



City of Sunnyvale

Notice and Agenda City Council

Tuesday, December 18, 2018

4:30 PM

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

**Special Meetings: Closed Session-4:30 PM | Study Session-6:30 PM | Regular Meeting-7
PM**

4:30 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

[18-0355](#)

Closed Session held pursuant to California Government Code
Section 54957: PUBLIC EMPLOYEE PERFORMANCE
EVALUATION
Title: City Attorney

[18-0356](#)

Closed Session held pursuant to California Government Code
Section 54957: PUBLIC EMPLOYEE PERFORMANCE
EVALUATION
Title: City Manager

5 Adjourn Special Meeting

6:30 P.M. SPECIAL COUNCIL MEETING (Study Session)

1 Call to Order in the West Conference Room (Open to the Public)

2 Roll Call

3 Public Comment**4 Study Session**

[18-0278](#) Discussion of 2019 Council Intergovernmental Assignments

[18-0279](#) Discussion of Upcoming Selection of Mayor for 2019-2020 and Vice Mayor for 2019

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****ORAL COMMUNICATIONS**

This category provides an opportunity for members of the public to address the City 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 the Council 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 [18-1066](#) Approve City Council Meeting Minutes of December 4, 2018

Recommendation: Approve the City Council Meeting Minutes of December 4, 2018, as submitted.

- 1.B [17-1141](#) 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 [18-0957](#) Receive and File the FY 2017/18 Annual Status Report on Receipt and Use of Development Impact Fees and Adopt a Resolution Approving Findings Regarding Unspent Impact Fees (Exempt from CEQA pursuant to Section 15378(b)(4) of the CEQA Guidelines

Recommendation: Receive and file FY 2017/18 Annual Status Report on receipt and use of development impact fees and adopt a Resolution making findings regarding unspent impact fees as required by the Mitigation Fee Act (California Government Code Section 66000 et seq.).

- 1.D [18-0970](#) Award a Contract to Sanact Incorporated for Sewer Siphon Cleaning and Inspection: Phase One Project (F19-047) and Approve Budget Modification No. 10

Recommendation: 1) Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$223,025 to Sanact Incorporated and authorize the City Manager to execute the contract when all necessary conditions have been met, 2) Approve a 10% contingency in the amount of \$22,303, and 3) Approve Budget Modification No. 10 in the amount of \$144,328.

- 1.E [18-1037](#) Adopt a Resolution Amending the City's Salary Resolution and the Schedule of Pay to (1) update pay rates for Casual Employee Classifications to Reflect the January 1, 2019 Sunnyvale Minimum Wage, and for the City Council Stipend Amount; (2) Implement Formatting Changes to the Schedule of

Pay; (3) Remove Classifications No Longer Used; and (4) Include Step 2 and Step 3 for the Casual NOVA Youth Worker Classification

Recommendation: Adopt a Resolution Amending the City's Salary Resolution and the Schedule of Pay to (1) update pay rates for Casual Employee Classifications to Reflect the January 1, 2019 Sunnyvale Minimum Wage, and for the City Council Stipend Amount; (2) Implement Formatting Changes to the Schedule of Pay; (3) Remove Classifications No Longer Used; and (4) Include Step 2 and Step 3 for the Casual NOVA Youth Worker Classification

- 1.F [18-1050](#) Award of Contract to Ascent Environmental for Consultant Services Associated with Environmental, Economic, and Engineering Review of the Lawrence Station Area Plan Housing Study (F19-089)

Recommendation: 1) Award a contract to Ascent Environmental for consultant services in an amount not to exceed \$280,925, in substantially the same form as Attachment 1 to the report and authorize the City Manager to execute the contract when all necessary conditions have been met; and 2) approve a 10% project contingency in the amount of \$28,093.

- 1.G [18-0822](#) Award of Contract for Professional Engineering Services for Signal Coordination Timing and Optimization (F18-283) to Kimley-Horn and Associates, Inc. and Approval of Budget Modification No. 9 to Appropriate \$340,393 in Transportation Funds for Clean Air for the Project

Recommendation: 1) Award a contract to Kimley-Horn and Associates, Inc. of Pleasanton in the amount not to exceed \$240,931 for professional engineering services, in substantially the same form as Attachment 1 to the report, and authorize the City Manager to execute the contract when all necessary conditions have been met, 2) Approve a 10% contract contingency in the amount of \$24,093, and 3) Approve Budget Modification No. 9 to appropriate \$340,393 in Transportation Funds for Clean Air to provide project funding.

