



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, May 23, 2017

5:00 PM

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

Special Meeting: Closed Session- 5 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

[17-0534](#)

Closed Session held pursuant to California Government Code
Section 54957.6: CONFERENCE WITH LABOR
NEGOTIATORS

Agency designated representatives: Deanna Santana, City
Manager; Teri Silva, Director of Human Resources

Employee organization: Communication Officers Association
(COA)

Employee organization: Public Safety Officers Association
(PSOA)

5 Adjourn Special Meeting

6 P.M. SPECIAL COUNCIL MEETING

1 Call to Order in the Council Chambers

2 Roll Call

3 Special Orders of the Day

- [17-0246](#) SPECIAL ORDER OF THE DAY - 2017 Earth Day Video and Poster Contest Winners
- [17-0427](#) SPECIAL ORDER OF THE DAY - Recognition of Green Businesses
- [17-0448](#) SPECIAL ORDER OF THE DAY - National Public Works Week

4 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

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 [17-0234](#) Approve City Council Meeting Minutes of April 25, 2017

Recommendation: Approve the City Council Meeting Minutes of April 25, 2017 as submitted.

- 1.B [17-0308](#) Approve City Council Special Meeting Minutes of May 2, 2017

Recommendation: Approve the City Council Special Meeting Minutes of May 2, 2017 as submitted.

- 1.C [17-0346](#) Approve City Council Special Meeting Minutes of May 4, 2017

Recommendation: Approve City Council Special Meeting Minutes of May 4, 2017 as submitted.

- 1.D [17-0114](#) Approve City Council Meeting Minutes of May 9, 2017

Recommendation: Approve the City Council Meeting Minutes of May 9, 2017 as submitted.

- 1.E [17-0177](#) 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.F [17-0358](#) Authorize the Modification of an Existing Purchase Order for Computer Hardware (F17-108)

Recommendation: Make a finding of exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(a); authorize the City Manager to amend the exiting purchase order with Dell Computer for computer equipment to increase the not-to-exceed amount from \$450,000 to \$800,000.

- 1.G [17-0363](#) Adopt a Resolution to Authorize the Filing of Fiscal Year 2017/18 Transportation Development Act (TDA) Article 3 Application for the Mary Avenue Bicycle Lanes Project Phase 2

Recommendation: Adopt a resolution authorizing the filing of Fiscal Year 2017/18 Transportation Development Act Article 3 application requesting MTC for an allocation of \$131,140 for FY 2017/18 to be used for the construction of the Mary Avenue Bicycle Lanes Project Phase 2 from Evelyn Avenue to Maude Avenue.

- 1.H [17-0508](#) Approval of One-Stop Operator for NOVA Local Workforce Development Area

Recommendation: Approve Hilary Goodkind dba Cenetri Group as one-stop operator for the NOVA Local Workforce Development Area.

- 1.I [17-0408](#) Award of Bid No. PW17-18 for the Pavement Rehabilitation 2016 Project Re-Bid, Determination of Bid Non-responsiveness, and Finding of California Environmental Quality Act (CEQA) Categorical Exemption

Recommendation: 1) Make a finding of a California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines Section 15301 for the restoration or rehabilitation of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails; 2) Award a contract in substantially the same form as Attachment 2 to the report and in the amount of \$2,225,955 to Interstate Grading & Paving Inc., and authorize the City Manager to execute the contract when all necessary conditions have been met; 3) approve a 10% construction contingency in the amount of \$225,596, and 4) make a determination that the bid received from G. Bortolotto & Co. is non-responsive.

- 1.J [17-0451](#) Award Contract for Design and Construction Support Services for the Traffic Signal Hardware and Wiring 2017 Project at Hendy and Sunnyvale Avenues (F17-079)

Recommendation: 1) Award a design contract, in substantially the same format as Attachment 1 to the report in an amount not-to-exceed \$115,347 to TJKM Transportation Consultants for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 2) approve a 10% design contingency in the amount of \$11,535.

- 1.K [17-0479](#) Award of Bid No. PW17-17 for Mary Avenue Bicycle Lanes Project Phase 2 and Approve Budget Modification No. 47

Recommendation: 1) Award a construction contract, in substantially the same form as Attachment 2 to the report and in the amount of \$804,546 to Redgwick Construction Company and authorize the City Manager to execute the contract when all necessary conditions have been met; 2) Approve a 10% construction contingency in the amount of \$80,455; and 3) Approve Budget Modification No. 47 to provide additional project funding.

