

**MINUTES OF 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  
TUESDAY, FEBRUARY 21, 2017**

The City Council/Successor Agency to the City of Santa Clara Redevelopment Agency (Successor Agency), Sports and Open Space Authority (SOSA) and Housing Authority, with a quorum present, met at 5:00 pm, on the above-mentioned date, in the City Hall Council Chambers for a **Joint Study Session** to receive input on **budget priorities for the 2017-18 Annual Budget**, including Operating and Capital Improvement Project (CIP) Budget and the Municipal Fee Schedule. The Interim City Manager/Executive Officer to Successor Agency/Contract Administrator SOSA and Executive Director gave an electronic presentation on the upcoming joint study session dates and a summary of the recent strategic planning session discussions. The Acting Director of Finance/Acting Director of Finance for SOSA/Acting Housing Authority Treasurer continued with the electronic presentation on the recent and prior Five Year Financial Plan and budget priorities. A Council/Successor Agency/SOSA/Housing Authority discussion followed and the Interim City Manager/Executive Officer to Successor Agency/Contract Administrator SOSA/Executive Director, Director of Parks and Recreation and the Acting Director of Finance answered questions. Board of Library Trustees Lee Broughman, David Kyo (provided a copy of his email 2/21/17), Jan Hintermeister and Ashish Mangla requested funding for the Mission Library remodel, public art and other Library programs.

The Council and the Stadium Authority, with a quorum present, met at 6:01 pm in the City Hall Council Chambers. With no public comment, the Council and Stadium Authority then met in the Council Conference Room for a **Closed Session**.

The Council met for a Conference with Labor Negotiators pursuant to Government Code Section 54957.6; City representative: Rajeev Batra, Interim City Manager (or designee); Employee Organization(s): Unit #1 - Santa Clara Firefighters Association, IAFF, Local 1171; Unit #2 - Santa Clara Police Officer's Association; Unit #3 - IBEW Local 1245 (International Brotherhood of Electrical Workers); Unit #4 - City of Santa Clara Professional Engineers; Units #5, 7 & 8 - City of Santa Clara Employees Association; Unit #6 - AFSCME Local 101 (American Federation of State, County and Municipal Employees); Unit #9 - Miscellaneous Unclassified Management Employees; Unit #9A - Unclassified Police Management Employees; Unit #9B - Unclassified Fire Management Employees; Unit #10 - PSNSEA (Public Safety Non-Sworn Employees Association); Conference for Public Employee Performance Evaluation pursuant to Government Code Section 54957; Title: Interim City Manager; 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); *Santa Clara Youth Soccer League v. City of Santa Clara, et al.*, Santa Clara County Superior Court Case No. 15-CV-289572.

The Stadium Authority met for a Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(d)(1); *Mr. Ticket, et al. v. Santa Clara Stadium Authority, et al.*, San Francisco County Superior Court Case Number CGC-17-556740 and a Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(d)(1); *Forty Niners Stadium Management Company LLC, et al. v. Santa Clara Stadium Authority, et al.* Santa Clara County Superior Court Case No. 17CV304903.

The Council, Stadium Authority, Sports and Open Space Authority and Housing Authority convened at 7:06 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 Manager, Interim City Attorney and City Clerk/Auditor.

**MOTION** was made by Caserta, seconded and unanimously carried, that the **Minutes** for the Concurrent Meeting of **January 24, 2017** be adopted as written.

As a Special Order of Business, the Council proceeded to consider the Chief of Police's informational report for the presentation of a **Significant Achievement Award from the California Department of Alcoholic Beverage Control** (ABC) to the Santa Clara Police Department. Captain Steve Bures introduced representatives from ABC and summarized the collaborative efforts of the Santa Clara Police Department and ABC to curb alcohol-related challenges in the community. ABC Division Chief Chris Albrecht addressed the Council, on behalf of ABC, and recognized the Santa Clara Police Department for reducing crime and public nuisance problems during the 2015-16 grant cycle. Captain Bures and Sergeant Richard Fitting accepted the Award presented by Chief Albrecht. Photographs were taken.

