



# City of Santa Clara

## Meeting Agenda

### Council and Authorities Concurrent Meeting

Tuesday, April 9, 2019

4:30 PM

City Hall Council Chambers

1500 Warburton Avenue

Santa Clara, CA 95050

Closed Session - 4:30 PM | Joint Dinner - 5:00 PM | Regular Meeting - 6:00 PM

#### 4:30 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.*

- 19-432** [Conference with Legal Counsel-Existing Litigation \(CC\)](#)  
[Pursuant to Gov't Code § 54956.9\(d\)\(1\)](#)  
[Forty Niners SC Stadium Company LLC v. City of Santa Clara,](#)  
[Santa Clara County Superior Court Case No. 18CV326430](#)

Convene to Closed Session (Council Conference Room)

#### 5:00 PM JOINT DINNER

Call to Order in the Council Chambers

Confirmation of a Quorum

- 19-1346** [Informational Joint Dinner Meeting with the Civil Service](#)  
[Commission](#)

#### 6:00 PM COUNCIL REGULAR MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

1. 19-200 [Action on Objectives for the Patrick Henry Specific Plan, Freedom Circle Specific Plan and City North Vision Plan](#)

**Recommendation:** Alternative 1.:  
Direct staff to proceed with preparation of Santa Clara City North Vision Plan, Patrick Henry Specific Plan and Freedom Circle Specific Plan with the identified objectives.

**REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS**

**CONTINUANCES/EXCEPTIONS**

2. 19-430 [Action on Continuing the Public Hearing for Establishing the Average Per-Acre Land Values and Parkland In Lieu Fee Schedule for New Residential Development FY2018-19 to May 21, 2019](#)

**Recommendation:** Continue the Public Hearing for the Action on a Resolution Establishing the Average Per-Acre Land Values and Parkland In Lieu Fee Schedule for New Residential Development FY2018-19 to May 21, 2019.

**SPECIAL ORDER OF BUSINESS**

*\*Special Order of Business not to be heard prior to 7:00 PM.*

- 3.A 19-321 [Presentation of Cultural Commission Work Plan Updates and Upcoming Events in April & May 2019](#)
- 3.B 19-345 [Recognition of Local Business Owner Anna Warren Cebrian](#)
- 3.C 19-346 [Presentation by Santa Clara Sister Cities Association on Exchange Visit to Coimbra, Portugal](#)

**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.]*

**4.A 19-024** [Board, Commissions and Committee Minutes](#)

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

1. Youth Commission - January 8, 2019
2. Parks & Recreation Commission - January 15, 2019
3. Senior Advisory Commission - January 28, 2019
4. Cultural Commission - February 4, 2019
5. Youth Commission - February 12, 2019
6. Parks & Recreation Commission - February 19, 2019
7. Senior Advisory Commission - February 25, 2019

**4.B 19-231** [Action on Bills and Claims Report \(CC\) for the period March 1st - March 14th](#)

**Recommendation:** Approve the list of Bills and Claims for March 1, 2019 - March 14, 2019.

**4.C 19-1489** [Action on an Agreement and Covenant Running with the Land to Allow Private Improvements within the Public Right-of-Way at 3420 Warburton Avenue](#)

**Recommendation:**

1. Approve and authorize the City Manager to execute the Agreement and Covenant Running With the Land with the David L. Ham Living Trust to install and maintain a 4.5-foot high wrought iron fence with two vehicle gates within the public right-of-way at 3420 Warburton Avenue [APN 220-02-033 (2018-19); SC 19,116]; and
2. Authorize the recordation thereof.

**4.D 19-375** [Resolution of Salary Setting Commission Establishing as Unchanged the Salaries for the Positions of Mayor and City Council Members, for the Period July 1, 2019 to July 1, 2021](#)

**Recommendation:** Note and file the Resolution establishing the salaries for the Mayor and City Councilmembers, as adopted by the Salary Setting Commission for the period of July 1, 2019 to July 1, 2021.

**4.E 19-089** [Action on Time Extension for the Residential Mixed-Use Project located at 2232-2240 El Camino Real](#)

**Recommendation:** Approve a two-year extension of the rezone from Community Commercial (CC) to Planned Development (PD) for the residential mixed-use project located at 2232-2240 El Camino Real.

