



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, August 11, 2015

4:30 PM

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

**Special Meeting: Study Session-4:30 PM | Study Session-5:30 PM | Regular Meeting-7
PM**

4:30 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

[15-0762](#) City Attorney Recruitment and Brochure

5 Adjourn Special Meeting

5:30 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

[15-0443](#) Civic Center Space Design and Development of Site Planning
Alternatives

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****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 [15-0659](#) Approve City Council Meeting Minutes of July 28, 2015

Recommendation: Approve the City Council Meeting Minutes of July 28, 2015 as submitted.

1.B [15-0680](#) 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 [15-0641](#) Authorize the City Manager to Execute a Cost Reimbursement Agreement with Moffett Place LLC for the Construction of Additional Improvements for the Moffett Place Public Safety Facility and Authorize the City Manager to enter into an Agreement with Motorola to Furnish and Install a Monopole at Moffett Place Public Safety Facility (new Fire Station No. 5)

Recommendation: Authorize the City Manager to Execute a Cost Reimbursement Agreement with Moffett Place LLC for the Construction of Additional Improvements for the Moffett Place Public Safety Facility and Authorize the City Manager to Enter into An Agreement with Motorola to Furnish and Install a Monopole at Fire Station Number 5.

- 1.D [15-0723](#) Receive and File the City of Sunnyvale Investment Report - 2nd Quarter 2015

Recommendation: Receive and file the City of Sunnyvale FY 2014/15 Period 13 investment report.

- 1.E [15-0677](#) Approve Acceptance of \$24,000 of California Public Library Broadband Grant Funds for Purchase of Computer Network Equipment Enabling a High-Speed Broadband Internet Connection at the Sunnyvale Public Library

Recommendation: Approve acceptance of \$24,000 of California Public Library Broadband Project Grant Funds for purchase of computer network equipment enabling a high-speed broadband internet connection at the Sunnyvale Public Library.

- 1.F [15-0742](#) Award of Bid No. PW15-18 for Duane Avenue Pavement Rehabilitation 2014 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 including highways and streets, 2) Award a contract, in substantially the same format as Attachment 2 and in the amount of \$1,285,445 to Granite Construction Company, 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% construction contingency in the amount of \$128,545.

1.G [15-0732](#) Award of Contract for Design of the Orchard Heritage Park Project (F15-111)

Recommendation: 1) Award a contract, in substantially the same format as Attachment 1 to the report and in the amount of \$123,363, to Callander Associates Landscape Architecture, 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 \$12,336.

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 [15-0390](#) REQUEST FOR CONTINUATION to September 15, 2015 to Introduce an Ordinance to Amend Sunnyvale Municipal Code Chapters 19.12 (Definitions), 19.18 (Residential Zoning Districts), 19.20 (Commercial Zoning Districts), 19.22 (Industrial Zoning Districts), 19.24 (Office and Public Facilities Zoning Districts), 19.29 (Moffett Park Specific Plan District) and 19.98 (General Procedures) to Include Modifications based on the Appropriate Locations for Child Care Centers Study Issue (CDD 15-11); Approve Guidelines for Commercial Child Care; and Finding of CEQA Exemption Pursuant to CEQA Guideline 15061 (b)(3) (Planning File: 2015-7149)

Recommendation: Continue this item to September 15, 2015 to allow staff to further address provisions for child care centers in office and industrial areas.

- 3 [15-0072](#) Appoint Applicants to Boards and Commissions

Recommendation: Staff makes no recommendation.

- 4 [15-0672](#) Introduce an Ordinance to Add Chapter 9.63 (Camping and Storage of Property in Public Areas) to Chapter 9 (Public Peace, Safety or Welfare) of the Sunnyvale Municipal Code

Recommendation: Alternative 1: Introduce an ordinance to add Chapter 9.63 (Camping and Storage of Property in Public Areas) to Chapter 9 (Public Peace, Safety or Welfare) of the Sunnyvale Municipal Code.

- 5 [15-0600](#) Authorize the City Manager to Execute a Concession License Agreement between the City of Sunnyvale and Gold Rush Eatery for Certain Facilities at Sunken Gardens Golf Course

Recommendation: Alternative: 1. Authorize the City Manager to execute a concession license agreement for certain areas and facilities at Sunken Garden Golf Course with Gold Rush Eatery.

- 6 [15-0747](#) Consider Actions Related to the Initiative Ordinance Petition to Require Voter Approval for Any Sale, Lease, Lease Extension, Lease Renewal, Land Swap, or Transfer of Property Owned, Leased, or Used by the City as a Public Park or Community Service Amenity ("Public Lands for Public Use Act" Initiative)

Recommendation: Alternatives 1, 2 and 3: 1) Accept the Certificate of Sufficiency issued by the County of Santa Clara Registrar of Voters regarding the Public Lands for Public Use Initiative; 2) Accept the report prepared under Section 9212 of the Elections Code, and 3) Do either one of the following: a) Adopt the proposed initiative ordinance as submitted, or b) Submit the initiative ordinance, without alteration, to the voters during the next general municipal election to be held on November 8, 2016, and direct staff to bring the necessary actions back at the appropriate time to order an election.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- | | |
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| <u>15-0678</u> | Tentative Council Meeting Agenda Calendar |
| <u>15-0658</u> | Information/Action Items |
| <u>15-0626</u> | Boards and Commissions Semi-Annual Attendance Report, January - June 2015 (Information Only) |
| <u>15-0774</u> | Appointed Members to the Sunnyvale El Camino Real Corridor Plan Advisory Committee (Information Only) |
| <u>15-0768</u> | Study Session Summary of July 28, 2015 - Board and Commission Interviews |
| <u>15-0679</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.