As a Special Order of Business, the Council proceeded to consider the Executive Assistant to the City Manager's report recommending acceptance of donations from the **Historic Home Tour** which took place December 2-3, 2016. Lou Faria and Jeannie Mahan, Co-Chairs of the Committee, presented donations from the Historic Preservation Society of Santa Clara and the Old Quad Residents Association totaling \$12,000 to the following: Harris Lass House Museum, Sister Cities Association, City of Santa Clara Senior Center – Case Management Program, Santa Clara Station Railroad Museum, Heritage Room at Central Park Library, Santa Clara Fire Department Museum, Old Quad Residents' Association and the Santa Clara Woman's Club Adobe. The Council authorized the Mayor and City Manager to transmit a letter of appreciation to the Historic Preservation Society of Santa Clara and the Old Quad Residents Association for their organization of the 2016 Historic Home Tour. Photographs were taken.

As a Special Order of Business, the Council proceeded to consider the Executive Assistant to the Mayor and City Council's informational report recognizing **Santa Clara resident Carlos McCann** who volunteers many hours of his personal time to better the community. The Mayor recognized Mr. McCann, an 89 year old resident for his volunteer work sweeping the City Streets and the Priya Living area. Mr. McCann addressed the Council. Photographs were taken.

As a Special Order of Business, the Council proceeded to consider the Executive Assistant to the Mayor and City Council's informational report for a presentation by the **Eritrean Community Center of Santa Clara County** located in the City of Santa Clara. The Vice Mayor reviewed the report and introduced board members in the audience. Isayas Sium, Vice Chairman, addressed the Council and gave an electronic presentation regarding the Center and the services it provides.

As a Special Order of Business, the Community Relations Manager reviewed her informational report regarding an update on the **Rising Readers, Early Learning Initiative**. She indicated that the Council approved partnering with the Santa Clara Unified School District (SCUSD) to fund an early learning initiative under the Footsteps2Brilliance program. She provided a printed electronic presentation that was not displayed. Jennifer Dericco, SCUSD Public Information Officer, addressed the Council and stated that in October 2016, Dr. Stanley Rose, SCUSD Superintendent, and Mayor Gillmor created a call to action and set a goal of reading 5 million words by March 3, 2017. Ms. Dericco stated that the children not only met but far exceeded the goal and to date have read 12.5 million words.

The Council proceeded to recognize the **Santa Clara Firefighters Foundation** for organizing the recent **Firehouse Run**. Member O'Neill praised Chris Eichhorn, Fire Department Driver Engineer, for initiating the idea of the Run and organizing and promoting the event. The Run is an opportunity to raise funds for school kids and for the community to come together and have a healthy and fun time. Member O'Neill recognized the following Firehouse Run partners: Santa Clara Firefighters Foundation, Santa Clara Schools Foundation, Santa Clara Unified School District, City of Santa Clara and Santa Clara University. She also recognized Jennifer Dericco and Dr. Stanley Rose, Santa Clara Unified School District, and the City staff that worked on the event. Member O'Neill presented Mr. Eichhorn with a Certificate of Special Mayoral Recognition. Photographs were taken.

**MOTION** was made by Caserta, seconded and unanimously carried, that, per the Interim City Attorney's report, the Council **adopt Resolution No. 17-8413** entitled "A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA, ESTABLISHING CERTAIN PARKING REGULATIONS ON BOTH SIDES OF EL CAPITAN AVENUE, SHERATON DRIVE, STAATS WAY AND ALBERTA COURT" which approves a 1-hour parking restriction from 12:00 a.m. to 6:00 a.m. on both sides of El Capitan Avenue, Sheraton Drive, Staats Way and Alberta Court.