**4.F 19-090** [Adoption of a Resolution of Intention for Maintenance District 183 - Santa Clara Convention Center Complex](#)

**Recommendation:**

1. Adopt a Resolution of Intention to order that the alternative method for the levy of benefit assessment be made applicable to the Santa Clara Convention Center Complex Maintenance District No. 183;
2. Set a hearing date of June 4, 2019 to approve the Director's Report FY 2019-20; and
3. Authorize the publication, mailing, and posting of the notice of public hearing as stated in the Resolution of Intention.

**4.G 19-092** [Adoption of a Resolution of Intention for Parking Maintenance District 122 - Franklin Square](#)

**Recommendation:**

1. Adopt a Resolution of Intention to order that the alternative method for the levy of benefit assessment be made applicable to the City of Santa Clara Parking Maintenance District No. 122;
2. Set a hearing date of June 4, 2019 to approve the Director's Report FY 2019/20; and
3. Authorize the publication, mailing, and posting of the notice of public hearing as stated in the Resolution of Intention.

**4.H 19-143** [Action to Authorize the City Manager to Execute Agreements with 3255 Scott Boulevard, LLC et al. for the Construction of Park Improvements and the 40 Year Maintenance of Parks within Santa Clara Square](#)

**Recommendation:** Authorize the City Manager to execute the Park Improvement Agreement and the Park Maintenance Agreement with 3255 Scott Boulevard, LLC et al., and to make minor, non-substantive changes as necessary.

4.I 19-149 [Action on a Resolution to Adopt a List of Projects Funded by Senate Bill 1, The Road Repair and Accountability Act, for FY 2019-20](#)

**Recommendation:** Adopt a Resolution to Adopt a List of Projects Funded by Senate Bill 1, The Road Repair and Accountability Act, for Fiscal Year 2019-20.

4.J 19-221 [Action on a Charging Station and Premises Agreement with EVgo Services LLC](#)

**Recommendation:** 1. Authorize the City Manager to enter into the Charging Station and Premises Agreement with EVgo Services LLC; and  
2. Delegate authority to the City Manager to negotiate opportunities and approve agreements and related documents to install up to an additional 30 new EV charging stations in public right of ways throughout the rest of the City.

4.K 19-223 [Action on Call No.19-1 for Professional Services with Efficiency Services Group, LLC to Provide Commercial Parking Lot & Exterior Lighting Third Party Energy Efficiency Program in an amount not to exceed \\$499,798 over a one year period](#)

**Recommendation:** Approval of Call No. 19-1 for Professional Services with Efficiency Services Group, LLC to continue to provide the Commercial Parking Lot & Exterior Lighting Third Party Energy Efficiency Program in an amount not to exceed \$499,798 over a one year period.

4.L 19-226 [Action on the First Amendment to the Contract with DELTAWRX for Consultant Services related to the Police Records Management System software](#)

**Recommendation:** Approve and authorize the City Manager to execute an Amendment No. 1 to the Agreement, increasing compensation by \$154,001, with DELTAWRX for Consultant Services related to the Records Management System software

4.M 19-250 [Healthier Kids Foundation - FY2018-19 Second Quarter Report](#)

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

**4.N 19-1216** [Action on an Agreement and Covenant Running with the Land to Allow Private Improvements within the Public Right-of-Way at 500 El Camino Real \(Main Address\)](#)

**Recommendation:** 1. Approve and authorize the City Manager to execute the Agreement and Covenant Running With the Land with President and Board of Trustees of Santa Clara College to retain and maintain concrete pavers within the public right-of-way at 500 El Camino Real (Main Address) [APN 269-23-084 (2018-19); SC 19,104]; and  
2. Authorize the recordation thereof.

**4.O 19-299** [Action on an Exclusive Negotiation Agreement with Habitat for Humanity East Bay / Silicon Valley for 3575 De La Cruz Boulevard](#)

**Recommendation:** Approve and authorize the City Manager to execute an Exclusive Negotiation Agreement (ENA) with Habitat for Humanity East Bay / Silicon Valley for the development 3575 De La Cruz Boulevard.

**4.P 19-300** [Action on an Affordable Housing Agreement with LS-SANTA CLARA, LLC for 1375 El Camino Real](#)

**Recommendation:** Approve and authorize the City Manager to execute the Affordable Housing Agreement with LS-SANTA CLARA, LLC, to execute amendments thereto, and to take any other action necessary to implement the requirement for the provision of six Below Market Purchase homes within a 54-unit townhome project at 1375 El Camino Real.

