

**MINUTES OF THE JOINT MEETING  
OF THE CITY OF SANTA CLARA  
CITY COUNCIL AND SENIOR ADVISORY COMMISSION  
AND THE REGULAR CONCURRENT MEETING  
OF THE CITY OF SANTA CLARA  
CITY COUNCIL  
SANTA CLARA STADIUM AUTHORITY  
SPORTS AND OPEN SPACE AUTHORITY  
CITY OF SANTA CLARA HOUSING AUTHORITY  
SUCCESSOR AGENCY TO THE  
CITY OF SANTA CLARA REDEVELOPMENT AGENCY  
TUESDAY, DECEMBER 5, 2017**

The City Council met at 5:09 pm, on the above-mentioned date, in the City Hall Council Chambers, for an **Informational Joint City Council and Senior Advisory Commission dinner meeting.**

Present: Council Members Dominic J. Caserta, Debi Davis, Patrick Kolstad, Patricia M. Mahan, Teresa O'Neill and Kathy Watanabe and Mayor Lisa M. Gillmor. Senior Advisory Commission Members Wanda Buck, Alma M. Garcia, Grant L. McCauley, Samuel Orme, Carolyn Seeger and Nancy Toledo and Chair Barbara A. "Bobbi" Estrada.

Staff Present: Interim City Attorney, Chief Operating Officer, City Clerk/Auditor, Director of Parks and Recreation, Recreation Supervisor and the Recreation Manager.

Per the Executive Assistant to the Mayor and City Council's informational report, the **City Council and Senior Advisory Commission proceeded with the joint dinner meeting** for an update on current activities and potential future projects. The Commission provided a handout which listed the Commission's Fiscal Year 2016-17 accomplishments and the work plan and goals for Fiscal Year 2017-18 and a Council/Commission discussion was held.

The City Council, with a quorum present, reconvened at 6:00 pm in the City Hall Council Chambers. With no public comment, the Council then met in the Council Conference Room for a **Closed Session**. The Council met for a Conference with Legal Counsel-Anticipated Litigation pursuant to Government Code Section 54956.9(e)(2) – Exposure to litigation, Number of potential cases: 1 (FACTS AND CIRCUMSTANCES), City as potential defendant: FLSA claim by members of IAFF; Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(d)(1), *City of San Jose v. City of Santa Clara*, San Mateo County Superior Court Case No. 16-CIV-02303; Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(d)(1), *City of Santa Clara v. City of San Jose*, San Mateo County Superior Court Case No. 17-CIV-00547; and Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(d)(1), *Peters v. City of Santa Clara, et al.*, Santa Clara County Superior Court Case No. 16CV297125.

The Council, Stadium Authority, Sports and Open Space Authority, Housing Authority and the City Council acting as the Governing Board of the Successor Agency to the City of Santa Clara Redevelopment Agency convened at 7:00 pm in the City Hall Council Chambers and the regular Concurrent Meeting was opened with the recitation of the Pledge of Allegiance

and Statement of Values.

Present: Members Dominic J. Caserta, Debi Davis, Patrick Kolstad, Patricia M. Mahan, Teresa O'Neill and Kathy Watanabe and Mayor/Chairperson Lisa M. Gillmor.

Staff present: Interim City Attorney, Assistant City Manager Piñeda, Chief Operating Officer and the City Clerk/Auditor.

The City Clerk/Auditor read the "Behavioral Standards for Public Meetings."

**MOTION** was made by Davis, seconded and unanimously carried, that, per the City Clerk/Auditor's report, the **Minutes** of the Council and Authorities Concurrent Meeting of **July 11, 2017** be adopted as corrected.

**MOTION** was made by Davis, seconded and unanimously carried, that the **Minutes** of the Council and Authorities Concurrent Meeting of **November 7, 2017** be adopted as written.

