



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, May 20, 2014

6:00 PM

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

Special Meeting: Joint Study Session-6 P.M. | Regular Meeting-7 P.M.

6 P.M. SPECIAL COUNCIL MEETING (Joint Study Session with Planning Commission)

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

2 Roll Call

3 Study Session

[14-0289](#)

Joint Study Session with the Planning Commission to Discuss
the Balanced Growth Profile

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 REPORT

SPECIAL ORDER OF THE DAY[14-0488](#)

SPECIAL ORDER OF THE DAY - National Public Works Week

PUBLIC ANNOUNCEMENTS

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

PRESENTATIONS[14-0397](#)

PRESENTATION - Commendation from Santa Clara County for Safe Routes to School Project

[14-0439](#)

PRESENTATION - Santa Clara County Tobacco-Free Coalition

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 [14-0301](#) Approval of City Council Meeting Minutes of May 6, 2014

Recommendation: Approve the City Council Meeting Minutes of May 6, 2014 as submitted.

1.B [14-0502](#) 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 [14-0293](#) Approve a Five Year Agreement Between the City of Sunnyvale and the Friends of the Sunnyvale Public Library for FY 2014/15 - FY 2019/20

Recommendation: Approve the five-year agreement between the City and the Friends of the Sunnyvale Public Library, in substantially the same form as set forth in Attachment 1, and authorize the Interim City Manager to enter into the agreement by June 30, 2014.

- 1.D [14-0419](#) Approval of the Final Map (Tract No. 10242) - 105 Residential Condominium Units at 455 and 465-481 South Mathilda Avenue by SHAC South Mathilda Avenue, LLC

Recommendation: Approve the final map for Tract No. 10242; authorize the Mayor to sign the subdivision agreement upon submittal of other documents deemed necessary by the Director of Public Works; and direct the City Clerk to sign the City Clerk's Statement and forward the final map for recordation.

- 1.E [14-0437](#) Approve Budget Modification No. 38 to Appropriate \$5,000 of Books4U 2014-Common Core Grant Funds for the purpose of adding Common Core curriculum books to the library collection.

Recommendation: Approve Budget Modification No. 38 to appropriate California State Library grant funds in the amount of \$5,000 to a new project, Books 4U 2014-Common Core.

- 1.F [14-0450](#) Award of Contract for Design of Community Center Infrastructure Renovation Project (F14-44)

Recommendation: 1) Award a contract, in substantially the same format as Attachment 1 and in the amount of \$685,983, to Cody Anderson Wasney Architects, Inc., 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 \$68,598.

- 1.G** [14-0458](#) Award of Six On-call Contracts for the Departments of Environmental Services and Public Works for Engineering and Related Services (F14-21)

Recommendation: 1) Award three (3) three-year on-call contracts for construction management services, each in the amount of \$375,000 and in substantially the same form as the template in Attachment 1 to CSG Consultants Inc., Ghirardelli Associates, and Swinerton Management & Consulting; 2) award three (3) three-year on-call contracts for wastewater engineering/technical support services, each in the amount of \$300,000 and in substantially the same form as the template in Attachment 1 to Black & Veatch Corporation, Carollo Engineers, and HDR Engineering Inc.; and 3) delegate authority to the City Manager to extend the contracts for up to four additional years based upon available funding, need, pricing and service. Contract extension period(s) shall not exceed the annualized amounts of \$125,000 for construction management services and \$100,000 for wastewater engineering/technical support services without prior Council approval.

- 1.H** [14-0459](#) Adopt a Resolution in Support of the City's Application for Household Hazardous Waste Grant Funds and Act as Lead Agency for a Regional Program

Recommendation: Adopt the Resolution as presented in Attachment 1.

- 1.I** [14-0466](#) Award of a Contract for Condition Assessment and Design of Storm Pump Station Number 1 Rehabilitation (F14-49)

Recommendation: 1) Award a contract, in substantially the same format as Attachment 1 and in the amount of 263,589 (\$175,066 in Base Services and optional services in an amount not to exceed \$88,523), to Infrastructure Engineering Corporation 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 \$26,359.

- 1.J [14-0473](#) Approve HOME Investment Partnership Act (HOME) Loan Agreement with MP East Maude Associates, L.P., an affiliate of MidPen Housing Corporation, for a Loan of \$1.3 Million to Develop MidPen Armory Apartments at 620 E. Maude in Sunnyvale

Recommendation: Approve the HOME Loan Agreement between the City of Sunnyvale and MP East Maude Associates, L.P. in substantially the form provided in Attachment 1, and authorize the City Manager to execute the agreement and associated loan documents in final form as approved by the City Attorney.

- 1.K [14-0480](#) Award of Contract for Design of Mary-Carson Water Tanks Interior Refurbishment (F14-61) and Approval of Budget Modification No. 40

Recommendation: 1) Award a contract, in substantially the same format as Attachment 1, and in the amount of \$146,558, to V&A Consulting Engineers 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% design contingency in the amount of \$14,656; and 3) Approve Budget Modification No. 40 to provide funding for this project.

