



# City of Sunnyvale

## Notice and Agenda

### City Council

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Tuesday, May 19, 2015

4:30 PM

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

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**Special Meetings: Closed Session-4:30 PM | Joint Study Session with Planning  
Commission-5:30 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**

[15-0152](#)

Closed Session held pursuant to California Government Code  
Section 54957.6: CONFERENCE WITH LABOR  
NEGOTIATORS

Agency designated representatives: Teri Silva, Director of  
Human Resources; Deanna J. Santana, City Manager

Employee organization: Communication Officers Association  
(COA)

Employee organization: Public Safety Managers Association  
(PSMA)

Employee organization: Public Safety Officers Association  
(PSOA)

Employee organization: Sunnyvale Employees Association  
(SEA)

Employee organization: Sunnyvale Managers Association  
(SMA)

##### **5 Adjourn Special Meeting**

**5:30 P.M. SPECIAL COUNCIL MEETING (Joint Study Session with Planning Commission)**

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

**2 Roll Call**

**3 Public Comment**

**4 Study Session**

[15-0164](#)

Land Use and Transportation Element (LUTE) - Joint Study Session with Planning Commission

**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**

[15-0115](#)

SPECIAL ORDER OF THE DAY - "Schools Goin' Green" Grant Program Presentation

[15-0434](#)

SPECIAL ORDER OF THE DAY - Public Works Week Proclamation

**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**    [15-0493](#)            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**    [15-0120](#)            Award of Contract to the Metropolitan Planning Group for Consultant Services to Update the Precise Plan for El Camino Real (F15-64)

**Recommendation:** 1) Award a contract, in substantially the same format as Attachment 1 to the report and in the amount of \$533,638, to Metropolitan Planning Group (M-Group) 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% contract contingency in the amount of \$53,362.

- 1.C**    [15-0428](#)            Award of Contract for One Dump Truck (F15-85) and Approval of Budget Modification No. 47 for \$128,185 to Fund the Purchase

**Recommendation:** 1) Award a contract in the amount of \$117,872 to Peterson Trucks, Inc. for one dump truck, in substantially the same form as the draft purchase order attached to the report; and 2) Approve Budget Modification No. 47 for \$128,185 to fund the total cost including taxes and fees.

- 1.D [15-0538](#) Award of a Three-year Contract for Workers' Compensation Claims Administration Services (F15-57)

**Recommendation:** 1) Award a three-year contract to Acclamation Insurance Management Services, Inc. (AIMS) in the amount of \$924,316 to provide workers' compensation claims administration services, in substantially the same form as the draft consultant services agreement attached to the report; and 2) authorize the City Manager to renew the contract for additional one-year periods provided that pricing and service remain acceptable to the City.

- 1.E [15-0498](#) Authorization to Amend an Existing Contract to Conduct an Analysis to Identify Alternatives to Complete a Public Multi-Use Bicycle/Pedestrian Trail in the Stevens Creek Corridor (F15-104) and Approval of Budget Modification No. 49

**Recommendation:** 1) Authorize a Second Amendment to an existing contract, in substantially the same format as Attachment 1 to the report, with Jana Sokale Environmental Planning for additional stakeholder outreach in the amount of \$15,022 to the Four Cities Coordinated Stevens Creek Trail Feasibility; 2) Approve a contingency in the amount of \$978; and 3) Approve Budget Modification No. 49 to modify the project costs and funding source.

- 1.F [15-0430](#) Authorize Modification of an Existing Contract for the Land Use and Transportation Element Environmental Impact Report (F15-97), and Approval of Budget Modification No. 48 in the amount of \$162,900

**Recommendation:** 1) Approve modification of an existing contract with Pacific Municipal Consultants to increase the not-to-exceed value by \$38,900, from \$499,732 to \$538,632, and 2) approve Budget Modification No. 48 to appropriate \$77,900, consisting of \$38,900 for the proposed contract amendment and \$39,000 to prepare a Traffic Impact Analysis, and to appropriate \$85,000 to update the Transportation Impact Fee.

- 1.G [15-0494](#) Approval of Second Amendment to the Reimbursement Agreement and Fee Letter Relating to City of Sunnyvale's 2009 Variable Rate Demand Refunding Certificates of Participation (COPs)

**Recommendation:** Alternative 1: Adopt the resolution approving and authorizing the negotiation, execution, delivery and performance of a Second Amendment to Reimbursement Agreement and Fee Letter relating to the 2009 COPs, and authorizing other related actions.

- 1.H [15-0438](#) Adopt a Resolution to Authorize the Filing of the Fiscal Year 2015/2016 Transportation Development Act (TDA) Article 3 Applications for Pedestrian and Bicycle Projects

**Recommendation:** Adopt a resolution requesting MTC for allocation of \$108,329.00 of TDA funds for FY 2015/16 for Green Bike Lanes at conflict points along Evelyn Avenue and installation of a RRFB system crossing Henderson Avenue at the intersection of Henderson Avenue and Lily Avenue.

