



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, May 17, 2016

5:00 PM

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

**Special Meeting: Closed Session-5 PM | Study Session-5:30 PM | Special Meeting-6 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

[16-0044](#)

Closed Session held pursuant to California Government Code
Section 54956.9:

CONFERENCE WITH LEGAL COUNSEL-EXISTING
LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: Gorla v. City of Sunnyvale, Santa Clara County

Superior Court Case #1-14-CV-262389

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[16-0325](#)

Review Performance Evaluation Tools for the City Manager
and City Attorney

5 Adjourn Special Meeting**6 P.M. SPECIAL COUNCIL MEETING****CALL TO ORDER**

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

ROLL CALL**SPECIAL ORDER OF THE DAY**[16-0409](#)

SPECIAL ORDER OF THE DAY - National Teen Self-Esteem
Month

[16-0424](#)

SPECIAL ORDER OF THE DAY - National Public Works
Week

PRESENTATION[16-0102](#)

PRESENTATION - Schools Goin' Green Project Update

[16-0423](#)

PRESENTATION - Zero Waste Composting Project

ADJOURNMENT**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**ROLL CALL****SALUTE TO THE FLAG****CLOSED SESSION REPORT**

ORAL COMMUNICATIONS

This category provides an opportunity for members of the public to address Council on items not listed on the agenda and 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 up to three minutes per speaker.

Please note the Brown Act (Open Meeting Law) does not allow Councilmembers to take action on an item not listed on the agenda. 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.

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 [16-0455](#) Approve City Council Meeting Minutes of May 3, 2016

Recommendation: Approve the City Council Meeting Minutes of May 3, 2016 as submitted.

1.B [16-0465](#) 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 [16-0425](#) Authorization to Extend Contracts for JobTrain and Jefferson Union High School District for Youth Workforce Development and Award Funding for Services through June 30, 2017

Recommendation: Authorize the City Manager to execute agreements with JobTrain and Jefferson Union High School District for youth workforce development services to extend the term through June 30, 2017 and award additional funding in the amount of \$500,000 to JobTrain, for a total new contract amount of \$900,000 and in the amount of \$300,000 to Jefferson Union High School District, for a total new contract amount of \$550,000.

1.D [16-0426](#) FY 2015/16 NOVA Workforce Services Department Expenditure Update and Approval of Budget Modification No. 34

Recommendation: Approve Budget Modification No. 34 increasing revenues for the Employment Development Fund by \$300,000 for new total revenues of \$10,800,000, increasing expenditures by \$289,250 and transfers to general fund of \$10,750 for the FY2015/16 Budget.

- 1.E [16-0449](#) Authorize the Issuance of a Blanket Purchase Order for the Purchase of Computer Equipment (F16-116)

Recommendation: 1) Authorize the issuance of a purchase order substantially in the same form as Attachment 1 to the report in the amount of \$450,000 to Dell Marketing L.P.; and 2) delegate authority to the City Manager to renew the purchase order for four (4) additional one-year periods, not-to-exceed budgeted amounts, subject to the continued use of the Western States Contracting Alliance (WSCA) - National Association of State Procurement Officials (NASPO) Master Agreement cooperative procurement contract or an acceptable alternative.

- 1.F [16-0450](#) Award Bid No. PW16-23 for Mary Avenue Bicycle Lanes Project, Approve Budget Modification No. 33, and Reject Bids from Non-compliant Bidders

Recommendation: 1) Award a construction contract, in substantially the same form as Attachment 2 to the report and in the amount of \$1,220,011 to Redgwick Construction Company; 2) Approve a 10% construction contingency in the amount of \$122,001; 3) Approve Budget Modification No. 33 to provide additional project funding of \$711,164; and 4) Reject bids received from Tennyson Electric Inc. and Golden Bay Construction Inc.

- 1.G [16-0452](#) Award of Bid No. PW16-10 for the SMaRT Station Main Service Switchboard Replacement Project and Finding of California Environmental Quality Act (CEQA) Categorical Exemption

Recommendation: 1) Make a finding of CEQA categorical exemption pursuant to CEQA Guidelines Section 15301 (Class 1, Existing Facilities) as it relates to the rehabilitation of existing facilities involving negligible or no expansion of existing use; 2) award a construction contract, in substantially the same form as Attachment 2 to the report and in the amount of \$442,000 to D.W. Nicholson Corporation; and 3) approve a 10% construction contingency in the amount of \$44,200.

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 [16-0456](#) Award Bid No. PW16-19 for the Primary Treatment Facility Package 1 Site Preparation Project for the Reconstruction of the Water Pollution Control Plant, and Make a Finding of Bid Non-responsiveness

Recommendation: Alternatives 1, 2 and 3: 1) Make a finding of non-responsiveness for the bid received from DeSilva Gates-Mountain Joint Venture; 2) Award the construction contract to Anderson Pacific Engineering Construction Inc., in substantially the same form as Attachment 2 to the report in the amount of \$6,168,500; and 3) Approve a 10% construction contingency in the amount of \$616,850.