**MOTION** was made by Caserta, seconded and unanimously carried, that, per the Assistant Director of Water and Sewer Utilities' report, the Council **approve** the use of **City Water Utility forces** to upgrade existing 8" fire service with reduced pressure detector assembly at 2055 Laurelwood Road and 5403 Betsy Ross Drive.

**MOTION** was made by Caserta, seconded and unanimously carried, that, per the Director of Electric Utility's report, the Council **approve** the use of **City Electric forces** for the installation of facilities at 3032 Coronado Drive.

**MOTION** was made by Caserta, seconded and unanimously carried, that, per the Director of Electric Utility's report, the Council **approve** the **ten year goals for energy efficiency**, as determined by the Incremental Market Potential identified in the Navigant potential study.

**MOTION** was made by Caserta, seconded and unanimously carried, that, per the Director of Public Works/City Engineer's report, the Council **adopt Resolution No. 17-8414** entitled "A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA, ORDERING THE VACATION OF THE UNDERGROUND ELECTRIC EASEMENTS AND THE SIDEWALK EASEMENTS AT 2795 AUGUSTINE DRIVE [APN 216-45-045 (2016-17)]" which orders the vacation of the underground electric easements and sidewalk easements at **2795 Augustine Drive** (SC 18,881) and **authorize** the recordation thereof.

**MOTION** was made by Caserta, seconded and unanimously carried, that, per the Director of Finance's report, the Council **note and file the Monthly Financial Status Reports** for December 2016.

**MOTION** was made by Caserta, seconded and unanimously carried, that, per the Director of Finance's report, the Council **accept the Santa Clara Convention Center and Convention-Visitor's Bureau Activity Report for Fiscal Year 2016-17 Second Quarter**, as submitted by the Santa Clara Chamber of Commerce and Convention-Visitor's Bureau.

**MOTION** was made by Caserta, seconded and unanimously carried, that, per the Deputy City Manager's report, the Council **adopt Resolution No. 17-8415** entitled "A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA IN SUPPORT OF A NATIONAL HERITAGE AREA DESIGNATION FOR SANTA CLARA COUNTY" in support of a **National Heritage Area Designation for Santa Clara County**.

**MOTION** was made by Caserta, seconded and unanimously carried, that, per the Director of Community Development's report, the Council **approve Amendment No. 1** to the **Affordable Housing Agreement** with **555 Saratoga, LLC** to clarify the legal description, the Assessor's Parcel Number for the designated Below Market Purchase unit and correct the unit's listed square footage.

**MOTION** was made by Caserta, seconded and unanimously carried, that, per the Director of Electric Utility's report, the Council **approve** and authorize the City Manager to execute an **Agreement for the Design Performance of Services** with **3Degrees Group, Inc.** in a total amount not to exceed \$3,500,000 to continue the Santa Clara Green Power Program through 2020.

**MOTION** was made by Caserta, seconded and unanimously carried, that, per the Director of Public Works/City Engineer's report, the Council **approve** and authorize the City Manager to execute an **Agreement for Design Professional Services** with **SCI Consulting Group** for the Storm Drain Fee and Rate Study in the amount not to exceed \$218,775 and **authorize** the City Manager to make minor, non-substantive modifications, if needed.

**MOTION** was made by Caserta, seconded and unanimously carried, that, per the Director of Public Works/City Engineer's report, the Council **approve** and authorize the City Manager to execute the **Agreement for Professional Services** with **Iteris, Inc.** for an amount not to exceed \$250,350 for the Changeable Message Signs Project 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 the Council/Authorities **approve** the payment of **Bills and Claims and Progress Payments**.

**MOTION** was made by Caserta, seconded and unanimously carried, that the Council **note and file** the **Minutes** of the **Board of Library Trustees** for the meeting of December 5, 2016; **Historical and Landmarks Commission** for the meeting of January 5, 2017 and the **Planning Commission** for the meeting of January 11, 2017.