- 1.I [15-0320](#) Adopt a Resolution for Reimbursement of Response Costs under the California Fire Assistance Agreement

**Recommendation:** Adopt a resolution to codify our policy of portal to portal pay for all employees deployed to emergency incidents in its role as a Mutual Aid Provider subject to reimbursement provided under the California Fire Assistance Agreement (CFAA) effective January 1, 2015.

- 1.J [15-0423](#) Approve Final Map (Tract No.10282) - 10-unit Townhomes at 1071 Noriega Avenue by Classic 1071 Noriega, L.P, a California Limited Partnership

**Recommendation:** Approve the final map for Tract No. 10282; authorize the Mayor to sign the subdivision agreement upon submittal of other documents deemed necessary by the Director of Public Works; direct the City Clerk to sign the City Clerk's Statement and forward the final map for recordation.

**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      [15-0478](#)      Consider Modifications to 2015 Bicycle and Pedestrian Advisory Commission (BPAC) and Sustainability Commission Work Plans (Approved 4/28/2015, RTC 15-0049)

**Recommendation:** Staff makes no recommendation.

- 3      [15-0063](#)      Appoint Applicants to Boards and Commissions

**Recommendation:** Staff makes no recommendation.

4      [15-0055](#)      Consider Adoption of Local Hiring Program

**Recommendation:** Alternatives 1 and 2: 1) Approve an additional position, one Administrative Analyst at a cost of \$140,000 annually (\$3.4 million over 20 years), in the FY 2015/16 Recommended Budget for the purpose of monitoring certified payroll submissions related to public construction and public maintenance projects in order to a) ensure compliance with state-mandated prevailing wage requirements, and b) add language to existing public project contract specifications, and to those private projects enjoying a public subsidy, to require documentation prior to start of project regarding the number of construction jobs projected, and to require along with certified payroll submissions documentation regarding the actual number and percent of local workers and apprentices employed.

This alternative would ensure the City's compliance with new state mandates governing labor compliance, as well as begin to provide the City with ongoing data about how local and non-local workers are utilized on construction projects.

2) Adopt a value-based policy statement to formally encourage local developers and contractors on public and private projects to make outreach efforts for local hiring, to use state-certified local apprenticeship or jobs training programs, and to pay prevailing wages, with no monitoring or record-keeping. Cost limited to developing and printing informational materials, and to be absorbed in existing operating budget.

5      [15-0114](#)      Approve the Preliminary Vision Statement, Success Criteria, and Needs Assessment for the Civic Center Modernization Project

**Recommendation:** Alternative 3: Approve the Vision Statement, Success Criteria, and Needs Assessment for the Civic Center Modernization Project as preliminary, or a working draft, and direct staff to return to Council with a final draft after conducting additional outreach.

- 6      [15-0440](#)      File #: 2014-8023  
Location: 787 N. Mary Avenue (APN: 165-40-003)  
Zoning: MS  
Proposed Project:      Application for a project on a 4.02-acre site:  
USE PERMIT to allow a new 54-foot tall wireless facility (mono-eucalyptus) in the parking lot of an industrial site.  
Applicant / Owner: Verizon Wireless (applicant) / North Mary, LLC (owner)  
Environmental Review: Negative Declaration

**Recommendation:** Alternative 1: Adopt the Negative Declaration and approve the Use Permit with Recommended Conditions of Approval found in Attachment 4.

- 7      [15-0534](#)      Ratify Appointment of Councilmember Pat Meyering to National League of Cities Transportation and Infrastructure Services (TIS) Steering Committee Roster

**Recommendation:** Staff makes no recommendation.

#### **COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

#### **NON-AGENDA ITEMS & COMMENTS**

-Council

-City Manager

#### **INFORMATION ONLY REPORTS/ITEMS**

- [15-0528](#)      Tentative Council Meeting Agenda Calendar
- [15-0378](#)      Information/Action Items
- [15-0295](#)      Study Session Summary of April 21, 2015 - Transportation Policy and Process
- [15-0539](#)      Study Session Summary of May 13, 2015 - Board and Commission Interviews

#### **ADJOURNMENT**



**NOTICE TO THE PUBLIC**

*The agenda reports to council (RTCs) may be viewed on the City's Web site at [sunnyvale.ca.gov](http://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](http://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](http://CouncilMeetings.inSunnyvale.com) for upcoming Council meeting information.*

*Visit [BoardsandCommissions.inSunnyvale.com](http://BoardsandCommissions.inSunnyvale.com) for upcoming board and commission meeting information.*

*For a complete schedule of KSUN-15 Council meeting broadcasts, visit [KSUN.insunnyvale.com](http://KSUN.insunnyvale.com).*