**4.Q 19-301** [Adopt a resolution to become a member of the California Municipal Finance Authority \(CMFA\) and to approve the CMFA's issuance of tax exempt bonds relating to the financing of 145 Affordable Housing Units at 2904 Corvin Drive](#)

**Recommendation:** 1. Hold a Tax Equity and Fiscal Responsibility Act public hearing for the issuance of up to \$54,000,000 in tax-exempt private-activity bonds by California Municipal Finance Authority (CMFA) for the benefit of Allied 2904 Corvin, L.P.; and  
2. Adopt the resolution authorizing the City Manager or designee thereof to execute the Joint Exercise of Powers Agreement with the CMFA, and approving the issuance of the Bonds by the CMFA for the benefit of Allied 2904 Corvin, L.P., to provide for the partial financing of the Project.

**4.R 19-312** [Adopt a resolution to become a member of the California Public Finance Authority \(CalPFA\) and to approve CalPFA's issuance of tax exempt bonds relating to the financing of 196 Affordable Housing Units at 2233 Calle del Mundo](#)

**Recommendation:** 1. Hold a Tax Equity and Fiscal Responsibility Act public hearing for the issuance of up to \$80,000,000 in tax-exempt private-activity bonds by California Public Finance Authority (CalPFA) for the benefit of St. Anton Tasman East, LP; and  
2. Adopt the resolution authorizing the City Manager or designee thereof to execute the Joint Exercise of Powers Agreement with the CalPFA, and approving the issuance of the Bonds by the CalPFA for the benefit of St. Anton Tasman East, LP, to provide for the partial financing of the Project.

**4.S 19-330** [Action on a Resolution Amending in Part Resolution 5195, Approving the 2019 Senior Advisory Commission Calendar of Meetings, and Setting the Number and Start Time of the Regular Meetings of the Senior Advisory Commission](#)

**Recommendation:** Adopt a Resolution amending in part Resolution 5195, approving the 2019 Senior Advisory Commission Calendar of Meetings, and setting the number and start time of regular Senior Advisory Commission meetings.

## **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**

5.      **19-249**      [Action on Resolutions to Establish Community Facilities District \(CFD\) 2019-1 \(Lawrence Station\) to finance certain Public Services, Conduct a Special Election for the CFD Formation, and Introduce an Ordinance Ordering a Levy of Special Taxes for the CFD](#)

**Recommendation:** Alternatives 1, 2, 3, and 4:

1. Adopt a Resolution of Formation to Establish the Community Facilities District 2019-1 (Lawrence Station) to finance certain Public Services, and adopt a Resolution calling a Special Election.
2. Conduct a Special Election Regarding the Community Facilities District 2019-1 (Lawrence Station).
3. Adopt a Resolution Confirming the Results of Election and Directing Recording of Notice of Special Tax Lien.
4. Introduce an Ordinance Levying the Special Taxes for Community Facilities District 2019-1 (Lawrence Station).

6.      **19-434**      [Discussion and Direction to City Manager on a Governance Model for a Convention-Visitors Bureau \(CVB\)](#)

**Recommendation:** Alternative #1:

Direct City Manager to proceed with the formation of a new destination marketing organization and return to Council for actions as necessary to approve and implement the formation.



7.     **19-215**     [Action on the Annual Report and Resolution of Intention for Levy of Annual Assessment for the Santa Clara Tourism Improvement District \(TID\)](#)

**Recommendation:**

1. Approve the Annual Report for the Santa Clara Tourism Improvement District;
2. Adopt a Resolution of Intention to levy and collect assessments with the Santa Clara Tourism Improvement District area for Fiscal Year 2019/20 from hotel guests at the rate of \$1.00 per occupied hotel/motel room night;
3. Set the date for the Public Hearing for May 21, 2019.

8.     **19-425**     [Action on Councilmember Watanabe's Request Related to Illegal Street Racing and Sideshow Activity](#)

**Recommendation:** Staff makes no recommendation.

**REPORTS OF MEMBERS AND SPECIAL COMMITTEES**

**CITY MANAGER/EXECUTIVE DIRECTOR REPORT**

- 19-235**     [Monthly Update on City Council and Stadium Authority Staff Referrals](#)
- 19-396**     [Tentative Meeting Agenda Calendar](#)

**ADJOURNMENT**

The next regular scheduled meeting is on Tuesday evening, April 23, 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) <<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."