



City of Sunnyvale

Notice and Agenda

City Council

Tuesday, July 11, 2017

5:00 PM

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

**Special Meetings: Closed Session- 5 PM | Joint Study Session with Board of Library
Trustees and Parks and Recreation Commission- 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

[17-0236](#)

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

[17-0688](#)

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)
Name of case: Meinhardt, et al. vs. City of Sunnyvale; USDC
Civil Action No. 5:16-cv-05501 HRL

5 Adjourn Special Meeting

6 P.M. SPECIAL COUNCIL MEETING (Joint Study Session with Board of Library Trustees and Parks and Recreation Commission)

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

2 Roll Call**3 Public Comment****4 Joint Study Session with Board of Library Trustees and Parks and Recreation Commission**[17-0576](#)

Lakewood Branch Library and Learning Center Feasibility
Study Update

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**[17-0351](#)

SPECIAL ORDER OF THE DAY - 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 [17-0470](#) Approve City Council Meeting Minutes of June 20, 2017

Recommendation: Approve the City Council Meeting Minutes of June 20, 2017 as submitted.

- 1.B [17-0180](#) 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 [17-0535](#) Award of Contract to the San Mateo County Community College District and to modify an existing contract with Open Access to Implement the State of California-funded SlingShot Compact

Recommendation: Authorize the City Manager to executive a contract with the San Mateo County Community College District for an amount not to exceed \$237,000 and with a term ending March 31, 2018 and to execute Modification No. 2 to an existing contract with Open Access to increase the not to exceed amount from \$60,000 to \$360,000 with a term ending March 31, 2018.

- 1.D [17-0676](#) Amend the Classification Plan to Add the Newly Established Classification of Permit Center Manager and Change the Classification Title for the Superintendent of Building Inspection to Chief Building Official, and Amend Corresponding Provisions of the Salary Table of the City's Salary Resolution to Reflect the Classification Updates

Recommendation: Adopt a resolution amending the Classification Plan to add one new classification and to change the title of one classification, and amending the City's Salary Resolution to update the schedule of pay to include those classifications.

- 1.E [17-0573](#) Adopt a Resolution to Accept One Bay Area Grant Cycle 2 and Sustainable Transportation Planning Grant Funds and Approve Budget Modification No. 3

Recommendation: Approve the required resolutions to accept One Bay Area Grant Cycle 2 and Sustainable Transportation Planning Grant Funds and Approve Budget Modification No. 3 in the amount of \$382,000.

- 1.F [17-0575](#) Award of Bid No. PW17-12 for the Federally-Funded Safe Routes to School Project, Finding of California Environmental Quality Act (CEQA) Categorical Exemption, and Approval of Budget Modification No. 2 to provide \$441,756 in Additional Funding

Recommendation: 1) Make a finding of a California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines Section 15301 for the maintenance or repair of existing facilities involving negligible or no expansion of use beyond which presently exists; 2) award a contract, in substantially the same form as Attachment 2 to the report and in the amount of \$1,872,509 to FBD Vanguard Construction, 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 \$187,251; and 4) Approve Budget Modification No. 2 to provide \$441,756 in additional project funding.

- 1.G [17-0600](#) Award of Contract for Digester #1 Cleanout at the Water Pollution Control Plant (F17-107) and Approve Budget Modification No. 4

Recommendation: 1) Award a contract in substantially the same form as Attachment 2 to the report in the amount not to exceed \$158,840 to Synagro-WWT, Inc. for Digester #1 Cleanout at the WPCP authorize the City Manager to execute the contract when all conditions have been met; 2) approve a 10% contract contingency in the amount of \$15,884; 3) and approve Budget Modification No. 4 to provide additional funding for the project.

- 1.H [17-0622](#) Award of Contract for the Preliminary Design and Environmental Clearance of the Bernardo Undercrossing Project (F17-075) and Budget Modification No. 5

Recommendation: 1) Award a contract, in substantially the same form as Attachment 1 to the report and in an amount not to exceed \$586,577, and authorize the City Manager to execute the contract when all the necessary conditions have been met; and 2) approve a contract contingency in the amount of \$46,334.

- 1.I [17-0661](#) Award of Contract to the Santa Clara Valley Transportation Authority to Implement a California Energy Commission Initiative Supporting Transit Apprenticeship Development

Recommendation: Award a contract to Santa Clara Valley Transportation Authority for an amount not to exceed \$125,000 and expiring June 30, 2018; and authorize the City Manager to execute a contract when all necessary conditions have been met.

