



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, June 28, 2016

4:00 PM

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

**Special Meeting: Closed Sessions-4 PM | Study Session-6 PM | Regular Meeting-7 PM |
Special Meeting:**

**Redevelopment Successor Agency (Study Session - Immediately following City Council
meeting)**

4 P.M. SPECIAL COUNCIL MEETING (Closed Sessions)

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

[16-0326](#)

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

[16-0330](#)

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

5 Adjourn Special Meeting**6 P.M. SPECIAL COUNCIL MEETING (Study Session)****1 Call to Order in the Council Chambers (Open to the Public)****2 Roll Call****3 Public Comment****4 Study Session**[16-0370](#)

Mobile Home Park Policies

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 ORDERS OF THE DAY**[16-0074](#)

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

[16-0469](#)

SPECIAL ORDER OF THE DAY - July is Parks and
Recreation Month

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 [16-0064](#) Approve Corrected City Council Meeting Minutes of May 3, 2016

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

- 1.B [16-0073](#) Approve City Council Meeting Minutes of June 14, 2016

Recommendation: Approve the City Council Meeting Minutes of June 14, 2016 as submitted.

- 1.C [16-0604](#) 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.D [16-0473](#) Reject All Bids Received in Response to Bid No. PW16-08 for Fire Station No. 2 Roof Replacement

Recommendation: 1) Reject all bids received in response to Invitation for Bids No. PW16-08 for Fire Station No. 2 Roof Replacement.

- 1.E [16-0536](#) Authorize the Issuance of a Purchase Order for Sodium Hypochlorite for the Water Pollution Control Plant (F16-125)

Recommendation: 1) Authorize the issuance of a one-year purchase order to Univar USA, Inc. in an amount not to exceed \$150,000 for the purchase of sodium hypochlorite; 2) Delegate authority to the City Manager to award annual purchase orders for sodium hypochlorite for a period not to exceed four years to those companies determined by the BACC to be the lowest responsive and responsible bidders, subject to: a) continued participation in the Bay Area Chemical Consortium cooperative purchasing program, b) funding availability, c) acceptable pricing/service; and 3) Delegate authority to the City Manager to increase the not to exceed amount of the annual purchase orders within operating budgeted appropriation limits if additional quantities are needed for wastewater treatment processes.

- 1.F [16-0583](#) Award of Bid No. PW16-11 for Improvements to Downtown Parking Lots and Finding of CEQA Categorical Exemption

Recommendation: 1) Make a finding of a categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 for alterations to existing facilities involving negligible or no expansion of use beyond that which presently exists; 2) award a contract in substantially the same form as Attachment 2 to the report and in the amount of \$230,354 to Alaniz Construction Inc.; and 3) approve a 10% construction contingency in the amount of \$23,035.

- 1.G [16-0572](#) Award of Bid No. PW16-25 for Baylands Stormwater Pump Station No. 2 Rehabilitation

Recommendation: 1) Award a construction contract, in substantially the same form as Attachment 2 to the report and in the amount of \$3,342,000 to JMB Construction Inc.; and 2) Approve a 10% construction contingency in the amount of \$334,200.

- 1.H [16-0668](#) Adopt Ordinance No. 3086-16 to Amend Section 12.34.020 of Title 12 (Water and Sewers) of the Sunnyvale Municipal Code relating to Prohibition of Nonessential Uses of Water

Recommendation: Adopt Ordinance No. 3086-16

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 [16-0137](#) Adoption of the FY 2016/17 Budget, Fee Schedule, and Appropriations Limit

Recommendation: Alternative 1: Make the findings required by CEQA, approve the resolutions presented as Attachment 1 (including Exhibits A through D) to the report, Attachment 2 (including Exhibit A) to the report and Attachment 3 (including Exhibit A) to the report that provide for the adoption of the FY 2016/17 Budget, Fee Schedule, and Appropriations Limit.

- 3 [16-0606](#) File #: 2015-7400
Location: 1184 N. Mathilda Avenue (APNs: 110-25-042, 110-25-49, and 110-25-55)
Zoning: Moffett Park Specific Plan Transit Oriented Development (MP-TOD)
Proposed Project: Related applications on a 19.31-acre site:
SPECIAL DEVELOPMENT PERMIT: to demolish a portion of the existing surface parking and construct a new 248,259 square foot, five story office building over three stories of parking with additional rooftop and underground parking and reconfiguration of the surface parking lots within the existing office campus.
Applicant / Owner: FSP-Sunnyvale Office Park, LLC (owner) /Jeffery Jacobsen, Commonwealth Partners (applicant)
Environmental Review: Mitigated Negative Declaration

Recommendation: Alternative 1: Make the required CEQA findings set forth in Attachment 3 in the report and adopt the Mitigated Negative Declaration and approve the Major Moffett Park Special Development Permit with recommended findings in Attachment 3 in the report and the Recommended Conditions of Approval in Attachment 4 in the report.

- 4 [16-0479](#) Review and Approve Recommendations from the Community Event Grant Distribution Subcommittee

Recommendation: Staff makes no recommendation.

- 5 [16-0667](#) Introduce an Ordinance to Amend Section 9.26.030 (Nuisances Described - Authority to Abate) of Chapter 9.26 (Abatement of Nuisances) of Title 9 (Public Peace, Safety or Welfare) of the Sunnyvale Municipal Code to Maintain Prohibitions Related to Parking on Unpaved Surfaces; Finding of CEQA Exemption Pursuant to Guideline Section 15061(b) (3) (Continued from June 21, 2016, formerly RTC 16-0437)

Recommendation: Alternative 1: Find that the ordinance is exempt from environmental review pursuant to CEQA Guideline 15061(b) (3), and Introduce an Ordinance to Amend Section 9.26.030 (Nuisances Described - Authority to Abate) of Chapter 9.26 (Abatement of Nuisances) of Title 9 (Public Peace, Safety or Welfare) of the Sunnyvale Municipal Code to Maintain Prohibitions Related to Parking on Unpaved Surfaces.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- [16-0535](#) Tentative Council Meeting Agenda Calendar
- [16-0385](#) Information/Action Items
- [15-0903](#) Feasibility of Establishing a Park Mitigation Fee for Non-residential Development Study Issue DPW 15-09 (Information Only)
- [16-0474](#) Follow Up and Update on the Relocation of the Butcher House to Orchard Heritage Park (Information Only)

[16-0191](#)

Board/Commission Meeting Minutes

**ADJOURNMENT TO SPECIAL MEETING OF THE REDEVELOPMENT
SUCCESSOR AGENCY****SPECIAL REDEVELOPMENT SUCCESSOR AGENCY STUDY SESSION
(Immediately following City Council Meeting)****CALL TO ORDER***Call to Order in the Council Chambers (Open to the Public)***ROLL CALL****PUBLIC COMMENT****STUDY SESSION**

- 1 [16-0551](#) Discussion and Provide Direction on the 2016 Modified and Restated Amended Disposition and Development and Owner Participation Agreement for the Sunnyvale Town Center Project

Recommendation: Successor Agency staff recommends that the Board review, comment and provide direction on the proposed 2016 Modified and Restated Amended Disposition and Development and Owner Participation Agreement.

ADJOURN SPECIAL MEETING

NOTICE TO THE PUBLIC

The agenda reports to council (RTCs) may be viewed on the City's website 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.