- 1.L [17-0550](#) Approve Memorandum of Understanding between the City of Sunnyvale and the Sunnyvale Employees Association 2015-2019 and the Retirement Memorandum of Understanding 2017 - 2027, and Adopt a Resolution Amending the City's Salary Resolution and the Schedule of Pay to Increase Salaries for Pay Plan Category B (Sunnyvale Employees Association) and Adopt a Resolution Authorizing the City Manager to Exceed Appropriations for the FY 2016/17 Adopted Budget for governmental and agency funds.

Recommendation: Approve and Authorize the City Manager to Execute the Memorandum of Understanding between the City of Sunnyvale and the Sunnyvale Employees Association 2015 - 2019 and the Retirement Memorandum of Understanding 2017 - 2027, Adopt the Resolution amending the City's Salary Resolution and the Schedule of Pay to Increase Salaries for Pay Plan Category B (Sunnyvale Employees Association), and Adopt a Resolution Authorizing the City Manager to Exceed Appropriations in the FY 2016/17 Adopted Budget for governmental and agency funds as long as sufficient monies are available within the fund.

- 1.M [17-0555](#) Approve Memorandum of Understanding between the City of Sunnyvale and the Service Employees International Union Local 521 2017-2021 and Adopt Resolution to Amend the Schedule of Pay in the City's Salary Resolution to Increase Salaries for Pay Plan Category L (Classified Regular Part-Time Employees)

Recommendation: Approve and Authorize the City Manager to Execute the Memorandum of Understanding between the City of Sunnyvale and the Service Employees International Union Local 521 2017-2021, and adopt the Resolution amending the Schedule of Pay in the City's Salary Resolution to Increase Salaries for Pay Plan Category L (Classified Regular Part-Time Employees).

- 1.N** [17-0559](#) Amend the Salary Resolution to Update the Schedule of Pay to Provide Salary Increases for Pay Plan Category G (Unrepresented Classified Confidential Employees) and Align Pay Plan Category G (Unrepresented Classified Confidential Employees) with Pay Plan Category B (Sunnyvale Employees Association) With Respect to Wages

Recommendation: Adopt the Resolution to Amend the Salary Resolution to Update the Schedule of Pay to Provide Salary Increases for Pay Plan Category G (Unrepresented Classified Confidential Employees) and Align Pay Plan Category G (Unrepresented Classified Confidential Employees) with Pay Plan Category B (Sunnyvale Employees Association) With Respect to Wages

- 1.O** [17-0558](#) Adopt Ordinance No. 3116-17 Awarding Nonexclusive Franchise to Yellow Checker Cab Company, Inc., dba Checker Cab of Silicon Valley and dba Rainbow Cab

Recommendation: Adopt Ordinance No. 3116-17.

- 1.P** [17-0556](#) Adopt Ordinance No. 3117-17 Awarding Nonexclusive Franchise for Taxicab Service to A Orange Cab, Inc., dba Orange Cab

Recommendation: Adopt Ordinance No. 3117-17.

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** [17-0501](#) REQUEST FOR CONTINUANCE TO JULY 25, 2017
Proposed Project: Related applications on a 2.1-acre site:
REZONE: Introduction of an Ordinance to rezone the property at 1314-1320 Poplar Ave. from R-1/ECR (Low Density Residential/Precise Plan for El Camino Real) to C-2/ECR (Highway Business Commercial/Precise Plan for El Camino Real); and
SPECIAL DEVELOPMENT PERMIT: Redevelop a former mobile home park (Conversion Impact Report certified and closure approved in January 2016) and existing duplex property into a 108-unit apartment complex, where 20% of

units will be affordable to very low income households. The complex will consist of one five-story building (four stories above amenities and parking on the ground floor plus one level of parking underground) facing El Camino Real and one three-story building facing Poplar Ave.

Location: 1008 E. El Camino Real (APN 313-03-011) and 1314-1320 Poplar Ave. (APN 313-03-013)

File #: 2016-7293

Applicant / Owner: St. Anton Communities / Sunnyvale Park LLC; Alhambra Apartments LP

Environmental Review: Mitigated Negative Declaration

Recommendation: Continue the public hearing to the July 25, 2017 City Council meeting.