- 1.H [18-1094](#) Adopt Three Resolutions Enabling the City of Sunnyvale to Submit an Application to the State of California for up to \$50

million in Clean Water State Revolving Funds to Fund the City of Sunnyvale Administration and Laboratory Building Project

Recommendation: Adopt Three Resolutions Enabling the City of Sunnyvale to Submit an Application to the State of California for up to \$50 million in Clean Water State Revolving Funds to Fund the Administration and Laboratory Building Project

- 1.I [18-1089](#) Adopt Three Financial Resolutions Enabling the City of Sunnyvale to Submit an Application to the State of California for up to \$216 million in Clean Water State Revolving Funds to Fund the City of Sunnyvale Secondary Treatment and Dewatering Facilities Project and Approve a Resolution to Adopt the Addendum to the Programmatic Environmental Impact Report Make the Findings Required by CEQA Re-Adopt the Mitigation Measures Identified in the Mitigation Monitoring and Reporting Program, and Re-affirm the Findings and Conclusions in the Statement of Overriding Considerations

Recommendation: Adopt Three Financial Resolutions Enabling the City of Sunnyvale to Submit an Application to the State of California for up to \$216 million in Clean Water State Revolving Funds to Fund the Secondary Treatment and Dewatering Facilities Project and Approve the Resolution to Adopt the Addendum to the Programmatic Environmental Impact Report, Make the Findings Required by CEQA, Re-Adopt the Mitigation Measures Identified in the Mitigation Monitoring and Reporting Program, and Re-affirm the Findings and Conclusions in the Statement of Overriding Considerations.

- 1.J [18-0906](#) Certification of the November 6, 2018 Election Results for Ballot Measure K (Transient Occupancy Tax) and Ballot Measure L (Charter Amendment to amend Section 604 relating to Council Vacancies)

Recommendation: Adopt a Resolution Reciting the Fact of the Municipal Election held November 6, 2018 for the purpose of submitting to the voters Measure K and Measure L, Declaring the Results, Confirming the Passage of Measure K and Measure L and such other matters as provided by law.

- 1.K [18-1046](#) Adopt a Resolution to Amend the Classification Plan and the

City's Salary Resolution to Update the Schedule of Pay to Add the Classification of Superintendent of Libraries.

Recommendation: Adopt the Resolution amending Resolution Nos. 143-77 and 190-05 to Add the New Classification of Superintendent of Libraries to the Classification Plan of the Civil Service and Amend the City's Salary Resolution to Update the Schedule of Pay to Include the Classification

- 1.L [18-1115](#) Adopt a Resolution Revising the Citywide Records Retention and Destruction Program Policy and Schedule (Rescheduled from 12/4/2018, RTC 18-0898)

Recommendation: Adopt the Resolution Approving Revisions to the Citywide Records Retention and Destruction Program Policy and Schedule.

ADJOURN TO SPECIAL JOINT MEETING OF THE CITY COUNCIL AND SUNNYVALE FINANCING AUTHORITY

CALL TO ORDER

ROLL CALL

PUBLIC HEARING/GENERAL BUSINESS

If you wish to speak to a public hearing/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.

2. [18-0977](#) Receive and File the FY 2017/18 Budgetary Year-End Financial Report, Comprehensive Annual Financial Report (CAFR), the Sunnyvale Financing Authority Financial Report, the Report to the City Council Issued by the Independent Auditors, and Approve Budget Modification No. 13 and the list of Proposed Closed Projects

Recommendation: Recommendation:

City Council:

1. Receive and file the budgetary Year-End Financial Report, the audited Comprehensive Annual Financial Report, and the Report to the City Council issued by the independent auditors, and Approve Budget Modification No. 13 and the list of Proposed Closed Projects.

Sunnyvale Financing Authority:

1. Receive and file the Sunnyvale Financing Authority Financial Report

ADJOURN SPECIAL MEETING**RECONVENE TO CITY COUNCIL MEETING****PUBLIC HEARINGS/GENERAL BUSINESS**

If you wish to speak to a public hearing/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.

3. [18-1073](#) Regional Housing Needs Allocation (RHNA) Subregion Participation

Recommendation: Alternative 2: Do not participate in the Santa Clara County subregion, and continue to receive the Regional Housing Needs Allocation directly from Association of Bay Area Governments for future Housing Element cycles.

4. [18-0910](#) Solid Waste & Recycling Collection Franchisee Performance Review Findings and Initiation of a Process for Selection of Post-2021 Franchisee

Recommendation: Alternatives 1, 2 and 3: 1) Find that the actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15262 and 15738(b)(5); 2) Accept the findings of the HF&H review of BCWS performance; and 3) Direct staff to initiate selection of a post-2021 franchisee using a negotiated, single-source process with a timeline that allows for a subsequent open, competitive process if negotiations do not provide an outcome favorable to the City and ratepayers.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

18-1071	Tentative Council Meeting Agenda Calendar
18-1072	Information/Action Items
18-1092	Notice of Public Works Director's Decision on Final Maps (Information Only)
18-1084	Study Session Summary of November 27, 2018 - Encouraging Heat Pump Water and Space Heating (Study Issue ESD 18-01)
18-1012	Mayoral Announcement of Mayor- Appointed Ad Hoc Committee on Citizen Advisory Committee Selection Process (Information Only)
18-0974	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.