



City of Santa Clara

Call and Notice of Special Meeting

Council and Authorities Concurrent Meeting

Tuesday, October 2, 2018

5:00 PM

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

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 (“The Brown Act”) and Section 708 of the Santa Clara City Charter, the Mayor calls for a Special Meeting of the City Council of the City of Santa Clara, the Governing Board of the Stadium Authority, the Governing Board of the Sports and Open Space Authority, the Governing Board of the City of Santa Clara Housing Authority, and the Governing Board of the Successor Agency to the City of Santa Clara Redevelopment Agency to commence and convene on October 2, 2018, at 5:00 pm for a Special Meeting in the City Hall Council Chambers located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California, to consider the following matter(s) and to potentially take action with respect to them.

Closed Session - 5:00 PM | Study Session - 6:00 PM | Regular Meeting - 7:00 PM

5:00 PM CLOSED SESSION

Call to Order in the Council Chambers

Confirmation of a Quorum

Public Comment

The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.

- 18-1362** [Conference with Legal Counsel-Existing Litigation \(CC\)](#)
[Pursuant to Gov't Code § 54956.9\(d\)\(1\)](#)
[NCPA v. United States, U.S. Court of Federal Claims, Case No. 14-817C](#)
- 18-1363** [Conference with Legal Counsel-Existing Litigation \(CC\)](#)
[Pursuant to Gov't Code § 54956.9\(d\)\(1\)](#)
[Pomeroy Eichler Neighborhood Preservation Society et al. v. City of Santa Clara, et al., Santa Clara County Superior Court Case No. 18CV334205](#)

- 18-1364** [Conference with Legal Counsel-Anticipated Litigation \(CC, SA\)](#)
[Pursuant to Gov. Code § 54956.9\(a\) - Exposure to litigation](#)
[Number of potential cases: 1](#)
[\(Facts and Circumstances\)](#)
[City as potential defendant: At a meeting on September 20, 2018, StadCo representatives stated that the failure to pay public safety costs in the amount of approximately \\$660K were a breach of the Stadium Lease](#)

Convene to Closed Session (Council Conference Room)

6:00 PM STUDY SESSION

Call to Order in the Council Chambers

Confirmation of a Quorum

- 18-1005** [6:00 P.M. Study Session: Precise Plan for the Downtown \(only four non-conflicted Council Members to participate\)](#)

7:00 PM COUNCIL SPECIAL MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS

SPECIAL ORDER OF BUSINESS

- 1.A 18-1223** [Recognition of Hanson Bridgett Law Firm](#)
- 1.B 18-1289** [Recognition of Volunteer Battalion Chief Kent Clerk and his wife Barbara Clerk for 30 years of service with the Santa Clara Fire Department](#)
- 1.C 18-1328** [Presentation by the Alzheimer's Association](#)

CONSENT CALENDAR

[Items listed on the CONSENT CALENDAR are considered routine and will be adopted by one motion. There will be no separate discussion of the items on the CONSENT CALENDAR unless discussion is requested by a member of the Council, staff, or public. If so requested, that item will be removed from the CONSENT CALENDAR and considered under CONSENT ITEMS PULLED FOR DISCUSSION.]

2.A 18-489 [Action on the Council and Authorities Concurrent and Stadium Authority Meeting Minutes](#)

Recommendation: Note and file the Minutes of:
Joint Council and Authorities Concurrent and Stadium Authority Meeting - May 29, 2018
Council and Authorities Concurrent Meeting - June 12, 2018
City Council Special Meeting 11:00 AM - June 21, 2018
Joint City Council and Stadium Authority Special Meeting 5:00 PM - June 21, 2018

2.B 18-361 [Board, Commissions and Committee Minutes](#)

Recommendation: Note and file the Minutes of:
Planning Commission Meeting of June 27, 2018
Historical and Landmarks Commission Meeting of June 7, 2018

2.C 18-1123 [Action on Bills and Claims for the month of August 2018 \(Stadium Authority\)](#)

Recommendation: Approve the list of Bills and Claims for August 2018.

2.D 18-1136 [Action on Bills and Claims Report \(CC\) for the period August 31st - September 13th](#)

Recommendation: Approve the list of Bills and Claims for August 31, 2018 - September 13, 2018.

