



City of Sunnyvale

Notice and Agenda - Revised City Council

Tuesday, March 18, 2014

5:15 PM

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

Special Meetings-Closed Session-5:15 PM | Study Session-6 P.M. |
Regular Meeting-7 P.M.

TELECONFERENCE NOTICE

Pursuant to Government Code Section 54953, Subdivision (b), the following Council meeting will include teleconference participation by Councilmember Glenn Hendricks from Hilton Austin, 500 East 4th Street, Austin, TX 78701. This Notice and Agenda will be posted at the teleconference location. Public comment from this address shall be allowed pursuant to Government Code Section 54954.3.

5:15 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

[14-0350](#)

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

5 Adjourn Special Meeting

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

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

2 Roll Call**3 Study Session**[14-0299](#)

Lawrence Expressway Grade Separations Study

4 Public Comment**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 REPORTS****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 [14-0167](#) Approval of City Council Meeting Minutes of February 25, 2014
- Recommendation:** Approve the City Council Meeting Minutes of February 25, 2014 as submitted.
- 1.B [14-0214](#) Approval of City Council Meeting Minutes of March 4, 2014
- Recommendation:** Approve the City Council Meeting Minutes of March 4, 2014 as submitted.
- 1.C [14-0253](#) 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.D [14-0151](#) Award of Contract for Truck-mounted Combination Sewer Cleaner (F14-50) and Budget Modification No. 32
- Recommendation:** Award a contract to Municipal Maintenance Equipment, Inc. in the amount of \$337,024, in substantially the same form as the attached draft purchase order, for one (1) truck-mounted combination sewer cleaner and approve Budget Modification No. 32 to appropriate a transfer of \$102,000 from the Wastewater Management Fund's Rate Stabilization Reserve to the Fleet Replacement Fund for this initial purchase.
- 1.E [14-0204](#) Award of a Contract for Old Mountain View-Alviso Road Bridge Replacement at Calabazas Creek Engineering, Design and Environmental Services (F13-26)
- Recommendation:** 1. Award a contract, in substantially the same format as the attached draft and in the amount of \$1,167,077, to Biggs Cardosa Associates, Inc. (BCA), for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 2. Approve a 10% design contingency in the amount of \$116,708.

- 1.F [14-0258](#) Award of Bid No. PW14-06 for Slurry Seal - 2014 and Finding of CEQA Categorical Exemption

Recommendation: 1. Award a construction contract, in substantially the same format as the attached draft and in the amount of \$221,256, to Graham Contractors, 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 10% construction contingency in the amount of \$22,126; and 3. Make a finding that the project is categorically exempt from CEQA pursuant to Class 1, Section 15301(c) for the rehabilitation of existing streets.

- 1.G [14-0245](#) Approval of Budget Modification No. 31 for the installation of an Acoustic Barrier Between the Las Palmas Dog Park and Adjacent Residences

Recommendation: Approve Budget Modification No. 31 in the amount of \$15,000 for installation of acoustical fencing material at the Las Palmas Dog Park.

- 1.H [14-0252](#) Award of Contract for a Network Appliance Storage Area Network (SAN) (F14-59)

Recommendation: Award a contract, in substantially the same form as the attached draft Purchase Order in the amount of \$432,955 to Integrated Archive Systems for the replacement of a NetApp Storage Area Network system.

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 [14-0279](#) Introduction of an Ordinance Amending Title 9, Chapter 9.28 of the Sunnyvale Municipal Code to Prohibit the Use of Electronic Smoking Devices Wherever Smoking is Prohibited and a Finding that the Proposed Ordinance is Exempt from the Requirements of the California Environmental Quality Act (CEQA) Pursuant to CEQA Guideline 15061(b)(3); Consideration of Options to Expand Smoking Prohibition near Retail and Commercial Entrances/Exits (Study Issue)

Recommendation: Alternative 1: Find that the project is exempt from CEQA pursuant to CEQA Guideline 15061(b)(3) and introduce an ordinance to amend Chapter 9.28 of the Sunnyvale Municipal to ban electronic smoking devices where conventional smoking is banned, as set forth in Attachment 3.

Additionally, provide staff direction regarding extending the current smoking regulations to prohibit smoking in front of retail and commercial businesses.

- 3 [14-0211](#) Review and Approve City's Code of Ethics and Conduct for Elected and Appointed Officials

Recommendation: Alternative 1: Review and approve the 2014 Code of Ethics and Conduct for Elected and Appointed Officials with no changes.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- [14-0217](#) Tentative Council Meeting Agenda Calendar
- [14-0203](#) Information/Action Items
- [14-0306](#) Draft Minutes of the Arts Commission Meeting of February 19, 2014

[14-0344](#)

Approved Minutes of the Parks and Recreation Commission
Meeting of February 12, 2014

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 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/Planning Commission meeting?

To assist you in utilizing the technology available in the Council Chambers, the publication "How to Make Your Council Chamber Presentation More Effective" may be helpful. The document is available on the City Web site at sunnyvale.ca.gov.

Planning to present 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 for upcoming Council meeting information.

Visit BoardsandCommissions.inSunnyvale.com for upcoming board and commission meeting information.

For a complete schedule of KSUN-15 Council meeting broadcasts, visit KSUN.insunnyvale.com.