



City of Sunnyvale

Notice and Agenda - Revised City Council

Tuesday, December 16, 2014

5:45 PM

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

**Special Meetings- Closed Session-5:45 PM | Study Session-6:45 PM | Regular
Meeting-7 PM**

5:45 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

[14-0497](#)

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

Closed Session held pursuant to California Government Code
Section 54957.6: CONFERENCE WITH LABOR
NEGOTIATORS
Agency designated representatives: City Council
Compensation Subcommittee
Unrepresented Employee: City Attorney

5 Adjourn Special Meeting

6:45 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**[14-0627](#)

Discussion of Upcoming Selection of 2015 Vice Mayor

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****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 [14-0986](#) Approve City Council Meeting Minutes of December 9, 2014

Recommendation: Approve the City Council Meeting Minutes of December 9, 2014 as submitted.

- 1.B [14-1138](#) 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 [14-0331](#) Approve Budget Modification No. 33 to Appropriate \$25,000 Donation from Kilroy Realty Corporation for Tree Planting and Maintenance in a Target Area within the SNAIL Neighborhood

Recommendation: Approve Budget Modification No. 33 to appropriate a \$25,000 donation from Kilroy Realty Corporation for tree planting and maintenance in a target area within the SNAIL Neighborhood.

- 1.D [14-1085](#) Approve Budget Modification No. 30 to Appropriate \$18,000 of Sourcewise Grant Funds for Care Management Services

Recommendation: Approve Budget Modification No. 30 to appropriate Sourcewise grant funds in the amount of \$18,000 to Project 829640 - Care Management Enhancement.

- 1.E [14-1102](#) Approve Budget Modification No. 31 to Increase the Budgeted Amount to Purchase Water Meters for New Developments

Recommendation: Approve Budget Modification No. 31 to Increase the Current Year Budgeted Amount for the Water Meters for New Development Project by \$191,590.

- 1.F [14-1104](#) Award of Contract for Management of the Sunnyvale Government Access and Public Access Channels (F15-05)

Recommendation: 1) Award a three-year contract to Mountain View Community Television, in substantially the same form as the attached Consultant Services Agreement, not to exceed \$195,000, for management of the Sunnyvale government access and public access channels, and 2) Authorize the City Manager to renew the contract for up to two additional years, provided that funding is available and service remains acceptable.

- 1.G [14-1105](#) Award of Contract for Nine Police Interceptor Vehicles (F15-25)

Recommendation: 1) Award a contract in the amount of \$227,827 to Serramonte Ford for nine police Interceptor vehicles in substantially the same form as the attached draft purchase order.

- 1.H [14-1018](#) Award Bid No. PW15-09 for Orchard Gardens Park Expansion and Demolition of Structure at 775 Dona Avenue, Adopt a Resolution to Execute a PG&E Easement, and Approve Budget Modification No. 24; and Related CEQA Actions: Adoption of Mitigated Negative Declaration and Finding of Categorical Exemption

Recommendation: 1) Adopt a CEQA Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Orchard Gardens Park Expansion Project, 2) Make a finding of CEQA categorical exemption pursuant to Section 15301(l)(4) for demolition of the structure located at 775 Dona Avenue; 2) Adopt a resolution authorizing the City manager or her designee to execute an Easement Deed with PG&E; 3) Award a contract, in substantially the same format as Attachment 4 and in the amount of \$798,400 for the subject project and authorize the City Manager to execute the contract when all the necessary conditions have been met, 4) Approve a 10% construction contingency in the amount of \$79,840; and 5) Approve Budget Modification No. 24 to provide additional funding for the project.

- 1.I [14-1077](#) Adopt a Resolution to Summarily Vacate a Public Utility Easement at 435 Toyama Drive

Recommendation: Adopt the resolution to summarily vacate a public utility easement at 435 Toyama Drive; and to authorize the City Clerk to submit a certified copy of the resolution to the Santa Clara County Recorder's office.

- 1.J [14-0145](#) Adopt Ordinance No. 3051-14 to Amend Chapter 2.08 of Title 2 (Administration and Personnel) of the Sunnyvale Municipal Code to Amend the City Manager's Rejection Authority for Goods and Services Procurements

Recommendation: Adopt Ordinance No. 3051-15.

- 1.K [14-0199](#) Adopt Ordinance No. 3052-14 to add a New Section to Chapter 2.09 of Title 2 (Administration and Personnel) of the Sunnyvale Municipal Code to Require the Payment of Prevailing Wages on Public Works Projects

Recommendation: Adopt Ordinance No. 3052-14.

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 [14-0286](#) Approve Design Guidelines for Multi-Family Residential Projects to Address Size, Bulk and Scale; Find that the Project is Exempt Under CEQA Pursuant to Guideline 15061(b)(3). (Study Issue original title: City Policies Governing Housing Density)

Recommendation: Alternatives 1, 2 and 4: Find that the project is exempt from CEQA pursuant to CEQA Guideline 15061(b)(3), approve design guidelines (Attachment 2) for high density multi-family residential and mixed use projects in the R-4, R-5, C-1, C-2 and DSP zoning districts, and direct staff to return within three years with data collected from upcoming planning applications to further evaluate appropriate zoning tools to address the issue.

- 3 [14-0594](#) Approve a Funding Agreement with the Santa Clara Valley Water District for CEQA Review and Design Costs to Retain a Membrane Bioreactor Option at the Water Pollution Control Plant, Approve an Amendment to an Existing Contract with Carollo Engineers for the Additional Services, and Approve Budget Modification No. 32

Recommendation: Alternatives 1, 2, 3 and 4: 1) Authorize the City Manager to execute the MBR Agreement with the Santa Clara Valley Water District, in substantially the same format as Attachment 3 to the report, regarding funding of CEQA review and design costs to retain MBR option at the WPCP; 2) Approve Budget Modification No. 32 to appropriate additional funding of \$618,735 to Capital Project No. 830250 (WPCP Master Plan) as required for the project; 3) Authorize the City Manager to execute an amendment with Carollo Engineers, in substantially the same format as Attachment 4, in an amount not to exceed \$583,234; and 4) Approve a 15% contract contingency in the amount of \$76,074.

- 4 [14-0790](#) Adopt Resolution to Amend the General Plan by Adopting the 2015-2023 Housing Element
CEQA Review: Negative Declaration

Recommendation: Alternative 1: a) Adopt the Negative Declaration and b) adopt a resolution to amend the General Plan by replacing the 2009 Housing Sub-Element with the 2015-2023 Housing Element as provided in Attachment 2.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- [14-0141](#) Tentative Council Meeting Agenda Calendar

- [14-1048](#) Information/Action Items
- [14-1123](#) Timeline for Drafting Local Hiring Program/Ordinance (Information Only)
- [14-0079](#) Study Session Summary of December 9, 2014 - How the City Council Works Together
- [14-0514](#) Board/Commission Meeting Minutes

ADJOURNMENT

NOTICE TO THE PUBLIC

The agenda reports to council (RTCs) 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 "Making Public Comments During City Council or Planning Commission Meetings" 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.