



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, August 23, 2016

5:15 PM

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

**Special Meeting-Closed Session-5:15 PM | Joint Study Session with Planning
Commission-6 PM | Regular Meeting-7 PM**

5:15 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

[16-0838](#)

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: Public Safety Officers Association
(PSOA)

Employee organization: Public Safety Managers Association
(PSMA)

Employee organization: Unrepresented Employees

Employee organization: Sunnyvale Employees Association
(SEA)

5 Adjourn Special Meeting

6 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 Joint Study Session**[16-0688](#)

Draft Environmental Impact Report and Land Use and
Transportation Element

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****PRESENTATION**[16-0060](#)

PRESENTATION - Update from Foothill-De Anza Community
College District

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 [16-0067](#) Approve City Council Meeting Minutes of August 9, 2016

Recommendation: Approve the City Council Meeting Minutes of August 9, 2016 as submitted.

- 1.B [16-0774](#) 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 [16-0622](#) Authorize the Issuance of Purchase Orders for Aggregate Base Materials for the Departments of Environmental Services and Public Works (F16-114)

Recommendation: 1) Authorize the issuance of purchase orders for a term of 8/24/16 to 6/30/18 in the amounts of \$286,355 for Public Works purposes and \$184,008 for Environmental Services purposes to Graniterock Company; 2) authorize the issuance of a purchase order for a term of 8/24/16 to 6/30/18 in the amount of \$141,982 to Stevens Creek Quarry; and 3) delegate authority to the City Manager to renew the purchase orders for two additional one-year periods, depending upon available funding and acceptable pricing and service.

- 1.D [16-0781](#) Appoint Ms. Rosanne Foust and Mr. James Ruigomez to the NOVA Workforce Board

Recommendation: Appoint Ms. Roseanne Foust and Mr. James Ruigomez to the NOVA Workforce Board.

- 1.E [16-0666](#) Authorize the Issuance of a Blanket Purchase Order for the Purchase of Audiovisual Materials for the Sunnyvale Public Library (F16-144)

Recommendation: 1) Authorize the issuance of a blanket purchase order in substantially the same form as Attachment 1 to the report in the amount of \$147,000 to Midwest Tape; and 2) delegate authority to the City Manager to renew the purchase order for two additional one-year periods, not-to-exceed budgeted amounts, provided pricing and service remain acceptable to the City.

- 1.F [16-0759](#) Award of Bid No. PW16-22 for the 2012-13 Sanitary Sewer Main Replacement Phase 3 Project, Make a Finding of California Environmental Quality Act (CEQA) Categorical Exemption and a Finding of Bid Non-responsiveness

Recommendation: 1) Make a finding of CEQA categorical exemption pursuant to CEQA guidelines section 15302(c) as it relates to replacement of existing utility systems involving negligible or no expansion of capacity; 2) award a construction contract, in substantially the same form as Attachment 2 to the report and in the amount of \$1,862,072 to Precision Engineering Inc.; 3) approve a 10% construction contingency in the amount of \$186,207; and 4) make a finding of non-responsiveness for the bid received from Bay Pacific Pipelines for failure to acknowledge a City issued addendum.

- 1.G [16-0747](#) Amendment to a FY 2015/16 Agreement for Traffic Signal Maintenance Services and Approve Budget Modification No. 38 (F17-003)

Recommendation: Authorize the City Manager to execute an amendment to the FY 2015/16 Agreement with Aegis ITS adding \$108,739 and increasing the not-to-exceed value from \$584,772 to \$693,511, in substantially the same form as Attachment 1 to the report and approve Budget Modification No. 38 for Fiscal Year 2015/16.

- 1.H [16-0761](#) Receive and File the City of Sunnyvale Investment Report - 2nd Quarter 2016

Recommendation: Receive and file the City of Sunnyvale FY 2015/16 - Second Quarter 2016 (Period 13) Investment Report (Attachment 1).

- 1.I [16-0749](#) Award of Contract for Design and Construction Support Services for the Maude Avenue Bikeways and Streetscape Project (F16-108) and Approval of Budget Modification No. 5 in the Amount of \$110,000

Recommendation: 1) Award a design contract, in substantially the same form as Attachment 1 to the report in an amount not-to-exceed \$206,430 to Kimley-Horn Associates, Inc.; 2) approve a 10% design contingency in the amount of \$20,643; and 3) Approve Budget Modification No. 5 to appropriate \$110,000

- 1.J [16-0818](#) Adopt Ordinance No. 3090-16 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone certain properties located between Torrington Drive, Sesame Drive, Vanderbilt Drive and Hollenbeck Avenue from R-1 (Low Density Residential) Zoning District to R-1/S (Low Density Residential/Single-Story) Zoning District

Recommendation: Adopt Ordinance No. 3090-16.

