



# City of Sunnyvale

## Notice and Agenda

### City Council

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Tuesday, October 25, 2016

4:00 PM

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

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**Special Meetings: Closed Sessions-4 PM | Study Session-5 PM | Special Meeting-6:30 PM | Regular Meeting-7 PM | Special Meeting: Joint Meeting with City Council and Redevelopment Successor Agency-immediately following City Council meeting**

#### **4 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**

###### **16-0970**

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)  
Meinhardt, et al. vs. City of Sunnyvale  
U.S. District Court Civil Action No. 5:15-CV-05501 HRL

###### **16-0955**

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 Managers Association (PSMA)  
Employee organization: Sunnyvale Employees Association (SEA)

##### **5 Adjourn Special Meeting**

**5 P.M. SPECIAL JOINT MEETING OF CITY COUNCIL AND BOARD/COMMISSION CHAIRS AND VICE CHAIRS (Study Session)**

**1 Call to Order in the West Conference Room (Open to the Public)**

**2 Roll Call**

**3 Study Session**

*This joint meeting is the first to take place since the Council action last year. The intent is to discuss, at a macro level, issues related to board and commission operations and to refer any issues in need of resolution to the Council Subcommittee on Board and Commission Bylaws, which is slated to meet before the end of the year. The Subcommittee is made up of three members of Council including Mayor Hendricks, Vice Mayor Larsson, and Councilmember Griffith and the purpose of this Subcommittee is to evaluate the City's practices and policies relative to Boards and Commissions to ensure their continued effectiveness.*

[16-0709](#)

Joint Meeting of City Council with Board and Commission Chairs and Vice Chairs to Review and Improve Overall Effectiveness of Commission Meetings

**Recommendation:** Review overall effectiveness of commissions with the Chairs and Vice Chairs of the City's boards and commissions and refer any issues in need of resolution to the Subcommittee for consideration.

**4 Public Comment**

**5 Adjourn Special Meeting**

**6:30 P.M. SPECIAL COUNCIL MEETING**

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

**2 Roll Call**

**3 Public Comment**

**4 Special Order of the Day**

[16-0100](#)

SPECIAL ORDER OF THE DAY - 2016 Fire Safety Poster Contest Awards

## 5 Adjourn Special Meeting

### **7 P.M. REGULAR 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**

### **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**    [16-0820](#)            Approve City Council Meeting Minutes of October 4, 2016

**Recommendation:** Approve the City Council Meeting Minutes of October 4, 2016 as submitted.

**1.B**    [16-0932](#)            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    [16-0693](#)    Adopt the City's Investment Policy for Fiscal Year 2016/17 and Receive the Annual Performance Report for Fiscal Year 2015/16

**Recommendation:** Adopt the City's Investment Policy for FY 2016/17.

- 1.D    [16-0847](#)    Authorize the Issuance of a Purchase Order for Water Meter Boxes, Lids and Vaults (F16-141)

**Recommendation:** 1) Authorize the issuance of a one-year Purchase Order to Ferguson Enterprises, Inc., in substantially the same format as Attachment 1 to the report, in the amount of \$130,000; 2) authorize the City Manager to increase the Purchase Order if necessary, not to exceed budgeted amounts; and 3) authorize the City Manager to renew the Purchase Order for up to two additional one-year periods, subject to available funding, and acceptable pricing and service.

- 1.E    [16-0934](#)    Reject All Bids Received for the Pavement Rehabilitation 2016 Project (PW17-06)

**Recommendation:** Reject all bids received in response to Invitation for Bids PW17-06.

- 1.F    [16-0952](#)    Approval to Proceed with the Deaccession of Five Works of Art (Watercolor Paintings) by Susan Terry (Hendy Iron Works, Twin Palms, Water Tower at California and Mathilda, Forget Me Nots and Tulips) from the City's Public Art Collection Pursuant to Council Policy 6.4.4 - Art in Public Places

**Recommendation:** Approve the deaccession of five watercolor paintings: Hendy Iron Works, Twin Palms, Water Tower at California and Mathilda, Forget Me Nots, and Tulips by Susan Terry.