**PUBLIC HEARING:** The Mayor declared the hearing open for consideration of the Director of Community Development's report regarding the project located at **2780 El Camino Real, Moonlite Lanes Apartment Project** for construction of a five-story, 158 unit multi-family residential development on a 2.88 acre site with central six-story wrap parking structure, on-site amenities, landscaping and site improvements, subject to conditions (APN 290-16-018) [PLN2015-11360 and CEQ2016-01198]. The Council noted the Executive Assistant to the Mayor and City Council's report regarding correspondence received regarding the project after the agenda was posted. The Interim City Manager announced that the applicant, Prometheus Real Estate Group (Prometheus), requested that the **project application be withdrawn**. Jon Moss, Executive Vice President and Partner Development, addressed the Council on behalf of Prometheus, and reviewed the history of the project. A Council discussion followed and the Interim City Manager and Mr. Moss answered questions. The following individuals addressed the Council with general comments: Sean Erik, Deborah Bress, David Goldfinger, Wendy Levine, Howard Myers, Steve Bevan, Hosam Haggag, Yvette Bentley and Rick Furtado.

**PUBLIC HEARING:** The Mayor declared the hearing open for consideration of the project located at **917 Warburton Avenue** for adoption of Resolutions: 1) adopting the Mitigated Negative Declaration (MND) and Mitigation Monitoring or Reporting Program (MMRP); 2) approving a rezone from ML – Light Industrial to PD – Planned Development; and 3) approving a Tentative Subdivision Map for a six-lot subdivision with one common area parcel [CEQ2016-01020, PLN2016-11732, PLN2016-11733]. The Director of Community Development reviewed his report and gave an electronic presentation on the project. A Council discussion followed and the Director of Community Development answered questions. Ron Strunk addressed the Council with general comments. There being no further public input, **MOTION** was made by Caserta, seconded and unanimously carried, that the public hearing be closed. **MOTION** was then made by Kolstad, seconded and unanimously carried, that the Council **adopt Resolution No. 17-8416** entitled "A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA TO ADOPT THE MITIGATED NEGATIVE DECLARATION (MND) AND THE MITIGATION MONITORING OR REPORTING PROGRAM (MMRP) FOR THE PROJECT LOCATED AT 917 WARBURTON AVENUE, SANTA CLARA" which adopts the Mitigated Negative Declaration and Mitigation Monitoring or Reporting Program; **adopt Resolution No. 17-8417** entitled "A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA APPROVING A REZONING FROM LIGHT INDUSTRIAL (ML) TO PLANNED DEVELOPMENT (PD) OF THE PROPERTY LOCATED AT 917 WARBURTON AVENUE, SANTA CLARA" which approves a Rezone from ML – Light Industrial to PD – Planned Development; and **adopt Resolution No. 17-8418** entitled "A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA, APPROVING A TENTATIVE SUBDIVISION MAP FOR THE PROPERTY LOCATED AT 917 WARBURTON AVENUE, SANTA CLARA" which approves a Tentative Subdivision Map for a six-lot subdivision with one common area parcel and, by Council consensus, **refer** to the City Manager to bring back a report to Council addressing the residential safety concerns including a potential wall.

The Council proceeded to consider the Director of Community Development's report regarding the **Affordable Housing Nexus Study (PLN2017-21449)**. The Interim City Manager reviewed the recommendation requesting Council's comments on the Study and proposed fee levels and to provide feedback regarding the desire fee levels. The Council noted the Executive Assistant to the Mayor and City Council's report regarding correspondence received after the agenda was posted. The Director of Community Development reviewed his report and gave an electronic presentation regarding the Study. A Council discussion followed and the Director of Community Development answered Council questions. The City's consultant, David Doezema, Keyser Marston & Associates, answered Council questions. The following individuals addressed the Council in support: Jeffrey Buchanan (provided handout), Mary Collins, Sudhanshu Jain, Joyce Pei, Sarah McIntire, Kirk Vartan, Nicole Montojo (provided handout), Roma Dawson, Deborah Bress, Hosam Haggag, Mary Apton and Kevin Park. The following individuals addressed the Council with general comments: Vincent Rocha and Dennis Martin. A Council discussion followed. **MOTION** was made by Caserta, seconded and unanimously carried, that the Council **approve** the creation of an **Ad-Hoc Committee** with Vice Mayor Caserta as Chair, Member Kolstad and Member Mahan and one Planning Commissioner as members to meet between four to six times over the next 60 days, and to include community stakeholders outreach and to report back to the Council with a recommendation in the May timeframe.

