



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, June 9, 2015

5:00 PM

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

Special Meeting: Closed Sessions-5 PM | Regular Meeting-7 PM

5 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

[15-0153](#)

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)

[15-0096](#)

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

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 Manager

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

[15-0535](#)

SPECIAL ORDER OF THE DAY - Recognition of Outgoing
Personnel Board Member

[15-0065](#)

SPECIAL ORDER OF THE DAY - Ceremonial Oath of Office
for Board and Commission Members

PUBLIC ANNOUNCEMENTS

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

PRESENTATION[14-0272](#)

PRESENTATION - Initial Study on a Community Choice Energy Program for the South Bay

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 [15-0486](#) Approve City Council Meeting Minutes of May 12, 2015

Recommendation: Approve the City Council Meeting Minutes of May 12, 2015 as submitted.

1.B [15-0548](#) Approve City Council Meeting Minutes of May 19, 2015

Recommendation: Approve the City Council Meeting Minutes of May 19, 2015 as submitted.

1.C [15-0385](#) Approve City Council Special Meeting Minutes of May 21, 2015

Recommendation: Approve the City Council Special Meeting Minutes of May 21, 2015 as submitted.

1.D [15-0549](#) 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.E [15-0540](#) Award of Bid No. PW15-21 for a New Traffic Signal on East Duane Avenue at Britton Avenue and Finding of CEQA Categorical Exemption

Recommendation: 1) Make a finding of CEQA categorical exemption pursuant to Class 1, Section 15301(c) for existing facilities; 2) Award a contract, in substantially the same format as Attachment 2 and in the amount of \$347,600, to Pacific Electric Contracting, Inc. for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 3) Approve a 10% contingency in the amount of \$34,760.

- 1.F [15-0560](#) Award of Contract for Professional Services to Study Alternatives for Traffic Improvements along the Wolfe Road Corridor (F15-81)

Recommendation: 1) Award a contract, in substantially the same format as Attachment 1 and in an amount not-to-exceed \$147,995, to Kimley-Horn and Associates, 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% contract contingency in the amount of \$14,800.

- 1.G [15-0475](#) Approve the Renewal of the Service Agreement between the County of Santa Clara and the City of Sunnyvale for Juvenile Probation Services

Recommendation: Approve the renewal of the Service Agreement between the County of Santa Clara and the City of Sunnyvale for juvenile probation services.

- 1.H [15-0490](#) Renewal of Business License Tax Data Exchange Agreement with the California Franchise Tax Board

Recommendation: Adopt a resolution to renew the agreement with the California Franchise Tax Board to exchange business information through December 31, 2017.

- 1.I [15-0470](#) Authorization to Proceed with the Silicon Valley Regional Communication System (SVRCS) Memorandum of Understanding

Recommendation: Authorize the City Manager to execute the Memorandum of Understanding with the Silicon Valley Regional Interoperability Authority to complete the Regional Communications System build-out.

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 [15-0301](#) Public Hearing - Annual Review of Proposed Fees and Charges for Fiscal Year 2015/16

Recommendation: Tonight's only action is to conduct the public hearing to meet the requirements of the City Charter and the California Government Code. Council should provide direction to staff on any fee requiring further review prior to the June 23, 2015 Council meeting, where the proposed schedule will be considered for adoption.

- 3 [15-0302](#) Proposed Utility Rate Increases for FY 2015/16 Rates of 20% for Water, 8% for Wastewater, and 5% for Solid Waste Utilities for Services Provided to Customers Within and Outside City Boundaries; Finding of CEQA Exemption Pursuant to CEQA Guideline 15273

Recommendation: Alternatives 1 and 2: 1) Find that the project is exempt from CEQA pursuant to Public Resources Code Section 21080(b) (8) and CEQA Guideline 15273 because it approves rates and charges for the purposes of (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment or materials; (3) meeting financial reserve needs and requirements; and (4) obtaining funds for capital projects necessary to maintain current service levels; and 2) Adopt the attached resolution increasing water rates by 20%, wastewater rates by 8%, and solid waste rates by 5% for FY 2015/16. Allocate any savings realized from lower wholesale purchase rates to the Water Fund's Rate Stabilization Reserve.

- 4 [15-0303](#) Annual Public Hearing on FY 2015/16 Budget and Resource Allocation Plan and Establishment of Appropriations Limit

Recommendation: Council's only action is to conduct the Public Hearing to meet the legal requirements of the City Charter, the California Constitution, and the California Government Code. Council can also provide direction to staff on any issue requiring further review prior to the adoption of the FY 2015/16 Budget on June 23, 2015.

- 5 [15-0496](#) Public Hearing and Adoption of a Resolution to Cause Charges for Non-Payment of Delinquent Utility Charges to be placed on the FY 2015/16 County of Santa Clara Property Tax Roll

Recommendation: Alternative 1: Adopt a Resolution to Cause Charges for Non-Payment of Delinquent Utility Charges to be placed on the FY 2015/16 County of Santa Clara Property Tax Roll.

- 6 [15-0480](#) Approve Sale of City-owned Property at 263 Jackson Street with Net Proceeds Going to the Park Dedication Fund's Land Acquisition Reserve

Recommendation: Alternatives 1 and 3: 1) Approve sale of the City-owned property at 263 Jackson Street on the open market with a sale price no less than the current fair market appraised value with the one-time net proceeds, minus closing costs and real estate agent fees, deposited to the Park Dedication Fund's Land Acquisition Reserve to acquire and develop additional open space and/or park property; and, 3) Authorize signatory authority to the City Manager on required documents for closing on the sale of the City-owned property at 263 Jackson Street.

- 7 [15-0563](#) Adoption of two Resolutions Approving: (1) An Exception to the CalPERS 180 day Wait Period and Interim Appointment of Assistant City Manager and (2) Interim Appointment of Director of Library and Community Services

Recommendation: Alternative 1: Adopt the resolutions approving the exception to the CalPERS 180 day waiting period and interim appointment of Jane Chambers to Assistant City Manager and the interim appointment of Anne Cain to Director of Library and Community Services.

**COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL
COMMITTEE ASSIGNMENTS****NON-AGENDA ITEMS & COMMENTS**

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

<u>15-0426</u>	Tentative Council Meeting Agenda Calendar
<u>15-0372</u>	Information/Action Items
<u>15-0595</u>	Value-based Policy Statement Encouraging Local Hiring (Information Only)
<u>15-0387</u>	Study Session Summary of May 12, 2015 - Caltrain Update on the Caltrain Electrification Project and High Speed Rail Presentation on the Current Status of the Project and Next Steps
<u>15-0547</u>	Study Session Summary of May 18, 2015 - Board and Commission Interviews
<u>15-0582</u>	Study Session Summary of May 19, 2015 - Land Use and Transportation Element (LUTE) - Joint Study Session with Planning Commission
<u>15-0529</u>	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.