- 1.J [17-0686](#) Adopt Ordinance No. 3119-17 Amending the Precise Zoning Plan, Zoning Districts Map, to Rezone 63 contiguous properties located on Royal Ann Court, N. Sage Court, Hollenbeck Avenue, W. Remington Drive, Sheraton Drive, Smyrna Court, and Spinosa Drive from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)

Recommendation: Adopt Ordinance No. 3119-17.

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 [17-0659](#) Proposed Project: Introduce an Ordinance to REZONE 49 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story)
Location: 801-825 Ticonderoga Drive (Assessor's Parcel Number 202-18-003 through 202-18-006 and 202-18-046), 849-891 Ticonderoga Drive (202-21-018 through 202-21-025), 850-886 Somerset Drive (202-21-007 through 202-21-013), 1150 Revere Drive (202-20-004), 1150-1166 Shenandoah Drive (202-20-033 through 202-20-036), 1151-1157 Shenandoah Drive (202-20-031 and 202-20-032), 861-879 Somerset Drive (202-20-001 through 202-20-003), 1130-1194 Pimento Avenue (202-18-007 through 202-18-018),

1149-1167 Pimento Avenue (202-20-045 through 202-20-048), 1181-1199 Pimento Avenue (202-21-014 through 202-21-017), 1149-1161 Plum Avenue (202-18-023 through 202-18-025).
File #: 2016-7734
Existing Zoning: R-1
Applicant / Owner: Molly Kauffman (plus multiple owners)
Environmental Review: The Ordinance being considered is categorically exempt from review pursuant to CEQA Guidelines Section 15305 (minor alteration in land use) and Section 15061(b)(3) (a general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the activity is not subject to CEQA).

Recommendation: Alternatives 1 and 2: 1) Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 and 15061(b)(3); and, 2) Introduce an Ordinance to Rezone 49 contiguous single family home lots from R-1 (Low Density Residential) to R-1/S (Low Density Residential/Single-Story).

- 3 [17-0429](#) Adopt a Resolution to Approve the Final Engineer's Report, Confirm the Assessment, and Levy and Collect an Annual Assessment for The Downtown Parking Maintenance District for Fiscal Year 2017/18

Recommendation: Alternative 1: Adopt the resolution to approve the final Engineer's report, to confirm the assessment, and levy and collect an annual assessment for the Downtown Parking Maintenance District for FY 2017/18.

- 4 [17-0670](#) Approve a Conceptual Design for the Washington Community Swim Center Project

Recommendation: Alternative 1: Approve the recommended conceptual design as shown on Attachment 5 to the report and authorize staff to proceed with detailed design and preparation of bid documents.

- 5 [17-0671](#) Approve the Concept of Constructing an Inclusive Playground at Fair Oaks Park and Authorize the City Manager to Execute an Agreement Between Magical Bridge Foundation and the City of Sunnyvale for Design and Construction Services

Related to the Playground

Recommendation: Alternatives 1 and 3: 1) Approve the Concept of Constructing an Inclusive Playground at Fair Oaks Park; and 3) Authorize the City Manager to Execute an Agreement Between the Magical Bridge Foundation and the City of Sunnyvale in the amount of \$1,800,000 for Design and Construction Services Related to the Playground.

- 6 [17-0410](#) Introduce an Ordinance Mandating Use of Online or Electronic Filing of Campaign Statements and Statements of Economic Interests

Recommendation: Alternative 1: Introduce an Ordinance to Add Chapter 2.29 (Electronic Filing) to Title 2 (Administration and Personnel) of the Sunnyvale Municipal Code Related to Electronic Filing of Campaign Statements and Statements of Economic Interests (Fair Political Practices Commission Form 700), and Find that the Action is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15378(b) (5).

COUNCILMEMBERS REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

-Council

-City Manager

INFORMATION ONLY REPORTS/ITEMS

- | | |
|-------------------------|---|
| 17-0093 | Tentative Council Meeting Agenda Calendar |
| 17-0548 | Information/Action Items |
| 17-0687 | Minimum Wage Update (Information Only) |
| 17-0691 | Update on CAP 2.0 Community Advisory Committee (Information Only) |
| 17-0299 | 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 35.160 (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. 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.