The Council proceeded to consider the City Clerk/Auditor's report regarding the acceptance of the resignation of **Fatima Fagundes** from the **Cultural Commission**; the declaration of one vacancy for the partial term ending June 30, 2019; the appointment of an applicant from the previously submitted applications that were considered by the Council on January 24, 2017 and setting March 7, 2017 at 6:00 pm for the Council to consider those previously submitted applications or setting March 14, 2017 at 5:00 pm as the deadline for the receipt of applications and March 21, 2017 at 6:00 pm as the interview date and time. A Council discussion followed. **MOTION** was made by Caserta, seconded and carried with Davis and Gillmor dissenting, that the Council **accept** the resignation of Fatima Fagundes from the Cultural Commission, declare one vacancy for the partial term ending June 30, 2019 and set March 14, 2017 at 5:00 pm as the deadline for the receipt of applications and March 21, 2017 at 6:00 pm as the interview date and time.

The Council proceeded to consider the Director of Public Works/City Engineer's report recommending the approval of the Plans and Specifications for the 2017 Pavement Resurfacing Project for pavement rehabilitation of Great America Parkway, Bowers Avenue, Cypress Avenue, Forest Avenue, Fernandez Court and other miscellaneous areas. The Council noted an email (2/21/17) submitted by Elizabeth Megas in support of the project. The following individuals addressed the Council with concerns: Deborah Bress and Kirk Vartan. **MOTION** was made by Mahan, seconded and unanimously carried, that the Council **approve** the **Plans and Specifications for the 2017 Pavement Resurfacing Project** for pavement rehabilitation of Great America Parkway, Bowers Avenue, Cypress Avenue, Forest Avenue, Fernandez Court and other miscellaneous areas and **authorize** the City Manager to make minor modifications as necessary and to advertise for bids (CE 16-17-08).

The Council proceeded to consider the Executive Assistant to the Mayor and City Council's report recommending approval of the expenditure, in the amount of \$2,300, for

the **Vice Mayor's attendance at the 26<sup>th</sup> Annual Yosemite Policymakers Conference in Yosemite National Park, California**, on March 16-19, 2017 and the Vice Mayor's memorandum regarding clarification of expenses. The Vice Mayor spoke regarding the City's conference and travel policy. A Council discussion followed. Deborah Bress addressed the Council with concerns. Tino Silva addressed the Council in support of the recommendation. **MOTION** was made by Davis, seconded and carried with Caserta abstaining (conflict of interest), that the Council **approve** the expenditure in the amount of \$2,300 for the Vice Mayor's attendance at the Conference and **accept** Vice Mayor's offer to reimburse a portion of the costs.

**MOTION** was made by Davis, seconded and unanimously carried, that the Stadium Authority **note and file** the revised **Minutes** of the **Ad Hoc Stadium Audit Committee** for the meeting of January 9, 2017 (Executive Assistant to the Mayor and City Council's report).

