



City of Sunnyvale

Notice and Agenda City Council

Tuesday, November 28, 2017

7:00 PM

Council Chambers, City Hall, 456 W. Olive
Ave., Sunnyvale, CA 94086

7 P.M. COUNCIL MEETING

Pursuant to Council Policy, City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain. Information provided herein is subject to change from date of printing of the agenda to the date of the meeting.

CALL TO ORDER

Call to Order in the Council Chambers (Open to the Public)

SALUTE TO THE FLAG

ROLL CALL

CLOSED SESSION REPORT

ORAL COMMUNICATIONS

This category provides an opportunity for members of the public to address Council on items not listed on the agenda and is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Mayor) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow Councilmembers to take action on an item not listed on the agenda. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.

CONSENT CALENDAR

All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a member of the public would like a consent calendar item pulled and discussed separately, please submit a speaker card to the City Clerk prior to the start of the

meeting or before approval of the consent calendar.

1.A [17-0983](#) Approve City Council Meeting Minutes of November 7, 2017

Recommendation: Approve the City Council Meeting Minutes of November 7, 2017 as submitted.

1.B [17-1110](#) Approve City Council Special Meeting Minutes of November 8, 2017

Recommendation: Approve the City Council Special Meeting Minutes of November 7, 2017 as submitted.

1.C [17-0598](#) Approve City Council Special Meeting Minutes of November 17, 2017

Recommendation: Approve the City Council Special Meeting Minutes of November 17, 2017 as submitted.

1.D [17-0199](#) Approve the List(s) of Claims and Bills Approved for Payment by the City Manager

Recommendation: Approve the list(s) of claims and bills.

1.E [17-0955](#) Award of Bid No. PW 18-04 for the Fuel System Upgrade Project located at the Sunnyvale Golf Course, Finding of California Environmental Quality Act (CEQA) Categorical Exemption and Approval of Budget Modification No. 25

Recommendation: 1) Make a finding of a California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines Section 15301, 2) Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$285,895 to ConstructiCON Corp for Fuel System Upgrade Project (PW16-03) and authorize the City Manager to execute the contract when all necessary conditions have been met; 3) Approve a 10% construction contingency in the amount of \$28,589; and 4) Approve Budget Modification No. 25 in the amount of \$43,632.

1.F [17-0685](#) Award of Contract for SMaRT Station Flooring Replacement (F18-147)

Recommendation: 1) Award a contract in substantially the same form as Attachment 1 to the report and in the amount of \$527,977 to American Restore and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 2) approve a 10% project contingency in the amount of \$52,798.

1.G [17-1014](#) Modify an Existing Contract with Kimley-Horn Associates, Inc. for Temporary Personnel Services to Provide Professional Engineering Support for the Intelligent Transportation System and Authorize the City Manager to Extend the Term of the Contract

Recommendation: 1) Authorize the City Manager to execute a First Amendment to the contract with Kimley-Horn Associates, Inc., in substantially the same form as Attachment 1 to the report, increasing the not-to-exceed contract amount from \$95,000 to \$245,000, for Temporary Personnel Services and professional engineering services for the Transportation and Traffic Division, when all necessary conditions have been met.

1.H [17-1013](#) Approve Budget Modification No. 21 to Appropriate \$17,700 of County of Santa Clara Emergency Management Performance Grant (EMPG) Funds for a New Project, FY 2017/18 EMPG.

Recommendation: Approve Budget Modification No. 21 to appropriate Santa Clara County Emergency Management Performance (EMPG) funds in the amount of \$17,700 to a new project, FY 2017/18 EMPG.

1.I [17-1052](#) Approve Budget Modification No. 24 in the Amount of \$150,000 for Advisory Services Including Polling, and Public Education Outreach Related to the Evaluation of New Revenue Strategies to Fund New and Increasing Service Demands and/or Unfunded Capital Investments, and Find that the Action is Exempt from CEQA

Recommendation: Find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 (b)(4) and (b)(5) and approve Budget Modification No. 24 in the amount of \$150,000.

1.J [17-1030](#) Adopt by Resolution Volume I and Sunnyvale's Annex Within

Volume II of the 2017 Santa Clara County Operational Area Hazard Mitigation Plan

Recommendation: Adopt by resolution Volume I and Sunnyvale's Annex within Volume II of the 2017 Santa Clara County Operational Area Hazard Mitigation Plan.