As a Special Order of Business, the Council proceeded to consider the Executive Assistant to the Mayor and City Council's informational report regarding the presentation by a representative of the **Council on American-Islamic Relations-San Francisco Bay Area (CAIR-SFBA) for an update on the Annual Civil Rights Report and the School Bullying Report** prepared by the Council on American-Islamic Relations-California (CAIR-CA). Jeffrey Wang, CalBar Foundation Legal Fellow for CAIR-SFBA, addressed the Council and gave the electronic presentation. A Council discussion followed. By Council consensus, the item was referred to the City Manager to work with CAIR on programs to be placed at City libraries and other public places.

As a Special Order of Business, the Council proceeded to consider the Assistant City Manager Shikada's informational report regarding the recognition of **Citti's Florist and the Intel Corporation** for services provided to the City as part of the City's formal **Business Recognition Program**. The Mayor reviewed the report and gave an electronic presentation regarding Citti's Florist, which is celebrating its 50<sup>th</sup> year in business in Santa Clara. Nick Kaspar, Santa Clara Chamber of Commerce and Convention-Visitors Bureau, addressed the Council and praised Citti's Florist. The Mayor, on behalf of the Council, presented a proclamation and a plaque to Chris Citti in recognition of Citti's Florist's achievements. The Mayor continued with the electronic presentation regarding Intel Corporation, which was founded in 1968 with its global headquarters located in Santa Clara. Nick Kaspar, Santa Clara Chamber of Commerce and Convention-Visitors Bureau addressed the Council and praised Intel Corporation. The Mayor, on behalf of the Council, presented a proclamation and a plaque to Jessica Marconi, Intel Corporation's Santa Clara Public Affairs Manager, in recognition of the Corporation's achievements.

As a Special Order of Business, the Council proceeded to consider the Executive Assistant to the Mayor and City Council's informational report regarding the presentation of a Proclamation to the **Santa Clara City Firefighters Foundation for its "Better Together Leadership Program"**, established in 1989 by the Santa Clara Firefighters Local 1171 and currently funded by the Foundation. Zack McGee, Foundation representative, made a verbal presentation regarding the Program's focus on "high-risk" students' self-esteem, decision-making, communication and teamwork. He introduced Trinity Billingsly, a former student and mentor of the Program and the Program facilitators and showed a video on the Program. The Mayor, on behalf of the Council, presented a proclamation to Mr. McGee in recognition of the Program.

**MOTION** was made by Caserta, seconded and unanimously carried, that per the Chief Electric Utility Officer's report, the Council **approve** the use of **City Electric forces** for the installation of facilities at 1525 Alviso Street, rear of Agate Drive Properties between Lawrence Expressway and Calabazas Creek, and 4525 Stevens Creek Boulevard.

**MOTION** was made by Caserta, seconded and unanimously carried, that per the Director of Water and Sewer Utilities' report, the Council **approve** the use of **City Water Utility forces** for the installation of service connections at 2205 Denise Drive and 4124 Cheeney Street.

**MOTION** was made by Caserta, seconded and unanimously carried, that per the Director of Parks and Recreation's report, the Council **note and file** the **Youth Commission Work Plan 2017-18**.

**MOTION** was made by Caserta, seconded and unanimously carried, that per the Director of Public Works' report, the Council **approve** **Tract No. 10400 Final Map** and **authorize** the City Manager to make minor modifications, if necessary, and the recordation of Tract No. 10400 Final Map, which subdivides fourteen parcels into 103 lots, including 40 lots for a maximum of 953 condominium units located at **3505 Kifer Road** [APN 216-34-005, -036, -041, -045, -046, -047, -051, -066, -069, -070, -072, -073, -074, and -075 (2017-18)] by SummerHill Lawrence Station, LLC.

**MOTION** was made by Caserta, seconded and unanimously carried, that per the City Clerk/Auditor's report, the Council **set** January 9, 2018 for a public hearing to consider the **appeal of the Planning Commission's approval of a Use Permit** to allow tenant improvements to an existing building for conversion into an animal boarding facility (Sweet Doggies) at **1800 De La Cruz Boulevard** submitted by Bruce Tichinin, Esq., on behalf of SC Storage Associates.