The Council and Stadium Authority proceeded to consider the Director of Finance/Finance Director for Stadium Authority's report recommending that the Council note and file Santa Clara Stadium Authority Financial Status Report through the Quarter Ending December 31, 2016 and the Stadium Authority approve the Stadium Authority operating budget amendment of \$405,000. The Acting Director of Finance/Finance Director for Stadium Authority reviewed her Report and gave an electronic presentation regarding the Report and the recommendation for approval of an operating budget amendment of \$405,000. A Council/Stadium Authority discussion followed and the Interim City Manager/Interim Executive Director and the Acting Director of Finance/Finance Director for Stadium Authority answered questions. The following individuals addressed the Council/Stadium Authority with concerns: Deborah Bress, Tino Silva, Hosam Haggag and Burt Field. A Council/Stadium Authority discussion followed and the Interim City Manager/Interim Executive Director answered questions. **MOTION** was made by O'Neill, seconded and unanimously carried, that the Council/Stadium Authority **note and file** the **Santa Clara Stadium Authority Financial Status Report through the Quarter Ending December 31, 2016**. **MOTION** was then made by O'Neill, seconded and unanimously carried, that the Stadium Authority **approve** the Stadium Authority operating budget amendment of \$405,000.

The Council proceeded to consider the **Minutes** of the **Parks and Recreation Commission** for the meeting of January 17, 2017 and the recommendation authorizing the City Manager to enter into a joint use agreement with the Santa Clara Unified School District and to develop a memoranda of understanding (MOU's) with the Little Leagues to provide Parks and Recreation Department grounds maintenance services to the Majors' fields and to appropriate additional funding for the services as necessary. The Interim City Manager reviewed the recommendation. Parks and Recreation Commissioner Tino Silva addressed the Council regarding Briarwood Field. Harbir Bhatia addressed the Council with general comments. Mr. Silva answered Council questions. **MOTION** was made by Caserta, seconded and unanimously carried, that the Council **approve** the Parks and Recreation Commission's recommendation specifically regarding Briarwood School field and **note and file** the **Minutes** for **January 17, 2017**.

Under Public Presentations, Kirk Vartan, Hosam Haggag and Deborah Bress expressed general comments of concern. Pat Nikolai expressed general comments of concern related to public safety at Levi's® Stadium; and by Council consensus, the concern was referred to the City Manager to return with a report.

The Council proceeded to consider the Community Relations Manager's report recommending approval of the **Ethics Committee's recommendation to reconvene the Charter Review Committee** comprised of nine members, including one individual selected by the Mayor and each individual Council Member and two at-large members to be selected by the Council; define the work plan for the Charter Review Committee; and to set March 24, 2017 as the deadline to submit Letters of Interest for two at-large members to the Mayor and Council Offices. A Council discussion followed and the Interim City Attorney answered questions. Hosam Haggag and Kirk Vartan addressed the Council with general comments. **MOTION** was made by Davis, seconded and unanimously carried, that the Council **approve** the Ethics Committee's recommendation with the exception of the work plan to be defined by the Council at a later date.

The Council proceeded to consider the Community Relations Manager's report recommending approval of the **Governance Committee's recommendations to delegate authority to the City Manager for certain routine items**. The Community Relations Manager provided a printed electronic presentation that was not displayed. Member O'Neill reviewed the recommendations. A Council discussion followed and the Interim City Manager answered questions. The Interim City Attorney provided information regarding the processing of the recommendations. Hosam Haggag and Deborah Bress addressed the Council with comments of concern. **MOTION** was made by O'Neill, seconded and unanimously carried, that the Council **approve** the Governance Committee's recommendations with the exception of Championship Team Funding and **refer** to the City Attorney and the City Clerk items requiring Resolution updates or other required action and **refer** Donation Acceptance back to the Governance Committee and continue to work on the development of performance measures.

The Council proceeded to consider the Community Relations Manager's report recommending approval of the **Governance Committee's recommendations to revise Policy and Procedure 029 Time Limits for Speakers and to place Public Presentations to be heard immediately following Special Order of Business on the Agenda**. Member O'Neill reviewed the recommendations and the Interim City Attorney provided information regarding the recommendations. A Council discussion followed and the Interim City Attorney answered questions. The Council noted an email (2/18/17) submitted by Elizabeth Megas in support of the recommendation. The following individuals addressed the Council with general comments: Hosam Haggag, Eric Stroker, Harbir Bhatia, Kirk Vartan and Deborah Bress. A Council discussion followed. **MOTION** was made Mahan, seconded and unanimously carried, that the Council **approve** placing Public Presentations to be heard immediately following the Consent Calendar and **refer** the revision of Policy and Procedure 029 Time Limits for Speakers to the City Attorney to return to the Council with a resolution.

