



# City of Sunnyvale

## Notice and Agenda

### City Council

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Tuesday, July 29, 2014

5:30 PM

Council Chambers and West Conference  
Room, City Hall, 456 W. Olive Ave.,  
Sunnyvale, CA 94086

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**Special Meeting - Closed Session 5:30 PM | Regular Meeting-7 PM**

#### **5:30 P.M. SPECIAL COUNCIL MEETING (Closed Session)**

##### **1 Call to Order in the West Conference Room**

##### **2 Roll Call**

##### **3 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.*

##### **4 Convene to Closed Session**

[14-0723](#)

Closed Session held pursuant to California Government Code  
Section 54957.6: CONFERENCE WITH LABOR  
NEGOTIATORS

Agency designated representatives: Teri Silva, Director of  
Human Resources; Deanna J. Santana, City Manager  
Employee organization: Sunnyvale Managers Association  
Employee organization: Service Employees International  
Union, Local 521

##### **5 Adjourn Special Meeting**

#### **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****SPECIAL ORDER OF THE DAY**

[14-0727](#) SPECIAL ORDER OF THE DAY - National Safe Digging Day

**PUBLIC ANNOUNCEMENTS**

*Each speaker is limited to three minutes for announcements of community events, programs, or recognition.*

**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** [14-0654](#) Approval of City Council Meeting Minutes of July 15, 2014

**Recommendation:** Approve the City Council Meeting Minutes of July 15, 2014 as submitted.

**1.B** [14-0700](#) 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.C [14-0715](#) Award of Contracts for Asphaltic Materials and Pavement Reinforcement Fabric (F14-89)

**Recommendation:** 1) Award an 18-month contract, in substantially the same form as the attached Draft Purchase Order and in an amount not to exceed \$956,400, to Granite Construction Company; 2) award an 18-month contract, in substantially the same form as the attached Draft Purchase Order and in an amount not to exceed \$542,970 to Graniterock Company; 3) award an 18-month contract, in substantially the same form as the attached Draft Purchase Order and in an amount not to exceed \$169,260, to Reed and Graham, Inc.; and 4) delegate authority to the City Manager to renew the Purchase Orders for two additional one-year periods, not-to-exceed budgeted amounts, if pricing and services are acceptable to the City.

1.D [14-0409](#) Approve Budget Modification No. 7 to Appropriate \$8.760 Million of One Bay Area Grant (OBAG) Funds and \$2.104 Million of Required Matching Funds, which includes \$382,874 in Transportation Development Act Grant Funds, for Six Transportation Improvement Projects

**Recommendation:** Approve Budget Modification No. 7 to Appropriate \$8.760 Million of One Bay Area Grant Funds and \$2.104 Million of required matching funds, which includes \$382,874 in Transportation Development Act Grant Funds, for six transportation improvement projects.

1.E [14-0658](#) Award of Contract for Capital Project Management Software for the Public Works Engineering Division (F14-56) and Approval of Budget Modification No. 6

**Recommendation:** 1) Award a contract, in substantially the same format as Attachment 1 and in an amount not-to-exceed \$132,625, to e-Builder, Inc. for the subject project and authorize the City Manager to execute the contract when all the necessary conditions have been met; 2) Approve a project contingency in the amount of \$8,893; and 3) Approve Budget Modification No. 6 to provide additional funding for the project.

- 1.F**    [14-0692](#)            Authorize a Contract Amendment with HDR Engineering for Additional Design Services for Continuous Recycled Water Production Improvements at the Water Pollution Control Plant (F14-105), and Approve Budget Modification No. 5

**Recommendation:** 1) Approve Budget Modification No. 5 to appropriate additional funding to Project No. 829430, WPCP Chlorine Conversion project; 2) Authorize the City Manager to execute an amendment with HDR Engineering, as presented in Attachment 2, in an amount not to exceed \$489,748, when all the necessary conditions have been met; and 3) Approve a 15% design contingency in the amount of \$73,462.

- 1.G**    [14-0644](#)            Approval of the Final Map (Tract No. 10243) - 85 Townhouse Units at 617 East Arques Avenue by Summerhill E. Arques LLC.

**Recommendation:** Approve the final map for Tract No. 10243; authorize the Mayor to sign the subdivision agreement upon submittal of other documents deemed necessary by the Director of Public Works; direct the City Clerk to sign the City Clerk's Statement and forward the final map for recordation.

- 1.H**    [14-0732](#)            Adoption of Ordinance No. 3042-14 Amending Certain Sections of Sunnyvale Municipal Code Chapter 19.44 (Sign Code)

**Recommendation:** Adopt Ordinance No. 3042-14.

### **PUBLIC COMMENTS**

*This category 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 three minutes per speaker. If your subject is not on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. 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.*

**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      [14-0561](#)      Adopt a Resolution Causing Charges for Non-Payment of Administrative Citations to be Placed on the FY 2014/15 County of Santa Clara Tax Roll

**Recommendation:** Alternative 1: Adopt the resolution, presented as Attachment A, causing charges for non-payment of administrative citations to be placed on the FY 2014/15 County of Santa Clara Property Tax Roll.

- 3      [14-0650](#)      File #: 2013-8029  
Location: 523 E. Homestead Road (APNs: 309-44-003, 309-44-049, 309-44-050)  
Proposed Project: Appeals by two Councilmembers of a decision of the Planning Commission to deny a:  
SPECIAL DEVELOPMENT PERMIT: to allow 7 single-family homes, and  
VESTING TENTATIVE MAP: to create 7 ownership lots.  
Applicant / Owner: S&S Construction, LLC/Louis Mariani Trustee  
Environmental Review: Mitigated Negative Declaration

**Recommendation:** Alternative 1: grant the appeal and adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map based on the Findings in Attachment 5 and with the recommended Conditions in Attachment 6.

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

-Council

-City Manager

**INFORMATION ONLY REPORTS/ITEMS**

- [14-0577](#) Tentative Council Meeting Agenda Calendar
- [14-0510](#) Information/Action Items
- [14-0026](#) Boards and Commissions Semi-Annual Attendance Report, January - June 2014 (Information Only)
- [14-0374](#) North Central County Bus Improvement Plan Update and Summary of Transportation Mitigation Discussions in Peery Park (Information Only)
- [14-0703](#) Explore Parking Concerns of Small Business Owners and Employees in Downtown Sunnyvale (Information Only)
- [14-0653](#) Board/Commission Meeting Minutes

**ADJOURNMENT**

**NOTICE TO THE PUBLIC**

*The agenda reports to council (RTC's) may be viewed on the City's Web site at [sunnyvale.ca.gov](http://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 35.106 ADA Title II).*

**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" document available at [Presentations.inSunnyvale.com](http://Presentations.inSunnyvale.com).*

**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 [CouncilMeetings.inSunnyvale.com](http://CouncilMeetings.inSunnyvale.com) for upcoming Council meeting information.*

*Visit [BoardsandCommissions.inSunnyvale.com](http://BoardsandCommissions.inSunnyvale.com) for upcoming board and commission meeting information.*

*For a complete schedule of KSUN-15 Council meeting broadcasts, visit [KSUN.insunnyvale.com](http://KSUN.insunnyvale.com).*