- 3 [17-0107](#) Appoint Applicants to the Arts Commission, Bicycle and Pedestrian Advisory Commission, Board of Building Code Appeals, Board of Library Trustees, Heritage Preservation Commission, Housing and Human Services Commission, Parks and Recreation Commission, Personnel Board, Planning Commission and Sustainability Commission

Recommendation: Staff makes no recommendation.

- 4 [17-0298](#) Public Hearing and Adoption of Resolution to Confirm the Annual Report and Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District for Fiscal Year 2017/2018; Public Hearing and Introduction of an Ordinance Amending Chapter 3.60, Entitled Downtown Sunnyvale Business Improvement District, of Title 3 of the Sunnyvale Municipal Code to Convert Portions of BID Zone C to BID Zone B

Recommendation: Alternatives 1 and 2: 1) Adopt the Resolution to Confirm the Annual Report and Levy and Collect an Annual Assessment for the Downtown Sunnyvale Business Improvement District for Fiscal Year 2017/2018; and 2) Introduce an Ordinance Amending Chapter 3.60, entitled "Downtown Sunnyvale Business Improvement District," Title 3 of the Sunnyvale Municipal Code to Convert Portions of BID Zone C to BID Zone B.

- 5 [17-0370](#) Approve Memorandum of Understanding with Santa Clara Valley Water District for Collaboration on Assessing the Feasibility of Water Reuse Alternatives and Find that the

Action is Exempt from CEQA Pursuant to CEQA Guidelines, Section 15262

Recommendation: Alternative 1: Authorize the City Manager to execute the Memorandum of Understanding with the Santa Clara Valley Water District in substantially the same form as set forth in Attachment 2, for Collaboration on Assessing the Feasibility of Water Reuse Alternatives, and find that this action is exempt from CEQA pursuant to Section 15262 of the CEQA Guidelines.

- 6 [17-0447](#) Award of Bid No. PW16-28 for the Primary Treatment Facility Package 2 for the Reconstruction of the Water Pollution Control Plant, Make a Finding of Bid Non-responsiveness, Amend an Existing Design/Construction Support Contract, Authorize the City Manager to Procure Insurance Coverage, and Approve Budget Modification No. 45 in the amount of \$4,810,137

Recommendation: Alternatives 1 through 6:

1. Make a finding of non-responsiveness for the bid submitted by Flatiron West Inc.
2. Award a construction contract, in substantially the same form as Attachment 2 and in the amount of \$100,188,000 to C. Overaa & Co., and authorize the City Manager to execute the contract when all necessary conditions have been met.
3. Approve a 7% construction contingency in the amount of \$7,013,160.
4. Authorize the City Manager to execute an amendment to an existing contract with Carollo Engineers, in substantially the same format as Attachment 3, adding \$1,210,137 and increasing the not-to-exceed value from \$12,946,801 to \$14,156,938.
5. Authorize the City Manager to finalize insurance policy documents and make payment in the amount of \$514,684 to Alliant Insurance Services Inc. for Builders Risk, "Acts of God", and Earth Movement and Flood coverages.
6. Approve Budget Modification No. 45 in the amount of \$4,810,137 to provide additional project funding.

- 7 [17-0136](#) Award a Contract for Civic Center Master Planning Services to SmithGroupJJR and Approve Budget Modification No. 46 in the Amount of \$1,350,000 from the General Fund Capital Improvement Projects Reserve

Recommendation: Alternatives 1, 2 and 3: 1) Award a contract, in substantially the same a form as Attachment 1 to the report, to SmithGroupJJR in an amount not to exceed \$1,199,322 and authorize the City Manager to execute the contract when all necessary conditions have been met; 2) Approve a contract contingency of 10% in the amount of \$119,932; and 3) Approve Budget Modification No. 46 in the amount of \$1,350,000 to provide funding for the Civic Center Modernization Project.

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

17-0277	Tentative Council Meeting Agenda Calendar
17-0360	Information/Action Items
17-0369	Study Session Summary of May 16, 2017 - Board and Commission Interviews
17-0539	Study Session Summary of May 17, 2017 - Board and Commission Interviews

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 35.160 (b) (1))

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.