The Interim City Manager reported that the Sobrato Organization, LLC project at 2330 Monroe Street has been withdrawn.

The City Attorney reported that the Council met earlier in the evening for a Conference with Labor Negotiators pursuant to Government Code Section 54957.6; City representative: Rajeev Batra, Interim City Manager (or designee); Employee Organization(s): Unit #1 - Santa Clara Firefighters Association, IAFF, Local 1171; Unit #2 - Santa Clara Police Officer's Association; Unit #3 - IBEW Local 1245 (International Brotherhood of Electrical Workers); Unit #4 - City of Santa Clara Professional Engineers; Units #5, 7 & 8 - City of Santa Clara Employees Association; Unit #6 - AFSCME Local 101 (American Federation of State, County and Municipal Employees); Unit #9 - Miscellaneous Unclassified Management Employees; Unit #9A - Unclassified Police



Management Employees; Unit #9B - Unclassified Fire Management Employees; Unit #10 - PSNSEA (Public Safety Non-Sworn Employees Association) and took the following action: The Council **approved** the terms of a successor Memorandum of Understanding (MOU) between the City and the Santa Clara Police Officer's Association, Unit #2 which takes effect immediately and includes retroactivity for the wage and benefit changes and that the terms have already been ratified by the Association. The key points of the MOU are: a 2-year term from December 2016 to December 2018; a 5.0% wage increase retroactive to the first pay period of the first MOU year and a guarantee of at least a 3.0% wage increase in the second MOU year; the City will pay the Kaiser Employee only amount plus \$200 per month toward employees' health premiums, with a cap on the cash-in-lieu amount for employees not participating in the City's health plan; the City will contribute to employee's dental and vision premiums the lowest cost employee only premium amount; Peace Officer Standards and Training (POST) pay will be increased to \$2.5% of base salary for Intermediate POST certification and to 5.0% of base salary for Advanced POST certification; and re-opener on health and cafeteria plan issues in March 2017; increase in maximum compensatory time accrual from 160 to 200 hours; and increased bilingual pay for proficiency to \$90 per pay period. The Council directed staff to prepare and bring back to the Council an MOU document consistent with these terms already approved and made effective tonight. At the time the MOU documents is brought back for Council approval, the only issue for the Council to consider is whether or not the terms of the MOU document are consistent with the substantive MOU agreement approved tonight.

The City Attorney reported that the Council met earlier in the evening for a Conference for Public Employee Performance Evaluation pursuant to Government Code Section 54957; Title: Interim City Manager; 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); *Santa Clara Youth Soccer League v. City of Santa Clara, et al.*, Santa Clara County Superior Court Case No. 15-CV-289572 and there was no reportable action.

The Stadium Authority Counsel reported that the Stadium Authority met earlier in the evening for a Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(d)(1); *Mr. Ticket, et al. v. Santa Clara Stadium Authority, et al.*, San Francisco County Superior Court Case Number CGC-17-556740 and a Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(d)(1); *Forty Niners Stadium Management Company LLC, et al. v. Santa Clara Stadium Authority, et al.* Santa Clara County Superior Court Case No. 17CV304903 and there was no reportable action.

There being no further business, **MOTION** was made by Caserta, seconded and unanimously carried, to **adjourn** the meeting at 12:40 am, February 22, 2017. The next regular scheduled meeting is on Tuesday evening, **March 7, 2017** in the City Hall Council Chambers.

ATTEST: \_\_\_\_\_

City Clerk/Secretary/Clerk

APPROVE: \_\_\_\_\_  
Mayor/Chairperson