**MOTION** was made by Caserta, seconded and unanimously carried, that per the Fire Chief's report, the Council **adopt** **Resolution No. 17-8480** entitled "A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA DECLARING WEEDS TO BE A PUBLIC NUISANCE AND SETTING A HEARING DATE FOR THE CITY COUNCIL TO HEAR PUBLIC INPUT REGARDING THE PROPOSED DESTRUCTION OR REMOVAL OF WEEDS" which orders the abatement of a nuisance consisting of growing weeds in the City and sets January 23, 2018 as the date for the Public Hearing and **authorize** the publication and posting of the Notice of Public Hearing.

**MOTION** was made by Caserta, seconded and unanimously carried, that per the Fire Chief's report, the Council **approve** **appropriations in the amount of \$25,248 in the Fire Department Capital Outlay account** for the purchase of specialized firefighting equipment to be funded by developer contributions.

**MOTION** was made by Caserta, seconded and unanimously carried, that per the Chief Electric Utility Officer's report, the Council **approve** and authorize the City Manager to execute an **Agreement for the Performance of Services** with **Siemens Industry, Inc.** in an amount not to exceed \$209,305, to refurbish and test two substation transformers.

**MOTION** was made by Caserta, seconded and unanimously carried, that per the Director of Public Works' report, the Council **approve** and authorize the City Manager to execute the **Agreement for Design Professional Services** with **Alta Planning + Design** for an amount not to exceed \$121,986 for the Bike Plan Update 2018 and **authorize** the City

Manager to make minor, non-substantive modifications to the Agreement, if necessary.

**MOTION** was made by Caserta, seconded and unanimously carried, that per the Director of Community Development's report, the Council **approve** and authorize the City Manager to execute a **Historic Property Preservation Agreement (Mills Act Contract)** with applicants **Sudhanshu Jain and Lori Jain** for the property located at **610 Jackson Street** (PLN2017-12785).

**MOTION** was made by Caserta, seconded and unanimously carried, that the Council/Authorities **approve** the payment of **Bills and Claims and Progress Payments** for the period of November 3, 2017 through November 16, 2017.

**MOTION** was made by Caserta, seconded and unanimously carried, that the Council **note and file** the **Minutes** of the **Youth Commission** for the meeting of October 10, 2017; the **Planning Commission** for the meeting of October 11, 2017; and the **Parks and Recreation Commission** for the meeting of October 17, 2017.

Under Public Presentations, Jeannie Mahan expressed comments of concern. Member Mahan requested that the upcoming Council Goal Setting Retreat be deferred due to her health and that she be excused from attendance at meetings until she is well enough to return. **MOTION** was made by Mahan, seconded and unanimously carried, that the Council add Member Mahan's requests to the agenda. **MOTION** was then made by Mahan, seconded and unanimously carried, that the Council reschedule the Council Goal Setting Retreat to a date to be determined based on feedback from the City Manager, Council Members and the Mayor. George Netto expressed gratitude for the Council's adjournment on April 18, 2017 in his father's memory, George G. Netto. Sudhanshu Jain and Kirk Vartan expressed comments of concerns regarding sustainability issues. Deborah Bress (provided a handout), Tino Silva and Hosam Haggag expressed general comments of concern.

Member Mahan left the Council dais for the remainder of the meeting.

The Council proceeded to consider the Director of Finance's report recommending acceptance of the **Santa Clara Convention Center and Convention-Visitor's Bureau Financial Status Report for the First Quarter Ended September 30, 2017**, as submitted by the Santa Clara Chamber of Commerce and Convention-Visitor's Bureau. Deborah Bress addressed the Council with concerns. Lisa Moreno, General Manager and Chief Executive Officer for Santa Clara Convention Center and Convention and Visitors Bureau, addressed the Council with information regarding the Report. **MOTION** was made by Caserta, seconded and unanimously carried (Mahan absent), that the Council **note and file** the Report.