2.E 18-1282 [Action on Gifts to Elected and Appointed Officials Policy](#)

Recommendation: Adopt a resolution to approve the Gifts to Elected and Appointed Officials policy

2.F 18-1283 [Action on Donations to the City Policy and Related Budget Amendment](#)

Recommendation: Adopt a resolution to approve the Donations to the City policy and approve related budget amendment

2.G 18-1296 [Action on Adoption of Ordinance No. 1987 Codifying Existing Claims Settlement Authority and Amending Settlement Authority for Workers' Compensation Matters](#)

Recommendation: Adopt Ordinance No. 1987 Codifying Existing Claims Settlement Authority and Amending Settlement Authority for Workers' Compensation Matters.

2.H 18-1336 [Action on Adoption of Ordinance No. 1988 Including Elected Chief of Police in Salary Setting Commission's Regular Review of Elected Officials' Compensation](#)

Recommendation: Adopt Ordinance No. 1988 Including Elected Chief of Police in Salary Setting Commission's Regular Review of Elected Officials' Compensation.

2.I 18-1246 [Action on Referring a Recommendation to Name the Central Park Annex park site as "Bill Wilson, Jr. Park" to the Ad-Hoc Facilities Naming and Recognition Committee](#)

Recommendation: Recommend that Council Refer the Parks and Recreation Commission Recommendation to Name the Central Park Annex park site as the "Bill Wilson, Jr. Park" to the Ad-Hoc Facility Naming and Honorary Recognition Committee.

2.J 18-1247 [Action on Referring a Recommendation to Name the San Tomas & Monroe Neighborhood Park as "Everett N. Sousa Park" to the Ad-Hoc Facilities Naming and Recognition Committee](#)

Recommendation: Recommend that Council Refer the Parks and Recreation Commission Recommendation to Name the San Tomas & Monroe Neighborhood Park as "Everett N. Sousa Park" to the Ad-Hoc Facility Naming and Honorary Recognition Committee.

PUBLIC PRESENTATIONS

[This item is reserved for persons to address the Council or authorities on any matter not on the agenda that is within the subject matter jurisdiction of the City or Authorities. The law does not permit action on, or extended discussion of, any item not on the agenda except under special circumstances. The governing body, or staff, may briefly respond to statements made or questions posed, and appropriate body may request staff to report back at a subsequent meeting. Although not required, please submit to the City Clerk your name and subject matter on the speaker card available in the Council Chambers.]

CONSENT ITEMS PULLED FOR DISCUSSION

PUBLIC HEARING/GENERAL BUSINESS

3. **18-1353** [Consideration of Written Petition submitted by William Eserini regarding Use of City Property for Political Campaign Purposes](#)

Recommendation: There is no staff recommendation for this issue as the petitioner's issues have been addressed.

4. **18-944** [Action on the Introduction of an Ordinance Amending Chapter 5.35 \("Taxicabs"\) of the Code of the City of Santa Clara to revise taxicab permitting and operational requirements establish new permit and operational requirements for pedi-cabs](#)

Recommendation: Alternative 1:

1. Introduce an Ordinance Amending Chapter 5.35 ("Taxicabs") of the Code of the City of Santa Clara to revise taxicab permitting and operational requirements, and to include new permit and operational requirements for pedi-cabs

5. **Stadium Authority Financial Status Reports**

- A. **18-411** [Action on the Financial Status Report for the Quarter and Fiscal Year Ending March 31, 2018](#)

Recommendation: Note and file the Santa Clara Stadium Authority Financial Status Report for the Quarter Ending March 31, 2018.

B. 18-1122 [Action on the Santa Clara Stadium Authority Financial Status Report for Quarter Ending June 30, 2018 and Related Budget Amendments](#)

Recommendation:

1. Note and file the Santa Clara Stadium Authority Financial Status Report for the Quarter Ending June 30, 2018.
2. Approve Budget Amendments to the 2018/19 Santa Clara Stadium Authority Budget.

6. 18-1351 [Information Report from Stadium Manager on College Football Playoff 2019 National Championship Game Preparation](#)

Recommendation:

Note and file the information report from Stadium Manager on College Football Playoff 2019 National Championship Preparation

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

18-1382 [Tentative Meeting Agenda Calendar](#)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, October 9, 2018 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."