



City of Sunnyvale

Notice and Agenda City Council

Tuesday, August 22, 2017

6:00 PM

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

Special Meeting: Closed Session- 6 PM | Regular Meeting - 7 PM

6 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

[17-0679](#)

Closed Session held pursuant to California Government Code Section 54956.8: CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: 1484 Kifer Road, Sunnyvale (Unilever site)

Agency negotiator: Deanna J. Santana, City Manager

Negotiating parties: REOM Development and Fore Property Company

Under negotiation: Price and terms of a potential purchase

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 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** [17-0183](#) 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.B** [17-0754](#) Authorize the Issuance of a Purchase Order for the Purchase of Turnout Fire Protective Clothing for the Department of Public Safety (DPS)

Recommendation: Authorize the issuance of a purchase order in substantially the same form as Attachment 1 to the report in the amount of \$401,679 to L.N. Curtis & Sons.

- 1.C** [17-0730](#) Award of Bid No. PW17-32 for the Pavement Rehabilitation 2017 Project, and Finding of California Environmental Quality Act (CEQA) Categorical Exemption

Recommendation: 1) Make a finding of a California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines Section 15301 for the restoration or rehabilitation of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities, involving negligible or no expansion of use beyond that presently existing; 2) Award a contract in substantially the same form as Attachment 2 to the report in the amount of \$567,355 to Interstate Grading & Paving, Inc. for the Pavement Rehabilitation 2017; Project # ST-17-05, and authorize the City Manager to execute the contract when all necessary conditions have been met; and 3) approve a 10% construction contingency in the amount of \$56,736.

1.D [17-0694](#) Adopt a Resolution Regarding President's Day Storm Damage and CalEMS/FEMA Assistance

Recommendation: Adopt a resolution to authorize designated staff to handle all matters related to state disaster assistance for Items 1-16 on the List of Projects (Attachment 3 to the report) and for any qualifying future disasters that occur up to three years from date of Council adoption.

1.E [17-0761](#) Reject Sole Bid Received for SMaRT Station Stormwater Management System Upgrade (PW17-04)

Recommendation: Reject sole bid received in response to Invitation for Bids No. PW17-04 for SMaRT Station Stormwater Management System Upgrade.

1.F [17-0798](#) Amend Council Policy 7.3.19 (Council Meetings)

Recommendation: Approve an Amended Council Policy 7.3.19 (Council Meetings) to: 1) hear by a single motion the following agenda items: Councilmembers Reports on Activities from Intergovernmental Committee Assignments, Non-Agenda Items and Comments and Information Only Reports/Items; and 2) to assure that the Standard Code of Parliamentary Procedures used by Council will be superseded by Council adopted policies, rules or procedures and any state or federal law(s) that require the Council to act in a certain manner.

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 [17-0826](#) CONTINUED FROM AUGUST 15, 2017 CITY COUNCIL MEETING
Proposed Project: GENERAL PLAN AMENDMENT INITIATION to consider a 100% FAR combining district on 11 parcels in the M-S zoning district totaling 17.85 acres.
File #: 2017-7382
Locations: 893-909 Kifer Road (APN 205-42-011), 905 Kifer Road (APN 205-42-009)
917 Kifer Road (APN 205-42-008), 133-135 Commercial Street and 919-921 Kifer Road (APN 205-42-007), 155 Commercial Street (APN 205-42-006), 165 Commercial Street (APN 205-42-010), 167-171 Commercial Street (APN 205-42-012), 181 Commercial Street (APN 205-42-003), 183 Commercial Street (APN 205-42-004), 193 Commercial Street (APN 205-42-002), No address (APN 205-42-001)
Applicant / Owner: ARC TEC, Inc. (applicant) / Fortinet (owner)
Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 (a).

Recommendation: Alternative 3: Initiate a General Plan Amendment study of a larger study area (bounded by Central Expressway to the north, Kifer Road to the south, a private park to the east, and Wolfe Road to the west) as an industrial intensification site in the General Plan to allow 100 percent FAR with the preparation of a Specific, Area, or Precise Plan.

- 3 [17-0204](#) Appoint Applicants to the Board of Library Trustees, Personnel Board and Sustainability Commission

Recommendation: Staff makes no recommendation.

- 4 [17-0770](#) Approve an Update of the Transportation Strategic Program and Adopt a Resolution Amending the City's Master Fee Schedule for Traffic Impact Fees

Recommendation: Alternative 1: Approve Update of the Transportation Strategic Program and Adopt a Resolution Amending the City's Master Fee Schedule for Traffic Impact Fees.

- 5 [17-0728](#) Award of Contract for Professional Design Services Associated with the Secondary Treatment and Dewatering Project at the Water Pollution Control Plant in an Amount Not to Exceed \$17,746,116 (F17-086), with a 10% Design Contingency of \$1,599,533, and Approve Budget Modification No. 8

Recommendation: 1) Award a contract in substantially the same form as Attachment 1 to the report in an amount not to exceed \$17,746,116 for Professional Design Services Associated with the Secondary Treatment and Dewatering at the Water Pollution Control Plant and authorize the City Manager to execute the contract when all necessary conditions have been met; 2) approve a 10% contract contingency on the base services in the amount of \$1,599,533; and 3) approve Budget Modification No. 8.

- 6 [17-0733](#) Consider Expanding the Purpose of the Standing Subcommittee to Discuss Issues of Mutual Interest with Local School Districts

Recommendation: Alternative 1: Authorize Vice Mayor Larsson and Councilmember Melton to determine the expanded purpose of the Standing Subcommittee regarding Issues of Mutual Interests with Local School Districts as it relates to their meetings with the Cupertino Union School District and the City of Los Altos.

- 7 [17-0752](#) Appoint a Councilmember as the City's Representative to the Expressway Plan 2040 Policy Advisory Board (Formerly the Comprehensive County Expressway Planning Study Advisory Board)

Recommendation: Alternative 1: Appoint a Councilmember to serve as the City's representative on the Expressway Plan 2040 Policy Advisory Board.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

[17-0643](#) Tentative Council Meeting Agenda Calendar

[17-0713](#) Information/Action Items

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.