



City of Santa Clara

Meeting Agenda

Council and Authorities Concurrent Meeting

Tuesday, September 11, 2018

5:00 PM

City Hall Council Chambers

1500 Warburton Avenue

Santa Clara, CA 95050

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

5:00 PM JOINT DINNER

Call to Order in the Council Chambers

Confirmation of a Quorum

18-875 [Informational Joint Dinner Meeting with the Cultural Commission](#)

6:00 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.

- 18-1245** [Conference with Labor Negotiators \(CC\)](#)
[Pursuant to Gov. Code § 54957.6](#)
[City representative: Deanna J. Santana, 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 \(Public Safety Non-Sworn Employees Association\)](#)

- 18-1269** [Conference with Real Property Negotiators \(CC, SOSA\)](#)
[Pursuant to Gov. Code § 54956.8](#)
[Property: 1531 Stars and Stripes Drive, Portion of APN 104-03-036](#)
[City Negotiator: Deanna J. Santana, City Manager \(or designee\)](#)
[Negotiating Parties: David Ebrahimi, D.E. II Restaurants, Inc.](#)
[Under Negotiation: Purchase/Sale/Exchange/Lease of Real Property \(provisions, price and terms of payment\)](#)

Convene to Closed Session (Council Conference Room)

7:00 PM COUNCIL REGULAR MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS

CONTINUANCES/EXCEPTIONS

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.]

1.A 18-363 [Action on the Council and Authorities Concurrent and Stadium Authority Meeting Minutes](#)

Recommendation: Note and file the Minutes of:
Council and Authorities Concurrent Meeting - May 15, 2018
Joint Council and Stadium Authority Meeting - May 22, 2018

1.B 18-119 [Action on the Contribution Agreement with the Triton Museum of Art](#)

Recommendation:

1. Approve and authorize the City Manager to execute the FY 18/19 Contribution Agreement with Triton Museum of Art in the amount not-to-exceed \$289,560;
2. Authorize the City Manager to execute future Contribution Agreements in substantially the same form as long as the City has a valid Lease and Operation Agreement with the Triton Museum, subject to annual budget appropriations and;
3. Authorize the City Manager to make minor modifications to the Contribution Agreement if necessary.

1.C 18-445 [Action on an Ordinance Codifying Existing Claims Settlement Authority and Amending Settlement Authority for Workers' Compensation Matters](#)

Recommendation: Approve the introduction of an Ordinance Of The City Of Santa Clara, California, Adding Section 1.15.090 ("Claim Settlement Authority") To Chapter 1.15 ("Claims Against The City") Of Title 1 ("General Provisions") Of "The Code Of The City Of Santa Clara, California" to (1) revise the settlement authority limits for workers' compensation matters to reflect that the City Attorney, with written concurrence of the City Manager, has authority to settle claims by compromise and release up to and including \$250,000, and authority to settle stipulations at any amount, and (2) codifying existing authority for City Manager and City Attorney to settle all other claims.

1.D 18-871 [Action on Amendment No. 1 to an Agreement with GFI Entertainment, LLC for Citywide Special Events](#)

Recommendation: Approve and authorize the City Manager to execute Amendment No.1 to the Agreement with GFI Entertainment, LLC in the amount of \$151,000 for sound, lighting, equipment, talent, production and stage management services

1.E 18-1075 [Action on a Resolution for the Use of City Electric Forces at Various Locations](#)

Recommendation: Adopt a Resolution approving the use of City Electric Forces for the installation of facilities at Stevens Creek Boulevard at Henry Avenue; 2800 San Tomas Expressway; 3325/3305 The Alameda; 2121 and 2119 Main Street; 2888 San Tomas Expressway; 2950 Lakeside Drive; CalTrain crossings east and west of Scott Boulevard overpass, north of Scott Boulevard/Monroe Street Intersection; Grant Street South of Reed Street; 1048 Monroe Street; 1479 and 1485 Bellomy Street; 2361 Arguello Place; 526 Laurelwood Road.

1.F 18-1065 [Action on the 2017-2020 Memorandum of Understanding between the City of Santa Clara and the Santa Clara Firefighters, International Association of Firefighters, Local 1171 \(Unit 1\)](#)

- Recommendation:**
1. Approve and authorize the City Manager to execute the Memorandum of Understanding between the City of Santa Clara and Santa Clara Firefighters, International Association of Firefighters, Local 1171(Unit 1) 2017-2020, with effective dates of December 17, 2017 to December 26, 2020.
 2. Direct the City Manager to allocate \$1.4 million from the FY 2017/18 General Fund surplus to the FY 2018/19 Fire Department General Fund budget.
 3. Adopt a Resolution approving the salary schedule for Santa Clara City Firefighters, IAFF Local 1171 (Unit 1), effective December 17, 2017.

1.G 18-1158 [Action on Council and Authorities Concurrent and Stadium Authority Meetings for 2019](#)

- Recommendation:** Set the 2019 calendar year Council and Authorities Concurrent and Stadium Authority meetings as reflected on the attached calendar.

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

2. Information Related to November 2018 Election:

- A. 18-1263** [Informational Report regarding the November 2018 Election, including Background Information on the Code of Ethics and Values, Previous Consultant Services and Candidate Forums](#)
- B. 18-1261** [Action on Council Member Mahan's Request for a Candidate Forum for All Santa Clara Candidates](#)

- Recommendation:** There is no staff recommendation for this issue.

3. 18-444 [Action on Donations to the City Policy and Gifts to Elected and Appointed Officials Policy and Related Budget Amendment](#)

Recommendation: Adopt a resolution to approve the Donations to the City policy and the Gifts to Elected and Appointed Officials policy, and approval of related budget amendment.

4. 18-915 [Public Hearing: Fiscal Year 2017-18 Consolidated Annual Performance and Evaluation Report \(CAPER\) for the use of HUD Funds](#)

Recommendation: Alternatives 1 and 2:
1. Approve the FY 2017-18 Consolidated Annual Performance and Evaluation Report (CAPER) for the use of HUD Funds (Attachment 1).
2. Authorize the City Manager, or her designee, to execute the documents for submission to the U.S. Department of Housing and Urban Development (HUD) by September 30, 2018 unless otherwise directed by HUD.

5. 18-899 [Update on the Selection of a Developer for 2330 Monroe Street Affordable Housing Development \(Housing Authority\)](#)

Recommendation: Alternatives 1 & 2:
1. Note and File Staff's Recommendation of Freebird Development's Proposal for the Development of 2330 Monroe Street.
2. Direct Staff to initiate negotiation on an Exclusive Negotiation Agreement (ENA) with Freebird Development for future Council consideration.

STADIUM AUTHORITY ITEMS

6. 18-413 [Action on the Audited Santa Clara Stadium Authority Fiscal Year 2017/18 Annual Financial Statements](#)

Recommendation: Note and file the Santa Clara Stadium Authority Fiscal Year 2017/18 Annual Financial Statements.

REPORTS OF MEMBERS AND SPECIAL COMMITTEES

CITY MANAGER/EXECUTIVE DIRECTOR REPORT

18-1266 [Informational Report on the Status of Tourism Improvement District Financial Audit](#)

ADJOURNMENT

The next regular scheduled meeting is on Tuesday evening, September 18, 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."