- 3 [16-0492](#) File #: 2015-7530 and 2015-7936
Location: 521 E. Weddell Drive (APN: 110-14-196), 531 E. Weddell Drive (APN: 110-14-186), 539 E. Weddell Drive (APN: 110-14-158), 1010 Morse Avenue (APN: 110-14-202), Hetch Hetchy Right of Way (ROW) (APN: 110-14-202)
Proposed Project:
GENERAL PLAN AMENDMENT: Proposed land use designation change (Alternative 1) from Industrial to School or (Alternative 2) from Industrial to Commercial Neighborhood on three parcels (521, 531, and 539 E. Weddell Drive), and from Industrial-to-Residential/Medium-to-High Density to Park on one parcel (1010 Morse Avenue - Seven Seas Park), and from Industrial to Park on one parcel (Hetch Hetchy ROW);
REZONING from MS-POA (Industrial and Service/Places of Assembly) to PF (Public Facilities) zoning or from MS-POA (Industrial and Service/Places of Assembly) to C1 (Neighborhood Business) on three parcels (521, 531 and 539 E. Weddell Drive), and from MS-ITR-R3-PD (Industrial and Service - Industrial to Residential/Medium Density Residential/Planned Development) to PF (Public Facilities) zoning on one parcel (1010 Morse Avenue - Seven Seas Park), and MS (Industrial and Service) to PF (Public Facilities)

zoning on one parcel (Hetch Hetchy ROW);
USE PERMIT for the use of an existing building (539 E. Weddell Drive) for a public charter middle school of up to 400 students.

Applicant / Owner: Sunnyvale International Church and Summit School (applicants) / Sunnyvale International Church (owner - 521 and 539 E. Weddell Drive), First Morning Light Chinese Christian Church (owner - 531 E. Weddell Drive), City of Sunnyvale (owner - 1010 Morse Avenue), and City and County of San Francisco (San Francisco Public Utilities Commission - Hetch Hetchy ROW).

Environmental Review: Negative Declaration

Recommendation: Alternatives 2, 3, 4, and 5: 2) Make the required findings and adopt the Negative Declaration; 3) Adopt a resolution amending the General Plan land use designation from Industrial to School for 521, 531 and 539 E. Weddell Drive and from Industrial to Park for 1010 Morse Avenue and make no changes to the SFPUC Hetch Hetchy property; 4) Introduce an ordinance to rezone 521, 531 and 539 E. Weddell Drive from MS-POA to PF and 1010 Morse Avenue from MS-ITR-R3-PD to PF; and 5) Approve the Use Permit subject to the findings in Attachment 3 of the report and recommended Conditions of Approval in Attachment 8 of the report.

- 4 [16-0357](#) Authorize the Conceptual Design Development of Maude Avenue Bikeways and Streetscapes Project

Recommendation: Authorize Alternatives 1, 5 and 6: 1) Remove all on-street parking and install bike lanes from Fair Oaks Avenue to Borregas Avenue; 5) Test/pilot improvements on westbound Maude Avenue at the Mathilda/Maude Intersection; and 6) Proceed with the pedestrian improvements.

- 5 [16-0077](#) Receive Civic Center Modernization Project, Utility User Tax, and Sales Tax Polling Results, Provide Direction to Staff on Next Steps, and Approve Budget Modification 35

Recommendation: Alternatives 1, 2, 3, and 4: 1) Direct staff to return to Council with ballot language for the November 2016 election that would modernize the City's Utility User Tax Ordinance without increasing rates; 2) Approve Budget Modification 35 for \$92,500 from the General Fund Stabilization Reserve to fund services needed to provide public education materials related to a Utility User Tax ballot measure and authorize the City Manager to amend the agreement with Lew Edwards Group for these services; 3) Direct staff to return to Council with project alternatives for the Civic Center Modernization Project that would establish priorities and use a phased approach for project implementation; and 4) Direct staff to return to Council with a resolution that would declare City-owned properties located at former Onizuka Air Force Station (5.02 acres) and 1484 Kifer Road (4.74 acres) as surplus property.

- 6 [16-0406](#) Positions on State and Local Ballot Measures for the June 7, 2016 Election

Recommendation: Alternative 1: Adopt the following positions on the ballot measures: a) Support Local Ballot measure AA, San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Program; and b) Support Local Ballot Measure A, Extend Santa Clara County Park Charter Fund.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- | | |
|-------------------------|---|
| 16-0445 | Tentative Council Meeting Agenda Calendar |
| 16-0275 | Information/Action Items |
| 16-0439 | Campaign Ethics Subcommittee (Information Only) |
| 16-0493 | Notice of Public Works Director's Decision on Final Maps (Information Only) |

[16-0495](#)

Study Session Summary of May 10, 2016 - 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 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.