- 1.G    [16-0968](#)    Adopt Ordinance No. 3096-16 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone Certain 28 Contiguous Properties located on Sesame Drive, Sesame Court, Vanderbilt Drive and Winggate Drive from R-1 (Low Density Residential) Zoning District to R-1/S (Low Density Residential/Single-Story) Zoning District

**Recommendation:** Adopt Ordinance No. 3096-16.

- 1.H    [16-0969](#)    Adopt Ordinance No. 3097-16 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone Certain 37 Contiguous

Properties located on West Remington Drive, Rockport Drive, Templeton Court, Spinosa Drive, Strawberry Court And Tangerine Way from R-1 (Low Density Residential) Zoning District to R-1/S (Low Density Residential/Single-Story) Zoning District

**Recommendation:** Adopt Ordinance No. 3097-16.

## **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      [16-0084](#)      Appoint Applicants to Boards and Commissions

**Recommendation:** Staff makes no recommendation.

- 3      [16-0072](#)      Civic Center Modernization Project: Planning for NOVA Workforce Services and Approval of a Draft Scope of Work for Master Planning Services

**Recommendation:** Alternatives 1 and 4: 1) Direct staff to include facilities for NOVA at the Civic Center by including space in the new City Hall building and evaluate opportunities for a public benefit contribution to offset a portion of capital costs; and, 4) Approve the draft scope of services for Civic Center master planning in substantial conformance to Attachment 2 of the report.

- 4      [16-0779](#)      Introduce an Ordinance to Amend Sunnyvale Municipal Code Chapter 10.60 Transportation Demand Management of Title 10 Vehicles and Traffic to Implement Administrative Penalties and Hearings, and Collection of Penalties; Adopt a Resolution to Amend the FY 2016/17 Citywide Fee Schedule to Establish TDM Fees and Penalties

**Recommendation:** Alternative 1: Adopt a Draft Ordinance to Amend Sunnyvale Municipal Code Chapter 10.60 Transportation Demand Management (TDM) of Title 10 Vehicles and Traffic to Implement Administrative Penalties and Hearings and Adopt the Resolution Amending the FY 2016/17 Fee Schedule to Establish TDM Fees and Penalties.

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

-Council

-City Manager

**INFORMATION ONLY REPORTS/ITEMS**

<a href="#"><u>16-0827</u></a>	Tentative Council Meeting Agenda Calendar
<a href="#"><u>16-0835</u></a>	Information/Action Items
<a href="#"><u>16-0945</u></a>	Board/Commission Resignations (Information Only)
<a href="#"><u>16-0953</u></a>	Master Plan for Public Art Update (Information Only)
<a href="#"><u>16-1014</u></a>	Mary Avenue Bike Lanes Project (Information Only)
<a href="#"><u>16-0732</u></a>	Study Session Summary of September 20, 2016 - New City Logo & Brand Workshop
<a href="#"><u>16-0521</u></a>	Board/Commission Meeting Minutes

**ADJOURNMENT****SPECIAL MEETING: Joint Meeting of the City Council and Redevelopment  
Successor Agency (immediately following City Council meeting)**

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

2 Roll Call

3 Public Comment

4 Consent Calendar

A     [16-1000](#)     Approve Joint City Council and Redevelopment Successor  
Agency Meeting Minutes of May 3, 2016

**Recommendation:** Redevelopment Successor Agency:  
Approve Joint City Council and Redevelopment Successor  
Agency Meeting Minutes of May 3, 2016 as submitted.

- B**      [16-1004](#)      Approve Redevelopment Successor Agency Special Meeting Minutes of July 26, 2016

**Recommendation:** Redevelopment Successor Agency:  
Approve the Redevelopment Successor Agency Special Meeting Minutes of July 26, 2016 as submitted.

- C**      [16-0957](#)      Approve the Second Amendment to Outside Counsel Agreement with Goldfarb Lipman for Litigation Services pertaining to the three lawsuits related to the dissolution of the Redevelopment Agency.

**Recommendation:** City Council:  
Authorize the City Attorney to execute a Second Amendment, in substantially the same form as Attachment 1 to the report, to the Outside Counsel Agreement with the law firm of Goldfarb Lipman to increase the not-to-exceed amount by \$40,000, for a new not-to-exceed contract amount of \$200,000.

Redevelopment Successor Agency:  
Authorize the Agency Counsel to execute a Second Amendment, in substantially the same form as Attachment 1 to the report, to the Outside Counsel Agreement with the law firm of Goldfarb Lipman to increase the not-to-exceed amount by \$40,000, for a new not-to-exceed contract amount of \$200,000.

## **5 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](http://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](http://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](http://CouncilMeetings.inSunnyvale.com) for upcoming Council meeting information.*

*Visit [BoardsandCommissions.inSunnyvale.com](http://BoardsandCommissions.inSunnyvale.com) for upcoming board and commission meeting information.*

*For a complete schedule of KSUN-15 Council meeting broadcasts, visit [KSUN.insunnyvale.com](http://KSUN.insunnyvale.com).*