Heard prior to 7:00 PM)

Recommendation: That the City Council, and City Council acting as the Governing Boards of the Sports and Open Space Authority, Housing Authority, and Public Facilities Financing Corporation take the following actions:

1. Approve the City of Santa Clara FY 2019/20 and FY 2020/21 Biennial Operating Budget of \$1,054,486,746 including the Appropriation Schedule and Transfer Schedule detailed in Attachment 2;
2. Approve the FY 2019/20 Capital Improvement Program Budget Adjustments including the estimated carryover of CIP projects of \$209,851,239 detailed in Attachment 3;
3. Approve the Budget and Fiscal Policies included in the FY 2019/20 and FY 2020/21 Biennial Operating Budget and detailed in Attachment 4;
4. Approve the Housing Authority FY 2019/20 Budget of \$494,298 and FY 2020/21 Budget of \$489,678 as detailed in the City's Operating Budget;
5. Approve the Convention Center FY 2019/20 Budget of \$18,254,306 as detailed in Attachment 5; and,
6. Approve the Sports and Open Space Authority FY 2019/20 Budget of \$904,502 as detailed in Attachment 6.

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

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

A motion was made by Vice Mayor Mahan, seconded by Councilmember Hardy, that the City Council, and City Council acting as the Governing Boards of the Sports and Open Space Authority, Housing Authority, and Public Facilities Financing Corporation take the following actions:

1. Approve the City of Santa Clara FY 2019/20 and FY 2020/21 Biennial Operating Budget of \$1,054,486,746 including the Appropriation Schedule and Transfer Schedule detailed in Attachment 2;
2. Approve the FY 2019/20 Capital Improvement Program Budget Adjustments including the estimated carryover of CIP projects of \$209,851,239 detailed in Attachment 3;
3. Approve the Budget and Fiscal Policies included in the FY 2019/20 and FY 2020/21 Biennial Operating Budget as detailed in Attachment 4;
4. Approve the Housing Authority FY 2019/20 Budget of \$494,298 and FY 2020/21 Budget of \$489,678 as detailed in the City's Operating Budget;
5. Approve the Convention Center FY 2019/20 Budget of \$18,254,306 as detailed in Attachment 5; and,
6. Approve the Sports and Open Space Authority FY 2019/20 Budget of \$904,502 as detailed in Attachment 6.

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

B. 19-593 Action on a Resolution Establishing the Fiscal Year 2019/20 Appropriations Limit

Recommendation: Adopt a Resolution establishing the City's FY 2019/20 appropriations limit of \$478,945,316.

A motion was made by Vice Mayor Mahan, seconded by Councilmember Hardy, to adopt Resolution No. 19-8723 establishing the City's FY 2019/20 appropriations limit of \$478,945,316.

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

5. 19-565 Action on the Sale of City Property consisting of Portions of Fremont Street and Sherman Street at 575 Benton Street and a Resolution Ordering the Vacation of Said Public Right-of-Way with the Reservation of a Public Utility Easement (Not to be Heard prior to 7:00 PM)

Recommendation: Alternatives 1,2,3 and 4:

1. Approve the sale of the public portions of Fremont Street and Sherman Street as described in the proposed Resolution (Attachment 5);
2. Authorize the City Manager to negotiate and execute any and all documents necessary to complete the transaction with the successful bidder;
3. Adopt the proposed Resolution ordering the vacation of portions of Fremont Street and Sherman Street with reservation of a Public Utility Easement at 575 Benton Street and surrounding properties [Vicinity of APN 230-07-053, -002, -010, -013, -029, -034, -038, -046, and -060 (2018-19); SC 18,820] (Attachment 5); and
4. Authorize the recordation thereof.

Director of Public Works Mobeck presented a PowerPoint.

Assistant City Clerk Pimentel gave a verbal report on the process of the Sale. **Assistant City Clerk Pimentel** declared the bidding process opened. With no new bidders, **Assistant City Clerk Pimentel** declared the bidding process closed.

A motion was made by Councilmember Davis, seconded by Councilmember Hardy, to (1) approve the sale of the public portions of Fremont Street and Sherman Street as described in the proposed Resolution (attachment 5); (2) authorize the City Manager to negotiate and execute any and all documents necessary to complete the transaction with the successful bidder; (3) adopt Resolution No. 19-8724 ordering the vacation of portions of Fremont Street and Sherman Street at 575 Benton Street with reservation of a Public Utility Easement at 575 Benton Street and surrounding properties [Vicinity of APN 230-07-053, -002, -010, -013, -029, -034, -038, -046, and -060 (2018-19); SC 18,820] (attachment 5); and (4) authorize the recordation thereof.

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

6. 19-676 Public Hearing: Action on Catalina II Residential Development Project located at 1433-1493 El Camino Real (Not to be Heard prior to 7:00 PM)

Recommendation: Alternatives 1, 2, and 3:

1. Adopt a resolution to approve the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Catalina II Residential Development Project.
2. Adopt a resolution to approve a rezoning from Thoroughfare Commercial (CT) and General Office (OG) to Planned Development (PD) to allow development of 39 condominium townhome units, private street, landscaped open space, surface parking and site improvements.
3. Adopt a resolution to approve the Vesting Tentative Subdivision Map to create five condominium lots with 39 condominium units and four common interest lots to serve the development.

Director of Community Development Crabtree presented a PowerPoint.

The Applicant (SCS Development) presented a PowerPoint.

Public Speaker(s): Public Speakers (4)

The Applicant (SCS Development) addressed Council and public questions.

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

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

A motion was made by Councilmember Davis, seconded by Vice Mayor Mahan, to (1) adopt Resolution No. 19-8725 to approve the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Catalina II Residential Development Project; (2) adopt Resolution No. 19-8726 to approve a rezoning from Thoroughfare Commercial (CT) and General Office (OG) to Planned Development (PD) to allow development of 39 condominium townhome units, private street, landscaped open space, surface parking and site improvements; (3) adopt Resolution No. 19-8727 to approve the Vesting Tentative Subdivision Map to create five condominium lots with 39 condominium units and four common interest lots to serve the development; and to remove the action of the archeological survey.

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

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

Councilmember Hardy reported on her attendance at the Bicycle and Pedestrian Advisory Committee (BPAC) meeting and noted future Council items being recommended from the BPAC.

Vice Mayor Mahan asked a question related to Charter Review Committee and whether applicants must indicate that they are not running for future Council seats. **Assistant City Manager Nader** noted that it is not included in the eligibility requirements.

Councilmember O'Neill reported on her attendance at the American Public Power Association Conference in Austin, Texas.

Mayor Gillmor reported on State of City Address Events, City Governance, and expressed gratitude for employee achievements. **Mayor Gillmor** also noted Chief of Police Sellers retirement news.

Chief of Police Sellers noted his retirement and expressed gratitude towards the City and his staff.

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

19-729

Tentative Meeting Agenda Calendar

ADJOURNMENT

The meeting was adjourned at 9:10 PM.

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

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

The next regular scheduled meeting is on Tuesday evening, July 9, 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@santacalaraca.gov <<mailto:clerk@santacalaraca.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."

ATTEST:



Assistant City Clerk/Secretary

APPROVE:



Mayor/Chairperson