- 1.L [14-0484](#) Approval of the Final Map (Tract No. 10223) - 17 Residential Townhome Units at 435 Toyama Drive by Classic 435 Toyama, LP

Recommendation: Approve the final map for Tract No. 10223; authorize the Mayor to sign the subdivision agreement upon submittal of other documents deemed necessary by the Director of Public Works; and direct the City Clerk to sign the City Clerk's Statement and forward the final map for recordation.

- 1.M** [14-0485](#) Authorization to Amend an Existing Contract for Design of a Sodium Hypochlorite Disinfection System for the Water Pollution Control Plant (F14-75)

Recommendation: Authorize an amendment to an existing contract, in substantially the same format as Attachment 1, with HDR Engineering, Inc., for design services associated with a new sodium hypochlorite disinfection system at the Water Pollution Control Plant to increase the total contract value by \$75,000 for additional services, bringing the total contract value to \$435,180.

- 1.N** [14-0486](#) Appoint New Members to the NOVA Workforce Board

Recommendation: Appoint Ms. Sinead Borgersen, Mr. Julian Chu, Mr. Ben Field, Ms. Anita Manwani, and Ms. Jennifer Morrill to the NOVA Workforce Board.

- 1.O** [14-0499](#) Authorization to Amend an Existing Contract for Asphaltic Materials (F14-79)

Recommendation: Authorize an amendment to an existing contract, in substantially the same format as Attachment 1, with Graniterock Company to increase the total contract value by \$75,000, from \$500,000 to \$575,000, for additional asphaltic materials required by the Water and Sewer Systems Division for roadway patches.

- 1.P** [14-0503](#) Approve Budget Modification No. 41 to Appropriate Additional Grant Funds, Increase the NOVA Expenditures Budget, and Increase the Transfer to the General Fund to Cover Indirect Costs Incurred by the City in Administering these Grants for FY 2013/14

Recommendation: Approve Budget Modification No. 41 to appropriate additional grant funds, increase the NOVA Expenditures Budget, and increase the transfer to the General Fund to cover indirect costs incurred by the City in administering these grants for FY 2013/14.

- 1.Q** [14-0521](#) Adoption of Ordinance No. 3039-14 to add Chapter 19.47 to Title 19 (Zoning) of the Sunnyvale Municipal Code relating to Off-Site Stadium Event Parking

Recommendation: Adopt Ordinance No. 3039-14.

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 [14-0212](#) Appoint Applicants to Boards and Commissions

Recommendation: Staff makes no recommendation.

- 3 [14-0290](#) Climate Action Plan to Achieve State Recommended
Greenhouse Gas Emissions Reduction Goals in Assembly Bill
32: California Global Warming Solutions Act of 2006
Environmental Review: Negative Declaration

Recommendation: Alternative 1:

- Approve the Negative Declaration;
- Adopt the Climate Action Plan with Implementation Program;
- Direct staff to move forward with "just do it" CAP Action Items;
- Direct staff to prepare a CAP CEQA checklist to determine future project consistency with the CAP for all departments to use for public and private projects;
- Direct staff to come back to Council within four months with a timeline, work plan and possible funding strategies for CAP GHG emission reduction measures; and
- Direct staff to come back within four months with a recommendation for securing a CAP monitoring program with a proposed budget modification as needed.

- 4 [14-0280](#) Establish a City Advocacy Position on Minimum Wage, and Provide Further Input Regarding Creation of a Local Minimum Wage Ordinance, Including Enforcement and Implementation of Such Ordinance (Study Issue)

Recommendation: Staff makes no recommendation on Alternatives 1 (City advocacy position) or 2 (whether or not City should adopt a minimum wage ordinance). However, should Council pursue an ordinance, staff recommends that Council provide guidance addressing each of the Alternative categories - Automatic Future Increases, Potential Exemptions, and Enforcement Options. More specifically with regard to Enforcement Options, should Council pursue an ordinance with City enforcement, staff recommends Council move both Alternatives 2c(i) and 2c(ii) to ensure staff returns with a comprehensive list of options.

- 5 [14-0490](#) Adopt a Council Policy on Labor Negotiations Guidelines

Recommendation: Alternative 1: Adopt Council Policy 7.3.29 as presented in Attachment 2.

- 6 [14-0402](#) Approve Implementation of Time-Limit Parking Regulations near Levi's Stadium

Recommendation: Alternative 1: Approve the implementation of time-limit parking regulations near Levi's Stadium as shown in Attachment 1.

- 7 [14-0500](#) Park Land for Sale by Texas Instruments Incorporated

Recommendation: Alternative 1: Accept staff findings on the properties for sale by Texas Instruments Incorporated and take no further action.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- [14-0328](#) Tentative Council Meeting Agenda Calendar
- [14-0403](#) Information/Action Items
- [14-0386](#) Board/Commission Meeting Minutes
- [14-0324](#) Study Session Summary of May 12, 2014 - Board and Commission Interviews
- [14-0536](#) Study Session Summary of May 13, 2014 - Board and Commission Interviews

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 meeting?

To help you prepare and deliver your public comments, please review the "Presenting to the City Council and Planning Commission" document available at 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 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.