The Council proceeded to consider the Director of Parks and Recreation's report recommending approval of the **final schematic design proposed by SummerHill Housing Group for the related Lawrence Station Public Parkland** as recommended by the Parks and Recreation Commission, with the exception of Park E grass area to be programmed as a natural turf grass field. Deborah Bress and Tino Silva addressed the Council with concerns. A Council discussion followed and the Director of Parks and Recreation answered questions. **MOTION** was made by Davis, seconded and unanimously carried (Mahan absent), that the Council **approve** the Director of Parks and Recreation's recommendation.

The Council proceeded to consider the Chief Electric Utility Officer's report recommending that the Council approve and authorize the City Manager to execute an **Agreement for the Performance of Services** with **Davey Tree Surgery Company** in an

amount not to exceed \$1,097,600 for Fiscal Year 2017/18 or \$3,892,571.84 for the three year term of the Agreement for tree trimming for power line clearance, in substantially the form presented subject to final review and approval by the City Attorney's Office. Deborah Bress addressed the Council with concerns. **MOTION** was made by Caserta, seconded and unanimously carried (Mahan absent), that the Council **approve** the Chief Electric Utility Officer's recommendation.

The Council proceeded to consider the Chief Electric Utility Officer's report recommending that the Council approve and authorize the City Manager to execute Amendment No. 1 to the **Agreement for Professional Services with Black & Veatch Management Consulting, LLC** in an amount not to exceed \$58,500 for a total cost not to exceed \$207,500 to provide additional Integrated Resource Plan modeling support. Deborah Bress addressed the Council with concerns. **MOTION** was made by Caserta, seconded and unanimously carried (Mahan absent), that the Council **approve** the Chief Electric Utility Officer's recommendation.

The Council proceeded to consider the Director of Parks and Recreation's report recommending that the Council approve **Amendment No. 1 to the Agreement with Fricke Parks Press, Inc.** for an additional amount of \$73,000 for a total not to exceed amount of \$160,000 and to extend the term of the Agreement through December 31, 2019 and authorize the City Manager to execute the Amendment and make minor modifications as necessary. Deborah Bress addressed the Council with concerns. A Council discussion followed and the Interim City Attorney answered questions. **MOTION** was made by Davis, seconded and unanimously carried (Mahan absent), that the Council **approve** the Director of Parks and Recreation's recommendation.

The Council proceeded to consider the Director of Human Resources' report recommending that the Council approve the **Memorandum of Understanding between the City of Santa Clara and the Public Safety Non-Sworn Employees Association, Unit 10**, for the term of December 18, 2016 to December 22, 2018. Deborah Bress addressed the Council with concerns. **MOTION** was made by Caserta, seconded and unanimously carried (Mahan absent), that the Council **approve** the Director of Human Resources' recommendation.

The Council proceeded to consider the Director of Human Resources' report recommending that the Council approve the **Memorandum of Understanding between the City of Santa Clara and the Police Officers Association, Unit 2** for the term of December 18, 2016 to December 22, 2018. Deborah Bress addressed the Council with concerns. **MOTION** was made by Caserta, seconded and unanimously carried (Mahan absent), that the Council **approve** the Director of Human Resources' recommendation.

The Council proceeded to consider the Director of Human Resources' report recommending that the Council approve the **Memorandum of Understanding between the Unclassified Police Management Association, Unit 9A** for the term of December 18, 2016 to December 22, 2018. Deborah Bress addressed the Council with concerns. **MOTION** was made by Davis, seconded and unanimously carried (Mahan absent), that the Council **approve** the Director of Human Resources' recommendation.