- 1.K [16-1103](#) Approve New First Mortgage Refinance Loan of \$3.3 Million in Housing Funds to MidPen Housing Corp. and Modification of Outstanding Loans to Finance Phase Two of Eight Trees Apartments Rehabilitation at 183 Acalanes Drive, Sunnyvale; and Approve Budget Modification No. 26 to Appropriate Funding from the Housing Fund for the New Loan

Recommendation: 1) Find that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(d); 2) Approve a new first mortgage refinance loan of \$3.3 million in Housing Mitigation Funds for the Eight Trees Phase Two Project and authorize the City Manager to execute the new first mortgage refinance loan documents and amendments to the existing City loans to forgive accrued interest and adjust interest rates to 0%, as further described in Attachments 2 and 5 of the report and to execute any other document or instrument and take any additional action as may be necessary to carry out the purposes the new first mortgage refinance loan; and, 3) Approve Budget Modification No. 26 to Appropriate \$3.3 million from the Housing Mitigation Fund balance to a new Project: Eight Trees Phase Two Rehabilitation Project, 183 Acalanes Drive.

- 1.L [17-1091](#) Adopt Ordinance No. 3128-17 to Amend 19.38.040 (Individual Lockable Storage Space for Multiple-Family Residential) of Chapter 19.38 (Required Facilities) of Title 19 (Zoning) of the Sunnyvale Municipal Code

Recommendation: Adopt Ordinance No. 3128-17.

- 1.M [17-1092](#) Adopt Ordinance No. 3129-17 to Amend Sections 19.92.050 (General Plan Amendment Proceedings) and 19.92.060 (Zoning Amendment Proceedings) of Chapter 19.92 (General Plan and Zoning Amendments) of Title 19 (Zoning) of the Sunnyvale Municipal Code

Recommendation: Adopt Ordinance No. 3129-17.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearings/general business item, please fill out a speaker card and give it to the City Clerk. You will be recognized at the time the item is being considered by Council. Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 5 minutes for closing comments.

- 2 [17-0240](#) Appoint an Applicant to the Board of Building Code Appeals

Recommendation: Staff makes no recommendation.

- 3 [17-0988](#) Approve the Purchase and Sale Agreement for 1050 Innovation Way and 1060 Innovation Way, Sunnyvale (A Portion of Former Onizuka Air Force Station) and Approve Budget Modification No. 22

Recommendation: Alternative 1: Authorize the City Manager to execute the Purchase and Sale Agreement between the City of Sunnyvale and Google LLC, in substantially the same form as Attachment 1 to the report, for the sale of the Onizuka Property and approve Budget Modification No. 22 in the amount of \$1,000,000.

- 4 [17-0829](#) Review and Approve Recommended Changes to the Community Event and Neighborhood Grant Program Eligibility Guidelines

Recommendation: Staff makes no recommendation.

- 5 [17-1017](#) Discontinuation of Patent and Trademark Resource Center Services at the Sunnyvale Public Library

Recommendation: Alternative 1: Discontinue Patent and Trademark Resource Center services at the Sunnyvale Public Library.

- 6 [17-1103](#) Consider Amendment of Council Action Previously Taken on October 17, 2017 Regarding the 2017/18 Charter Review Committee Recruitment and Appointment Process

Recommendation: Staff makes no recommendation.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**NON-AGENDA ITEMS & COMMENTS**

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

17-0092	Tentative Council Meeting Agenda Calendar
17-0854	Information/Action Items
17-1036	Study Session Summary of November 7, 2017 - Board/Commission Interviews
17-1021	Board/Commission Meeting Minutes

ADJOURNMENT**NOTICE TO THE PUBLIC**

The agenda reports to council (RTCs) may be viewed on the City's website at sunnyvale.ca.gov after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, Sunnyvale, California during normal business hours and in the Council Chamber on the evening of the Council Meeting, pursuant to Government Code §54957.5. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.160 (b) (1))

Planning a presentation for a City Council meeting?

To help you prepare and deliver your public comments, please review the "Making Public Comments During City Council or Planning Commission Meetings" available on the City website at sunnyvale.ca.gov.

Planning to provide materials to Council?

If you wish to provide the City Council with copies of your presentation materials, please provide 12 copies of the materials to the City Clerk (located to the left of the Council dais). The City Clerk will distribute your items to the Council.

Upcoming Meetings

Visit <https://sunnyvaleca.legistar.com> for upcoming Council, board and commission meeting information.