



# City of Sunnyvale

## Notice and Agenda

### City Council

---

Tuesday, February 28, 2017

4:30 PM

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

---

**Special Meeting: Closed Session-4:30 PM | Study Session-5 PM | Study Session-6 PM |  
Regular Meeting-7 PM**

#### **4:30 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**

[17-0190](#)

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: Sunnyvale Employee Association  
(SEA)

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

#### **5 P.M. SPECIAL COUNCIL MEETING (Study Session)**

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

##### **2 Roll Call**

##### **3 Study Session**

[17-0030](#)

Mary Avenue Overcrossing - Environmental Impact Report

**4 Public Comment****5 Adjourn Special Meeting****6 P.M. SPECIAL COUNCIL MEETING (Study Session)****1 Call to Order in the West Conference Room (Open to the Public)****2 Roll Call****3 Study Session**[16-1102](#)

Board and Commission Interviews

**4 Public Comment****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 ORDER OF THE DAY**[17-0196](#)

SPECIAL ORDER OF THE DAY - Arbor Day Celebration and Proclamation

[17-0261](#)

SPECIAL ORDER OF THE DAY - American Red Cross 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    [17-0078](#)            Approve City Council Meeting Minutes of February 7, 2017

**Recommendation:** Approve the City Council Meeting Minutes of February 7, 2017 as submitted.

- 1.B    [16-1125](#)            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    [17-0029](#)            Award a Multi-year Contract for National Pollutant Discharge Elimination System (NPDES) Permit Technical Support Services for the Water Pollution Control Plant (F17-074)

**Recommendation:** 1) Award a five-year contract, in substantially the same form as Attachment 1 to the report and in an amount, not to exceed \$1,600,000 to EOA, Inc., and authorize the City Manager to execute the contract when all necessary conditions are met.

- 1.D    [17-0042](#)            Approve NOVA Strategic Local Plan and Approve NOVA as Career Services Provider at Sunnyvale NOVA Job Center

**Recommendation:** Approve the NOVA Strategic Local Plan and approve NOVA to be the adult and dislocated worker career services provider at the Sunnyvale NOVA Job Center.

- 1.E    [17-0052](#)            Award a Contract for the Installation of an Emergency Vehicle Traffic Signal Preemption System (F17-073) and Approve Budget Modification No. 33

**Recommendation:** 1) Award a contract, in substantially the same form as Attachment 1 to the report and in an amount of \$535,488 to Emtrac Systems and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 2) approve a 10% project contingency in the amount of \$53,549; 3) approve a budget modification in the amount of \$262,963.

- 1.F     [17-0088](#)     Award of Contract for Design and Construction Support Services for Traffic Signal Reconstruction at Mathilda Avenue and Indio Way (F17-009)

**Recommendation:** 1) Award a design contract, in substantially the same format as Attachment 1 to the report in an amount not-to-exceed \$137,916 to TJKM for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and approve a 10% design contingency in the amount of \$13,791.

## **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         [16-0086](#)         Appoint Applicants to Boards and Commissions

**Recommendation:** Staff makes no recommendation.

- 3         [17-0082](#)         Consider Terms of Exclusive Negotiating Agreement (ENA) with The Related Companies of California, LLC for Development of Affordable Housing on City Property Located at 441-499 W. Iowa Avenue (APNs 165-130-74, 165-130-46, 165-130-68, 165-130-45, 165-130-73, and 165-130-69)

**Recommendation:** Alternative 1: Approve draft Exclusive Negotiating Agreement with The Related Companies of California, LLC for the development of the affordable housing project on Block 15; and authorize the City Manager to sign it in final form substantially consistent with Attachment 1 to the report and as approved by the City Attorney.

- 4         [16-0992](#)         Approve Loan and Regulatory Agreements with MP Edwina Benner Associates, LP for a Loan of \$7.43 Million in Housing

Mitigation Funds and a Loan of \$600,000 in HOME Funds for Edwina Benner Plaza Affordable Housing Development at 460 Persian Drive and Approve Budget Modification No. 31

**Recommendation:** Alternatives 1 and 3: 1) Approve Budget Modification No. 31 in the amount of \$2,430,000 and the HMF Loan and Regulatory Agreements with MP Edwina Benner Associates, LP, with a loan amount of \$7.43 million, in substantially the form provided in Attachments 1 and 2 to the report, and authorize the City Manager to execute the Agreements in final form as approved by the City Attorney; and 3) Approve the HOME Loan and Regulatory Agreements with MP Edwina Benner Associates, LP in substantially the form provided in Attachments 3 and 4 to the report, with a loan amount of \$600,000, and authorize the City Manager to execute the Agreements in final form as approved by the City Attorney.

- 5      [17-0191](#)      Adopt a Resolution Declaring City-Owned Property Located at 1484 Kifer Road (Unilever) as Surplus Property and Authorizing the Sale of the Unilever Property in Compliance with Government Code Section 54220 et seq. and approval of Budget Modification No. 32

**Recommendation:** Alternatives 1 and 2: 1) Adopt a resolution declaring the City-owned property located at 1484 Kifer Road as surplus property for sale, and begin the public notice process pursuant to Government Code Section 54222; if any agencies offer to purchase the property, begin good faith negotiations and return to Council for consideration; and approve Budget Modification No. 32 to appropriate \$15,000 for updated appraisals; and 2) If no offers are received pursuant to Government Code Section 54222 or price and terms cannot be agreed upon, then proceed with the sale of the properties on the open market via a Request for Proposal process.

#### **COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS**

#### **NON-AGENDA ITEMS & COMMENTS**

-Council

-City Manager

**INFORMATION ONLY REPORTS/ITEMS**

- [17-0077](#) Tentative Council Meeting Agenda Calendar
- [17-0016](#) Information/Action Items
- [17-0060](#) Boards and Commissions Semi-Annual Attendance Report, July - December 2016 (Information Only)
- [16-0944](#) Addition of Graphic Panels to the Orchard Heritage Park Interactive Exhibit (OHPIE) (Information Only)
- [17-0210](#) Study Session Summary of January 31, 2017 - Valley Transportation Authority (VTA) Presentation on the Next Network Draft Plan for Proposed Changes to Transit in Sunnyvale (Information Only)

**ADJOURNMENT****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).*