The Council proceeded to consider the Director of Community Development's report recommending that the Council approve a **Special Permit** to allow **Temporary Use of a Thoroughfare Commercial (CT) Zoned Property** located at **3305 and 3325 The Alameda** for educational use by the **Santa Clara University** and adopt the **Addendum to the Santa**

**Clara University Five-Year Master Plan Environmental Impact Report** (PLN2017-12839 and CEQ2017-01042). Deborah Bress addressed the Council with concerns. A Council discussion followed and the Director of Community Development answered questions. **MOTION** was made by Davis, seconded and unanimously carried (Mahan absent), that the Council **approve** the Director of Community Development's recommendation.

Member Caserta stepped off the dais.

PUBLIC HEARING: The Mayor declared the public hearing open for consideration of the Director of Public Works' report regarding the adoption of a **Resolution ordering the vacation of Gordon Avenue and Copper Road** with reservation of a public utility easement on Copper Road. The Director of Public Works reviewed the report and gave an electronic presentation regarding the proposed Resolution. There being no public input, **MOTION** was made by O'Neill, seconded and unanimously carried (Caserta and Mahan absent), that the hearing be closed. [*Member Caserta returned to the dais.*] **MOTION** was then made by O'Neill, seconded and unanimously carried (Mahan absent) that the Council **adopt Resolution No. 17-8481** entitled "A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA, ORDERING THE VACATION OF GORDON AVENUE AND COPPER ROAD WITH RESERVATION OF A PUBLIC UTILITY EASEMENT ON COPPER ROAD [VICINITY OF APN 216-34-005, -036, -041, -045, -046, -047, -051, -066, -069, -070, -072, -073 and -079 (2017-18)", which orders the vacation of Gordon Avenue and Copper Road with reservation of a public utility easement on Copper Road and **authorize** the recordation of the Resolution.

PUBLIC HEARING: The Mayor declared the public hearing open for consideration of the Director of Community Development's report regarding a proposed **Affordable Housing Ordinance** amending the City Code to codify inclusionary housing requirements and establish Housing Impact Fees for Residential, Non-Residential and Mixed Use Developments and a proposed Resolution establishing In-lieu and Impact Fees effective on the same date as the Affordable Housing Ordinance. The Director of Community Development reviewed his report, gave an electronic presentation and answered Council questions. Assistant City Manager Piñeda also answered Council questions. The Council noted the Executive Assistant to the Mayor and City Council's report regarding correspondence received after the agenda was posted. The following individuals addressed the Council in support of the recommendation: Rob Simonds, Erwin Ordonez, Erick Von Raesfeld, Kenny Melin, Ricci Herro, Anna Johansen, Josue Garcia, Mathew Reed, Pilar Lorenzana, Jeffrey Buchanan, Jon White, Kirk Vartan and Scott Kronlund. The following individuals addressed the Council with concerns/general comments: Vincent Rocha, Dennis Martial, Pat Sausedo, Sudhanshu Jain, John Kerlin, Deborah Bress and Hosam Haggag. **MOTION** was made by Caserta, seconded and unanimously carried (Mahan absent), that the hearing be closed. A Council discussion followed. **MOTION** was then made by O'Neill, seconded and unanimously carried (Mahan absent), that the Council **pass to print Ordinance No. 1974** entitled "AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, ADDING CHAPTER 17.40 ('CITYWIDE AFFORDABLE HOUSING REQUIREMENTS') TO TITLE 17 ('DEVELOPMENT') OF 'THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA' TO CODIFY INCLUSIONARY HOUSING REQUIREMENTS AND ESTABLISH HOUSING IMPACT FEES FOR RESIDENTIAL, NON-RESIDENTIAL AND MIXED USE DEVELOPMENTS", subject to an amendment that the inclusionary requirement for for-sale residential be 15% rather than 12.5%; **adopt Resolution No. 17-8482** entitled "A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA, ESTABLISHING AFFORDABLE HOUSING FEES AND INTEGRATING THE FEES INTO THE MUNICIPAL FEE SCHEDULE" which establishes that In-Lieu and Impact Fees become effective on the same date as Ordinance No. 1974; and **direct** the City Manager to return to the Council within 90 days with information regarding a

reduction in fees for projects that voluntarily pay area standard wages.