- 1.K [16-0819](#) Adopt Ordinance No. 3091-16 to Amend Section 19.56.020 of Chapter 19.56 (Alternative Energy Systems) of Title 19 (Zoning) of the Sunnyvale Municipal Code Relating to Impairment of Solar Access by Structures

Recommendation: Adopt Ordinance No. 3091-16.

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 [16-0754](#) Informational Report to Council Regarding Twin Pines Fire

Recommendation: No Council action is requested at this time. No staff recommendation.

- 3 [16-0657](#) Introduce an Ordinance Adding Chapter 18.50 to Title 18 (Subdivisions) of the Sunnyvale Municipal Code to Designate the Director of Public Works to Summarily Vacate Any Public Service Easement by Administrative Resolution of Vacation; Adopt a Resolution to Establish a Fee for Filing the Request for Summary Vacation; and Find CEQA Exemption per Guideline 15061(b)(3).

Recommendation: Introduce an ordinance adding Chapter 18.50 to Title 18 (Subdivisions) of the Sunnyvale Municipal Code to designate the Director of Public Works Authority to Summarily Vacate Any Public Service Easement by Administrative Resolution of Vacation; Adopt a Resolution to Establish a Fee for Filing the Request for Summary Vacation; and find a CEQA exemption pursuant to CEQA Guidelines Section 15061(b)(3).

- 4 [16-0662](#) Introduce an Ordinance to Amend Sunnyvale Municipal Code Title 12 Chapter 12.24 (Water & Sewers), Adopt a Resolution to Amend the Fee Schedule to Include Penalties for Water Theft and Unreported Water Consumption from Hydrant Water Meters, and Find that the Actions are Exempt from CEQA

Recommendation: Alternative 1: Introduce an Ordinance to Amend Sunnyvale Municipal Code Title 12 Chapter 12.24 (Water & Sewers), Adopt a Resolution to Amend the Fee Schedule to Include Penalties for Water Theft and Unreported Water Consumption from Hydrant Water Meters, and Find that the Actions are Exempt from CEQA.

- 5 [16-0663](#) Adopt a Resolution to Certify the Programmatic Environmental Impact Report, Make the Findings Required by CEQA, Adopt a Statement of Overriding Considerations and Mitigation Monitoring Program, and Adopt the Water Pollution Control Plant Master Plan for the Sunnyvale Clean Water Program

Recommendation: Alternative 1: Adopt the Resolution to Make the Findings Required by CEQA, Adopt a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program, and Certify the Programmatic Environmental Impact Report for the Water Pollution Control Plant Master Plan for the Sunnyvale Clean Water Program, and adopt the Master Plan (Attachment 1 to the report).

- 6 [16-0828](#) Amend the Salary Resolution for Various Benefits and Language Clarifications for Consistency Among Various Employee Groups

Recommendation: Alternative 1: Adopt the Resolution to amend the Salary Resolution for Various Benefits and Language Clarifications for Consistency Among Various Employee Groups

- 7 [16-0786](#) Approve Memorandum of Understanding between the City of

Sunnyvale and the Public Safety Officers Association 2015-2020 and Resolution to Amend the City's Salary Resolution and the Schedule of Pay to Increase Salaries for Pay Plan Category C (Classified Public Safety Officers and Lieutenants) and Pay Plan Category D/E (Public Safety Captains and Public Safety Deputy Chiefs)

Recommendation: Alternative 1: Authorize the City Manager to Execute the Memorandum of Understanding between the City of Sunnyvale and the Public Safety Officers Association, and adopt the Resolution amending the City's Salary Resolution and the Schedule of Pay to Increase Salaries for Pay Plan Category C (PSOA - Classified Public Safety Officers and Lieutenants) and Category D/E (PSMA -Public Safety Captains and Public Safety Deputy Chiefs)

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

<u>16-0071</u>	Tentative Council Meeting Agenda Calendar
<u>16-0620</u>	Information/Action Items
<u>16-0119</u>	Boards and Commissions Semi-Annual Attendance Report, January - June 2016 (Information Only)
<u>16-0594</u>	Notice of Public Works Director's Decision on Final Maps (Information Only)
<u>16-0396</u>	Board/Commission Meeting Minutes

ADJOURNMENT

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.