The Council/Authorities took a short break.

The Council proceeded to consider the City Clerk/Auditor and Acting Director of Finance's report regarding the adoption of a Resolution repealing Resolution No. 16-8323 and establishing a new Lobbyist Annual Registration Fee, a Prorated Registration Fee, an Amended Registration Fee and a Client Registration Fee. Deborah Bress, Kirk Vartan and Hosam Haggag addressed the Council with concerns. A Council discussion followed and the Interim City Attorney provided additional information. **MOTION** was made by Davis, seconded and unanimously carried (Mahan absent), that the Council **adopt Resolution No. 17-8483** entitled "A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA REPEALING RESOLUTION NO. 16-8323 AND ESTABLISHING A NEW LOBBYIST ANNUAL REGISTRATION FEE, PRORATED REGISTRATION FEE, AMENDED REGISTRATION FEE AND CLIENT REGISTRATION FEE" which repeals **Resolution No. 16-8323 and establishes a new Lobbyist Annual Registration Fee of \$640, Prorated Registration Fee of \$320, Amended Registration Fee of \$120 and a Client Registration Fee at \$100 per client** and **amend** the Municipal Fee schedule to include these fees.

The Council proceeded to consider Assistant City Manager Shikada's report recommending approval of a Cooperative Agreement with Santa Clara Valley Transportation Authority (VTA) and an Exclusive Negotiation Agreement with Republic Metropolitan LLC for the Development of a Transit-Oriented Development located at Railroad Avenue and El Camino Real. Assistant City Manager Shikada gave an electronic presentation regarding the recommendation and answered Council questions. The following individuals addressed the Council with concerns: Sudhanshu Jain, Keith Stattenfield, Kirk Vartan, Hosam Haggag and Deborah Bress. Robert L. Mezzetti, Esq. addressed the Council in support of the recommendation. **MOTION** was made by Kolstad, seconded and carried with O'Neill dissenting (Mahan absent), that the Council **approve** and authorize the City Manager to execute a **Cooperative Agreement** with the **Santa Clara Valley Transportation Authority (VTA)** describing the roles and responsibilities of each agency in the negotiation and documentation of a development project as proposed by Republic Metropolitan for the City and VTA-owned parcels located at Railroad Avenue and El Camino Real; and **approve** and authorize the City Manager to execute an **Exclusive Negotiation Agreement** with **Republic Metropolitan LLC** for the development of transit oriented student and faculty housing project located on 2.45-acres of vacant land comprised of a parcel owned by the City of Santa Clara and a parcel owned by VTA at Railroad Avenue and El Camino Real and **authorize** the City Manager to make minor modifications to the Agreement as may be necessary in conformance with the City-VTA Cooperative Agreement.

The Council proceeded to consider the City Manager and Interim City Attorney's report regarding the **Charter Review Committee's recommendations concerning a proposed Charter amendment on the election methods of Council Members**. The Interim City Attorney gave an electronic presentation regarding the proposed Charter amendment, implementation of the proposed Charter amendment, fiscal impact to the City, other recommendations made by the Committee and the following recommendations to the Council: 1) approval of the proposed Charter amendment on the election methods of Council Members, 2) request to direct the City Manager and the Interim City Attorney to initiate the process to draw the districts with public outreach, and 3) request for further Council direction regarding administrative Charter amendments and future work plan items, and note and file the Charter Review Committee's minutes for the meetings of October 5, 2017, October 23, 2017 and November 6, 2017. The Council noted an email (12/1/17) submitted by Deputy

Director Pedro Hernandez, FairVote California, with comments regarding the Committee's recommendations. A Council discussion followed and the Interim City Attorney answered Council questions. The following Committee members addressed the Council with general comments: Keith Stattenfield, Hosam Haggag and Mary Hanna-Weir. The following individuals addressed the Council with general comments: Jonathan Stein, Pedro Hernandez, Steve Chessin and Deborah Bress. **MOTION** was made by Davis, seconded and unanimously carried (Mahan absent), that the Council **approve** the **Charter Review Committee's recommendations** 1) approve the proposed Charter amendment language to: a) Elect City Council Members by two districts (e.g., District 1 and 2) with three Council Members representing each district; b) Elect the three Council Members at the same time per district alternating/staggering between gubernatorial and presidential election years; c) Utilize Single Transferrable Vote, a form of Ranked Choice Voting, as soon as the Santa Clara County Registrar of Voters Office can support such a system and continue with the City's current voting method of plurality until the County can support the new voting method; d) Transition to include: In 2018, elect two members to four-year terms in District 1 and in 2020, elect one member to a two-year term in District 1 and three members to four-year terms in District 2; and e) Change the voting method of all other elected officers, including Mayor, City Clerk, Chief of Police, to match the recommended voting method of Council Members (Ranked Choice Voting by means of Single Transferrable Vote) beginning in 2020 with the election of the City Clerk and Chief of Police, and then subsequent elections thereafter and 2) **direct** the City Manager and the Interim City Attorney to initiate the process to draw the districts with public outreach; and **note and file** the Charter Review Committee's minutes for the meetings of October 5, 2017, October 23, 2017 and November 6, 2017.

**MOTION** was made by Caserta, seconded and unanimously carried (Mahan absent), that per the recommendations contained in the **Minutes** of the **Civil Service Commission** for the meeting of November 13, 2017, the Council **approve** the modified job specification for Code Enforcement Officer and to modify Utility Field Services Supervisor. The **Minutes** were duly **noted and filed**.

Mayor Gillmor expressed gratitude to everyone involved with the Tree Lighting Ceremony and noted that the Mission Branch Library will begin renovations on December 11, 2017.

**MOTION** was made by O'Neill, seconded and unanimously carried (Mahan absent), that per the Director of Public Works' report, the Council **approve** the **Bicycle and Pedestrian Advisory Committee's recommendation to appoint Ken Kratz and Thanh Do** to serve a three-year term on the Committee expiring on December 31, 2020 and **Jim Parissenti and Don Sterk** to serve the partial term ending December 31, 2018.

The Chief Operating Officer expressed gratitude to staff who worked on the Tree Lighting Ceremony and the Mission Branch Library Renovation project, noted the upcoming Council Closed Session meeting scheduled for December 12, 2017 at 5:00 pm and stated that the City Manager is on business travel and has been fully engaged with staff and Council although being off site.

The Interim City Attorney reported that the Council met earlier in the evening in the Council Conference Room for a **Closed Session** for a Conference with Legal Counsel-Anticipated Litigation pursuant to Government Code Section 54956.9(e)(2) – Exposure to litigation, Number of potential cases: 1 (FACTS AND CIRCUMSTANCES), City as potential defendant: FLSA claim by members of IAFF and that the **Council approved the two side letters with IAFF regarding the tolling agreement and payment of attorney's fees and**



**costs for the FLSA claim.** The Interim City Attorney also reported that the Council met for a Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(d)(1), *City of San Jose v. City of Santa Clara*, San Mateo County Superior Court Case No. 16-CIV-02303; Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(d)(1), *City of Santa Clara v. City of San Jose*, San Mateo County Superior Court Case No. 17-CIV-00547; and Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(d)(1), *Peters v. City of Santa Clara, et al.*, Santa Clara County Superior Court Case No. 16CV297125 and there was no reportable action.

There being no further business, **MOTION** was made by Davis, seconded and unanimously carried (Mahan absent) to adjourn the meeting at 12:30 am, December 6, 2017, in **Memory of Rita O'Brien** (Santa Clara resident). The next regular scheduled meeting is on Tuesday evening, **December 19, 2017**, in the City Hall Council Chambers.

ATTEST:

\_\_\_\_\_

City Clerk/Secretary/Clerk

APPROVE:

\_\_\_\_\_

Mayor/Chairperson